



THE osta

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OSTA Spotlight— *Mark Harden*



Mark is the vice-president of the SongBrook MH/OSTA chapter and chair of the Committee of 7. He also has been an active participant in the Landlord/Tenant Coalition this past session.

He has worked with school children in Eugene as a coordinator in the SMART program, where volunteers read with children. With his wife, Debbie, he now manages the Virginia Iverson Fairy Fund, which honors the former SongBrook resident and Malabon Elementary School teacher who established the Adopt-a-School program at SongBrook. Thanks to the Hardens and their neighbors, every 4th grader at the school continues to receive a gift-wrapped book as a Christmas present. SongBrook also continues to provide funds and supplies for back-to-school needs and meals during school breaks.

Mark has a history of service to others: he was a volunteer fireman and retired as an ER nurse. He is also a musician, who sings and plays many instruments. He and Debbie, also a retired nurse, are SongBrook's go-to source when residents have questions. At home they lavish attention on their Australian Shepherd dog, Sally, who enjoys camping trips with them.

More New Laws to Benefit Living in MHPs by Laurie Hauber, Oregon Law Center

After two years of meetings and negotiations among the members of the statewide Landlord/Tenant Coalition, the bill proposed by the coalition, SB 586, is now law! It was passed by the Oregon Legislature on June 29 during its final weekend in session, and Governor Brown signed it into law on July 23. A summary of the six areas covered by the bill are given in my "Legal Gal" column on p. 11.

In other action, State Representative Pam Marsh sponsored an omnibus bill, HB 2896, that helps preserve long-term affordability of parks. This bill appropriates 2.5 million dollars to help homeowners replace older, unsafe homes with new, energy efficient models. This bill also establishes a 9.5 million dollar acquisition fund to help resident-owned co-operatives and nonprofits purchase a park to *(continued on p. 11)*

It's Back to School Time; Has Your Park Adopted a School?

As a thank you to SongBrook MHP for providing school help through the Virginia Iverson Fairy Fund (formerly known as the Shoe Fairy Fund), Malabon School kindergarteners and first graders serenaded residents to say thank you. The children (and Mark) enjoyed cookies and fruit drinks on the patio after the concert and everyone seemed to have a good time. One resident said it was the most fun she'd had in a long time. OSTA instigated the Adopt-a-School program in 2011, and at that time eight elementary schools had been adopted and provided with school supplies, holiday gifts, items of clothing, and emergency funds by neighboring manufactured home parks in Medford, Salem, Gold Beach, Central Point, and Eugene. We'd like to hear what your park has done recently. MH/OSTA's two on-going good neighbor programs are Adopt-a-School and Aging-in-Place. Both are dependent on donations. For the first, donations are made to local OSTA chapters; for Aging-in-Place funds are administered through the state OSTA organization.





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Statewide Toll-Free Phone
(800) 423-9371

Mailing address:
PO Box 24958, Eugene, OR 97402
www.mh-osta.org

MH/OSTA STATE DIRECTORY

Rita Loberger

Board Member-President
Northwest District Director
(503) 968-7084 rloberger@comcast.net

John VanLandingham

Board Member-Vice President
(541) 485-1017 ext. 138 johnvl@lclac.org

Jane Capron

Board Member-Secretary
OSTA Review Editor, Lane District Director
(541) 461-8919 capron.jane@gmail.com

Nancy Inglehart

Board Member-Treasurer/NE District Director
n.inglehart.ostaboard@gmail.com

Wayne Weber

Board Member, Salem Area District Director
(503) 393-9504 wweber@yahoo.com

Bob Cottriel

Board Member, South District Director
(541) 479-3125 bobcottriel@gmail.com

Julie Massa

Board Member
(503) 537-0319 ext. 324
juliem@casaoeforegon.org

Matthew Johnson

Board Member
(541) 485-7769 mjohnson@efn.org

Jo Anne Downey

Board Member
(541) 606-6560 moonjade82@gmail.com

Deanna Vaughn

Board Member-Membership
Ordiva123@gmail.com

Sheryl Stassi-Lampman,

Board Member, Lane Deputy District Director
(541) 683-6695 sherela60@gmail.com

From the Editor...

We love donations... What a pleasant surprise to get some donations from our loyal members, and several in one batch of mail! Our thanks to Buffy Miller in McMinnville, Jan Seely in Salem, and Mike Bureau in Central Point. When you give a little extra help to your OSTA neighbors, you can specify what the money is to be used for. If you don't, we assume it's intended for the Helping Hands fund.

Robocalls... In late July the House of Representatives passed tough, anti-robocall legislation that will finally help end these annoying calls. Both the House and Senate now must combine their robocall bills into one final version. Contact your Congressmen to make the sure the final bill is a strong one.

