

FLORENTINE from page 1A

BAD RENTERS

The question on Florentine Estates' ballot asks whether or not to amend the estates' declaration to change who can rent out their properties. Currently, anyone can rent out properties they own, and manage them either by themselves or through a property management agency.

Currently, there are only a smattering of homes that are actually rented out.

"I think we had upwards of above a dozen at one time," Nelson said. "I think we're confident it's below that now. I know of two rentals that have been put up for sale and sold."

Of the renters that have remained, some residents have stated they are creating problems in the community.

"If there's a problem that comes to the board with a home, about 90 percent of the time it's going to be a renter," Waide said.

He recalled a time when one renter had children living in their home. The neighbor felt that they were making too much noise.

"The neighbor wanted to build a fence to get rid of the noise, but a fence doesn't fit in the legal standards that are set in our guidelines. So, the board couldn't help her," he said.

Nelson also stated that, on the whole, renters have less incentive to take care of their yard because it's not written into their lease agreements.

Complicating the issue is that Nelson can't address any issues with the renters themselves and instead is required to deal directly with the owner of each property. This creates a gap in the time it takes to respond to a complaint, especially when the homeowners live in a different state and have a "hands off" attitude toward their renters.

This is not to say that it's a frequent issue, according to Nelson. In fact, he hasn't really experienced problems with renters, and often doesn't even know if a person living in a unit is a renter or not.

And not all renters are prob-

lems.

"We have a couple of renters in here that are wonderful," Waide said.

"And it's not that we don't have similar issues from homeowners," Nelson added.

There is also the possibility that residents are more vocal about issues regarding renters while letting problems with local owners slide.

Opponents of the measure believed that restricting rentals is essentially throwing the baby out with the bathwater, punishing all those who rent — or plan to rent — their properties.

CORPORATE TAKEOVER

Another fear that residents have involving rentals involves a postcard that was delivered by a realty agency in Clackamas. "My name is Jesse and I would like to purchase your property," the postcard stated.

Those who called the phone number on the card stated the individual offered to buy the property and rent it back to them.

This created a fear by some members that corporations could come in, buy tons of property and drastically change the atmosphere of the community by making it a majority rental estate.

The Siuslaw News attempted to contact the realtor who sent the postcard to see what their motivation was behind buying property, but did not receive a response to inquiries.

"Scare tactics such as 'outside developers will take Florentine over if rentals are allowed...' are being deployed by proponents to influence votes," one opponent of the measure said.

Is such a takeover possible?

"If you ask me, if one corporation will come in here and buy up a majority of the places and be able to turn this into something else, I would be hard pressed to say 'yes,'" Nelson said. He points out that in the many years that the community existed, no such thing has occurred.

But in part, it was because of those fears and complaints that the measure to curtail who could rent was created.

BANNING RENTALS

The HOA's own description of the ballot measure can seem confusing.

A packet about the vote that was circulated by the HOA suggests that rentals will be banned altogether, with one header reading "Arguments in favor of banning rentals."

This has created concern in rental owners that they can lose their properties.

It has also raised hopes for some "anti-renters" who believe that the measure will forever ban rentals in the estate.

Neither of these assertions are correct. The measure exists not to ban rentals, but to limit how many are in the estate.

"They're trying to make it so there can't be an excess of rentals," Nelson said.

All current rentals are grandfathered in, though there are caveats. If an owner sells their rental property, the home would then fall under the new rule. It also states that after a lease is terminated and a new lease is not signed within four months, rental rights will be taken away.

But Nelson and Waide believe that renters will be given leeway.

"I was talking to a gentleman who had long-term renters that moved out," Nelson said. "That house hadn't had anything done to it for 10 years. Ironically, the day after the renters left, a pipe broke underneath the floor. They had an extensive amount of re-piping to do. The owners came in and explained it could take me six months to repair. I talked to our board president, who said he viewed [the rule] as meaning that the four months starting when the home is ready to be rented."

But after the repairs are done, what would happen if they simply couldn't find a person to fill the vacancy?

"How much are they charging?" Waide asked.

Nelson said owners "might not get the sympathy of the board" if they are charging an exorbitant amount for the rental.

Waide added, "I wouldn't vote to give them more time, unless

they lower their rent."

If someone is having difficulty finding a tenant, both suggested that the owners of the property come to the board for help.

However, the question arose about the creation of new rental properties.

Another exception in the measure is the "economic hardship" clause. For example, if a person becomes ill and has to leave their property for a long period of time, they can come to the board and ask to rent out their property to help cover the bills.

