

Community Law

METROPOLITAN PUBLIC DEFENDER

February 20, 2024

My name is Sonja Good Stefani, and I am the Director of the Community Law Department at the Metropolitan Public Defender. I oversee our civil legal team, which includes both an eviction defense team and a collateral consequences team. We represent low-income Oregonians who face significant barriers in securing safe, stable housing due to eviction records. I am firmly opposed to HB 2305.

Community Law represents just under 3,500 low-income Oregonians a year. Roughly 1/4 of our clients are facing an active eviction. Our clients include families, survivors of domestic violence, veterans, homeless youth, and individuals committed to achieving stability in their lives. Because we serve only low-income Oregonians, most of our clients are facing eviction due to non-payment of rent. Many are often on the brink of being homeless. They are scared and overwhelmed. Unlike most tenants facing eviction in Oregon, our clients are lucky that they managed to get an attorney. The reality is that most Oregonians in this situation lack legal representation, leaving them even more vulnerable.

HB 2305 would lead to an increase in unnecessary and devastating evictions in Oregon. The bill is not about “bad tenants” it is about poor tenants and providing landlords a way to more easily and quickly prevent poor people from curing their evictions. Rental assistance is becoming harder to access and the waiting period for aid is growing longer. This bill allows landlords to evict tenants awaiting assistance without any opportunity to cure. More people with evictions on their rental history will be unable to secure housing, exacerbating the growing unhoused crisis in our state.

Mostly, this bill is entirely unnecessary. There are already plenty of laws in place to protect landlords from “bad tenants” with a 24-hour eviction policy on lease violations, including non-curable termination notices. Furthermore, landlords often benefit from rental assistance funds, yet HB 2305 would allow them to take advantage of these resources and then evict tenants without any right to cure. This creates an unjust and potentially exploitative dynamic.

Most of the testimony in support of HB 2305 focused on domestic violence situations, which has nothing to do with this bill. DV perpetrators can be evicted under a much speedier section of the law, they can be severed from a lease, and the DV survivors can be protected already. There is nothing in this bill that would help survivors anymore than the law already provides. Rather, this is a way for landlords to make it impossible for poor people to cure their non-payment of rent cases and will open the door to retaliatory and discriminatory evictions. The very purpose of just-cause eviction protections is to shield tenants from such harmful practices.

The consequences of eviction are devastating and destabilize entire communities, increasing rates of homelessness, escalating crime, and disproportionately harming low-income and minority populations. Passing HB 2305 is harmful to low-income tenants, and is entirely unnecessary to protect landlords from “bad tenants” and will only make Oregon’s housing crisis worse. I urge you to oppose it.

Sincerely,
Sonja Good Stefani