

February 19, 2025

Oregon State Legislature  
House Committee on Housing and Homelessness

***Re: Opposition to House Bill 2305***

Dear Members of the House Committee on Housing and Homelessness,

Thank you for taking the time to consider this testimony regarding House Bill (HB) 2305.

My name is Alexandra (Lexi) Slotterback, and I am a Staff Attorney at a Portland-metro nonprofit where I routinely practice tenant's side housing law. I have worked in this role for over three years, and in that time, I have worked alongside hundreds of some of Oregon's most vulnerable tenants, providing no-cost eviction defense services and support. In this role, I also offer affirmative legal services to tenants who were recently evicted, as a recent eviction record creates incredible barriers to obtaining safe and stable housing, often leaving those recently evicted folks on the street. It is through the lens of this work that I write to you and relay my strong opposition to HB 2305.

I attended the public comments on HB 2305 as a viewer on February 19, 2025, and I was concerned by some of the harmful rhetoric I heard from those in support of this bill. Those in support mentioned HB 2305 being a necessary recourse for violent tenant behavior, including domestic violence, as well as recourse for excessive costs that landlords incur when filing Forcible Entry and Detainer (FED) actions against tenants who "game" rental assistance and HB 2001 (now codified at Oregon Revised Statutes (ORS) 90.395, effective July 1, 2023). I am going to focus my testimony on responding to those comments in turn.

Landlords already have concrete recourse for violent tenant behavior in the Oregon Residential Landlord Tenant Act (ORLTA), including in instances of domestic violence. ORS 90.396 provides that a landlord may terminate a tenancy with 24 hours written notice if a tenant recklessly endangers, seriously threatens to inflict, and/or does in fact inflict, any substantial personal injury upon a person on the premises. ORS 90.396 further provides that a landlord may terminate a tenancy with 24 hours' notice if a tenant intentionally causes substantial damage to the premises or, the catch-all, commits any act that is "outrageous in the extreme." There is no right to cure a 24-hour notice in the instances described above. As such, landlords already have quick and ample recourse for removing violent and dangerous tenants from the unit.

Given the existence of the statute as outlined above, as well as the existence of other statutes allowing landlords to terminate a tenancy for other, more trivial rental agreement violations, (*see* ORS 90.427), I am concerned that HB 2305 is a pretext to circumvent ORS 90.395 (allowing a tenant to cure a nonpayment notice up until the date of trial), or, at the very least, that that is the likely consequence of the bill as currently proposed.

The truth came out in public comments – landlords and their agents are tired of spending money and time trying to evict tenants who are barely able to pay their rent each month. As

proposed, HB 2305 acts as a means of evicting tenants facing recurrent eviction notices and FED filings by making the act of nonpayment itself a “violation,” even if the tenant can catch up in compliance with the protections offered in ORS 90.395. Although I am sure it is possible that a tenant could in theory “game” this system and rely on rental assistance indefinitely, this is not the reality. With rental assistance resources continually dwindling, most tenants are not gaming anything – they are desperately trying to stay in their housing as long as possible before ending up on the streets.

I understand that landlords (who are often large for-profit corporations) find it is inconvenient and costly to file nonpayment cases against tenants who repeatedly fail to pay their rent on time; but for tenants, being displaced and living on the streets or in shelters is more than inconvenient -- it is a tragedy that affects all Oregonians.

HB 2035 is an unnecessary measure that undercuts the systems and laws we already have in place and will further exacerbate Oregon’s housing crisis. Please oppose HB 2305.

Sincerely,

Lexi Slotterback  
Attorney at Law