



# THE **osta** REVIEW

## VOLUNTEER SPOTLIGHT

### Judy Greer



Judy has been an OSTA member since 2008 and is active promoting

MH/OSTA at Falcon Wood Village in Eugene. This past winter she bought stamps and envelopes and sent notes and OSTA brochures to over 80 non-members in her park, asking them to join and support our work. Her efforts have gained us several renewals and some new members. She is still making follow-up calls to increase membership.

She has assembled welcome baskets for new residents and worked producing The Falcon Wood Flyer for over three years, first with her husband and after he became ill, alone until she retired last November. She also wrote an interview column on new neighbor in the newsletter.

Judy worked in employee management for the telephone company when she lived in Southern California. Her daughter, Carene Davis-Stitt also lives at Falcon Wood.

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## Home Inspections Well Worth the Money

Rita Loberger, MH/OSTA vice-president and representative to National Manufactured Homeowners of America (NMHOA), has been closely monitoring the problem of homes that have become uninhabitable in a Clackamas park. A 98-year-old woman at Shadow Brook MHP was forced to vacate her home after the back yard collapsed, a large tree slid into the rising creek, and her heat pump and its cord fell over to hang down the 70-foot embankment behind the homes. Her phone line was also damaged as were the water pipes, and as a remedy, the landlord put a garden hose through a window so the woman would have water.

The woman moved out, and the house has since been moved off the site. Now Rita reports that the cement slabs are cracking, but there is talk of the owner, Equity LifeStyles out of Chicago, bringing in another house to put on that site.

This particular problem occurred when Sieben Creek, which flows between Shadow Brook and Riverbend Manufactured Home Parks and is a long creek starting in Happy Valley, flooded in early December due to heavy rains. Two months later, the only help provided by the Shandowbrook landlord was the use of the garden hose for flushing toilets and taking showers and a few bottles of water. The reason given by the manager for no other aid was that the owner hadn't authorized any expenditures.

Agencies Rita contacted for help were Clackamas County Senior Services, the local water company, emergency services including the Red Cross, County Commissioner Bill Kemmerer, and Oregon Housing and Community Services. She organized a meeting of residents of Shadow Brook and Riverbend, attended by representatives

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This tree slid 70-ft. down a sink hole to get stuck in the creek bottom. Note the heat pump hanging on its side

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## Email Addresses Need Updating

If you have an email address, would you please send it to [mhoAssistant@gmail.com](mailto:mhoAssistant@gmail.com) so she can add it to the OSTA database. This way we'll know it's correct. Sometimes your address changes or we copy it incorrectly when you hand-write it on renewal slips. Many of you are indicating you'd be willing to receive *The OSTA Review* via email, and your renewal letters are asking you to check a space if you are. We are happy to continue sending you a paper copy, so the choice is up to you.

Board Member Judy Morton, is assigning a number to every member- We will locate you in the files relying on your member number from now on, so plan to include it in all correspondence with us. You'll find it listed on your renewal notice.

We realize quite a few of you don't have computers and email, so be sure we have a correct phone number for you.

## Coalition Connection

The Landlord/Tenant Coalition has agreed on a bill to be presented to the Legislature. It will have three parts: 1. Utility payment due dates to coincide with rent due dates, 2. the Mortgage Loan Originator's exemption to apply to registered landlords who sell fewer than five homes, and 3. If an arborist deems a large tree (8 inches dbh, 4 ½ feet off ground) to be dangerous and the tenant did not plant the tree, the landlord to be responsible for its care. John VanLandingham is writing the bill, which the coalition has spent many hours discussing.

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## From The President...*Garry Walters*

I joined MH/OSTA IN 2006, and have been the chapter president of Myra Lynne Manufactured Housing Community in Medford ever since. I was deputy director for Terry Smith before being voted as a member of the state board and district director for Southern Oregon.

I have been happily married for 55 years to a wonderful lady, Ginger. We have seven children, twelve grandchildren, and four great grandchildren. I was born in Klamath Falls and after graduating from high school worked for 30 years as a lead man for Boise Cascade. I enjoy helping my neighbors with carpentry projects. I also like to hunt, fish, and go camping.

New on our state board of directors is Charlie Ricker, voted in unanimously at the January board meeting. We think he will be a great asset to the board. He started out as a deputy director in Lane County and has now moved up to the position of district director there (see an article about Charlie elsewhere in this issue).

In each Review I will be asking two board members to share a little history about themselves. So be patient as it will take awhile to do them all. I believe all the members should know who is representing them on the board. Jane Capron, state secretary, and John VanLandingham,

state treasurer, will be highlighted in this column.

Jane taught English and journalism in California and Iowa and freshman composition at community colleges in Fort Worth, Texas, and Middlesboro, Kentucky. Then, she and her husband moved to Portland and became apartment managers. When they retired, they moved to Eugene, where they have lived at SongBrook Manufactured Home park for 16 years. They have two married daughters and two grandchildren. Jane has published six mystery novels set partly in a fictional Eugene MH park, and three fairy tales. She is active in Manufactured Housing/OSTA serving as state secretary, office manager, and OSTA Review editor. She walks daily, does tai chi, line dances, and writes poet-



Jane and John

ry for the fun of playing with words.

