

Opponents clash again over weakened tenants rights bill

By NAN HENDERSON
Of the Emerald

SALEM (Special) — Landlords and tenants once again clashed in testimony during a Monday hearing on SB 159, the overhaul of present landlord-tenant laws.

The bill, which recently passed the Senate, is now before the House Committee on Local Government and Urban Affairs. The bill now under consideration, however, is substantially weaker than the original SB 159 introduced at the beginning of the legislative session.

Before the Senate approval, SB 159 was considered for weeks by the Senate Committee on Local Government and Urban Affairs which attempted to resolve the major conflicts between landlords, who opposed almost all of the original measure, and tenants, who strongly supported the original bill.

The Senate committee tried to strike a compromise between the protests of the landlords and the demands of the tenants by removing sections from the bill which would have allowed tenants to make minor repairs in rental units and deduct the cost from rent, limited security deposits to not more than one month's rent, required landlords to comply with present building codes and granted attorney's fees in court cases primarily only to tenants.

But the committee retained sections which required landlords to return security or cleaning deposits, prohibit landlords from evicting tenants for joining a tenants union or otherwise exercising their legal rights, prohibit the "landlord lien" (which presently allows a landlord to lock a tenant out of a rental unit and sell his or her property if rent is not paid on time), require landlords to provide a basically "habitable" unit with basic services such as heat and water, and permit the fact that a land lord does not provide a "habitable" unit to be used as a defense in court cases involving nonpayment of rent.

Sen. Keith Burns (D-Portland), an attorney and the chairer of the Senate Committee on Local Government and Urban Affairs, told the House committee that tenants in Oregon currently have almost no legal rights and that the amended SB 159 gives tenants "substantial rights."

He said he felt the amended bill is a fair compromise, though he would have liked to retain the "repair and deduct" section of the original bill. But

at the present time, he said, retaining the section would have caused the defeat of the entire bill on the Senate Floor.

Burns said that the Senate committee removed the sections in the original bill which granted attorney's fees in court cases only to tenants to try to prevent major landlord-tenant cases. Rather, he said, the Senate committee hopes to see landlord tenant cases settled in small claims courts where disputing parties argue their own cases instead of hiring attorneys.

The Portland senator told the House committee he would be "very disappointed if the bill got much weakened any more."

Landlord representatives at the hearing, however, urged the committee to make several changes in the amended SB 159.

Ken Whitaker, a Portland attorney for the Portland Homebuilders Association, told the committee that the amended bill "is too vague with too many undefined terms."

He said, "The bill is going to create more problems than it solves."

Whitaker asked the committee to amend the bill to allow landlords to charge a non-returnable cleaning deposit, to enter a rental unit at any "reasonable time, to change the number of days a landlord has legally to repair a rental unit from 14 to 45, to delete sections which allow failure to provide a "habitable" unit with basic services to be used as a defense in non-payment of rent court cases and to delete the section which abolishes the landlord lien.

Tenant representatives, including ASUO Housing director Frank Wall, supported the amended bill during the hearing but asked the committee to adopt minor amendments. The amendments would make a landlord liable if he or she sues a rental agreement which, when signed by a tenant, waives the tenants' legal rights and would require a landlord to explain to a tenant how any rent increase is determined.

Charles Williamson, a Portland attorney representing tenants organizations, told the committee that the amended SB 159 "is a very moderate bill."

He said, "Further weakening of this bill would make it practically worthless to tenants."

Another hearing on the bill is scheduled for Friday.

Conventional housing draws architects ire

By GALE ROHDE
Of the Emerald

"Whatever else you call conventional housing, you cannot call it a success," said British architect Martin Pawley. Pawley spoke Monday night on "Garbage Housing." Housing projects haven't achieved the goals that have been set for them.

Part of the problem, Pawley says, is that public housing as now conceived, mass structures housing great numbers of people, is in "direct conflict with the dream structure," with the ambitions, the wishes and the desires of the people who live in the society.

The dream house, as typified by a house in Chestnut Hills, consumes energy and resources at such a volume that it is impossible to give it to more than 40 percent of the population. But unless there were some way of making public housing indistinguishable from private housing, even to the occupants themselves, the only answer that

Pawley sees is an ideology which no longer places the same value on the "Chestnut Hills" house.

Every year in the United States, Pawley pointed out, 50 billion bottles are produced, 6.5 billion bricks are produced, 60 billion metal cans and 6 billion concrete blocks. That is to say, there are about eight times as many bottles as bricks being produced and 10 times as many cans as concrete blocks. As it is, a great many of these bottles and cans and many old car parts are being thrown out and wasted. But Pawley feels that the product itself can be redesigned to use for building purposes. Instead of being a "crafted envelope enclosing consumer goods" a house should be composed of consumer goods.

The problem with producing houses, Pawley observes, is not in their actual production but in where you put them. If when you bought a car, you were required to pay for five miles of turnpike,

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