



VOLUNTEER SPOTLIGHT

Myrna Martinez

by Jane Capron



As MH/OSTA treasurer, Myrna Martinez banks dues and pays bills. She provides the board a monthly accounting of income and expenditures.

She was employed as systems administrator for the Sacramento Housing and Redevelopment Agency, and as a volunteer at Kaiser-Permanente in Roseville, California, receiving a five-year volunteer award.

Myrna lives at Hollywood Estates in Salem, where she enjoys reading and gardening. She has a daughter in Creswell and a son in Florida who, with their spouses, have given her nine grandchildren and two great-grandchildren.

Because of health problems, Myrna has slowed down a bit, but she believes the work of MH/OSTA is important to us all and intends to serve as long as she is able. ■

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Senate Bill 772 Overview

The following is taken from a summary of Senate Bill 772 written by John VanLandingham to the Senate Committee on Consumer Protection and Public Affairs on March 26, 2009. The original is 1,700+ words and more than space would allow. This nutshell version (down to a mere 1200 words) is, hopefully long enough to inform but short enough to include here.

SB 772 is introduced on behalf of the Manufactured Housing Landlord/Tenant Coalition, which negotiated and drafted the bill from Sept. 2008 to Feb. 2009.

At the time this is written, amendments are pending from Legislative Counsel. The summary is written with the amendments in mind.

SB 772 includes four primary issues:

- A. Submetering of utilities
- B. Enforcement of mandatory landlord registration/education
- C. Temporary occupant agreements ("super guests")
- D. Political signs on park spaces

A. Submetering of utilities

Current law allows landlords to recover from tenants utility costs which landlords pay for rental property (as opposed to utilities

such as electricity). The coalition's 2005 bill, HB 2247, codified methods for utility billing:

- Recovery in rent;
- Recovery via pro rata allocation, commonly divided per space; and
- Submetering.

In all cases, there is a master meter which is the landlord's responsibility. With submetering, landlord installs individual meters on each space to measure actual consumption by residents of that space. Landlords generally cannot unilaterally amend rental agreements; residents must agree to change. Cost for water was historically recovered by landlords as part of rent. Recently, with sewer service charges also tied to water consumption, costs have increased dramatically, causing landlords to want to pass this cost directly onto

(Continues on Page 4: SB 772)

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From the Executive Director ...

by Sue Foster

By the time this newsletter hits your mailbox, I will have been on the job for three and a half months ... and what a busy time it has been! I am especially pleased to have had an opportunity to personally meet some of you and am looking forward to meeting a lot more of you in the months ahead.

When I do get to chat with folks, one question that frequently comes up is about the status of the 501(c)(3) application. I'm truly happy to report that the process is all but done. We are now just waiting for final paperwork to clear. It has been a long haul and I was just in on the tail end. The Board of Directors have logged untold hours and it's fair to say that none of those hours were fun or glamorous. We all owe them a round of applause for seeing it through.

Following the work that goes on in the legislature has been particularly interesting to me. The March 26th public hearing on Senate Bill 772 (see cover story for an overview) is the only one I've been able to attend in person. The rest I've been tracking online (see 'how to' article on Page 13.)

In observing and listening to the legislative committees, one thing

I couldn't help but notice is that they really know how to get a lot done in just a couple of hours. It makes me realize that the rights that you and I enjoy as homeowners could just as quickly come undone if we do not remain vigilant as an organization.

I read some remarks that Fred Schwoch made a number of years ago in an article warning members not to become apathetic or too comfortable with the successes we have had in Salem. Fred estimated that it would probably take two legislative sessions for park owners to gut all the laws it has taken so many years to get on the books.

It's a chilling thought but one that increases my determination to build membership. Our strength really is in numbers. Every new member doubles the volume of every other member's voice in Salem. If you've never asked someone to join MH/OSTA, there couldn't be a better time to start. Through the months of June, July, and August we are having a special membership drive. (Look for details on Page 7.)

We hope you enjoy this OSTA Review. We welcome your feedback and comments and encourage you to send articles for the next issue. ■

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From the President ...

by Terry Smith

Hello from Yuma, AZ. My wife, Carole, and I have been coming here during winter for the last three years. We have a 5th wheel and leave it in a small RV park in Yuma. We have the best of both worlds.

I have been President of MH/OSTA now for about ten months, and it has been interesting. Before I took office, I was aware that a lot of time and effort was required by the board to keep things running smoothly, but I had no real idea of just how much. I am so proud of the MH/OSTA board; they are doing a tremendous job. They're dedicated, never complain, and they all volunteer their time.

The MH/OSTA Southern Oregon Directors meeting was held in October 2008 at Parkview Mobile/Manufactured Home Park in Rogue River, OR. Five chapters were present with 16 people attending. I called the meeting to order and Bruce McLaren, President of Western Carriage Mobile/Manufactured Home Park led us in prayer.

I pointed out that the MH/OSTA mission to keep members informed of their rights, help them retain their rights, and gain new rights by working with park owners and the legislation, will always remain the same. I talked about coalition meetings and how important they are to us homeowners. Coalition meetings include of MH/OSTA representatives, park owners, Oregon Housing and Community Services, park owner

attorneys and lobbyist, and Common Wealth (park management firm.) Occasionally State Representatives also attend the meetings. All sides work together to make park living more comfortable for you and me. The statues we now enjoy come from these meetings.