Guns and Children... Research shows that traffic accidents and guns kill 4,250 children a year and that the U.S. has the highest number of gun-related deaths for those under 21 than any other high-income country. We also have the highest rate of gun ownership and the fewest restrictions on gun ownership. However, firearms accidents have been reduced by 35% in states that have had universal background checks in place for the past five years. This information comes from medical research recently published in the magazine *Pediatrics* and is disputed by the National Rifle Association that has basically told doctors to mind their own business.

Rita Hosting NMHOA Convention... NMHOA's Annual Convention is in Portland on Wednesday, November 20 and Thursday, November 21. Contact Rita if you're willing to help her.

Home Sweet Home... All RVs sold or leased in Washington state have to bear a state Labor & Industries insignia. Last year, 22,589 insignias were sold — the most in the last 15 years. Most RV parks have a limited time—like 180 days tops—for people to stay. But more and more folks are making RVs their main housing and length-of-stay rules are ignored.

From The President...

Rita Loberger



With the passage of our coalition bill SB586, we move forward. It is a time of growth It is an exciting time to be a member of the OSTA organization. YOU can make this organization move forward. YOU are the voices we need to make our brand recognized. It is a time to build our chapters and reach out to the elected officials to educate them as to the homeownership we all possess.

Our convention this year is “Grow with Us” and is open to all members. A registration form can be found on Page 15. We have moved the event further north this year, to the Comfort Inn in Albany in anticipation of the central and northern chapters being able to attend. The time will be 10 to 4 , Oct. 19. The \$20 registration fee includes a catered light lunch. Late sign-in will be \$25. We will be voting on MH/OSTA board directors. Angela Garvin, who will speak at the meeting, will be a candidate for a board directorship now that marinas are included under our laws. She has been active at the Landlord/Tenant Coalition meetings.

Instead of an auction, this year we are going to have several drawings a the end of the day, so don’t bring any auction items. But do bring your enthusiasm, your ideas and your fellow chapter members. There will also be a 50/50 drawing for those wishing to participate. The winner will receive half of the total money donated. The remainder will be placed in our Helping Hands fund.

Rita

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Chapter News

Salem Mobil Estates/Shady Acres

Val Jean Pease has retired as chapter president, a position she held from the time the chapter was first formed in 2014. She and her husband, Harry, attended many state meetings over the five years of their tenure, so members thank them for their dedication and for the fact that they're still active on the board.

Newly elected officers are Diana Barela, president; Val Jean Beugli-Pease, vice-president; Sharron Hoysington, treasurer, and Harry Pease, secretary.

We hope to have a photo of them in the December issue.

Santiago/Granada Estates. Springfield

from Marlene Keller, Chapter Secretary, and Jean Scobie, member

Our bake sale and carport fundraisers to benefit our OSTA chapter were real successes. Thanks to all for donating baked goodies and sale items and thanks to those who sold it all. Helpers for the carport sale were Marlene Keller, Linda Green, Jean Scobie, Pat Bebe, Bill Kindt, Dan Koozer, and Irvin Quesada. Thanks to one and all for the donations and help at both sales.

In June the management had a BBQ for all who live in Santiago Estates and in July had another BBQ for Granada residents. The BBQs were a lot of fun, with everyone bringing a side dish to go with the hamburgers and hot dogs, which were delicious. Folks enjoyed socializing.

Glenwood Mobile Home Park, Medford

from Sally Wagoner, Chapter President

We formed our chapter in 2016, after we had a water meter change that took about three years to get completed. The company that did the installation did not do it according to the county code. It was during this mess that we felt we needed to come together and form our chapter. Now Glenwood has a lot of good things going on. We have a monthly potluck and residents' luncheon. Weekly there is coffee break, crafting corner, and poker. We also have a Committee of Seven. We're concerned that not more residents participate in both OSTA and our activities, and we urge them to join us.

Our officers at this time are, left to right, Lynn Roberts, Secretary, Sally Wagoner, President, and Linda Augustin, Treasurer/Membership.



(Chapter News continued on p. 5)

(Chapter News continued from p. 4)

Twin Cedars, Lebanon

from Carolyn Moore, Chapter President

OSTA Chapter 818 added 10 new members with our May membership drive and welcomed them with a June B-B-Q along with the "pioneer" members. Members were asked to fill out a survey to topics of interest which included: Neighborhood Watch, Helping Hands (home repair projects), block parties, resource packets for residents, emergency preparedness, ADA (Americans with Disabilities Act) compliance, welcome wagon for new residents, and a hazardous materials pick-up. The top three were: Neighborhood Watch, Helping Hands, and block parties so we can meet our neighbors.

