

NEWS AROUND THE STATE:

Could There Be a New City of Eugene Ordinance to Combat Tenant's' Nuisance Behavior?

BY: JIM STRAUB, ORHA Legislative Director



For over a year, the University of Oregon, campus area neighborhood organizations, landlord and tenant stakeholders and the City of Eugene have been working together as the *Neighborhood Livability Working Group* (NLWG) to address nuisance behavior, primarily in neighborhoods near the U of O. For many years, neighborhoods near campus have experienced the negative effects of large parties. These parties generally result in underage drinking, overdoses, disorderly behavior, and damage to public and private property, diminishing quality of life for the residents and at the same time consuming tremendous resources from a number of city departments. This ultimately effects citizens city-wide, as police that are tied up in the university area responding to these kinds of complaints are unavailable to respond to other areas of the city and, thus, resources are utilized disproportionately. On September 14th, the Eugene City Council heard a progress report from the NLWG about developing a *Social Host Ordinance* in Eugene. After studying cities similar in size and circumstances to Eugene

that have successfully developed such ordinances, the NLWG has proposed that the city police department and council draft ordinance language for further consideration. As presented to the council, the following are elements drawn from model ordinances in other communities to provide a sense of what a local ordinance might look like:

- Applies to gatherings of three or more people where violation/crime of prohibited noise, minors in possession, furnishing or allowing minors to consume alcohol, and/or any illegal drug use is occurring.
- "Host" is person(s) responsible for planning and executing the event, even if they are not the legal resident.
- Fine of \$500 for first offense, with graduated fines and police recovery costs for subsequent offenses within a four year period.
- Provides for property owner notification of each offense and fines/recovery of response cost for chronic offenses (i.e., puts property owners on notice of potential liability before penalties are issued). Unpaid fines may result in a lien being placed upon the property.
- Subsequent offenses by an individual are subject to graduated fines and recovery fees regardless of address location (i.e., changing addresses is not a strategy to avoid penalties).

Although this ordinance was proposed in large part to address campus area concerns, it will apply if adopted to the entire city. The other exciting piece of this proposal is that, unlike the ordinance that is currently in place in Eugene, the host would not have to physically come to the door in order to be identified and fined by the police.

At the September 14th city council working session in the discussion for fines & fees as they apply to landlords, it was suggested that the host would be fined the first three times and the landlord notified but not fined. Only on the fourth offense, after the landlord has had ample notice of a serious problem with their tenant(s), would the landlord be fined. It is important to note that, at this time, the proposal is in the early stages and under development, so changes are possible.

If we see this ordinance passed in Eugene, look for similar ordinances to be passed around the state in the future. Believe this should be addressed at the statewide level? Let your local ROA or RHA leadership know. Our Legislative Director Jim Straub will be making visits around the state in the coming year and wants to hear your thoughts on this and other legislative priorities. Make sure your voice is heard!

President's Message



Productivity in Bend

MICHAEL STEFFEN
ORHA President

We had a very productive board meeting and planning session in Bend on September 17th. One planning session focused on legislative issues and another focused on other mission critical items in the areas of education, membership development, association support and forms work. The legislative discussion reviewed the state of current legislative initiatives under consideration, projections for the coming session and delegate ideas concerning priorities for consideration in further coalition discussions and legislation. Our legislative director, Jim Straub, highlighted these discussions in his article in the October newsletter.

In the general planning session we focused our discussions on how we might enhance service to the membership, how we might fill the vacuum in the Portland metro area and how we might expand educational offerings. The delegates in attendance agreed that a more prominent presence by state officers and legislative contacts at the local level would strengthen the connection between the associations and ORHA. It was reported that some members are not even aware that a state organization exists, at times, much less how it serves their interests. This and similar comments reinforced the need for continued visits by officers and our legislative director to meet with local associations as often as is practical.

Much of the membership growth discussion focused on the Portland metro area. As many of you know, we do not have a formal presence in Portland at this time. It was reported that comments flowing out of our educational efforts in the Portland suburbs and informal discussions with other landlord associations suggest that a stronger push in the area is needed to effectively serve the needs of small landlords in that region. We brainstormed a variety of ways to enhance our presence in and around Portland and asked the office and the membership committee to increase educational and marketing efforts in this area where possible.

We also discussed the state of our educational offerings and the forms on line and forms review processes. Our educational offerings continue their refinement under the guidance of our education committee chair Violet Wilson and her group, which has culminated in a formal list of available seminar topics and presenters. A flyer containing this information was recently distributed to each association via email. On the forms front, we reviewed progress to date with respect to the on line forms program and discussed key areas for improvement in the printed versions. These suggestions will be taken up by the forms committee over time under co-chairs Terry Flora Turner and Jim Straub. If you have suggestions concerning areas

for improvement please forward your comments to the committee chairs or to Maren at the ORHA office.

Many of these topics were also discussed as part of the formal board meeting, but space does not permit a broad discussion of particulars. Suffice to say that our committees will be working hard to implement the ideas discussed in the planning sessions and in pursuit of previously defined initiatives. Additional help is always welcome, so if you are interested in working on any of the efforts mentioned here please contact Maren or myself and we will direct you to the appropriate committee chair.

I want to again thank all of the delegates that attended the board meeting and planning sessions for their input and participation. These sessions provide us with a valuable opportunity to share ideas and perspectives about the challenges facing our industry and our association and discuss ways to move our organization forward. Your contributions are essential to the growth and success of ORHA and many ideas were offered in September that will help strengthen our programs and foundation. I am excited by the level of enthusiasm expressed during these discussions and look forward to our next gathering on November 19th in Eugene. Join us if you can.

Next ORHA
Board Meeting
November 19th
Eugene

2011-2012 Officers

Michael Steffen, *President*

Violet Wilson, *Vice President*

Sibylle Beck, *Treasurer*

Terry Flora-Turner, *Secretary*

Dennis Chappa, *Past President*

VISIT US ONLINE

AT

www.oregonrentalhousing.com



For more information contact
Maren at: (503) 364-5468
or maren@oregonrentalhousing.com

FROM THE EDITOR: The articles in this newsletter are intended to inform the membership and are not intended to convey legal, accounting or other advice. The articles are the opinions of the authors and are not necessarily the official positions and/or the views of Oregon Rental Housing Association. The editor and ORHA assumes no liability for loss or damage as a result of reliance on the material provided in this Newsletter. Appropriate legal, accounting or other expert assistance should be sought from competent professionals.

ORHA ADMINISTRATIVE & LEGISLATIVE STAFF

Maren Winters, *Administrator*
maren@oregonrentalhousing.com

Shawn Miller, *Lobbyist*
shawn@millerpúblicaaffairs.com

Jim Straub, *Legislative Director*
legislativedirector@oregonrentalhousing.com