

RENTERS BEWARE

OSPIRG's renter's rights project has documented hundreds of instances of dissatisfied tenants

By Sheldon Traver • Freelance Reporter

Walking up the steps of her Eugene apartment, senior Alyson Harding expected confrontation. She inched closer to the door and heard the footsteps of the beast she was about to confront: 60 pounds of matted black lab with growling, dirty yellow teeth

snarling in the window.

"I end up crying and shaking every time I see it," Harding said. "It's the spawn of Satan."

Harding said her fear of various dogs that have shared her living space has forced her to move.

"I've had to move eight

times in four years," she said.

To avoid situations such as this, renters should be wary of the housing situations they may be considering.

OSPIRG is working on a renter's rights project at the University and Lane Community College. Oregon Student Public Interest Research Group Campus Organizer Kit Douglass said the group received 150 calls on its renter's rights hotline in April.

"We had one renter who had a toilet that would back up constantly and overflow into the kitchen and kitchen cabinets," Douglass said.

She said OSPIRG has seen houses with enough structural damage that the front door would not close, and added that it is important for renters to be assertive when choosing a rental.

"The landlord — according to law — is supposed to provide a habitable place to live," Douglass said.

History major Jeromy French said he wishes he would have known more about his rights prior to moving into an old apartment.

"The roof was rotting, and there was a hole in the corner of my roof," French said.

To remedy the problem, he bought plastic to make a funnel for the torrent of water that would come when it rained.

"One evening I came home, and it had funneled into a corner and onto my roommate's bed downstairs," French said.

Fortunately, his roommate was able to find a dry spot to sleep until the mattress dried.

"The owners said they would get to it; however, it was never very high on their priority list," French said.

He lived with the problem for a year before finally moving out.

OSPIRG suggests students

carefully examine their potential rental and write down any necessary repairs and when they will be fixed. For housing questions, call 346-HELP for free assistance.

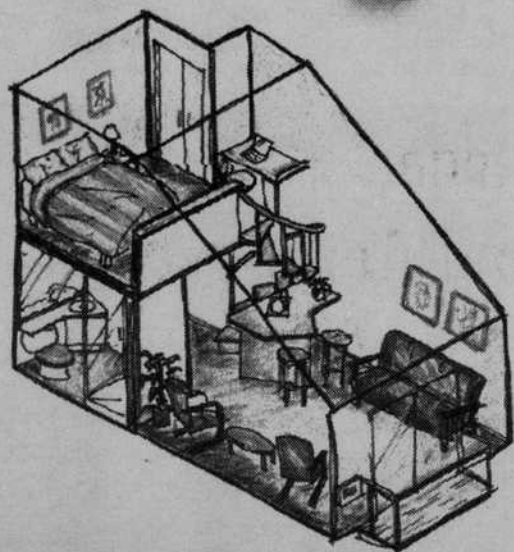
Harding said she will meet her neighbors before signing any new agreements. For now, she said she hopes others will learn from her bad experiences.

"I live in a place where my neighbor's dog is evil and tries to kill me," Harding said. "It can't get much worse than this."

Sheldon Traver is a freelance reporter for the Emerald.

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DEPOSITS

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prior to moving in. The report allows renters to list damages that already exist.

Alecia Yenter, 24, said she has always had her deposit returned.

"The most important thing to do is walk through with your landlord before you move in and again when you move out," she said. "Make copies of the agreements and even take pictures if you need to."

Yenter said to take time to walk through the house with the landlord and document damages to avoid paying later for them. Then, ask for a copy of the initial damage report and keep it.

She added that taking pictures is a valuable tool in avoiding paying for damages made prior to moving in. Sign and date the pictures upon moving in and again when moving out. Landlords can charge for damage beyond normal wear and tear, which can be an issue of interpretation.

Some landlords offer the alternative of a separate non-refundable deposit for allowing pets to live in the unit.

Landlord Kathy Re said typically this deposit is significantly less than the security deposit.

"We charge a separate \$200 non-refundable deposit for pets," she said.

The non-refundable animal fee will usually cover the cost of carpet cleaning upon the tenant moving out.

If a landlord finds a pet when the lease doesn't permit animals, the renter risks losing a larger amount of money from the security deposit. It is better to pay the initial pet

deposit.

Renters have options if they feel they have wrongfully been denied the return of a deposit. ASUO provides free legal services for these types of situations.

Linda Miller, assistant director of ASUO Legal Services, said renters need to make an appointment to talk about the situation. She said these cases are common and rarely result in a court case.

"We are usually able to negotiate and get a satisfactory settlement for students without going to court," Miller said.

Renting advocates said the first thing to do is notify the management in writing that there is a disagreement with the charges and why. Send the letter with a return receipt requested, and keep the receipt.

Student Chrystal Price, 21, said the \$200 carpet damage charge she received when she moved out of her apartment last year was unreasonable. Price contacted her mother and lawyer.

"I wrote them a letter saying that I had contacted my lawyer and refused to pay the damages," she said, adding that she reached an out-of-court settlement.

The last resort is small claims court. The Oregon State Landlord Tenant Security Deposit Law states that in Oregon, landlords must return deposits to their tenants within 30 days, but they do have the right to withhold a reasonable amount from the security deposit for damages claimed. The reasonable amount usually cannot exceed the cost of the repairs and the time needed to repair the damages.

Lauren Wilson is a freelance reporter for the Emerald.

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