



September 2016

### IN THIS ISSUE

- President's Message
- Public Hearing
- Do You Know
- September/October Seminars
- Oregon State Housing Headlines

### NEW FEATURES

- Do You Know?
- News Around Oregon
- National Housing Headlines
- Housing Links



### PRESIDENT'S MESSAGE

By **Terry Turner**, ORHA President

The Presidential election season has grabbed the headlines and fills the airways. Most people are tired of the news way before election day, we tune them all out. It's important to pay attention to our own local politics and not let our busy lives and apathy rule, especially right now. Many Oregon cities are struggling with

the issues of low vacancy rates and a slow building cycle. The lack of available housing is a topic with many questions and complaints but few real answers. Instead of focusing on the true problem, a lack of vacant units and more people in the rental housing market than ever before, the focus has been to attack the rental rates. There

*Continued on page 5*

OREGON RENTAL HOUSING ASSOCIATION

## Coming Up

**September 16, 2016**  
President's Council Dinner  
7:00 pm

**September 17, 2016**  
Long Range Planning  
& Board Meeting  
10 am – 4 pm  
Shilo Inn Suites, Bend, Oregon

**November 19, 2016**  
State Board Meeting – Salem, OR

### PUBLIC HEARING:

## Affordable Housing Tax Exemptions Being Considered for Three New Rental Developments

On Tuesday, September 6, the Portland Housing Advisory Commission (PHAC), the advisory group to the Portland Housing Bureau (PHB), will hold a public hearing to discuss three new applications being considered for the Multiple-Unit Limited Tax Exemption (MULTE) Program.

Two applications are for projects being developed by Koz Development – one in Northwest Portland at NW 16th

Avenue and NW Marshall Street, and another in Southwest Portland at SW 4th Avenue and Grant Street – for a combined total of 235 new units (47 of which would be affordable to households earning no more than 60% of the area median income).

The third application is for a project by the Portland Development Commission, which will bring 54

*Continued on page 3*

## Criagslist and Bartering with Marijuana

Few people know that the law legalizing marijuana in Oregon has opened the door to bartering for items on the internet. Some items recently offered for trade for weed were a PlayStation, a car, a dog house and a jet ski. A bartering system for pot has quickly taken root. Is it legal? An unintended consequence of the new law?

The Oregon Medical Marijuana Program (OMMP) allows state-licensed dispensaries to sell medical marijuana to people over 21. State-licensed growers can sell to medical marijuana cardholders or dispensaries, but the cost is supposed to be based only on the cost of growing the marijuana.

Most dispensaries work with only a very small number of growers. Small growers or those who don't have a sales

agreement with a dispensary sometimes see bartering as the next best choice. Current news reports regarding the backlog of the licensing and inspection process suggest that we'll see other more creative ways for marijuana growers to get their products into the hands of consumers.



## Student Housing in Oregon's College Cities: "Not cheap and not close to campus"

Bend is a typical Oregon city with a vacancy rate at about 1%. With a growing OSU-Cascades campus and more students every term housing choices are few. There are only 100 beds available on campus this fall with 300 more to be completed by January 2017.

Students are often looking for inexpensive housing close to campus due to budget constraints. Off campus housing rates are from about \$750 to over \$1000. Campus housing costs were approximately \$700 per month last year. OSU-Cascades is giving a 25% discount for the fall term hoping that the reduced rate of about \$525 will fill their vacancies.

Expansion of the campus means more housing must

be available for students. Part of the planned expansion includes working with developers to build student housing. Private developers and contractors are already working on proposals for building the needed housing.

College officials want to establish a network of rental owners and managers willing to work with them to help to provide affordable student housing.



More housing is currently being built and more are already in the permitting process. The Bend city council recently voted to expand the Urban Growth Boundary with the ability to add 17,000 new units. Building will take time but the needed student housing is coming soon.



# Seminars

## SEPTEMBER/OCTOBER

Do You Want to Travel to One of Our Chapters for a Seminar?

