



The Rental Housing Association of Greater Portland

2010 FEBRUARY

Oregon Apartment Association, Inc.
WWW.RHAGP.ORG



UPDATE

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Jon Gail, Portland Development Commission

February Dinner Meeting **Wednesday, February 17th, 2010** **at the Gateway Elks Lodge**

**Jon Gail will be speaking on
Special Programs for Rental Housing Owners**

See page 3 for more details.

2010 NEW LAWS SEMINAR 02/16/2010
SEE PAGE 7 FOR MORE DETAILS



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2010 February Dinner Meeting

If you are a new member, or just want to learn more about RHAGP, you should attend our orientation at 5:15pm before every dinner meeting. Meet board members who will discuss the numerous benefits attributed to being a part of our landlord advocacy group.

When: February 17th from 6pm-9pm.

Where: Gateway Elks Lodge
711 NE 100th Ave, Portland OR 97220

Price: \$26.00 per person. Call for reservations.
503-254-4723

Agenda:
5:15 pm Membership Orientation Meeting
5:30 pm 1/2 hour class, Getting Tenants to Recycle
~see page 15 for details~

6:00 pm Meeting starts

President's Message: Mark Passannante

Guest Speaker: Jon Gail

Door Prizes and Money Pot

Sit-Down Menu:

Dinner Salad
Baby Red Potatoes
Chef's Choice Vegetable
Chef's Choice Dessert

Your Choice of:

Prime Rib
OR
Pacific Halibut w/ Lemon Buerre Blanc
OR
Shiitake Mushroom Alfredo Pasta

Directions

From downtown Portland: take I-84 E/US-30 E toward THE DALLES. Take the I-205 S exit 6, toward SALEM. Take the GLISAN ST./STARK ST. exit. Turn LEFT onto NE GLISAN ST. Turn LEFT onto NE 100TH AVE. to Gateway Elks.

From I-205 Northbound: take the GLISAN ST. exit, EXIT 21A. Turn RIGHT onto NE GLISAN ST. Turn LEFT onto NE 100TH AVE. TO 711 NE 100TH AVE. to Gateway Elks.

From I-205 Southbound: take the GLISAN ST. exit, EXIT 21A. Turn LEFT onto NE GLISAN ST. Turn LEFT onto NE 100TH AVE. TO 711 NE 100TH AVE. to Gateway Elks.

Speakers

Jon Gail - Portland Development Commission

speaking on: Special Programs for Rental Housing Owners

In this workshop RHAGP members will learn about the special programs and funds that are administered by the Portland Development Commission (PDC) and the Portland Housing Bureau (PHB). The PDC programs serve to help RHAGP members fix up their units through rehabilitation loan and grant programs. PHB also funds programs to help landlords by helping them market their vacant units, better prepare renters for being good renters and also to offer rental guarantees to landlords who rent to applicants who complete the Rent Well Tenant Education Program. All of these various programs are a good fit for RHAGP members who are looking to improve their investments, seeking to reduce their rental risks and to lower vacancy rate.

Attention: We have plenty of space, please register by noon on Monday, February 15th, 2010. We need an accurate count. Please remember that if you are unable to attend, you MUST cancel at least 24 hours in advance or you will be charged.

UPCOMING EVENTS

FEBRUARY						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Date	Event	Location	Time	Notes
02/09	*Online Tenant Screening Class	RHA Office	11 am	Reserve by 02/08/10, 5 people need to register for there to be a class
02/10	RHA Board Meeting	RHA Office	5 pm	
02/16	*2010 New Laws Seminar	Red Lion Inn	9 am	See page 7 for details
02/16	*Online Tenant Screening Class	WebEx	7 pm	Call the RHA office for details: 503-254-4723
02/17	*RHA Dinner Meeting	Gateway Elks Lodge	6 pm	See page 3 for details
02/25	*ORHA Forms Online	RHA Office	2 pm	Reserve by 02/24/10, 5 people need to register for there to be a class

Date	Event	Location	Time	Notes
03/09	*Online Tenant Screening Class	RHA Office	11 am	Reserve by 03/08/10, 5 people need to register for there to be a class
03/10	RHA Board Meeting	RHA Office	5 pm	
03/16	*Online Tenant Screening Class	WebEx	7pm	Call the RHA office for details: 503-254-4723
03/17	*RHA Dinner Meeting	To Be Announced	6 pm	See March Update for details
03/23	*Law Update Class	RHA Office	6:30 pm	Call the RHA office for details
03/25	*ORHA Forms Online	RHA Office	2 pm	Reserve by 03/24/10, 5 people need to register for there to be a class

* Registration is required, please call the RHAGP office for details 503-254-4723

Other Events:

February 16th, 6 p.m. - NWREIA Multi-Family Commercial Real Estate Secrets
 RHA Office - Call Doug Foley for more info 503-336-6495

March 16th, 6 p.m. - NWREIA Multi-Family Commercial Real Estate Secrets
 RHA Office - Call Doug Foley for more info 503-336-6495

March 30th - Parks Class - Education for Park Managers and Owners
 Tigard - Call Maren Winters at ORHA for more info (503)364-5468.

PRESIDENT'S MESSAGE

By Mark Passannante
RHAGP President



Mark Passannante
RHAGP President

I hope every one has gotten used to a new decade. With the entry of the new year we also have some significant changes to Oregon's landlord tenant laws. For those members who were unable to attend our latest classes or dinner meeting addressing the changes, I wanted to outline a couple of the significant changes in this month's newsletter. Remember, though, that this is not a substitute for renewing your training and RHAGP will continue to offer comprehensive classes on the new legislative changes.

Beginning this year, tenants who have occupied the dwelling for greater than one year are now entitled to a sixty day notice of termination if the termination is done without a stated cause. The sixty day notice is required if all of the tenants have been in the dwelling unit for over one year. If a tenant has been in the dwelling unit for less than a year, a landlord may terminate a month-to-month tenancy with

a 30 day notice without a stated cause. The service rules for notices of termination remain unchanged.