We were busy in August with free pet nail clipping (donated by Nora from Klippin' Kritters), hazardous materials pickup, and organizing the Neighborhood Watch/Emergency Preparedness meetings. Also in August there was a park-wide picnic.

At least three members have Helping Hands applications and need porch repairs. We know one of these is in the processing stage. Not sure how successful these will be as contractors are difficult to find or schedule and cost of materials is outrageous. We are hoping to find a local charity to help with some of the cost.

An OSTA member donated the use of two lawn mowers and we've advertised the availability of this help. Landscape maintenance here in Twin Cedars seems to be a struggle for a number of residents. We do appreciate the hard work it takes to keep lawns mowed, weeds controlled and flowers blooming. Several residents are raising vegetables, an additional bonus.

We are still working to educate residents as to OSTA's mission. Several of our new members first heard about OSTA from the flyer our managers put in the New Residents Packet. A personal visit then helped to invite them into membership. The OSTA bulletin board in the mailroom also advertises our chapter and events and presents an organization which encourages knowledge about rights an building community.

Falcon Wood Village, Eugene

from Carene Davis-Stitt, Chapter President

On Saturday, June 22 we held a community-wide yard sale, including sale of burgers and hot dogs. Fun and fellowship was had by all...and lots of fabulous treasures were found.

SongBrook, Eugene

from Jane Capron, Reporter

John VanLandingham will be the guest speaker at the semi-annual OSTA chapter meeting the morning of September 10. He will review 2019 relevant legislation and the history of coalition/OSTA bills. He has suggested that President John Hamilton poll members for questions they might have about laws concerning our lifestyle. Members should write out their question for ease of answering. We also expect Laurie Hauber, who also is a legal aid attorney, to attend the meeting. The program will follow the business meeting. A pizza lunch will be served. OSTA members from other parks in the area, who would like to attend, are welcome but should first contact Jane.

Monta Loma, Springfield

from Beryl Oliver, Chapter President

We had a July meeting of our OSTA group and everyone seemed pleased to get back together again. I decided to review some of the material in Senate Bill 586. The bill is so very long I only picked out a few portions to discuss at this meeting, and we can discuss the rest at our next meeting.

The items I chose were 1.Mandatory mediation 2.Clarification of the procedure for sale of a park to allow tenants to make an offer to buy the park 3.Procedures for when a tenant's home is deemed unsafe or uninhabitable. 4.Procedure and responsibility for maintenance or removal of trees.

Then we discussed our concerns about the end of our door-to-door mail delivery. With central mailboxes, all in one small location, we speculated, with some humor, about what will happen when 143 residents go to the mailboxes to collect their mail. I said I may decide to collect my mail at 8 p.m. each day.



Falcon Wood Village
Yard Sale sign

(Chapter News continued on p. 6)

(Chapter News continued from p. 5)

Communities, Big and Small

by Carol Hanrahan, Shadow Ranch Chapter President

A community is often considered to be comprised of a group of people gathered together around a common interest or need, such as where they reside, work, visit, or otherwise spend a significant portion of their time.

Many communities also consist of other communities, like towns that offer organized walking clubs, book reading clubs, and access to activities such as music clubs and musical performances, theater clubs and performances, movie theaters, markets, various races, and local libraries to provide information, socialization, and entertainment, among a few desirable traits.

A community's benefits can sometimes be obvious, like retired people living in communities for a sense of place, a sense of solidarity, and a feeling of belonging that can offer them more than if they lived by themselves. Some common interests of such a community are that it is a social society and there are friendships, locations to good churches or stores or doctors, or that the area is a familiar one.

Being social creatures, people can understand benefits of being a member of a community. There is comfort in knowing that your neighbors can help you if you need it, whether it is from needing a ride or just to have a conversation. This is like having easy company within easy reach. Or if a member breaks an ankle or an arm, there is help close by they can count on. Many of these benefits, and other similar ones, form the basis of a welcoming and workable community.

We all live in communities of various sizes and interests and find satisfaction in these communities. But perhaps we also find problems that interfere with that satisfaction. Working to resolve problems can be instrumental in becoming a satisfied member of that community.

One example of a valuable community is one of manufactured home parks. In Oregon, the Manufactured Housing/Oregon State Tenants Association (MH/OSTA), an organization devoted to supporting tenants in manufactured home parks in the state, works to pass laws to help tenants. Frequently, help for a tenant can be obtained through a tenants' association for the first line of contact if a tenant considers that a problem exists, and it has been shown that

parks with tenant associations claim a higher degree of satisfaction.