### Shilo Inn

**September 21, 2016 – 4 CE hrs**

**12:00 PM – 4:00 PM**

Newport, OR

Landlord/Tenant Law Update 2016

Call 503-364-5468 for more info

**October 13, 2016 – 4 CE hrs**

**12:00 PM – 4:00 PM**

LaGrande, OR

Call 541-963-0511 for more info

**October 15, 2016 – 4 CE hrs**

**12:00 PM – 4:00 PM**

Ontario, OR

Landlording 101

Call 541-823-6950 for more info

**October 19, 2016 – 4 CE hrs**

**12:00 PM – 4:00 PM**

Newport, OR

Landlording 101

Call 503-364-5468 for more info

# DO YOU KNOW

## TEN THINGS YOU SHOULD KNOW ABOUT MOLD

1. Potential health effects and symptoms associated with mold exposures include allergic reactions, asthma and other respiratory complaints.
2. There is no practical way to eliminate all mold and mold spores in the indoor environment; the way to control indoor mold growth is to control moisture.
3. If mold is a problem in your home or school, you must clean up the mold and eliminate sources of moisture.
4. Fix the source of the water problem or leak to prevent mold growth.
5. Reduce indoor humidity (to 30-60%) to decrease mold growth by:
  - Venting bathrooms, dryers and other moisture generating sources to the outside
  - Using air conditioners and de-humidifiers
  - Increasing ventilation
  - Using exhaust fans whenever cooking, dishwashing and cleaning
6. Clean and dry any damp or wet building materials and furnishings within 24-48 hours to prevent mold growth.
7. Clean mold off hard surfaces with water and detergent, and dry completely. Absorbent materials such as ceiling tiles, that are moldy, may need to be removed or replaced.
8. Prevent condensation: Reduce the potential for condensation on cold surfaces (i.e., windows, piping, exterior walls, roof, or floors) by adding insulation.
9. In areas where there is a perpetual moisture problem, do not install carpeting (i.e., by drinking fountains, by classroom sinks, or on concrete floors with leaks or frequent condensation).
10. Molds can be found almost anywhere; they can grow on virtually any substance, providing moisture is present. There are molds that can grow on wood, paper, carpet, and foods.

(excerpt from EPA)

### Public Hearing: . . . continued from page 1

units (16 of which would be affordable to households earning no more than 60% of the area median income) to Southeast Portland's Lents neighborhood at SE 91st Avenue and SE Foster Road.

Tax exemption programs promote the inclusion of affordable housing and other public benefits in new developments. PHB can approve up to \$3 million in new tax exemptions each year.



## PORTLAND HOUSING BUREAU

Dan Saltzman, Commissioner  
Kurt Creager, Director

The hearing will take place Tuesday, September 6 during the monthly PHAC meeting, held from 3:00 – 5:00 pm at the Portland Housing Bureau offices in Downtown Portland, located at 421 SW 6th Ave, Suite 500.

For information about the MULTE program contact Dory Van Bockel at 503-823-4469.



## MIND YOUR BUSINESS!

# Risk management for risky times...

By **Tia Politi**, ROA Board Member, Rental Owner, Lead Property Manager at Acron Property Management

Running a business is full of risks – kind of like the rest of life. Learning to spot potential risks and eliminate them can help you avoid trouble. From my perspective as a property manager (my nickname is, “The Voice of Doom” because I’m always pointing out possible problems to my owners), there are three major categories of risk for landlords – the property, the tenants, and you, the landlord!

Property risks run the gamut from the obvious to the barely discernible. Obvious areas of risk would include electrical, heating or plumbing systems in poor condition; windows or doors that don’t open, close or lock properly; rickety banisters; rotting deck boards; etc. In addition to providing a legally “habitable” property, Oregon Landlord Tenant law requires that a rental house must be, “...safe and secure for all reasonably intended purposes.” Because your house may be to code for the time it was built, doesn’t make it safe as a rental property. One of the issues I often see in older homes, are stair railings or deck railings that have six to nine inches of space between spindles, or fence boards with large gaps. Both of these scenarios could create a risk of injury to a toddler. “Well, my tenants don’t have small children,” you might say. Can you imagine that they have friends who do? Those friends may visit and their child could be hurt. Who will be sued for that? You guessed it! You! A less obvious kind of risk would include tripping hazards. Tripping hazards for city properties include not only your actual property but the sidewalk in front as well. Offsets in your sidewalk of more than ½ inch are violations of city code and tripping hazards. Don’t wait for a trip and fall followed by an insurance claim.

Tenant risks are more difficult to spot. There are people out there who we refer to as “professional tenants”, they come in many shapes and sizes, and can be a landlord’s worst nightmare. Folks like this can create trouble in numerous ways, and they often know the law better than you do. They

can pressure you to move in before your property is ready then claim you rented them substandard housing; sabotage your property, then claim habitability issues; bring in unauthorized people or animals; rent under false pretenses to set up a marijuana grow; and the list goes on. At my last company, we took over management of a property where a tenant had brought in an unauthorized pit bull. The dog ended up biting and disfiguring the face of a neighbor girl who approached him. Our owner’s insurance covered the claim, but it was a painful lesson for the owners who felt terrible about the injury to the girl, and saw their insurance rates skyrocket. An inspection could have revealed the unauthorized animal, but the owners were “too busy” to inspect.

