Rental Housing Alliance Oregon · 10520 NE Weidler St. Portland, OR 97220 · 503-254-44723
www.rhaoregon.org

TO: House Committee on Housing

FROM: Ron Garcia, Executive Director for Public Policy
Rental Housing Alliance Oregon

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RE: HB 4125 Concerns

Since 1927 the Rental Housing Alliance Oregon has set the standard for community participation by landlords who provide affordable and quality housing while also improving the CRAFT of our members: Community - Resources - Advocacy - Forms - Training. The RHA has over 2,000 members, 62% of whom own just 1-4 units and 81% of whom own 10 or fewer units.

We believe that the main goals of HB 4125 are already achieved in the statute it seeks to amend. ORS 90 already:

- Prohibits a landlord from charging more for an applicant screening than they pay for it to be done
- Prohibits a landlord from charging a screening fee unless units are available
- Requires landlord to return screening fee if landlord fill suit before screening
- Requires a landlord to provide applicant with a receipt for money paid
- Limits a landlord to applying only one screening charge within a 60-day period
- Requires return of the screening fee if the screening does not occur
- Requires a landlord to adopt written screening criteria
- Requires a landlord to provide written notice of criteria, amount of screening charge, process for screening, right to dispute information in screening report and appeal decision

This legislation requires:

1) Landlord provide *"confirmation that a screening has been conducted, including a receipt, from a tenant screening company or consumer credit reporting agency"*
   - This is unnecessary, tedious paperwork – a landlord only screens if a unit available, then the applicant has receipt via a negative report or a rental offer
2) Landlord provide written notice that "*The applicant's right to a refund of the screening charge under subsection (5) of this section and right to recover damages under subsection (6)(b) of this section;"*
   - This is redundant in that subsection (3) already requires a landlord to provide written notice of process, costs and rights.
3) A landlord return applicant screening charge *"within 14 days"*
   - This is currently required "Within a reasonable amount of time" and no concerns about current practices.

Additionally, the change of language in 4(b) is unneeded as the current language allows for return when screening does not occur "for any reason" AND subsection 1(b) already requires a screening charge to apply for 60 days.

> 4 (b) ~~[Does not screen the applicant for any reason~~] **If the applicant has agreed in writing that the application may be held and considered for a time up to 60 days for other units that become available, does not screen the applicant for any reason within that time**.

Finally, the one change in the bill we do see is the recovery fee increase in subsection 6(b): *The applicant may recover from the landlord twice the amount of any applicant screening charge paid, plus [~~$150~~] **$250**.* For this we pose two questions that perhaps OHCS can answer: do landlords actually fail to comply with current screening laws and how often is the recovery fee even assessed?

We do not see that the bill is needed, and we worry about the ongoing political narratives that portray landlords as harming tenants. Thank you for considering our thoughts.