At our November 2008 OSTA board meeting, I asked the board to let me call each chapter to introduce myself to the chapter presidents and offer 501(c)(3) status update. I enjoyed every conversation. Any time I talk with a chapter member it is a learning experience. Feel free to contact me at any time.

I mentioned to each chapter that the board has two new board members, Don Nielsen of Littlebrook MHP in Roseburg and Rita Loberger of Eldorado Park in Tigard. Both have business backgrounds and are welcome additions.

I've included a list of accomplishments we have gained here at Miller Estates since forming our OSTA Chapter. Every MHP needs a chapter and I'd like other chapters to send in similar information. This is your *OSTA Review*; I want to know what is happening with your park. Tell me about your fun events. ■

Accomplishments at Miller Estates

1. Street signs
2. Repaint street sign poles
3. Mailbox cover
4. Brush cut due to fire hazard
5. Retain consumer price index rent control
6. Proper wording in rules and regulations, 51% rule
7. Help from the justice dept.
8. Four+ fun events per year
9. Monthly update to NHOA* members
10. Quarterly *OSTA Review*
11. General help for homeowners from NHOA and OSTA
12. No soliciting sign front entry
13. Speed limit sign
14. Group rates on Mercy Flight ambulance service
15. Health insurance / Medicare updates through Robin McBee
16. Group rates on heating and air conditioning service
17. Emergency contacts; 6 names to call when help is needed
18. NHOA arranged legal counsel to homeowners as needed
19. OSTA provided information to residents who needed help from State / County agencies
20. OSTA provided information for residents to consider when homeowner decisions needed to be made as the results of the Trustees retaining Commonwealth
21. OSTA made information available on tenant rights in Oregon
22. OSTA provided information on how to work with State agencies to obtain missing purchase agreement papers

*Miller Estate OSTA Chapter is Neighborhood Homeowner Association (NHOA)

Senate Bill 772 (Continued from Page 1)

residents rather than raising rents, a more cumbersome (and from the resident perspective, rarely reversed) process. HB 2247 also allowed landlords to unilaterally amend rental agreements to switch utility recovery methods from in-rent or pro rata to submeter. Both landlords and tenants view submetering as fairer and encouraging conservation.

Problem addressed:

Many residents feel that pro rata/per space recovery method is unfair to residents with smaller families or who conserve. There is concern that some landlords have taken advantage of the 2005 law and unfairly caused residents to agree to switch to pro rata/per space from in-rent. There is a desire by both landlords and residents to encourage submetering.

Changes:

- Limit billing for water to either in-rent or submetering; no pro rata.
- Prohibit landlords from switching from in-rent to pro rata even with consent of residents.
- Expand pro rata to allow per occupant, not just per space.
- Landlord cannot unilaterally switch from in-rent to pro rata.
- Landlords can unilaterally switch garbage service from in-rent or pro rata to a form of submetering, with individual garbage cans.
- Landlords to add on to cost charged by provider of cable TV or internet only if ultimate cost to the resident is less than if landlord had

not done bulk purchasing; residents cannot be required to opt in to this.

- Require landlords to make utility records available for resident inspection.
- Provide penalty of at least one month's rent or twice wrongly charged amount for landlord noncompliance.

Notes: There is a lot of interest in moving all water billing to submetering. That issue is also addressed in SB 929. Landlords have concerns about an EPA ruling which treats park landlords who submeter water as regulated utilities, and about costs of converting to submeters. If submetering issue is not fully resolved this session, coalition is committed to working on it in the interim, and has several strategies in mind.

- There is another related issue/bill, HB 2613, which addresses a concern identified in a PUC proceeding. Coalition has worked with bill's sponsor, Rep. Buckley, to amend bill to make it accomplish the sponsor's goal and address concerns raised by the PUC, residents, and landlord.

B. Enforcement of mandatory landlord registration/education

Current law: Coalition's 2005 bill, HB 2247, for the first time required MH park and floating home marina landlords to register with state and to attend in mandatory education on landlord/tenant law. Provision has Jan. 2012 sunset, so they are not codified; they are printed in statutes following ORS 90.730.

Problem addressed:

Some landlords have not registered with the state and/or done required training/education. This penalizes or discourages landlords who have complied, and defeats the goal of residents in 2005, to address poor management practices by requiring education. Additionally, MCRC lacks funding and rulemaking authority to do greater enforcement.

Changes:

- Convert from one-time to annual registration requirement, charge landlords \$25/park/year.
- Dedicate revenues (about \$65,000 per biennium) to MCRC's work in ensuring that all landlords comply.
- Remove marina landlords from requirements. Marina residents do not now pay annual \$6 registration fee paid by park residents.
- Require MCRC to send annual reminders to landlords.
- Provide OHCS with rulemaking authority for enforcement
- Increase noncompliance penalty from \$500 to \$1,000. Require OHCS to set a range of penalties within those amounts in rules and recognize good faith excuses.

C. Temporary occupancy agreements

Current law defines a tenant as someone who is entitled under rental agreement to occupy a dwelling to exclusion of others. Guests are not defined, although presumably they are people who are lawfully in the dwelling at invitation of tenant.

