



April 2016

**IN THIS ISSUE**

- President's Message
- Around Here
- Do You Know
- National Housing Headlines

**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.

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

**MARCH 2016 FORMS CHANGES**

ORHA has been busy updating forms to reflect law changes. There were only six forms that had to be changed because of law changes—but these forms are the most often used by our members. Listed below are the forms that you should replace with current 3/16 copyright date forms. If you have any questions about when and how to use these new forms please call your helpline.

**2016 Law Change**

**1 – Application to Rent**

Added new Non-compliance types/amounts and new Renter's Insurance Requirement listing Owner/Agent as interested party

**2A – Rental Agreement**

Added new Non-compliance types /amounts, added Service Charge/ Fee Pass-through law, new Renter's Insurance Requirement listing Owner/Agent as interested party, Allocation of Tenant Payments, added new language for 90 Day Notice of Rent Increases and prohibition of rent increase during the 1st year

**2B – Lease Agreement**

Added new Non-compliance types/ amounts, added Service Charge/



*Jim Straub, ORHA Legislative Director and Governor Kate Brown; HB-4143 signed into law*



Fee Pass-through law, new Renter's Insurance Requirement listing Owner/ Agent as interested party, Allocation of Tenant Payments, added new language for 90 Day Notice of Rent Increases and prohibition of rent increase during the 1st year

**13 – Notice of Rent Increase**

Added new language for 90 day notice of rent increases and prohibition of rent increase during the 1st year

**30 – Deposit to Hold**

Added new Non-compliance types

**60 – Law Change Notification**

\*\*this form may be used to update

*continued on page 2*

OREGON RENTAL HOUSING ASSOCIATION  
**Board Meeting**  
*Schedule*

May 21, 2016 - Klamath Falls  
July 16, 2016 - Springfield

## PRESIDENT'S MESSAGE

By **Terry Turner**, ORHA President



April is Fair Housing Month. Why do we have Fair Housing Laws, and why should you care?

In the recent past signs saying “No Blacks, No Irish, No Catholics, No Single Women, or No Kids” were common. Discrimination of any kind diminishes all of us. Happily times have changed and attitudes are different. Unfortunately, there is still discrimination in housing; it's just under the radar most of the time. Why should you care? The truth is we are all connected in some way. The single woman with children, the elderly man, the Hispanic family and the gay couple are all brothers, sisters, sons, daughters, mothers, or fathers of someone and related to many more. “They” aren't those other people – they are us and abuse negatively affects everyone. No one wants to go back to the good old days of barring certain people from housing. Fair Housing Laws are essential to protect all people. You should care because we all matter. The end of housing discrimination should and could happen in our lifetime. Think about it – are you helping end housing discrimination?

## MARCH 2016 FORMS CHANGES

*Continued from page 1*

your current Month to Month Rental Agreements\*\* Added new Non-compliance types/amounts, added Service Charge/Fee Pass-through law, new Renter's Insurance Requirement listing Owner/Agent as interested party and the Allocation of Tenant Payments.

ORHA strongly encourages you to use these updated forms. We work hard to have the most up to date forms and to have them available to you quickly. Order them now on-line or from your local office.

In addition to the forms that were updated because of law changes, we made changes to these forms:

### Form changes for clarification or error correction

#### 15 – Tenant's 30 Day Notice to Vacate Premises

Changed title for consistency with other titles to – 30 Day Notice from Tenant to Vacate Premises

#### 27 – Smoke Free Agreement

Added wording to include Vaping

#### 35 – Warning Notice

Added wording to clarify non-compliance actions/fees and changed title to Notice of Non-Compliance

#### 46 – Assistance Animal Agreement

Dropped wording requiring spaying/neutering and added non-compliance fee information for failure to dispose of pet waste

We also made changes to almost every form to make them look more consistent. The logo, font, wording and signature lines are all the same now. We also developed a template so that future forms will all look the same. We hope you like the new look and find them easier to use. ORHA's goal is to provide up to date rental forms quickly and efficiently to our members. Professional looking forms that are current and easy to use is one of the most important tasks ORHA does. Tia Politi and Kim Elliott have worked for many weeks to make our forms the best they can be. A big thank you to both of them!

April is Fair Housing Month

[www.FHCO.org](http://www.FHCO.org)

**Need Tenant Screening or Legal Services?**

**541-548-7368**

**Sharrol Lyons**  
can assist you with all your needs

[www.NWTenantScreening.com](http://www.NWTenantScreening.com)  
[www.CascadeProcessServices.com](http://www.CascadeProcessServices.com)

**NORTH WEST TENANT SCREENING, LLC**  
Fast - Easy - Affordable  
Credit, Background, Employment, Landlord

**Cascade Process Services, LLC**  
When You Call, We Answer  
Landlord Legal Services - Beginning to End

# AROUND

## Here

Do You Want to Travel to One of Our Chapters for a Seminar? Here is the Class Schedule for April.