Next we have John VanLandingham. John has worked as a lawyer for a nonprofit law firm representing residential

tenants in Lane County for 35 years. That has included manufactured housing park residents. In 1977, while in law school, before he became a lawyer, he spent a semester as a legislative committee aide in Salem working for Rep. Nancie Fadeley, who championed the rights of MH park residents and passed the first laws protecting them, including the provision that park residents can only be evicted for a good reason. In his early days as a lawyer, in the 1970s, he met and worked with Milt Scofield, one of the founders of OSTA, on pro MH park resident laws. As a volunteer planner over 24 years, half with the City of Eugene Planning Commission and half with the Oregon Land Conservation and Development Commission, he worked on a number of issues that involved planning for MH parks, including park closures.

Since the early 1990s he has worked with other tenant advocates in coalitions with landlord interest groups to negotiate, draft, and lobby for new landlord/tenant laws in Oregon. The first coalition focuses on apartment tenancies and was formed in the early 1980s; he got involved in 1989. The second, the Manufactured Housing  
(continued on page 4)

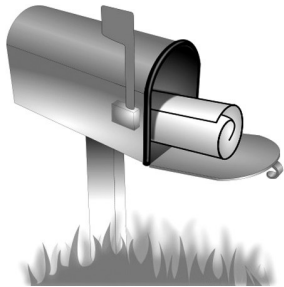


*From the President Continued from page 3*

Landlord/Tenant Coalition, was formed in 1997, and he was an original member and worked closely with OSTA leaders (and really rejuvenators) Pat and Fred Schwoch. This coalition has produced legislation every legislative session since its creation. John has been an MH/OSTA board member since July 2008. He helped with the transition from OSTA to MH/OSTA, as a 501-c-3 corporation, a difficult time.

We'll talk again in the next issue.

Gary



## NOTES IN OUR MAILBOX

**Katherine Barnes** from Briarwood in Eugene writes: *Dear Jane, Thank you and Helping Hands so much! I am thrilled to pieces about my new safe and beautiful railings on my porch. When I first learned of Helping Hands I knew it was a terrific project for folks. I did not realize I would be one of those folks until a good friend noticed my wobbly and unsafe railings. The application was easy, getting an estimate was easy. The waiting to hear if I had been approved was nail biting! It was really only a few days! Thank you again.*

**Marvin Baker** from Salem Greene writes: *"I like the new blog site! Communications are improving every year—that is good."* We agree that Judy Morton is doing a topnotch job administering *blogging with mh-osta*, and we hope our other readers who have computers are also finding the blog useful. We thank Marvin, who has been an OSTA member for 13 years, for sending a generous donation with his renewal check this year.

**Lynne Keith** from Falcon Wood Village in Eugene writes: *Drip, drip, drip. Almost a steady stream in the bathtub. Then the spray feature in the kitchen gave out completely. Next water came out from under the base of the bathroom sink fixture, and I knew it was time to call someone. Hooray for the MH-OSTA Helping Hands Pilot Project in Lane County. I applied for help and my drips were fixed quickly and for only 25 percent of what I had expected to pay. Thank you, OSTA.*

**Wanda Fay** at Myra Lynne Park in Medford writes: *I want to thank you all for building a wheel chair ramp. My sister is ninety-one and can't walk. I couldn't financially afford to have a ramp built. Now I can get my sister out in case of an emergency. Thank you again.*

## Helping Hands Project Continues

At the January state board meeting, the directors voted to extend the Helping Hands Project to June 30 and include all four districts. Each director will have applications available for members who could use some simple home modifications to help them age in place. So far the project has been very successful and recipients of aid most appreciative. Contact Gary in Southern Oregon, Marilyn in the Salem area, Rita in the north, and Charlie in Lane County. Applications are also available from Jane in Eugene. It is the hope of the board to secure some corporate funding to enable OSTA to continue the program beyond June 30. Donations are welcome, and the board is most grateful to a generous donation from SongBrook in Eugene for use in Lane County.



*(continued from page 1)*

of various agencies. Fox TV12 did an early story when the disaster happened but did not attend this meeting. At a subsequent meeting in January, about 35 county agencies and residents from three parks on or near the creek discussed consulting a geological technician to analysis the stability of the soil. There are three different owners for the three parks—ELS, Cal-AM, and a private owner. The property lines run down the hill but not into the flooded stream. No one admits owning or wants to own the stream and broken spillway, so it couldn't be decided which landlord or agency was responsible for correcting the damage to homes and yards. Clackamas County Emergency Services are talking of forming a combined agency to remedy the situation. Included would probably be Fish and Wildlife, the Corps of Engineers, and The Red Cross and fire department. As many as 600 residents live in these three parks.

