

Submitter: Lauren Everett

On Behalf Of:

Committee: House Committee On Housing and Homelessness

Measure, Appointment or Topic: HB2305

Dear House Committee on Housing and Homelessness,

I am writing in opposition to HB2305, which would represent a big step backwards for Oregon's renter households' housing stability in what is already a time of great uncertainty and stress nationwide.

As a tenant advocate and social science researcher specializing in housing policy, I have personally heard from many renters who have been the recipient of violation notices served with the intent to harass. This may be a scenario in which the landlord or property manager wishes to gain the upper hand in a dispute - for example around maintenance issues - or it may be due to the landlord's desire to remove the tenant altogether, for whatever reason (often financially motivated).

While the idea of a lease violation might seem cut and dry and easy to avoid, in the case of bad actor landlords and managers, they are often anything but. One creative tactic is to suddenly start enforcing lease terms that had previously been ignored, pertaining to conditions that were de facto permitted (e.g., having a pet, a family member or partner living at the residence, painting the interior, etc.). Another is to create new and arguably unreasonable terms (technically semi-illegal but tough to fight).

Bad faith allegations of nonpayment or late payment of rent are another common harassment tactic. For the reasons above, local jurisdictions with tenant anti-harassment ordinances specifically name these landlord/property manager behaviors in their definitions of harassment. Please see Santa Monica, Oakland, Berkeley, Los Angeles and San Francisco's ordinances for reference.

The right to cure exists for a reason: to give tenants a fair chance to address issues, whether notices are delivered in good faith or bad. HB 2305 would not only undermine this basic tenet of Oregon landlord-tenant law, it would also significantly compromise Oregon's "just cause" eviction protections under SB 608, which are not only fair and reasonable, but are vital for keeping Oregonians housed.

In a time of unprecedented homelessness - amidst a total meltdown at the federal level - please don't advance this harmful legislation and make the crisis worse.

Sincerely,  
Lauren E.M. Everett, Ph.D

North Portland