

Does a Committee Have to be Formed?

Every facility is different. The legislation was passed to encourage the facility owner (the landlord or the landlord's representative) to meet with the dwelling owners (residents) to talk to each other.

This statute does not require a committee but sets forth the mechanics if there is a need for a formal method of communication between the parties.

Who Serves on the Committee?

The statute identifies there is to be *one* committee

- of not more than *seven* individuals (can be fewer)
- elected (means a nomination process, ballots, and a method to tally those ballots.)
- in a facility-wide election (the committee cannot be "appointed" by a few, but must be "elected" by the residents in an election where all residents have the opportunity to participate).

Participants may seek resolution through the Office of Manufactured Dwelling Park Community Relations.

This brochure was created by the individuals and organizations listed below. Oregon Housing and Community Services gratefully acknowledges the cooperation, commitment and effort of these resident and landlord representatives in behalf of Oregon's manufactured dwelling park communities.

Coalition of Manufactured Dwelling Park Residents' Associations

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Manufactured Home Owners of Oregon, Inc./OSTA

Manufactured Housing Communities of Oregon

Multi Family Housing Council of Oregon

Oregon Rental Housing Association

MHCO
Manufactured Housing Communities Of Oregon



Steps to Organizing a Committee

Increasing Communication Between the Facility Landlord and the Residents

Brochure prepared by residents, landlords and representatives of Oregon's manufactured dwelling park communities in cooperation with Oregon Housing and Community Services.

Manufactured Dwelling Park Community Relations

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What Is a "Committee"?

The 1997 legislature passed ORS 90.600(5)(a) which states:

"The tenants who reside in a facility may elect one committee of seven or fewer members in a facility-wide election to represent the tenants."

"Upon written request from the tenants' committee, the landlord or a representative of the landlord shall meet with the committee within 10 to 30 days of this request to discuss the tenants' nonrent concerns regarding the facility."

"Unless the parties agree otherwise, upon a request from the tenants' committee, a landlord or representative of the landlord shall meet with the tenants' committee at least once, but not more than twice, each calendar year. The meeting shall be held on the premises if the facility has suitable meeting space for that purpose, or at a location reasonably convenient to the tenants."

"After the meeting, the tenants' committee shall send a written summary of the issues and concerns addressed at the meeting to the landlord."

"The landlord or the landlord's representative shall make a good faith response in writing to the committee's summary within 60 days."

Is the Facility Staff Included in the Election?

This is an *election*. If the staff pay *rent*, the landlord/tenant statute identifies them as *tenants*. If the staff are nominated and elected, it is possible that they could choose to participate. However, it is recommended that the staff of the facility not participate as committee members due to the possible appearance of a conflict of interest.

How Often Should the Committee Meet?

ORS 90.750 identifies that no provisions in a rental agreement or other document shall “infringe upon the right of the persons who rent spaces in a facility to peaceably assemble...” Residents may meet as often as they choose. However, the meeting with the landlord or landlord’s representative is

- limited to be at least once
- not more than twice in a calendar year.

What Should the Committee be Called?

The legislature did not create a name. The committee’s stated purpose was to facilitate communication. Some committees which have been created use a variety of names such as “Communication Committee” or “Resident Relations Committee.” The name should encourage communication, not increase conflict.

What are the Committee’s Responsibilities? How Should it be Elected?

The statute did not create a formal election process, but it is advisable to follow a system to meet the intent of the law without conflict. The following process is recommended:

- Identify a “chief,” someone willing to assume the responsibility for the process. *This cannot be the landlord or staff.*
- Identify a suitable meeting place on the premises if available, or an alternate location if necessary.
- Create a flyer that includes a summary of the process, requests nominations or volunteers, and notifies of the date, time and location.
- Distribute the flyer to every home in the facility.
- Adopt a system to document the entire election process similar to the state election process.
- At the Nomination Meeting, the nominations and volunteers should be reviewed to verify residency in the facility. An Election Committee, of at least three non-candidate residents, should be agreed upon or elected to handle the details of the election.

“This brochure gives landlords and residents an opportunity to sit down and address any problems and concerns.” —*Sally Harrington, Vice President, Commonwealth Property Management Services*

“This brochure is an effort to create a working relationship between residents and owners.” —*Pat Schwoch, Legislative Chair, Manufactured Home Owners of Oregon, Inc./OSTA*

- A ballot should be created and distributed to each home in the facility.
- One resident of record per rented space may vote in the election.
- A ballot box should be made available for the ballots to be returned by a specific date.
- After the date of the election, the Election Committee should open and count all ballots.
- After the ballots are tallied, the top seven individuals should be notified of their election. At the first meeting, a chairperson and recording secretary should be elected from among the seven.
- Issues of the residents to be considered in discussions with the landlord should be submitted to the committee in writing.
- A written request must be sent to the landlord requesting a meeting. A date, time, and location should be included in the request. (The landlord or the landlord’s representative must meet within 10 to 30 days of request.)
- The committee must create a written summary of the issues and concerns addressed during the meeting and send the summary to the landlord. (The landlord must respond “in good faith” within 60 days.)

What are the Landlord’s Responsibilities?

The landlord is responsible to cooperate with the request of the committee and either personally attend or appoint a representative to represent them at the meeting.

The landlord or the landlord’s representative must meet with the committee within 10 to 30 days of the request.

After receiving a summary from the residents of the issues addressed in the meeting, the landlord or their representative shall make a “good faith” response within 60 days.

What Happens if the Efforts Fail?

ORS 90.600(5)(b) If there is conflict or questions regarding any portion of this process, the participants may seek resolution through the informal dispute resolution process available from the office of Manufactured Dwelling Park Community Relations.

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