Rita, Barbara Stephens from Shadow-Brook, and the NMHOA executive director met with a Portland area landlord/tenant attorney in late January to discuss ways to force landlords to maintain a safe and healthful environment for residents. Rita's concern now is that the other homes in the three parks that border the creek, which has risen from its normal two feet to seven feet, are also sitting on a huge sink-hole. The national NMHOA is documenting various cases throughout the 30 states in which landlords refuse to accept responsibility for the conditions of their property. Currently there are 10 states signed up to join in the fight for justice.

Rita said, "I feel the lesson here is for communities to stand together at a time of need for any and all of their residents.

## Charlie Ricker, New Board Member, Lane Dist. Director

When Charlie and Linda Ricker bought their home at SongBrook MHP, they became investors. "I own the home, not the land,"

Charlie says, "and because I live here, I am improving this land not just for myself and my wife, but also for the benefit of the owners. If they try to change things or manipulate things infringing on our rights, where do we go? As just two people we're not very strong. That's where OSTA comes in. As a group we become more powerful. We help each other, and with more and more members we grow a bigger voice."

So spoke Charlie Ricker at Woodland Park MHP this winter as he began meeting Lane County residents in manufactured home parks, and this is the message he's delivering as he travels the county visiting other parks as the new district director. The state board was impressed enough with Charlie to also elect him to the Board of Directors at their January meeting.

Born in New York, Charlie was a bedmate of Sylvester Stallone, both born on the same day. Charlie grew up in New Jersey, in the hometown of the New York Giants, and after graduating from Rutherford High School, worked as a carpenter and upholsterer and spent 20 years in the Marines, 16 of them in the recruiting field. After that he obtained a two-year community college degree on the G.I. Bill and sold real estate and life insurance in the state of Washington and also managed a program for the Handicapped there and dealt in casinos.



There is strength in numbers. By working together we will be able to make a difference in the rights we deserve and require when we sign our names on that dotted line to become a resident of a community." We would like to add: **Don't move into a home that hasn't been thoroughly inspected by a professional inspector.** And to our members we say, **Take care of minor problems with your home before they escalate into major problems**, and remember that if you live in a flood plain, you might have a flood.



*An Idea for Your Chapter Meetings*

**Oregon Money  
Management Program  
Protects against Financial Abuse**

OSTA urges any of our members looking for volunteer opportunities to consider the Oregon Money Management Program. We also think chapters could offer information at their meetings on budgeting, scams, electronic banking, and ways to manage money. Accountants and other knowledgeable people in your parks and outside money managers could present hands-on and on-going programs. We don't advise any one-on-one aid without prior training, but group sessions should prove helpful to many in your parks and be of interest at chapter meetings.

If you think this is a good idea and would like more information, read on!

The Oregon Money Management Program is designed to offer help to low-income individuals who are having difficulty with their finances. Sponsored nationally by AARP and Easter Seals and Senior and Disabled Services, trained volunteers can assist people with bill paying and/or management of their benefits such as social security. The program promotes independent living (staying in your own home) and protects against abuse, fraud, and scams. If you need help or know someone who does, contact Easter Seals Oregon at 800-556-6020 or, in Lane County, call 541-682-4177 to speak with the program coordinator at Senior and Disabled Services.

To be a volunteer, plan on an initial training session of four hours. Phyllis Kerr and Jane Capron from Eugene investigated the program in Lane County. The trainer told them that most of the financial problems older people have come from relatives who scam them out of money, leaving them without enough to pay for rent, utilities, or food. When a volunteer is paired with a client, all banking is done electronically in one account so that unscrupulous

relatives and caregivers can't access the money. AARP protects the volunteers with insurance, and the program coordinator and case workers oversee the volunteers.

**“Dear Abby” Spreads the Word  
On Social Security Paper Checks**

As of March 1, the Treasury Department is no longer sending paper checks via the post office to recipients of Social Security, VA, SSI, and other federal money. You must now either get your benefits via direct deposit to your bank or by Direct Express Debit MasterCard. There is no either-or about this new law. “Dear Abby” wrote about this change-over in one of her columns and advised her readers that when they call to make the change, they need to have either their most recent benefit check in hand or know their 12-digit federal benefit check number. To arrange for direct deposit, you also need to have the bank or credit union's routing transit number and your account number. If you haven't yet made the transfer, call the Treasury's secure number: 1-800-333-1795.

**Rita Loberger Stars  
in Film about OSTA!**

by Jane Capron

Blogging with MH-OSTA has a special show about the work the organization does that's available to all who have access to a computer. If you don't have a computer, your neighborhood librarian or a friendly neighbor can show you how to access the blog and see the show. It runs 13 minutes and Rita gives you a lot of information. We recommend that chapters load the show onto a laptop and connect to a TV screen in a clubhouse so that all members can watch together. Or invite a few neighbors to your house to watch and listen on your computer. Your comments are always welcome. Rita would like to know what you think of her work as a movie star! Will Hollywood come calling?

