

Oxford of Oregon
House Membership and Departure Forms Information

- **Eviction Notice for Use or Possession of Alcohol or Illegal Drugs (24 hour)**
- **Eviction Notice for Disruptive Behavior (24 hour)**
- **Notice to Pay or Vacate within 72 hours**
- **Partial payment agreement**
- **Abandoned property Notice**
- **Membership contract**
- **Membership fee contract**
- **Termination of Tenancy (30/60)**

Oxford of Oregon Forms Information

These are some of the forms we will be filling out within our houses:

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This packet contains the best information to date concerning the use of these forms. It is intended to be revised as new information is discovered and new insight is revealed. It is important that we all know about filling out these forms and why we do what we do.

When in doubt a 30 or 60 day notice should be served rather than a 24 hour or 72 hour notice. We cannot afford to make mistakes with evictions. A lawsuit could be VERY costly, and we need to avoid it if at all possible.

The reasons for evicting in 24 hours must be valid and legal. This form is not to be used casually, as it is very serious. It must be done properly. If we allowed everybody to fill these out, we as a whole would be risking legal action that might cause problems for years to come. Some of this might seem obvious, but not necessarily to all. We need to be consistent in what we do.

The most recent versions of these forms are found at or.oxfordhouse.us
Each house should have within it a copy of the Oregon Revised Statutes (ORS) that pertains to the majority of this.

Any questions regarding these policies need to be addressed to the Oxford of Oregon Legal committee.

Legal Team Phone Numbers:

Troy Keup: 503-709-2700

Mike Hermens: 541-971-2314

Ed Smith: 503-267-0862

Ted Bieber: 503-839-6978

Liz Woodford: 541-606-5763

Elizabeth Smith: 503-400-9230

Eviction Notice for Use or Possession of Alcohol or Illegal Drugs (24 hour)

This form is to only be filled out by a trained chapter, alumni, or state officer.

The person who is being served needs to have their name properly filled out on this form. It should be on their membership contract and application for membership.

The address of the house that the member lives at needs to be on this form.

"...must move out by_____." This needs to be at least 24 hours after the notice has been personally served to the person. If the person is not there to give it to them in person, it must be mailed, and the date that is put here must be midnight at least 4 days after mailing. **IT IS VERY IMPORTANT TO HAVE THE PROPER DATE AND TIME ON THIS FORM.** To list 11:59 PM as a time works very well. The time does not have to be exactly 24 hours after the notice was served, but it must be at least 24 hours after being served.

This notice needs to be delivered to the person being served by the person filling it out. **Just to give it to the house to serve to the member is not good enough. If it cannot be hand delivered, it needs to be mailed.** On the back of the envelope it is good to write "24 hour notice enclosed". This will make it so the envelope will not be opened by the house to find out what is inside.

If the notice must be mailed, it needs to be sent to the house, and when it arrives should not be opened by anyone except the member being served. If the member is not there to open it, this notice is to be kept unopened in their file.

If they fail a test for alcohol or drug use on a "quick-dip" or saliva swab, a urine sample should be sent to the lab for confirmation.

If they refused to take a test, it needs to be clearly noted in house meeting minutes. It is good to have a written statement by the person who refuses to take a test stating that they refuse.

If the box that says "you were observed..." is checked, the person who observed them using must be willing to go to court. To hear from someone on the street is not valid, unless the witness can show up to testify in court when necessary.

The date of occurrence is the date that the test was administered, the date that the person was observed, or the date that the person admitted to use.

Persons involved should include who administered or asked for the test.

The location needs to be the entire address of the incident not just a house name or town.

The state association has voted that members expelled for any relapse should not be admitted to another Oxford house in the state of Oregon for 30 days.

The details section needs to be filled out with as much detail as possible. It is not enough to write that "Dave was high". Be very complete here, this is important. If there is not enough space, another sheet may be attached.

The box that says "Other" is for rare and unusual circumstances, and should be used sparingly. Please consult others when using this section. That the person admitted to use would be one instance where this is used. If possible attach a written admission from the member.

When expelling someone on this notice, a house meeting needs to be called, and the member voted out. Proper meeting minutes are necessary. At this time the member's departure plan needs to be discussed. This information is available on the membership contract.

Contact person is the person who is filling out this form. Chapter contact is usually the chapter chair or co-chair. These are not to be the same person.

The house has 30 days in which the unused portion of the monthly dues (EES) must be returned within.

This document needs to be signed by the State, Alumni or Chapter officer filling it out.

4 copies of this notice must be made. One is for the member, one for the house, one for the chapter, and one for DHS.

This form **MUST** be mailed to DHS within 72 hours of it being filled out.

The address is:

Jackie Fabrick

500 Summer St NE

Suite E86

Salem Oregon 97301

If the member served a 24 hour notice for relapse will not leave in 24 hours, the sheriff can be called, and they will remove the member as required in the Oregon State law (ORS 90.440)

Eviction Notice for Disruptive Behavior (24 hour)

This form is to only be filled out by a trained chapter, alumni, or state officer.

The person who is being served needs to have their name properly filled out on this form. It should be on their membership contract and application for membership.

The address of the house that the member lives at needs to be on this form.

“...must move out by_____.” This needs to be at least 24 hours after the notice has been personally served to the person. If the person is not there to give it to them in person, it must be mailed, and the date that is here must be midnight at least 4 days after mailing.

If the notice must be mailed, it needs to be sent to the house, and when it arrives should not be opened by anyone except the member being served. If they are not there to open it, it is to be kept unopened in their file. It is wise to write “24 hour notice enclosed” on the back on the envelope so that it does not need to be opened to see what is inside.