Another provision getting significant attention is the elimination of most non-refundable fees. A landlord may not charge an up-front non-refundable fee at the beginning of the tenancy. The fees a landlord may charge are limited to a list of approved fees as follows:

- a. Late rent
- b. Dishonored check, limited to amount in ORS 30.701, plus any amount charged to the landlord by the landlord's bank
- c. Smoke detector tampering or removal
- d. Violation of pet agreement in a mobile home park
- e. Break lease fee not to exceed 1.5 months rent and landlord may not charge tenant rent after the lease break nor damages related to the cost of re-renting the dwelling

- f. Noncompliance with written rules or policies not to exceed \$50.00 and only for the following noncompliance:
 - i. Late payment of utility or service charge;
 - ii. Failure to clean up pet waste from a part of the premises other than the dwelling unit;
 - iii. Failure to clean up garbage, rubbish and other waste from a part of the premises other than the dwelling unit;
 - iv. Parking violations;
 - v. Improper use of vehicles within the premises

I hope this helps outline some of the changes so that everyone can hit the new year running

RHAGP DUES AND TAXES

Your membership dues may be tax deductible as a necessary trade or business expense. A portion of your dues each year are paid to the state association (Oregon Rental Housing Association) on your behalf for membership in the state association.

As 501(c)(6) corporations, both the state and local associations are allowed to lobby to influence legislation (but not candidates). However, lobbying expenses are not deductible for income tax purposes. The tax code requires us either to pay taxes on the income spent on lobbying or to tell our members that a portion of their dues and contributions paid to us are not tax deductible as a trade or business expense. We of course choose to do the latter.

We have sent a statement to each

paid member indicating the portion of their dues for the year that were related to lobbying activities. This will be the portion that cannot be deducted on your tax returns. If you have not received a letter with the following information and paid dues in 2009 as either a new member or for membership renewal please contact the RHAGP office at 503-254-4723.

RE: 2009 Non-Deductible Dues:

Rental Housing Association of Greater Portland is a 501(c)(6) corporation. As such, we are allowed to lobby to influence legislation (but not candidates). A portion of your annual dues are utilized for lobbying activities on behalf of our members. In addition, a portion of your dues include annual dues for the Oregon Rental

Housing Association. The state association also utilizes a portion of their dues for lobbying activities on behalf of their members.

Your membership dues payments may be tax deductible as a necessary trade or business expense. The portion of your dues utilized for lobbying activities is not deductible.

FOR ___ UNITS THE NON-DEDUCTIBLE DUES PORTION OF YOUR DUES IS \$_____

The example shown above represents the portion of your 2009 dues utilized for lobbying activities at both the state and local level.

Please consult with your tax advisor regarding the proper treatment of your dues for income tax purposes.

FORMS ARE CHANGING

By J. Norton Cabell
Legislative Director



Norton Cabell
Cabell Enterprises

But what about the ones I still have?

Some of the ORHA forms are changing. Some of that is driven by changes in the law, mostly effective Jan. 1, 2010; but some is driven simply to make the forms more usable. In most cases, you can still use forms currently in your inventory, but you will have to be careful in a few instances. I won't comment here on forms preceding 2007; refer to the Forms Manual for those.

Form #2, #2A: You can still use the month-to-month lease forms, but don't put anything in the "fees" column, because none of these fees are allowed after 2009. Also, don't put anything on the "Delivery of Notice" fee because that also won't be allowed. Remember to put not more than \$25 on the Returned Check Charge line. You are required to disclose if the rental unit is located in a 100-year flood plain. If it isn't, you don't have to disclose anything. If it is, you need to say so. You could write "The dwelling unit is located in a 100-year flood plain" somewhere on the form. Certain provisions in the fine print, particularly those imposing noncompliance fees, on the back won't be enforceable, but as long as you don't try to charge them, there is no harm in them being on the form. The biggest drawback to using the older forms will be that you won't be able to use the new carpet-cleaning rule unless you want to take the wording off the new form and put it in an addendum. Easier, I suggest, to buy the new forms.

Form #2B: You can use the Fixed-Term Lease form, as well, subject to all the cautions in the previous paragraph. In addition, you cannot charge a lease buyout fee in excess of 1.5 times rent and, if you use the old form, you won't be able to take advantage of the ability to charge actual damages in lieu of the buyout fee where that makes sense.

Form #3: You can use the Pet Agreement form after 2009, but you are not allowed to charge

a pet fee, so don't fill in anything on the "Additional Fee for Keeping Pet(s)" line.

Form #5: This form, for a no-cause termination notice is fine, but the instructions on it are not. If your tenants have occupied the dwelling for over a year, the minimum time on the notice has to be 60 days, not 30 days. You can use the older form, just don't put a vacate date on it that is sooner than 60 days away—and be sure to add the three days for mailing. If you intend to tell the tenant in writing why you are terminating the tenancy, there is some more required wording so don't use an older form.

Form #25: The Abandoned Property form is changing but the current one is fine. Just don't use either one if the property is abandoned because a tenant who lives alone dies.

Form #30: The Deposit to Hold form is changing because of new law that requires a landlord, before accepting money from a tenant or applicant, to disclose fees as well as rent and deposits that will be charged. You can make those disclosures—and use the current form—if you attach to Form #30 a copy of the lease or rental agreement you will be using, filled out with the pertinent information. My process is to fill it out entirely; after all, you have to do that eventually anyway.

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2010 NEW LAWS SEMINAR

TUESDAY, FEBRUARY 16, 2010

AT THE RED LION INN AT THE CONVENTION CENTER - 1021 NE GRAND AVE, PORTLAND, OR 97232

9 AM TO 11 AM

~2 CONTINUING EDUCATION HOUR CREDITS ARE AVAILABLE WITH THIS SEMINAR~

Metro Multifamily Housing Association and the Rental Housing Association of Greater Portland have partnered to provide this seminar regarding the major changes in legislation for 2010 affecting landlords and the property management industry.

Substantial legislative changes include restrictions in the types of allowable fees, a new 60-day no cause notice for qualifying tenancies, the option of temporary occupant agreement and streamlined abandoned property procedures of deceased tenants. Prior to the tenancy, landlords will now be required to give to the tenant a written list of all eligible deposits and fees. Additional written disclosure requirements include informing the tenant of the smoking policy of the premises and whether or not the property is located on a 100-year flood plain. This seminar will detail all pertinent law changes for the property management industry including further restrictions for towing vehicles from apartment parking lots and new carbon monoxide alarm requirements for certain qualifying units.