## RIGHT<sup>2</sup>KNOW Statute Study Guide

# ORS 90.740



From Mike Whitty, Manager Training Instructor

So, what happens when the limbs of that tree on your space begin rubbing on the roof of your home? You want it cut down. The landlord says the tree is part of the landscaping scheme for the park and cannot be removed.

### ORS 90.740 Verbatim

ORS 90.740 states, in part: "**Tenant obligations.** A tenant shall: (h) Maintain, water and mow or prune any trees, shrubbery or grass on the rented space;"

### ORS 90.740 Study Notes

To begin, draw no conclusion from the title of the statute: "Tenant Obligations." A court will enforce only the language written by the legislators. The titles to statutes are added after the bill is passed, by statutory revisers who prepare legislation for publication and printing.

Legal authorities do not agree on the meaning of "... maintain, water and mow or prune any trees. ...". Most believe that the word "maintain" means that all trees on the space are always the responsibility of the tenant. Some (me) believe that removing a tree is very different from maintaining or pruning it. Since the landlord owns the ground and the minerals beneath the ground, the landlord probably also owns the trees.

Ownership of rights in land is akin to having a bundle of sticks. You can give some of the sticks away and keep others. Like an easement to cross over land gives the neighboring property an access, and nothing more. Or, a rental agreement to put a mobile home on a space gives a tenant the right to live there under the terms of the agreement. Neither the easement nor the rental agreement conveys title to the ground, the mineral rights, or, in my opinion, the trees. The right of use, yes, ownership, no. But when the landlord's tree interferes with the tenant's safe right of use, whose rights prevail? Possible changes in the law for trees in mobile home parks are afoot in the 2013 session of the Oregon legislature.

#### 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*

The Landlord/Tenant Coalition that meets monthly to discuss possible changes in the landlord/tenant statutes, ORS Chapter 90, has written proposed amendments that hopefully will bring some clarity to the trees issue, if the proposals are enacted into law. The amendments begin with some new definitions of words, ORS 90.100.

(8) "Dbh" means diameter breast height of a tree, or the diameter of a tree at breast height, which is measured at 4 and a half feet from the ground.

(21) "Hazard tree" means a tree that is:

(a) Located on a rented space in a manufactured dwelling park;

(b) Measured as at least 8 inches dbh, and

(c) Considered by an International Society of Arboriculture-certified arborist as posing an unreasonable risk of causing serious physical harm or damage to persons or property in the near future.

The definitions section of ORS Chapter 90 provides the meanings of particular words, and, sometimes, terms that are not really words, like "dbh". Those meanings apply only to the particular words as they are used in the Landlord/Tenant law.

Here, the purpose of the definitions is to provide the parameters of identifying a safety problem. This issue has arisen for parks in the Cascade foothills, and mountains, where 150-foot trees on spaces

are common. Wind and snow break off limbs that do not fall to the ground, but hang aloft, waiting to dry and eventually break loose. People with experience in the woods know these limbs as "widowmakers," a term that needs no further definition.

Aside from potential harm to life and limb, trees and limbs can be a hazard to property, such as the mobile home they lean over, or hang above.

To qualify as a "hazard tree" under the definition, it has to be on the space, at least 8 inches in diameter (not circumference) and pose a risk, in the opinion of a certified arborist.

After agreeing to the above definitions, the Landlord/Tenant Coalition moved on to ORS 90.730, which states the landlord's duty regarding habitability of the rented space.

(4) A rented space is considered uninhabitable if a landlord fails to maintain a hazard tree as provided in Section 5 of this 2013 Act.

So, the proposed amendment to the habitability statute puts the onus squarely on the landlord to maintain a "hazard tree." But, keep in mind, that a tree is only a "hazard tree" if an arborist says it poses "... an unreasonable risk of causing serious harm or damage ..." For a tenant to take advantage of these safety amendments, the tenant will have to get the opinion of an arborist.

The Coalition then agreed to a new section, Section 5.

SECTION 5. (1) (a) As used in this section, maintaining a tree means that the responsible party removes the tree or trims or cuts it to remove those features of the tree that cause it be hazardous now or that may cause it to be hazardous in the future. Removing a tree includes cutting it down and removing the trunk and all branches and the stump.

(b) Any removal or major trimming of a tree of greater than 8 inches dbh must be done by a professional, licensed, bonded and insured tree service.

(2) (a) Unless the tree was planted by the current tenant, a landlord shall be responsible for maintaining a hazard tree on a rented space in a manufactured dwelling park if the landlord knows or should know that the tree is a hazard tree. A landlord has discretion to decide whether the appropriate maintenance is removal or trimming of the hazard tree.

(b) A landlord is not responsible for tree maintenance for non-hazard trees or for any tree for aesthetic purposes.

(3) A landlord may maintain a tree on a rented space in order to prevent the tree from becoming a hazard tree, after providing reasonable written notice to the tenant and a reasonable opportunity for the tenant to provide the needed maintenance.



The following "NOTES" were written by Attorney John Van Landingham, who also wrote the bill. I made some minor edits.

