



February 13, 2026

RE: Testimony IN OPPOSITION of HB 4120.

Dear Chair Marsh, Vice Chairs Andersen and Breese-Iverson, and Members of the House Committee on Housing and Homelessness:

My Name is Steven Crawford and I am writing on Behalf of Fair Housing Council of Oregon in OPPOSITION of House Bill 4120.

Fair Housing Council of Oregon fights housing discrimination in Oregon through education and advocacy. Among the protected classes we serve is Oregonians with disabilities, and we are opposing this bill for the impact it will have on this class. While on its face this bill appears a reasonable step to protect health and property from damage caused by smoking, it is in fact duplicative of rights landlords already have, It's primary result will be to add to Oregon's houseless population.

Landlords already have the right to manage smoking on their property:

- Landlords may designate a rental unit as non-smoking at the start or the tenancy, (every landlord we encounter already does);
- Landlords are already required to clearly indicate their smoking policy in a rental agreement; and
- Landlords may recover money for smoking related damage by deducting the value of the damage from the tenant's deposit, and sending the tenant a bill for any portion not covered by deposit money. Landlords routinely enforce these types of claims through courts and collection agencies.

This bill would expand those rights by allowing landlords to declare a unit is non-smoking even if the tenant has lived there for many years while being allowed to smoke in the unit. It does nothing to make enforcement of nonsmoking policies easier, as that is usually an issue of sufficiency of evidence rather than the landlord's ability to effect non-smoking policies.

Instead, the impact of this bill will be to destabilize the housing for numerous Oregonians. This bill will not impact young, able-bodied smokers who can easily relocate to the street corner for a cigarette. The most likely tenant to be affected by this bill will be someone who:

- Is elderly and disabled;
- Has lived in their unit for decades (dating back to a time when non-smoking units were still available on the market); and
- Will not be able to quit smoking without significant time and support.

The individuals described above, whether intentionally or not, are the sole targets of this bill, and through our work at FHCO we know individuals fitting this description are common. If their units are unilaterally transitioned into nonsmoking units, the result will be lease violations, leading to evictions, leading to displacement and homelessness. Oregon Evictions are already at a five year high in 2026, which will only serve to aggravate the homeless crisis. Please don't sign a bill which will only aggravate the situation. The fallout from this bill is as predictable as the effects of gravity.

**1221 SW Yamhill Street, Portland, Oregon 97205**



While we understand the intentions of this bill are to protect health and property, the practical effect will decrease safety for elderly, disabled tenants who smoke, while giving the landlord no more means to remedy the situation than they had before.

Because this bill is redundant of rights landlords have, to market and rent a unit as non-smoking; and because landlords already have the right to recover money for damage done to their property; and because of the predictable and widespread harm it will cause to many of our most vulnerable neighbors, we implore you to join us in opposing HB 4120.

Sincerely,

A handwritten signature in black ink, appearing to read "SAC", written over a horizontal line.

Steven M. Crawford  
Legal Director  
Fair Housing Council of Oregon