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11 Things Landlords Should Be Doing Every Year... But Probably Aren't

By **Brandon Turner** | July, 27th 2021
www.biggerpockets.com



Procrastination can hurt your business, but it's important to fix problems before something bad happens. Want to be your tenants' favorite landlord ever? Stay organized and on top of things you should do every year—from routine maintenance to money-saving must-dos—by following this rental inspection checklist.

1. Renew leases

Unless you purposefully rent month to month, it's wise to re-up your tenants to a year-long lease agreement. In most states, an annual lease will revert to a month-to-month lease if you don't renew the lease each year.

You should offer your tenant a lease renewal 90 days before the lease expires. Send an email or a letter with lease renewal paperwork or visit the tenant in person. Make sure you include details on the current lease as well as terms of the renewal, including the rental price.

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General Meeting

Annual Summer Picnic
@ Ferry Road Park

Thursday, August 19th
starting at 5:30pm

Last Names A-P: bring salad
Last Names Q-Z: bring dessert

Make a Contribution TODAY!



Who is the ROA?

Rental Owners Association of Southwestern Oregon is an organization that's been around for over 30 years and consists of landlords who care about practical, legal and profitable land lording practices. Through the association, they share problems, solutions, and ideas with other landlords and find information that comes from similar organizations in Oregon and around the country.



Our Association is currently comprised of over 200 landlords!

Advertise Your Business in the ROA Newsletter!

The monthly newsletter reaches over 200 landlords who need your products/services to manage their rentals.

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- and much more...

Contact us at:

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North Bend, OR 97459

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Book your spot today! Space is limited.

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Outside Back Cover = \$100

Quarter Page Ad

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Full Page Ad

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(example not shown)

Business Card Ad

3.5" W x 2" H = \$20

Rental Aid Payments Are Approved, but Big Backlog Persists

By **Peter Wong**, Oregon Capital Bureau | July 27th, 2021
www.oregoncapitalinsider.com

Community action agencies have made their first payments to landlords under the Oregon emergency rental assistance program.

But according to a dashboard maintained by the Oregon Department of Housing and Community Services, payments still lag far behind the number of completed applications by tenants and the amount of aid they have requested from the program.

As of Monday [7/26], community action agencies have approved payments for 1,260 of 22,083 completed applications, about 6%. The total of \$7.75 million is barely 5% of the \$160.9 million requested so far.

Although the state agency oversees the program, it has turned to community action agencies to do much of the payment work.

Oregon's moratorium on residential evictions ended June 30, although a national moratorium continues through Saturday. It is uncertain whether the Centers for Disease Control and Prevention, which issued the original moratorium, will continue it.

State lawmakers did pass two bills before the close of their 2021 session to ease the transition.

One (Senate Bill 278) bars landlords from initiating evictions for 60 days if tenants provide proof they have applied for rental assistance. In Multnomah County, that period runs for 90 days, not 60 days, because of board action July 1.

Oregon is nearing the 30-day mark of that 60-day grace period.

The other law (Senate Bill 282) gives tenants until Feb. 28, 2022, to pay past-due rent owed between April 1, 2020, and June 30 of this year because of the coronavirus pandemic. It does not forgive past-due rent, and it requires tenants to remain current on rent after June 30.



The vast majority of Oregon applicants (12,000) seek money both for past-due rent and rent due in July or later.

Vouchers scarce

A national think tank, the left-leaning Center on Budget and Policy Priorities, estimates that 11.4 million adults nationally are in danger of facing evictions if the federal moratorium ends and federal rental assistance fails to flow fast enough through states and local agencies.

"This falls heavily on renters of color," Sharon Parrott, the center's president, said in a conference call with reporters July 22. "States and localities are well positioned to take steps to avert widespread evictions."

The conference call focused on a new report by the center that calls for increased federal spending on housing-choice vouchers, which low-income tenants, older people and people with disabilities can use to shop for their own rental housing. The vouchers are supposed to fill the gap between income and rent, but according to the report — based on data by the U.S. Department of Housing and Urban Development, which supplies the money — only about 10% of those eligible obtain vouchers and a total of 25% get any housing aid at all.

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ROA Helpline
(541) 435-1492

- Need help?
- Questions about landlord/tenant law?
- Advice on how to deal with a tenant?

Call the Helpline! Speak to a Property Manager who knows the law inside and out and who can speak from personal experience. **FREE** to all ROA members of the Southwestern Oregon Chapter.