It is important that MH/OSTA continue its work of supporting and assisting tenants just as it is equally important for tenants to continue to support MH/OSTA so that each community can get support from the members they work to support. Good options for tenants would be to understand their own community, to educate themselves on state and local laws that affect their parks, to attend yearly MH/OSTA meetings, to encourage tenant association memberships, to get involved in park activities, and to be aware of their rights as homeowners. MH/OSTA can assist with these efforts and add to the sense of protection, continuity, security, and feeling of belonging for tenants.

MH/OSTA offers other benefits for tenants. There is the mandate to protect the needs of tenants and to work to pass laws supporting them. Then there is the promise and vision of support to tenants who live in their parks to protect and enhance the security, affordability, and quality of their housing choices. MH/OSTA wants tenants of manufactured home parks in Oregon to feel confident in their efforts to work for them and on their behalf to keep their mandate. This organization could easily be thought of as a form of insurance for tenants who live in these parks.

Wingspread MHP, Ashland

from Deborah Stampfli, Chapter President

We love our Park, a sweet community in a great location, although our greenway is in need of love. Currently we are asking residents to stay active and attentive to issues:

1. Firewise (address electrical issues, temps are in 90's with smoke again),
2. Waterwise (use timers, fix leaks),
3. Deerwise (We have increasing numbers of deer, dogs tend to provoke them, and a serious attack sent a woman to the ER),
4. Petwise (keep dogs out of gardens, pick up after, them, limit barking).

It takes a village and that's what we are!

We are holding more potlucks to build community, although walking provides a good opportunity to mingle. Homes are selling quickly, so inventory is limited and therefore prices are rising. Every day is a gift. Carpe Diem!

Affordable Manufactured Home Supply Dwindling

Because our homes are considered affordable, the Oregon Legislature just approved \$9.5 million to help residents and/or non-profits buy manufactured home parks and \$2.5 million to replace old, deteriorating mobiles. The Legislature also created a state lending fund that would allow the state to close deals more quickly and could benefit residents seeking mortgage funding for park purchase.

The availability of manufactured/mobile homes is fast disappearing, one of the major reasons being that landlords can sell them or redevelop them in more profitable ways. In the last 20 years, 73 parks are known to have been closed causing the loss of 27,000 homes, and in the last two years, according to a recent article in the *Oregonian*, another 40 MH community landlords have filed notices of intent to sell, meaning the loss of another 3,200 affordable homes. Currently there are no more than 60,000 of these home remaining. Since it's been several decades since any new parks have been built, the source of affordable housing gets less and less and consequently the threat of evictions and increasing rents grows.

In 2004, John Van Landingham, MH/OSTA vice-president and legislative advocate for MH owners, studied the New Hampshire model of preserving mobile home parks by selling them to their residents, who would run them as cooperatives. The Oregon Legislature was impressed enough with his work that they passed a law requiring MH landlords to give notice to residents when they offer their parks for sale.

Then CASA of Oregon, which had been formed in 1998 to help house farm workers, agreed with Van-Landingham and began to help form cooperatives. So far, Julie Massa, MH/OSTA board member and a CASA of Oregon community organizer, has helped 12 parks become cooperatives where the residents own their community. Also, some parks have been purchased by a public non-profit organization. The latest is Oak Leaf MHP in Northeast Portland, which was purchased by St. Vincent de Paul of Lane County, which has taken over eight distressed parks where residents have average incomes too low to form cooperatives.

The Legislature encouraged selling to tenants by passing a bill in 2005 that gave a capital gains tax break to Oregon landlords who sold to their tenants. Massa consults and advises residents throughout the process of park purchase (see Opportunity to Purchase guidelines on the next page).

Other former landlord-owned Oregon MH parks now functioning as resident-owned cooperatives are in McMinnville, Redmond, Gold Beach, Leaburg, Clackamas, Bend, Boardman, Corvallis and Gladstone.

Last year, the Portland City Council approved a special zoning ruling to prevent manufactured/mobile home parks from being redeveloped without the council's approval. The Patrician MHP in Springfield, at the commercially developed intersection of I-5 and the beltline into Eugene, is awaiting the Springfield City Council's decision on whether the property under their homes will be allowed eventual development as a rumored convention center. The Springfield zoning commission, in a 4-3 vote, has recommended to the city council that they deny landlord Richard Boyles' request for the zoning change. Homeowners at the Patrician have banded together to protest any zoning changes to this over-55 park. They are facing rent increases, currently \$635 a month, which are scheduled to increase to \$695 in October, so some fear they may be forced out for financial reasons. If the city council denies the landlord's zoning request, he has the option to close the park and sell the land. (*Information compiled by Jane Capron*)

Oregon's Opportunity to Purchase Legislation

What It Means and How to Prepare Yourself

Oregon's Opportunity to Purchase legislation, which took effect on January 1, 2015, requires park owners to give notice to residents if the park is for sale. If a tenants association is already in place, the tenants association will receive the notice. If no tenants association is formed, every resident will receive a notice. Oregon Housing and Community Services will also receive notice.