*NOTES: subsection (1)(a) Applies to all trees, not just hazard trees. Removing the stump means grinding it up.*

*NOTE: subsection (b) Applies to all trees.*

*NOTE: The language "knows or should know" removes landlords from strict liability for trees falling, including trees falling due to extreme weather conditions or Acts of God. Of course, if the Tenant has warned the Landlord (with or without an arborist's report) or the Landlord has information from some source which a reasonable person would have relied upon to act to remove or repair the tree, the Landlord could still be liable. That's the usual negligence/foreseeability standard from the common law.*

*NOTE: This paragraph will give a landlord authority to prune any tree, presumably as preventative care to avoid the tree becoming a hazard. That's a broad authority, but would not include the L pruning the tree for aesthetic purposes.*

4) A landlord shall comply with ORS 90.725 prior to entering a tenant's space to inspect or maintain a tree.

(a) Except for hazard trees required to be maintained by the

landlord, a tenant is responsible for maintaining all other trees on the tenant's space in the park, including hazard trees planted by the tenant, at the tenant's expense.

(b) A tenant may retain a certified arborist to inspect a tree on the tenant's rented space at the tenant's expense. If the arborist determines that the tree is a hazard, the tenant may either:

i. Remove the tree at the tenant's expense, after providing the landlord with reasonable written notice of the proposed removal with a copy of the arborist's report; or

ii. If the tree was not planted by the tenant and is the landlord's responsibility, require the landlord to maintain the tree.

Subsection (4) means 24-hour notice, unless there is an emergency.

*NOTE: Other than hazard trees for which the Landlord is responsible -- which means only a large tree (8 inches dbh) which a certified arborist says is dangerous and which was not planted by the Tenant -- the Tenant is responsible for maintenance, and has the right to trim or cut down the tree, at the T's own expense.*

*NOTES: 1. No notice is required if the Tenant is just doing trimming, not removal. 2. The T could also just give the arborist's report to the L and ask the L*

*to deal with the tree; if the L fails to do so, the L is risking liability, or the T could sue the L for injunctive relief. The L could defend with evidence that the tree is not a hazard. 3. This is not the same as "repair and deduct." The T may not deduct the cost of the removal from the rent. On the other hand, the T could withhold rent until the L dealt with the tree. 4. There is nothing in this new section which requires a L to inspect trees; however, from a negligence analysis perspective, if a L knows or should know that a tree is dangerous, perhaps because the T gave the L an arborist's report saying so, the L likely has a duty to respond, including by inspecting the tree.*

Space here does not allow for explanation of other proposed amendments about trees

### AN IMPORTANT REMINDER

***Chapter 90.510 (11) states "Every landlord who publishes a directory of tenants and tenant services must include a one-page summary regarding any tenants' association. The tenants' association shall provide the summary to the landlord."***

**This means:** OSTA chapter presidents, home owners' association presidents, and Committees of Seven chairpersons should update the one-page summary for new residents who move into your park. Your landlord is obligated by state statute to provide the summary. If you need help writing the one-page summary, contact your OSTA district director for suggestions. Don't let these summaries get old and out-of-date.

## News from Lane County

### Rep. Nancy Nathanson to Speak at District Meeting

Summer Oaks is hosting the Lane County District meeting 10 to 1 on Saturday, March 23. Representative Nathanson will discuss legislative bills effecting manufactured home owners, including her bill on opportunity to purchase. John Rutledge, a retired police officer will warn about current scams, followed by District Director Charlie Ricker leading "Chapter Chatter," where residents can share successful projects they've initiated in their parks. Summer Oaks is located at 3220 Crescent Dr., behind the Register Guard building. From the Beltline, take Coburg Rd. north to Crescent and turn right.

### Lakeridge Chapter Elects Board From Barbara Mitchell, President

MH/OSTA at Lakeridge officially became a chapter when by-laws were adopted in a September, 2012 vote. At the Lakeridge chapter's first official meeting last December, Anne Reynolds and Larry Thompson were elected as board members. They join President Barbara Mitchell and Vice President Dick Clark on the board. The secretary/treasurer position remains vacant.

As of January, membership in the Lakeridge chapter has increased to 40 households with 57 individual members.

At the December meeting, members voted to name the new chapter in honor of the late Celeste Ulrich, for many years an officer of MH/OSTA.

Tom Mitchell presented an overview of possible 2013 legislation related to manufactured home communities, based on information from the state annual MH/OSTA meeting in October. The topics he discussed included aiding residents regarding park purchase, submetering in parks, and tree issues. During the 2013 legislative session, members will be kept informed of legislation regarding manufactured home parks. President Barbara Mitchell reported that on October 30, following

advice given at the state annual meeting, she had sent a letter, as required under state law, to the Lakeridge owner requesting notification to the MH/OSTA chapter of listing or possible sale of Lakeridge.