How can you minimize risks in your rental business? The reality is no one can prevent all risk, but you should be proactive. Evaluate your property with a critical eye for safety hazards or hire a professional to do it for you; screen all tenants thoroughly; document the condition of your property prior to transferring possession; use all appropriate forms & disclosures; make sure all forms are signed by all parties; inspect regularly; take immediate action when you discover a breach of the rental agreement; don’t allow risky recreational items to be used on your property such as pools or trampolines; insist on screening the animals you allow in to your property; don’t trade work for rent; document every interaction with each of your tenants; and learn and follow Fair Housing practices at all times. Probably the best preventative advice I can offer is to introduce yourself to the neighbors of your properties, share your contact information, and encourage them to call should they see something amiss, or have any problems with your tenants. Nothing can prevent all risk, but take it from the Voice of Doom (and old wives everywhere), an ounce of prevention is worth a pound of cure!

*This column offers general suggestions only and is no substitute for professional legal advice. Please consult an attorney for advice related to your specific situation.*

## PRESIDENT'S MESSAGE

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is not a huge inventory of houses in the higher markets that are sitting vacant because of high rents. Instead we see low vacancy rates across the board. If the solution was to make rental rates lower, we would see a high vacancy rate not a low one.

The City of Portland decided months ago that requiring a 90-day notice for no-cause terminations would help grow the housing market. No one explained how that might work, somehow there would be more housing in 90 days as compared to 30 days? The decision in Portland although well intended has resulted in a tighter market and more with cause terminations.

Rental owners and managers are no longer willing to take a risk on an applicant with damaged credit or a less than stellar rental reference, because if the gamble doesn't work out they have to give a 90 day notice to terminate the rental agreement. The tenant is actually paying the price for this shortsighted policy and it isn't making builders magically build faster or caused more housing to appear.

Most rental owners and managers serve a no-cause notice because they don't want to cause damage to a tenant's

rental history. The hope is that their property just wasn't the right fit, hopefully a different person won't mind the rent always being a few days late, loud music until after midnight, or trashed landscaping. Maybe the tenant will find someone who doesn't still have a mortgage, likes loud music and provides the landscaping.

Thinking people know the real solution is that we need more housing inventory. Cities and counties have to make the permitting process faster, and inspections easier to schedule. Taxes and other fees also must be lowered. SDC's and permit costs need to be lowered or waived. Builders and developers will not undertake projects that will cost too much. The housing slowdown is an economic issue and it's reflected in every sector of our lives. Salem needs to address the problem by incentivizing counties and cities to build more low income housing.

ORHA members must be diligent and pay attention, or we will pay the price for our silence. We can't afford to ignore our local and state political scene. We have to attend city council meetings and planning sessions. We have to be willing to write letters and speak up. The public needs to be educated; you can do that in your city. Your investment in rental property depends on it.

### OREGON RENTAL HOUSING ASSOCIATION PRESENTS

## EDUCATION IN PROPERTY MANAGEMENT

### NOW AVAILABLE

#### SEMINARS (3-4 hours)

- Landlord Tenant Law Update  
2016 Update
- 2016 LARRC Course  
Real Estate Licensee - Laws  
and Required Rules Course
- Fair Housing  
Making Sense of Fair  
Housing & Reasonable  
Accommodations
- Conflict Resolution  
How to survive in the  
Property Management field  
when things become difficult  
with tenants, owners, or  
others
- Landlording 101  
Getting Started in Property  
Management

- Landlording 102  
Finding and Securing  
your Tenants
- Landlording 103  
Managing Your Tenants
- Landlording 201  
Stupid Things Landlords Do
- Marijuana and Landlords  
Medical & Recreational

#### WORKSHOPS (1 hour)

- Abandoned Property
- Marijuana and Landlords
- Tax Time
- Radon

Also, courses by request tailored  
to local's needs



ORHA offers workshops and seminars to our chapters to improve skills in managing property. ORHA is a certified provider with the state of Oregon and these courses qualify as hours required for licensed certification. Presenters have extensive experience in the property management field.

For more information contact:  
Ph: (503) 364-5468 • Fax: (503) 585-8119  
1462 Commercial Street NE • Salem, OR 97301  
Email: office@oregonrentalhousing.com

**NEW!**  
Marijuana  
Workshop

Contact 503-364-5468 for customized classes to fit your needs.  
We have what you are looking for - just call today!

# BEND LOOKS TO LENGTHEN NO-CAUSE EVICTION NOTICE

## The city is discussing increasing notice from 30 to 90 days

By **Marina Starleaf Riker** / The Bulletin

Published Aug 31, 2016 at 12:01AM / Updated Aug 31, 2016 at 09:11AM

With soaring rent prices and a big shortage of available rental housing in Bend, city officials are considering whether to up the number of days landlords have to give tenants notice for no-cause evictions.

