



# THE osta

## Quarterly Review

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### OSTA Spotlight—

#### Tom and Barbara Mitchell



Photo by Trish McDaniel

Both Tom and Barbara have served as president of the OSTA chapter at Lakeridge of Eugene and Barbara is the current secre-

tary-treasurer. Tom recently retired as the president. As members of OSTA for over 14 years, they have long been advocates for promoting legislation for the benefit of owners of manufactured houses situated on rented land.

Barbara served on a committee to revise the MH/OSTA Strategic Plan two years ago, and for several years Tom has written articles for The Review on legislative issues presented at MH/OSTA state meetings.

Barbara was a legislative aide for former State Representative Nancie Fadeley of Eugene, and both Mitchells have traveled to Salem several times to encourage legislators to support our bills. They both worked in the publications department at the University of Oregon, Tom as the director.

Since retiring they have enjoyed traveling to Cuba, China, Viet Nam, South America and most recently British Columbia. The Mitchells have three children and three grandchildren.

### Senate Bill 277 Now Awaiting a Hearing

Senate Bill 277, the coalition bill defining “deterioration” and “disrepair,” is being heard by the Senate Committee on Human Services, chaired by Sen. Sara Gelser of Corvallis, who spoke at our 2015 state meeting. The bill was sponsored by Sen. Arnie Roblan of Coos Bay and Rep. Ken Helm of Beaverton. Results of the committee hearing or even its scheduled date were not yet available at press time. We will keep you informed via the blog—<http://mh-ostablog.blogspot.com/>—as progress develops. There is a link on our website to the blog.

The bill was put together by the coalition despite squabbling that included OSTA’s withdrawal from meeting with the landlords, but without the tenants there could be no coalition and probably no bill. So after serious consideration, MH/OSTA agreed to return to the coalition table provided the subject of enforcement would be on the agenda.

Oregon Congresswoman Suzanne Bonamici asked Cal-Am Properties, a California-based, real estate conglomerate, to work with residents to give the residents of Beaverton’s Heritage Village a reasonable time to complete maintenance repairs. Cal-Am parks and some copy-cat management firms were giving 30-day eviction notices if repairs weren’t made in a short time. Some of the repairs were of a cosmetic nature rather than as a result of disrepair or deterioration.

So SB177 defines “deterioration” and “disrepair” as opposed to cosmetic or aesthetic concerns. It is our fervent hope that once this bill is passed into law, the coalition will give serious consideration to a law that enforces our Chapter 90 landlord/tenant statutes in a legislative session in the near future.



Lakeridge chapter president Russ McDaniel, right, presents past president Tom Mitchell with a certificate honoring his years of service to OSTA.



**MH/OSTA**  
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## *From the Editor...*

### **Daylight Savings Time Starts March 12**

*In March I'll lose an hour of my life.*

*"You'll get it back next fall, the wise folks say.*

*"Don't fret. We need to hike, ride a bike,*

*Get some sun, go out and play."*

*But when I lend money, I get it back with interest;*

*I'd like some extra minutes added to my hour come fall*

*Because I'm gambling that in 8 months I'll still be alive.*

*My life should be worth some interest, after all. —Jane*

### **A Request to Chapter Presidents Seeking Updated Membership Lists:**

Judy Morton, MH/OSTA Treasurer, maintains the membership data. Because so many parks have similar names, she has assigned a number to every park as well as to every member. When you chapter presidents ask her for a list of your members, it would help prevent errors if you could also include the number assigned to your chapter, if you know it.

**Editing Note:** News reporters expect their stories to be cut from the bottom. Because our members don't write like newspaper reporters, I have to rewrite and cut throughout the articles to squeeze in as much as I can. Thank you for being understanding as I chop at your efforts!

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## From The President...

*Rita Loberger*

In December we conducted a special board call whereby we discussed and voted to return to the coalition table that we had walked away from last October when the landlords appointed a "co-chair," a person with no experience in manufactured housing but instead specializes in apartment law. When we learned he expected to have power to remove from the agenda items important to us, we OSTA members felt there was no other alternative but to walk.

In time, those with clearer heads realized the Landlord/Tenant Coalition was no more. A coalition can't exist with just one side. Landlords could not function by themselves. Bills could not be formulated or laws passed without tenants' input, in other words, without OSTA.

OSTA members, we ARE important. What we have to say needs be heard at that table. I would like to see more input, more participation by our chapters. Let's make this a year where we take back our homeownership rights and become more aware of our responsibilities. Oregon is one of the states that holds a position on the national board. We are steps ahead of so many of these other states. But we must obtain enforcement of our chapter 90 laws. We must continue to keep our elected officials knowledgeable of our lifestyle and how this form of affordable housing must be supported.