### Summer Oaks Planning Membership Drive

Outgoing chapter president, Dick Norton, who will be moving out of the park this Spring, organized a January planning meeting attended by active members and OSTA state board members Charlie Ricker and Jane Capron. After discussing various scenarios for meeting programs, John Rutledge agreed to lead the new group with the support of the current leaders of the communication committee. A membership meeting will be called for early March, at which time Charlie Ricker will be one of the speakers.



John Rutledge, left, Larry Shelton  
and Dick Norton.

### Falcon Wood Village Considers Problems with ELS Owners

At their annual meeting in late February, Falcon Wood OSTA members discussed information from the National Manufactured Home Owners of America newsletter about Equity LifeStyles Management. Falcon Wood Village is one of several ELS parks in Oregon, the majority of which are in Florida, where escalating rents are causing consternation among residents. Lynne Keith, Falcon Wood OSTA president, led the discussion with the help of Lane District Director Charlie Ricker, who presented a potential Ch. 90 statute on hazardous trees.

## Woodland Park Elects New Officers

Owing to health problems Orval Tubbs, resigned as the long-time president of the Woodland Park



Ellen Crownover & Judy Morton

OSTA chapter in Eugene. At a recent general meeting, Judy Morton was elected president, Paul Maleck re-elected as vice-president/member chair, Ralph Cook re-elected as treasurer, and Linda Barcus and Lorna

Joan Stern, secretary of Lee's MHP OSTA chapter, related her positive experience with the OSTA Helping Hands program. She was the first recipient in Lane County and as a result of financial assistance from OSTA and



Leona Moe & Jim Morton

the labor of her neighbor, Dave Bidwell, now has two new windows in her house that aren't fogged up by water vapor. Charlie Ricker, Lane district director, spoke about the importance of OSTA solidarity to protect our homes, which are our investments. Jane Capron, state secretary, talked about the Oregon Money Management Program and suggested chapters could have meetings devoted to helping with budgeting and other money matters.

The meeting adjourned for lunch, provided by the chapter. Judy served her southwestern specialty, Navajo Tacos, and fried bread with honey for dessert.

## Legislators Want to Know What We Think

Oregon State Legislators—Senator Chris Edwards and Representatives Val Hoyle and Nancy Nathanson—conducted a town hall meeting at Willamette High School recently to hear what issues are of concern to the people they represent. Rep. Nathanson has a bill promoting high-speed rail between Eugene and Vancouver, one lowering the price of re-insurance to insurance companies, and another improving criminal background checks. She also has three bills having to do with manufactured home parks (more on this later). Rep. Hoyle is promoting school funding and community health. Sen. Edwards, a member of the Senate budget committee, continues to have education as a major concern and is working to grow small businesses, especially in the field of technology.

Willamette High School also hosted Congressional Senator Ron Wyden last January at a town hall meeting attended by many students. He presented his views on gun control, immigration, and the costs of higher education. A high school senior noted that he faces a \$30,000 “debt sentence” for his college education.

## News from Marion/Polk Counties

from Marilyn Davis

The “Pins & Needles” group of nine “stitchers,” including men, at Royal Mobile Estates meets weekly to make “clothing protectors” and lap robes for several Salem nursing homes. The park manager, gave them scissors, storage cabinets and other sewing notions. Paul Cooper and Connie Duncan collect new and used donated fabric, which is then washed and prepared for stitching. Residents and staff of the nursing homes express pleasure and gratitude for the gifts. One activity coordinator said that the clothing protectors are an ongoing need for residents over 90 years of age who are happy to wear them as long as nobody calls them “bibs.”

## News from Southern Oregon

### **Proud Grandma at Myra Lynne**

**from Gary Walters, District Director**

Myra Lynne MHP residents are happy to have a very proud grandmother, Joanie Barrett, living in the park. Her granddaughter Chelsea Webb, a resident of Medford, represented Oregon in the Special Olympics World Games in South Korea. Chelsea competed in cross country skiing and won three gold medals and one silver. Congratulations!

I am sad to say Rose Arvidson who was a Deputy Director in Brookings had to resign because of family needs. Jan Henault will carry on as Deputy Direct and do a great job.

My park has built a wheel chair ramp for a lady to help access her home. Her "thank you" appears elsewhere in this issue.

I have been working with the manager and OSTA chapter at Jacksonville Royal Mobile Estates and hope we can resolve some issues.

### **Western Carriage Estates Homeowners Shred Old Documents**

**from Bruce McLaren, Association President**

I spent two days in February helping our residents fill lockable bins from Rogue Shred with old checks, automobile and insurance papers, medical files, receipts, tax files, and warranties. Then I met the shred truck on another day for the destruction of the papers at a cost of about \$7 a box. Others who might be interested in a shredding service should know that there's no need to be concerned about staples, paper clips, binder clips, paper hanging brackets, hanging file folders, etc. as all those items are destroyed with the documents. It's a good idea to take care of these old papers now so that your children won't have to do it later. This would be a nice gift to them, don't you think?

