

The Oregonian

Portland auditor proposal gets unanimous Council support: Editorial peak

*By The Oregonian Editorial Board
February 3, 2017*

We don't always agree with the Portland City Council's actions or policies (See: rent relocation). But here's an example of good governance by the mayor and four city commissioners. On Wednesday, the five Council members voted unanimously to refer a measure to the May ballot that seeks to increase the Portland City Auditor's independence.

The measure will ask Portland voters to amend the City Charter to grant the independently-elected auditor greater authority, including in hiring, seeking outside legal counsel and budgeting. The proposed amendment would also enshrine the existence of the ombudsman's office, a valuable division that investigates complaints from citizens against city bureaus.

The vote signals the sincerity of the mayor and city commissioners to the principle that city government should be held to a high standard of accountability, even when the scrutiny of the city's watchdog is turned on their actions, their offices and bureaus under their control. Barring any unforeseen developments in the measure, the council's action should also serve as a persuasive call to voters to give their support in May as well.

Portland landlords must pay relocation costs to evict tenants without cause

*By Jessica Floum
February 2, 2017*

Each time Coya Crespin crosses the St. Johns Bridge, she knows she's home. She lives with her six-year-old daughter and five-month-old son in a St. Johns apartment that she's called home for five years.

That could soon change. A California-based property management company bought her apartment complex in October. They've started handing out no-cause eviction notices to the more than 50 families living there.

Thanks to a Portland housing policy introduced by housing advocate and new Commissioner Chloe Eudaly and passed unanimously by the City Council on Thursday, that company will now have to pay the tenants it evicts without cause.

The rule requires landlords to pay \$2,900 to \$4,500 to tenants who they evict without cause or who have to move as a result of a rent increase of 10 percent or more in one year.

"This legislation provides us a chance to maintain stability with our families and gives us a chance to not be insignificant to the powers that be," Crespin said. "All we're asking for is a chance to stay in our neighborhoods."

The policy will take effect immediately and apply to all tenants, including those who have received a 90-day eviction notice within the last 89 days.

Landlords who rent only one dwelling in Portland will be exempt. Commissioner Amanda Fritz, with the votes of three other commissioners, added that clause to the rule Thursday over Eudaly's objection.

Commissioners heard five hours of testimony on the proposed rule Thursday, nearly all of it from renters and landlords.

Tenants shared how no-cause evictions disrupt hard-working families and children's education.

Landlords called for the City Council to table Eudaly's proposal, arguing that the policymakers failed to consult all stakeholders, to distinguish mom-and-pop landlords from foreign investors, and to consider that small landlords will consequently sell their property, further limiting Portland's housing supply.

Eudaly called the new rule a necessary first step to address Portland's housing emergency.

"I cannot assert enough this is a temporary emergency ordinance," Eudaly said. "It is not ideal. It is not perfect. This is the only tool the city of Portland has to protect renters and we are using it."

All five commissioners acknowledged the new rule is imperfect and may have some unintended consequences. But they said it is the best way to offer immediate help to vulnerable low-income renters caught at the mercy of a red-hot rental market.

Landlords renting to tenants on a weekly basis, renting rooms in their living space or renting to tenants with the understanding that the landlord will return after a three years away will be also exempt from paying relocation costs.

In an open acknowledgment that the rule may need fixes soon out of the gate, the council unanimously backed Commissioner Nick Fish's proposal to create a panel made up of tenants, landlords and others to study the rule and its effects and propose improvements. That group will initially operate in the Housing Bureau and its responsibilities will eventually be passed to the new Office of Landlord-Tenant Affairs that Mayor Ted Wheeler aims to create.

"I do believe this will have unintended consequences, and we'll have some time to see that," Fritz said.

Before taking testimony, Eudaly dismissed any hardships imposed on landlords, saying "landlords have been placing that same hardship on tenants."

Eudaly said her 33 days as the commissioner in charge of the Bureau of Development Services have assured her that building more apartments is not an immediate solution. Economists say the tight housing supply in Portland is the primary driver of huge rent increases, and they caution that increasing costs for landlords will lead to fewer rental units coming on the market.

"If you've come here today to suggest we build our way out of this crisis, I can tell you today it will take decades to build our way out," Eudaly told people who'd come to testify.

At least five landlords--many owners of one property--said they would not have purchased their property if they knew a relocation fee would be required for no-cause evictions. It came out of nowhere, they said.

