

Enrolled
House Bill 3417

Sponsored by Representatives RAYFIELD, DEXTER, Senator JAMA; Representatives GRAYBER, HARTMAN, LEVY E (at the request of Governor Tina Kotek)

CHAPTER

AN ACT

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

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

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

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

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

(b) **From a rehousing initiative under section 4, 5 or 11, chapter 15, Oregon Laws 2023 (Enrolled House Bill 5019).**

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

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

(b) That exceed normal wear and tear; and

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

(3) A landlord must submit an application for assistance to the department within one year following the later of the date that:

(a) The tenancy terminates;

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

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

(4) The department may contract with a public or private provider for the administration of the Housing Choice Landlord Guarantee Program. The department is not subject to the provisions of ORS chapter 279A or 279B in awarding a contract under the provisions of this subsection. The department shall establish by rule procedures for inviting proposals and awarding contracts under this subsection.

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

SECTION 2. ORS 456.375 is amended to read:
456.375. As used in ORS 456.375 to 456.390:

(1) "Housing Choice Voucher Program" means the federal tenant-based assistance program established under 42 U.S.C. 1437f(o).

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

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

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

Passed by House April 12, 2023

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Timothy G. Sekerak, Chief Clerk of House

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Dan Rayfield, Speaker of House

Passed by Senate June 22, 2023

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Rob Wagner, President of Senate

Received by Governor:

.....M,....., 2023

Approved:

.....M,....., 2023

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2023

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Secretary of State