

Senate Bill 722

Sponsored by Senator GORSEK, Representatives RUIZ, HARTMAN, Senator CAMPOS; Senators GELSER BLOUIN, PATTERSON, Representatives CHAICHI, CHOTZEN, GAMBA, HUDSON, NATHANSON, NELSON, VALDERRAMA (Pre-session filed.)

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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act bans software rent and occupancy control and applies rent caps to younger rentals. (Flesch Readability Score: 61.8).

Prohibits residential landlords from using certain software to set rents or occupancy rates. Establishes statutory damages available to affected tenants or applicants.

Reduces, from 15 to seven years, duration that new dwelling units are exempt from caps on residential rent increases.

A BILL FOR AN ACT

1 Relating to residential tenancies; creating new provisions; and amending ORS 90.323 and 90.600.

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

3 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 90.**

4 **SECTION 2. (1)(a) A landlord may not establish rents or elect to leave a unit vacant**
5 **based on the use of commercial software designed to use algorithms that rely on nonpublic**
6 **competitor data.**

7 **(b) As used in this subsection, "nonpublic competitor data" means information that is**
8 **not available to the public, including information about actual rent prices, occupancy rates,**
9 **lease start and end dates or similar rental data, without regard to whether the information**
10 **is anonymized.**

11 **(2) This section does not apply to:**

12 **(a) Data reports that do not make recommendations with respect to rents or occupancy;**
13 **or**

14 **(b) Software used to establish rent or income limits in accordance with the affordable**
15 **housing program guidelines of federal, state or local governments or other political subdivi-**
16 **sions.**

17 **(3)(a) For the purposes of this subsection, each month that a landlord violates this sec-**
18 **tion is a separate violation.**

19 **(b) A landlord is liable for actual damages plus \$500 per violation to:**

20 **(A) A tenant whose rent is established in violation of this section; or**

21 **(B) An applicant whose application was denied or delayed processing because the landlord**
22 **maintained one or more units as vacant in violation of this section.**

23 **SECTION 3. ORS 90.323 is amended to read:**

24 90.323. (1) If a tenancy is a week-to-week tenancy, the landlord may not increase the rent with-
25 out giving the tenant written notice at least seven days prior to the effective date of the rent in-
26 crease.
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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 (2) During any tenancy other than week-to-week, the landlord may not increase the rent:
2 (a) During the first year after the tenancy begins.
3 (b) At any time after the first year of the tenancy without giving the tenant written notice at
4 least 90 days prior to the effective date of the rent increase.
5 (c) More than once in any 12-month period.
6 (d) Except as permitted under subsection (5) of this section, by a percentage greater than the
7 maximum calculated under ORS 90.324 (1).
- 8 (3) The notices required under this section must specify:
9 (a) The amount of the rent increase;
10 (b) The amount of the new rent;
11 (c) Facts supporting the exemption authorized by subsection (5) of this section, if the increase
12 is above the amount allowed in subsection (2)(d) of this section; and
13 (d) The date on which the increase becomes effective.
- 14 (4) A landlord terminating a tenancy with a 30-day notice without cause as authorized by ORS
15 90.427 (3) or (4) during the first year of a tenancy may not charge rent for the next tenancy in an
16 amount greater than the maximum amount the landlord could have charged the terminated tenancy
17 under this section.
- 18 (5) A landlord is not subject to subsection (2)(d) or (4) of this section if:
19 (a) The first certificate of occupancy for the dwelling unit was issued less than [15] **seven** years
20 from the date of the notice of the rent increase; or
21 (b) The dwelling unit is regulated or certified as affordable housing by a federal, state or local
22 government and the change in rent:
23 (A) Does not increase the tenant's portion of the rent; or
24 (B) Is required by program eligibility requirements or by a change in the tenant's income.
- 25 (6) A landlord that increases rent in violation of subsection (2)(d) or (4) of this section is liable
26 to the tenant in an amount equal to three months' rent plus actual damages suffered by the tenant.
27 (7) This section does not apply to tenancies governed by ORS 90.505 to 90.850.
- 28 **SECTION 4.** ORS 90.600 is amended to read:
29 90.600. (1) If a rental agreement is a month-to-month tenancy to which ORS 90.505 to 90.850
30 apply, the landlord may not increase the rent:
31 (a) Without giving each affected tenant notice in writing at least 90 days prior to the effective
32 date of the rent increase;
33 (b) More than once in any 12-month period; or
34 (c) By a percentage greater than the maximum calculated under ORS 90.324 (1).
- 35 (2) The written notice required by subsection (1)(a) of this section must specify:
36 (a) The amount of the rent increase;
37 (b) The amount of the new rent;
38 (c) Facts supporting the exemption authorized by subsection (3) of this section, if the increase
39 is above the amount allowed in subsection (1)(c) of this section; and
40 (d) The date on which the increase becomes effective.
- 41 (3) A landlord is not subject to subsection (1)(c) of this section if:
42 (a) The first certificate of occupancy for the dwelling unit was issued less than [15] **seven** years
43 from the date of the notice of the rent increase; or
44 (b) The dwelling unit is regulated or certified as affordable housing by a federal, state or local
45 government and the change in rent:

1 (A) Does not increase the tenant's portion of the rent; or

2 (B) Is required by program eligibility requirements or by a change in the tenant's income.

3 (4) A landlord that increases rent in violation of subsection (1)(c) of this section shall be liable
4 to the tenant in an amount equal to three months' rent plus actual damages suffered by the tenant.

5 (5) This section does not create a right to increase rent that does not otherwise exist.

6 (6) This section does not require a landlord to compromise, justify or reduce a rent increase that
7 the landlord otherwise is entitled to impose.

8 (7) Neither ORS 90.510 (1), requiring a landlord to provide a statement of policy, nor ORS 90.510
9 (4), requiring a landlord to provide a written rental agreement, creates a basis for tenant challenge
10 of a rent increase, judicially or otherwise.

11 (8)(a) The tenants who reside in a facility may elect one committee of seven or fewer members
12 in a facility-wide election to represent the tenants. One tenant of record for each rented space may
13 vote in the election. Upon written request from the tenants' committee, the landlord or a represen-
14 tative of the landlord shall meet with the committee within 10 to 30 days of the request to discuss
15 the tenants' nonrent concerns regarding the facility. Unless the parties agree otherwise, upon a
16 request from the tenants' committee, a landlord or representative of the landlord shall meet with the
17 tenants' committee at least once, but not more than twice, each calendar year. The meeting shall
18 be held on the premises if the facility has suitable meeting space for that purpose, or at a location
19 reasonably convenient to the tenants. After the meeting, the tenants' committee shall send a written
20 summary of the issues and concerns addressed at the meeting to the landlord. The landlord or the
21 landlord's representative shall make a good faith response in writing to the committee's summary
22 within 60 days.

23 (b) The tenants' committee may be entitled to informal dispute resolution under ORS 90.769 if
24 the landlord or landlord's representative fails to meet with the tenants' committee or fails to respond
25 in good faith to the written summary as required by paragraph (a) of this subsection.

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