

Home sweet home, may sour some tenants

Some guidelines help avoid disputes

Home away from home for a University student means a place to play the stereo, throw dirty clothes where ever is convenient and store beer. "Home" can be an apartment, house or room.

University students' unstable lives send them from address to address and from landlord to landlord. Ninety percent of University students move within six months, estimates Charles Spinner, Legal Services attorney.

The most common problems in landlord/tenant relationships for University students are avoided easily if the tenants know the basic guidelines that can protect them from unnecessary disputes.

The first step is understanding each other. A landlord primarily wants to collect the rent. Many lawyers agree that, of all renters, the transient student population reacts more readily to the landlord-tenant act violations.

A lease, a written or verbal agreement, defines the rent, length of tenancy, and responsibilities and limitations of both the landlord and tenant. A lease cannot contradict the Oregon Residential Landlord and Tenant Act, Spinner says, except in specific areas. For example, the landlord must maintain the appliances provided, unless otherwise agreed in writing.

"It's a mistake to sign a lease if roommates are moving in and out," Spinner says. "The life of a college student can change drastically in a short time. In a lease, you're responsible for the rent for the extent of the lease period."

Most students rent on a month-to-month basis, Spinner says, to their advantage. "It's nice to have the flexibility" to move out, he says. But under a month-to-month lease, a 30-day notice from the landlord can order a tenant to move out or pay increased rent. He adds, however, when vacancy rates are high — as they are in Eugene now — "tenants seem to get better treatment from landlords."

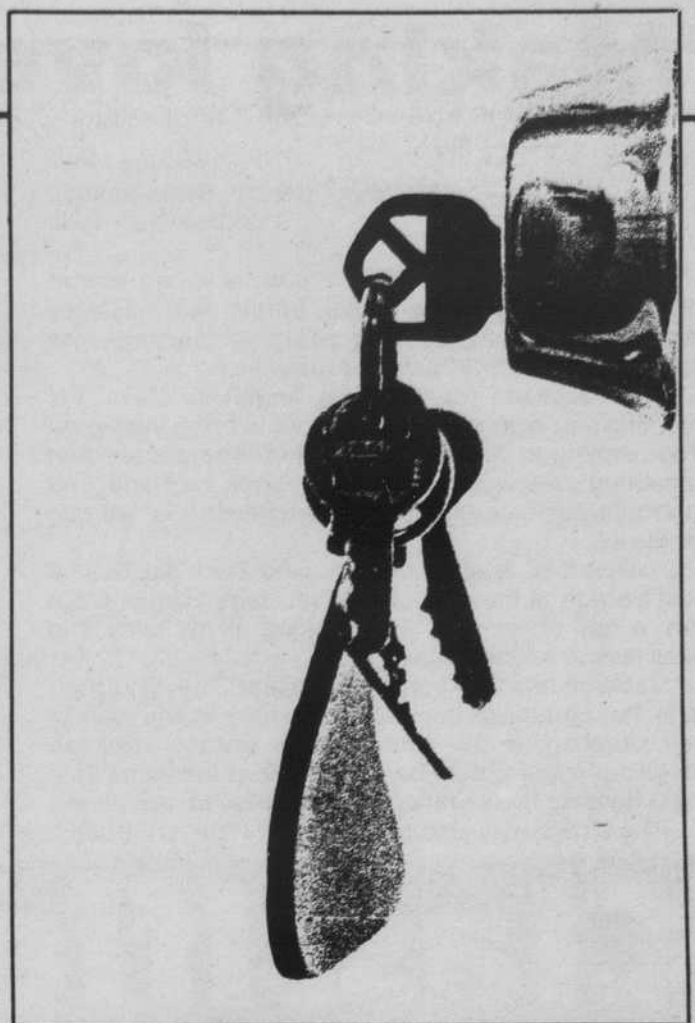
Security deposit returns, known in legal terms as "accounting", cause most of University area landlord/tenant disputes, Spinner says. He advises new tenants to fill out a detailed inventory on the condition of a new place before or on the day of moving in. Reporting chipped tiles, a cracked hearth, or a stained carpet can protect them against security deposit deductions for previous damage.

Off-Campus Housing in Suite Three of the EMU has detailed checklists for students, which are more specific than the standard forms used by many landlords. False itemizations, overcharges for damages and not returning deposits are common practices, says David Allensworth, Off-Campus Housing staff member. A checklist, dated and signed by the tenant and landlord, can be used as proof against false deductions.

All agreements and communications should be in writing. "Verbal agreements are contracts. The problems arise when people have different versions of what was said," Spinner says. Even telephone calls should be followed up by written confirmation. This complies with the written notice requirements in the Residential Landlord and Tenant Act and starts the time clock for legal deadlines, Spinner says.

"The landlord/tenant relationship doesn't have to be adversarial, but it should be formal. There's a lot of money involved," Spinner says. He advises tenants not to take it personally. "Communications should be preserved and recorded."

Stories by Carol Morton
Graphic by Max DeRungs



Landlords liable for all faulty locks

Slightly more than a year ago, a woman asked her property manager for the fifth time to replace the broken lock on her back door. Each time, the property manager said a new lock would be installed right away. This time, the woman, a single mother in Eugene, was assured the lock would be replaced that afternoon.

The afternoon faded with the lock still broken. That night a man walked in the unlocked back door and raped her at gunpoint in front of her two children.