SPEAKERS:

Andy Hahs, Attorney, Bittner & Hahs, P.C.

J.Norton Cabell, Principal, Cabell Enterprises

Andy Hahs, is partner at Bittner & Hahs, PC. He is also a founding member of Metro Multifamily Housing Association and currently serves on the Board of Directors. He practices Landlord Tenant Law in both Oregon and Washington, conducts numerous educational seminars, and is known for his knowledge, humor and effective style. He has been instrumental in the creation of the MMHA forms and has successfully guided thousands of property managers through the intricacies of Landlord/Tenant Law.

J. Norton Cabell, as principal of Cabell Enterprises, provides consulting services to landlords throughout Oregon. His clients include housing authorities, manufactured dwelling facilities, providers of housing for specialized populations, affordable housing developers, as well as owners and managers of conventional properties. For these clients, Cabell provides one-on-one consulting, and specialized trainings. Since 2006, he has been Legislative Director for Oregon Rental Housing Association.

Price: \$45 per person

NOTE: Non-member payment must accompany registration form.

How did you hear about this seminar: Email _____, Update _____, RHAGP Website _____, RHAGP Event _____

NAME(S) _____

PHONE _____ EMAIL _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

Form of payment _____ Account (members only), _____ Check, _____ OR Call to register and pay by credit card.

TOTAL: \$ _____

10520 NE Weidler, Portland, OR 97220, P: 503-254-4723, F: 503-254-4821



Please remember that if you are unable to attend, you MUST cancel at least 48 hours in advance or you will be charged.

ABANDONED PROPERTY

By Robin Lashbaugh

GIVE IT TO SOMEONE THAT REALLY NEEDS IT RATHER THAN THROWING IT AWAY

There are a number of charities in the Portland area that give needed items such as household goods and clothing to people that really need them for FREE.

Before you throw those useable items in the dumpster or haul them to a second hand store, think about giving them to one of the places listed below.

Some of them will even pick up the items.

Community Warehouse NE needs essential furniture and household items, pots and pans etc. They collect these items and give them back out to local families in need. www.communitywarehouse.org / 503-235-8786.

The VA Hospital needs Books, Video tapes, CDs and DVDs for their library. Also the volunteer services department can use all types of clothing and personal items for both men and women. I collect these items and take them up to the VA hospital about once a month. I can be reached at 503-805-5993.

Dress for Success: Dress for success Oregon is a non-profit organization whose mission is to provide interview appropriate clothing, make-up and hair styling and job-retention resources to low-income women seeking employment. E-mail oregon@dressforsuccess.org / 503-249-7300.

Transition Projects Inc. needs hygiene products, linens, clothing, books, They have a drop off center at 435 NW Glisan St, Portland 97209 / e-mail donate@tprojects.org / 503-823-4930 x226

Multicultural Community Services needs furniture lamps, cooking utensils, diapers, sheets and blankets, dishes, all household items. E-mail hclark@lcsnw.org / 503-231-7480

Yolanda House Domestic Violence Shelter: They have a very very long wish list. It includes bedding, cleaning supplies, office supplies, cooking items, craft supplies, cups, bowls, dishes and silver ware, diapers, feminine hygiene products, laundry soap, note pads, office chairs, mattress pads, patio chairs, pillows, socks, and much much more, 503-535-3270.

JOIN: Helps homeless people transition off the street into permanent housing. They need socks, blankets and pet food. E-mail willh@joinpdx.com / 503-232-7052 x101

Schoolhouse supplies: Their mission is to operate a volunteer-run free store for Portland Public School teachers stocked with supplies donated by the community. They need school and craft supplies of all types. www.schoolhousesupplies.org / 503-249-9933

RENTAL HISTORY REPEATS

By Mr.Landlord

RENTAL HISTORY MOST OFTEN REPEATS ITSELF

One landlord recently shared his frustration on the MrLandlord.com Q&A regarding renting to unmarried couples, and the fact that they often move within 6 months. He also wanted to know how can he legally discriminate against unmarried couples.

One of several landlords offered great advice by suggesting that the landlord analyze his past tenants. You will find the ones who stayed a short time also stayed a short time at their prior place. Make it part of your written criteria that applicants must have stayed with their prior landlord at least x number of months. Some people do move from one eviction to another, or every year if they make it that long. You can predict who these people are. Ask for their two previous landlords. If they had more in the past five years, get them all. The sheer number of moves will tell you all you need to know and give you a firm legal reason not to rent to them as it is the turnover costs that kill us. Plus, as you will require a good prior landlord reference, a quick mover isn't going to have a good reference. It all comes down to good screening based on good written criteria.

The above suggestion really hit the nail on the head in regard to RENTAL HISTORY as the specific criteria the landlord should focus on as he seeks to improve his screening. With my point-based screening criteria, I give one point if the parties have been at their last residence for at least one year, two points for two years and 3 points for three years or longer. Please note, one other big KEY to my criteria is that if more than one adult is applying, and they have both not been at the SAME prior residence for at least one year they do not qualify for any points in regard to my rental history criteria. And this criteria has nothing to do with whether they are married or not, they are all screened the same. Using this criteria has helped me have far better success than I used to have when trying to identify applicants who are far more likely to stay beyond one year.

These tips are shared on MrLandlord.com website and in the Mr. Landlord newsletter from website contributors, Jeffrey Taylor (founder) and real estate authors featured on the site. To receive a free sample of the Mr. Landlord newsletter, call 1-800-950-2250 or visit their informative website at MrLandlord.com, and learn how you can receive a free landlording book.