Kelly Goss rents to 30 tenants in Southwest Portland. He said he hasn't raised the rent on his properties above \$650. He believes in affordable housing, he said.

Goss said the new policy will cause him to sell his properties, a move he says will make him millions of dollars and cause his tenants' rents to spike.

"The focus should be on legislating greed rather than focus on legislating being able to manage your property," Goss said.

Another small landlord argued the policy will increase landlords' costs so much that they will raise rents even higher.

Eudaly called that argument a "theory," then corrected the way the woman addressed her.

"When you address the council, I'd appreciate it if you use our title," Eudaly told the women, who'd called her Eudaly.

Wheeler, Fish and Commissioner Dan Saltzman all dropped their jaws.

At least nine landlord and property managers asserted that the council, and more specifically Eudaly's office, ignored their perspective and refused to listen when they called and wrote to propose solutions. Eudaly took offense to many accusations.

"I do not appreciate your characterization of my office," she responded before Wheeler called for a break to the meeting.

The rule will likely draw a lawsuit Multifamily Northwest, said representing attorney John DiLorenzo. By imposing fees on landlords who raise rent by 10 percent or more, the rule conflicts with Oregon state law that prohibits rent control, he said.

Eudaly reaffirmed her commitment to rent control at a rally before the vote. She said she will continue to advocate for the state to lift its ban on limiting rent increases. She noted that her relocation policy is the first of many steps she plans to take to protect tenants.

"We will never stop fighting for tenants' rights," Eudaly said. "Keep Portland housed!"

More than 100 tenants' rights advocates rallied outside of City Hall before the vote to support Eudaly's proposed tenant protections and urge the city to go further. "Get your profits off our housing. Stop displacement. Stop price gouging," the crowd chanted before cheering Eudaly up to the podium.

Eudaly called on Portland and Oregon officials to catch up with San Francisco and other cities with strong tenant protection laws and to lead the charge for others.

"My name is Chloe Eudaly, and I'm a renter!" Eudaly exclaimed to a cheering crowd.

Willamette Week

Portland Landlords Now Required to Pay Moving Costs for Tenants Evicted Without Cause

*By Rachel Monahan
February 2, 2017*

Portland City Council voted unanimously tonight for an emergency ordinance to require many landlords to pay moving costs for tenants they evict without cause.

The requirement to pay moving costs also applies to rent increases of 10 percent or more within a 12-month period.

The rule is effective immediately.

Landlords with only one rental unit in Portland were granted an exemption to the city rule. It will require payments of between \$2,900 and \$4,500, depending on the number of bedrooms.

It will be in effect at least until October when the housing emergency declared by City Hall expires, assuming Council does not extend the emergency.

City Commissioner Chloe Eudaly and Mayor Ted Wheeler, who both campaigned on promise of providing better protections to Portland tenants, brought forward the proposal.

"This is the only tool the city of Portland has to protect tenants," Eudaly said before casting the final vote.

She made it clear that this policy is but her first step in an aggressive agenda to change city rules to benefit renters. She is asking the Oregon Legislature to overturn a statewide ban on rent control and to let cities outlaw "no-cause" evictions.

It's the first major policy change of the new City Council.

During her campaign for City Council, Eudaly supported creating a rent freeze in Portland even in advance of state legislative changes, but says now she has been convinced by city lawyers that such an action is unworkable.

She was the lone member of Council to vote against an amendment that exempts small-time landlords. The ordinance was also amended today to include a "sabbatical" exception for landlords who rent out their home for a fixed term of not more than three years.

The ordinance will also apply in situations where the evictions and rent increases have already been issued—places that include two large buildings that last month warned of evictions or rent hikes in coming months.

Landlords can rescind the previous notices or pay up.

"It huge step forward in terms of renter protections as they exist in the community today," said Mayor Ted Wheeler.

The mayor withdrew a companion resolution aimed increasing the supply of affordable housing. Instead, he's directing the Housing Bureau to find ways to build affordable and workforce housing faster.

The vote came after more than five hours of sometimes combative testimony at City Hall both from tenants and landlords.

John DiLorenzo, a lawyer for the landlord organization Multifamily Northwest, says he will go to court as soon as tomorrow to challenge the ordinance. He has previously said the ordinance violates the state laws that allow landlords to ask tenants to move without a reason and prohibit and kind of rent control.

"It's not a narrowly tailored ordinance," he says. "It's really overreaching."

