



## VOLUNTEER SPOTLIGHT

### Mike Whitty



Mike Whitty, who has been writing The OSTA Review "Right 2 Know" column for the past year, is a member of OSTA and became a homeowner at Summer Oaks MHP, Eugene, in 2001. His wife, Jan, is the manager of Summer Oaks, and together they have managed the park since 2004. They were instrumental in establishment of the OSTA chapter there. Since 2005, Mike has been an OHCS-approved instructor of the required park manager continuing education courses. He has presented his class 52 times throughout the state and issued more than 950 manager certifications. He is also an active participant in the Landlord/Tenant Coalition that writes amendments to Oregon Landlord/Tenant law. Retired from the practice of law, he is now the tenor section leader of the Eugene Concert Choir and plays golf regularly at Shadow Hills Country Club, where he is the chair of the Greens Committee. He and Jan have three sons and four grandchildren. ■

# THE Osta REVIEW

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## You Won't Want to Miss This One!

### *OSTA Plans Annual Meeting with Surprises for All*

Mark your calendars for October 20, form your carpools, and get ready to travel to the gorgeous new Shadow Hills Country Club in Junction City for a day of exciting information and fun, renewing friendships, meeting people, and helping to formulate our newest OSTA project, "Helping Hands." We're still "Adopting Schools" and "Aging in Place," but now we want your ideas for "OSTA Helping Hands."

To learn how other organizations are aiding people, we'll have speakers from St. Vincent de Paul, Habitat for Humanity, CASA of Oregon, AARP Oregon, and a state representative who's already gotten two bills passed into law that benefit manufactured home owners, especially older ones. The MH/OSTA board has already set up two pilot projects for OSTA members in manufactured housing communities, one in Southern Oregon and the other in Lane County. We'll report on those as you all give us more ideas.

For instance, what could you use to make living in your home better? Wider doorways? Door handles for arthritic hands? A new roof? Caulking around your windows? A paint job? A new stove? Dinner delivered to your door? Some first aid equipment? A fire extinguisher? An entry ramp? A new deck? Projects will be limited only by your imaginations (and maybe, of course, money). But think wishful and come prepared to get excited.

When we had the annual meeting at Shadow Hills two years ago, we all thought the place was very nice. The new building is absolutely elegant. And we assume the lunch will be delicious. Don't forget your checkbooks for the silent auction. We appreciate contributions like baskets and items that we can bid on and take home to treasure.

You'll find a map and registration form elsewhere in this issue. The cost of the meeting and luncheon is still \$20 for reservations received by October 10. After that date the price will be \$25. ■



*Ken  
Capron  
will  
welcome  
you to  
Shadow  
Hills! So  
will we all!*

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# MH/OSTA ANNUAL MEETING INVITATION

**When:** Saturday, October 20, 2012, 10 a.m. to 3 p.m.

**Where:** Shadow Hills Country Club, Junction City, Oregon

**Cost:** \$20/person includes registration, continental breakfast, and luncheon

**Directions:** From I-5, north or south, take Exit 195B west 4.4 miles to Exit 8, River Rd/Santa Clara. Turn right on River Rd. and go north 5.6 miles to Shadow Hills Country Club, one mile past Lone Pine Farms. Turn left down the long driveway to the country club.



**The Day's Events:** OSTA business including election of directors and reports on financial status and legislative goals; review and discussion of our strategic plan; a report from residents who have purchased their parks; a panel discussion on promotion of projects to aid members, and the silent auction. Maybe an interactive skit by your board's drama queens.

**Cut and return with check** -----



## Registration Form

*For guaranteed seating, complete and mail form  
and \$20 check by October 10 to:*

**MH/OSTA**  
**P.O. Box 701**  
**Springfield, OR 97477**

**Name(s)** \_\_\_\_\_

**Address** \_\_\_\_\_

**Park Name** \_\_\_\_\_

**Telephone or Email Address** \_\_\_\_\_

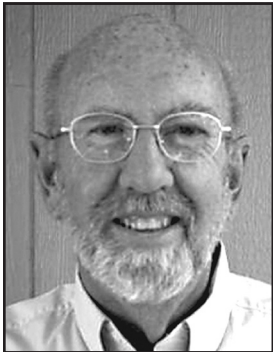
(Reservations received after October 10 will be \$25.)

# A Message from Terry Smith...

Hello MH/OSTA membership. After giving the subject much thought over a period of several months, I have decided to retire from my position as board president. I feel that because of my spending five to six months in Yuma, Arizona, each winter, I could not give the necessary required time to the president's position. I have been president for four years and before that I was a district director for three to four years. I will miss you, the membership, as I have been close to many of you, working

with you on many occasions. MH/OSTA is a great, great organization that benefits people living in mobile/manufactured home communities in the state of Oregon. If you could sit in on one board meeting you would soon learn just how hard they work for you. I feel comfort knowing the board of directors will continue with their work benefiting the membership. Gary Walters, vice president, will be acting president until the board elects officers at the November board meeting.

I will continue to support and serve MH/OSTA any way that I can.



## ...And a Response from André Tremoulet for the Board

Terry,  
Thank you for your many years of service and heart-felt commitment to the organization. You were there when the torch needed to be passed, and you have carried it successfully over some rough spots to help the organization arrive on solid ground. That is no small feat! Under your leadership, the organization has broadened its board, taken on new initiatives dealing with quality-of-life issues and become more professional and efficient. And, we

are now in the black, having discharged and dealt with all old debts, and we have a "lifestyle" as an organization that fits our budget. You have helped inspire others to get involved and built membership in your part of the state.  
I am grateful for the many, many hours of service you have committed. And I'm hoping that we haven't seen the last of each other.  
Best wishes,  
André and the board

### By-Laws Keep Meetings Running Smoothly from Terry Smith

Even though it is not mandatory, I strongly believe in each mobile/manufactured home community chapter having a set of bylaws, and each board member having a copy of the bylaws. By having the chapter bylaws in writing, it will help prevent confusion within the chapter and in the community as to the chapter's operation in the community.  
The chapter bylaws example that follows is easy to tailor to your chapter's needs. It is very important to set times and dates for your board meetings and for your membership meetings (Article 111 meetings). It is very important to have a method of amending bylaws (Article 1V amendment to bylaws). It is very important to have board officers' and board members' duties and terms of office in writing (Article V duties of officers).

