



**OREGON HOUSING *and*
COMMUNITY SERVICES**

725 SUMMER STREET NE, SUITE B | SALEM, OR 97301
503-986-2000 | www.oregon.gov/OHCS

A LANDLORD’S GUIDE TO TENANT RIGHTS WHEN BUYING & SELLING FLOATING HOMES IN OREGON

The following is a reference index of the topics that are included in the document that OHCS has prepared for landlords to give to prospective tenants to advise them about their rights when considering becoming a tenant at a floating home marina. Landlord trainers may choose to include some of these statutes in the training they provide to marina landlords.

ORS 90.525 (6): At the time of evaluating an applicant under ORS 90.303 (Evaluation of applicant) or a prospective purchaser under ORS 90.680 (Sale of dwelling or home on rented space)(10)(a) or upon the execution of a rental agreement, whichever is earlier, the landlord of a facility shall provide the applicant, purchaser or tenant a copy of an informational handout regarding rights of tenants and landlords when a tenant is selling a manufactured dwelling or floating home in a facility, in a form prescribed by the Housing and Community Services Department.

NOTE: The laws highlighted in gray are applicable to floating home tenants but not to park tenants.

1. **ORS 90.220: Terms and conditions of rental agreement** (rules and lease terms prohibited by ORS)
2. **ORS 90.228: Notice of location in a 100-year flood plain** (and landlord penalties for violating)
3. **ORS 90.245: Prohibited provisions in rental agreements** (and landlord penalties for violating)
4. **ORS 90.100: Definitions** and **ORS 90.300 Security Deposits** (last month’s rent, prepaid rent, rent, and security deposits, and landlord penalties for violating)
5. **ORS 90.302: Fees allowed for certain landlord expenses** (certain fees and noncompliance fees for parking are prohibited and landlord, also landlord penalties for violating)
6. **ORS 90.303: Evaluation of applicant, 90.304: Statement of Reasons for Denial, and ORS 90.510: Statement of Policy** (Tenant approval process, the screening and admission criteria for a prospect tenant must be included in seller’s rental agreement, and landlord penalties for violating)
7. **ORS 90.305: Disclosure of certain matters** (Landlords are required to retain exact copies of tenant rental agreements and furnish them to tenant upon request)
8. **ORS 90.510: Statement of policy** and **ORS 90.710: Causes of action** (Landlords must provide a written statement of policy, rental agreement, and rules and regulations, and the rental agreement cannot be unilaterally amended by one party and landlord penalties for violating.)



9. **ORS 90.510: Statement of Policy, ORS 90.610: Notice of Proposed change in rule or regulation, and ORS 90.545: Fixed term tenancy expiration** (Landlords are limited by law as to what types of rules can be considered enforceable against a tenant and how rules are changed.)
10. **ORS 90.525: Unreasonable conditions of rental or occupancy prohibited and Causes of action** (A Landlord is prohibited from requiring that a tenant or prospective tenant use certain service providers, real estate agents, or restrict their choices of goods, and landlord penalties for violating.)
11. **ORS 90.528: Use of common areas or facilities**
12. **ORS 90.530: Pets in facilities** (If having pets at the marina becomes prohibited in the marina rules, any tenant keeping a pet on the premises at the time may continue to keep their pet and may also replace their pet with another similar pet for the duration of their tenancy.)
13. **ORS 90.545: Fixed term tenancy expiration** (For tenants with a fixed term tenancy, the landlord is required to offer a lease renewal 60 days prior upon the expiration date. If the landlord fails to offer a renewal in compliance with the law, the tenancy automatically converts to a month-to-month and the tenant does not have to remove their floating home upon the expiration of the fixed term lease.)
14. **ORS 90.600: Increases in rent** (Rent Increases for Month-to-Month tenancies are limited to 7% + CPI, once every 12 months, and landlord penalties for violating.)
15. **90.600(9): Increases in rent** (The law protects tenants who form a residents' committee and requires landlords to meet with the committee.)
16. **ORS 90.630: Termination by landlord and ORS 90.710(1): Causes of action** (Limits that the law places on the reasons a landlord can terminate a tenancy, the law allows tenants the right to cure the problem and avoid the termination in most cases, also landlord penalties for violating.)
17. **ORS 90.632: Termination of tenancy due to physical condition of manufactured dwelling or floating home** (Tenants have the right to correct the condition 60 days, and up to an additional 6 months under certain conditions. If float work is required, the tenant is entitled to a total of 12 months to make the repairs.)
18. **ORS 90.505(1) Definitions for ORS 90.505 to 90.850** (Definition of Disrepair and Deterioration as used in Notices does not include cosmetic or aesthetic concerns)
19. **ORS 90.412: Waiver of termination of tenancy** (If the landlord knows about a tenant violation (not including deterioration or disrepair), and accepts rent for 3 periods, the landlord waives their right to terminate for that cause.)



20. **ORS 90.675(22): Disposition of a manufactured dwelling or floating home left in a facility** (In the event that a floating home tenancy is terminated for reasons other than non-payment of rent, a marina tenant may leave their home in place and have up to 1-year to sell the home to a new approved marina tenant or move it out of the marina. The tenant must continue to pay storage charges (of an amount not more than the monthly space rent last paid by the tenant) and utilities during the storage agreement.)
21. **ORS 90.680: Sale of a dwelling or home on rented space** and **ORS 90.710(1): Causes of action** (Tenants have the right to sell their home in place cannot be required to remove it when selling their floating homes, also landlord penalties for violating.)
22. **ORS 90.730: Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition** (and landlord penalties for violating)
23. **ORS 90.750: Right to assemble or canvass in a facility** and **ORS 90.720: Action to enjoin violation of ORS 90.750 to 90.755** (Tenants have the right to meet and post flyers in common areas regarding floating home life, tenants groups, etc. and landlord penalties for violating.)
24. **ORS 90.765: Prohibitions on retaliatory conduct by landlord, ORS 90.710(1): Causes of action, and ORS 90.720: Action to enjoin violation of ORS 90.750 to 90.755** (and landlord penalties for violating)
25. **ORS 90.767: Mandatory Mediation** (Tenants can initiate Mandatory Mediation to help resolve an issue with their landlord or to pause the timeline on a Termination Notice, and landlord penalties for violating)
26. **ORS 90.842: Notice of sale of facility** and **ORS 90.846: Notices and processes in facility transfer** (The landlord must notify tenants when they are considering selling the marina and give the tenants the opportunity to purchase the marina themselves prior to marketing the marina, also landlord penalties for violating (Statutes ORS 90.842 – 90.850 describe the full procedure and rights)
27. **ORS 90.729: Temporary movement of a floating home** (30-Day notice for the temporary relocation of a floating home for certain reasons and landlord penalties for violating.)