Cannabis Shop Owners Sue Portland City Hall, Alleging Favoritism in City Licensing

By Rachel Monahan

February 2, 2017

Entrepreneurs trying to open a Portland recreational cannabis shop are suing the city over decisions made by the agency responsible for licensing weed stores.

The lawsuit, filed Jan. 31 in Multnomah County Circuit Court, accuses the city's Office of Neighborhood Involvement of giving "biased and impermissibly favorable treatment" to a competing cannabis shop called Shango-Waterfront.

That business's officers, listed in the state registry, include at least two of the same men who ran Stars Cabaret Beaverton, the strip club that is currently being sued for \$8 million over allegations it hired a 13-year-old and a 15-year-old as dancers.

According to the legal papers, ONI repeatedly extended deadlines for Shango-Waterfront, to the disadvantage of Front Ave., which is seeking to become a competing weed shop within 1,000 feet.

City rules prohibit more than one pot shop within a 1,000 feet of each other—so the shop that gets through the regulatory process first has a huge advantage.

"It's an example of how Portland needlessly created complexity, expense and uncertainty in the marijuana industry," says Bear Wilner-Nugent, attorney for Front Ave.

Amy Margolis, a lawyer for Shango-Waterfront, declined to comment. The city declined to comment.

The Portland Mercury

No-Cause Evicted? Landlords Now Have to Pay Your Relocation Costs

By Dirk VanderHart

February 2, 2017

With a few notable tweaks, Portland City Council this evening passed the strongest renter protections Portland's seen since well before declaring a housing emergency in 2015. In a unanimous vote, council voted to immediately enact a law that will require landlords to pay relocation costs of between \$2,900 and \$4,500 to tenants when they've raised rents by more than 10 percent or issued a no-cause eviction.

That could have immediate results. The law council passed will affect landlords that have already begun 90 day notice periods for qualifying rent increases or a no-cause eviction, which would rope in some high-profile recent examples.

But thanks to some late amendments, the new law will exempt small-scale landlords who manage only one rental unit.

The law—literally cheered by renters' rights advocates and hated by many landlords who testified—will now be in place until at least October, when the city's housing emergency is scheduled to lapse. If the emergency is extended (it has been once before) the relocation ordinance could be, too.

"This is a temporary measure. It's for eight months," Commissioner Amanda Fritz said before voting. "I have at this hearing decided I could enthusiastically support it."

In a nearly six-hour hearing Thursday, landlords painted the law as a rush job that would spur people to hike rents, neglect or sell off their rental properties, and further exacerbate the city's fraught housing market.

The arguments did not sway city council, though commissioners found reasons to enact changes in the proposal over the course of testimony. One of those reasons: the absence of large property owners.

"We've just spent 6.5 hours in this room listening to people," said Commissioner Nick Fish. "Investors and owners that are at issue in terms of headlines... chose not to attend this hearing. Dozens of mom and pop landlords came in and said, 'We have a problem.'"

That led to the exemption for one-unit landlords, which joins several others already in the ordinance and accompanying code. Council also made it easier for owners who are out of the country or have to move temporarily to come back to their own home. And commissioners modified some of the time requirements for when landlords must pay tenants relocation costs, and supported creating a "stakeholder group" in the Portland Housing Bureau that can address needed changes to the law, and might make recommendations later this year.

The law is an early and distinct political victory for Commissioner Chloe Eudaly. She won office in November vowing to fight for renters, and has just ushered through robust protections while lawmakers in Salem prepare to talk about statewide fixes to the housing crisis.

Eudaly had initially pledged to fight for a citywide rent freeze—a central goal of local housing activists—but came to the conclusion that it wasn't viable. Fish cheered her for "a compromise that is less than she sought, but is according to our lawyers legally defensible."

It's a big deal, but Eudaly was composed in a speech before delivering the decisive vote.

Low-income renters "have not had protections in place for 30 years," she said, referring to the passage of a state ban on rent control. "The rules are going to change. However, I cannot assert enough this is a temporary emergency ordinance.

"This is literally the only tool the City of Portland has to protect renters, and we are using it."

Word is there's an after party.

HIT THE JUMP FOR OUR COMPLETE LIVE BLOG OF THE MARATHON HEARING:

1:55 pm

This is where the rubber meets the road, people. For the first time, this iteration of the Portland City Council is about to take up a genuinely controversial piece of policy—one that, if passed, will fundamentally change the city's housing landscape.

