



MHCO Form 49: 90-Day Rent Increase Notice For Park Rentals, RV Spaces and Floating Homes

Revised 9-2022 | This form is exclusively licensed to: MHCO

Name of Community/Park: MHCO
Address: PO Box 12709
Salem, Oregon 97309

DATE OF THIS NOTICE (Insert the date this Notice is personally served, deposited in first class regular mail, or mailed to the Resident and attached to the main entrance of their residence).

_____.

Resident: _____

Address/Space # _____

This is notice that your current base rent (“CURRENT RENT”) of \$_____ will be increased by \$_____ (“RENT INCREASE”). Your NEW RENT will be \$_____ (i.e., CURRENT RENT + RENT INCREASE). Please begin paying \$_____ (“NEW MONTHLY RENT”) on _____ (“EFFECTIVE DATE”).

Instructions: The EFFECTIVE DATE should be at least 90 full days after the above DATE OF THIS NOTICE if it was: (a) personally served; or (b) mailed to the Resident and attached to the main entrance of the Resident’s home***; and (c) at least 93 full days after the above DATE OF THIS NOTICE if it was sent by regular first-class mail. Do not count the date of delivery or mailing and do not count the EFFECTIVE DATE.

*** Note Option (b) is not available unless the Rental/Lease Agreement has a reciprocal option for the resident to mail and attach notices for Landlord.

Select only one:

- A. Resident owns the manufactured home located on the Space;
- B. Resident rents the manufactured home located on the Space;
- C. Resident owns or rents the RV located on the Space.

If Option B or C is checked, Current Rent may not be increased during the first year of resident’s tenancy.

SUMMARY OF OREGON RENT CONTROL LAW

Definitions: (a) **Current Rent** is the existing monthly base rent exclusive of any other fees or charges payable by a resident under the rental agreement; (b) **Rent Increase** is the amount of increase over the prior year’s Current Rent; (c) **New Rent** is the Current Rent plus the Rent Increase. (d) **Rent Cap** is the maximum combined percentage increase over Current Rent that may be charged to a resident by a Rent Increase, unless exempted under Oregon Law.



A Rent Increase may always be less than the maximum Rent Cap *but may not be more*. A Rent Increase that exceeds the Rent Cap would result in making the landlord liable to a resident in an amount equal to three months' rent plus actual damages.

Calculating The Rent Cap: Unless exempted by ORS 90.323 (2020), a Rent Increase for any calendar year may not exceed the sum of: (a) Seven percent (7.00%) times the Current Rent (7% X Current Rent) plus (b) The percentage change in the consumer price index ("CPI") times the Current Rent (% of CPI Change X Current Rent), hereinafter collectively referred to as the "Rent Cap").

Consumer Price Index ("CPI"): Is the annual 12-month average change in the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor ("BLS") in September of the prior calendar year.

2022 Rent Cap: According to the BLS, for calendar year 2022, the 12-month average change was 7.6%. This figure, combined with 7.00% (i.e., 14.6%), should be used when calculating the maximum Rent Cap .

Example: Assume Current Rent is \$400 per month. The annual 12-month average change in the CPI for calendar year 2023, is 7.6%. Therefore, a Rent Increase notice effective on or after January 1, 2023 may not exceed the sum of (a) 7.00% X \$400 (\$28.00) plus (b) 7.6% X \$400 (\$30.40) = \$58.40. Thus, commencing on January 1, 2023, the New Rent may not exceed \$458.40 (\$400+\$28.00+\$30.40)

Exclusion From Rent Cap Formula: The above Rent Cap calculation does not apply if the landlord is providing reduced rent to a resident as part of a federal, state or local program or subsidy.

Communities Located In City of Portland: If a Community is located within the City of Portland, a Rent Increase may not exceed 9.99%. A rent increase of 10.00% or more can result in a landlord having to pay the resident's "relocation assistance" of thousands of dollars. If your community is located within the city limits of Portland, you should consult with your attorney before issuing a rent increase notice.

Owner/Agent: _____ Phone: _____

Community Name and Address: MHCO
PO Box 12709
Salem, Oregon 97309