**RENTAL OWNERS
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Calls are returned within one business day between the hours of 7am and 8pm. Helpline is closed weekends and Holidays.



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Rental Aid Payments Are Approved, but Big Backlog Persists

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"Millions of people in this country understand that hardship and stress," Sonia Acosta, a housing policy analyst and one of the report's authors, said. "The lack of funding means that millions of people who are eligible for housing vouchers never receive them. Those in the queue often wait years for help."

Of the top 50 regional housing agencies across the nation, the report says just two have waiting periods of less than a year, and for more than half of the agencies, the wait exceeds two years. Looking at detailed data for 500 agencies, Washington County's wait time is 13 months, and Clackamas County, 23 months. Multnomah County's agency, Home Forward, isn't even listed; a lottery is conducted every two or three years for places on the waiting list.

"To be clear, any wait is too long when you face homelessness or are living in an unsafe place," Acosta said.

Will Fischer, senior director for housing policy and research, said the obvious response is for President Joe Biden and Congress to put more money into housing-choice vouchers in economic recovery programs.

"All the evidence suggests that if Congress provided a large expansion of the voucher program, agencies would be able to put that to use," he said.

Merkley: Do more

U.S. Sen. Jeff Merkley said details need to be worked out, but the recent agreement by the Senate's majority Democrats on a \$3.5 trillion budget reconciliation does allow for "several hundred billion" for housing in the federal budget year that ends in fall 2022.

The Oregon Democrat has laid out his own housing proposal, which calls for \$700 billion over a decade. He said its timing was intended to coincide with the debate over the 2022 budget.

"I hope the details are going to look a lot like my HOME Act, which invests in many different aspects to create more housing and make it more affordable for so many Americans who are struggling," he said on Friday, July 23.

Though his proposal does set aside more money for vouchers, Merkley said, any housing plan has to go beyond them.

"Here's the challenge: Even though we have vouchers now, often people can't use them," he said. "They can't find apartments within that cost because there is such a shortage of apartments."

When Merkley presented his proposal June 29, he said it met a need that is not abstract to most Americans.

"No matter where you travel around the country, people are talking about housing. It is everywhere. It is not just a central city, suburban or rural concern," he said then. "The question is about how we make the appropriate investment in response. The answer is to seize the infrastructure movement. We have to think of housing as part of our national infrastructure."



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Form of the Month



NOTICE OF TERMINATION WITH CAUSE

38

Tenant(s): _____ et al (and all others)
Tenant(s): _____
Address: _____ Unit: _____
City: _____ OREGON, Zip: _____

DATE OF SERVICE: _____
[] TIME SERVED PERSONALLY TO EACH INDIVIDUAL NAMED ABOVE: _____
[] TIME POSTED & MAILED: _____
[] MAILED: _____

Your tenancy will terminate on _____
(Not less than 30 days, 34 days if served by mail ONLY from date of service)

This notice is being given because of a violation of (1) the rental agreement, (2) Tenant(s) duties specified in ORS 90.325, or (3) the obligation to pay rent, as follows:

If this violation can be cured, you must cure it by this date: _____ *

Remedies for this/these violation(s) include:

If Tenant(s) satisfactorily cure(s) the violation, the agreement will not terminate. If Tenant(s) do/does not satisfactorily cure the violation, the agreement will terminate on the date set forth above and Tenant(s) must vacate the rental unit by that date.

*If the violation is ongoing, the remedy date must be at least 18 days if the notice is served by mail ONLY, from the date of service. If the violation was conduct that was a separate and distinct act that is not ongoing or sufficiently repetitive over time that it could be considered ongoing, the date can be as early as the date of delivery of the notice or 4 days from the date of service if served by mail ONLY.

If you are on a fixed-term lease, be advised that your landlord has the option to terminate your tenancy at the end of your lease if you have received three or more notices for violations (including non-payment of rent) within a 12-month period preceding the end of the fixed term. Owner/Agent may terminate the tenancy by issuing a 90-day notice prior to the lease end date, or 90 days prior to the date set forth in the notice, whichever is later. Correcting the third or subsequent violation is not a defense to the termination. This is your _____ violation in the last 12 months.

Owner/Agent Signature: _____ Date: _____
Owner/Agent: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Email: _____

is not allowed before February 28, 2022. Information regarding tenant resources is available at www.211info.org.
If remedied and substantially the same act or omission which caused this notice to be given recurs within six (6) months, Owner/Agent may terminate the rental agreement with 10 days' written notice specifying the violation and the date of termination of the rental agreement as provided by ORS 90.
If notice is served by mail ONLY, the ending date must include an additional four (4) days to allow for the delivery of notice, including date of mailing.
This notice, if mailed, shall be mailed First Class Mail ONLY (not certified, registered, etc.).
Owner/Agent does not waive the right to terminate by simultaneously or subsequently served notices.

