



Dear Property Guy

By Mike Zoormajian

Dear Property Guy,

I just moved out of a rental I lived in for several years. The Formica countertops had some cuts and burns (my fault) in it when I returned the house. The landlord wants to charge me for a whole new countertop even though the thing was pretty beat down when I moved in.

— Deposited

Dear Deposited,

Great question. A slight twist on the old “Wear and Tear” vs. “Damages” discussion. This is one of those areas that can turn into a huge hassle and get nasty and expensive. Or it can go relatively smooth if both parties are reasonable and understand the basic concepts in play.

In this case, you are owning the fact that you damaged the countertops. Cool. The only question is how much

Normal Wear and Tear on Rental?

is fair to pay for that damage. The exact answer is a little squishy, but the concept is basic. And that concept is that of “useful life.”

Let’s say for example that the useful life of a cheap countertop is more like 20 years in a rental. (I like round numbers, so work with me here.) Let’s then say that you lived there 5 years. If you damaged it to the point it needs to be replaced, you should be on the hook for 25% of the cost of replacement. Make sense?

So if your landlord is getting quotes of \$1,000 to replace the countertop, a fair amount for you to pay is more like \$250. So if your landlord is trying to hit you for the full replacement, he would definitely get smacked down in court.

I recommend having a conversation with them and discussing this concept of “useful life.” Understand exactly how old the countertop was. Then try to agree on how long a countertop should last in a rental setting. Get some expert opinions here. Then determine exactly how much it will cost to replace. My hope is that it turns into an easy conversation from there. Good luck!

— Mike

Dear Property Guy,
I just moved out of my rental. I got the normal move-out statement, which deducted more than I thought was fair from my deposit, but I could live with it. I’ve been out of the place almost two months, and now get a bill for cleaning from the new property manager. Do I need to pay this?

— Sisters Security

Dear Security,
Short answer: No.

Longer answer: All accounting for security deposits needs to happen within 31 days. Renter must be provided this accounting in writing, along with details of any deductions. This is all covered in fascinating detail under ORS (Oregon Revised Statutes) 90.300.

— Mike

Mike Zoormajian is principal at WetDog Properties in Sisters, OR. Providing local property management and investor services. Questions, comments to: letters@wetdogpnw.com

Free legal advice is worth what you pay for it. Consult a real attorney before doing anything crazy.



PHOTO PROVIDED

“Pasture’s Dawn Light” by Sisters watercolor artist Winnie Givot.

MOTH AUCTION: Sisters Folk Festival is taking annual auction online

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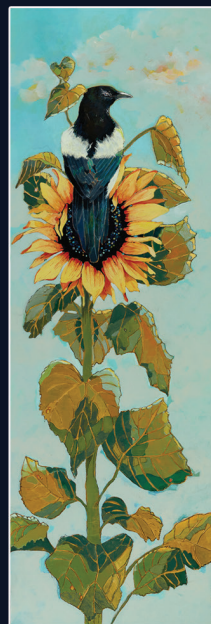
Oregon artists and businesses who have contributed.

SFF creative director Brad Tisdell said, “SFF staff and board truly thank you for sticking with us through these uncertain times. Your support

of SFF’s organizational mission is so important and tremendously appreciated right now.”

Follow Sisters Folk Festival on Instagram, Facebook, or Twitter for up-to-date information. To learn more about the Sisters Folk Festival organization and preview the more than 70 items that will be up for auction go to www.sistersfolkfestival.org/auction-items.

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