(Continues on Page 6: **SB 772**)

Gainsborough Park Hosts Lane County Meeting**Eugene Legislators Explain State Budget Woes***by Tom Mitchell*

Three state legislators spoke on Oregon's economic crisis at the March 14 MH/OSTA regional meeting. About 36 park residents from the local area attended the meeting at Gainsborough Park in Eugene.

A senator and two representatives re-enforced what we all know -- Oregon's budget woes pretty much mirror the national economic crisis. The bottom line is, any legislative requests that seek new funding have little chance of moving forward in the legislature.

Sen. Vicki Walker explained some implications of the state's anticipated revenue shortfall and noted the committees she serves on. She concluded with the observation that she was working to further "a new era of accountability coming to the federal and state government."

Rep. Terry Beyer from Springfield responded to questions about possible park purchase by residents that might be forthcoming during this legislative session. Several ideas have been floated, including possible lottery bonds to be used for "bridge funding," she said. One resident asked if the annual \$6 fee paid by homeowners through the county property tax assessment could be allocated toward park



Gainsborough Park entrance gate.

purchase assistance. Rep. Beyer said she would look into that possibility.

Rep. Nancy Nathanson outlined her legislative responsibilities and committees that she is working with, all of which are concerned with budgets in one form or another. She has introduced House Bill 2383, termed a "Right of First Refusal" bill concerned with resident purchase of their park in the event the owner puts the property on the market, and explained the rationale of her proposal. Although she proposed a similar bill last legislative session that had no hearing, HB 2383 had a public hearing on Feb. 2, 2009.

Newly hired MH/OSTA Executive Director Sue Foster was the session's final speaker, and she presented her observations about the nature of change in organizations and how MH/OSTA could adapt to the changing environment such organizations are now faced with.

Acknowledging that she "has six weeks of experience" in the position, she emphasized that she welcomes, "learning from you," as she becomes more familiar with the organization. She said that MH/OSTA's change from a non-profit C4 to C3 (a move that allows MH/OSTA more flexibility in raising funds

and some tax benefits in the eyes of the IRS) is proceeding. She will be observing lobbying efforts this legislative session. (For more on the Executive Director, see the winter issue of *The OSTA Review*.)

Regional director Jane Capron organized the event that drew residents from several Eugene/Springfield area parks. She circulated a most interesting survey for those in attendance to fill out. The 18-item questionnaire is concerned with all manner of things pertaining to their respective park's rent increases, operating procedures, policies, and concerns residents have about their park. The results may provide Jane with material for *OSTA Review* articles.

Many thanks were expressed by Jane and others for the hospitality extended by the park owners and staff of Gainsborough for hosting the meeting. ■

Senate Bill 772 (Continued from Page 4)

Problem addressed:

While landlord and tenant advocates don't agree on regulation of guests, they do agree that in some instances it benefits both to allow long term guests, such as a relative. Landlords are leery of allowing guests to stay for long periods because of risk that guest may morph into a tenant when the landlord waives his/her right to control who is a tenant. Both parties feel a need to provide a process for removing guests who won't leave after permission is withdrawn.

Change:

Bill allows landlords and tenants to create a 'super guest' or a temporary occupant who may occupy dwelling with permission of tenant for longer periods than normal without becoming a tenant. Temporary occupant has more rights than a guest, less than a tenant. To create this status, three parties must enter 3-way written agreement setting out each party's rights, including termination and removal of temporary occupant.

The change does not apply to caregivers who live with a tenant who has a disability and provide care or assistance to the tenant. Caregivers are neither tenants nor guests. They are more like an employee, with or without pay.

D. Political signs

Current law: ORS 90.755 prohibits landlord from infringing on residents' right to:

- Invite public officials, candidates, or tenant group organizers to

appear/speak in common areas, subject to reasonable rules regarding time, place, and manner, and

- Place political signs on their homes, subject to reasonable rules regarding size, placement, and character of the signs.

Problem addressed:

Residents own their homes and rent spaces on which their homes are located. They feel they should be able to place political signs on space, not just homes. They also do not want landlords regulating content of signs.

Changes:

Expands sign placement protection to space, not just the home. Landlords can regulate size and how long sign is displayed, but not placement or content.

Note: Rep. Chris Edwards has a similar bill, HB 2639. Sen. Morrisette has a broader but related bill, SB 511, which allows political canvassing by a candidate who is not an invitee of a resident. ■

The Coalition negotiated and drafted SB 772 in 10 meetings, which were typically three hours each from September 2008 through February 2009. SB 772 was introduced in a public hearing March 27, 2009. Check out the article on Page 13 to see how to listen to recorded audio from that public hearing.

Is Your Park Manager Properly Trained?

As a MH/OSTA member you regularly receive information about your rights as a homeowner/tenant. But just because you know the law, doesn't mean your park manager does. In fact, until manager training became mandatory, managers who acted like they were the law in our parks were all too common.

Now, ignorance is no excuse. Oregon statute specifies that at least one person per manufactured home park who has authority to manage the premises, is required to register and complete six hours of education every two years. If Senate Bill 772 becomes law the penalty for failing to do so goes up to \$1,000. A severe penalty is especially important in parks where manager turnover is high and each new manager brings their own particular reign of terror.