As I visit your communities I am amazed at how many are not aware of some of the most basic laws—laws that are so often not acknowledged by our managers or owners. OSTA needs to continue to help you understand these rights. Our directors are available to help by answering questions on the phone or paying visits. Let's work together this year to strengthen these understandings and make OSTA an organization that is truly powerful statewide. Remember, we have strength in numbers and power in organization.

*Rita*



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## Online OSTA Radio Show Suggested

Lorne Ray from Jacksonville Mobile Estates has offered to host an OSTA talk media radio show, maybe called "The Tenant Power Hour." Each broadcast would feature a topic of concern to manufactured homeowner with information provided by a knowledgeable speaker. Lorne would also include guest interviews, relevant news, and always something fun. He points out that radio programming has been made easy today thanks to technology. He would tape the shows on a platform like [www.blogtalkradio.com](http://www.blogtalkradio.com) and send emails to those of us who want to listen at our home computers, and when someone gets the email they simply click on the link and the show begins.

"The power of a radio show falls in line with the reason that the CBS long-time hit show "60 Minutes" has been so successful with heartwarming stories that touch people deeply," Lorne says. We can do the same with our little show. "It's amazing all the untapped talent we have in parks all over the state, and we need to tap into that talent with a radio program to inspire people to get on board and show park owners that we are a force to be reckoned with. Media like radio is a very powerful tool and we should use it."

Let us know what you think of the idea and what you might be willing to offer if Lorne calls to interview you!



## Chapter News

### Lakeridge of Eugene

*from Russ McDaniel, chapter president*



New officers of the Lakeridge chapter are, from left, John Gibbens, vice-president; Anne Glancy, board; Russ McDaniel, president; Bill Austin, board, and Barbara Mitchell, secretary/treasurer.

### Briarwood MHP, Eugene

*from Gwen Garey, OSTA Rep*

Kathryn Barnes reports that her Bunco group, a source of aid to Briarwood's adopted school, Danebo Elementary, gave \$300.00 to the school this year plus more mittens, gloves and scarves.

### Falcon Wood Village, Eugene

Chartered in 1981, Falcon Wood had one of the strongest OSTA chapters in the state but had been deactivated several years ago. Recently, with the encouragement of HOA president Cheryl Stassi-Lampman, the chapter was reactivated and new officers elected. We congratulate Falcon Wood and hope to see membership increase so the chapter will again be one of our strongest.



Left to right are Kathy Mason, new president; Carene Davis-Stitt, re-elected secretary-treasurer; Sheryl Stassi-Lampman, appointed membership chair, and in back Mike Carrick, vice-president

### Sunset View Community, Brookings-Harbor

*from Jan Henault, MH/OSTA chair*

The homeowners' association (HOA) met in January and unanimously voted to disband due to a lack of interest. In its place an activities committee was formed to plan and help with activities in the park. Coming up in 2017 are the park-wide annual yard sale in June, the summer social in August, and the Christmas party in December.

Our MH/OSTA Chapter continues with its board of directors Jan Henault, Carl Dunbar, and Lonna Liparrelli. We will call an annual meeting that coincides with the district meeting usually held in our area in May. We continue to encourage residents to join MH/OSTA, stating that it is the only state-wide organization that informs, educates, and advocates for folks living in mobile and manufactured homes in parks. Several membership forms were distributed at the January meeting.

In October, one of our residents suffered a total loss of her home, garage, and auto when a 80- foot pine fell on her house during a rain and wind storm. She hopes to share her experiences in dealing with all the events that followed, especially her expected and unexpected dealings with her insurance company.

## Chapter News Cont

### Gainsborough MHP

*from Sharon Stribling, HOA president*

The HOA annual meeting in January was very well attended. Management spoke to us about the projects they are in the process of completing and stated that all of our homes are occupied at this time. Following the meeting, we had a "Souper Supper." Our social committee provided salad, rolls and ice cream bars and they and many of our residents brought soup. Gainsborough continues to be a great place to reside. It is a beautiful community with a great group of residents truly a "neighborhood."

### Terrace Lake, Salem

*from Elaine Garley, OSTA Rep*

We celebrated New Year's Eve with snacks and a "Name That Tune" contest with a winner receiving \$100. Every month we enjoy a park potluck with the community center decorated to the theme of the event. January we enjoyed pizza organized by a hostess who added a little history of how pizza first came about. We are looking forward to more creative evenings.

We have a great community spirit of helping others when in need. For example, many folks checked on their neighbors and assisted with getting mail, trips to the grocery store, and visits to doctors during the winter storms.