A chapter needs a plan of operating (bylaws) to become successful and to remain successful and all members need to follow that plan of operation. ■

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# 20-Year Members of OSTA

Contact	MHP/City	City
Ann Alexander	Misc/Gladstone	Gladstone
C.H. Gregg	Sunset Village/Salem	Salem
Carol D. Miller	Misc/Douglas County	Sutherlin
Charles & Mary Heany	Misc/Brookings	Brookings
Chester & Eleanor Kiser	Woodland Park Estates/Eugene	Eugene
Clarence Stone	Misc/Grants Pass	Grants Pass
Curtis & Carol Bibler	Greenway/Dallas	Dallas
Curtis Tigard	Royal Villa/Tigard	Tigard
D.D. Dwyer	Lakeridge/Eugene	Eugene
Dona A. Eadus	Heritage Village/Aloha	Aloha
Donna M. Smith	Misc/Corvallis	Corvallis
Dorothy Hawkins	Meadow Park/Corvallis	Corvallis
Dorothy Pine	Misc/Clackamas	Clackamas
Dorothy Wise	Greenway/Dallas	Dallas
Edwin & Dolores Bosshardt	Silverton Mobile Estates/Silverton	Silverton
Elizabeth A. Reid	Madrone Hill/Central Point	Central Point
Esther Walworth	Greenway/Dallas	Dallas
Eunice McCallister	Misc/Albany	Albany
Fred & Pat Schwoch	Nut Tree Mobile Park/Newberg	Newberg
Grace L. Faris	Suburban Mobile Estates/Gresham	Gresham
Harold & Ellamae Mathers	Chalet Village/Springfield	Springfield
Howard Clukey	Smith Farm Estates/Sherwood	Sherwood
James H. & Helen E. Wall	Paradise Island/Salem	Salem
John E. & Zelma C. Wall	Greenway/Dallas	Dallas
Kaye Killin	Misc/Gresham	Gresham
Laura Dieffenderfer	Meadowlark/Salem	Salem
Lowell & Leona Moe	Woodland Park Estates/Eugene	Eugene
Lu Etta E. Wagner	Madrone Hill/Central Point	Central Point
M. Levernea Gustafson	Misc/Albany	Albany
Maxine A. Shefler	Misc/Beaverton	Beaverton
Maxine Dombrowsky	Daneland/Eugene	Eugene
Melba Seable	Misc/Portland	Portland
Moe Arne	Woodland Park Estates/Eugene	Eugene
P.J. Jr & Lorna Fitzpatrick	Misc/Salem	Salem
Raymond Ward	Shadow Ranch/Roseburg	Sutherlin
Robert & Muriel McBee	Terrace Lake/Salem	Salem
Ronald Hammack	Misc/Milwaukie	Milwaukie
Ruth Doll	Falcon Wood Village/Eugene	Eugene
Ruth Prowell	Shadow Ranch/Roseburg	Roseburg
S. Edward & Martha Burrier	Meadow Park/Corvallis	Corvallis
Susan DeLateur	Salem Green/Salem	Salem
Virginia Eisele	Meadowlark/Salem	Salem
Virginia Webster	Terrace Lake/Salem	Salem
W.B. & Mervella Taylor	Curry County	Brookings
Wallace & Donna Kaufer	Woodland Park Estates/Eugene	Eugene
WG & Iva Menning	Salem Green/Salem	Salem
Wilbur Easley	Woodland Park Estates/Eugene	Eugene
William & Carolyn Conner	Greenway/Dallas	Dallas
William & Janet Hallcraft	Shadow Ranch/Roseburg	Roseburg
William F. & Ramona M. Repair	Heritage Village/Beaverton	Beaverton

**Anyone wanting to become an MH/OSTA board member should request an application and submit it as soon as possible so that you can be interviewed at the September board meeting and your candidacy voted on at the annual meeting in October.**



*Ralph Cook, retired president of Woodland Park Estates (left), and Lowell Moe, retired vice president and an OSTA member for over 20 years, grin in anticipation of enjoying the Annual Meeting on October 20.*

## Why become a Manufactured Housing / Oregon State Tenants Association (MH/OSTA) Member? What does MH/OSTA do for me?



- MH/OSTA ensures that you receive the most up-to-date news and information on manufactured housing laws and events in the MH/OSTA Review newsletter.
- MH/OSTA works to develop and change landlord-tenant laws to improve the lives of all manufactured homeowners in Oregon.
- MH/OSTA staffs a toll-free helpline that will provide you with information, support and referral to assist you in creating solutions to difficulties in your communities.
- MH/OSTA represents families, seniors and people with disabilities living in manufactured homes in Oregon.
- MH/OSTA carries your voice to the Oregon's Manufactured Home Landlord-Tenant Coalition, where important potential policies that impact manufactured homeowners are discussed.

Manufactured homeowners in Oregon trust MH/OSTA to protect and enhance the security, affordability, and quality of their housing choice. ■

### Eat Your Broccoli

A two-year Spanish study found that people who ate the most foods rich in vitamin K, such as broccoli, spinach, and other leafy green vegetables had higher bone mineral density and less bone loss than people who didn't chow down on leafy greens. If you take warfarin (Coumadin), check with your doctor about how much is safe since vitamin K can interfere with blood clotting.