Many members have reported a noticeable improvement after their manager had completed the training. But others can't tell by behavior whether their manager has done the training or not. If you are one of the latter and want to know if you are dealing with ignorance or arrogance, Oregon Housing and Community Services (OHCS) has a place where you can see if your manager has completed the training on their website. Go to:

<http://o.hcs.state.or.us/MDPCR/Parks/TrainingQuery.jsp>

There you can search for your park by typing in the park name, address, county or City. Thanks, OHCS! ■



MH/OSTA MEMBERSHIP DRIVE

JUNE
JULY
AUGUST

Sign up the most new members during the June/July/August Membership Drive and win free ice cream for everyone in your Park!

You'll be the Guest of Honor and the MH/OSTA Board of Directors will do the scooping.

There is simply no one better qualified to tell a new member about MH/OSTA than you are.

- Tell them why you became a member.
- Give them a MH/OSTA brochure.
- Share the "Member Success Stories" flyer.
- Talk about what's going on in your own park.
- Show application on the back of the brochure.

...And, if you sign-up 5 new members, we will say 'Thank You' by waiving your membership dues for the next year.

Contact local Chapter President for MH/OSTA brochures, Member Success Stories flyers, and applications.
Or contact your District Director or the MH/OSTA office.

Don't forget to put your name on 'Referred By' line of applications so you'll get credit!

[illegible]

Legislative History At-a-Glance



As a MH/OSTA member you probably already know a lot about your rights as a homeowner in one of Oregon's many manufactured home parks. But have you ever wondered when the laws that established those rights were passed?

Here's a look back that summarizes the progress OSTA members have made over the years. It makes looking into the future all the more exciting.

The Pre-OSTA Years

1973: Oregon legislature passes ORLTA (Oregon Residential Landlord and Tenant Act,) based on the Uniform Residential Landlord and Tenant Act, which was developed in 1971 by National Conference of Commissioners on Uniform State Laws. The new ORLTA, codified in ORS chapter 90, covers but does not specifically address manufactured home parks.

1975: Oregon legislature, under leadership of Rep. Nancie Fadeley, Eugene, adopts HB 2062, adding several sections to ORLTA that address manufactured homes in parks. ORS 90.630 (good cause evictions only), 90.620 (30-day terminations by residents), 90.510 (written rental agreements required), 90.765 (extra retaliation protection), and 90.680 (resident right to sell in place). Law also allows landlords to close parks on 120-day notice with no compensation to residents.