"An economic hardship could be the stock market crashing again," Nelson said. "It could be a tsunami that knocks out services here and you don't have any choice but to move back with your kids."

An example of this would be the housing crash of 2008. In that instance, many of the properties in the estate became rental properties so owners could cover the mortgage.

But the measure does not give any specifics on what "economic hardship" is.

"The wording of that will be hammered out in rules and procedures," Nelson said. "The measure is not meant to be 40 pages long. The board is actively working on the procedures."

If people are concerned, Nelson and Waide said they hope that people will attend future work sessions involving the procedures.

The next session will be held on Monday, June 18, at the Florentine Estates main center.

Generally, these sessions have had little participation, and both Nelson and Waide hope that more people show up and express their opinions.

The final concern with the measure is that "economic hardship" is left to the discretion of the board. Because of that, some people fear that rental exceptions will only be given by the board to people the board likes.

"There are people that are expressing fear that the board is trying to do strange things," Waide said. "It's amazing how things can get blown out of proportion."

He said that that there had been a rumor that one board member used their influence to allow the HOA to pay for a sidewalk in front of their house. What Waide felt was lost in the story was that the director paid for the sidewalk to be installed.

"For years, people said, 'all you have to do to get a sidewalk in front of your house is to get on the board,'" Waide said.

But now, some board members are afraid to even ask for repairs to their property lest it be misconstrued as favoritism.

The Siuslaw News was unable to confirm Waide's story.

"We've had in the past people who get on the board and try and push their own agendas. I'm not going to say it doesn't happen, but each person is one of seven members on the board. It's hard to sway."

Waide suggested that if anyone did have fears about the board, they should get involved.

But engagement with the board has been limited. Board meetings are not well-attended, sometimes holding only six audience members.

"We're having a board election right now. Two of us wanted off the board out of the three that are running. No one else would run, and we begged people to run. So consequently, two of us who wanted off agreed to one more term."

CONFUSING BALLOT

While the pros and cons of the vote can be debated between the residents of Florentine Estates, what has caused major problems with the vote is how it is worded on the ballot. If people are for "banning" rentals, you vote "yes." If you are against it, you vote "no."

However, there's another way to read it. If one wants thinks there should be no rental, they should vote "no" on the ballot.

"People were confused," Nelson said. "Normally when you vote, a 'yes' is a yes and a 'no' is a no. In this case, it's switched. We had people come back and ask to have their ballots changed back."

So far, Nelson has had seven people enquire about the ballot,

and only one person change their vote. They did change it from a "no" to a "yes," but Nelson said he would perfectly happy to help out if someone wanted to change their ballot to a "no" vote.

It's about getting people to vote their will.

How the votes are counted is also confusing. To pass a measure this consequential, 75 percent of the estate needs to vote "yes" to make an amendment pass — a very large majority.

For those who don't decide to vote, their inaction counts as a "no" vote.

"Anybody who didn't get it in the mail, or went on vacation and it didn't get forwarded, or lost it on their table, and they don't vote — it counts as a "no," Nelson said.

In that case, it's important to get the entire estate to vote to get an accurate read on how people truly feel about the issue.

"I've had four people indicate that they didn't think we should restrict rentals," Waide said. "And I've talked to a lot of people, excess of 200. And actually, two of those no votes aren't sure."

An online straw poll was taken before the measure was released, which found that 90 percent of estate residents favored a ban on rentals.

However, the poll was unscientific. It was placed online, and many individuals in the 55+ community don't use computers. Only 30 percent of residents responded to the poll.

Whatever the outcome is, it's important that Florentine Estates get every vote in to ensure that the actual will of the voters is heard. To do that, the HOA board had to ensure that every resident had a ballot and turned it in.

And that's when the problems and rumors really started occurring.

VOTER INTIMIDATION

One of the biggest concerns about the process is the accusation that proponents of the measure, particularly board members, are pressuring people to vote "yes."

"Proponents are mounting a 'door-to-door' campaign including strong lobby encouraging a 'yes' vote and offers to hand-deliver completed ballots for lot owners," one resident said.

Another stated that a person was practically yelling at them to vote "yes."

Because the board needs each resident to vote, board members are going door to door to hand out ballots and make sure that people are voting.

"My instruction was to hand out a ballot," Waide said. "So, we carry ballots to the homes to give them out. I personally had two people who said, 'I never go down to the office.' So, I went down to the office and got them a ballot. Maybe I shouldn't have done that."

