



# MHCO Form 42: 10-Day Notice To Vacate For Non-Payment of Rent (Mobile Home or Floating Home Residents)

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**CAUTION: THIS 10-DAY NOTICE (FORM NO. 42) REPLACES THE ONE PREVIOUSLY USED FOR ISSUING A 72-HOUR NOTICE. THIS CHANGE WAS REQUIRED BY HB 4401 SIGNED BY THE GOVERNOR ON DECEMBER 23, 2020. HB 4401 AND EARLIER LAWS HAVE IMPOSED A MORATORIUM ON THE TERMINATION OF RESIDENTIAL TENANCIES FOR NONPAYMENT OF RENT. DO NOT ISSUE THIS NOTICE WITHOUT FIRST CHECKING WITH YOUR ATTORNEY TO DETERMINE IF THE MORATORIUM IS STILL IN EFFECT.**

Name of Community/Park: \_\_\_\_\_

Address: \_\_\_\_\_

*Instructions: If the Rental/Lease Agreement provides that rent is due on the 1st day of the month, the earliest this Notice may be issued is the 8th day of the month. If the due date for rent falls on any other day of the month, the earliest this Notice may be issued would be on the 8th day after that due date, including the due date.*

**DATE OF THIS NOTICE** *(Insert the date this Notice is personally served, deposited in the mail, or mailed and securely attached to the main entrance of the Resident’s home.)* \_\_\_\_\_.

TENANT(S): \_\_\_\_\_

ADDRESS: \_\_\_\_\_ SPACE \_\_\_\_\_

CITY: \_\_\_\_\_ OREGON ZIP \_\_\_\_\_

Your rent is now at least seven (7) days past due. This is your 10-day Notice to pay **TOTAL RENT DUE**, identified below. If you do not pay the **TOTAL RENT DUE** by the **Deadline** identified in the box checked at Nos. 1, 2, or 3, below, your tenancy and Rental/Lease Agreement will terminate on the **Deadline**. Rent remains unpaid for the following months and in the following amounts *(Insert each month of unpaid rent AND the amount of rent for each month. List only rent, not including any other Charges, as defined below.):*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TOTAL RENT DUE** *(Total all unpaid rent listed above).* .....\$ \_\_\_\_\_

Note: If you have any unpaid fees, fines, deposits, or other charges (collectively “Charges”) due, they must still be paid. Pursuant to ORS90.630 Landlord reserves the right to issue you a separate 30-day Notice to terminate your tenancy if you do not timely pay the Charges.



**Total Rent Due must be paid by the Deadline, appearing below (Check applicable box):**

- 1.  This Notice was personally served. The Deadline for payment is 11:59 PM on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. (Deadline must be at least ten (10) days after the above Date of This Notice. E.g. If personal service occurred on the 8<sup>th</sup> day of the month, the earliest Deadline would be 11:59 PM on the 18<sup>th</sup>.)
- 2.  This Notice was mailed via regular first-class mail. The Deadline for payment is 11:59 PM on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. (Deadline must be at least thirteen (13) days after the above Date of this Notice, not counting the date mailed. E.g. if mailing occurred on the 8<sup>th</sup> of the month, the earliest Deadline would 11:59 PM on the 21<sup>st</sup>.)
- 3.  This Notice was attached in a secure manner to the main entrance of Resident’s home on the above Date of This Notice AND also on said date mailed to Resident via regular first-class mail. The Deadline for payment is 11:59 PM on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. (Deadline must be at least ten (10) days after the above Date of This Notice, not counting the date of mailing and attachment. E.g. if mailing and attachment occurred on the 8<sup>th</sup> of the month, the earliest Deadline would be 11:59PM on the 18<sup>th</sup>.) *Caution: This attachment and mailing method of service should not be selected unless the Rental/Lease Agreement allows both the Landlord and Tenant to send notices to the other by this method. The current MHCO Rental/Lease Agreement does permit Landlord and Tenant to use this method of providing notices to each other.*

**FAILURE TO PAY “TOTAL RENT DUE” BY THE “DEADLINE” INDICATED IN THE BOX CHECKED ABOVE TERMINATES YOUR TENANCY AND YOUR LANDLORD INTENDS TO TAKE POSSESSION OF THE PREMISES IN THE MANNER PROVIDED BY THE OREGON RESIDENTIAL LANDLORD AND TENANT ACT.**

**Warning:** Oregon law provides that if you are a tenant renting a floating home slip in a marina or a space in a mobile home or manufactured dwelling park, Landlord may evict you with not less than thirty (30) days written notice if you have received three 10-day Notices within the previous twelve (12) month period (“the 3-strikes law”). If you receive a 30-day Notice of termination under the 3-strikes law, you will have no right to avoid the termination by payment of past due rent.

This 10-day Notice is your  First  Second  Third 10-day Notice within the previous twelve months.

If the recipient of this Notice is a veteran of the armed forces, assistance may be available from a veterans’ service officer or community action agency in the County in which the recipient’s property/space is located. Contact information for a local county veterans’ service officer and community action agency may be obtained by calling a 2-1-1 information service.

Owner/Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Community: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