OSTA		Manufactured Housing Landlord / Tenant Coalition
1977	OSTA founded by Milt Schofield and others. Unfortunately, Schofield dies several years later and much of early history is lost with his passing.	
early 80s		Apartment landlords and tenants form General Landlord/Tenant Coalition to negotiate and revise landlord/tenant law. This coalition passes a compromise bill every legislature year since, except 1991 when members took year off to focus on funding for affordable housing.
early 90s	OSTA begins working with General Landlord/Tenant Coalition, presents 13 park related issues. Park landlords resist. Apartment tenancies issues do not address issues important to MHP homeowners.	
1995	OSTA proposes Rent Control Bill. Bill dies in hearing due to 1945 statute allowing rent control only in event of national emergency declaration.	
1997	Park landlord group, MHCO, submits SB 675 seeking to amend abandoned property and in-place sales laws for manufactured home parks. OSTA objects. Bankers (holding mortgages on some MHs) object. Legislative committee directs all parties to work together.	MH Landlord/Tenant Coalition is formed. During this and several subsequent sessions, coalition is facilitated by OHCSO ombudsman. Final Coalition creates statutes that establish: - Major abandoned property changes to further protect residents and add lenders - Committee of Seven - Clubhouse/other facilities open 8a-10p, 7-days a week and clubhouse use not to require tenants to provide insurance - No add-on charges on sub-metered water or other utilities and no extra pet fees - Landlords required to provide prospective buyers with association information
1999	OSTA focuses on growth; member education on current and new laws; works with members to protect infringements; continues to represent homeowners on Coalition. Over 200 OSTA members rally on the steps of the Capitol in Salem to draw attention to unfair treatment of people in MHPs. <i>Statesman Journal</i> runs article and photo of OSTA member wearing a sign that says "Don't Kick Me! I'm a senior citizen who lives in a mobile home park and I've been kicked around enough!" Rally solgan "Freedom From Fear" is heard loud and clear. Rep. Merkley introduces a Bill to set up commission to regulate space rent. Bill goes no where.	Coalition negotiates SB 1088 addressing: - Special MH park access statute, ORS 90.725 - Tenant duties statute, ORS 90.740 - Landlord habitability/maintenance statute, ORS 90.730 - Limits to landlords' ability to evict MH from a park based on MH's age, size, style, or condition. <i>(This ssue alone goes through more than 20 drafts.)</i> - Amendments to several additional statutes, including in-place sales <i>At this time, several California park owners, upset with the habitability and forced removal issues in SB 1088, pull out of MH Coalition and oppose the bill, unsuccessfully and form OPOA, Oregon Park Owners Association.</i>
2001	OSTA continues growth; education; rights protection; and represents homeowners on re-established Coalition. Oregon Attorney General Myers convenes Task Force on MHP issues in 2000. In 2001, 3 subgroups continue meeting on Sales Practices; Finance; and Park Relationships & Homeowner Concerns. Being organized pays off as OSTA members present unified homeowner side of issues. Task Force presence establishes OSTA's clout and strengthens case for enforcement of rights.	Final Coalition SB 194 creates statutes addressing: - Renewal of fixed term tenancy agreements, ORS 90.545 - Confidentiality of complaints to the OHCS ombudsman, ORS 90.771 - Amends warning notices and waiver, abandoned property, and 5-year rental history for applicants on rental agreements. <i>During SB 194 negotiations, OPOA's lobbyist convince other landlords to walk out of the coalition and oppose the bill. Rep. Carl Wilson forces the landlords back to the table.</i>
2003	OSTA continues growth; education; rights protection; and represents homeowners on Coalition. OSTA hires lobbyist to increase effectiveness with Legislature. OSTA encourages OHCS to study MHP housing demographics. Residents of Springlake MHP in Scappoose, purchase park and become first OR resident-owned MHP.	Final Coalition SB 908 creates statutes that: - Allows Attorney General to use Unlawful Trade Practices Act to prevent landlords from violating resident rights regarding in-place sales - Amended ORS 90.680 to strengthen resident rights regarding sales
2005	OSTA continues growth; education; rights protection; and represents homeowners on Coalition. Increasing number of Chapter parks report some success through Committee of Seven efforts. Calls to OSTA increases from tenants who have learned basic tenant rights but need help with MHP managers who either don't know or just ignore laws. Through Coalition, OSTA urges landlord groups, who for years claim no problem exists, to self-police 'bad' managers. Closures, threats of closures, evictions notices, legal battles, and legal fees hound many members' parks throughout year. OSTA members show remarkable tenacity.	Final Coalition HB 2247 creates statutes that: - Requires park landlords to register with the state - Requires landlords to attend mandatory education on landlord/tenant law; adds civil penalties for failure to do so - Requires written rental agreements for RVs/park models in parks - Allows and regulates submetering of utilities <i>Late in session, with the leadership of Rep. Jerry Krummel, Wilsonville, Coalition works to pass HB 2389 to help with the new problem of park closures. Bill provides a \$10,000 refundable tax credit for residents displaced by a closing park, along with a capital gains break for park landlords who sell parks to resident group, nonprofit, or local government.</i>
2007	OSTA continues growth; education; rights protection; and represents homeowners on Coalition. Land developers keep eyeing MHP land as potential condo money-makers. OSTA members keep pressure on State and politicians to see MHPs as more valuable to Oregon as unsubsidized affordable housing. Waiting lists for low-income subsidized housing help make the point. OSTA members still tenacious.	Final Coalition HB 2735 creates statutes that: - Addresses park closure crisis. extends length of closure notice, requires landlords to pay \$5,000-\$9,000 to displaced residents - Extends 2005 capital gains break for sales to residents - Extends and expands coverage but decreases amount to \$5,000 for refundable tax credit for displaced residents - Applies law to park conversions to subdivisions, as well as to closures.
2009	MH/OSTA members re-organize and apply for outside funding. Funding enables organization to start developing broader service programs for homeowners and improve homeowners' position in event of park purchase opportunity.	Coalition presents SB 772: Limits how MHP can bill tenants for utilities and service charges, gives tenants billing history access, allows tenant to recover damages, requires annual landlord registration and fees, imposes higher penalties on noncompliance, allows MHP, tenants, and guests to form temporary occupant agreements, allows tenants to place political signs. Coalition reviews/tracks/testifies on 19 other MHP related bills.



1. True or False? In Oregon, an owner living in a 5th wheel parked on rented space in an RV park has the same legal rights as the owner of a mobile home living on rented space in a manufactured home park.

2. True or False? If you rent a manufactured home in a park with an option to buy, you have the same rights as your neighbors who own their homes.

3. True or False? A resident in a park can knock on your door and ask you to be sure to renew your MH/OSTA membership.

ANSWER: #1. False. According to ORS 90.100(23) 'manufactured dwelling' does not include RVs. #2. False. Until you sign a legal contract to buy the home, you are a renter, the same as if you were renting an apartment, and you are not protected by ORS 90.505 to 90.840. #3. True. ORS 90.750(3) gives this right unless a resident specifically tells the landlord he/she doesn't want to be approached.

Legislative Bills from Lane County of Interest to All MH/OSTA Members

by Jane Capron

Representative Nancy Nathanson, who was one of the legislators speaking at the district meeting in March, e-mailed a list of the bills she has introduced.

Probably of most interest to our members is HB 2383, Rep. Nathanson's right-of-first-refusal bill when a park is to be sold.

MH/OSTA is not supporting HB 2383 as it was presented because of a number of problems including that it allows only 14 days for residents to make their offer. Additionally, MH/OSTA lobbyists would like to develop a more complete proposal through the MH Landlord/Tenant Coalition for the 2011 session.

HB2920 would create a task force on effective and cost-efficient service provisions for assessment and taxation, elections, human services, public health, and criminal justice.

HB 2970 would create a task force on utilizing of earned income tax credit, appropriating money, and declaring an emergency.

HB 3104 from Ways and Means would allot the university system \$15 million for operations and \$25 million for construction.

This money is from \$152 million state economists say is additional revenue for 2007-2009.