But when board members come knocking on the door to ask for a vote, it can be seen as intimidation, particularly if it's known that the board member is in favor of the ballot.

"They are aggressively trying to go around door to door to get people to sign up," one opponent said.

Because people expressed confusion on if they should vote "no" or "yes," Waide has been explaining the difference to voters, and stating that if there is confusion, the vote can be changed.

But some take this as an aggressive campaign to influence voters to change their vote.

When Waide and Nelson were asked if someone was getting aggressive, they stated it was not proper.

"I would be very upset if someone was pitching one way or another, quite frankly," Waide said. "That's just wrong."

Nelson said that, as far as he knows, no one has come to the office with complaints about such instances.

However, this is not definitive proof that intimidation hasn't occurred.

"I can't tell you everything that was said and done," Waide said.

Both Waide and Nelson said that if intimidation or aggressive campaigning has happened, these issues should be brought up to either members of the

board or management. This can be done in person, or anonymously through written correspondence.

PROPAGANDA

Fears about intimidation have led some to believe that the board is creating propaganda about the vote.

Florentine Estates has a newsletter, "The Focus," that is released by the association once a month to all estate residents. It gives details on street repairs, election deadlines, opinions, stories from residents and birthday notices.

Opponents state that the newsletter is being used as an official mouthpiece for proponents of the measure, and that the anti-measure voice is not being heard.

"Anybody in opposition to this would have to mount their own campaign, which would be very expensive and time consuming," one opponent said. "The thing about that is that they hold all the cards because the official mouthpiece is the newsletter. And there are all kinds of articles in there trying to persuade you to vote in favor of this declaration."

The June issue of The Focus mentions the vote twice. In one, it describes what the vote is, and explains that some people were confused about how to vote. It suggests that if someone feels they miss voted either way, to come into the office and have their vote changed.

Neither of the articles appears to push voters one way or the other.

But Nelson pointed out that it actually would have been nice to have opposite opinions in the newsletter. A robust conversation would have been welcomed.

The problem is, Nelson stated that nobody submitted an article either pro or against. He said he would have gladly included them in the newsletter because that kind of conversation should be happening.

MANIPULATING BALLOTS

Finally, because of the acrimony surrounding the issue, some opponents have raised fears that the board will manipulate ballots, or target individuals who voted "no."

A large part of this comes from the how the ballots are submitted. A person mails in their ballot in an envelope that has their address on it. The board has been using these envelopes to see who has and hasn't voted, which is important because they want to get an accurate vote. If they don't see an envelope with someone's address on it, they try and make sure that non-voting residents had the opportunity to vote.

But the fear is, the board will look at the envelopes with the ballots and target those who voted "no."

Nelson explained that there is a process in the vote count to work against manipulation. One person discards the envelope, while other individuals actually count the ballots.

Usually, the process is done behind closed doors. But when Waide was told about fears, he said the board would be willing to do the count in the open in front of an audience to ensure people feel comfortable with how the vote is calculated.

Ultimately, Waide and Nelson came back to the notion that they had not heard about any of these concerns surrounding the vote.

"I wish people who had these concerns would bring this up to us so we could have dealt with this," Nelson said.

They found that people sometimes complain to each other, but rarely speak out.

"Word travels through this community so fast," Waide said.

Nelson agreed, saying, "There's some people who are pretty loud against this when they talk to one another. But they don't tell us."

And when that happens, bureaucratic missteps and miscommunication can become rampant.

Ultimately, Waide said the goal is a simple one.

"We just want to get the vote in," Waide said.

Food Backpack for Kids Program 12 Facts

1. Our program enters its 7th year this coming school year beginning September 2018.
2. Our program is funded by grants and monetary support from our community.
3. No salaries are paid to anyone associated with our program.
4. There is no overhead or associated expenses. All is generously paid for by Cross Road Assembly of God.
5. Advertising, printing and radio are paid from a separate account funded by donors designating their money to these expenses.
6. The sole purpose of our program is to provide qualifying children three meals per day, over the weekend, during the school year.
7. Food is purchased locally and the money stays within our community.
8. Our Board continually evaluates the cost of all our food purchases thereby keeping control of costs.
9. A 247 square pantry stores our inventory.
10. Volunteers currently pack nearly 100 bags of food every Wednesday of every week throughout the school year.
11. The survival of our program depends upon money raised each and every year. Children depend on Food Backpack for Kids and we depend upon the good will, trust, and support of the community.
12. Be assured that every cent donated to our program for food goes toward purchasing food, and only food.

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