Be prepared for your future!

Familiarize yourself with all opportunities available to preserve your park and keep rents affordable. Those approaches can include a resident purchase through the formation of a nonprofit cooperative, ownership by a nonprofit entity, and public ownership by an organization like a housing authority. Be sure to check with fellow community members about which options they might prefer.

Plan Ahead!

Start talking with your neighbors and think about whether or not you'd like to pursue a resident park purchase if your owner decides to sell. You may decide as a group that you're not interested in a purchase at all.

- * **By law, the timeline to respond to your manufactured home park owner's/landlord's notice is very short, so you must be ready to act very quickly.**

If tenants decide to respond, they have 10 calendar days to:

1. Notify the owner in writing that they are interested in competing to buy the park.
2. Form a single tenants committee with the purpose of purchasing the park, or identify an existing such tenants committee, and designate representative to communicate with the owner, and
3. Request certain financial information from the owner about the park.

CASA of Oregon provides technical assistance to residents who wish to purchase, own and operate the park as a cooperative. However, the resident purchase of a park does not work for every community. **St. Vincent De Paul** is a nonprofit organization that purchases and operates parks; they own the property and the residents do not, however, they strive to keep rents affordable. **Local housing authorities** can also purchase manufactured home parks in order to preserve them and keep rents affordable. It is best to research first, check the interest in your community, and then contact these organizations for more information.

NOTE: Manufactured home community owners expressed concern that there are often "splinter" or multiple tenant groups (in conflict) within parks. Under the new laws, owners only have to work with one tenant group. If there is a struggle for tenant power within your park, that struggle need to be resolved before pursuing a resident purchase. Please consult experts such as MH/OSTA if you are having difficulty with unification.

- * **If a resident purchase isn't what your community prefers, the designated tenants committee can contact the other organizations listed in #1, such as St. Vincent De Paul.**
- * **If your owner notifies you of an impending sale and you're interested in a resident of nonprofit purchase, your designated group of community leaders should contact CASA of Oregon, St. Vincent De Paul, or a local housing authority immediately to determine whether a resident or nonprofit purchase is feasible.**

RIGHT²KNOW

Reasonable Rules in Manufactured or Mobile Home Parks and Floating Home Marinas

(Note: It is important to realize that changes may occur in this area of law. This information is not intended to be legal advice regarding your particular problem, and it is not intended to replace the work of an attorney.)

A landlord of a mobile home park (also called a manufactured dwelling park) or floating home marina must have written rules and regulations about how tenants use the rented space and park or marina facilities, and they must be attached to the Statement of Policy given to tenants when they move in. Rules and regulations are considered to be a part of the rental agreement (which also must be in writing). These rules and regulations do not need to be the same for all tenants at all times, so long as the rules are applied fairly. Your landlord may enforce a rule or regulation only if it promotes the convenience, safety or welfare of the tenants; protects the landlord's property from abusive use; or helps all tenants have fair use of shared services and facilities. The rule or regulation must also meet all of the following criteria:

- The rule must be reasonably related to the purpose for which it is adopted, and it must be reasonably applied.
- The rule must be clear enough to inform the tenant fairly of what he or she must do or not do. The landlord may not impose the rule in order to avoid the landlord's obligations under the law.

These criteria allow your landlord some leeway in making and enforcing rules differently for different tenants. For example, a landlord can have different rules for new tenants who move into the facility. The old rules might allow woodpiles in the carport for existing tenants, while the new rules for new tenants do not. In addition, state and federal anti-discrimination laws require landlords to make reasonable accommodations to rules to afford tenants with disabilities an equal opportunity to use and enjoy their dwelling, so, for example, your landlord might allow a tenant who uses a wheelchair to have special parking privileges.

A landlord may waive his or her right to enforce a rule, by accepting performance by the tenant that varies from the terms of the rule or by accepting rent for at least three months while knowing that the tenant is not complying with the rule, such as by having a prohibited pet. A landlord can avoid waiving a rule by giving the tenant a written warning notice. A facility landlord never waives the right to enforce a rule regarding maintenance of the dwelling or the space.

Manufactured dwelling and floating home facility landlords may also issue reasonable occupancy guidelines. If your landlord chooses to have such a rule, the rule must be based on reasonable factors. Such factors may include the size of the dwelling and that of the rented space. Other reasonable factors to consider would be any discriminatory impact on groups legally protected against discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability, and limitations placed on utility services governed by a water or sewage permit. Any occupancy guideline may not be more restrictive than limiting occupancy to two people per bedroom of the dwelling.

