

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. This payment should be automatic. There is no requirement for the tenant to ask the landlord for the money.

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 **45 days** to let the landlord know in writing that the increase will force the tenant to move. The landlord has **31 days** after the tenant gives notice to pay relocation costs. **The tenant then has 6 months (from the day the rent increase goes into effect) to move out or pay the relocation amount back.**

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

Relocation IS paid to:

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

Relocation is NOT paid to:

- 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

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: I got a large rent increase but I haven’t found a new apartment yet. If the landlord has already paid me the relocation assistance, do I have to be out at the end of the 90 day notice?

A: The City Council passed an amendment to the ordinance that allows tenants to stay an additional 6 months after the first 90 day notice period to find a new home. However, the tenant is expected to pay the rent increase amount as described in the 90 day notice they were given. If a tenant does not move out within the 6 month window, they must pay back the relocation assistance amount, in full, to the landlord.

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