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To: House Committee on Human Services
From: Sybil Hebb, Oregon Law Center
Date: June 4th, 2021
Re: Emergency Rent Assistance

Chair Fahey, Vice-Chairs Campos and Morgan and members of the committee:

On behalf of the Oregon Law Center, thank you for this opportunity to testify before you regarding the importance of emergency rent assistance programs for Oregon renters struggling to recover from the COVID pandemic. OLC is grateful for the immense work and dedication of the Governor and her staff, Legislative leadership and members, state agencies, and myriad community partners for the work and support in stepping forward to prevent eviction, provide rent assistance, and preserve stability through this unprecedented public health pandemic.

The Oregon Law Center (OLC) is a state-wide non-profit law firm whose mission is to achieve justice for low-income communities of Oregon by providing a full range of the highest quality civil legal services. Helping families maintain safe, stable housing is a critical part of our work.

As the HB 4401 moratorium on evictions for non-payment comes to an end on June 30th, the new federal assistance programs are critical tools to ensure ongoing stability for low-income renters, through payments to landlords for back-due and future rent.

We are fortunate that Oregon has received approximately \$280 million in new rent assistance resources, and expects to receive approximately \$156 million in additional resources later this fall. While we do not yet know the full extent of pandemic-related rent deficits and ongoing instability, OLC is grateful that we have significant resources to meet that need in the immediate short term.

These resources could not come at a more important time. While many communities have begun to recover from the pandemic, the evidence is clear that low-income communities, communities of color, and women with young children have borne the brunt of the down-turn. Oregonians who are members of these communities are disproportionately likely to rent rather than own their homes, and these communities have not yet experienced the recovery trajectory that has benefitted many higher income communities.

We are immensely grateful to our community partners and to OHCS for their work in administering rent resources throughout this pandemic to-date, and we are aware of the enormity of the challenges that are yet to come. As we move forward in administering the new programs, OLC has three key priority goals:

- **Equity:** It's critical to ensure that those most impacted by the pandemic have access to the assistance they need to maintain stability. Communities of color and low-income communities have been the hardest hit by both the pandemic and the economic downturn. Language access, communication and community outreach, partnership with community-based and culturally specific organizations, urban/rural access, and the Urban Institute Priority Index are all critical tools in ensuring equitable access.
- **Consistency, coordination, and facilitation of access:** Tenants must understand where to go to get help, and access must be streamlined and coordinated so that one application process provides a pathway to myriad resources. Language-accessible and culturally specific public service outreach and community education must be a priority. Unnecessary application documentation requirements should be avoided at all costs, as they pose significant barriers to participation, especially for the lowest income families and for non-English speaking families.
- **Immediate harm prevention:** **We face an urgent deadline, in less than four weeks, when the moratorium on evictions ends and tenants must begin paying current rents.** Tenants who are at greatest risk of eviction because they are unable to pay upcoming rent must be prioritized. The grace period for re-payment of back-due rent established through the passage of SB 282 ensures that tenants have extra time to re-pay rent accrued during the moratorium, without facing eviction. With the expiration of the moratorium, rents due in July and forward must be paid on time, or renters risk eviction for non-payment.
 - **The legal timelines for non-payment actions under a rental agreement with rent due on the first of the month are as follows:**
 - July 1st Rent due
 - July 5th Late fees
 - July 8th 10-day termination notice telling tenant to pay in full or move out w/in 10 days
 - July 19th Eviction court proceeding can be filed on the 19th if the tenant has not moved out or paid rent in full by the 18th
 - **It is critical to note:** If the tenant is not able to pay July rent by the 18th in full, the tenant is in default and has no legal defense to an action for non-payment. In other words, if the tenant comes up with the payment anytime after the expiration of the 10-day notice, that is not legally sufficient to stop the eviction action. Payment on the 19th is too late, and the eviction may proceed unless the Landlord chooses not to move forward. This challenge, and these timelines, will exist at the beginning of every month after the moratorium ends on June 30 for tenants unable to make payments.
 - **Payments must be made promptly to ensure against an eviction cliff for vulnerable tenants starting this July.** In order to prevent immediate harm, application turn-around times must be short, and application processes must be as simple as possible within the guidelines of the federal rules.
 - **Let me emphasize: For those tenants who cannot pay the July rent, rent assistance after they get evicted is not much help. These cases must be prioritized, now, and at the beginning of each month.**

We appreciate that each of these priorities is identified and echoed in the OHCS criteria, and shared and supported by community partners. In order for OHCS and community partners to manage the enormity of these needs, and successfully implement these criteria, they must have adequate resources. We can ensure that the agency as well as community partners have adequate staff and support to reasonably manage this work. We know that our partners are working around the clock to assist Oregonians. OLC urges support of the requests for additional staffing put forward by the

agency, and urges support for additional resources for our community-based and culturally specific partners. Without these additional resources, it will be impossible to accomplish the priority goals of the program. We must provide our agency partners with the support they need.

In closing, OLC is grateful for the work that this committee has done to address housing stability from many perspectives. Communities of color and low-income communities have long faced vulnerability to eviction. These risks have been exacerbated by the pandemic, and require multi-faceted response in order to prevent further harm.

Unprecedented levels of federal rent assistance can protect low-income Oregonians who rent their homes from the long-lasting consequences of displacement, and can ensure payments of debt owed to landlords. Implementation of the key priorities identified above is critical to ensuring success of our rent assistance programs, and to ensuring the safety and security of our communities. If our systems are unable to match resources with tenants in need *before the eviction cliff*, we will be failing tenants, landlords, and communities.

Thank you for this opportunity to testify, and for your dedication to Oregonians.