There are also other bills that have been offered by our county legislators, who include Senators Floyd Prozanski, Joanne Verger, Bill Morrisette, and Vicki Walker and Representatives Bruce Hanna, Paul Holvey, Arnie Roblan, Jean Cowan, Phil Barnhart, Terry Beyer, Chris Edwards, and Nancy Nathanson.

Sen. Holvey is a sponsor of SB 628 requiring mediation between a lender and resident prior to foreclosure. HB 3196 introduced by Reps. Edwards and Holvey has to do with rent control and binding arbitration. SB 511 sponsored by Sen. Morrisette would allow door-to-door political canvassing in parks. MH/OSTA lobbyists see too many problems with both these bills to be able to support them.

If you contact a legislator about a specific bill, be sure your message is from you as an individual and not from your OSTA chapter. Lobbying rules for a 501(c)(3) organization are different than those of a 501(c)(4) and something that will be expanded on it a future *OSTA Review*. ■

Fire Destroys Home in Eldorado Villas – Park Neighbors Help Homeowner through Ordeal

by Rita Loberger

Ash Wednesday took on a whole new meaning to the residents of Eldorado Villas in Tigard, Oregon. Around 2:30 that afternoon, huge balls of white smoke were seen coming from the south end of the park. Within minutes, there were lights and sirens rushing down the main street into the community. We had previously been told that the response time by our local fire responders was four minutes and that day found it to be true.

We later learned that the resident, who was recovering from a recent cold/flu that seems to be hitting 8 out of 10 people this season, was in bed covered with a blanket and attached to the oxygen supply that a number of our residents have come to rely upon. As she lit up for one of the couple of puffs she allows herself three times a day, the lighted end brushed against the tubing. The embers fell onto the blanket, which soon was in flames.

Dousing with water did nothing to abate the spreading flames as she darted to the other room to shut off the oxygen flow from the tank. In spite of a few more attempts to put out the fire, the now spreading flames engulfed her mattress and stacks of sorted clothing. She realized this was not something she could do by herself and ran from the bedroom to the patio to call for help. Thanks to an observant neighbor, help was already on the way.



Fire crews were at the scene within four minutes of a neighbor's call. They were able to keep fire from spreading to surrounding homes but it was too late for the home where the fire originated.

Soon a number of fire trucks, ambulances, EMT's and police personnel arrived on site. A neighbor was using a lawn hose upon their arrival and no other homes in the area were affected.

The home was one of the originals in our community so the presence of asbestos affected some responders. The HAZMAT team returned the next day to check toxicity levels and found nothing.

Unfortunately the structure is a total loss but a few items were retrieved. In the spirit of the Eldorado community, the resident is being cared for and items are forth-

coming to get her through this trauma. At our Friday morning coffee and donut session she told us "Fire has been one of my worst fears." She said she realized when the smoke mushroomed into black clouds and she couldn't see across the room, that there was nothing of value but her life and that of her long time pet Sheba. Our friend is staying with a neighbor for the time being. Sheba remains bewildered as to why that back door no longer leads to the warmth and comfort of the place she knew for so long.

Things can be replaced
- people can't. ■

Recent Fire Sparks Park Residents Discussion on Fire Safety for All

by Rita Logerger



A special meeting of the Eldorado residents was called on March 5th as a follow-up to the recent fire in our community. The TVFR (Tigard Volunteer Fire and Rescue) sent a team of four of their finest to the meeting where Lt. Tim Oaks gave us information on the fire. He ask how many of those in attendance relied on oxygen on a daily basis. There was a show of hands. He went on to share some sobering statics on fires caused by this type of incinderary device:

- 182 home fires last year resulted in 46 deaths from this type of device.
- One in four oxygen fires results in death.

Lt. Oaks told us that unless a fire is just a small kitchen fire that can be extinguished by placing a lid on a burning pot or skillet, to remove ourself from the area ASAP.

- FIRST get out of the residence
- THEN call 9-1-1 for help
- If you don't have a cell phone on you, don't go back in the house for it, go to a neighbor's house.

A question from the floor was ask about the use of wood stoves and if that would cause a fire by a person using oxygen. The reply was that in the case of the recent fire, a wood stove was NOT the fire source located by the oxygen tank. The resident here was smoking when the oxygen tubing and the proximity of the burning ember on the cigarette and the oxygen were too close together.

At this point we went into a discussion on the proper use of wood stoves, space heaters and fireplace flues. Wood stoves and fire places need to be serviced by cleaning of the chimneys on a regular basis. Lt. Oaks did not place much faith in the use of the creasote logs advertised for cleaning purposes and suggested we use the chimney sweep method.

Space heaters are used a lot by seniors where additional heat is required. There are several models

on the market. The newer models automatically shut off when tipped over. The older 'toaster wired' units will ignite if they come in contact with any combustable item. It is important to keep your heat sources free of any items that could catch fire.

We've all heard the term "Spring forward, Fall back" when it comes to smoke alarm batteries. That time has come and gone by the time you receive this newsletter. I truly hope you have installed new batteries this spring.

Fire extinguishers should be a part of all our homes. They are relatively inexpensive and can be a life saver for you and protection for your home. Instructions were given to our residents to re-charge these smaller disposable units when they have not been used for awhile. Lt. Oaks suggested you use a rubber mallet to tap on the base of the unit to re-activate the powder in the unit. Larger units can be reactivated and have a button showing the amount of the charge still carried by the extinguisher. We were told to aim at the base of the fire when using these devices and turn from side to side to eliminate any spreading flames.