### Chocolate's Good for You, Too

A recent study of 48,000 male health-care professionals found that those who drank six or more cups of coffee a day had a 60% lower risk of developing lethal prostate cancer than nondrinkers. Three cups a day led to a 30% lower risk. Decaf or regular doesn't matter.



## engAGE in Community Expo from Rita Loberger

At the invitation of Bandana Shrestha and AARP, I attended the **engAGE in Community Expo** in Oregon City this spring. The panel discussion revolved around "Aging in Place" in the Portland area. Brenda Jose of Unlimited Choices, one of our speakers at last year's annual meeting, was on the panel. The daylong event gave us a chance to meet many people. Among them was Bob Reeves, a fellow speaker and president of his OSTA chapter in Welches.

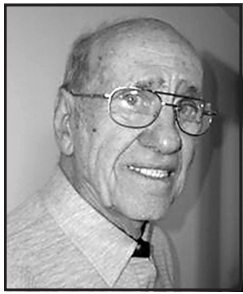
The programs consisted of:

- Preventing the misuse of prescription meds.
- It takes a village - neighbors helping neighbors
- Transportation - availability and types
- The Gatekeeper program - dealing with referrals.
- Housing - home share, manufactured housing, aging upgrades and senior housing

There were also 'break out' programs:

- Resource connections in Clackamas county.
- Multnomah County aging and disability services
- Mediation and civil advocacy speakers
- Financial and food security panels
- Volunteer connections

As we move forward, we anticipate more "Aging in Place" connections with AARP. ■



## Thoughts on Aging *by Gus Daum*

I fell yesterday. There was nothing broken, not even the punch bowl set I was carrying

down a neighbor's front steps. Midway down the four steps from the porch, I slipped, lurched forward and fell. The steps were not deep enough for size thirteen feet. Instinctively and foolishly protecting the punch bowl, I ended up on the driveway on a hip, shoulder and elbow. The punch bowl was more carefully packaged than I was, and hovered inches above me. No lasting harm, except to my dignity and pride--- and the sleeve of my shirt. The bruises are growing in color impressively.

I fell yesterday, and so did so many others. Center for Disease Control data for one recent year reveals that falls accounted for

64,000 deaths in all age groups, 14,000 in my age group. Nearly half of all non-fatal injuries among us oldsters over 65 are from falls. Those are of the reported falls; we can be certain that many falls are not reported, due to pride, or "not worth going to the doctor about. Just slap a bandage on it." I'm certainly not going to tell anyone about mine.

My accident occurred from my carelessness. The large padded box full of punch bowl obscured my vision and these were unfamiliar steps. Had I set the box down on the porch, used the handrail to walk down the steps, then picked up the box for a short trip to the car, no fall would have resulted. I was in a hurry, you know.

CDC suggests that we in our mature years are vulnerable for lots of reasons, some due to our meds, but I found this list:

## Quick Facts...

- The risk of falling increases with age and is greater for women than for men.
- A decrease in bone density contributes to falls and resultant injuries.
- Failure to exercise regularly results in poor muscle tone, decreased strength, and loss of bone mass and flexibility.
- At least one-third of all falls in the elderly involve environmental hazards in the home.
- Two-thirds of those who experience a fall will fall again within six months.

I'll report back to you in six months. Meanwhile, I'll be careful when I carry a punchbowl set. And I won't drink any punch – well, it does depend on the punch. ■

## State Reps Val Hoyle and Vic Gilliam Work to Protect Seniors

In Oregon more than thirteen percent of the population is sixty-five or older. As more baby boomers turn sixty-five every day there is a greater need to promote awareness and understanding of elder abuse. According to the



*State Rep. Val Hoyle*

Portland Oregonian, in 2010 there were 27,000 suspected cases of elder abuse including

850 confirmed cases of financial exploitation and over 2,000 cases of confirmed abuse or neglect.

During the 2012 Legislative session, Representatives Hoyle and Gilliam sponsored House Bill 4084. Passed by the Legislature and signed by the Governor, the new law allows prosecutors and law enforcement officers up to six years instead of the previous three to investigate crimes against the elderly. The new law also allows them to obtain medical and financial records more easily. Caregivers and relatives who steal

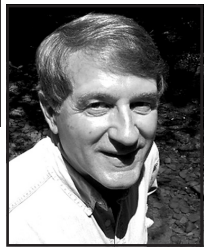
savings from the elderly will no longer be able to use privacy laws and power-of-attorney forms as easily as they have in the past. It will also be more difficult and take longer for convicted caregivers to erase a criminal record of abuse.

The Representatives plan to continue working on protections for the vulnerable elderly in the upcoming session. Those who may be victims of elder abuse or those who suspect abuse can contact the local Councils of Government or call the MH/OSTA toll-free number or your district director for a referral. ■

# RIGHT 2 KNOW

## Statute Study Guide

from Mike Whitty, Manager Training Instructor



(Reprint: Summer 2012 OSTA Review)

*Note: This article discusses the process of amendment of ORS Chapter 90, the Landlord/Tenant Laws, and the primary issue that is expected to be presented to the legislature in 2013.*

### Article III of the Constitution of Oregon provides:

**Section 1. Separation of powers.** The powers of the Government shall be divided into three separate [sic] departments, the Legislative, the Executive, including the administrative, and the Judicial; and no person charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided.

#### STUDY NOTE

Oregon's constitution, like the Federal Constitution, provides for strict separation of powers of three branches of government. The Federal Constitution did not misspell "separate".

### Article IV of the Constitution of Oregon provides:

#### Section 1. Legislative power; initiative and referendum.

(1) The legislative power of the state, except for the initiative and referendum powers reserved to the people, is vested in a Legislative Assembly, consisting of a Senate and a House of Representatives.