### Central OR ROA - Bend

COROA@541MediaLLC.com

**April 21, 2016 – 1 credit hour**  
Assistance Animals

**April 26, 2016 – 2 credit hours**  
Fair Housing

### Lane Co. ROA – Eugene

info@laneroa.com

**April 13, 2016 – 2 credit hours**  
The Eviction Process

### Linn Benton RHA – Albany

lbrhaoregon@gmail.com

**April 21, 2016 – 1 credit hour**  
Oregon Identity Theft Act

### Portland Area ROA – Portland

www.portlandarearoa.com

**April 20, 2016 – 4 credit hours**  
Fair Housing

### Salem RHA – Salem

Contact@salemrha.com

**April 21, 2016 – 4 credit hours**  
Landlord Tenant Law Update

### Southern OR RHA – Medford

Info@SOROA.net

**April 23, 2016 – 3 credit hours**  
Landlording 101 – Maintenance & Upkeep

**April 30, 2016 – 3 credit hours**  
Landlording 102

### SW OR ROA – North Bend

coltercindy@gmail.com

**April 23, 2016 – 3 credit hours**  
Landlording 102

## DO YOU KNOW



### Nice & Legal

By **Herb Yussim**, President, Rental Owners Association of Southwestern Oregon

Yesterday we hosted Brett Pruess, Managing Attorney for Oregon Law Center representing clients residing in Coos, Curry and Western Douglas counties. I invited Mr. Pruess to address our monthly membership meeting after we served together on a panel discussion sponsored by our local Housing Authority. At that time I was impressed with his balanced demeanor in addressing aggressive questioning from property owners where some of the questions bordered on belligerent. I thought it would be a good idea to invite Mr. Pruess to discuss the types of cases involving landlord-tenant law that his office encounters. Basically we wanted Mr. Pruess to discuss “What Not To Do” so that our property owner/manager members would not get sued.

Fortunately, Mr. Pruess agreed to our invitation and then was left with the task of figuring out what to discuss and how to format his presentation. To that end, he polled his fellow Oregon Law Center Attorneys from around the state to get their feedback on what issues would most benefit landlords and tenants alike. He made many very valuable observations, but the one which caught my attention was the theme of his presentation. He called it Nice & Legal.

He started out by telling us that he rarely if ever comes across a client who wanted to sue a landlord who had treated that tenant with respect and was basically nice, no matter what the issue at hand happened to be. However, those tenants who reported rude, disrespectful, aggressive and angry behavior from their landlords invariably wanted to sue. Of course, we are only hearing one side of the story and as Mr. Pruess pointed out there are always two sides to every story, but it is a great starting place: BE NICE.

The rest of the presentation was more oriented to the types of cases his office handles. He indicated that approximately 50% of the cases were landlord-tenant related and approximately 30% were related to domestic violence. Interestingly, most of the cases do not go to trial if they can be handled with a phone call or letter to the property owner/manager where remediation of a problem is easy. Again, Mr. Pruess pointed out that a positive attitude often helped a property owner/manager resolve a problem before it got out of control.

Finally he indicated that the people who regularly attend educational panels, classes, courses, membership meetings, etc., basically people who are active members of Rental Owner Associations, generally don't get sued. In addition he pointed out that those of us who use OUR pre-printed forms, and consult with our ROA attorneys, (Rental Owners Association of Southwestern Oregon has an attorney on retainer, who we make available to our membership at a discounted rate,) have a great advantage over those who do not stay current on the annual changes in the law. It was quite an interesting observation coming from an external source. Really, those of us who stay current and continue to participate are able to be NICE & LEGAL!

# INSPECTIONS: Take the time now to save you \$ later

By **Katie Poole-Hussa**, RHA Education Committee Chair

Inspection reports are often used to prove the condition of the property when a tenant moves in and when the tenant moves out. Even though completing these inspections when the property is vacant is ideal, conducting an inspection on at least an annual basis while the unit is occupied is just as important when making your case. Don't think of interim inspections as an invasion of privacy: think of it as protecting your investment by ensuring that the tenant is taking care of your property.

Try to encourage your tenants to attend the interim inspections with you. Best practice is to work with the tenant when scheduling the inspection by offering two separate times for the inspection. This not only shows the tenant that they matter to you and that their time is valuable, but it helps build a rapport with the tenant which will be vital in future dealings with them. However, if you propose two separate times for the inspection to take place and the tenant doesn't agree to attend, the landlord can and should still complete the inspection without the tenant with proper, legal notice: just be sure to note if the tenant was present for the inspection.

Always keep records. In Oregon, landlords are required to keep all documentation including inspection reports for six years after a tenancy has ended. When in doubt think of it this way: if it wasn't written, it probably cannot be proven. When the landlord chooses not to carry out an inspection either before or after the tenancy, the landlord will have a difficult time proving why they deducted anything from the security deposit for physical damage to the property that goes beyond normal wear-and-tear. If a landlord makes a deduction from the

security deposit without adequate proof, the tenant can take legal action to get their security deposit back. That is stress and money you could have saved simply by keeping better records.