As we wrote last week, the ordinance being pushed by Commissioner Chloe Eudaly and Mayor Ted Wheeler would force landlords to pay relocation costs between \$2,900 and \$4,500 when they evict someone without cause or raise rents by at least 10 percent. Eudaly and Wheeler both ran partly on platforms that relied on housing and renters' protections, and Eudaly wasn't wrong when she told demonstrators out front of City Hall a moment ago that this is a big deal.

As I write this, council chambers are absolutely packed out, though the precise balance between renters' rights advocates and landlord reps isn't clear (seems like numbers are clearly with the renters). For the next three hours or so, I'll be offering updates on what transpires. This is especially crucial because this law could go into effect TODAY. It's listed as an emergency, meaning a unanimous council vote would put it on the books immediately. It'd stay in effect until October at least.

Eudaly's voiced confidence that she has the votes to make that happen, though it appears we might see tweaks to the proposal today (for instance, there could be exceptions carved out for so-called "mom and pop" landlords).

But you can expect a forceful pushback from landlords, who've long said no-cause evictions are necessary to eject problem tenants, and say they'll be unduly burdened by the new potential fees.

And pretty much no matter what happens, you can expect a lawsuit. Attorney John DiLorenzo, who represents the landlord organization Multifamily NW, said today he's prepping a suit that might be filed as early as tomorrow. He can't be certain of specifics until he sees if something passes—and what that is. The general gist of the suit will be that the Portland ordinance is a violation of the state's ban on rent control.

Stay tuned! This should be interesting.

2:12 pm

Mayor Ted Wheeler has kicked things off, and is laying out the format of the hearing for people. Two notable things:

- Wheeler's confirmed that there will be amendments to the policy introduced later in the hearing.
- He's REALLY hoping people won't interrupt the hearing, as has been happening lately. "I want to be very emphatic today about allowing people's testimony to be heard," Wheeler says. "This is an issue that people are very passionate about... everybody has a right to be heard respectfully."

Also, more than 100 people have signed up to speak, but Wheeler's trying to get things done by 6 pm. We'll see!

2:25 pm:

Eudaly gets to kick it off with an opening salvo, and it's a doozie.

"I've been living and breathing affordable housing and tenants rights issues for the past three years," she says. "Some people have asked me what's the rush on this ordinance? This housing crisis has been growing for the past decade, so we have to ask what's taken so long?"

Then she shares something I've never heard. Eudaly is critical of legislating "by anecdote" but shares one of her own. Her parents, she says, were landlords when she was young, and had

problem tenants who didn't pay rent and trashed the property. Her father was driving back from appraising the damage on a rainy day in 1983, when he lost control of his vehicle, struck a truck head-on, and died instantly.

"If you've come here today to conjure a bad tenant boogeyman... please save your breath, I have already met him," she says. "I recognize him for what he is: An anomaly in an ocean of good tenants."

Wow.

Now an invited panel gets to speak.

2:29 pm

Here's the actual flat fee schedule landlords would be required to pay under the ordinance:

- \$2,900 for a studio or single room
- \$3,300 for a one-bedroom unit
- \$4,200 for a two-bedroom unit
- \$4,500 for a three-bedroom unit or larger

Eudaly staffer Jamey Duhamel tells council the first idea was to just make it three months rent. That's problematic, though, because low-income folks don't pay that much and need the help more. And high-income folks pay a lot and don't need the help. So they arrived at a flat fee.

"It is a broad policy that is intended to be as simple and straight-forward as possible," Duhamel says.

She also notes something big: This would affect rent hike or no-cause evictions that have already been dropped on tenants. Landlords are required to give three month notices for no-causes and high rent hikes. Making this effect situations within that 90-day period affects at least three apartment complexes, Duhamel says.

2:43 pm

City and county officials are laying out the landscape:

- Nearly half of Portland rental households make less \$2,900 a month, says the housing bureau's Matthew Tschabold. Most of them pay more than 30 percent of income on rent—technically making them rent burdened.
- Average rents have shot up 30 to 35 percent in the last five years. The average rent is now \$1,445 in Portland.
- Tschabold says the flat fee under discussion is attempting to account for typical costs when moving: first month's rent, last month's rent, and a security deposit. Other moving costs aren't considered.

Marc Jolin of the Joint Office of Homeless Services, says that the stark rent increases have rendered short-term rent assistance—a central tool in his tool box—less potent than it once was.