#### STUDY NOTE

Oregon's constitution establishes a bicameral legislature, just like the Federal model.

\* \* \*

#### Section 10. Annual regular sessions of the Legislative Assembly; organizational session; extension of regular sessions.

(1) The Legislative Assembly shall hold annual sessions at the Capitol of the State. Each session must begin on the day designated by law as the first day of the session. Except as provided in subsection (3) of this section:

- (a) A session beginning in an odd-numbered year may not exceed 160 calendar days in duration; and
- (b) A session beginning in an even-numbered year may not exceed 35 calendar days in duration.

### STUDY NOTE

The legislature meets every year, but the 35-day session in even-numbered years does not ordinarily take up matters concerning landlord/tenant law.

\* \* \*

**Section 14. Deliberations to be open; rules to implement requirement.** The deliberations of each house, of committees of each house or joint committees and of committees of the whole, shall be open. Each house shall adopt rules to implement the requirement of this section and the houses jointly shall adopt rules to implement the requirements of this section in any joint activity that the two houses may undertake. [Constitution of 1859; Amendment proposed by S.J.R. 36, 1973, and adopted by the people Nov. 5, 1974; Amendment proposed by H.J.R. 29, 1977, and adopted by the people May 23, 1978]

### STUDY NOTE

The process of passage of a "bill" to amend landlord/tenant law takes it through committees of both the House of Representatives and the Senate, and a vote in each of those bodies. The process is complex, but most often, proposed statutes are submitted to the legislature by an interest group or by state agencies. In Oregon since the early 1990's, representatives of landlords and tenants have met between legislative sessions in a "Coalition" of the two sides to draft proposed changes to ORS Chapter 90. Most often amendments proposed to the legislature by the Landlord/Tenant Coalition pass easily through both sides of the legislature. Recent exceptions to that easy passage have been the bill concerning park closures and the bill concerning the landlord right to meter water usage, however both eventually made it through the process. The primary topic currently under discussion in the Landlord/Tenant Coalition for presentation to the 2013 legislative session is purchase of parks by tenants. OSTA is a constant and active participant in the Landlord/Tenant Coalition.

*(continued on Page 8)*

### PLEASE NOTE

**Right2Know Factsheets** are provided by **MH/OSTA** to help manufactured homeowners who rent space in Oregon's manufactured home parks better understand their rights as homeowner/park tenants. While these factsheets are about Oregon law, they **SHOULD NOT BE CONSIDERED LEGAL ADVICE**. The factsheets are for educational purposes to help build better relationships between homeowners and park management. Factsheet information is directed only to homeowner/park tenants and may not apply to renter/park tenants relationships, or other landlord-tenant relationships. Oregon Revised Statutes are shown from the most recent ORS at the time of the printing of the factsheet and do not include cross-referenced statutes. For complete and most current ORS go to: [www.ohcs.oregon.gov/OHCS/CRD/OMDPCR/docs/chapter90.shtml](http://www.ohcs.oregon.gov/OHCS/CRD/OMDPCR/docs/chapter90.shtml).

**If you need legal advice, we strongly encourage you to seek the assistance of an attorney.**



## ORS 90.100

**ORS 90.100, the definitions section of ORS Chapter 90, provides:**

- (13) “Facility” means a manufactured dwelling park or a marina.
- (14) “Facility purchase association” means a group of three or more tenants who reside in a facility and have organized for the purpose of eventual purchase of the facility.

### **STUDY NOTE**

A committee of only three persons can organize to start the process of tenant purchase of the park by giving notice of their existence to the landlord.

## ORS 90.760

**90.760 Notice to tenants’ association when park becomes subject to listing agreement.** (1) A tenants’ association or a facility purchase association may give written notice to the landlord of a facility in which some or all of the members of the associations reside as tenants requesting that the associations be notified, by first class mail to no more than three specified persons and addresses for each association, in the event the facility becomes subject to a listing agreement for the sale of all or part of the facility.

(2) If an association requests notice pursuant to subsection (1) of this section, the landlord shall give written notice to the persons and addresses designated in the request as soon as all or any portion of the facility becomes subject to a listing agreement entered into by or on behalf of the owner. [Formerly 91.905; 1991 c.844 §23]

### **STUDY NOTE**

This statute applies only if the landlord “lists” the park for sale. Under this section by itself, should the landlord receive an unsolicited offer without having listed the park for sale, the landlord may negotiate and acceptance of that offer without notifying the tenants’ association.

## ORS 90.810

**90.810 Association notification of possible sale of facility.**

(1) A facility owner shall notify, as described in ORS 90.760, the tenants’ association and a facility purchase association within 10 days of receipt of:

- (a) Any written offer received by the owner or agent of the owner to purchase the facility which the owner intends to consider; or
- (b) Any listing agreement entered into, by the owner or agent of the owner, to effect the sale of the facility.

(2) The notice required by subsection (1) of this section shall be mailed to any association and facility purchase association. [1989 c.919 §8; 1991 c.844 §25; 1995 c.559 §43]

### **STUDY NOTE**

This section obligates the landlord to advise the tenants’ park purchase association within 10 days when a written offer to purchase the park is received. If the landlord has not received a notice from a tenants association, there is no obligation to notify the tenants of receipt of an offer to purchase.

## ORS 90.815

**90.815 Incorporation of facility purchase association.** A facility purchase association shall comply with the provisions of ORS chapters 60, 62 and 65 before making the offer provided for under ORS 90.820. [1989 c.919 §9; 1991 c.844 §26]

### **STUDY NOTE**

The requirement that a facility purchase association incorporate is not a difficult hurdle for the tenants’ association to cross.

