



October 2015

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NEW FEATURES

Do You Know? We'll be combing the world of rental housing to find interesting tidbits and information to surprise you.

News Around Oregon – We're gathering news from around Oregon. What's happening in LaGrande is just as important as what's happening in Portland, or Medford.

National Housing Headlines – We'll report on rental housing trends across the nation.

Case Briefs – Want to know the latest court rulings that might affect your rental investment? Just turn to this section.

Housing Links – Want more information? Need contact numbers? Who, what, where and when? Check out these helpful links to sites that can help you.

Preparing for the Next Season

By **Arleigh Santoro**, Village Properties at Sunriver, LLC

"When I think of work, it's mostly about having control over your destiny, as opposed to being at the mercy of what's out there." **GARY SINISE**

Don't be at the mercy of the unknown. Be in control. Letting your property get out of control happens quickly if one doesn't have a yearly or seasonal plan. Inclement weather will call soon enough. Why not beat it to the punch with your own "fall call to action". As you begin to consider where you stored your gloves and scarves, consider buttoning up any loose ends or maintenance needs for your property. As animals who prepare for hibernation a landlord needs to prepare for those long winter nights too.

Yards: Your tenant may have held up his end of the rental agreement by taking good care of the yard, but now is the time to think of the little extras

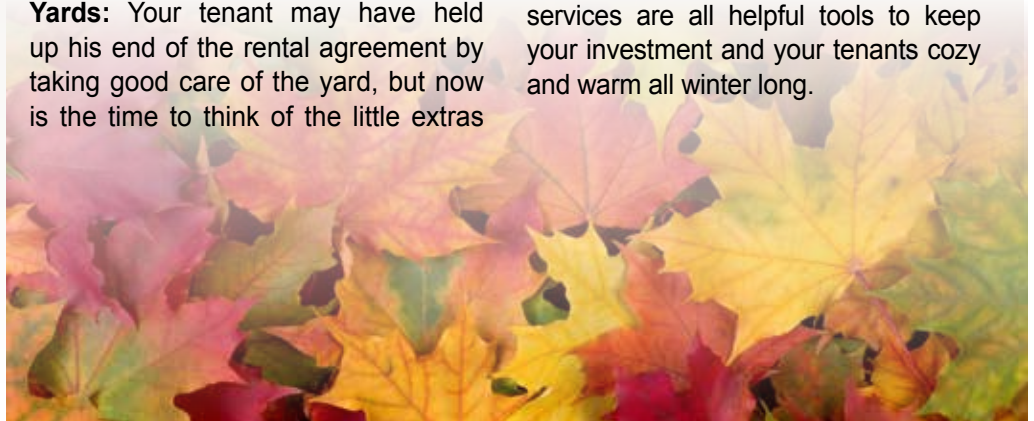
that will keep your yard tucked in for a long winter season. Fall pruning and fertilizing are a few things to not overlook.

Roofs: Are the leaves down? Are they on top of your roof? If you don't put your tenant on the roof, then you might need to get someone to remove that which may cause harm to your roof if left to spend the winter. And don't forget the gutters too.

Weather tightness: Do you button your coat up all the way when the east winds blow? Well don't forget that your rental investment may need a little help to ward off those long cold nights. Caulking, weather stripping, attic insulation inspection and furnace services are all helpful tools to keep your investment and your tenants cozy and warm all winter long.

OREGON RENTAL HOUSING ASSOCIATION
**Board Meeting
Schedule**

November 21, 2015 - Salem
January 16, 2016 - Springfield
March 19, 2016 - Springfield
May 21, 2016 - Klamath Falls
July 16, 2016 - Springfield



AROUND

Here

By **Violet Wilson**, V&R Management, LLC
Member of Salem Rental Housing Association



The Salem Interfaith Hospitality Network helps families who are all facing homelessness for a variety of reasons. Some are related to bad credit or debt, some have had a big event such as a divorce or job loss, Others are doing all the right things, but the housing market is just so tight they can't get in. The program wanted information on how to be a good tenant, and what tenant rights are during the application process and after move in. It was very important to them that the families are treated respectfully and compassionately, not talked down to, or belittled for the choices that they've made. This program assists families with obtaining funds to meet the entry costs of new housing.

Oregon Rental Housing Association was invited to present to this group regarding the landlord perspective. Violet Wilson developed "Tenants 101", a 90 minute power point that reviewed Landlord/Tenant law with the focus on what tenant rights are and what they can do to be good tenants and retain their housing. The participants were grateful for the information and felt it would assist them in being better renters.