From left, Dick Gierok, board; Maureen Heiser, Pres.; Jean Erler, in rear Sec'y; Janis Beeson, V.P.; Jerry Cody, board; Frank Forbes in rear, Past Pres., Coralee Binder, Treas., Nancy Ellis, board.

Maureen Heiser, park president, asked me to help build our OSTA memberships. I gave sixty applications to those who expressed interest and hope to receive a good return on memberships.

### SongBrook, Eugene

*from Jane Capron, chapter president*

The program for the semi-annual meeting on March 14 will be "The SongBrook Story." We have so many new residents who are unfamiliar with the origins of the park that we're presenting a PowerPoint show with photos from the very beginning of the park when it was being bulldozed and the ponds being built back in 1992. George Mickus, our resident computer guru, has downloaded 62 photos into the presentation and I've prepared a script to go along with the photos. We're inviting everyone in the park to attend.

## Thoughts on Aging

### Tips for Keeping Older Adults Safe at Home by Dee Evers



I read a very disturbing article in the November-December issue of Jefferson Journal, a publication of Jefferson Public Radio (JPR) located on the SOU campus in Ashland. The article, written by award-winning investigative reporter Jennifer Margulis, PhD. convinced me that we or

our family member who selects a home care agency and employs their caregivers, need to be diligent before any caregiver enters our home for the first time.

Horror stories abound about patients being ripped off from the first day of employment by unscrupu-

lous workers. One female worker visited a pawn shop thirteen times in a six-week period, making over \$6,000 on the miscellaneous items she stole from a single patient. Some patients are reluctant to tell family even if they realize things are missing, perhaps for fear that they would then be “placed” in a facility.

The article points out that many agencies do not do thorough screenings of their employees, that should include a nation-wide criminal check and drug testing, because they’re expensive and lower the agency’s profit.

The following tips are for family members or close friends of the senior who is receiving the care.

- Get referrals and references from doctors, lawyers, financial advisors, friends, community members and past clients of an agency.
- Interview the agency for good hiring and supervision practices by asking how they recruit, train and supervise caregivers, how they match caregivers with families, what policy is in place for providing substitutes, and how they handle it when patient and caregiver don’t seem compatible.
- Insist on sobriety. Drug and alcohol problems in workers in this field are apparently common, and you may also require a “non-smoker.”
- Trust your instincts. If the person makes you feel uneasy, insist on a different caregiver.
- Maintain constant communication with the agency, asking for updates by phone or email, or pay unannounced visits if you live nearby. One worker was caught in criminal activity via a nanny camera, so consider installing one.

### Life and Love

by Gus Daum



When music no longer  
pleases the ear,  
and eyes are dimmed to Na-  
ture’s glory,  
scant notice taken of lover’s  
scent,  
a tongue blasé to bright new  
tastes,  
youthful step a near lifetime ago,

there will remain a heart full of memories  
some remembered, some but life’s yearnings.

The protective warmth of parents’ hands,  
a teacher’s hugs o’er papers smudges,  
chosen first in classroom games,  
that Christmas stocking perfectly filled,  
oft traded smiles and traded hearts,  
perfect days, intimate nights  
children’s tears, children’s smiles  
and helping hands, and helping hands.

# RIGHT<sup>2</sup>KNOW

## ORS 90.727—Hazard Trees

After the January ice storm that cost Lane County over \$9,000,000 from fallen trees and branches and caused residents much anguish, it's time for The Review to revisit the state law regarding hazard trees in manufactured home parks. In a nutshell, a certified arborist must determine whether a tree is a hazard and that determination needs to be established **before** the tree does damage. If it was already on the property when the house was purchased, the tree is management's responsibility. If you planted the tree, it is your responsibility.

Here's how the statute, added to Chapter 90 in 2013, reads:

**ORS 90.727 Maintenance of trees in rented spaces.** (1) As used in this section:

- (a) "Maintaining a tree" means removing or trimming a tree for the purpose of eliminating features of the tree that cause the tree to be hazardous, or that may cause the tree to become hazardous in the near future.
- (b) "Removing a tree" includes:
  - (a) Felling and removing the tree; and
  - (b) Grinding or removing the stump of the tree.

*What about the roots? There have also been questions about roots lifting sidewalks and doing damage under homes. A certified arborist needs to be the judge, but logic and reason say that roots are part of trees, so if the tree is a hazard, its roots should be included.*

(2) The landlord or tenant that is responsible for maintaining a tree must engage a landscape construction professional with a valid license issued pursuant to ORS 671.560 to maintain any tree with a DBH of eight inches or more.

