

Relocation Assistance Fact Sheet

Portland's new tenant-protection ordinance helps renters by making landlords pay moving costs if tenants have to leave for no-cause evictions or high rent increases.



How It Works

No-cause terminations: Within 45 days of giving a no-cause termination notice, a landlord must pay relocation costs to the tenant.

Rent increases: If a tenant gets a notice of a rent increase of 10 percent or more in a 12-month period, the tenant has the right to – within 14 days – let the landlord know in writing that the increase will force the tenant to move for economic reasons at the end of the notice period. The landlord has **14 days** after the tenant gives notice to pay relocation costs.

How much can a tenant receive in compensation?

The amount tenants can receive depends on the size of their living space. The following applies:

Studio \$2,900

One-bedroom \$3,300

Two-bedroom \$4,200

Three-bedroom (or larger) \$4,500

It WILL impact:

- Month-to-month tenants
- Fixed-term leases
- Standard-tenancy leases
- Any 90-day notices (that qualify) currently in progress

It WILL NOT impact:

- Tenants who rent a room in a house shared by the landlord
- Week-to-week tenants
- “Sabbatical” leases of up to 3 years
- Tenants who rent from an owner who doesn’t have any other rental units
- Any 90-day notice already completed before the ordinance passed

Thirty day grace period

The Portland City Council approved a 30-day grace period for landlords to come into compliance on current 90-day notices. As the tenant, you also have some responsibility to ensure your relocation is paid in a timely manner. [The following scenarios only apply to 90-day notice periods that were being processed when the ordinance passed.](#)

No-cause termination: Inform your landlord immediately of the new law. The landlord has 30 days from Feb. 2, 2017, to either a) rescind the original notice, or b) pay the relocation amount. If you choose to accept the rescinded notice, you acknowledge that you will not be moving and not receiving relocation assistance. If the landlord rescinds the notice and you move anyway, you will not receive relocation assistance.

Rent Increase: You must inform your landlord within 14 days of Feb. 2, 2017, in writing that the rent increase you received will force you to move at the end of the notice period. Your landlord then has 14 days to a) rescind the original notice, b) lower the increase amount to below the threshold, or c) pay the relocation amount. If your landlord rescinds the original notice or lowers the amount below the threshold and you choose to move anyway, you will not receive relocation assistance.

Damages

If a landlord refuses to pay relocation costs, the only recourse at this time is small-claims court. **If a tenant wins in court**, the ordinance now allows them to collect damages, including the original relocation amount, three months of rent and attorney fees.

Here is an **FAQ** in case you have any questions. Always consult with an attorney if there is anything you don't understand or feel that you need clarified.

For renters

Q: What if I received a 90-day notice before the ordinance passed and it hasn't expired yet?

A: See the section above called **Thirty day grace period**. The law gives landlords the opportunity to take back their original notice since it was given before the law was passed. Depending on the type of notice you received, you may need to give a written notice to your landlord before you can claim relocation costs.

Q: My landlord only owns one property. Does the ordinance apply to me?

A: The City Council passed an amendment to the ordinance that exempts landlords who only own one property. This includes an owner who lives in one part of a duplex and rents the other half to a tenant, someone who has an attached or detached ADU or a person who rents out a single family home.

Q: I live with roommates. Does this apply to me?

A: As long as the landlord does not also live in the residence, relocation would apply – assuming they are not exempt due to only owning that one rental unit. The relocation amount would be given to the primary lease holder and divided amongst roommates as you see fit, just like you would do with a security deposit.

Q: I just received a rent increase of 5 percent, but I also received a rent increase several months ago of 7 percent. Does the 10 percent increase have to happen all at once?

A: The law says the 10 percent applies to any rent increase that **adds up** to that amount over the last 12 months. So, count backwards from the date the new rent increase goes into effect and if you have received previous increases within the last 12 months that add up to 10 percent or more, you have the option of moving and getting relocation assistance from your landlord.

Owners

Q: What if I'm a landlord and I can't afford to pay the costs?

A: There is currently no provision under the ordinance for exemption due to financial hardship. Renting a dwelling is a responsibility that a property owner assumes.

Q: I'm a property owner and I have a tenant who is creating an unsafe space for all of the other tenants. Now you're telling me that I can't kick them out?

A: The ordinance only applies to no-cause evictions. Landlords still have the option of using the for-cause eviction process without incurring relocation costs. Additionally, if you determine that there is illegal activity occurring in a dwelling, you should contact the police.

Q: I thought rent control was illegal in Oregon? Why are you capping rent increases?

A: This is not rent control, nor are we capping increases. As a landlord, you still have the ability to raise the rent. The law simply gives a level of protection to tenants so they can find a home they can afford without risking homelessness. In many cases, we anticipate that tenants may choose to stay and absorb the increase because moving is still expensive and disruptive, even with assistance.

ADDITIONAL RESOURCES

Resource	Website	Phone number
Oregon Law Center	www.oregonlawcenter.org	(800) 672-4919
Legal Aid Services of Oregon	www.lasoregon.org	(503)224-4086
Portland Tenants United	facebook.com/portlandtenantsunited.com	(503)836-7881
Community Alliance of Tenants	www.oregoncat.org	(503)288-0130