### **Sunset View MHP Elects Officers**

**from Jan Henault,  
Southern Oregon Deputy Director**

Members of the combined HOA and OSTA chapter elected new officers the first of the year. I was re-elected president for two years. Serving with me are former president Sharon Martin as vice-president; Carl Dunbar, newsletter editor, re-elected as secretary, and Lonna Lipparelli, treasurer. The program at this meeting was a presentation by CAL-ORE Life Flight, which offers both ground and air memberships for \$43 a year per household. A third adult living in a house who is not a spouse or significant other must have his or her own membership. CAL-ORE has seven aircraft and four ambulances. If an ambulance is called and transport is not necessary, the charge to members is \$100 as opposed to \$200 for non-members. CAL-ORE accepts insurance reimbursements. Each ambulance plus crew costs about \$1,500 a day to function. There are seven aircraft and four ground ambulances. The ground transport charge is about \$2,500 and air transport from \$30,000-\$40,000. Medicare and other insurance generally cover these costs after deductibles are met.

### **Did You Know?**

United Way offers a convenient way to support local non-profits via payroll deduction through many local employers. If you or somebody you know works for an employer that participates in the annual United Way pledge drive, please consider designating some or all of your United Way donation to Manufactured Housing/OSTA. As a 501(c)(3) organization, we're eligible to receive funding via United Way if OSTA is designated as a donation recipient on the United Way pledge form. Donations help to continue and broaden our programs. If you itemize, you can deduct the entire amount of the United Way donation on your federal and state tax returns.

In case you would like to designate OSTA as a United Way donation recipient, our mailing address is P.O.Box 701, Springfield, OR 97477.

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

More questions without adequate answers.

Q: My rental agreement provides for 24-hr. access to my RV stored in the RV storage area. The new manager has placed a lock on the gate and is restricting access to certain hours, claiming it is because of vandalism and theft. I use my RV often (sometimes for transportation) and these new hours just don't work for me. Can they do this?

Any change in the rules, regulations or your rental agreement must go through the process outlined in ORS 90.610. The proffered reason for the new rule is irrelevant. The easiest solution is to demand a key to the lock. This is not the first time I have encountered this situation. The solution has been to provide keys to whoever needs access to the area.



Q: What gives the manager or landlord of a park the right to treat a resident with disrespect? Does the education that the State of Oregon provides through manager training provide proper procedure for communicating with residents?

Nothing. It seems everyone thinks they have the skills to "manage" a park. But, as we all know, everyone does not have the social, communication, mediation, and management skills required to successfully manage a park. Unfortunately, most park owners believe any idiot can manage a park, too, and that's who they hire. Again, unfortunately, the mandated training of managers is usually focused on learning the laws (half of it has to be) and is often on how to successfully evict someone. Finally, please note, to get a certificate one need only attend the class, not pass it.

Q: If the Oregon law says we can have a Committee of Seven than why haven't they published the proper way to organize this committee with prepared bylaws to start them off?

The Oregon law presumes we are all adults and can make our own decisions about how we want to organize our committees and set up bylaws. (The "proper way" to organize the committee is up to the members.) The Committee of [up to] Seven is the easiest kind of committee to form and has the fewest restrictions and fewest responsibilities. It's all there in ORS 90.600(5). While it might be a good idea to have a suggested frame work, the legislature did not seem interested in creating one.

Q: Is my manufactured home personal property or real property?

Currently under Oregon Law a manufactured home sited on land owned by the owner of the home is considered Real Estate, and taxed accordingly. If the home is on land not owned by the owner of the home, it is treated as personal property. ORS 308.875 Part of MH/OSTA's future legislative agenda is to address this issue.

Q: I had a dog for many years and she died. The manager told me he is not approving any new dogs. Don't I have the right to replace my dog?

Yes. ORS 90.530 A tenant "may replace a pet with a pet similar to the one living with the tenant . . ." previously. New rules may apply but, if you have a 200-pound mastiff and the new rules limit the size to under 20 pounds, that rule would not apply to your new dog.

*Continued Next Issue*



## *Kids' Space*

by Jacqueline Capron-Allcott



My Dog, Sandy, is a rescue dog and a Labradoodle. She has golden brown fur that is super fluffy and thick. She also has a bright green cataract on her right eye. It is a juvenile cataract, which means she was born with it. Although it's unfortunate, it makes for a funny flash photo. She wears a jingly collar that always lets us know when she's coming, and her tags on it say she's ours.

Before I tell you how I take care of

Sandy, I should tell you how we got her. It was Labor Day 2010, when we drove to Kentucky adopt her from Kentucky Lab Rescue. I found their website online. We had to leave our house early in the morning at 6:30 a.m. We drove for four hours until we got there.

It was a long and boring trip, but it was worth it. Sandy's back story is sort of sad though. Her old family wasn't able to keep her because they didn't have enough time for her. Sandy needs LOTS of attention and love. The shelter they took her to couldn't get someone to adopt her and they were going to have to put her to sleep (which is really, really sad). Luckily, Michelle from KLR rescued her, and now we get to take care of her.

