

A-Engrossed
House Bill 3417

Ordered by the House April 3
Including House Amendments dated April 3

Sponsored by Representatives RAYFIELD, DEXTER (at the request of Governor Tina Kotek)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[During state of emergency due to homelessness, allows Housing and Community Services Department to expand] **Expands** landlord guarantee program to include landlords providing housing to tenants *[receiving other]* **who have received** rental assistance **under specified rehousing initiative.**

[Sunsets January 2, 2026.]

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to housing choice landlord guarantee program; amending ORS 456.375 and 456.378; and
3 declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** If House Bill 5019 becomes law, ORS 456.378 is amended to read:

6 456.378. (1) The Housing and Community Services Department shall develop and implement the
7 Housing Choice Landlord Guarantee Program for the purpose of providing financial assistance to
8 landlords to mitigate damages caused by tenants *[as a result of occupancy under]* **who have received**
9 **rental assistance:**

10 (a) **Under** the Housing Choice Voucher Program; or

11 (b) **From a rehousing initiative under section 4, 5 or 11, chapter __, Oregon Laws 2023**
12 **(Enrolled House Bill 5019).**

13 (2) Landlords that are eligible for assistance under the Housing Choice Landlord Guarantee
14 Program must submit an application in the form and format prescribed by the department. Assist-
15 ance is limited to reimbursement for only those amounts that are related to property damage, unpaid
16 rent or other damages:

17 (a) Caused *[as a result of the tenant's occupancy under the Housing Choice Voucher Program]* **by**
18 **tenants described in subsection (1) of this section;**

19 (b) That exceed normal wear and tear; and

20 (c) That are in excess of \$500 but not more than \$5,000 per tenancy.

21 (3) A landlord must submit an application for assistance to the department within one year fol-
22 lowing the later of the date that:

23 (a) The tenancy terminates;

24 (b) The landlord obtains possession of the dwelling unit; or

25 (c) Payments from the Housing Choice Voucher Program to the landlord terminate.

26 (4) The department may contract with a public or private provider for the administration of the

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 Housing Choice Landlord Guarantee Program. The department is not subject to the provisions of
2 ORS chapter 279A or 279B in awarding a contract under the provisions of this subsection. The de-
3 partment shall establish by rule procedures for inviting proposals and awarding contracts under this
4 subsection.

5 (5) The department shall adopt rules to implement the provisions of this section, including but
6 not limited to prescribing additional qualifications and requirements that must be met by landlords
7 and the form of application that must be submitted to the department to receive assistance under
8 the program.

9 **SECTION 2.** ORS 456.375 is amended to read:

10 456.375. As used in ORS 456.375 to 456.390:

11 (1) “Housing Choice Voucher Program” means the federal tenant-based assistance program es-
12 tablished under 42 U.S.C. 1437f(o).

13 (2) “Landlord” [*means an owner of a dwelling unit that has entered into an agreement with a*
14 *housing authority to receive tenant-based assistance payments under the Housing Choice Voucher*
15 *Program and that has entered into a rental or lease agreement with a tenant*] and “tenant” have the
16 meanings given those terms in ORS 90.100.

17 [(3) “Tenant” means an individual or a family who is eligible to receive tenant-based assistance
18 payments under the Housing Choice Voucher Program and who has entered into a rental or lease
19 agreement with a landlord.]

20 **SECTION 3. This 2023 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
22 **on its passage.**

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