RIGHT²KNOW Continued from p. 9

If your facility landlord changes the rules to no longer allow pets, you may keep a pet already legally living with you at the time your landlord provides notice of the rule change. Furthermore, you can replace the pet with a pet similar to the one living with you at the time the landlord provided notice of the proposed change. However, new rules about the activities of pets — as opposed to rules prohibiting pets — apply to all pets in the facility, including those living in the facility before the new rule. Keep in mind that any new rule must meet the criteria described above. If you entered into a rental agreement after Oct. 31, 1997, your facility landlord may not charge you extra for having a pet. However, tenants who own pets and start renting a facility space after that date may be required to sign a pet agreement and carry liability insurance for the pet. A violation of the pet rules or keeping an unpermitted pet on the premises can result in an eviction (with a right to cure the first violation) and also can result in a fine or fee of \$50 or more, for the second or subsequent violations after a written warning, per violation, if the violation relates to an unpermitted pet or pet waste and the pet agreement or the rules allow a fee for that.

Violation of certain other rules or rental agreement provisions may also result in similar fines or fees for the second or subsequent violations, after a written warning. Examples include improper use of a vehicle on the premises (i.e., speeding) or late payment of a utility or service charge.

Tenants may use any common areas or facilities for any lawful activity, including tenant association meetings or tenant organizing. The landlord may impose reasonable restrictions on the time and manner of use, including requiring a deposit to ensure that the area is not damaged or left unclean. But the landlord may not require tenants to acquire a bond or insurance policy as a condition for using common areas or facilities in the park or marina.

A manufactured dwelling or floating home facility landlord may propose rule changes, including those that greatly change the original agreement with a tenant. The landlord must simply give written notice of the rule or regulation change to all tenants in the facility not already subject to the proposed rule. Unless a majority of tenants not already subject to the rule object in writing within 30 days of the date the notice was served, the change becomes effective for all tenants no less than 60 days after the date the notice was served by the landlord. One tenant per rented space may object to the proposed rule change, either by an individual written objection to the landlord or by signing a petition with other tenants. Sometimes a tenant may sign more than one petition or sign a petition and file a separate objection. In such cases, the tenant's most recent vote will count and the earlier ones will not. The landlord's notice must include a copy of any old rule and the proposed change, as well as a form describing the tenant's right to vote on the change. This right to vote provision does not apply to rent increases.

On the other hand, a landlord may not unilaterally change a rule or provision of the rental agreement, except with regard to the following: pets as described above; converting the method of billing for utilities to the sub-metering method; removal of hazard trees or access to the space to remove a hazard tree; rent increases; or changes required by state or local law.

Sometimes landlords will seek to change the rules by offering the tenants a new rental agreement with new rules. Existing tenants are not required to accept or sign this new agreement.

Legal editor: John VanLandingham, February 2015.

This article can be found on the Oregon State Bar website at www.osbar.org/public/legalinfo/1249_RightsMobileHome.htm/ and is reprinted with permission



**Legal Gal...
Laurie Hauber**

More New Laws *(continued from p. 1)*

protect long-term affordability and prevent park closures. In addition, under this bill a statewide manufactured housing taskforce will be formed to coordinate efforts around preservation and affordability of existing parks. Finally, this bill allocates 3 million dollars to help the City of Springfield construct a new manufactured park for residents who will be displaced from existing parks due to impending park closures for redevelopment.

Another bill, SB 970, sponsored by Representative John Lively of Springfield, prohibits landlords from interfering with a resident's selection of a real estate agent or licensed dealer to help sell or sublet a home. It also requires landlords to allow residents to sublet their home while it is on the market to sell, provided the landlord owns homes in the park that the landlord rents and sells. The bill is largely in response to a senior park that engaged in exploitative practices for several years, making it difficult for owners to sell their homes and often causing them to sell well below market rates.

In addition, the landlord must provide each new tenant printed information regarding tenant and landlord rights as it relates to selling a home. When the seller also is the landlord, the landlord can require purchaser to rent space under this bill in the landlord's facility. This bill also increases the penalties for violating any of these provisions. The other section of this bill, which pertains to all rental housing not just manufactured home tenancies, prohibits landlords from considering minor marijuana convictions, possession of a medical marijuana card or status as a medical marijuana patient when evaluating rental applications.

Details of the Landlord/Tenant Coalition Bill, SB 586:

Termination of tenancy and noncompliance fees:

In situations where a resident has been given a 30 day for cause notice and continues the violation until the 30th day as a tactic to avoid termination, this new law gives landlords the ability to require cure within three days for "separate and distinct violations" (violations which can be cured immediately as opposed to ones that take more time for a tenant to correct). This section also allows landlords to unilaterally amend their rental agreements to charge the noncompliance fees that are permitted by statute under ORS 90.302(3). Without this change, unless the rental agreement specifically allows a landlord to charge a noncompliance fee, the only recourse for landlords in dealing with a tenant who repeatedly violates park rules is to give a 30 day termination notice.