*DBH stands for "diameter at breast height." That's not a really big tree. Diameter (across) is not circumference (around). Eight inches in diameter would be about the distance across your two knees if you place them together. Breast height would be about four feet tall. A problem can occur if there's a crotch in the tree and it has grown with two trunks. Fruit trees tend to do this. Douglas firs have one trunk.*

(3) A landlord:

- (a) Shall maintain a tree that is a hazard tree, that was not planted by the current tenant, on a rented space in a manufactured dwelling park if the landlord knows or should know that the tree is a hazard tree.

*Does this mean the landlord has no responsibility if he was too dense to notice something wrong with the tree? NO, it doesn't let him off the hook if he should have known. That word "should" is important!*

- (b) May maintain a tree on the rented space to prevent the tree from becoming a hazard tree, after providing the tenant with reasonable written notice and a reasonable opportunity to maintain the tree.
- (c) Has discretion to decide whether the appropriate maintenance is removal or trimming of the hazard tree.

*If the landlord sees a tree that could become a hazard and you didn't plant it, he can give you written notice that you need to cut off some limbs or whatever he thinks will keep the tree from being a danger. Or again, with written notice, tell you that he will trim the tree.*

- (d) Is not responsible for maintaining a tree that is not a hazard tree or for maintaining any tree for aesthetic purposes.



## RIGHT<sup>2</sup>KNOW Cont

*“Aesthetic” is a word kind of like “cosmetic.” Your opinion of the way the tree looks has nothing to do with whether or not it is a hazard.*

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

*He has to give you 24-hours’ notice before coming on your space unless there is an emergency. A hazard tree can be considered an emergency, so if he comes to inspect it without giving you notice beforehand, he must explain in writing within 24 hours afterwards..*

(5) Except as provided in subsection (3) of this section, a tenant is responsible for maintaining the trees on the tenant’s space in a manufactured dwelling park at the tenant’s expense.

*Here comes “the bull in the china shop” argument of “you broke it, you own it”:*

The tenant may retain an arborist licensed as a landscape construction professional pursuant to ORS 671.560 and certified by the International Society of Arboriculture to inspect a tree on the tenant’s rented space at the tenant’s expense and if the arborist determines that the tree is a hazard, the tenant may:

- (a) Require the landlord to maintain a tree that is the landlord’s responsibility under subsection (3) of this section; *(the tree was there when you moved it)* or
- (b) Maintain the tree at the tenant’s expense, after providing the landlord with reasonable written notice of the proposed maintenance and a copy of the arborist’s report. *(You’re required to show the arborist’s report before you go cutting down the tree.)*

(6) If a manufactured dwelling cannot be removed from a space without first removing or trimming a tree on the space, the owner of the manufactured dwelling may remove or trim the tree at the dwelling owner’s expense, after giving reasonable written notice to the landlord, for the purpose of removing the manufactured dwelling. [2013 c.443 §5]

*(If you’re sick and tired of the whole business and wanted to pick up your house and move out, write a note to your landlord telling him the tree’s in the way and you’re going to whack at it a bit.)*

**Note:** Section 16, chapter 443, Oregon Laws 2013, provides:

**Sec. 16.** (1) A landlord may unilaterally amend a rental agreement to:

- (a) Comply with requirements in section 5 of this 2013 Act [90.727] and other provisions in the Residential Landlord and Tenant Act regarding the maintenance of trees, including hazard trees; and
- (b) Establish the policies regarding trees that are described in the amendments to ORS 90.510 by section 8 of this 2013 Act.

*What Section 16 of ORS 443 means is that the landlord doesn’t have to issue new rental agreements spelling out procedures listed in Section 5 above. He can make the changes without the tenants’ signatures.*

ORS 90.727 on hazard trees applies to the owners of manufactured homes. Because of the active work of a resident of a Eugene park with huge, old trees, some of which dropped limbs on houses, he has sought legal advice on whether or not people who rent houses in manufactured home parks are responsible for damage. The attorneys feel responsibility probably lies with the park owner in the case of rental houses.



## RIGHT<sup>2</sup>KNOW Cont

### Use of Clubhouse Facilities and Common Areas

### **ORS Ch. 90.750—Right to Assemble or Canvass in Facility**

No provision contained in any bylaw, rental agreement, regulation or rule pertaining to a facility shall:

(1) Infringe upon the right of persons who rent spaces in a facility to peaceably assemble in an open public meeting for any lawful purpose, at reasonable times and in a reasonable manner, in the common areas or recreational areas of the facility. Reasonable times shall include daily the hours between 8 a.m. and 10 p.m.