This notice needs to be delivered to the person being served by the person filling it out. **Just to give it to the house to serve to the member is not good enough. If it cannot be hand delivered, it needs to be mailed.**

“... inflicted substantial damage to the premises.” Note the word substantial. Use good judgment here. This is usually where a carpenter or other professional would need to be called in to repair the damage.

“... provided false information on your application with regard to a criminal conviction.” Note that this says CRIMINAL conviction. For our purposes this means a registered sex offender or arsonist. This does not include not listing medications that they may be taking. A 30 day notice would be appropriate here. There is no place on the application that criminal history is filled in, so it is important that the meeting minutes for the interview reflect the questions regarding being a sex offender or arsonist are recorded accurately. Just because a member did

not tell the house that he had an assault or theft charge in the past would not be enough to use this area.

“... an act that is outrageous in the extreme...” This is a matter of interpretation. It does not mean violating house expectations usually. This box should very seldom be checked as a reason for expulsion. If it is to be checked, please call around and get opinions on this, the state chair and someone on the legal committee would be good. A situation that the police might be called for would probably fit into this category.

Getting a probation violation or committing a new crime is not something that this form would be used for, unless the crime was very significant. Shoplifting or driving while suspended is not grounds for the use of this form.

“Immediate vicinity” means within the close proximity to the house. More than a block away from the house would not be in the immediate vicinity. Burglarizing the neighbor’s house would qualify for the use of this form.

Location is usually the Oxford house in which this behavior took place. Persons involved should include all of those that are present to witness what happened.

The details section needs to be filled out with as much detail as possible. Tell the story of what happened. Be complete in your details.

Contact person is the person who is filling out this form. Chapter contact is usually the chapter chair or co-chair. These are not to be the same person.

When expelling someone on this notice, a house meeting needs to be called, and the member voted out. Proper meeting minutes are necessary. At this time the member’s departure plan needs to be discussed. This information is available on the membership contract.

This document needs to be signed by the State, Alumni or Chapter officer filling it out.

3 copies of this notice must be made. One is for the member, one for the house, one for the chapter. If the member being served this notice will not move out in 24 hours, the sheriff cannot evict them as they can for a 24 hour notice on relapse. If this happens call the State chair person for help.

Notice to Pay or Vacate within 72 hours

This form is to only be filled out by a trained chapter, alumni, or state officer.

This notice can be filled out when a member is seven days late or more than the required house due date in their house dues (EES).

It is best for the notice to be served in person to the member being served. If this is not possible, it needs to be mailed to the house, and the date needs to be extended by four days (making it 1 week past when the notice is mailed). It is wise to write “72 hour notice enclosed” on the back on the envelope so that it does not need to be opened to see what is inside.

If the member has signed a partial payment arrangement, the amount to be filled in the “Rent amount due:” section is to be the remainder of the unpaid balance.

Partial payment agreement

This cannot be filled out once a member has paid any on a current month's dues. It needs to be filed out before any partial payment for a current month is accepted.

The house should fill out this form. Both the member and the house must agree to the terms presented within it. There needs to be a house vote conducted in a house meeting. The member and the house need to sign this document.

If a payment on this plan is missed a 72 hour notice may go into effect. This 72 hour notice needs to be filled out by a chapter, alumni or state officer only 7 days after the EES was due.

Abandoned property Notice

This needs to be filled out at least a week after the member has moved or been evicted. Even if the member moves out on good terms this needs to be filled out (unless they take all of their belongings with them). The only way to legally "get rid of" an old member's belongings is to use this form.

Old members' belongings cannot be sold by the house or taken by the members.

If the notice cannot be presented personally to the member, it needs to be mailed to the house, for this is the last known address. (Same procedure as other notices)

Membership contract

It is necessary to have all members living in a house fill this form out when they move in.

The chapter contact should be the current chapter chair. The state contact should be the current state chair. Phone number for the State chair is: (971) 998-4223

The Oxford House Inc. contact person is to be either your local outreach worker or:

Mollie Brown

Facilities Coordinator

1 800 689 6411

The departure plan part of this contract is very important. It is what is directly connected to the Oregon law that allows us to expel someone in 24 hours for a relapse.

It is also a good idea to have the member add to this section what they would like to have happen to their possessions should they have to suddenly depart from the house. They can authorize someone to pick up their possessions in this section by giving a name and phone number of the person to whom the house can release their property.

It is good to provide members with a copy of their membership contract when they have filled it out.

Membership fee agreement

This is simply an agreement that the member will pay the membership fee required to move into the house. There needs to be an understanding that this FEE is NOT REFUNDABLE.

This form is to be stored in the individual member's file in the house (along with the membership contract and associated documents). This should be signed when the membership contract is signed. This should be filled out when the new member packet is filled out.

Termination of Tenancy (30 or 60 day)

Houses can fill out this form.

This is just what it says it is. NO CAUSE. It is important that no cause for termination be listed on this document. It is to be used after a house vote to expel a member has been made.

The behavior that is related to the decision to expel a member may be mentioned in the house meeting minutes, but this is not the reason that the member is being expelled. The house has voted them out. That is all.

If a member has lived in the house for over a year, the member is to be given a 60 day notice rather than 30 day.

If the notice cannot be presented to the member, it is to be served by mail, and the date will be set to 34 (or 64) days from mailing date. If mailed it is to be held unopened in the member's file in the same way as other notices are to be kept. It is wise to write "30 (or 60) day notice enclosed" on the back on the envelope so that it does not need to be opened to see what is inside.