Right now, landlords are required to give month-to-month tenants a 30-day notice to evict renters who have lived in units for less than a year. That notice goes up to 60 days if someone has lived there for one year or more, but doesn't apply if the house is sold from under them, according to state law.

Some city officials say increasing the time that Bend residents have to move out of their homes could increase valuable time needed to find another place to live. The Bend Affordable Housing Committee is taking up the issue at its next meeting in September, where members will discuss whether to increase the required notice period to 90 days.

"If someone loses their home or needs to find a new place to rent, it's likely for it to take longer than 30 days to find a new place," said Councilor Nathan Boddie, who brought up increasing the notice at a recent Bend City Council meeting.

A no-cause eviction means a landlord can evict a tenant without giving a reason. These evictions are different from kicking a tenant out for damaging property or not paying rent, which can be enforced more quickly.

Tracking down the number of no-cause evictions is tricky in Bend and throughout the rest of the state, said Ian Leitheiser, associate city attorney for Bend.

"The majority of them probably 'just happen' without resulting in a court action," said Leitheiser. "Even for those that do, I don't know that there's a good handle on the numbers."

The city's effort to increase the notice comes after the Oregon Legislature considered increasing the required notice to 90 days, but the bill was gutted to take out that part. The same bill also would have enforced stricter penalties for landlords who don't follow the rules when giving notice.

Yet other Oregon cities have taken matters into their own hands, and so far, Portland and Milwaukie have passed measures to increase that period to 90 days. While there could be an issue with the state's required 30-day notice trumping city rules, the 90-day rule has yet to be challenged in those cities, explained Leitheiser.

"People think it makes sense because it gives people more time to find an alternative," Leitheiser said.

Here in Bend, the housing demand is vastly outpacing the supply, with a vacancy rate hovering near 1 percent for the fourth year in a row, according to the Central Oregon Rental Owners Association 2016 rental survey. On any given day in Bend, there are fewer than five units available for rent, according to Jim Long, the city's affordable housing manager.

For instance, Fireside Condominiums, an apartment complex on NW Newport Avenue, recently made news when it was sold and the new buyer gave notice to tenants, saying he planned to renovate the building. That ended up displacing more than 40 longtime tenants, who had about two months to find a new place to live.

But finding a home in 30 days — the length of notice required for those living in homes for less than a year — can be extremely difficult, said Colleen Thomas, homeless outreach coordinator for Deschutes County. Since the start of the year, Thomas said dozens of people have called her desperately looking for housing after landlords decided to kick them out, she said.

"I'm seeing more and more people who are educated and working who can't find housing," said Thomas. "Because the rental market is in such high demand, landlords are charging whatever they want."

The monthly rent for a two-bedroom apartment has surged more than 60 percent since 2010, according to Central Oregon Rental Owners Association survey data. While it could still be hard for some families to find a new home in 90 days, it's more feasible than the current 30-day period when considering apartments' long wait lists and Bend's dire shortage of housing, she said.

"It's not impossible," Thomas said. "But it's definitely tough."

— Reporter: 541-633-2160, [mriker@bendbulletin.com](mailto:mriker@bendbulletin.com)



Links

[https://www.multihousingnews.com/post/naree-special-report-the-new-renter/?utm\\_source=whatcountsemail&utm\\_medium=daily%20news&utm\\_campaign=daily](https://www.multihousingnews.com/post/naree-special-report-the-new-renter/?utm_source=whatcountsemail&utm_medium=daily%20news&utm_campaign=daily)

<http://www.clark.com/home-cleaning-hacks-make-your-routine-easier>

FORMS HIGHLIGHT:



ORHA Forms are Available Online!

Oregon Rental Housing Forms are just a click away!

- 1 [www.oregonrentalhousing.com](http://www.oregonrentalhousing.com)
- 2 Click (top right): "Click to Get ORHA Forms Online"
- 3 Input your local association code in the field labeled "Enter Your Member ID" to receive ORHA forms 1/2 PRICE
- 4 Choose a form
- 5 Click on the form
- 6 Input your information
- 7 Click "Generate PDF"
- 8 Click "Check Out" – This will direct you to PayPal
- 9 Follow payment directions. Once complete, PayPal will return to the ORHA Forms page to "Print Link." This link will also be sent to your email address.



Know Before You Vote

Tina Kotek @tinakotek

*"I will support a ban on no-cause evictions because it will help stabilize communities and protect tenants from unjust, no cause evictions."*

Tina Kotek @tinakotek

*"We need to prevent property owners from making excessive profit and protect tenants from economic eviction and displacement."*

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Sharrol Lyons

can assist you with all your needs

[www.NWTenantScreening.com](http://www.NWTenantScreening.com)  
[www.CascadeProcessServices.com](http://www.CascadeProcessServices.com)

oregonrentalhousing.com

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