

Subject: Re: Information Request
From: Michael Huarte <michaelhuarte@gmail.com>
Date: 09/21/2023, 9:38 AM
To: skybox <skyoptic6@gmail.com>

Mr. Michaud

I will await the court summons.

On Sep 20, 2023, at 7:20 PM, skybox <skyoptic6@gmail.com> wrote:

I have already filed with Small Claims and you will receive a certified letter soon. This is the third time you have offered a solution that does not comply with what the law requires - the facility water bills show what the City charges Highland View, not the amount the submeters report to your third party company. At this point, I am following through with this in court. I am suing you for \$587 which is one month's rent and court costs including filing by mail - this will be more if you make service difficult - and I am asking for a court order for you to release the information I've requested. Prepare your statement for the Judge and stop harassing me. I will not settle for anything less than I've asked. There is no reason to pretend you don't understand. My case has already been accepted by the court and as soon as I receive my copy in the mail I will send you yours. This has passed the point of no return. You owe me.

Indigo

On Wed, Sep 20, 2023, 5:45 PM Michael Huarte <michaelhuarte@gmail.com> wrote:
Mr. Michaud,

I have spoken with the submetering company which we use, National Exemption Service (NES). They have have a portal whereby a resident can create an account and login to see their water bill.

The website is www.submeter.com, you will need to go to the My Account Tab at the top, select it and create/register your account. You will need the account # on your bill to create a login.

I have also included in this email as a spreadsheet of your water bills for all of 2022, and 2023 up to the latest one. It is saved as a .ODS document, so you should be able to use the free Google Sheets feature to open it.

Also I will be mailing you via certified mail the same spreadsheet that has all your water bills for 2022 and 2023 up to the latest one.

Michael Huarte

On Sep 18, 2023, at 9:50 AM, skybox <skyoptic6@gmail.com> wrote:

I am about to file in Small Claims. Your inane dismissal of the law and my requests is an insult to my intelligence. You are required to post the facility water bills on the internet for all to see. You could have a website that allows tenants to pay their rent and water online in the time I've been patient. I don't think pretending you don't understand will work with a judge. At this point, you're harassing me for asking valid questions. I am calling the police and reporting this, as well as updating my website. Short of giving me ALL of the information I've requested, including a website with the facility waterbills posted, please don't bother me with alternative offers. I gave you a month and then an additional week, after years of emails. You're just stalling me... prepare for answering in court, instead. You can see the emails relevant to the water on my website, <https://skysurfer.media/water-emails/> -- and if you want one of your own websites, you can easily create one.

Indigo

Indigo

On Mon, Sep 18, 2023 at 8:47 AM Michael Huarte <michaelhuarte@gmail.com> wrote:

Mr. Michaud,

I have your water bills that I can send you right now in an Xcel format. Setting up a specific website that has proper security protocols to insure only the correct tenant can access their water bills is beyond my technical acumen. I can provide you, by sending you an email over the Internet, your water bills for 2023 and 2022 immediately.

I am investigating whether I can create an external cloud based storage solution that is readily accessible via a web browser. I am attempting to provide a low cost option for tenants to view their water bills per their request. Email is one such solution. Any outside technical consulting or website construction would incur considerable cost that I do not wish to pass onto the tenants.

Please let me know if you would like me to send the email with the data you requested. Creating a more complicated Internet location will require further investigation into the cost structure, that will require more time and I would ask for your patience as modalities are looked into.

Sincerely,

Michael Huarte

On Sep 14, 2023, at 11:09 AM, skybox <skyoptic6@gmail.com> wrote:

Mr. Huarte,

I'm sure you've read my emails. The request is for an internet address where the facility water bills are posted, among other things. A spreadsheet file is inadequate. Please note sections (1) and (3) of ORS 90.582 and perhaps reread my emails? I am insisting on all of the information I requested.

Indigo

90.582 Publication of submeter or pro rata bills; tenant inspection. (1) If a landlord bills tenants for water using pro rata billing or submeter billing, the landlord shall post the facility water bills in an area accessible to tenants, including on an Internet location.

(2)

A landlord shall, upon written request by the tenant, make available for inspection by the tenant all utility billing records relating to a utility or service charge billed to the tenant by the landlord during the preceding year. The landlord shall make the records available to the tenant during normal business hours at an on-site manager's office or at a location agreed to by the landlord and tenant. A tenant may not abuse the right to inspect utility or service charge records or use the right to harass the landlord.

(3)

If a landlord fails to comply with a provision of [ORS 90.560 \(Definitions for ORS 90.560 to 90.584\)](#) to [90.584 \(Park specific billing for water\)](#), the tenant may recover from the landlord the greater of:

(a)

One month's rent; **or**

(b)

Twice the tenant's actual damages, including any amount wrongfully charged to the tenant. [Formerly 90.538]

Source: Section 90.580 — Entry to read submeter; requirement for water submeter, https://www.oregonlegislature.gov/bills_laws/ors/ors090.html (last updated Aug. 25, 2023).

On Thu, Sep 14, 2023 at 10:34 AM Michael Huarte <michaelhuarte@gmail.com> wrote:

Mr. Michaud,

Do you the the Xcel application on your computer. I received the data and it is all in an Xcel format.

Michael Huarte