Please take a few minutes to think about your own fire safety. Is there anything you could do that would make you safer from fire? If there is, why not do it today. ■

Legislative Sound Tracks

You may never say "It's got a good beat and it's easy to dance to," like the cool kids used to say on American Bandstand. But you can listen to audio recordings to get in the groove about Bills as Oregon Legislative Committees work on them. You can do this 'live' or from archived audio recordings. Both are available free to anyone on Oregon's State Legislature website.

Live Audio Streams

It's fairly easy to tap into 'live' audio on the Legislature website. All you need is Windows Media Player on your computer, start Internet Explorer, then go to:

<http://www.leg.state.or.us/listn/>

Click the link 'Live Audio' that is about half way down the page, which takes you to 'Today's Meeting Schedule' for an outline of the day's business. Scroll down to get to links of currently streaming or live audio and additional audio from meetings streamed earlier in the day.

To hear meetings that happened prior to today, you need to go into the archives. As with most of things 'computer,' there are various ways to do the same thing. Below is a way to find the archived audio by using the Bill number.

Archived Audio Streams

Start with the Bill number you want to 'track' and go to:

<http://www.leg.state.or.us/searchmeas.html>

STEP 1: Select either Senate or House Measure. Then, in the box after Number: type the 'Number' of the Bill. For example, '772.'



Screenshot from Oregon's Legislature website.

STEP 2: In the box after Search: select 'Current Measures' if the Bill is part of the current legislative session. You can go back as far as 1999 to pick up archived audio by selecting the session from the drop-down menu.

STEP 3: Click the 'Search' box to go to a page that shows the Bill and a list of actions relating to the Bill.

Jot down the name of the Committee that is working on the Bill, for example, 'Consumer Protection and Public Affairs.' Also jot down the 'Date and Time' of the action you want to hear.

From this page you may also print a copy of the current wording of the Bill. Remember the Bill is a work-in-progress. Wording may change or the Bill may even go away. At this point it is proposed new law or proposed changes to existing laws.

STEP 4: Now that you know the 'Committee' and 'Date,' go to:

<http://www.leg.state.or.us/listn/>

STEP 5: Scroll down to the heading 'Audio Archives' and click on the session year you want, for example, '2009 Session.' This takes you to Audio Archives and you can choose from Senate, House, or Committee Meetings for the session you have selected. Choose 'Archives of Committee Meetings.'

You will see a list of Senate and Houses Committees. From this list, select the Senate or House 'Committee' you identified back in Step 5.

STEP 6: A list of archived audio links by date and time appears for the Committee. Just click the appropriate date and time for the meeting you want to hear. An audio file will automatically download and play if you have the program 'Real Player' on your computer. If you need to download Real Player, you can do it free by going to:

<http://www.leg.state.or.us/listn/>

Scroll to the bottom of the page. Click the 'RealPlayer' link and follow the screen instructions. After you have done this once, you will not need to do again. One last thing -- Committee meetings are typically two hours long and more than one Bill is covered. You may need to sit (or skip) through Bills covered prior to the one you want to hear. ■



Retaliation

by Jane Capron with a legal assist from John VanLandingham

Because we live in a democratic society, we have certain inalienable rights (remember high school civics?) and we are entitled to "assert, protect or invoke" the protection of "rights secured under federal, state, and local laws." Oregon Title 10 Chapter 90.385 applies to all tenancies and spells out some of these rights. ORS 90.765 applies only to facility tenancies and adds to the protections provided by 90.385.

A landlord can't increase your rent, take away services, evict you, or threaten to sue you if you complain to a governmental agency about a breach of health or safety codes; if you complain about discrimination in housing; if you complain about something related to your tenancy; if you organize, or if you testify against the landlord in court.

The landlord can't decrease services or place "unreasonable burdens on the use of common areas or facilities by tenant associations" or "intentionally and unreasonably" make it difficult to use the facilities if the "tenant has made any complaint to the landlord which is in

good faith." How do we define "good faith"? Chapter 90.100 (17) defines it as "honesty in fact in the conduct of the transaction concerned." Good faith is a commonly used term in the law.

On the other hand, the landlord can getcha if you threaten or harass him or are responsible for trashing the place or call him up or pound on his door at unreasonable times or don't pay the rent. But if you withhold rent from the landlord and pay it into a court account (ORS 90.370), you won't be considered in default of paying rent. This sounds pretty scary but as long as you have a good faith complaint, notify the landlord that you're withholding the rent because of that complaint, and don't lose the rent money, you're within your rights.

If the landlord attempts retaliatory actions against you such as turning off the heat, shutting off the water, electricity, or other essential service, you are entitled to get your security deposits and prepaid rent returned plus an amount of money "up to two months' periodic rent or twice the actual damages sustained." Expect to seek help from an attorney. The first step might be to consult county legal aid or senior law services. Remember that the winner in a Chapter 90 lawsuit can make the loser pay the winner's attorney fees.

The bottom line here is you have the right to complain without fear of persecution. Your landlord might curl a lip and not speak to you, of course. ■



True or False? Owners/managers are entitled to lock up the clubhouse on holidays, such as Christmas and Easter.