*In the past some of us have felt this meant that the clubhouse had to be open between 8 a.m. and 10 p.m., but the law doesn't say that. It just says that this area is to be available between these times if someone wants to use it. A request in advance should be honored by management. If the clubhouse is locked on Sundays, for example, someone who wants to do laundry on Sundays should make arrangements ahead of time with the manager. If the request is denied and no good reason given, then a law has been violated. Management needs to make "reasonable" efforts to accommodate the residents, like unlocking the clubhouse or providing a key.*

## **STRAIGHT TALK ABOUT MANUFACTURE HOME LIVING IN OREGON**

Manufactured home park living has many advantages, including lower up front capital costs, lower maintenance costs and a sense of community. However, there are important economic and legal concerns to consider when becoming a tenant in a manufactured home park. You should carefully read and understand the following before buying a manufactured home on a rented lot in a park.

Before signing a Rental Agreement or moving into the park, you must sign a receipt acknowledging that you have received copies of the following documents, required by Oregon law (the agreement may or may not allow you to change your mind and cancel, so read these documents carefully).

- 1) **The current Rental Agreement** in use in the park,
- 2) **The Statement of Policy**, which includes references and exhibits and a rent history of the space.
- 3) **The Rules and Regulations**. Whether you are buying a home in a park from the landlord or a current or past tenant, these rules must be listed in the seller's Rental Agreement. The park rules and regulations are part of your rental agreement and may vary from the rules others in the park have signed. Violations of any rule can result in your eviction from the park.
- 4) **Information about any Tenants' Association**.

Oral representations do not necessarily represent the terms of your agreement. Only the written agreement you sign is binding on you or the landlord. The agreement may or may not allow you to change your mind and cancel it during a "cooling off" period.

Rents can and do go up. You must be given a 90-day notice, but there is no limit on the frequency or amount of increases. Your space rent could increase faster than your ability to pay, especially if your income is fixed. You have no recourse for increased rents. If the rents go up, you must pay, move, or risk eviction.

Generally, you are responsible for the maintenance of your home, the yard and any other buildings on your lot.

Even though you may own your home, you are still a tenant on the land. Your tenancy may be legally terminated:

- 1) If you fail to pay rent or fees,
- 2) If you violate a park rule, the law or the conditions of occupancy,
- 3) If the park closes. You can terminate your tenancy with a 30-day notice. Your landlord can close part of or the entire park with a 12-month notice.

If you move out and want to sell your home in place, you will have to continue to pay rent or a "storage fee," usually the same as the rent, until it is sold. Remember, the park may restrict buyer eligibility that could hamper your selling your home. Any such restrictions must be in listed in your written rental agreement.

## Straight Talk Cont

Most parks use what is called a “month-to-month” rental agreement (also called a lease or contract). These rental agreements continue indefinitely and can only be terminated “for cause.” Some parks offer “term” agreements (sometimes called a term lease or contract). These must be for a term of at least two years, and you must be offered a new one at the end of each term. Each new rental agreement permits the landlord to alter the terms, the rent, and the park rules and regulations that apply to you. This takes away the tenants’ ability to have a say in if and how rules are changed.

Before you buy and/or move into a park you should find out:

- 1) The history of rent increases. How often and how much do rents go up?
- 2) Can you afford future rent increases?
- 3) What is the likelihood the park will be closed or be sold?
- 4) How well is the park maintained?
- 5) How often has the manager changed?
- 6) What do long term tenants think about the park? The owners? The manager?
- 7) What are your rights as a park tenant?
- 8) Is there an independent Tenant Association (For example, a MH/OSTA Chapter.) and/or a Committee of Seven in the park?

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## Help is Out There If We’re Willing to Ask for It

The Oregon Housing Stability Council met in mid-December, to discuss, among other housing affordability issues, the “Challenges and Opportunities” of manufactured housing. Some of the statistics presented in the program for the meeting should be of interest to our readers, and it’s worthwhile to notice that manufactured/mobile homes are being recognized as a source of affordable housing. Not only do we want to be able to stay in our homes, but there are groups who are willing to help us reach that goal.

Forty-five percent of manufactured homes—a total of 62,504 dwellings, are sited in 1,082 communities in Oregon. Sixty-nine percent of residents own their homes compared to 56% of residents in other types of housing. Of the people who live in manufacture home parks, 25% consist of families with children, 44% are seniors, and 31% are disabled.

While most of us feel that rents go up way too fast and changes to help us pretty much stagnate, it’s encouraging to see state and federal agencies beginning to notice our needs and to recognize manufactured/mobile homes as a source of affordable housing. One of our main jobs here at OSTA is to encourage you all to take advantages of the help that is out there!