## ORS 62.800

**62.800 Short title; purpose; resolution of conflicts.** (1)

ORS 62.800 to 62.815 may be cited as the Manufactured Dwelling Park Nonprofit Cooperative Corporation Act.

(2) The purpose of ORS 62.800 to 62.815 is to recognize the cooperative form of ownership by a nonprofit entity of an interest in real property consisting of a manufactured dwelling park.

### **STUDY NOTE**

To meet the incorporation requirement, all the tenants’ association needs do is file Articles of Incorporation with the Secretary of State and pay an incorporation fee of \$100. A Board of Directors for the Cooperative Corporation needs to be elected by the tenants of the park.



## ORS 90.820

### **90.820 Facility purchase by tenants' association or nonprofit corporation; procedures.**

(1) Within 14 days of delivery by or on behalf of the facility owner of the notice required by ORS 90.760 (2) or 90.810, a tenants' association or facility purchase association may notify the owner of the facility in which the tenants reside by certified mail or personal service at the address disclosed to the tenants under ORS 90.305 (1)(a) that the association, or a tenants' association supported nonprofit organization, is interested in purchasing the facility.

(2) Upon delivery of the notice required by subsection (1) of this section, the facility owner shall negotiate in good faith with the association or organization and provide the association or organization an opportunity to purchase the facility as the owner would any bona fide third party potential purchaser. During the 14-day period following the delivery of a notice to the facility owner under subsection (1) of this section, the tenants' association, facility purchase association or tenants' association supported nonprofit organization has a right of first refusal for any offer or agreement by the facility owner to sell the facility.

(3) A facility purchase association or tenants' association actively involved in negotiations with a facility owner may waive or reduce the time periods for notice described in this section. A facility purchase association or tenants' association may authorize a tenants' association supported nonprofit organization to waive notice on behalf of the association.

(4) This section, ORS 90.760 (2) and 90.810 do not apply to:

- (a) Any sale or transfer to a person who would be included within the table of descent and distribution if the facility owner were to die intestate.
- (b) Any transfer by gift, devise or operation of law.
- (c) Any transfer by a corporation to an affiliate. As used in this paragraph, "affiliate" means any shareholder of the transferring corporation, any corporation or entity owned or controlled, directly or indirectly, by the transferring corporation or any other corporation or entity owned or controlled, directly or indirectly, by any shareholder of the transferring corporation.
- (d) Any transfer by a partnership to any of its partners.
- (e) Any conveyance of an interest in a facility incidental to the financing of the facility.
- (f) Any conveyance resulting from the foreclosure of a mortgage, deed of trust or other instrument encumbering a facility or any deed given in lieu of a foreclosure.

- (g) Any sale or transfer between or among joint tenants or tenants in common owning a facility.
- (h) Any exchange of a facility for other real property, whether or not the exchange also involves the payment of cash or other boot.
- (i) The purchase of a facility by a governmental entity under that entity's powers of eminent domain. [1989 c.919 §10; 1991 c.844 §19; 1999 c.222 §1; 1999 c.603 §34a; 2009 c.295 §1]

### **STUDY NOTE**

ORS 90.820 leaves much unsaid about the process of purchase of the park by the tenants. Tenant representatives to the landlord/tenant coalition are concerned that 14 days is an insufficient time for them to organize a cooperative. Landlord representatives are concerned that there is no established time period during which they must negotiate with the tenants. They also are concerned that many transactions involve a tax-free exchange of properties that includes a 60-day time limitation. Just what would happen if a landlord chose to ignore the tenants' association and sell the park without notifying them is unclear. These are just some of the many issues involved in the ongoing discussions of the Landlord/Tenant coalition centered on purchase of parks by tenants.

Park purchases by tenants in Oregon are happening. Most recently Vida-Lea MHP in the McKenzie River Valley of Lane County was purchased by the residents. It is the fourth tenant purchase of a park in Oregon in recent years. In New Hampshire tenants have purchased over 100 parks in the last 20 years. There are nonprofit organizations that assist tenants in organizing and purchasing parks. Tenants can learn about two of those organizations by searching "CASA of Oregon" and "ROC USA" on the Internet. Financing and even grants are available in most tenant purchase circumstances. There is a tax advantage to Oregon landlords when they sell to the tenants. The Oregon capital gain tax on a landlord sale to tenants is zero.

Progress of the discussions in the landlord/tenant coalition on the issue of park purchase by tenants will be discussed in a separate article for the OSTA Review next quarter.

## ROCs

Approximately 2.9 million manufactured homes are placed in the 50,000 to 60,000 manufactured home communities or “mobile home parks” in the United States. These manufactured home communities are an important source of affordable housing, and are almost entirely unsubsidized. Yet, because residents own their homes but not the land under their homes, they are vulnerable to rent increases, arbitrary rule enforcement, and even closure of the community if the community owner decides to convert the land to some other use.

When residents own the land under their homes, they are able to preserve and protect what is often their largest asset – their homes – and ensure greater financial security. When manufactured home owners own their community, they set the monthly lot fee and the community rules. They have control over decisions about enhancing and maintaining the community infrastructure, including roads, grounds, landscaping, and water

and sewer systems. The community becomes a better place for the home owners to live.

Typically, when manufactured home owners buy their community, they form a cooperative, an ROC, to own it and run it, just as residents of high-rise apartment buildings do. The best form of ownership is a non-profit cooperative, a limited equity cooperative, or a similar structure that is open to all residents and that preserves the affordable nature of the housing. Resident-owned manufactured home communities of various forms – close to 1,000 of them – are flourishing in the United States. In some states, over 20% of manufactured home communities are owned by the residents.

Yet, despite its many advantages, many states do not have any policies encouraging resident ownership. In many states, the business practices of real estate investors and community owners exclude residents from bidding on the community when it is for sale, even though they are the potential buyers who have the most

at stake and the greatest need for an opportunity to purchase their communities.