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Money is available for you to fix your gas-heated house. If your/your tenant's income is too much to be considered low income but you can't afford full price insulation, this NW Natural program is for you. For a limited time, we are offering customers an instant discount of up to 80% (\$3,300) off the weatherization invoice. Some of the eligible measures (and incentive amounts) include:

- Ceiling, Wall and/or Floor Insulation (\$550 each measure)
- Duct Insulation/Wrap (ducts must be sealed to qualify) (\$350)
- Duct Sealing (\$400)
- House Sealing (\$350)
- Gas Furnace (\$550)
- Furnace Tune up (\$75)
- Direct Vent Space Heater (\$500)
- Water Heater (\$150)
- Water Pipe Insulation/Wrap (\$50)

# of people in household	You are eligible if your household income is less than this amount, which is 80% of Oregon median income:
1	\$26,971
2	\$35,268
3	\$43,567
4	\$51,865
5	\$60,164
6	\$68,387
7	\$69,874
8	\$71,334

You may qualify for this program **or** one of two other energy incentive programs (Energy Trust of Oregon, Community Action Agency). Plus you may qualify for Oregon State or Federal tax credits. If your/your tenant's income is less than 60% of Oregon Median Income, a Community Action Agency may be able to cover all of the costs. Otherwise, the Energy Trust of Oregon provides services without regard to income. Go to the NW Natural website: https://www.nwnatural.com/content_yourhome.asp?id=1209 or contact us and we will help you find the best deal.

You must use contractors authorized to work with this program, who have been pre-approved because of their good track record weatherizing thousands of Oregon homes with high customer satisfaction. Interested in learning more? Call **1-866-513-8274**.

Save up to \$3,300 off the weatherization invoice per dwelling, instantly.



LANDLORD HORROR STORIES: INTERNET EVILS IN THE RENTAL BUSINESS

By Jan Leasure, President California Landlord Solutions

We have watched with interest as the benefits of the internet have become contaminated by those who would use its conveniences to illegally make a buck. We were thrilled when we were able to post our vacancies on the web for the entire world to see, thus expanding our market for our properties exponentially. However, it was inevitable that someone would eventually figure out how to take that information and use it to defraud innocent people out of their hard earned money.

In recent years, we have seen scammers “hijack” our rental ads, and re-post them on a site such as Craig’s List, at a much lower rental price. Posing as the landlord or manager, the scammers collect a security deposit and the first month’s rent from an unsuspecting applicant, never to be heard from again. When the applicant shows up to take possession of the property, the real landlord/manager hears about the transaction for the very first time.

The following is an abridged version of a similar incident that happened to a friend of ours who manages property in Southern California. Like us, she advertises her vacancies on Craig’s List, as well as on her own website, to increase exposure.

The manager had a house listed at \$2,500 a month, but her ad had been hijacked by someone who then advertised the same property on Craig’s List for only \$1,500 a month. To add further credibility to his listing, the scammer found out the tenant’s name and used it in the ad, making it seem as if the current tenant was the landlord.

The scammer even set up a phony email account containing the tenant’s name, to make his ad seem completely legitimate. The worst part of all was that the scammer used a private P.O. address to receive first, the



application to rent, and then, the security deposit and the first month’s rent.

An anxious tenant took the bait and sent his application to the P.O. Box, and then, when he was told he was approved, sent a deposit and the first month’s rent. The “new” tenant then arrived at the property, ready to move in. Naturally, the departing tenant, who was still in residence, didn’t know anything about it. The “new” tenant then demanded that the current tenant return his security deposit and rent money which, of course, the current tenant did not have. That’s also when the real landlord and property manager were dragged into the mess, hearing about the scam for the first time. It turned out the “new” tenant, by the way, was a police officer, whom the manager thought should have suspected there was something wrong with a \$2,500 house being rented for \$1,000 less. To add insult to injury, the scammer now has all the personal information the policeman put on the phony rental application, including his Social Security number, the name of his bank and his account numbers, his birth date, rental history, employment history, and everything identity thieves need to pretend to be him.

So the old adage, “If it sounds too good to be true. . . .” once again turns out to be good advice.

What can you do about these scams, most of which come from Nigeria and other overseas areas? Not much.

Continued on page 15

Preferred Service Guide

Dual and Affiliate members support the interest of rental housing through their membership in RHA.

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www.momentumservices.biz
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The Rental Housing Association of Greater Portland is a group of rental housing owners and managers in the Portland metropolitan area who have joined together for the purposes of:

- Providing information to improve the knowledge of rental owners and managers.
- Enhancing the reputation of "landlords" by promoting professional practices.
- Assisting local public officials on various community endeavors relating to public or private housing.

The Update is a monthly publication for members of The Rental Housing Association of Greater Portland.

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By Pam VanLoon

Why is it important to us to have your authorized users listed in our system? Many of our members or their managers have been frustrated when forms are needed and we cannot sell to someone until the member verifies, in writing, that they are indeed authorized to use the account. In order for the RHAGP office to help someone on your behalf in any way, they need to be listed on your account.

This information is vital for us to have in our system so that someone doesn't charge items to your account without your knowledge or permission. Just as you would not want just anyone using your credit card number to purchase items, you want to be sure to protect your RHAGP account so that someone you have not authorized does not charge items to it.

That is why we require that when there is a change of address, manager or other authorized user, or some other information change, that you let us know as soon as possible.

Also, if a manager or employee who was authorized to use your account leaves your employ or is no longer associated with you, we need to know so we can update that information.

You can call us, write us, fax us, e-mail us, or come into the office and inform us what changes need to be made. 503-254-4723 or jennifer@rhagp.org.

Thank you for helping the RHAGP staff serve you better.

LANDLORD HORROR STORIES

Continued from page 11

If you see that someone has hijacked your Craig's List posting, flag the post and report it to Craig's List as abuse. You can also contact the Federal Trade Commission to alert them to the scam. The number to call is: 877-FTC-HELP or 877-382-4357. To prevent having your ad hijacked in the first place, you may want to consider a watermark on photos that you post and including the following statement in your listing: "If you see this property advertised anywhere for a lower price, please consider that the ad is a scam and do not reply to it."

Horror Stories is a regular feature of California Landlord Solutions. These are stories that have happened to our members. We can all learn from the experience of others! If you have horror story that could help others become better landlords, send it to jan@calandlordsolutions.com

Jan Leasure has been a landlord for over twenty years and is President of California Landlord Solutions. She may be reached at 831-655-7844 or by visiting www.california-landlordsolutions.com

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HALF HOUR CLASS - 02/17/10

Taught by Renee Bogin, M.U.S., Center for Urban Studies- PSU

Does your garbage collector charge you extra fees for large items left in your garbage area or for too much garbage in your recycling bins? Does it seem like your residents don't ever get it right? Renee Bogin, the Regional Multifamily Specialist for Metro's Sustainability Center and Faculty at Portland State University's Community Environmental Services, will talk with you about her work with thousands of rental communities in the Portland area. She'll discuss collaborations with property managers, landlords, government solid waste departments, and garbage collectors that have led to regional solutions to garbage and recycling challenges. Renee studies these challenges and seeks solutions through ongoing pilot research and outreach projects.