## Helpful Tips for Completing the Inspection of an Occupied Unit:

- Try to arrange your inspection during a weekday.
- Be thorough: open drawers, cabinets, pantries, and closets; get on the floor and look under sinks; inspect the seals, the wear and tear, cleanliness, and overall condition of the refrigerator and the stove.
- Inspection reports can also include pictures – consider taking a camera or your phone so that you can take pictures or a video. Offer to share the reports, pictures, and videos with the tenants for best practice.
- Ask your tenants to point out anything that could be considered damage and make sure it gets written down. If the tenant will not be present for the inspection, ask them to leave a note on the kitchen counter listing anything they'd like you to look at or document.
- Is the housekeeping good? We all know that poor housekeeping will attract bugs and sometimes vermin so you want the home to be clean and tidy.
- Are there any signs of unauthorized occupants or unauthorized pets?
- Check for plumbing maintenance needs as well. See if the lint trap in the dryer is kept clean and be sure to take a look at the washing machine hoses. A frayed hose could indicate a potential leak. Inspect the toilet tanks. Check the flapper valve

and make sure it seals properly and does not need to be replaced. If the landlord is paying the water bill, there is not always a lot of motivation for the tenant to report a slight leak in that flapper valve. Even if the tenant is responsible for water, it does not take a lot of money or effort to replace a flapper valve.

Think of interim inspection reports as evidence to support a future case. Of course, no landlord ever wishes to be part of a legal battle justifying charges against a tenant for damages, but it happens all the time. Good record-keeping, proof, and evidence will be your saving grace if you find yourself in that situation.

Your local landlord organization can sell standard inspection forms for purchase by landlords. These forms provide a complete list of important property items so that issues don't go undetected during your inspections.

*Katie Poole-Hussa is a Licensed Property Manager in the State of Oregon, a Continuing Education Provider, Chair of the Education Committee for the RHA Oregon, and General Manager of the Portland Oregon branch of Acorn Property Management, LLC. She can be reached with questions or comments at 971-352-6760 or email [Katie@AcornPM.net](mailto:Katie@AcornPM.net).*



# National Housing Headlines

## Don't Fall for Rental Scams in Real Estate Apps

Source [king5.com](http://king5.com)

Sydney Rieman is a graduate student who's not naive.

But she says she has almost fallen for an apartment rental scam several times.

### Scammers target rental apps

Rieman, like a lot of young people, uses the Trulia and Zillow apps to find apartments and rental homes.

She's always been leery of Craigslist, hearing many stories of questionable ads, but had no idea scammers were also targeting more sophisticated rental sites as well.

"I've found some good deals, and some too good to be true, and most of the time I get an email back, and they are asking for money, and they can't show me the house," Rieman said.

For instance, she found a cute rental cottage for just \$490 a month. It seemed perfect, at a great price. But when she inquired, the seller told her he was out of town and wanted her to send a deposit.

What makes it tricky, she said, is that the rental property really existed at that address.

"I can look at the pictures of the home, look on Google maps, and even if you look at the street view, it is the house, it is the right address. So it seems legitimate," she said.

### What to watch for

Attorney generals across the country are warning this is how rental scams work: Con artists steal legitimate ads and repost them at lower prices.

"And what he's done is he has hijacked that picture and put it up, and you send the money and you are out the money," said Ohio Attorney General Mike DeWine.

### Warning signs of a rental scam:

Price looks too low for the neighborhood, or for the number of bedrooms.

"Landlord" does not have a local phone number, only an email address.

"Landlord" is out of town and says if you send him a deposit he will mail you the keys to check it out.

Trulia and Zillow each have a page on their website with information

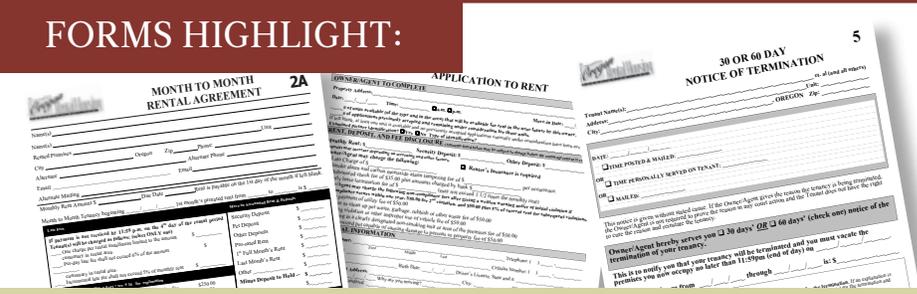
about rental scams. Zillow even lists examples of phony rental ads.

Both sites say their computer programs scan every ad for red flags of a fraudulent posting, but says a few bad ones occasionally get through. The sites say they remove fraudulent ads as soon as they find them.

Rieman is glad she spotted some of the red flags and backed out in time.

But state attorney generals say thousands of people fall for rental scams every year. They say if you can't tour a property and meet the landlord, stay away so you don't waste your money.

## FORMS HIGHLIGHT:



### ORHA Forms are Available Online!

Oregon Rental Housing Forms are just a click away!

- 1** [www.oregonrentalhousing.com](http://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.

# 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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