



House Committee on Housing and Homelessness
900 Court St NE
Salem, OR 97301

February 12th, 2026

Chair Marsh, Vice-Chairs Andersen and Breese-Iverson, and Members of the Committee,

SETA is a non-profit, public service organization dedicated to renters' rights and interests. We provide free community resources, including our free Tenant Hotline, and we directly serve about 240 renter households every month through combinations of several programs.

SETA urges you to join us in opposition of HB 4120, smoking in rental units bill.

HB 4120 is a duplicative and significantly harmful bill that targets those most vulnerable in the State of Oregon. We understand that on the surface, this sounds like a good bill that promotes health and reduces rental unit damages, but under the surface is an insidious process that SETA strongly opposes.

ORS 479.305 clearly states that "...the rental agreement for a dwelling unit regulated under ORS chapter 90 must include a disclosure of the smoking policy for the premises on which the dwelling unit is located." **Landlords already have the ability to ban or limit smoking in their units in state law.** Under ORS 90.300(6)(a)(B) "The landlord may claim from the security deposit only the amount reasonably necessary: ...To repair damages to the premises caused by the tenant..." Landlords can already recover the costs of smoking damages to the unit, which is also codified in state law.

The insidiousness of this bill is when you consider who this directly affects - largely individuals who have older rental agreements that were signed before ORS 479.305 was passed. Almost exclusively seniors and elders. Many seniors in Oregon live in rental housing on fixed incomes and have been long-term tenants, living in the same unit for decades. For seniors who smoke, the consequences of passing HB 4120 could force them into an impossible situation:

- Abruptly quit nicotine without adequate support,
- Risk violating their lease and facing eviction, or
- Attempt to relocate in our already impossibly tight rental market.



As lawmakers, we are urging you to not consider legislation that could lead to further displacement in our rental market. [According to EvictedInOregon](#), eviction rates are at the highest they have been in more than 5 years, at nearly 2,800 evictions in January alone. We are asking you not to contribute to this eviction statistic, especially with a demographic who rely on nearby caregivers, depend on established community networks, and live close to essential medical providers.

We understand the intent. We understand the health risks. We understand the goal of reducing damages. However, the unintended consequences of passing HB 4120 will cause significant harm to vulnerable communities across Oregon.

We urge you to join us in opposition of HB 4120. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Tim".

Timothy Morris
Executive Director
Springfield Eugene Tenant Association