Come hear about resources and strategies that can not only reduce the negative impacts of garbage and recycling on your costs and time, but can benefit the environment as well. Renee will talk about ways to deal with bulky waste left in your garbage area, residents who don't understand or follow the recycling rules, and a whole lot of other challenges. Going green is a marketing advantage! So learn about time and possibly even cost-saving waste reduction programs which appeal to current and prospective residents!

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Gresham Rental Inspections



Has your rental in the City of Gresham been inspected? Jim Herman, our liaison for the Gresham Inspection Program would like to know about your experience.

How were you notified of the scheduled inspection?

Was it due to a complaint from the tenant?

Or maybe a neighbor complained?

Was this property a random selection for the inspection?

What has been the financial impact to your tenants?

Do you feel this is a valuable public service?

Have you felt the need to appeal any decision or question of an inspector?

In general, what has been your overall experience?

In order to help the RHA track and monitor the Gresham Inspection Program, Jim is looking for feedback, whether the experience was good or bad. You can contact Jim Herman by email jimherman1@comcast.net or phone (503)645-8287 or email Alita at alita@rhagp.org or call me at 503.254.4723. We want to know how many of our members have been inspected and what the inspection process was like for them.

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Date: _____

Membership Name: _____ Order Placed By: _____

Address: _____

City/State/Zip: _____ Phone: _____

Payment Type Acct ____ CC ____ - CC# _____ Exp _____ CVV _____

#	Form Description (revision date)	Member		Non-Member	
		10	50	10	50
1	Application to Rent (10)	6.30	12.60	18.90	37.80
2	Rental Agreement-Multi (10)	6.30	12.60	18.90	37.80
2	Rental AgreementNCR-Multi (10)	10.50	21.00	31.50	63.00
2A	Rental Agreement-1-4 (10)	6.30	12.60	18.90	37.80
2A	Rental AgreementNCR-1-4 (10)	10.50	21.00	31.50	63.00
2B	Lease Agreement (10)	6.30	12.60	18.90	37.80
2B	Lease AgreementNCR (10)	10.50	21.00	31.50	63.00
3	Pet Agreement (10)	4.50	9.00	13.50	27.00
3	Pet AgreementNCR (10)	10.00	20.00	30.00	60.00
4	72-Hour Notice (07)	4.50	9.00	13.50	27.00
4	72-Hour NoticeNCR (07)	10.00	20.00	30.00	60.00
5	Notice of Termination (10)	3.50	7.00	10.50	21.00
5	Notice of TerminationNCR (10)	7.00	14.00	21.00	42.00
6	Pet Violation Notice (07)	3.50	7.00	10.50	21.00
7	10-Day Termination (07)	3.50	7.00	10.50	21.00
8	24-Hour Harm/Damage (04)	4.50	9.00	13.50	27.00
9	Check In/Out Report (07)	4.50	9.00	13.50	27.00
9	Check In/Out ReportNCR (07)	10.00	20.00	30.00	60.00
10	Furnished Inventory (99)	4.50	9.00	13.50	27.00
11	Smoke Alarm Acceptance (07)	4.50	9.00	13.50	27.00
11	Smoke Alarm AcceptanceNCR (07)	10.00	20.00	30.00	60.00
12	Deposit Accounting (07)	4.50	9.00	13.50	27.00
12	Deposit AccountingNCR (07)	10.00	20.00	30.00	60.00
13	Notice of Rent Increase (99)	3.50	7.00	10.50	21.00
13	Notice of Rent IncreaseNCR (99)	7.00	14.00	21.00	42.00
14	Rent Payment Notice (07)	3.50	7.00	10.50	21.00
15	Resident's 30 Day to Vacate (07)	3.50	7.00	10.50	21.00
16	Confirmation of #15 (07)	3.50	7.00	10.50	21.00
17	Maintenance Request (07)	3.50	7.00	10.50	21.00
18	24-Hour Notice to Enter (07)	3.50	7.00	10.50	21.00
18	24-Hour Notice to EnterNCR (07)	7.00	14.00	21.00	42.00
19	Emergency Entry (07)	3.50	7.00	10.50	21.00
20	Application Verification (07)	4.50	9.00	13.50	27.00
21	Deposit Refund (07)	4.50	9.00	13.50	27.00
22	Emergency Locations (99)	4.50	9.00	13.50	27.00
23	Collection Report (97)	4.50	9.00	13.50	27.00
24	Clean-up Report (99)	4.50	9.00	13.50	27.00
25	Abandoned Property (10)	3.50	7.00	10.50	21.00
26	Goods May Be Left (99)	3.50	7.00	10.50	21.00
27	Smoke Free Agreement (07)	4.50	9.00	13.50	27.00
27	Smoke Free AgreementNCR (07)	10.00	20.00	30.00	60.00

