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Oregon House of Representatives Committee on Human Services and Housing

Dear Chair Keny-Guyer, Vice Chair Noble and Vice Chair Sanchez,

I am the Executive Director of Northwest Housing Alternatives, and I write this letter in support of Senate Bill 8A that would require the Oregon Land Use Board of Appeals (LUBA) to award local governments and applicants their expenses and attorney fees against petitioners if affirming local government's approval of publicly supported housing. This would require petitioners to pay costs and attorney fees, including on appeal, to prevailing intervening developers of affordable developments that were approved by local government.

Northwest Housing Alternatives is a community-based, mission-oriented, nonprofit affordable housing provider in Oregon. Our mission is to provide opportunity through housing. Established in 1984, we have nearly 1,900 units in our portfolio and 600 more units in our development pipeline. On any given night, approximately 2,900 people sleep under our roof tops, this number is similar in size to the populations of Sublimity and Jacksonville. Some of our properties are for families with children, some for seniors, some for people with physical or other disabilities, some for Veterans, and some properties have a mix of people like this.

Based in Clackamas County, we have a statewide geographic focus with properties in 16 counties. Some of the communities we are in include Hermiston, Portland, Beaverton, Medford, Gresham, Bend, Salem, Dallas, Hines and Florence, with one of our new projects in Ontario.

Northwest Housing Alternatives has experience with the LUBA process in developing affordable housing properties: the first in Lake Oswego about 10 years ago, and the second currently under LUBA appeal in the historic NW neighborhood of Portland. In both cases, the timeline of delivery of critically needed affordable housing was/is significantly delayed, impacting the cost of the project in two ways: 1) in legal fees through the LUBA process, and 2) in the increase in cost of labor and materials (construction costs) through the LUBA appeal.

We believe the impact of SB 8A will be to reduce the occurrence of people filing suit to oppose affordable housing projects and this will increase the efficiency in which we can develop more properties. We always work with/in local communities. By the time a local governmental jurisdiction approves one of our developments, we have already invested significantly into gathering input from the project's neighbors and other considerations raised by the community.



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We also believe that an impact of SB 8A will be to allow affordable housing in more opportunity areas where housing markets are the tightest because of community amenities, and that projects in opportunity areas will not have to face the challenge of increased costs associated with defending a project through LUBA (no legal fees, and holding construction costs to original estimates).

The LUBA appeal process is daunting, costly in legal fees, and drive up the cost a project budget due to the length of time involved. The LUBA appeal process has become a barrier to housing equity by not allowing lower income people the same opportunities as others to live in thriving communities, with a possible disparate impact on communities of color.

In summary, I am in strong support of SB 8A and hope that you will consider the positive impacts it will have toward supporting the development of affordable housing projects.

Thank you for your consideration,

Trell Anderson
Executive Director