The powerpoint, "Tenants 101", is available for use in other localities. Contact Maren at (503) 364-5468 or maren@oregonrentalhousing.com



Oregon Legislative Update

By **Jim Straub**, ORHA Legislative Director

ORHA held our 2015 Legislative Planning Meeting on July 18th in Eugene. The discussions about the upcoming Oregon Legislative Session were dynamic. Thanks to all the ORHA chapters who provided us with feedback regarding your priorities for the next legislative session. Your suggestions are valuable as we begin to identify which concerns to bring before the next Landlord-Tenant Coalition, which began meeting again in late September. Among the items in the

next legislative session, we expect there to be a big push for rent control, given the tight market conditions, particularly in Portland and Bend. Stay tuned for future legislative updates. And remember, you can always bring your concerns to your local chapter's ORHA legislative representative. I look forward to hearing from all of our ORHA members.

You can contact me at:
LD@OregonRHA.com

OREGON RENTAL HOUSING ASSOCIATION PRESENTS

EDUCATION IN PROPERTY MANAGEMENT

NOW AVAILABLE

WORKSHOPS (3-4 hour)

- Landlord/Tenant Law
- LARRC
- Evictions
- Section 8
- Conflict Management
- Property Management
- Landlording 101
- Landlording 102
- Landlording 103
- Landlording 301
- Tenant Selection
- Maintenance

SEMINARS (1 hour)

- Tenant Screening Tips
- Temporary Residents
- Security Deposits
- Abandoned Property
- Marijuana & Landlords
- Radon

Also, courses by request
tailored to local's needs

NEW!
Section 8

Workshop



ORHA offers workshops and seminars to our member locals to improve skills in managing property. ORHA is a certified provider with the state of Oregon and these courses qualify as hours required for licensed certification. Presenters have extensive experience in the property management field.

For more information contact:

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Contact Violet at 503-364-5468 for customized classes to fit your needs.

We have what you are looking for – just call today!



PRESIDENT'S MESSAGE

Terry Turner

ORHA has been working hard all summer to make some exciting changes. Cooler weather has arrived, leaves are turning colors and everyone is thinking about warmer clothes and preparing for winter. Many thanks go to each of the association presidents who traveled to Bend for the first meeting of the new President's Council. They contributed some great ideas that you will see in this Newsletter. The Long Range Planning meeting in Bend on September 19th was a success with lots of input and exciting ideas from around the state. We had 12 Association presidents and representatives from 13 different associations attend this year, one of the most attended planning sessions ever. We delayed the newsletter to make some improvements. We've added new features and columns. Check out; "Do you know?", "News Around Oregon", "National Housing Headlines", "Case Briefs", and "Housing Links". We want to make ORHA's Newsletter your source for housing news in Oregon and trends around the nation. Now, get out your rental inspection sheets, and make start making your appointments. Winter will be here before you know it. Protect your tenants, your property and yourself, inspections are your first line of defense. Don't forget to mark the next Board meeting on November 21st in Salem on your calendar. I'm looking forward to seeing you there.

DO YOU KNOW

Is it Mold or "Ghosting"?

By **Arleigh Santoro**, Village Properties at Sunriver, LLC

What is thermal tracking or ghosting and what causes it?

Thermal tracking or "soot tracking" may be found wherever moisture condenses on cool building surfaces. Ghosting is the term used to describe the dark streaks that develop on walls and ceilings as a result of the thermal telegraphing which is the evidence left behind when particulates (dirt, soot, smoke, etc) in the air are deposited on cooler surfaces.

Often mistaken for mold, this occurs when warm moisture-laden air touches the cooler surface of a building wall or ceiling, giving up some of its moisture to the surface as condensation. As air moves by natural convection through the building, it typically flows up walls and ceilings thus depositing the particulates onto the cooler surface.



October is Fire Prevention Month

10 Home Fire Safety Tips

[http://www.quickenloans.com/
blog/fire-prevention-month-10-
ways-protect-prepare-fire](http://www.quickenloans.com/blog/fire-prevention-month-10-ways-protect-prepare-fire)



New “Study” Proves Procrastination’s Benefits

We have all probably noticed the benefits of procrastinating. We know how this works, the garage needs cleaned, but we choose to spend the day at the lake. We need to organize the closet so the door will close, but the internet is calling with a fascinating video of a cat playing with a mouse. This new “study” proves the benefits of putting off tasks are; less time, diminished peace of mind and lost money.