A state policy that ensures manufactured home community residents have an opportunity to bid when their communities are for sale gives them equal rights with other potential buyers. Such a policy balances the property rights of the two sets of owners: the home owners and the community owners. A purchase opportunity policy applies only when the community owner has already decided to sell the community, so it does not force the community owner to sell. It ensures that the community owner will receive market price for the community – in fact, it brings an additional prospective buyer to the table, which enhances the community owner’s ability to sell the community for a fair price.

***Worth repeating: our coalition is working on an “opportunity-to-purchase” bill for the 2113 Oregon State Legislative session. ■***

*(Note: information in this article includes material from I’M Home Innovations in Manufactured Homes).*

## OSTA calls for information

**Paula Chambers from Miller Estates compiles the calls OSTA receives each month. Between November and July, she entered 300 calls into the data base. Of those, 88 were in the third quarter and 34 in July alone. Rita Loberger gathers all the calls from the answering service and relays them to the district directors. They in turn make certain that every call for help or information is returned.**

## Good News for 75-year-old Cowards!

If you’re 75 or older, your last colonoscopy showed normal results, and you have no symptoms, you probably don’t need another screening. This information is based on a large study reported in the August issue of the Archives of Internal Medicine. With increasing age the benefits of screening decline and the risk from the procedure increases. So stuff it, doc!

## News from Lane County

### ***Falcon Wood Village HOA Elects Woodcock***

*from Lynne Keith, Falcon Wood OSTA president*  
Joanna Woodcock, a two-year OSTA member, was elected president of the home owners' association board for a two-year term in July. Outgoing president Lee Darling is also an OSTA member. Judy Greer, Falcon Wood Flyer editor, is on the HOA Board and is a long-time OSTA member as well. Continuing board members are Dennis Bryant, Pam Summers, and Jaylene Escajeda. Additional incoming members are Judy Burton, Donna McAdams and Marv Herschfield. The Falcon Wood HOA board is supportive of OSTA and we hope to gain new members through their support.

### ***Briarwood Chapter Gives to Others***

*from Harol [sic] Lockhart*  
The Briarwood chapter is actively working to serve our residents as well as the community as a whole. The OSTA chapter has adopted Danebo School and has provided many students with hats, scarves, mittens, and socks, many made by Briarwood residents, along with a gift of \$175. Currently OSTA is working with the park to buy an electric generator to provide power in case of emergencies. We feel OSTA is each of us, neighbors working together to make Briarwood a better place to call home.

### ***Briarwood OSTA Volunteers Share an Idea***

*from Katherine Barnes*

The first week in August we offered free ice cream cones to folks as they came to the office to pay their rent. Our manager supplied the ice cream and volunteers talked up joining OSTA as they scooped and filled cones for three afternoons.

### ***School "Daze" at Lakeridge of Eugene***

*from Barbara Mitchell, Lakeridge president*

Residents again are donating school supplies to needy students of Gilham Elementary School. The 2012-2013 drive ends September 21. "We hope to equal or exceed our very successful drive last year," said organizer Ken Rodakowski. Last year over \$500 in supplies and \$100 in cash assisted the Gilham youth. Items needed range from pencils, paper, tape, and rulers to assignment notebooks. Cash will be used to purchase approved snacks.

### ***Newly Formed Committees Working at Summer Oaks***

*from Dick Norton*

Our OSTA/ Home Owners Association meets quarterly and welcomes reports from two recently formed committees, the social committee led by Tom Opdenweyer and the communications committee led by John Rutledge. Movie nights are organized by JoAnn Martin, and Carline Karp and her assistants coordinate Saturday morning coffee and pastries. All of the work done at the club house in reorganizing the exercise room and obtaining the flat screen and sound equipment has been completed thanks to Larry Shelton. The August meeting was well-attended.



## SongBrook Kids Shine

***Malia Brost***, daughter of SongBrook landlords Cheryl and Troy Brost, performed for residents during a Saturday coffee before going with her Oregon hula group to compete in the George Na'Ope Hula Festival in California this summer. The Oregon dancers won two first places, and Malia placed second in two events.

***Hannah Gilbert***, representing the city of Eugene as a good-will ambassador, traveled to Eugene's sister city in South Korea this summer. Hannah is the granddaughter of SongBrook residents Jean and Pax Hart.

(continued on Page 12)



# Kids' Space

## Staying in Touch with Grandma by Jacqueline Capron-Allcott



Recently I've started exchanging e-mail with my grandmother. She lives in Oregon, but I live in Tennessee.

She can no longer travel because of her hip. Since Eugene, OR and Cookeville, TN are so far from each other (2,041 miles) my family doesn't get to see her very often; so it's great that we

can e-mail each other.

We started out by doing it every Wednesday at 4:30. Now whenever one of us feels like e-mailing, we do, and then the other e-mails back. We started in May. Now it's September and we are so much closer because of the fact that we are learning more about each other's lives.

Although my grandma and I e-mail each other, there are many other ways to stay in touch with your grandparents. You can write letters, talk on the phone, whatever is most convenient for the both of you. Some

grandparents even have Facebook which is a great way to share pictures, but not as private.

Staying in touch with your grandparents is great. You can even stay up-to-date with other faraway family members or close friends. Whether you are e-mailing, writing, or calling, it's great to stay in touch with the people you love. ■

*[Ed.'s Note: Jacqueline is 10 years old. She would love to know you read and enjoyed her article.]*

### Lane County

(Continued from Page 11)

#### Disaster Preparedness at Gainsborough

from Earl Koenig,  
OSTA representative,  
Neighborhood Watch Chair

The disaster in Japan and the fact that we had a four-hour power failure at Gainsborough early this year generated much interest in disaster preparedness. Our block captains and the president of our HOA got together and developed a

20-page plan. Joe Rizzi, Emergency Program Manager for the city of Eugene, spoke to us, answered many questions, and furnished each homeowner with an excellent brochure called "Building and Strengthening Disaster Readiness among Neighbors. Gainsborough management printing over 70 copies of the plan in color. We greatly appreciated their generosity. There may not be a need for the plan for many years, but when disaster strikes, we will have procedures in place and feel prepared.