#	Form Description (revision date)	Member		Non-Member		Qty
		10	50	10	50	
28	One-Time Late Payment (07)	3.50	7.00	10.50	21.00	
29	One-Time Partial Payment (07)	3.50	7.00	10.50	21.00	
30	Deposit to Hold (10)	4.50	9.00	13.50	27.00	
31	Guest Registration (07)	3.50	7.00	10.50	21.00	
32	Addendum (07)	4.50	9.00	13.50	27.00	
33	Rules & Regulations (07)	4.50	9.00	13.50	27.00	
34	Parking Violation (07)	3.50	7.00	10.50	21.00	
35	Warning Notice (08)	4.50	9.00	13.50	27.00	
36/37	Someone Was/Is In (07)	6.90	13.80	20.70	41.40	
38	30-Day Notice- w/cause (07)	4.50	9.00	13.50	27.00	
38	30-Day Notice- w/causeNCR (07)	10.00	20.00	30.00	60.00	
39	24-Hour Unlawful Occupant (07)	3.50	7.00	10.50	21.00	
40	Entry Agreement (01)	3.50	7.00	10.50	21.00	
41	Annual Recycling Notice (99)	3.50	7.00	10.50	21.00	
42	App. Screening Fee Receipt (07)	3.50	7.00	10.50	21.00	
42	App. Screening Fee ReceiptNCR (07)	7.00	14.00	21.00	42.00	
43	Application Denial (07)	4.50	9.00	13.50	27.00	
43	Application DenialNCR (07)	10.00	20.00	30.00	60.00	
44	144-Hour Notice (07)	4.50	9.00	13.50	27.00	
44	144-Hour NoticeNCR (07)	10.00	20.00	30.00	60.00	
45	App. Screening Guidelines	4.50	9.00	13.50	27.00	
46	Assistant Animal Agreement (99)	4.50	9.00	13.50	27.00	
47	Parking Agreement (08)	4.50	9.00	13.50	27.00	
48	Last Month's Rent Deposit (99)	3.50	7.00	10.50	21.00	
49	Accounting Letter (99)	4.50	9.00	13.50	27.00	
50	Promissory/Installment Note (99)	3.50	7.00	10.50	21.00	
51	Lead Base Paint - w/booklet (07)	1.00 each		2.00 each		
52	Co-Signer Agreement (07)	4.50	9.00	13.50	27.00	
53	Reasonable Accommodation (99)	6.30	12.60	18.90	37.80	
54	Mold Notice (07)	6.30	12.60	18.90	37.80	
57	Temporary Occupant (10)	4.50	9.00	13.50	27.00	
57	Temporary OccupantNCR (10)	10.00	20.00	30.00	60.00	
Books & Packets						
Starter Pack of Forms		11.50		32.00		
(Includes #45(3), #1(3), #42(3), #20(3), #43(2), 1 each of #30, #2A (or #2B) , #3, #9, #11, #21, #27, #33, #54 and 1 Lead Paint form and booklet if needed).						
Landlord/Tenant Law Book (08)		33.00		65.00		
Forms Manual (08)		33.00		65.00		
Abandoned Property Book		12.00		36.00		
Any Single NCR form		1.35		3.50		
Shipping & Handling - \$2.00 + postage		TO BE CALCULATED BY RHAGP OFFICE				

DISQUALIFYING FOR EVICTION?

By Robert L Cain, Cain Publications



Robert Cain
Cain Publications

Should an Eviction Always Disqualify an Applicant?

Some landlords answer with an emphatic “YES!” There is no way you should ever rent to a tenant who has been evicted.

However, if you rent to low-income or marginal tenants you run into applicants who have been evicted. It's just a fact of life. Low-income and marginal tenants have a higher incidence of evictions than do renters who earn \$100,000 a year.

There can be numerous reasons for those evictions; some that will absolutely disqualify them from renting from you, and some just mean they had some hard luck and probably will not be evicted again. In a slow rental market (one where it's hard to find tenants), you might want to consider renting to applicants who have been evicted. If you make it clear that an eviction will not absolutely disqualify them from renting from you, you may find out that they were in a situation that simply made it impossible to pay the rent or that they had a roommate or spouse who created the problem that precipitated the eviction.

Ask on the screening form or rental application for the reason for a past eviction and you may get an explanation that will satisfy you that you will not have to evict them. Of course, you will verify the information they give you.

Be extremely careful, though. You need to satisfy yourself that the applicant is telling you the truth without embellishment and without forgetting to tell you part of the story. Sometimes people really do learn lessons. Other times they haven't changed a bit, but have gotten really good at telling sob stories to make a landlord's heart bleed. What follows are some possibly legitimate reasons why a tenant would not have been able to pay his or her rent and was evicted. You decide how much credence to give them. Bad tenants always have an excuse; it is our job to decide if the excuse is legitimate.

- Loss of job, layoff
- Rent increases
- Loss of housing subsidy (look at

this one carefully, people don't lose them for no reason)

- Loss of other income subsidy, such as child support
- Medical, transportation or other crisis
- High winter utility bills (then they would have to satisfy you that that would not be a problem now)
- Money stolen
- Budgeting difficulties (how have they improved now?)
- Loss of social service support
- Substance addiction
- Domestic violence (has the situation that caused it changed?)
- Loss of roommate
- Poor communication with landlord, case manager, etc.

Here are some reasons for eviction that would make you never, ever want to rent to an applicant:

- Damage to unit
- Violent crimes
- Drug dealing
- Prostitution
- Child molestation
- Domestic violence
- Disturbance of neighbors
- Drug addicts not in a rehab program
- Keeping a filthy unit
- Gang members
- Left children unsupervised

A rule of thumb is that you want a satisfactory landlord reference between their eviction and their renting from you to show with actual, concrete evidence, rather than just their word for it, that they know how to and are ready to be good tenants.

Robert Cain is a nationally-recognized speaker and writer on property management and real estate issues. For a free sample copy of the Rental Property Reporter call 800-654-5456 or visit their web site at www.rentalprop.com

MARKET FORECASTING

By Cliff Hockley; Bluestone & Hockley Real Estate Services



Cliff Hockley

Are you wearing your crash helmet? Forecasting the real estate market

The recession is far from over. The biggest indicator of our economic health is how many people are unemployed.

Unemployment

In September 2009, 211,529 Oregonians were unemployed which means roughly 90,000 more people than last year. Oregon's unemployment rate was 6.8 percent in September 2008; in September of 2009 it is running at 11.5%. Crook County has the highest unemployment rate at 19.7%, with Gilliam County the lowest at 6.2%.

Unemployment is expected to continue to rise through the second half of 2010.

Increased Foreclosure rates

There is a direct correlation between unemployment and the ability of home owners to pay their mortgages. According to RealtyTrac, an online seller of foreclosed-property listings, Oregon had the 11th-highest home foreclosure rate in the nation from July to September (the third quarter). There were 76.6 percent more foreclosures in Oregon during the third quarter than a year earlier, during the third quarter of 2008. This pattern will continue until the economy bottoms out.

In the apartment marketplace, we will also see an increase in the foreclosure rate as some owners struggle with higher vacancy rates, lowered rental rates, and concessions. The Average apartment investor is going to face a loss of one month's revenues, as a result of rental concessions they have to give to attract tenants. In suburban areas rents are dropping up to 10% while expenses for utilities and property taxes are creeping up. This has created a cash flow crunch for those owners who are highly leveraged.

