

ORHA Forms Guide to New & Updated Forms - 2018

The Forms Committee is excited to introduce several new forms this year:

New Forms List: (7)

Co-Signer Application (Form #52A)

Septic Agreement (Form #61)

Well Agreement (Form #62)

Fireplace, Wood Stove, Pellet Stove Agreement (Form #63)

Pest Agreement (Form #64)

Exterior Property Care Agreement (Form #65)

Weatherization Agreement (Form #66)

Updated Forms List: (13)

Application (Form #1)

Month-to-Month Rental Agreement (Form 2A)

Fixed-Term Lease (Form 2B)

Pet Agreement (Form #3)

Medical Marijuana Agreement (Form #10)

Marijuana Agreement (Form 10A)

24-Hour Notice to Enter (Form #18)

Deposit Refund Checklist (Form #21)

Cable, Satellite Dish, Security System Agreement (Form #24)

Rules and Regulations (Form # 33)

Assistance Animal Agreement (Form #46)

Co-Signer Agreement (Form #52)

Add or Delete Tenant Addendum (Form #59)

So, What's New?

1. ***Application (Form #1)*** – In response to a recommendation from the Fair Housing Council of Oregon and confirmed by attorney review, we removed the question, “Do you intend to bring an animal onto the property – yes/no? If so, does the animal require a Reasonable Accommodation – yes/no?” We were advised that this could be construed as an attempt to dictate when a resident could make a reasonable accommodation request of their landlord, resulting in a potential fair housing violation. That section has been changed to read, “If your service or companion animal requires a reasonable accommodation, please inquire with Owner/Agent.” We tried to reformat the application to make it easier for landlords to send the release of information to references without disclosing sensitive information, but it proved too difficult. We will keep working on that and hope to reformat it for next time.
2. ***Month-to-Month Rental Agreement (Form #2A) & Fixed-Term Rental Agreement (Form #2B)*** – In addition to some formatting changes, ORHA rental agreements now prohibit swimming pools, trampolines and fire pits along with pianos, organs and fish tanks; prohibit attachment of cable, satellite dish or security system hardware on the exterior of the structure; prohibit flying banners or flags; prohibit the feeding of wild or feral animals; require all trash to be bagged prior to placing in receptacle, require trash receptacles to be moved off the street within 24

hours of pickup, and prohibit rummaging through the trash; require tenants to make all future payments in certified funds only for the remainder of the tenancy if a personal check is ever returned for insufficient funds; specify that all late fees, NSF fees and noncompliance fees are due immediately upon default by the tenant; specify that no credit for repairs or improvements shall be allowed without Owner/Agent's prior written approval, and that alterations to the dwelling unit without the prior written consent of Owner/Agent are strictly prohibited and may be cause for termination of tenancy; specify that upon sale or transfer of the dwelling unit, all terms and conditions shall remain the same until further notice by owner/agent; added, "...or had the carpets replaced..." to the section on carpet cleaning; and most importantly, reworked the section on post-and-mail of notices to provide more guidance on the specific location at which tenants may reciprocate in posting notices to their landlord. We also added a section to indicate whether deposits are to be held by the owner, which is a required disclosure for property managers in Oregon who manage for private owners.

3. ***Pet Agreement (Form #3)***, and the ***Assistance Animal Agreement (Form #46)*** – Both forms were changed to include prohibitions on breeding animals, abusing animals, and chaining or tying animals to the structure; requiring that animals be kept in a clean condition and the property kept free of fleas; specifying that vaccines are required and must be administered by a veterinarian; requiring tenants to certify that their animal has no prior history of aggressive or threatening behavior and that behavior by an animal suggestive of aggression such as snapping, growling or lunging at other tenants or their pets is a violation for which the animal can be removed; requiring tenants to notify Owner/Agent immediately should animal cause injury to a person or other animal, or cause damage to the dwelling unit, and specifying that such damage is the tenant's responsibility. Finally, we inserted a clause wherein tenants agree to hold the owner/agent, their employees or representatives harmless from legal claims related to the animal's behavior.
4. ***Medical Marijuana Agreement (Form #10)*** and the ***Marijuana Agreement (Form #10A)*** – ORHA had pulled these forms from our site due to concerns about liability, pending attorney review. The forms are back, but with a strongly worded disclaimer about the potential pitfalls for landlords who allow this type of use.
5. ***24-Hour Notice to Enter (Form #18)*** – ORHA removed the word "mailed" from the section on post-and-mail, as there is no requirement for reciprocity for posting-and-mailing a notice to enter.
6. ***Deposit Refund Checklist (Form #21)*** – This form was reformatted to allow for signatures.
7. ***Cable, Satellite Dish, Security System Agreement (Form #24)*** – Changed existing satellite agreement to include cable hookups and security systems
8. ***Rules and Regulations (Form #33)*** – Added section to require all trash to be bagged prior to placing in receptacle, require trash receptacles to be moved off the street within 24 hours of pickup, and prohibit rummaging through the trash.
9. ***Co-Signer Agreement (Form #52)*** - *The previous version of this form contained a paragraph that allowed co-signers to terminate the agreement after six months in a month-to-month tenancy. That paragraph was removed.*
10. ***Add or Delete Tenant Addendum (Form #59)*** – This form was reformatted, and the word "damages" was inserted in responsibilities of incoming and outgoing tenants.

The suggestion to create a form for Lease-End Notification, has been put on hold pending the outcome of the 2019 legislative session. The ORHA Forms Committee welcomes member feedback and suggestions for creating new forms and updating existing forms. Please contact the ORHA office and let us know what you think!