IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF LINN

_____ (Landlord or Agent), Plaintiff(s)	)	
vs.	)	**Case No.** _____
_____ (Tenant/Occupant), Defendant(s)	)	**DEFENDANT'S REQUEST FOR HEARING TO CONTEST AN AFFIDAVIT OR DECLARATION OF NONCOMPLIANCE**

Address of Property: _____

1. My landlord has filed a statement with the court saying that I have not complied with a court-approved agreement and that as a result my landlord is entitled to possession of the property.

2. I deny the landlord is entitled to possession of the property because (The reason must be one of the following. You must check one or more of these responses and you must explain in section 3.):

   ☐ The landlord is wrong. As explained below, I did comply with the agreement.

   ☐ Before I could comply with the agreement, the landlord was supposed to do what is explained below, which the landlord did not do.

   ☐ The landlord and I changed the agreement and I complied with the agreement as changed. The change we agreed to is explained below

   ☐ The landlord prevented me from keeping the agreement. The way the landlord did that is explained below.

   ☐ The agreement was not made in good faith as required by ORS 90.130. The lack of good faith is explained below.

   ☐ The portion of the agreement described below was unconscionable as described in ORS 90.135.

   ☐ The landlord is required by law or contract to have good cause to force me to move out and my alleged conduct or performance does not meet the standard of good cause, as explained below.

   ☐ The landlord is claiming I did not pay rent for a period of time following the date of the agreement. I did not pay that rent because I have claims for money against the landlord to offset the rent. Those claims arise from the landlord's violation of the Residential Landlord and Tenant Act or the rental agreement since the date of the court order and are explained below.

3. Here is my explanation for the reason or reasons checked above: _____

   _____

   _____

4. I understand that if I lose in court, I may be responsible for the landlord's costs, disbursements, any attorney fees and a prevailing party fee.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

_____
Date

_____
Signature of Defendant or Agent

_____
Name of Defendant or Agent (printed or typed)

_____
(mailing address if different than property address)

_____