Bad news (why we have fewer tenants)

In addition to apartment dwellers not being able to afford rents because there are no jobs, or they have lost their jobs, we are seeing more roommates moving in together to reduce the rental costs until they can move from part time jobs to full time jobs.

The federal first time homebuyer credit of \$8000, coupled with low interest rates, have enabled many tenants to exit the rental market. These tenants are now moving into new homes, thereby increasing apartment vacancy rates.

In the Portland market place there are approximately 2500 condominiums unsold. The developers of these properties will have to make their payments to avoid foreclosure. To generate cash many are renting them. Depending on upcoming FHA rules condominium sales financing might be

hard to find. If this occurs, some portion of the condominium market place will stay rentals for at least the next 36 months. This also pulls tenants out of the standard rental pool.

Finally, investors are purchasing foreclosed homes and converting them to rentals. Homeowners who have not been able to sell their homes are turning them into rentals to generate cash until the marketplace right's itself. This is affecting the rental market resulting in reduction in number of apartment renters.

Good news

The good news is further off. In 2009 we expect the lowest rate of apartment construction since before the 1980's. The forecast is for 900 apartment permits to be pulled in the Portland Metro area, compared to highs of 5000 permits a year in 2006.

Low construction rates will continue as bank financing for new construction will be hard to find. This means that over the next 24 months the apartment marketplace will tighten. We expect rents to increase significantly at the end of 2011 and 2012 as demand will outstrip supply. As the Federal tax credits for homebuyers evaporate, buyers will need higher down payments to purchase homes. Since it takes time to save for the higher down payments, we expect apartment tenants to stay tenants for an extended period of time.

Increased demand will be generated by increased Population. Statistics show average increase in population in Oregon of 17,000 a year from now through 2015. Of this number we expect 32% per year to become tenants, because they are between 25 and 45 (typically a high rental group).

Eighty percent (80%) of the jobs nationally are in urban areas. This indicates that more people will move to cities rather than rural areas, and create apartment demand.

Summary

In summary, apartment owners will need to brave a downturn for the next 24 months, to get to the light at the end of the tunnel in 2012. This will motivate landlords to innovate to attract tenants and reduce operating cost. Our advice in the short term is not to leave that crash helmet out of sight.

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SEVEN DEADLY SINS

By Jo Becker, Education/Outreach Specialist, Fair Housing Council of Oregon



Following is a whimsical yet none-the-less hard hitting article by Nadeen Green, an attorney who has spoken on fair housing topics to residential rental audiences across the country since the Fair Housing Amendments Act's inception in 1989.

Here at the Fair Housing Council (FHCO) we make ourselves available to those who feel their fair housing rights have been violated, as well as to those with fair housing questions, including housing providers! If you have a question about your rights or responsibilities under federal, state, and local fair housing laws, please visit us at FHCO.org or call our free Hotline at 1-800-424-3247.

Fair housing has been part of this country's federal civil rights since 1968, when in response to the assassination of Dr. King the Fair Housing Act was enacted. At that time the protected classes were four (race, color, religion, national origin) and now that list includes sex, familial status and disability. State and local laws often offer other protections, so be wise and learn about and follow those laws, too. While laws can be complicated (you've got to love lawyers), the premise of the Fair Housing Act is simple... "no person shall be subjected to discrimination because [of protected class status] in the sale, rental, or advertising of dwellings." Those of us who follow the cases, see that discrimination does happen and that perpetrators are punished. Those cases should be looked at not only as precedent and guidance, but also as a deterrent to similar bad or misguided behavior on the part of others. Nonetheless, there are those out there who don't care about, or don't know about, fair housing law, and the result is that the same sins continue to be committed. These sins may not kill you, but these sins could significantly impact or even wipe out your business...and that's deadly, indeed.

Builders and developers continue to build without regard to the Fair Housing Act's construction and design requirements. For all new housing construction, if there are four or more units (other than townhomes) under a roof, every unit which is on a ground floor and / or every unit which is elevator-accessible must be built with certain design elements in place for the disabled. And that just isn't happening. So our industry is regularly being sued, and the price tags in these cases for settlement and retrofit are in some cases in the millions of dollars. Build right is the message here!

Yes, children may live upstairs! So don't limit families with children to the ground floor of a condo or apartment building. This is not a complicated concept, yet again and again housing providers pay tens of thousands of dollars for restricting access to families with children to upstairs units.

And while we are on the subject of children, yes, boys and girls may share a bedroom. There are no age restrictions related to this. Quite simply, it is up to the grownups who live with the children to decide who will sleep in what room and with whom. Don't impose restrictions on the sleeping arrangements of your residents, whether adults or children or combinations thereof.

It's not all about Barbie®, but sometimes, looking at advertising, one would think it is. Human models are a great way to promote communities, but "if human models are used in display advertising campaigns, the models should be clearly definable as reasonably representing majority and minority groups in the metropolitan area". And what metropolitan area does not have majority and minority groups? White-only advertising continues to draw the attention and wrath of fair housing groups, who are often awarded thousands if not millions of dollars because of the "chilling effect" that this type of advertising has on others (i.e. non-whites). And for those of you with senior housing communities, a head's up – this law applies to you, too! Your only exemption from fair housing laws is that with the appropriate demographic at your community, you can turn away people with children <although it would still not be advisable to advertise "no kids" even in these communities>. Sex. No, this isn't just to catch your attention or to spice up an otherwise dull article. Unfortunately, with regular frequency, male landlords are making rental or maintenance contingent upon sexual favors coerced from their female residents. You don't need me to tell you this is wrong, so, enough said.