If you are a veteran of the armed forces, assistance may be available from a county veterans' service officer or community action agency. Call the 2-1-1 information service to learn about resources in your area.



Notice of Tenant’s Rights to be Protected from Eviction

Effective July 1, 2021, SB 278 requires that when serving a notice for nonpayment, the landlord must include a notice about a tenant’s rights to be protected from eviction. This notice must also be included with any court summons for eviction for nonpayment. “Nonpayment” means the nonpayment of a payment that is due to a landlord, including a payment of rent, late charges, utility or service charges or any other charge or fee as described in the rental agreement or ORS 90.140, 90.302, 90.315, 90.392, 90.394, 90.560 to 90.584 or 90.630.

The required notice can be found at the ORHA Website, and the ORHA Forms Store site, and has been added to nonpayment forms on the forms store, including 10-Day Notice to Pay or Vacate for Nonpayment of Rent – ORHA form 4A, 13-Day Notice to Pay or Vacate for Nonpayment of Rent, ORHA form #44A, and Notice of Termination with Cause – ORHA form #38 (just in case you’re using a for-cause notice to require payment of other charges).



THIS IS AN IMPORTANT NOTICE ABOUT YOUR RIGHTS TO PROTECTION AGAINST EVICTION FOR NONPAYMENT

For information in Spanish, Korean, Russian, Vietnamese or Chinese, go to the Judicial Department website at www.courts.oregon.gov.

Until February 28, 2022, if you give your landlord documentation that you have applied for rental assistance at or before your first appearance in court, you may be temporarily protected from eviction for nonpayment. Documentation may be made by any reasonable method, including by sending a copy or photograph of the documentation by electronic mail or text message. “Documentation” includes electronic mail, a screenshot or other written or electronic documentation verifying the submission of an application for rental assistance.

To apply for rental assistance, go to www.oregonrentalassistance.org, dial 211 or go to www.211info.org.

To find free legal assistance for low-income Oregonians, go to www.oregonlawhelp.org.

11 Things Landlords Should Be Doing Every Year... But Probably Aren't

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One tip: If you are renting a unit during the winter, only sign a six- or nine-month lease to begin with, so the renewal date will end in the summer, when units are easier to fill; then renew with a one-year lease after that.

2. Verify market rent to make sure you are on par

The rental market is fluid and, as such, the market rent is bound to change. Each year, you should verify that all your rents are close to what the market will bear, or you could be throwing good money out the window.

You can verify market rent by checking with local property managers or asking real estate agents. You could also browse the internet and look at properties similar to the one you manage to see if those rents are similar to yours. If your rental prices don't fall in line with similar properties in your area, you may need to change them.

Adjusting rental prices to match market rent can make your property more competitive on the rental market. If your prices are too low, you could be losing money. But if they're too high, it may be difficult to find a renter willing to pay your price.

3. Smoke alarm/carbon monoxide inspections

Do yourself a favor and test smoke alarms each year. If you are in a state that requires carbon monoxide detectors in all units, be sure to check them as well.

Some tenants just throw away smoke detectors or carbon monoxide detectors that are beeping rather than replace the batteries. This responsibility is the property owner's. Making sure all smoke and carbon monoxide detectors are in working order will keep your tenants (and building) safe by minimizing the risk of fires or other safety-related issues that could cost you valuable time and resources.



Alternatively, you could include a clause in the lease that requires each tenant to carry out this responsibility. This would save the landlord from any lawsuits resulting from a fire or carbon monoxide leak.

4. Check for water leaks

Water leaks can cost you a lot of money in the long run. When water leaks, it's lost to the environment instead of where it's needed, like in toilets or showers.

In most places, water isn't cheap. Leaks could cost hundreds of dollars each month in unnecessary water bills. Leaks can also cause water damage to walls and floors, which can be costly to repair. It's much less expensive to check regularly for leaks and fix the plumbing before they become a real problem. Make sure to look at your water heater, drains, faucets, air conditioner, and any water-using appliances to make sure they're not causing leaks—and pay close attention to any wet spots on the ceiling.

If you have a leak, call your contractor. Discuss your needs to determine next steps and get a cost estimate. Fixing a leak early will be worth the money spent on the problem, we promise.

