

Long-term leases are shopped around, again

By ERIC A. HOWALD
Of the Keizertimes

The California-based owner of several Keizer and Salem area manufactured home parks is, again, urging existing residents to sign long-term leases.

A flyer distributed to residents of Wildwood Villa in north Keizer pitches the long-term leases as a way to take advantage of a lower 4 percent rent increase this May.

However, language in the long term leases given to residents in 2019, and reviewed by *Keizertimes*, offer no guarantee of a minimized rate increase and even the language of the flyer is not as straightforward as it might appear.

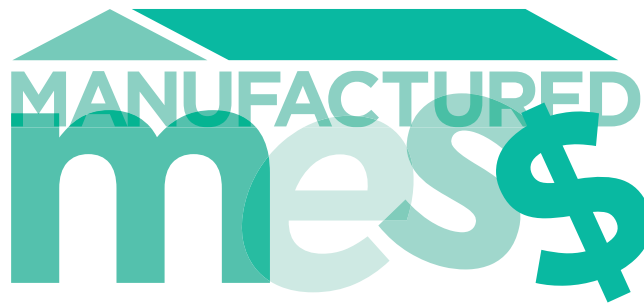
The flyer states that “base rent increases will be 4 percent instead of the average market increase of 6 percent to 10.3 percent, as allowed by the Oregon Senate Bill-608.”

SB-608 caps rate increases at 7 percent plus the inflation based on Consumer Price Index for Western States, but it does not mandate an increase. The overall cap also decreased to 9.9 percent Jan. 1.

The last contract *Keizertimes* reviewed also stated, “In no event shall the annual increase in the rent be less than 4 percent.”

The flyer invites residents to come by the Wildwood Villa main office to learn about impacts to utilities, rental increases and capital improvements.

Keizertimes spoke with Attorney Matthew G. Shepherd of Salem last year when the paper was reviewing the



then-recent draft of the long-term lease.

“You shouldn’t sign it,” Shepherd said. Shepherd advised residents of a Salem manufactured home park when they brought him copies of a contract being offered at their park.

The long-term contracts attempts to put homeowners within the park on the hook for capital improvements, such as road and sidewalk maintenance as well as maintenance and replacement of carpools.

Shepherd believes such clauses are against the law in Oregon, but it hasn’t yet been tested in court. Submitters for individual lots are the only capital expenses that can be passed along to individual homeowners in Oregon.

Even if residents sign such leases, they are not binding and can be canceled with a 30-day notice.

The greater threat, said Shepherd, is if all residents sign the contract agreeing to such provisions. A mix of legacy tenants and new arrivals in manufactured home parks

means homeowners are operating under different lease terms.

“Unless you have uniform leases, how do we know what each owner is responsible for,” Shepherd said.

A uniform contract gives property owners more weight in court and moving the needle in that direction is what some residents suspect is happening.

“Trial court judges generally don’t want to get into these issues and, if there’s a long-term lease, they might hold the tenants to the signed contract,” Shepherd said.

Another challenge is that by signing a fixed-term agreement, resident homeowners are also subjecting themselves to a different leasing terms down the line.

“A month-to-month agreement renews automatically. A landlord can send a new agreement, but tenants can’t be evicted if they don’t sign it,” Shepherd said. “If [property owners] have a fixed term agreement, they can force another new agreement on you.”

traffic court

SUNDAY, JAN. 19

1:15 a.m. - Motor vehicle theft in the 700 block of Apple Blossom Avenue NE.
2:31 a.m. - Arrest for driving under the influence of intoxicants at the intersection of River Road N. and Menlo Drive N.
5:46 a.m. - Burglary in the 4000 block of Cherry Avenue NE.
9:30 a.m. - Theft in the 6000 block of Keizer Station Boulevard NE.
10 a.m. - Arrest for assault in the 1000 block of Willow Lake Road N.
10:40 a.m. - Traffic accident in the 4000 block of Verda Lane NE.
11:30 a.m. - Motor vehicle theft in the 1000 block of Susan Court NE.
2:08 p.m. - Theft in the 300 block of Chemawa Road N.
6:40 p.m. - Telephonic harassment in the 100 block of Garland Way N.

