

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

Danna CHASTEEN,
Plaintiff-Respondent,

v.

Michael SMITH
and Melissa Row,
Defendants-Appellants.

Douglas County Circuit Court
20LT04324; A174611

Jason R. Thomas, Judge pro tempore.

Submitted August 31, 2021.

Harry Ainsworth filed the brief for appellants.

No appearance for respondent.

Before Armstrong, Presiding Judge, and Tookey, Judge,
and Aoyagi, Judge.

PER CURIAM

Reversed and remanded.

PER CURIAM

In this residential FED action, landlord's case was dismissed after trial. In the judgment, the trial court denied an award of costs and attorney fees to any party. Tenants appeal the judgment, arguing that the trial court erred in denying an award of attorney fees without following the procedures specified in ORCP 68 for such an award. For the same reasons we expressed in *Jordan v. Voss*, 313 Or App 495, __ P3d __ (2021), we agree with tenants. We therefore reverse and remand the judgment to allow tenants to petition for attorney fees under ORCP 68.

Reversed and remanded.