A service animal is not a pet! Ergo (I love using that word!), your pet restrictions, policies, and pet deposits / pet fees / pet rent do not apply. Keep in mind that service animals include both ones that assist those with physical disabilities (i.e. "working" animals) as well as ones that assist those with mental or emotional disabilities (i.e. companion animals). Don't wrongly deny anyone their right to have a service animal live with them at your community. One landlord who recently did just that had to pay \$314,000. <I'll add here that it doesn't matter what the animal is called (service animal, companion animal, assistance animal, therapy animal, etc.) so long as it is there to assist an individual with a disability it is not, and may not be treated as, a pet. Note that Americans with Disability Act (ADA) rules and definitions of service animals for public places specifically differs from that of the federal Fair Housing Act. Also, you cannot get around the no pet fee / deposit issue by simply charging a disabled individual with a service animal a higher security or cleaning charge – that's the same thing folks! Don't do it.>

¹Oregon law also protects marital status, (legal) source of income, and sexual orientation (inclusive of gender identity). Washington law covers marital status, sexual orientation, and honorably discharged veterans / military status. Additional protected classes have been added in particular geographic areas; visit FHCO.org/mission.htm and read the section entitled "View Local Protected Classes" for more information.

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Chair: Leo Morley, Phone: 503-513-0237

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Chair: Marcia Gohman, Phone: 503-635-1118

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Newsletter

Chair: Doug Foley, Phone: 503-704-2750

Office

Chair: Mary McGinnis, Phone: 503-694-2257

Picnic & Christmas

Chair: Barbara Adler, Phone: 503-667-2348

Web Site

Chair: Steve Sichau, Phone: 503-244-3680

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www.rhagp.org*“Landlords doing good things
in their communities”***SEVEN DEADLY SINS***Continued from page 20*

You have a legal obligation to reasonably accommodate the needs of those who want to live with you or those who may already be your residents, as well as to allow for reasonable modifications of the structure if required to suit a disabled individual's needs. A failure to reasonably accommodate or modify violates the civil rights of the disabled, can give rise to a charge or lawsuit, and can be very costly. Take each request seriously (and realize that the term “reasonable accommodation” or “reasonable modification” may not be used specifically). Tell the person that you and your company take fair housing law very seriously and that you will look into the request and then get back with them. And then, as the Nike ad tells us, Just Do It! Evaluate the request and make a timely response, and document this process. Reasonable accommodation / modification issues arise often in our industry, and include requests for service animals (see above) and specific parking spaces; permission to add ramps or make curb cuts; and permission to modify the unit itself in some way or ways. <By the way, this is as true for Realtors®, lenders, home insurance carriers, and homeowners' associations as it is for landlords!>

Now, I know this article promised to catalog just seven sins in fair housing, and that has been accomplished. But there is one more sin that I would remiss in not including. That is a sin of omission. What omission? The omission of fair housing education for new staff and refresher training for established staff. Please, please, please, if you are the “boss” make this education and training happen (and attend it yourself); and, please, please, please, if you are not the boss, ask to be provided with ways to learn what to do and what not to do. This is so important, and protects not only our industry but also those who come to us seeking what is legally theirs - a fair housing opportunity.

At the Fair Housing Council we routinely provide fair housing training and speakers for public and private functions. Your company or organization could even arrange for a historic tour of housing discrimination sites as a moving and educational learning experience. Visit us at FHCO.org for more information. And, as always, if you have fair housing questions, visit our site or call our free Hotline at 1-800-424-3247.

This article brought to you by the Fair Housing Council; a nonprofit serving the state of Oregon and SW Washington. Learn more and / or sign up for our free, periodic newsletter at FHCO.org. “Fair Housing Focus” is written by Nadeen Green, Senior Counsel with For Rent Media Solutions™. The information contained in this article is not to be considered legal advice, and the author and For Rent Media Solutions strongly suggest that you consult with your own counsel as to any fair housing questions or problems you may have.

Qs about your rights and responsibilities under fair housing laws?
Visit FHCO.org or call 1-800-424-3247 Ext 2.

Qs about this article? Want to schedule an in-office fair housing training program or speaker for corporate or association functions?
Contact Jo Becker at jbecker@FHCO.org or 503-453-4016.

Have property to promote?
Advertise vacancies or for-sales free across the Portland / Vancouver market at HousingConnections.org!

January
2010

Monthly Safety Tip For Multi-Family Housing

Tualatin Valley
Fire & Rescue

503.356.4700

Electrical Safety

Routinely check your electrical appliances and wiring.

Never overload electrical outlets by plugging too many electronics into it.

Using surge protectors to increase the number of outlets where needed is OK and they provide protection of sensitive equipment as well.

Avoid chaining multiple extension cords and surge protectors together.

Keep wires out in the open and be sure not to put pressure or tension on the cords.

Electronics which generate large amounts of heat (such as space heaters and soldering irons) should be monitored at all times.

Frayed wires can cause fires. Replace all worn, old or damaged appliance cords immediately.

Use electrical extension cords wisely and don't overload them.

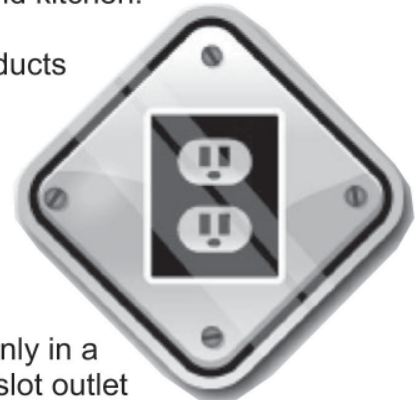
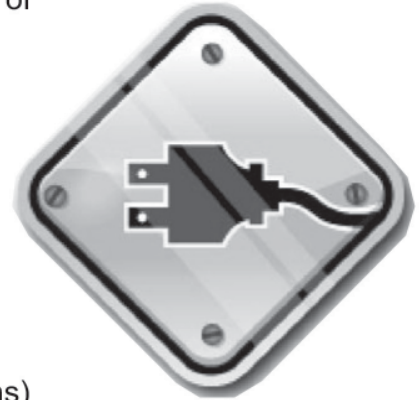
Keep electrical appliances away from wet floors and counters; pay special care to electrical appliances in the bathroom and kitchen.

When buying electrical appliances look for products which meet the Underwriter's Laboratory (UL) standard for safety.

Keep clothes, curtains and other potentially combustible items at least three feet from all heaters.

If an appliance has a three-prong plug, use it only in a three-slot outlet. Never force it to fit into a two-slot outlet or extension cord.

Never overload extension cords or wall sockets. Immediately shut off, then professionally replace, light switches that are hot to the touch and lights that flicker. Use safety closures to "child-proof" electrical outlets.



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