The Manufactured Park Preservation Program, in effect since 2006, has preserved 13 parks for a total of 772 units in Oregon. The preservation program includes the Manufactured Communities Resource Center, down payment assistance, a first-time home buyer program, individual development accounts, low-income weatherization assistance, and federal partner programs.

CASA of Oregon has converted nine parks and is working on two more to help residents form cooperatives, where the cooperative holds the mortgage and pays debts and operating expenses and an elected home owners’ board manages day-to-day concerns. This is the CASA of Oregon model.

## Help Cont

St. Vincent de Paul of Lane County and NeighborWorks Umpqua based in Roseburg are concerned mainly with home renovations and rehabilitation. Other programs offering energy conservation and weatherization help for Oregonians include Energy Conservation Helping Oregonians (ECHO), and the federal programs from BPA, LIHEAP and the USDOE. In 2016, 742 manufactured homes received low-income weatherization services in Oregon at an average cost of \$10,000 per unit. Waiting lists for help are long. We've run two articles written by members who have had their homes renovated and the wait time is close to two years. But the help is wonderful, ranging from such things as new roofs to new heat pumps and a great deal in between.

The Manufactured Housing Community Resources Center (MCRC) was created in 1989 to explain laws, provide counseling and service, offer referrals, and maintain a directory of manufactured housing dwelling parks. Residents pay \$10 year with their property taxes to fund MCRC. Landlords who own parks of 20 spaces or fewer pay \$25 a year or \$50 if they own parks with more than 20 spaces. The total budget for MCRC is approximately \$380,000 a year. We encourage our members to use MCRC mediation service to help with disputes with landlords or other tenants since that service is free with the \$10 a year fee paid with property taxes.

If you need help accessing some of these programs, call your district director.

### Ken Braun, Guest Mediator, Gives Advice This Issue



*Ken Braun the Executive Director of Community Mediation Services for Polk County, is a pastor, and a volunteer Chaplain with Dallas Fire EMS and Dallas Police. He also volunteers with the Royal Order of Red Suspenders, a group that cuts firewood and deliver it to needy families in Marion and Polk Counties. He encourages people to call 1-800-453-5511 or email [mcrc@oregon.gov](mailto:mcrc@oregon.gov) for help.*

*Our park is up for sale and we don't know who's in charge. Our well water is supposed to be tested four times a year. Can we homeowners request water testing and expect to be given the results? —Not wanting to poison ourselves*

Dear Poisoning Ourselves: The Manufactured Community Resource Center should be able to help you with questions about who is managing the park while the sale is pending. The owner most likely has an executor who would be the representative responsible for the maintenance of the park until a sale is complete. The executor may also have engaged a management company to oversee the park until final disposition. The well water testing should be requested through the executor/management and tenants should be able to request the results. If you were to pursue the testing on your own it is likely that you would have to bear the cost of the testing as well.

*We're being fined \$50 if we park in front of our homes overnight and \$100 if our vehicle is a company car. We've been parking for a long time and just got this notice. Several vehicles have been towed in the middle of the night. Our rental agreements never said we couldn't park overnight. How can they make this change? And how can they charge double if we have a company car?*

—Fined and Dandy



## Mediation Cont

*We're being fined \$50 if we park in front of our homes overnight and \$100 if our vehicle is a company car. We've been parking for a long time and just got this notice. Several vehicles have been towed in the middle of the night. Our rental agreements never said we couldn't park overnight. How can they make this change? And how can they charge double if we have a company car?*

—*Fined and Dandy*

Dear Fined and Dandy: My first thought is to consider what has changed. If you were permitted to do this in the past and now you are not permitted, what event or change has taken place to enact these fines? Secondly I would check your Rules and Regulations and your rental agreements. It would be good to know if the concern is about "overnight parking" or parking in "front" of your homes? Is it possible that there were restrictions that were not enforced in the past or are they a new addition. Does your rental agreement say anything about the number of cars allowed per unit and if so are those the cars being ticketed. It would be good to approach the manager/owner and ask the following questions: "Help me understand what has changed so that parking in front of our homes overnight now garners a fine or even towing? Could you explain why a company car

is treated differently than my personal car?" How you ask those questions is important. When you ask for additional information, understanding or an explanation, it is less confrontational than the typical "why" or "how come?" Gaining new information will be the foundation for the decisions you will make in the future. Helping people have difficult conversations is what a mediator does and this might be a perfect occasion for you to call one.