Top 5 Procrastinated Tasks by Property Owners

1 PROPER SCREENING – I know you’re in a hurry and they have cash. They are willing to move in tomorrow. If you take the time to call their rental references, request a credit and criminal report and verify their income, you could miss out on a couple of days rent. You hate those phone calls and you are impatient by nature. They have the cash right now. **So**, you get a new tenant, their check bounces, they trash your rental, you have to evict, and you lose three weeks of rent. See? Time, peace of mind and money – works every time.

2 TENANT FILES – This file is where the signed Rental Application, signed Rental Agreement, signed Check-in Condition Report and pictures, all notices and all correspondence goes. I know you hate paperwork; it’s just not your thing. Besides, you’ve never had to evict anyone or had any problems in the 10 years you’ve owned investment property. **So**, the tenant moves out, she disputes your security deposit final

accounting, and has a witness to prove that the property was cleaner and in better repair than when she moved in. She sues you for twice the deposit and you can’t find the dated agreements, or you have misplaced the pictures. You lose! You get to pay her \$2000.00, plus court fees. A month later, you’ve installed new carpet and flooring from the unauthorized pets, replaced the broken window and repainted the complete unit. You took a few days off work to finish the repairs, your ulcer is kicking up and you have depleted your savings account. Benefits!

3 INSPECTIONS – We all want to break into the happy dance when it’s inspection time right? Isn’t there something else we can do instead? The answer is no! Your car is worth less than one tenth the value of your rental, yet you put gas in it, you change the oil and you check the tires. No way around it, inspections are necessary and should be routinely done at least yearly. Neglect doing the mundane and the result will be; unnecessary vacancies, unhappy tenants, and expensive repairs due to deferred maintenance.

4 REPAIRS – There is a big mystery regarding tenants and repairs. It goes something like this; you get a call with a complaint from the tenant about the faucet in the kitchen that has been leaking for months. They are now fed up with you and want it fixed immediately! They demand that you come over tomorrow by 4:30 pm to fix it. Here’s the mystery; it’s been leaking for months, this is the first time

they have reported it, it’s now 8:00 pm on Saturday night, your parents from Iowa will be here tomorrow for only one day to celebrate their 50th anniversary, AND the tenants are extremely upset that you can’t be there tomorrow by 4:30 pm. How does this happen? No one knows. But, I do know that there are many times when an inspection (see above) followed by quick repairs, documented in the tenant file, will stop most of these mysteries. The idea is to avoid the next call from the unhappy tenant that includes comments about the floor being warped and soft, the mold smell under the sink and the small bubble on the countertop. Your benefits just keep on piling up in that case; more lost time, worry over extensive damage and the expensive repairs.

5 PLANNING – Every business, and owning a rental property is a business – just ask the IRS, needs to have strategic planning. Every year, your planning should include inspecting the property, and budgeting for repairs and improvements. Most people also include an emergency repair or property improvement savings plan.

Want to avoid the proven benefits of procrastination? Screen every application every time. Set up tenant files and document the condition of the property. Automatically inspect your property at least yearly, most properties should be inspected twice a year. Take care of repairs and maintenance quickly and professionally. **“Plan today how you will protect and improve your investment.”**

“Study” commissioned and approved by **Terry Turner**, ORHA President

oregonrentalhousing.com

Officers 2015-2016

Terry Turner, *President*
Erika Morris, *Vice President*
Christian Bryant, *Secretary*
Dennis Chappa, *Treasurer*
Michael Steffen, *Past President*



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FROM THE EDITOR: The articles in this newsletter are intended to inform the membership and are not intended to convey legal, accounting or other advice. The articles are the opinions of the authors and are not necessarily the official positions and/or the views of Oregon Rental Housing Association. The editor and ORHA assumes no liability for loss or damage as a result of reliance on the material provided in this Newsletter. Appropriate legal, accounting or other expert assistance should be sought from competent professionals.