There are different ways I take care of Sandy. I sometimes take her for walks with my mom or dad, I feed her dinner every morning and evening, and I let her outside and inside. I also help my mom give her baths. Like I said, Sandy needs lots of care, but it makes me happy to have a furry friend in the house.



## Thoughts on Aging



### Ode to Spring Gus Daum

A young man's spinning head  
In spring, It's been so often said,  
seems to grow more frantic  
in fervor for a tryst romantic.

His restless nights, his thoughts of love,  
flowers, sonnets, the pure white dove,  
a mind aspires to gentle kiss,  
and dwells in tortured sense of bliss.

He yearns and aches in fear to err,  
in mindless pursuit of maiden fair.  
She smiles alluring, lashes flutter,  
divinely charmed by his callow ardor.

The old enfeebled man instead  
is filled with ever-moaning dread.  
The sleepless nights, daytime chills,  
has he consumed his countless pills?

Those aching knees, his dwindling mind  
thinks naught of love nor Spring sublime.

Ghastly gout and then in turn,  
prostrate problems, the gastric burn.

He yearns warm sun, pads made hot.  
Perhaps more meds might ease his lot.

His spouse, not charmed  
by his fanaticism,  
may soon go mad at his grammaticism.

## By-Laws Keep Meetings Running Smoothly

*[Editor's Note: There wasn't room to include the sample by-laws in the last issue of The OSTA Review. We did post them on [blogging with the mh-osta](#), but if you didn't see them there, we print them here for your consideration. This is a sample, only. Your chapter should vote on how you want them to read.]*

### SAMPLE CHAPTER BY-LAWS

#### Chapter By-Laws

#### MANUFACTURED HOUSING/OREGON STATE TENANTS ASSOCIATION

##### ARTICLE 1---ORGANIZATION

Sec. 1 The name of this organization will be: \_\_\_\_\_  
(name of park and assigned chapter number)  
of the Manufactured Housing/Oregon State Tenants Association (MH/OSTA)

##### ARTICLE 11---PURPOSE

Sec. 1 The purpose of this chapter of MH/OSTA is to advance the interests and protect the investments of the residents of this community, to engage in any activity the membership of this chapter deems necessary under the guidelines set forth by the state organization, and to represent the members of this chapter at State and District meetings.

##### ARTICLE 111---MEETINGS

Sec. 1 Regular meetings of the Board of Directors shall be held at times announced by the board at a location accessible to all Directors

General membership meetings shall be at times announced by the board and at a location accessible to all members. This shall be a business meeting for all members in good standing. Non members may be invited if desired.

Sec. 2 All members must be notified of meetings and those members attending shall constitute a quorum. At least two members of the executive board must be present to carry out business of the chapter.

Sec. 3 Special meetings may be called by any executive officer or by one third of the members if there is business that cannot wait until the next business meeting. Written notice must be posted at least two days in advance and there must be two officers present.

##### ARTICLE IV---AMENDMENT TO BY-LAWS

By-Laws may be amended, modified or replaced by a majority vote of the membership. Proposed amendments shall be announced at the meeting prior to the vote to allow the membership to become familiar with them.

*(Newly formed MH/OSTA Chapters are encouraged to develop their by-laws within a 6 month period.)*

##### ARTICLE V---DUTIES OF OFFICERS

Sec.1 The executive committee shall consist of the President, Vice President, Secretary and Treasurer (Secretary / Treasurer may be combined into a single office if so determined). Term of office for officers shall be for one or two years, to be decided by the majority vote of the membership. Officers may, by nomination and majority vote of the membership, serve consecutive terms.

Term of office for a Board Member shall be for one or two years decided by the majority vote of the membership. Board members may, by nomination and majority vote of the membership serve consecutive terms.

If for any cause, an officer or board member should be asked to resign, he/she shall be allowed a hearing before the Board of Directors (Executive Committee if there is no Board of Directors) and dismissal or removal upon recommendations of the Executive Committee shall be by a two-thirds vote of the board of directors at the next regular board meeting. Removal of an officer or board member shall be for the remaining time left in their term.

Duties of the President: Arrange meetings of the chapter and conduct business according to the requirements of the state and chapter by-laws. Appoint committees as needed.

Duties of the Vice-President: Assist the president and conduct meetings in the absence of the president. Chair the nominating committee and membership committees.

Duties of the Secretary/Treasurer: Record the minutes of each meeting and preserve minutes and correspondence. Collect, bank and dispense chapter monies. Keep accurate reports of the business of the chapter.



MH/OSTA  
PO BOX 701  
SPRINGFIELD, OR 97477

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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

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!

### Join your neighbors today!



**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.



<http://mh-ostablog.blogspot.com/>

MEMBER NUMBER

LAST NAME

FIRST NAME

NAME OF SECOND PERSON IN HOUSEHOLD

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 dues.  
(that's only \$2.50 per month)

Checks payable to MH/OSTA and mail to:  
MH/OSTA  
PO BOX 701  
SPRINGFIELD, OR 97477