

## Vagrants: What is a landlord to do?

By Cliff Hockley and Jeremy Boardman  
Bluestone and Hockley Real Estate Services

A significant increase of vagrancy and trespassing has been observed at many of the properties we manage around the Portland area.

Properties of all types (residential, commercial, etc.) are utilized for cell phone charging, washing, dumpster diving, drug use and sleeping, often resulting in tenants being harassed and leaving managers feeling helplessly frustrated. Unfortunately, law enforcement is either unable or unwilling to provide meaningful assistance and unwelcomed vagrants are just pushed from one property to the next.

### Landlords have a few choices, but prevention is our strongest tool:

- ♦ Lighting: Ensuring that the property is well lit with photo/motion sensors is one of the best deterrents and will help improve resident safety.
- ♦ Landscaping: Bushes need to be trimmed and trees limbed up. Clear sightlines and eliminating concealed areas improves safety and makes the property less desirable to camping and nefarious activities.
- ♦ Fencing & Gates: Coded gates and tasteful fencing can communicate inaccessibility to passersby. Reducing cross and through traffic on the property can be an impactful deterrent.
- ♦ Secure Trash Areas: Modifying trash receptacles with locking mechanisms or enclosing them entirely will reduce the mess caused by dumpster diving. Be mindful, however, that modifications do not include things such as razor wire which may send the wrong message or be off-putting to prospective tenants.
- ♦ Cameras: Cameras can be an important deterrent to unwanted behavior and help document issues, if law enforcement becomes involved. Fake cameras are available for a fraction of the price

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and also produce a strong deterrent.

- ♦ Irrigation: Strategically placing sprinkler heads and programming the timer to water frequently throughout the night is one of the most proactive ways to make a property inhospitable to unwanted trespassers.
- ♦ Security Patrols: Private security companies are affordable and available to check on a property day and night. When engaging these services, it is recommended that the contract include foot patrols, not just ‘drive-bys’. Armed agents are effective when directing people to leave the premises.
- ♦ Community Support: Homelessness, vagrancy and the breath of addiction and medical issues that plague certain populations are not law enforcement issues – they are examples of where social services are not meeting the needs of the citizenry. Many localities offer or partner with non-profits to provide urgent support to

intoxicated individuals. Portland’s Central City Concern offers ‘sobering stations’ and CHIERS, a service that transports people to those sobering stations. Many services are available and often are much more effective than calling the police.

Landlords have many cost effective options to make their properties safe for tenants and unattractive to trespassers. Smart planning and a few upgrades will help landlords continue to provide safe spaces for people to live and work through the summer and beyond.

What efforts has made your property successful in reducing issue associated with vagrancy and trespassing?

**Clifford A. Hockley** is President of Bluestone & Hockley Real Estate Services, greater Portland’s full service real estate brokerage and property management company. **Founded in 1972**, Bluestone & Hockley’s staff totals nearly 90 employees, including 10 licensed brokers. The company’s property management division serves commercial buildings, apartments, condominium associations and houses in the Portland / Vancouver metro area, while the brokerage division facilitates both leasing and sales of investment properties throughout Oregon and Washington.

Cliff earned a degree in Political Science from Claremont McKenna College and holds an MBA from Willamette University. He is a Certified Property Manager and has achieved his Certified Commercial Investment Member designation (CCIM). Bluestone & Hockley Real Estate Services is an Accredited Management Organization (AMO) by the Institute of Real Estate Management (IREM). Cliff is a member of the Institute of Real Estate Management and was named Certified Property Manager of the year in 2001 and 2003. Cliff is a frequent contributor to industry newsletters.

Bluestone & Hockley offers **customized brokerage, property and asset management, as well as maintenance services** to property owners and investors throughout the Portland/Vancouver metro area. The company’s full-service approach benefits busy property owners and investors, who know they can count on Bluestone & Hockley for high quality real estate services start to finish.



# Quick FLASH

## Landlord-Tenant Law Update

By Cliff Hockley, President

### 1. HB 2004 - Regarding 'no cause' termination and rent control.

The current Oregon legislative session ended on the 7<sup>th</sup> of July 2017. With the help of a grass roots effort by landlords and lobbying by the landlord associations, HB 2004 stalled in the Oregon Senate and died. This is excellent news for landlords.

One the other hand, next year's session is not far away and inevitably this bill will reemerge. Landlords need to stay engaged.

### 2. Portland Renter Protection and Relocation Ordinance – Ruling in civil suit.

On Friday the 7<sup>th</sup> of July 2017, Multnomah County Judge Henry Breithaupt ruled in favor of the City of Portland and their city ordinance requiring relocation fees be paid to tenants displaced by 'no-cause' lease terminations and rent increases of 10% or more. Commissioner Chloe Eudaly was pleased that the court upheld the city ordinance and is planning to expand tenants' rights by crafting a proposal that limits security deposits and clarifies the definition of "reasonable wear and tear".

### 3. Portland Renter Protection and Relocation Ordinance – May 25, 2017 modification.

An advisory group made up of landlords, tenants and city staff to fine tune the Portland Renter Protection and Relocation Ordinance modified the ordinance on the 25<sup>th</sup> of May 2017.

The amendments do clear up a couple of issues. For example, (a) single-unit owners who hire property managers *are* exempt from the ordinance; (b) the 12-month (rent increase) period is a rolling 12-month period; and (c) the Relocation Assistance is per dwelling unit, not per tenant.

The group also decided to remove the following language, "If a tenant after receiving relocation assistance does not move out, ... after a reasonable time frame... the tenant shall repay the landlord." Jeff Bennett, attorney at Warren Allen, LLP, updated us with the latest information regarding the ordinance changes.

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