"Short-term rental assistance can only forestall the inevitable," Jolin says. "They will eventually lose their housing." He notes that the city has dramatically increased shelter space, and also

helped record numbers of people get permanent housing. It doesn't matter—the shelters are still packed, Jolin says.

2:48 pm

County Chair Deborah Kafoury is talking now. She says the county is trying to find money to help Northeast Portland renters who were recently hit with a 100 percent rent increase.

"We don't have enough money to help every family that's experiencing this crisis," Kafoury says. "We need more housing. Particularly we need more housing for people with lower incomes—roughly 30 percent of the median family income."

ON THAT NOTE: If you haven't read our story this week about how that very type of housing is being imperiled under Donald Trump, you should do that now.

2:57 pm

Local attorney Vivien Lyon, an invited speaker, is pulling a B. Rabbit-in-8-Mile style testimony in which she lays out the arguments she anticipates from landlords. She downplays the harsh scenarios that she envisions will be painted later in the hearing, and suggests that no-cause evictions are easy, but often not proper.

"The key thing to note is that using a no-cause eviction in a situation in which a for-cause is called for is an end run around due process," Lyon says. "These nightmare scenarios assume the tenant in question is guilty."

Andy Miller, of the shelter operator Human Solutions, just urged council to pass the ordinance, and said it won't be enough to curb Portland's issues.

"We need a more systemic and comprehensive response," Millers says.

3:04 pm

Here's Portland Tenants United's Margot Black, who, as always, is speaking forcefully about the plight tenants can face with a variety of anecdotes.

"The renters who call PTU in a desperate panic are those who need to be out next week, or tomorrow, or yesterday," she says, laying out how frantic things become when one unexpectedly loses housing. She says tenants are no better equipped to deal with the costs of moving than landlords, so if landlords are upset by sharing the cost, they should rethink no-cause evictions or steep hikes.

Also: "Sorry about the hat," she tells council. "Once you put it on, you can't take it off."

3:24 pm

Our first landlord speaks! And since he's been invited, he clearly supports the ordinance (I didn't catch his name). He also says he has a letter signed by more than 20 realtors.

"Landlords are not being punished here," he says. "We all know landlords can afford this, they just have to budget for it."

Then it's time for the other side—who, notably, was also invited by Eudaly. Jeff Edinger, a board member for Multifamily NW, says this ordinance is just going to make things messier in Portland.

"We have an issue in Portland," Edinger says, as some in the crowd hiss. "We all agree on that issue: We do not have enough supply to meet the demand." He says the proposal will "not only dissuade new housing, but they do jeopardize the health and safety of our residents."

Then the anecdote: A rhetorical tenant who's harassing neighborhood children.

"Why would we use the for-cause process and put those children on a stand, when we can use the no-cause process?" he says. "What about landlord that needs to put a new roof on their property? Under this ordinance they won't be able to raise the rents to cover the cost. This may result in houses falling into disrepair."

A landlords' attorney is up next. He suggests rents have fallen. People laugh, and both Ted Wheeler and Nick Fish urge civility.

Then Fish asks Edinger how he'd recommend the council shape rules on this policy, if it passes today. Edinger doesn't want it to pass, and notes that his organization, Multifamily NW, has ties to 200,000 rental units in the state.

"Don't you think you should give us more than five minutes' time?" he asks. "Let us give you some solutions."

And now the landlord types in the audience are the ones being a bit boisterous! It's getting chippy as Eudaly questions folks at the stand.

3:41 pm

A council rarity: Things briefly turn into an open debate between Eudaly and Edinger of Multifamily NW. Here's the rough exchange:

EUDALY: "This is a temporary emergency ordinance. We are attempting to do the most good for the most people. We can never account for every possible outcome when we are setting policy. By and large the hardship is on the tenants. We are asking the landlords to acknowledge their role in this housing crisis."

EDINGER, complaining his group wasn't brought to the table: "We can help, you just have to let us. Give us the opportunity."

EUDALY: "You weren't asked to participate and I'll tel you why: Your organization is among many special interest groups that support the ban on rent control... Your organization has had several years to come up with an alternative." She mentions a recent proposal from the landlord lobby to use state tax credits to give some renters \$100 per month. "We have 75,000 people in the City of Portland alone spending more than 50 percent of their income on housing. \$100 a month is an insult to those households—mine included. That is why you weren't asked to the table. You weren't willing to participate in a meaningful discussion on the issues."