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Jim Straub, Legislative Director | legislativedirector@oregonrentalhousing.com

National Housing Headlines

New Michigan law allows for electronic service of eviction notices

In late May, Governor Snyder of Michigan signed into law House Bill 4038. Under this new law, which amends HB 5718 of Michigan Summary Proceedings Act, landlords are given the ability to serve eviction notices via “electronic service.” Previously, service of an eviction notice was permitted only by personal service or by first class mail. Now, electronic service of an eviction notice is permitted as long as the tenant has consented via an electronic transmission in writing to electronic service. Pursuant to the law, the electronic service address used by a party in the electronic service consent

confirmation process will be treated as that party’s correct, functioning electronic service address, unless the process (sending consent and affirmatively replying by electronic transmission) is repeated using a different address, or unless a party notifies the other in writing that the party no longer has an electronic service address. The new law prohibits landlords from refusing to enter a lease because the prospective tenant declines to consent to electronic service. The new law became effective on August 19, 2015.

Source: Lexology; www.lexology.com



FORMS HIGHLIGHT:

The image displays three forms from the Oregon Rental Housing Association (ORHA). On the left is the 'MONTH TO MONTH RENTAL AGREEMENT 2A', which includes fields for tenant and landlord information, rent details, and a table of fees. In the center is the 'APPLICATION TO RENT' form, which asks for property address, availability dates, and security deposit information. On the right is the '30 OR 60 DAY NOTICE OF TERMINATION 5' form, which provides a template for terminating a tenancy with specific notice periods and reasons.

ORHA Forms are Available Online!

Oregon Rental Housing Forms are just a click away!

- 1 www.oregonrentalhousing.com
- 2 Click (top right): “Click to Get ORHA Forms Online”
- 3 Input your local association code in the field labeled “Enter Your Member ID” to receive ORHA forms 1/2 PRICE
- 4 Choose a form
- 5 Click on the form
- 6 Input your information
- 7 Click “Generate PDF”
- 8 Click “Check Out” – This will direct you to PayPal
- 9 Follow payment directions. Once complete, PayPal will return to the ORHA Forms page to “Print Link.” This link will also be sent to your email address.

Rent Control and Mandatory Well Water Testing

By **Jim Straub**, ORHA Legislative Director

Two hot topics in the coming months will be rent control and mandatory well water testing.

Portland's community Alliance of Tenants (CAT) declared a "Renters' State of Emergency" in September. They asked for a one year ban on No-Cause Notices for tenants, and a 12 month Notice for any rent increases over 5% of the current rent. Portland's Housing Bureau Commissioner, Dan Saltzman has proposed a "compromise" with a 90 Day No Cause Notice and a 90 Day Notice for any rent increase over 10% over a one year period. ORHA wants to remind our members and the public that we believe that the market is driving up the rental rates. Portland and Oregon as a whole is a great place to live and attracting new businesses and new residents are what creates a vibrant community. Investment property owners are just now recovering

from the recent housing market collapse. Builders and developers are already starting to build to catch up with demand; the pendulum will swing back as it always does. Lane County is already seeing the results of oversupply and many are offering wild incentives, such as trips to Hawaii, and rents are decreasing in order to fill vacancies.

Mandatory well water testing is again being pushed as a requirement for rental housing. It has yet to be demonstrated that it is indeed a problem; however it is expected to be brought before the LL/T Collation for discussion and inclusion into this year's Collation bill. The most recent information is that testing of well water would be required on a yearly basis. It's anticipated that the cost per test would be approximately \$150 to \$200.

We are actively working on both of these issues, and will keep you posted as things progress.

Links

http://articles.coastlinepilot.com/2010-04-29/news/cpt-mold04302010_1_mold-tom-ely-water-intrusion
Family wins lawsuit against landlord for mold in property

http://www.oregonlive.com/portland/index.ssf/2014/05/landlord_broke_law_by_demandin.html
Lawsuit against landlord who requested pet fee for an assistance animal.

http://www.oregonlive.com/hillsboro/index.ssf/2013/08/oregon_supreme_court_protects.html
Tenants reported electrical problems, landlord decided to "fix" the problems but needed tenants to vacate. Court ruled retaliation.

http://tdn.com/news/local/confusing-comfort-animals-laws-lead--to-year-landlord-tenant/article_5747e82c-6d21-11e4-9b33-4b8e3a5a38bb.html
Assistance animal confusion court case.

<http://www.bendbulletin.com/localstate/2714842-151/landlord-tenant-dispute-in-collapsed-redmond-roof>
Snow causes roof to collapse.

<http://genderjustice.us/tenants-sue-landlords-for-severe-violations-of-privacy-and-sexual-harassment-at-home/>
Tenants sues landlord for violation of her privacy and other issues.