Submeter billing: This section attempts to simplify the submetering process and amends the requirements for siting, billing and giving notice before conversion to submeter or pro rata billing.

Marinas: Tenants and owners of floating homes in marinas are given equivalent treatment as manufactured home dwelling parks. Under this section of the bill, for the first time floating home residents can access the statewide programs currently offered to manufactured home residents through Oregon Housing & Community Services. In exchange, marina residents now must pay the same \$10 annual assessment as all park tenants pay, and the same annual registration fee and continuing education required of all park landlords will be imposed on marina owners.

Tree maintenance: The landlord must specify which hazardous tree he/she is proposing to remove in the notice given to a tenant. This section also requires that the landlord provide tenant an opportunity to maintain designated trees.

(continued on p. 12)



Nancy Gromen, Executive Director of the Union County Dispute Resolution Center, is offering her help and advice for our readers considering mediation services.

Many park owners, managers, and residents of manufactured communities have questions regarding SB 586, that makes dispute resolution through mediation mandatory if requested by either party. The hope is that the disputing parties will work through their differences and decide on an agreement that works best for all involved.

Most importantly, park statements of Policy will need to be amended to explain the dispute resolution process the park has adopted to initiate the mandatory mediation. This process should include how to contact a mediator, and is expected to work similarly to what happens in those counties that have small claims mediation prior to the case going before a judge.

Why would you choose to participate in mediation? We all know how much of a toll on our health and well being it takes when we hold on to anger. In general, we have lost the ability to have difficult conversations. A mediator has the ability to bring out what we call "the rest of the iceberg." What may start with a dispute over the placement of a bird feeder might really be the tip of the real cause of the dispute, something totally unrelated to feeding birds. Without the services of a mediator, a real understanding of the nature of the dispute may never be revealed. Without that revelation, healing cannot begin.

Presently, several community dispute resolution centers hold contracts with the Manufactured Communities Resource Center (MCRC). If uncertain of how to locate a center, contact MCRC on the web at www.ohcs.oregon.gov or call them at 1-800-453-5511 and they will connect you with a mediator. This new legislation covers not only manufactured communities but also marinas.

What will this cost? Nothing. The expense, \$10 per year, is already included in your property tax statement. The service has been used in the past to settle such disputes as fences, boundaries, night lighting, loud noise, dog disobedience incidents, and basically any difference of opinion between tenants or tenants and landlords. With the range of park rules and rental agreements and the differences between them from one space to another, is there any surprise that conflicts arise? In my neighborhood we like to say that arguing is a way of trying to persuade *who* is right but discussing a conflict is a way to decide *what* is right.

Legal Gal *(continued from p. 11)*

SB 586 Requires Mandatory Mediation

Mediation and enforcement: While mediation has been voluntary under ORS 90, this bill introduces mandatory mediation. Now, if a landlord or tenant requests mediation over a dispute involving the park, the other party must agree to at least one session in good faith. This section of the bill also establishes a four-year pilot program that will provide free legal representation to tenants who are low income in those circumstances where mediation has failed. Free access to a lawyer will be limited to residents. Landlords will not be eligible.

Tax expenditures: This year's legislation simply extends two important tax provisions that have been in the statute since 2005. This includes an extension of the capital gains exemption for park owners who sell their parks to resident-owned cooperatives, non-profits or housing authorities. It also extends the \$5000 tax credit for manufactured home residents who are displaced by a park closure. While these two tax provisions were initially part of SB 586, they were moved to HB 2164 during the session.



notes in Our Mail box

Letters of Thanks to John VanLandingham...

I would like to thank all members of the Coalition for their months of work to bring SB 586 forth for consideration of the Legislative body of Oregon and for allowing me to be a part of this process. I would like to thank John V. for all the hours that he had to endure at the legislative offices. I would also like to thank others such as Chuck Carpenter for their time that may have been endured at various hearings regarding SB 586. These hours were needed in order to insure that the Bill in its final form would be representative of the decisions made to modify the current regulations regarding Manufactured Home Parks, as well as Marinas.

—Nick Kloepping, Golden Oaks Manufactured Home Community, Springfield

There are not enough words to express my sincere appreciation for the continued success of the Coalition. When I formed the Coalition in 1997, our goal was to have a law that addressed abandoned homes in Manufactured Housing Communities. Over the years we found that Landlords and Tenants could sit down together and resolve many of the problems facing our industry.