EDINGER, saying \$100 per month was a starting suggestion: "Why would you turn away any tools in this market that can help the people that we are all trying to protect?"

4:02 pm

AMENDMENTS! It turns out there are a lot of possible tweaks on the table.

Eudaly has some changes that would help landlords who've already given notice they're evicting tenants or hiking rents rescind that decision, if they don't want to pay the fees. She also wants to amend the timeline under which landlords have to pay tenants a check.

Fish is concerned about unintended consequences, and wants to create a rulemaking process that will help tweak this law if there are issues. He also suggests letting Housing Bureau Director Kurt Creager rule on claims of "hardship" under the rule. It's unclear any of that will happen.

Lastly, Commissioner Amanda Fritz wants council to consider an exemption for mom-and-pop landlords that control between one and four rental units. Wheeler seems to agree. They've both heard from constituents about this, and there are lots of thumbs up in the crowd when they suggest it.

By the way, this is the ordinance under consideration.

Eudaly also mentions something I should probably note: If this passes, there's no city mechanism that will actually be able to enforce this rule. There's an Office of Landlord-Tenant Affairs being mulled in the next budget, but no entity that can bring landlords into compliance before July at the soonest.

"The remedy for tenants at this point is the same remedy they have now, which is going to court," Eudaly says.

Now we sit back and watch citizen testimony. Nearly 120 people have signed up to speak, which could translate to hours and hours. It's already getting emotional as people speak out about the hardships they've experienced.

"I can't see myself in the streets," one woman is saying. "I can't see [my son] in the streets. Please take action. We don't know if we're going to make it."

4:25 pm

It's all renters and supporters of the ordinance, so far.

"We are in a time of crisis," says one woman, who came with neighbors from her St. Johns apartment complex. "Renters all over the city are experiencing astronomical rent hikes." The ordinance, she says, "gives us a chance to not be insignificant to the powers that be. All we're asking is a chance to stay in our neighborhoods."

People are approaching the stand en masse, toting their children, imploring council to act.

Joe Walsh, who always attends these hearings and frequently upbraids commissioners, gets up and says all landlords are multimillionaires. When a contingent begins jeering, he says: "Okay, the landlords that are here today, are only ALMOST multimillionaires."

His point: "You hear the plea of your citizens and then you hear the plea of the people with the money. Make your choice."

4:45 pm

A property owner named Mike Nuss, of a company called RareBird, comes to the table to go to bat for mom-and-pop landlords, which he defines as people managing 20 units or less.

"Thanks you for the boldness of bringing such an ordinance to the table," Nuss says. "I do have to say that it's very sad to see the way its been brought to the table with so much disrespect. Donald Trump politics will not solve this situation."

Nuss's main point is that small-time property managers are willing to work with people. He says he sets rents at below market rates for people in special circumstances. And he argues that the

city needs to play ball with people like him, saying the real enemies are owners of larger complexes. He seems to believe only large buildings should be subject to the ordinance, though he runs out of time.

As of 4:45pm council is on a brief recess.

5:09 pm

It's not clear we'll get any answer on this thing tonight. When council returns from break, Wheeler announces he's cutting testimony to 1.5 minutes, from three (though he suggests he'll be lenient). Fish suggests council take stock at 6 pm to see how many people are waiting to testify. If it's a lot, we may be looking at a continuation to next week.

We're hearing from more and more landlord advocates. A woman named Diane Frank (sp?) says she's owned a single-family home for years, and rented it ethically, with no rent increases for more than five years.

"Landlords have really be slandered here today," Frank says. If council passes this policy she believes "small independent landlords like myself who have been conscientious... will sell. I have four tenants, and there will be four tenants looking for housing."

Others add on that they don't think council is taking landlords' many costs into effect. "We're going to raise the rents to the maximum level possible," one self-described "small-time" landlord says. "If I don't pay [my] mortgage, no one's going to pay me \$4,500 to get my stuff out of that house."

Adds: "I'm sorry, but we live in a capitalist society." ALL THE BOOS. Then some claps?

5:14 pm

Snow and sleet have apparently begun outdoors. Events are already being canceled, Fish reports to crowd. "Of course it has," says Wheeler.

And yet here we all are in City Hall! Maybe we'll all be here forever.

5:45 pm

It's pretty much a holding pattern of people alternating support and opposition at this point. Not a lot of new arguments.