5. Make sure your keys work

Tenants change their locks for any number of reasons. However, as a landlord, it's important that you have a working key for all of your properties, so you gain access (legally, of course) if you need to when the tenant is not home. There is nothing more frustrating than having a maintenance person, who you are paying by the hour, to show up to do work, and the key you gave them doesn't unlock the door. Check keys at your yearly rental property inspection to verify you have the correct ones.

If you need to make a copy of a key, head to your local home improvement store for help.

6. Check your insurance rates

Insurance is a funny industry. They get you to switch with super low rates, and then for no real reason start raising your rates. It's no wonder that every insurance company claims people will "save hundreds of dollars by switching to us!" That's why it's wise to shop around for better rates at least once a year.

That said, switching insurance companies can be a nightmare, so only switch if you will be getting considerable savings or significantly improved coverage.

To determine which companies offer the best prices, look online or call local insurance agents. Take advantage of special promotions and deals as well. Some companies benefit new members for switching to them, which would save you money.

7. Get updated tenant contact and emergency contact info

Tenants are people, and people change their phone numbers from time to time. The numbers you gathered at move-in may be different now. It's important to confirm this information with your tenants annually, so you have their most accurate contact numbers. While verifying their phone number also get their email address and emergency contact information, just to be thorough.

You can email, call, or visit tenants in person annually to confirm. This will prevent future problems if there's a pressing issue and you need to get in touch with them as soon as possible.

8. Change furnace filters (or verify your tenant does)

Furnace filters need to be changed often, and although it's likely the tenant's responsibility, they probably aren't doing it. Therefore, it's your responsibility as the landlord to verify that this happens.

A tenant can argue that old furnace filters damage air quality, which can lead to legal trouble for a landlord. It could also pose safety issues and cause fires in the home, which would also be bad for the landlord in terms of insurance, lawsuits and property damage.

In addition, having an old or poorly fitting filter will cause the furnace to work harder. That will lead to more frequent maintenance that costs extra money that wouldn't be required if the filters had been replaced regularly.

Furnace filters are relatively cheap at home improvement stores (about \$10), and they aren't too difficult to replace. However, if you're not sure how to do it, you can hire a contractor to do it for you.

9. Clean the gutters

If there are trees near your rental property, your gutters will likely need to be cleared of leaves and debris at least once per year. If you don't feel comfortable doing this yourself, hire a professional for gutter cleaning—it's not too expensive. Keeping water flowing properly is fundamental to keeping your property in the best shape for the longest time possible.

If "exterior maintenance" or "landscaping" is not explicitly spelled out as the tenant's responsibility in the lease, this task is the landlord's.

10. Renew your rental license

You may be required to register your rental property or have a rental license, and any renewal usually is on an annual basis. In some areas of the country, if you fail to register, your tenant can get rewarded monetarily. Yes, that means you'll end up paying your tenant.

Ask your city or state officials for guidance on registering your rental property or license. Most areas have resources online for landlords, offering registrations that are valid until the end of each calendar year. Registration fees apply.

11. Thank your tenants

Finally, don't forget that your tenants are the lifeblood of your business. Therefore, do something nice for your tenants at least once a year to let them know you care about them. This could be as simple as a holiday card or a phone call thanking them for renting from you and wishing them a great year.

A big issue for cash flow is tenant vacancy. By letting your tenants know you appreciate them, you'll find that they stay longer and are more pleasant to work with the rest of the year.

We are all busy, but being a landlord has certain responsibilities in building a solid, long-lasting business. This list should help you get or stay on track.

Welcome New and Returning ROA Members!

James Elstad, Jake Frazier & Michelle Gibbens

Your ROA Board of Directors

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Position #4: Cheryl Kuhn
adelaide09152017@gmail.com (360) 649-2524

Position #5: Dennis Schad
dennisschad@gmail.com (541) 297-3609

Position #6: Vacant

Ever wonder what goes on at ROA Board meetings? Have any suggestions to share? Interested in joining the board? Bring your thoughts and/or ideas. Or just listen in and see what we're all about.

The ROA Board of Directors meets every month. Meetings are always open to members. Contact us for more information.