*Some of us widows are concerned about what will happen to our homes after we pass on. A neighbor lady died and some relatives came to sell the house, but they didn't have anything to prove they had the right to sell it. The manager wouldn't take the space rent from them for that reason, so the landlord gets the house, I guess, because it's been "abandoned." The district OSTA director said we ladies should have someone come talk to us about making wills and plans for our estates so this doesn't happen to us. What advice would you give us? —Nearing the End and All Alone*

Dear Nearing the End and All Alone; the OSTA director was right. Asking an attorney to come and talk to a group of folks interested in wills could be very informative. No doubt the attorney would seek to gain your business but you would be under no obligation. On the other hand you may like him/her and choose to retain the attorney to prepare your will. Your will is your expressed wishes for disposition of your belongings and assets when you are no longer here. In your will you could gift your property to a relative, a non-profit charity or some other individual or organization that you want to support. Your will would also designate who would be your executor or agent and give that person the appropriate authority to enact your wishes. If you are a do-it-yourself person or unable or unwilling to pay for an attorney, you can use the enclosed link to prepare your own will. <http://www.totallegal.com>. If you are concerned about what happens to your home and belongings after you die, a will is the best way of expressing your desires.



## Sam's Space

### What's All the Rage about Tech?

Hi, I'm Sammy, I'm ten years old and I live with my dad and grandma, Nancy Inglehart. I'm going to be writing a kid column. This first article is about social media texting. I hope it will help you understand what all the rage about tech is these days. Here's a text we might write:

Sam: hay bff what you doin' this weekend?

Kate: idk I wasn't plannin' on anything

Sam: wanna make plans

Kate: totes

Sam: btw fantastic beasts is out

Kate: sweet wanna go

Sam: I heard its totes ridic

Kate: obvi lol

Sam: sounds like a plan ttyl

Can you understand this? Here's a hint:

bff = best friend forever (bestie)

idk = I don't know

btw = by the way

lol = laugh out loud

ttyl = talk to you later

totes = totally

ridic = ridiculous

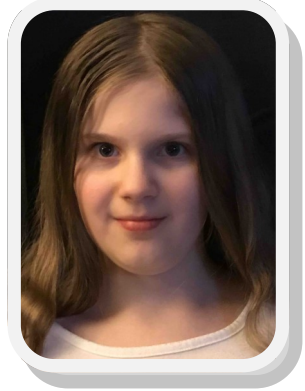
obvi = obviously

This is the end, so here's a joke: Why was the cat scared of the tree? \*answer at bottom\*

Ttyl,

Sammy

\*because of the bark\*



## PRUNING ROSES

In the Willamette Valley, Presidents' Day is the traditional time to prune your rosebushes. That's when buds start to swell on the plants. To encourage new growth and blooms, you need to remove dead wood, improve air circulation, and shape the plant.

You'll need pruners, long-handled loppers, and thick gloves and a heavy shirt to protect your arms from thorns. Follow these guidelines for best results and gorgeous roses this summer:

- Use clean, sharp tools.
- Look at the overall plant, but begin pruning from the base of the plant.
- Prune to open the center of the plant to light and air circulation.
- Make your cuts at a 45-degree angle, about ¼ inch above a bud that is facing toward the outside of the plant.
- Make sure it is a clean cut (not ragged).
- Remove all broken, dead, dying or diseased wood (any branches that look dry, shriveled, or black), and cut until the inside of the cane is white.
- Remove any weak or twiggy branches thinner than a pencil.
- Remove sucker growth below the graft and any dead foliage.

## OSTA Chat Room

Jane Capron, Your Host



### How Do You Define “Deterioration” and “Disrepair”?

*Because some landlords have been threatening eviction over deteriorating homes, the Landlord/Tenant Coalition has been working a bill (SB277) which defines the words “deterioration” and “disrepair.” So we thought we’d ask our readers how they’d define “deterioration” and “disrepair” of a manufactured home.*

#### A Property Manager and Manufactured Home Owner Gives Her Opinion

As I understand the two definitions, deterioration is a process of aging or deferred maintenance and disrepair is something that broke suddenly. In either case, the unit may not be safe and therefore the eviction process serves as a motivation to get things repaired and safe. Deterioration includes a collapsing or failing staircase or railing, one or more holes in a wall or roof, an inadequately supported window air conditioning unit, peeling paint or falling gutters, siding or skirting. An older metal-sided unit that was painted ten years ago is normally fine without new paint. But if the siding is the more common press-board, the paint provides protection from moisture getting into the siding and therefore it is a more serious issue...and not just an "aesthetic or cosmetic concern."