One man, a Portland Association of Teachers member who's also a landlord, doesn't buy the argument that small landlords should get off the hook. His take: "I can't believe people are complaining about this. There's no reason landlords like me have to raise rents by more than 10 percent. I really think it should be 3 percent. There's also no reason landlords should have to evict for cause... Already the system is so rigged for landlords... The system is so unfair. This is one thing to protect tenants."

All the landlord types vehemently agree that there's a housing crisis, but most are insistent that this is going to further hurt things.

Another man says he only just moved back from overseas, and may have to now pay his tenants thousands to move back into his home. He says doing so will "absolutely destroy" his finances.

That draws a follow up from Fritz, which is notable. Typically when a member of council hears something that might sway their opinion, they follow up with the person testifying. That's not happened often tonight. I'm legit unsure if Commissioner Dan Saltzman's said a single word.

That might be a sign that a council that seemed to favor this measure heading into tonight is still ready to pass these protections. But, again, its unclear there will be a vote tonight. If there is, only a unanimous vote would be enough to put the law into effect right away.

6:02 pm

Steven Goldberg, an attorney who represents Portland Tenants United, takes the stand to dismiss the notion that the law might count as rent control.

" This law does not pre-empt landlords from increasing rents," Goldberg says. "State law does nothing to prevent cities from mitigating the impact of rent increases on its most vulnerable citizens."

Further he says threats of a suit are "the same kind of bullying behavior which seems to be controlling national politics at this time," which means each side has compared the other to Trump tonight.

It's 6 pm! There are still 80 people signed up, but it's clear many of those are gone. Council has recessed again to plan next steps.

What could happen?

6:16 pm

"There's a lot of interest in getting this wrapped up this evening," Wheeler tells the crowd as council reconvenes. So it looks like we'll see a vote!

Wheeler is going to limit people to a minute of testimony—there are 26 folks left. Both he and Fish say people should limit their testimony to new arguments.

7 pm

We're five hours into this thing, and it seems everyone's getting a little punchy. A landlord tells council that she might be forced to evict her below-market tenants, pay the relocation costs, then raise rents to the market. She makes the mistake of referring to Eudaly by only her last name, and the commissioner responds:

"When you address the council I'd appreciate it if you'd use our formal titles and not just our last names."

First time I've heard a commissioner say that.

We've reached a part of the hearing that's heavily weighted toward landlord testimony. A man just said that the stories of hardship he'd heard tonight touched his heart, but then promised to "retaliate" with higher rents when this passes. Another woman scoffs at the notion that landlords are rich, saying she drives a 13-year-old car and works another job.

We must be getting close to a vote. Dan Saltzman is missing right now, but I assume he'll be back?

Daily Journal of Commerce

Portland tenant relocation ordinance approved

By Chuck Slothower

February 3, 2017

Landlords of properties in Portland who evict their tenants without cause will be required to pay relocation expenses. Also, landlords must pay up if renters are forced to move because of a rent hike of 10 percent or more.

The rules come from an emergency ordinance passed by the Portland City Council on Thursday. They take effect immediately and last until Oct. 6, when the city's declared housing emergency expires. The move puts Portland on the forefront of an increasingly vocal tenants' rights movement in American cities where rents have grown sharply.

Portland's new rules, which were pushed by newly-elected Commissioner Chloe Eudaly, require a landlord to pay a tenant relocation assistance of \$2,900 for vacating a studio unit, \$3,300 for a one-bedroom unit, \$4,200 for a two-bedroom unit and \$4,500 for a unit with at least three bedrooms.

Landlords also must give tenants 90 days' notice of any rent increase of 5 percent or more.

Landlords and multifamily brokers argued against the rules.

"We feel that this bill was passed in haste and without proper market analysis," said Gary Winkler, principal broker at ABR Winkler.

The new tenant protection measures come as the Oregon Legislature debates lifting a state ban on rent control and adopting other tenant protection measures. Multifamily NW and other business interests have lobbied against those rules too.

Another measure, which would have directed the city's bureaus to work together to reduce the cost and time of obtaining building permits for affordable housing, was pulled by Mayor Ted Wheeler.

Instead, Wheeler said the process can be streamlined by a letter or mayoral directive to the bureaus involved in permitting, including Development Services, Transportation, Fire, Water, Environmental Services and Parks.

"What it seeks to do is reduce the cost, the time, and for lack of a better word, the hassle factor of bringing affordable housing online in Portland," Wheeler said.