

Re: Highland View Mobile Estates



From <indigo@skysurfer.media>
To PRYOR Ken * HCS <Ken.PRYOR@hcs.oregon.gov>
Date 2025-10-01 10:18

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Ken,

Thank you for getting back to me and for your clarification on being unbiased. I apologize for my defensiveness but I am dealing with a landlord who apparently has influence over State laws while he doesn't believe they apply to him. I continue to deal with plenty of adversity socially from people who are loyal to him as he defends himself in this matter by trying to keep me from having any financial or social support. Nevermind landlord retaliation, it's an eye for an eye. I truly appreciate your attention to this and your no nonsense approach.

This is a legal issue. Your bulletizing your points is also quite helpful, if you don't mind the message quoting. I'm satisfied that I've explained the situation here well enough and will stay focused on the practical details regarding the water billing for the purpose of this email. As far as the quality of the water goes, I only know of private companies that will test my tap water and I'm specifically concerned about the buildup of chemicals used to treat whatever's growing in our pipes, even if it does supposedly dissipate after a few days - I'd like to know what's in use and how frequently. Plus, the mold or fungus may be a real health concern. The new neighbor has had issues with the sewer backing up and this whole corner of the property backs up once or twice a year. There's a visible green line during the dry season where the sewer line obviously leaks. Any publicly available resources or information on laws pertaining to the water quality and sewage concerns would be appreciated.

Now for clarifications from me:

For starters MMCRC is an unbiased state agency the supports both landlords and tenants equally.

Good, because the law should be unbiased and protects landlords and tenants alike. I appreciate any support I can get. Thank you again for this.

Fact Sheet was not provided to dissuade but to educate on current statute and provide a summation of pertinent references.

I'm not asking for a treatise on past events but attempting relay a concise message that will accurately define matters in terms a layman can understand.

There is an evolved personal situation here with a long history and it involves more than just the water, but the water affects all of the tenants and should be dealt with separately for that reason. I have done a ton of research on this over the years, which is another reason I'm surprised it took this long to find your agency, but I do appreciate your approach to focusing on the basic facts.

Don't expect an attorney to research FCC law. Not everyone is an RF technician.

I am only a Technician Class and this would have to be addressed by someone with a Master Class or Broadcast license, anyway. I'm only legally qualified to handle the equipment.

Please don't send me a manual on a device that isn't a meter but more likely a repeater; simply describe the FCC registration, range/capabilities versus the typical distance from which the data is transmitted from below ground; how do you know when the batteries were last changed, speculation is unnecessary.

There is no speculation to be had. The 'meters' are in fact like repeaters that passively sense water or gas reed valves and relay the information like telemetry to a central 'collector' located in the office. That information is then sent via the internet to the company that provides Highland View with a spreadsheet of compiled data. According to the FCC Manual, the units cannot be opened or serviced. It is not clear why there are wires coming out of the units, but maybe they're using electricity from phone lines? The units have never been replaced or had batteries changed. It's according to the FCC that they run on a 3.6V Lithium cell and I don't know of any Lithium batteries rated to last more than a decade, especially outdoors. At this point, considering their age and that they're not waterproof, I think it's just common sense to question if they are all functional.

The strongest points you have are:

* refusal to permit review of your bill

If you are able to ask for a copy of the facility water bill, please do. It should be easy to compare to the spreadsheet the office gets showing how much is used versus how much is charged and the overbilling applies to everyone here in the park. Of the attachments you sent covering the laws in Chapter 90, they're in violation of every one.

* 6600 CCF is 49,368 gallons, a few recent bills are helpful, are you a family of five?

I have been under the impression it's gallons not CCF. I just got this month's bill and it's 6500, the meter reading next to it says previous: 490,000 and current: 496,500 - and I was told the meters round up to the nearest 100 gallons, perhaps every 12 hours? I am not a family of five, just a single guy, and I don't even have any pets. The charge is almost half in the Winter even though I take a lot of hot showers and baths. I'm convinced the high rate is a sin tax for watering my lawn. I think he charges \$20 a month for a sprinkler. I let the back lawn go this year until I got a new neighbor and my bill went up an additional \$20, then my neighbor's bill went up \$20 when her lawn became green even though I've been the one watering both. I certainly do not use 200 gallons a day.

* Parks refusal to post parks water bill

They did send me a copy of a spreadsheet showing what I had been charged for a span of 2 years and that's when I saw the added fee was actually increasing gradually every month, but they have consistently refused to show me the facility water bills.

* How did you arrive at the \$30,000 figure, what is the amount you personally, believe is overbilled ?

