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Basic standards are *basic* rights

■ Oregon law provides fundamental protections and responsibilities for renters

By Steven Neuman
for the Emerald

Eugeneans have been endowed with certain inalienable renter's rights.

Among these rights, the protection of the tenant figures highly. However, many students just don't know the rights they already have as tenants.

ASUO Community Outreach Coordinator Megan Hughes works actively with renter's rights issues.

"Students need to be aware of their rights. Ninety percent of University neighborhoods are rental properties, and that means that it's the primary housing for campus," she said. "There is a constant turnover from year to year, and the problem is most students don't bother to learn because they're in and out so fast."

The current rights of Eugene tenants are the result of the statewide Oregon Landlord and Tenant Act, not a city housing code. Several efforts are currently under way to adopt a city ordinance or ordinances to replace the Landlord and Tenant Act.

According to the Oregon Landlord and Tenant Act, a landlord is required to make repairs, the rental unit must have basic safety and it must meet sanitation and livability standards. These include effective waterproofing and weather protection; hot and cold running water connected to a sewage system; safety from fire hazards; working keys, locks and window latches; no garbage or rodents in the unit or public spaces around the building when tenants move in or throughout the tenancy; adequate plumbing, heating and electrical equipment maintained in good working order; and garbage removal unless otherwise specified in writing.

"The landlord and tenant can agree in writing that the tenant will fix certain

things if the agreement is not an attempt by the landlord to get away from the duty to repair. The written agreement must state the amount of the payment for repair, and it must be a fair amount," according to the Landlord and Tenant Act.

In the instance that a tenant complains about the need for a repair, the landlord cannot retaliate by varying rent rates, withholding services, serving an eviction notice, threatening eviction or filing an eviction case after a tenant.

A key right often overlooked is that landlords may not enter a rental unit without notice.

"One of the biggest problems I see is access abuse," said Brenda Woods, manager of the Rental Office in the EMU. The landlord must give a 24-hour verbal or written notice before entering, unless there is a reason for not providing notice, such as an emergency or instance where the tenant has agreed to let the landlord in without notice. A "notice" does not necessarily mean a written statement; notices may be informal conversations.

"Every instance when your landlord enters the unit must be after a 24-hour notice," Woods said. "That includes if they're going to be showing it, say from now until June. You must be notified every time. If the landlord fails to notify you he must pay you one month's rate, so if your rent is \$1,000, and your landlord shows the apartment 10 times then he owes you \$10,000."

This right also applies to backyards, which are private spaces and an extension of a tenant's rented property. The landlord must also give notice before entering the yard of a single-family residence or any other space rented to one tenant. A repair person hired by the landlord may also enter, but the landlord must first give the tenant a 24-hour written notice stating the names of the workers and the work that is

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