

To whom it may concern during the 2019 legislative sessions,

I am writing you regarding a controversial bill that is facing you in this legislative session. It is attacking the No Cause Notices and Rent Control on residential properties.

I will start off by saying that landlords are being targeted by people that are telling their side of the story, and since there are about 1000 tenants to every one landlord, you are not getting the entire story. As an established businessman, I am presenting to you another side of the issues before you.

Beginning with the no cause notice, this notice is one of the few ways of having the tenant move from the property without asking other tenants to become overly involved in an eviction process. The reason for this is that we have to rely on the neighbors to keep a record of disturbances and be willing to appear in court. This notice is a way to allow said tenants to move without effecting their future abilities to rent. I urge you to listen to the landlords; here is one:

“I had a very nice family renting from me in a little community called Oak Hills just outside of Beaverton Oregon. This family ran a landscaping company and were very successful, outstanding members of the community. Every morning around 7 AM to 8 AM they loaded their trucks outside their home, parking on the side of the street. This is not illegal or against any policies on the walls of the neighborhood. It created a hazard. When the children going to Oak Hills Elementary school crossed the street coming off of Bethany Boulevard the cars could not see the children. As the cars took a left turn off of Oak Hills Drive onto Oak Hills Boulevard they were unable to see the children because of the obstruction that the landscaping truck caused. In fact one child got hit. Fortunately that child was not seriously injured. Even though cars were traveling at low speed’s they could still potentially kill people, especially children. Since there were no laws, rules, or regulations broken there was no way to evict these people for cause. After repeated attempts through letters and personal conversations they continued to do the same thing over and over again. Several neighbors complained to me and to them about the hazard they were creating. Yet since they have rights they would do nothing about it. Eventually I gave them a no-cause notice to vacate the premises. They grew too big and were creating too much of a hazard in that neighborhood. They did end up moving very peacefully. I did not want to hurt their credit or their rental history by giving them a cause notice.”

“Another example was in Wilsonville at a four-plex on Serenity Lane. I had one gentleman who was making a lot of noise with the traffic that would come in late and last until the early morning hours. The neighbor next-door started to complain. They could not sleep and the traffic was effecting the neighborhood’s peaceful enjoyment. Once the neighbors started complaining about the traffic and noise at all hours of the night, we sent the troubled neighbors a notice to vacate. Two days after the disturbing neighbor got the notice the affected neighbor’s tires were slashed on one of their vehicles. They also received threats from the disgruntled tenant stating they better not get evicted or they would kill them.”

Having dealt with the judges in Clackamas County for many years I knew that no judge was going to evict this tenant because they had traffic coming in and out. My only option at that point was to give them a No Cause Notice. This was not a one-sided case of just two tenants having an argument. Four different tenants had complained about the traffic.

These are some of the stories that you are not hearing. For every No Cause Notice that has been issued to a tenant there is a justifiable reason that benefited the community. This type of notice prevents an eviction on a tenant's rental history. If you limit the ability of an owner to use a No Cause Notice the harm is felt more by all tenants rather than the owner in that the tenants living there are frustrated by the inability to have a situation remedied in a peaceful way. Furthermore the tenants are then being evicted For Cause thus limiting their ability to find another place to live.

There has been a rise of people saying they have established residence in a home fraudulently. If an individual has fore knowledge, they can wait until a homeowner goes on vacation and they can mail a package or a letter to that home. They then live there as a tenant and under Oregon State Law they have established residence. Changing laws such as these would help both landlords and tenants. The potential that anybody can convince a police officer or a judge that they live in a home by simply saying they have established residency without a lease or paperwork is frightening, you can come home from vacation and find someone living in your house and potentially having to wait through years in civil court to remove them from your home.

Thank you for taking the time to listen to these concerns.

Sincerely,

David Nase