**SongBrook Gardeners Bridget Hermes and Art Krantz** pose among early garden truck. They started sharing the fruits of their labors with neighbors in early August. Art's corn is really good!



#### And from Stank Filarski, M.D.

A park task force promoted community awareness about CPR and the purchase of an automated external defibrillator (AED) to have in our clubhouse for emergency use. After a presentation by Jean Lum, administrator for Springfield Firemed, we collected donations from residents to buy the AED, which cost about \$2,200. Management will provide replacement pads and batteries as needed. For every minute a person is in cardiac arrest, their chance of surviving diminishes by nearly 10%. After 10 minutes, there is little chance for survival. Of course a call to 9-1-1 always comes first. Interested residents received training in use of the machine through a state-approved cardio-pulmonary resuscitation course. We feel prepared to help our neighbors if the need arises. ■



## Marion/Polk County News

*from Marilyn Davis*

To reach your full potential as a person, as a tenant, and especially as a neighbor, consider these words written by John Steinbeck: "There are several kinds of love. One is a selfish, mean, grasping, egotistical thing which uses love for self importance. This is the ugly and crippling kind. The other is an outpouring of everything good in you—of kindness and consideration and respect— not only the social respect of manners but the greater respect which is recognition of another person as unique and valuable. The first kind can make you sick and small and weak but the second can release in you strength and courage and goodness and even wisdom you didn't know you had."

### *Salem Greene Estates Has a Busy Summer*

*from Trudy Kenney*

The patio committee members and Mother Nature cooperated for a wonderful patio sale on a beautiful day. From all reports, most people had great sales. Our association also sponsored a breakfast, a lunch, and our annual park picnic, plus a general meeting in August.

### *Starlite Mobile Village Residents Unite from Jan Hurst*

Starlite Mobile Village in Salem had their first tenant meeting recently, and with 45 tenants in attendance, it was an overwhelming success. Johanna Schaffer reported on "Fences for Fido," Lori Dollarhide told about the Marion County Fire District Smoke Alarm

Program, and Donna Barley reported on her visit to McNary Oaks in Keizer. Ken Pryor of Oregon Manufactured Communities Resource Center at OHCS, listed available resources, including Neighbor-to-Neighbor, Marion County Fire Marshall, Salem Police, and Marion County Sheriff's Offices, Animal Control, Fair Housing, and Legal Aid Society. District Director Marilyn Davis encouraged and challenged tenants to learn their rights and unite to work together for peace in the community. "All that is necessary for the triumph of evil is that good men do nothing," she quoted. Residents seemed to feel energized as they realized they could achieve goals and solve problems through joining OSTA and establishing a chapter.

## News from Southern Oregon

### *District Meetings*

*from Gary Walters, District Director*

We had a good district meeting at Madrone Hills with a wonderful variety of finger foods provided by the OSTA chapter there. Everyone enjoyed our guest speaker Jim Sultz of Pacific Mobile Home Supply. He is well known and respected in Southern Oregon. Parks represented at the meeting were Jacksonville Royal Mobile Home Estates, Myra Lynne, Miller Estates and Madrone Hills. Lu Wagner of Madrone Hills has been a member of MH/OSTA since 1985.

We had another district meeting with the parks at the Coast in late

August at Oceanview MHP. Jan Henault of Sunset View has joined Rose Arvidson of Oceanview to serve as deputy directors. The ladies are doing a great job.

### *Tips to Aging in Place in Your Manufactured Home*

To enter and exit your home, you might need a wheelchair ramp, a wider doorway, a sensor light, and sturdy handrails on both sides of steps that are free of any carpet. In the bathroom shower, add grab bars on the walls, a fold-down seat, and slip-resistant strips on the floor. Also in the bathroom get a toilet 2.5 inches higher than standard.

### *Myra Lynne MHP Membership Drive from Gary Walters, Chapter President*

Myra Lynne is having a membership drive contest. Winner will receive a gift certificate to a restaurant of their choice. Also at Myra Lynne, the Gift of Giving Team is finishing up with their second project and will start the next one very shortly. We now have a cute 15-year-old volunteer. Her name is Maudie, but I call her Little Squirt. She's been a big help and doing a great job.

*(continued on Page 15)*

## Legal-Ease by Matthew Johnson, Attorney at Law

I have recently become aware of a disturbing trend in some parks around the state. Park owners are increasingly renting out manufactured homes in parks. This is not a new phenomenon, but park owners are now buying new homes, moving them into parks and renting them with no attempt to sell.

In the past, in certain smaller and older parks, I have seen owners/managers running people out and forcing them to abandon their homes. The park then takes possession and sells the home to a new resident/victim. Generally, where this is a regular practice, landlords have learned it is much more lucrative to resell and get a down payment and collect monthly payments in addition to space rent. Usually they'll give a "good" deal to get people in who can't really afford the payments. Often, after a year or so, the new owner gets behind in rent or house payments, the park threatens eviction, the owner abandons the property and the process starts over. Occasionally, a park will not be able to unload these homes quickly enough or have too many at a time and so will rent them out. Usually the only

other exceptions to the general "no rentals" rule involve a manager renting to friends or relatives.

