

SB 1523 -4 STAFF MEASURE SUMMARY

Senate Committee On Housing and Development

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Meeting Dates: 2/3, 2/10

WHAT THE MEASURE DOES:

The measure requires landlords to provide tenants and prospective tenants with an alternative to electronic means of conducting business, including submitting applications, paying rent, submitting maintenance requests, or performing any other function essential to the tenancy. The measure requires residential landlords to offer an alternative method other than software on tenant-owned phones or another electronic device to access common areas or common facilities. The measure takes effect on the 91st day following adjournment sine die.

Detailed Summary:

Non-Electronic Tenancy Applications (Section 2)

Requires a landlord to provide prospective tenants with a non-electronic means of applying for a residential tenancy, either by posting a printable copy of the application on their website, or by providing a prospective tenant with a copy (either printed, or printable via email) within three days of receiving a written request.

Requires the landlord to process all applications in the same way, regardless of the mode in which it was received.

Prohibits a landlord from using an electronic tenant portal as the sole means for a tenant or prospective tenant to:

- verify identification
- pay their rent or other charges
- view account statements, balances, or other charges
- submit documents
- request permission for alterations or improvements
- communicate safety concerns, violations, complaints, or dispute-resolution requests
- vote on matters related to the tenancy, or
- perform any other function related to the enjoyment of the tenancy or the exercise of the tenant's rights.

Requires a landlord who fails to comply with the above requirements pay the tenant or prospective tenant an amount equal to any damages sustained, or \$100, whichever is greater.

Non-Electronic Payments (Section 3)

Requires a landlord to allow a tenant to make payments by check or other commercially reasonable method and prohibits a landlord from requiring payment only by electronic payment. Prohibits a landlord from charging late fees or terminating a tenancy based on nonpayment if a nonelectronic means of payment is not available to the tenant.

Processing Fees (Section 5)

Allows a landlord to pass on fees charged by a third-party electronic tenant portal to the tenant who opts to use the portal for payment, provided that the landlord allows the tenant an alternate means of payment, and that the landlord can verify, and provide upon request, records of these fees.

Non-electronic Means of Access to Common Spaces (Section 6)

Requires residential landlords to offer an alternative method—such as an access code, fob, key card, or another physical key—other than software on tenant-owned phones or another electronic device to access common areas or common facilities of a tenancy. Makes this a requirement of habitability.

Fiscal impact: Has minimal fiscal impact

Revenue impact: No revenue impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-4 The amendment extends the period of time in which a landlord must provide to a tenant request for a non-portal application and clarifies that a landlord must process those applications that have been received outside of the portal. It expands – relative to the base bill – the allowable activities a landlord can require a tenant to perform within the tenant portal.

Detailed summary:

- Gives landlords 7 days instead of 3 days to provide a printed or a printable copy of a rental application to a tenant after receipt of a written request.
- Clarifies that landlord must process all completed applications, regardless of the means in which they were received
- Narrows the scope of tenant activities that a landlord *cannot* require a tenant complete *only* through a portal, to include only:
 - Verify identification
 - Review and sign addenda or other legal agreements, and
 - Submit documents relating to the tenancy.
- Clarifies that the measure does not limit the ways in which a landlord can use a portal for their own daily operations and processing.

BACKGROUND:

The Oregon Legislature first regulated electronic payment fees charged by a landlord to a tenant in the 2013 legislative session with the passage of Senate Bill 91, which allowed a landlord to pass on processing fees charged by a credit card company for use of payment by card, provided the landlord allowed a tenant the alternative to pay by cash or check. Senate Bill 1523 (2026) would update this language to include fees charged by any means of electronic payment processing, and adds the provision that a landlord must be prepared to provide records of the fees if asked. Senate Bill 3378 (2025) required a landlord to provide an alternative method of accessing the dwelling unit other than software on a tenant-owned phone, but did not extend this requirement to non-dwelling parts of the tenancy.