—Tamie Kaufman, Gold Beach

*Jane comments: Tame Kaufman is a property manager who lives in a park in Gold Beach owned by her parents. She is also a city councilor and has served on the planning commission. She has given her thoughts on defining these two words to the Coalition. I’ve consolidated her thoughts somewhat here for space.*

#### It Helps to Be Able to Do It Yourself

Well, Deterioration and Disrepair are very bad but can be fixed. I would rate my home very good as I have the skills to keep it in good shape whether that be painting or upkeep of our home.

—Gary Walters, Myra Lynne MHP, Medford

*Jane comments: It would be great if a resident in every park with handyman skills would offer services at a reasonable price. I’ll bet he (or she) would have lots of customers!*

#### What about Parks That Are Deteriorating?

Shouldn’t deterioration and disrepair refer to the park itself as well as our homes? Isn’t it the owners’ responsibility to fix deterioration and disrepair in the common areas?

—Shawna Huggins, Pacific Village, Medford

*Jane Comments: Read on for more thoughts on landlord obligations. Our next member lives in a park where landslides have undermined some of the homes.*

#### Isn’t the Manufactured Housing Landlord Responsible for Maintaining the Land?

To me, **deterioration** sounds like problems such as dry rot, termites, mold and safety hazards inside and outside of the home, or the home is just too old and unrepairable. **Disrepair** sounds like broken doors, window, siding, steps and roofing (and trash, some folks are hoarders). Some of these problems can be attributed to a home that has not been leveled recently (homeowner responsibility), and some may be simple neglect.... The landlord has a responsibility to correct the deterioration and disrepair of the land (stability), the streets and

## Chat Room Cont

access roads, the delivery of clean water, the sewer, the drainage system. It is all well and good that the homes be maintained, but we do not own the land. We pay rent to the landlord and the landlord is ultimately responsible for the maintenance of the land.

—Lillian Anderson, Knoll Terrace, Canyonville

## Even a Park That Recently Sold for 13.8 Million Shows Disrepair

The fence around our community is so deteriorated it leans precariously, is shaky, and sections fall down. Parts of it are definitely dangerous. I think the park owners need to replace the entire fence before they can complain about any individual homes needing repair.

—Mark Harden, SongBrook

*Jane Comments: I also live at SongBrook and agree with Mark 100 percent, and also with Shawna and Lillian that landlords need to see to their own "houses," that is, the common areas and the land.*

## Nancy Illustrates Reasons Why We Need Enforcement of Chapter 90 Laws

I live in Gresham. I purchased my mobile home in July of 1999. My park was owned by an elderly gentleman living in California. We had many amenities, modest as they were by today's standards. We had a stove in our clubhouse, in fact a full kitchen. We had park benches throughout the park so we could walk and rest. We had a fireplace in the clubhouse to sit and read by (loaned to the park by a resident). We had a tool lending shed where we could borrow lawn and handyman tools. These amenities slowly disappeared over time without notice.

Three years ago the new California owner came in, these amenities began to disappear, and we got demands to make cosmetic improvements to our homes as well as to fix disrepair. She did not follow protocol for notices, and combined aesthetic/cosmetic improvements with and then escalated the demands to big ticket items like painting our homes and replacing our decks—or face eviction. As the notices kept coming, we were given 30-day notices to make changes that would deplete a bank account. One resident was told to paint their house because it was up in the front of the park and it should look nice when outsiders came in (basically a showcase for the community).

We got educated, pushed back, and the owner started making promises. One promise was to repave the road. The front got repaved but not the back, and now there are potholes in the back section. During this winter's storms, we were housebound because our park remained unplowed and our sidewalks were ice covered. Our amenities disappear and the demands increased.

Other parks are now facing similar situations, losing amenities and facing demands, being intimidated and disrespected. We need a state law for enforcement of the Landlord/Tenant Statutes to protect us.

—Nancy Inglehart, Bellacres, Gresham and OSTA Board Member



## NOTES IN OUR MAILBOX

If we would take a proactive approach to getting **Enforcement of our Chapter 90 laws by writing letters to our State Legislators**, we wouldn't feel so much at the mercy of those who hold the purse strings and their managers--whose jobs seems to be satisfying their bosses.

—Dee Evers, Jacksonville

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**MH/OSTA**  
Manufactured Housing / Oregon State Tenants Association

**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  
PO Box 24958  
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If a friend or neighbor gave you this copy of THE  
MH/OSTA MEMBERSHIP APPLICATION

**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

MAILING ADDRESS (if different from your home address)

HOME ADDRESS/SPC/CITY/STATE/ZIP

PHONE WITH AREA CODE

2<sup>nd</sup> 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.

MANUFACTURED/MOBILE HOME PARK NAME

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