ANSWER: False. ORS 90.750 (1) says that persons who rent spaces in the park have the right to assemble at reasonable times and in a reasonable manner. Reasonable times shall include daily the hours between 8 a.m. and 10 p.m. That means 24/7.

The more things change ...

by Sue Foster



According to 19th century French novelist Alphonse Karr, "The more things change, the more they stay the same." It must be true because Kurt Russell said it again in the movie *Escape from L.A.*

When I ran across this old photo, I couldn't help but notice how different the 'trailer' house we lived in looks from the manufactured house we live in today. But then I realized that the differences were only on the surface.

The little room at the side of the old trailer was space for our family to gather. We had to sit close but that helps a family to be close. We often gather with family in our home today for the same closeness. Our park neighbors back then, like us, were families living on a budget. Today in our 55+ park, living on a budget is still in style.

Park neighbors don't often have fences, so they tend to look out for each other. That got me thinking about how MH/OSTA is really an organization that helps people living in MH parks do what people who live in MH parks have always done -- look out for each other. The old adage reminds us that even turbulent change does not affect reality on a deeper level. On that level our homes have not changed at all. ■

Myra Lynne Home Owners Association Medford, Oregon

by Gary Walters and Lois Urton

Myra Lynne Home Owners Association, MH/OSTA Chapter 2115, has been a chapter for over two years. Despite a few ups and downs, we are now on level ground and have around 60 members.

We are an all-age family park, with 206 spaces and are always looking for new members to join our association. We have lovely amenities, a pool, tennis court, basketball court, playground, baseball field and a commons area with a gazebo, barbeque and shuffleboard for the community.

We have a lovely club house with a sitting room, kitchen, meeting room, pool room, sauna and laundry. It is a well maintained park with on-site managers Phil and Alissa Koons. The park is owned by HCA located in Novato, California.

Our association was established to help bring our community together. We help people, mostly elderly, who are not able to do things on their own right now, like yard work, trips to the doctor, hospital, shopping or simply moving things for those that need it.

At Thanksgiving we were able to give a family in need a gift card so they could get Christmas gifts, food and things they needed to make the holidays a good one. Gary Walters, our President, spearheaded the donations and it was a huge success.

We have a Social Committee that plans social functions for the

park, which are open to all park residents. Marge Grant is chairman, Ginger Walters, Janet Allen, Sherry Gabriel, Lois Urton and Beverly Kalams are her five right hands. We started off the year with a New Year's Eve party that was very successful and then in February we had a spaghetti feed that was mildly successful. In March we had an Irish stew feed that was very successful. At the functions we sell 50/50 raffle tickets to help raise money for the association so we can further our endeavors. There are two park-wide yard sales a year and we have bake sales and hot dog and soft drinks are sold to help raise funds for the association.

We have a wonderful monthly newsletter called *The Park Connection*. Our editor, Janet Allen, puts it out single-handedly. Ads are sold to local merchants to advertise for a year to raise the money to put out the newsletter. There have been rave reviews on the newsletter from everyone.

We have a board of seven, consisting of President Gary Walters, Vice President-vacant for now, Secretary Lois Urton, Treasurer John Grant, and board members Richard Goll, Terry Bartlett and Janet Allen.

We are proud of our park and want everyone to feel right at home as soon as they move into the community. ■



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We are your neighbors.

MH/OSTA's overall mission is to enhance the livability of manufactured/mobile home park living. We are a statewide grassroots non-profit organization which endeavors to make changes that will help all of us who own our homes and rent or lease the ground on which they are sited.

Some ways we do that are:

- Teach residents what their legal rights are and educate them about ways to preserve their rights.
- Provide a unified 'pro-residents' voice to park owners, management, government, and other organizations.
- Help residents locate and understand accurate, up-to-date information and resources they need.
- Keep residents current on new and upcoming legislative issues at state and local levels.

*We are stronger together
than we are alone.*



MH/OSTA MEMBERSHIP APPLICATION

If a friend or neighbor gave you this copy of

THE
osta REVIEW

and you would like to start receiving a quarterly copy, it's easy!
Just become a member of MH/OSTA, for \$30 a year (the equivalent of \$2.50 a month) you'll get the OSTA Review, plus a whole lot more!



YES! I want to join my neighbors to protect my rights as a homeowner.

☐

NEW MEMBER

☐

RENEWAL

☐

ASSOCIATE MEMBER

PLEASE PRINT. Please note that we respect your privacy. Your personal information is used for membership purposes only. We do not sell or share your information with any other business or organization.

LAST NAME

FIRST NAME

NAME OF SECOND RESIDENT IN HOUSEHOLD

NAME OF MANUFACTURED HOME PARK

ADDRESS

SPACE NUMBER

CITY / STATE / ZIP

HOME PHONE WITH AREA CODE

CELL PHONE WITH AREA CODE

EMAIL ADDRESS. *NOTE: Providing your email address enables us to communicate with you inexpensively. Again be assured that your information is never sold or shared.*

(OPTIONAL)
Referred by:

Please enclose \$30.00 per household annual membership fee (that's only \$2.50 per month.)

Checks payable to MH/OSTA and mail to:
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Salem, OR 97301