MONDAY, JAN. 20

4:40 a.m. - Motor vehicle theft in the 4000 block of Cherry Avenue NE.
8:58 a.m. - Counterfeit currency, unlawful possession of methamphetamine, felon in possession of weapon, theft and unlawful possession of a firearm at the intersection of River Road N. and Stark Street N.
7:30 p.m. - Motor vehicle theft in the 2000 block of Kennedy Circle NE.

TUESDAY, JAN. 21

12 a.m. - Vandalism in the 900 block of Chemawa Road NE.
7:26 a.m. - Traffic accident in the 5000 block of McLeod Lane NE.
8:21 a.m. - Minor in posses-

sion of prohibited substances in the 500 block of Chemawa Road N.

11 a.m. - Failure to perform duties of driver when property was damaged in the 500 block of Chemawa Road N.
12:45 p.m. - Traffic accident in the 3000 block of Brooks Avenue NE.
4:42 p.m. - Motor vehicle theft in the 6000 block of Keizer Station Boulevard

WEDNESDAY, JAN. 22

12:17 a.m. - Aggravated harassment and shoplifting in the 4000 block of River Road N.
11:03 a.m. - Motor vehicle theft in the 3000 block of River Road N.
11:08 a.m. - Shoplifting in the 4000 block of River Road N.
11:18 a.m. - Disorderly conduct in the 500 block of Chemawa Road N.
11:45 a.m. - Motor vehicle theft in the 3000 block of River Road N.
1:07 p.m. - Burglary and criminal mischief in the 3000 block of River Road N.
3:47 p.m. - Motor vehicle theft in the 4000 block of Arnold Street NE.
8:30 p.m. - Theft in the 1000 block of Lockhaven Drive NE.

THURSDAY, JAN. 23

4:24 a.m. - Criminal trespassing in the 5000 block of River Road N.
10:25 a.m. - Stalking order violation in the 3000 block of River Road N.
10:43 a.m. - Identity theft, mail theft and theft in the 200 block of Sandy Drive N.
7:35 p.m. - Criminal trespassing in the 4000 block of River Road N.
8:30 p.m. - Motor vehicle

theft in the 4000 block of Noon Avenue NE.

10:05 p.m. - Criminal trespassing in the 4000 block of River Road N.

FRIDAY, JAN. 24

1:07 a.m. - Unlawful entry to vehicle in the 1000 block of Troy Street NE.
12:31 p.m. - Traffic accident at the intersection of River Road N. and Cummings Lane N.
5 p.m. - Theft from motor vehicle in the 6000 block of Keizer Station Boulevard NE.
9:33 p.m. - Disorderly conduct in the 6000 block of Keizer Station Boulevard NE.

SATURDAY, JAN. 25

9:16 a.m. - Warrant served, disorderly conduct, unlawful possession of methamphetamine, hinder prosecution and interfering with a peace officer in the 4000 block of Crater Avenue N.
4:05 p.m. - Bicycle theft in the 4000 block of Bailey Road NE.
4:42 p.m. - Unlawful possession of methamphetamine and parole violation in the 800 block of Chemawa Road NE.
5 p.m. - Motor vehicle theft in the 1000 block of Clearview Avenue NE.
10:07 p.m. - Vandalism in the 6000 block of Jacobe Street NE.

SUNDAY, JAN. 26

1:51 a.m. - Fleeing or attempting to elude a police officer at the intersection of River Road N. and Stark Street N.
5:17 p.m. - Vandalism and theft from motor vehicle in the 1000 block of Chemawa Road N.

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Dr. Blake Nonweiler, right, is a board-certified orthopedic surgeon. He believes in taking time to listen to his patients, combined with teamwork, produces the best patient experience and outcome.

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