"This is gross negligence on the part of the landlord in my mind because the tenant could have repaired the door herself if she had not been repeatedly assured it would be taken care of," says lawyer Charles Spinner of Legal Services.

Cases of "the bushy-haired strangers who come in and rape you" are uncommon in Eugene, says Don Ellingson of the Eugene Police Department's COP team. However, common sense says broken or insufficient locks can make an apartment or house easily accessible to strangers, bushy-haired or not.

The Residential Landlord and Tenant Act of Oregon requires the landlord to provide working locks and keys for all outside doors of the dwelling unit. A 1979 amendment qualified this so that keys are mandatory for locks with keyholes.

Beyond this thin mandate to provide a lock, the act doesn't define what a lock is or specify whether the landlord's responsibility involves the quality of the lock.

The term "working locks" is vague however, and suggests anything from the 89-cent dimestore variety to the double cylinder deadbolt, Spinner says. "For one, many locks are easily pickable. Two,

many doors are not sturdy."

While the landlord has an absolute duty to have locks working when a tenant moves in, he has seven days to fix a broken lock after the tenant notifies him. "By law, this is a reasonable length of time necessary to effect repairs. One's good conscious might make you repair it a lot quicker," Spinner says.

Sometimes a landlord makes a good effort to repair damages when they threaten a tenant's security. A loose window in the top half of a door cracked when the tenant slammed the door "under normal use." The landlord came the same day. After he had measured the space, installed the glass, he broke it again himself. The glass store was closed, so the landlord nailed up cardboard and said he would repair it in the morning. That night a burglar broke through the temporary patch.

"This situation tells you that you better have property insurance if you're a tenant. It's not very expensive," Spinner says. "The landlord is not the insurer of the tenant's property."

Landlord liability for intrusions remains a hazy area in law. But Spinner says the landlord probably wouldn't be responsible for a break in cases like the above.

In a recent case concerning a robbed student, Spinner proved the landlord was liable. "There were no latches — we're not even talking locks — on the windows." When she moved in, the tenant requested the latchless windows be fixed.

"We were able to prove the burglar entered through the window by the palm print where he grabbed it and slid it open, a dirty foot print and leaves on the carpet under the window," Spinner says.

et al.

MEETINGS

The Incidental Fee Committee will hold budget hearings in the EMU (room to be posted). Schedule: 4 p.m., ASC-AIA; 4:20 p.m., OSP/IRG; 5:20 p.m., NASU; 5:50 p.m., BSU; 6:30 p.m. Rec. & Intramurals.

An organizing meeting for a Nuclear Weapons Freeze rally is being held today at 7 p.m. at 1236 Kincaid St. (basement).

The Central America Working Group will meet today at 6 p.m. at 795 Willamette St., Room 302. The group discusses issues and works actively to respond to U.S. policy on Central America. For more information, contact Mary or Kirk at 485-1755.

The Political Science Student Union will meet today at 4:30 p.m. in Room 330, Condon Hall.

Amnesty International's Eugene Campus Group will meet Wednesday at 12:30 p.m. in Century Room A, EMU. **The Marketing Association** will hold a general meeting today at 3:30 p.m. in Room 337, Gilbert Hall. Items for discussion will include coffee sales and the upcoming American Marketing Association Convention in Portland. The guest speaker will be Ed Burgeron from Lane Transit.

An informational meeting on Denmark's international Study Program will be offered Thursday at 12:30 p.m. in Room 222, Lawrence Hall.

SPEAKERS

"Pacific Northwest Writing: Reaching for Regional Identity" is the topic of the 1982 Beekman Lecture, which will be delivered by Edwin Bingham, University history professor, today at 8 p.m. in Gerlinger Lounge.

"Salmon and Indians: A Retrospect" is the topic of a lecture today at 8:30 p.m. in the EMU Forum by Dr. Ted

Strem. Strem's speech is part of the Survival Center's Salmon Symposium. For more information, contact 686-4356.

The Transcendental Meditation Program is the topic of a free public introductory lecture Wednesday at 8 p.m. at the Eugene Public Library, 100 W. 13th Ave.

CLASSES

"First Aid for Choking Victims" is the topic of a one hour class being offered by the Lane County Chapter of the American Red Cross today from 7-8 p.m. Cost of the class is \$1. To sign up for the class, call the Red Cross Safety Programs at 344-5244.

MISCELLANEOUS

The Northwest National Security Conference needs volunteers for a variety of different tasks. If you are willing to help, contact Dave Isenberg or Bev Shoopman at the ASUO, Suite 4, EMU, or call 686-3724.

Averd Heart, of IBM, and Don Moore, of Computer Land, will demonstrate IBM's personal computer, talk about the IBM Corporation, and show a short film, "Pushing the Limit," today at 7 p.m. in Room 231, Gilbert Hall.

The Baha'i Campus Association will have an information table in the EMU lobby today. Free literature and answers to your questions.

Regular Wednesday afternoon Bible Study is held at the Wesley Center at 1236 Kincaid St. at 3 p.m. This group meets on a drop-in basis.

Sociology majors are subject to two additional requirements for graduation beginning Spring term, 1982. All majors should check with the Sociology Department or the Sociology Peer Advisors for information.

DOONESBURY

by Garry Trudeau



BLOOM COUNTY

by Berke Breathed

