



TO: Senate Committee on Housing
FROM: Ron Garcia, Legislative Chair
Rental Housing Alliance Oregon
DATE: March 25, 2019
RE: Regarding SB 970

Since 1927 the Rental Housing Alliance Oregon (RHA Oregon) has set the standard for community participation by landlords providing affordable and quality housing. The Rental Housing Alliance Oregon has more than 1,900 members, 62% of whom own just 1-4 units and 81% of whom own 10 or fewer units.

We have just one concern with SB 970. This bill prohibits all residential landlords from considering minor marijuana convictions when evaluating rental applications. It continues the erosion of the ability of landlords to screen and choose tenants with the safety of the community at the forefront.

In 2013, SB 91 made changes to the criminal history that a landlord could consider when evaluating a prospective tenant application. It specified that landlords may only consider undischarged charges and convictions in applicant's history for drug related crimes, person crimes, sex offenses, crimes involving financial fraud, or any other crime *if* the charged conduct would negatively affect property or health, safety, and right to peaceful enjoyment of premises. This already places the burden of proof of potential harmful impact on the landowner.

This session, SB 608 restricted a landowner's ability to ask a tenant to leave for safety and community security reasons that were not explicitly allowed in law as a "for-cause" eviction.

Now, SB 970 says a landowner must altogether ignore a prospective tenant's marijuana convictions.

This body continually takes away the landlord's ability to assure the safety of the residents.

We find it odd that both state and federal fair housing laws apply to landlords, but not state and federal controlled substance laws.

In 2015 the legislature passed SB 364 allowing expungement of marijuana convictions and SB 420 this session wants to push that further dictating automatic expungement.

If expungement is something the legislature want to pursue for all members of society, all businesses and all background checks, we will accept the decision. But making it apply only to a landlord is wrong.

Asking the landlord, who must make decisions impacting an entire community of people, to ignore convictions others can consider is wrong and something we urge you not to do.