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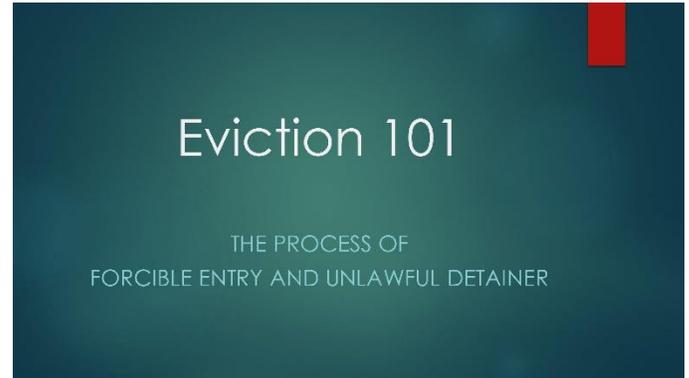
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In Case You Missed It: The Eviction Process

On Tuesday, July 27th, Tia Politi, President of the Oregon Rental Housing Association and President of the Lane County ROA, gave another one of her amazing and highly sought-after classes. We learned not only how to fill out our 1st-3rd step paperwork for the courts, but we also learned the updated rules for abandonment and taking back possession of the unit. While there are many ins and outs to the court process, Tia somehow made it seem a little less daunting for the average landlord. She covered topics such as; how to attend your first court appearance in a professional manner, how to address your tenants in a firm yet compassionate stance in order to avoid retaliation, to the updated rules of terminations. Thank you, Tia for yet another captivating class!

Did you know you can file your case online? It's way easier than standing in line at the court and then filling out forms by hand and can be a time-saving tool for frequent filings. E-filing is active throughout the state.

<https://www.courts.oregon.gov/services/online/Pages/iforms.aspx>



For filing your case in person go to the Coos County Courthouse

- 250 N Baxter Street, Coquille, OR 97423
- (541) 396-7500
- 8:00 a.m. – 5:00 p.m.

Forms are available at the courthouse or online at <https://www.courts.oregon.gov/courts/coos/help/Pages/residential-eviction.aspx>

State eviction forms are available at <https://www.courts.oregon.gov/forms/Pages/default.aspx>

Code of Ethics

Excerpt from the Bylaws of the Rental Owners Association of Southwestern Oregon

The objectives of this Association shall be:

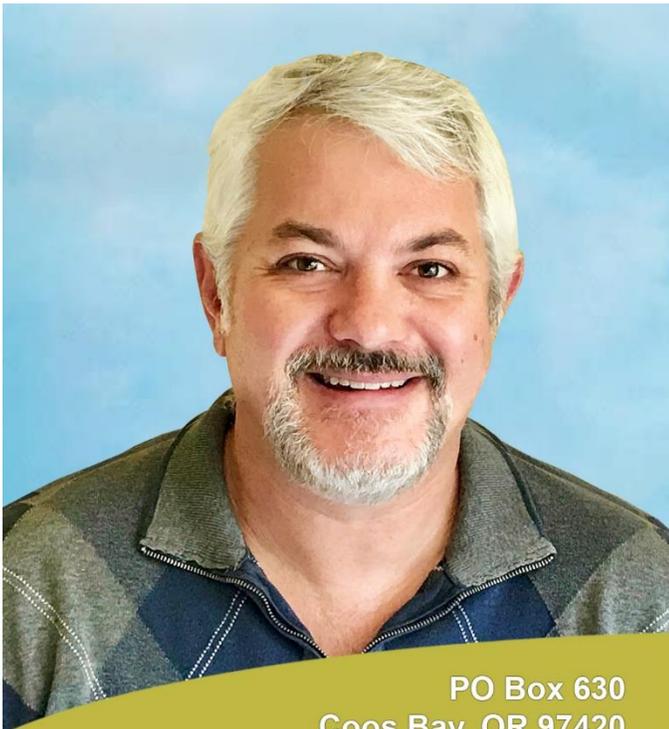
- A. To unite, for their mutual good, rental housing owners, managers and/or their agents in the Southwestern Oregon area.
- B. To strive to maintain those standards of the residential rental industry which are of a high ethical and up-to-date business level.
- C. To stimulate cooperation among rental owners to the end that the best possible service will be rendered to the owners and renters.
- D. To provide appropriate information and educational opportunities on state/federal laws, rules/regulations, policies/procedures and rental housing management.
- E. To cooperate with other organizations having similar goals.





**RENTAL OWNERS
ASSOCIATION OF
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North Bend, OR 97459**



Patrick M. Terry Attorney at Law

**Representing Landlords on the
Southern Oregon Coast since 2002**

As a business manager and landlord of 11 rental units, Patrick understands the needs of his clients and is eager to help you at any stage in your life.

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- Real Estate
- Collections
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- Probate

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