I had been estimating \$50k a year until I realized there were only 137 units in this park. I have since been saying that it's at least \$40k. I stay conservative at that number considering \$25 a month too much for 12 months from 137 tenants. However, the Utility Fee on this months bill is \$37.94 and that's actually 75% of the individual water and sewer charges which total \$50.54 - even if the volume of water is unchallenged, this far exceeds the 10% allowed by law and would mean they are stealing more than \$50k a year. It's also possible they're not paying the City at all and the actual amount may be much greater. This is clearly the main reason they refuse to show the facility water bills. Considering that the meters have already been here more than a decade, I can see how much they stand to lose in the next decade - half a million. And this is why I want to see money being put into replacing pipes instead of employing lawyers to get away with fraud.

* Landlords are not permitted to make a profit on water distribution

I think the proof is mathematical that the landlord does make a profit on the water. He's told people the trash is part of that, too, but that's also against the law. Last week, he came and replaced the new neighbor's sewer pipe. He told her he wasn't allowed to charge for services, so he charged her \$150 for the pipe. This is how they do business. They lie and cheat, and the only way they get away with it is by avoiding accountability.

* When and how much was the water districts recent special assessment and how is a monthly increase allocated, MONTHLY?

Yep, monthly. One month it lept up \$10, but it typically just looks like a number accruing interest. This does translate to a monthly income for them of at least \$3,500 if the over billing is only \$25 per household.

* Landlord must present special assessment details from the water district to park residents.

I have never seen any information from the water district and when I reached out to the City of Corvallis I was told they don't manage the billing. I don't have any evidence they're a legitimate company or that they're even paying Corvallis for the water.

* Landlord has not amended the rental agreement to explain the billing methodology? true/false

I think this is true, that the rental agreement has not been amended, because he tells different people different things and I have never received anything in writing despite asking for an explanation of charges many, many times - and even winning cases in Court! The landlord's billing methodology is that he charges the amount of money he thinks he needs and he believes it's our obligation to pay whatever he says. There was a time when the bills stopped coming and I was told I should just call the office and ask how much money they wanted. I refused to pay without a bill and that's when the new format of bills began - they used to come on a 3x5 card and I have wondered if the new bills are something they just print up in the office. I think there is more than enough probable cause for an investigation of possible fraud and it's to protect against this that the laws you cited in Chapter 90 were written to begin with.

You can affirm my understanding of your complaint, and I'll pursue legal resources (there is financial criteria) or contact Lawyers

I will rely on you for referral. No worries about financial criteria, but the more advanced notice for expenses, the better. I would like to resolve this immediately, of course, but I can't be in a rush. This month is especially difficult for finances as a number of large bills are due and classes have just started at the University which my work depends on. I came to contact you while information gathering so that I could get a letter of intent to the appropriate person and be ready to go back to court after the holidays. I will take your advice on how to proceed.

Referral Service (LRS -Oregon State Bar) 1-800-452-7636 and ask for an attorney that deals with landlord/Tenant law. LRS will refer you to an attorney that for \$40 will provide a first consultation to give you a perspective of the strength of your position and perspective of any future legal action.

I have been through this before and it's how I ended up in Small Claims without a lawyer. Nobody wants to take a landlord-tenant case unless it's an unfair eviction. Without an eviction, I don't even qualify for legal aid. The referral service randomly picks new lawyers once a month and they've all said the same thing, 'I don't know why they sent you to me'... and personally, I don't understand why I should have to go to court to have laws enforced that have already been written and don't need further clarification.

Please Advise.

My only last thought now is after reading that refusal to pay a utility bill is not grounds for eviction... It was Ivan himself who I forced to evict me from my last place so he wouldn't keep it in my name, then it was Ivan who went to court and claimed he wasn't really the manager here. Now, the Erdman's won't be clear about who exactly is the manager here, though the law requires that the officially registered manager be served a court summons. Since our last email, I have also received the notice for a yearly rent increase of \$35 and while it used to come from the guy who told the judge he was not really the owner, it now says Dustin Erdman / Ivan Erdman, as they continue to insist that they manage all of their affairs as a family. The problem then is that service becomes a shell game. There is a mechanism in the law for if I cannot determine who the manager is and the evidence supports that now, but the family hides behind businesses and people in California who may not even be living and cannot be served. Surely a trial judge won't stand for this, but it would be better if the laws already in place could be enforced. So, any information you can provide or any change you can affect is certainly appreciated. I'm attaching this month's current bill and I can send you as many previous bills as you like. I don't know if you're restricted by confidentiality but you are welcome to contact Highland View and make inquiries, as far as I'm concerned. Let me know if there are any developments or if I can provide you with any further information.

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