But there is a new trend in larger parks around the state. One park in Lane County has seen a steady exodus of homes and a resulting increase in vacant spaces. In what may be a desperate attempt to recoup some of the exorbitant profits they are now missing, the corporate owners have bought new homes, moved them into the vacant spaces and are renting them out. Whatever the reason for loss of good home owners, be it escalating space rents or poor management, I have heard reports that this transition to renting out homes is becoming more common.

The implications for home owners in parks could be significant. The interests and laws concerning these renters are different. A renter, as opposed to a homeowner, often has no interest in maintaining the quality of the home or the neighborhood. A renter is a much more temporary resident. Indeed, renters can be removed quickly and easily with just a 30 or 60-day NO CAUSE notice. When things get tough in a park, the renters get

going to somewhere else while you, the homeowners are stuck. Your only option is to organize and try to get rid of a bad manager, improve the neighborhood, or help out your neighbors; these renters, however, will just pick up and move on.

As for those people moving into the rental homes, it will be difficult to organize and recruit them to support the interests and goals of the home owners, and a landlord may try to pit the interest of the renters against the interests of the homeowners. Homeowners will need to consider new strategies to approach and include these folks and stress the mutual interests of homeowners who rent their spaces and renters who rent everything.

If this situation is creating problems in your park, please let us know. And remember, if we don't stand together, we fall apart. ■

*Ed's note: Matthew Johnson is a Eugene attorney specializing in Tenant-Landlord matters. His contact information is in the directory on page 2 of this issue.*



## What's in a Homeopathic "Drug"?

Not much, says the James Randi Educational Foundation, which calls them "quack remedies." They are so diluted that they aren't any better than a placebo (sugar pill). Of course placebos have been known to make people feel better. So does a good belly laugh or some exercise.

## Southern Oregon

(Continued from Page 12)

### ***Moisture Detectors at Miller Estates Reduce Expensive Repairs***

*from Terry Smith, Chapter President*

I think this is something that might be of interest to our members. My next door neighbor, Orval Schwartz, bought a \$25 battery-operated moisture detector from Home Depot last year after learning of a neighbor receiving extensive water damage to his home from a leaky water heater. Orval's electric water heater, located in his spare bedroom closet, like many are in manufactured homes, recently sprung a leak, and if it was not for his having his moisture detector with built-in alarm, he would have also received water damage. We here at Miller Estates are all now thinking about getting one. Orval

also has a very good idea; he placed his moisture detector on a piece of paper towel making the detector more sensitive to moisture.

Four days after learning about Orval's water tank leak, another of my neighbors boushe detected a leak in her tank. This inexpensive water detector saved headache and expensive repairs. She did have to buy another hot water tank.

### ***Madrone Hill***

#### ***Collects School Supplies***

*from Bette Reid, chapter secretary*

Looking forward to a generous response from residents, the OSTA chapter again distributed school supply lists throughout the park. These lists were from our adopted schools in Gold Hill-Patrick Elementary and Hanby Middle School. Becky Estradmdo donated a half-page ad in The Rogue River Press reminding readers that many

children start school without needed supplies and requesting help for our school fund. Donations were sorted in the Madrone clubhouse before they were delivered to the school. We also received some monetary donations. Sandi Strong, chapter president, served hot dogs and hamburgers to shoppers at the September yard and bake sale. ■

## Costs of Aging

—from *The National Council on Aging, Washington, D.C.*

While services in the home and community may cost less than in a nursing home, these expenses can add up over time. If you need a few hours of help from a home health aide in the morning and at night, you could easily spend \$76 per day or \$2,280 per month. Average national cost of services, 2010, include homemaker: \$18/hour; home health aide: \$19/hour; adult day care: \$60/day; assisted living \$3,185 per month, and nursing home: \$185–\$206/day (semi-private and private room).

## MHOAA Announces Successes

*from Rita Loberger, OSTA's Oregon Representative*

### ***The Uniform Manufactured Housing Act***

At the meeting of the state commissioners this summer in Nashville, a draft model regarding titling of manufactured homes passed by a vote of 48 to 0. MHOAA wants all states to work for passage of similar acts that would support people's right to purchase manufactured/mobile homes as "real property." A state uniform titling act, based on the draft model, should provide an easy method to convert manufactured homes to real property—a new home can be considered real

property as soon as the homeowner (1) locates the home on land controlled by the homeowner and connects the home to electricity, and (2) files a certificate of location for recording in the land records.

### ***ELS Properties Challenged***

At the ELS shareholders meeting in Chicago this spring, MHOAA challenged the business practices of the chairman, which include using some of his personal wealth to raise the rents of seniors dependent on social security as their main, and sometimes, only income. Findings from a comparative rent study in

Lane County show an older ELS-owned MH park to have one of the highest rents in the area. Now this park is buying houses and renting them out. The renters don't have recourse to the protections against eviction that home owners have. In Florida, where nearly 40% of ELS properties are, a lack of park maintenance has created situations such as mosquito-breeding standing water. According to Ishbel Dickens, executive director of MHOAA, problems fall on the deaf ears of ELS staff at every level of the corporation. ■



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## We are your neighbors.

### MH/OSTA Vision

Be the place that the owner of a home in any Oregon manufactured home park:

- Calls for help and directly, or by knowledgeable referral, receives the help they need.
- Trusts to protect and enhance the security, affordability, and quality of their housing choice.

### MH/OSTA Mission

Continue to grow a membership network of park homeowners who are increasingly better organized and able to provide and promote:

- Ready access to park homeowner education and information;
- Awareness, protection, and development of park homeowner rights;
- Connection to park homeowner support services provided by others;
- Preservation of manufactured home ownership as affordable housing.

***We are stronger together  
than we are alone.***



## MH/OSTA MEMBERSHIP APPLICATION

If a friend or neighbor gave you this copy of

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**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!**

## Join your neighbors today!



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

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*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

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

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