When John V came on board he brought so much to the Coalition. The members of the Coalition have changed over the years, but the one constant was John. The amount of personal time he spent on the Coalition was and continues to be unbelievable and greatly appreciated.

I certainly appreciate the hard work and dedication from all the Coalition members over the years. I would also like to express my sincere appreciation for all the time and dedication from Chuck and Phil Querin.

Thank you!!!—Sally Harrington, Senior Property Manager, Commonwealth Real Estate

We at OSTA also thank him for his successful efforts.

...and Notes Mainly of Thanks to MH/OSTA...

Thank you for all you do for us. —Mike Bureau, Miller Estates, Central Point.

...I keep them [OSTA Reviews] on file in the clubhouse for "persuasion"! —Jan Seely, Terrace Lake, Salem

The last issue of the Review was EXCELLENT! Very interesting articles - compliments to you.

---Beryl Oliver, Monta Loma, Springfield

MH/OSTA: You want new members. What do current members have that we can hand a prospective member? Do we have any little signage that can be in a window to show we are a member?

--Sharon Bell, Sunnyside MHP, Salem

Ed. 's Note: Sharon, The board is looking into again creating window stickers to send to new and renewing members.

Thank you, Rita, for your time and visit to Heidi Manor folks!

—Brian Worley, McMinnville

[We need] "awareness, protection, and development of park homeowners rights..."

--Robin Zinser-Rankin, Shady Acres, Salem

OSTA Welcomes the Help of Angela Garvin

SB 586A just signed into law by Governor Brown, adds floating home tenancies in marinas to the programs provided by the Manufactured Communities Resource Center (MCRC) of the Housing & Community Services Department. The bill was developed by the Landlord/Tenant Coalition in 19 three-hour meetings between September 2017 and March 1, 2019, when final agreement was reached. Participating in meetings was Angela Garvin, a resident of a floating home. There are about 1,500 floating homeowners in Oregon, and marinas share many of the same concerns of the more than 60,000 manufactured homeowners/tenants who rent spaces. OSTA will now represent owners of floating homes as well as homes on dry land. Angela will be at the annual state meeting on October 19 to discuss some of the problems faced by floating homeowners, and she will be a candidate for election to the board of directors for MH/OSTA.

Reaching Out...

**...with Nancy Inglehart,
MH/OSTA Outreach Director**



Nancy is contacting state legislators, a task force on housing, and some parks in the northern part of the state to start a dialog on “what makes their park a good place to live.” OSTA directors hear a lot about what’s wrong with parks. At the annual meeting Nancy and the other directors would like to hear your thoughts on what makes your park a good place to live. Meanwhile, here’s a poem she wrote, a pantoum. Maybe one of our readers would like to try this style and share results at the meeting!

MH/OSTA is Who We Are

MH/OSTA is who we are
Representing 62,000 home owners in 1100 parks
Collaboration, Communication, Education
Looking forward to grow and strengthen

Representing 62,000 home owners in 1100 parks
State Laws, Park Rules, Rental Contracts
Looking forward to grow and strengthen
Helping navigate and clarify

State Laws, Park Rules, Rental Contracts
Community meetings and shaking hands
Helping navigate and clarify
Gaining new perspectives

Community meetings and shaking hands
Collaboration, Communication, Education
Gaining new perspectives
MH/OSTA is who we are.

—Nancy Inglehart, Pantoum April 2019

(Note: A pantoum is a Malaysian verse form adapted by French poets and occasionally imitated in English. It comprises a series of quatrains, with the second and fourth lines of each quatrain repeated as the first and third lines of the next. The second and fourth lines of the final stanza repeat the first and third lines of the first stanza.)

MH/OSTA Annual Meeting Invitation

“Grow With Us”

When: Saturday, October 19, 10 a.m. to 4 p.m.
Where: The Comfort Inn, Albany, Oregon
Cost: \$20/person includes registration and catered lunch
(Reservations received after Oct. 15 will be \$25)

Directions: From Interstate 5 going north, take Exit 234 toward Armory, right to Knox Butte Rd. E, right to 100 Opal Ct. NE.
From Interstate 5 going south, take ramp right for 99 S/Pacific Blvd SE.
Keep straight onto Knox Butte Rd. E and turn right onto Opal Ct. NE, right to 100 Opal Ct. NE.

The Day's Events: OSTA business meeting including election of directors
Updates on new laws including mandatory mediation, marinas, and the effects on MH living
Free Drawings

Cut and Return with check

Registration Form

Name(s) _____

Park Name _____

Your City _____

Telephone or Email _____

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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
Eugene, OR 97402

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

2nd 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

Would you like to receive your OSTA Review via e-mail? ☐

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 24958
Eugene, OR 97402