

The Oregonian

Lawmakers OK Bill Affecting Portland Homeless Camp Cleanups

*By Gordon Friedman
February 26, 2018*

Oregon lawmakers gave final approval Monday to a bill that would allow Portland officials to break up homeless camps on Oregon Department of Transportation property within the Portland urban growth boundary.

Senators approved House Bill 4054 unanimously Monday after representatives unanimously approved it last week.

Supporters of the bill have said it would bring state and city policy in line, resulting in a clear and consistent approach to removing illegal campsites. Current law only allows Portland officials to clear camps on city land – not state property, too. Opponents have said they worry the bill will cause more sweeps of homeless camps.

Although the city and Multnomah County are devoting unprecedented levels of money and staffing to lessening the effects on homeless and housed people alike, the two groups' coexistence remains uneasy in most neighborhoods where it occurs. Currently, it ranges from a reluctant truce in North Portland's Overlook to a crackdown-induced retreat of homeless from Laurelhurst to a caldron of complaints and mistrust in Lents.

The bill passed Monday also affects timelines for removing homeless camps. Currently, the Oregon Department of Transportation gives campers 10 to 19 days to clear out before the camp is removed and any leftover property seized. Under House Bill 4054, a camp on state property may be removed two days after a notice is posted near the campsite.

For its part, the city is firmly in support of House Bill 4054. Portland Mayor Ted Wheeler and all other city commissioners submitted a letter to the Legislature supporting the proposal. They said it would undo "statutory barriers" that make it tough to apply a consistent approach to removing homeless camps on state land versus city land. They said the bill would help the city address "the causes and symptoms of homelessness with compassion."

Opposite the city are several civil rights groups, including the Oregon wing of the American Civil Liberties Union. Its lobbyists opposed the bill, saying sweeps of homeless camps are "not the answer we should be searching for." An ACLU representative testified that, instead of more sweeps, the state should develop safe places for the homeless to camp and build more housing among other measures.

House Bill 4054 now heads to Gov. Kate Brown who can make it law with her signature.

The Portland Tribune

City Tries New Softer Approach to Regulate Short-Term Rental Companies

By Steve Law

February 27, 2018

Portland poised to drop mandatory home inspections, allow companies to register own hosts, in exchange for divulging host names, whereabouts.

Portland city officials are shifting to a lighter approach to regulating the notoriously slippery short-term rental industry, starting with a lawsuit settlement reached last week with Austin, Texas-based HomeAway.

The city essentially is conceding that its mandatory home inspection requirement isn't working, since at least 80 percent of Portland's 4,500 short-term rental hosts — and the companies that list their properties — have ignored city requirements for hosts to get permits before renting out spare rooms to travelers.

In the deal with HomeAway, the city agreed to let the company register its Portland hosts online, if the hosts agree they're meeting city safety requirements, such as smoke and carbon monoxide alarms in rooms and proper exit avenues in case of fire. In exchange, HomeAway agreed to divulge all the names, addresses and contact information of its local hosts. The city retains the right to inspect homes of those hosts in some fashion, but will no longer make that a requirement before allowing them to start renting out rooms via HomeAway.

HomeAway agreed to pay a modest \$275,000 to settle three lawsuits with the city, a far cry from the \$2.5 million the city initially sought. But HomeAway agreed to start collecting a 13.5 percent lodging tax from its local hosts or guests, which the city says is one of a handful of times the company has agreed to do so in the United States.

"When the City of Portland filed its lawsuit in 2015, it was seeking fair hotel tax collection and the locations of short-term rentals to ensure they are permitted and following the rules," Mayor Ted Wheeler said in a prepared statement. "This settlement delivers on both of those goals and opens the door to a partnership with HomeAway."

HomeAway, which also operates VRBO and VacationRentals.com, is the second-largest provider of short-term rentals in Portland, though it has a much smaller presence here than Airbnb.

Both companies have strongly resisted sharing data about their local hosts with city officials and have refused to heed the city ordinance that requires them to only advertise listings on their websites if the hosts get city permits following inspections.

But city officials hope the HomeAway deal will be a template for how it regulates Airbnb and other short-term rental companies.

Thomas Lannom, director of the city Revenue Division, said he's engaging in "fruitful" talks now with Airbnb, trying to negotiate similar terms. "I'm optimistic that we're going to reach a deal with Airbnb, too," Lannom said.

Laura Rillos, Airbnb's press secretary for Portland, concurred.

"We are in active discussions with the city of Portland about setting up a registration system that would allow hosts to apply for a permit directly from the Airbnb platform and give the city the information it needs to enforce the law. We remain committed to working with the city on a comprehensive solution that increases permitting compliance and allows our hosts to continue sharing their homes to make ends meet," Rillos stated in an email.

"I think we've reached a new day with Airbnb and HomeAway," Lannom said, "where they understand that they have to comply with the law."

City Commissioner Nick Fish, who has been the biggest critic of short-term rental companies here, said he supports the city's new approach.

The city can do "periodic enforcement" to assure short-term rental spaces are being operated safely and according to the assurances hosts make online, he said.

"They have agreed that if someone doesn't seek a license, they will not have access to their platform," Fish said. "They've agreed to kick people off that don't play by the rules."

Different from Airbnb proposal

Fish had resisted Airbnb last year when it was lobbying city commissioners to largely deregulate the short-term rental industry by allowing the company to register its own hosts online, via what it calls a "pass-through registration system." That would have replaced the city's mandatory inspection and permit requirements, based on a deal Airbnb secured with the city of New Orleans.

That "feels like we're rewarding bad behavior," Fish said last August of Airbnb's proposal, adding that "their compliance rate is abysmal."

But Fish said HomeAway changed its tune in negotiations with the city after voters easily passed a City Charter amendment last May that strengthened Portland's legal right to regulate short-term rental companies much like it does hotels.

The new deal is substantially different from what Airbnb proposed back then, Lannom said.

Rather than deregulating the industry, the city's getting some 80 percent of the hosts who failed to get inspections and permits into compliance with city rules, he said. It was difficult to regulate hosts when the city didn't know who they were or where they live.

Under the HomeAway agreement, Portland would become one of a handful of cities where short-term rental companies have agreed to divulge who their local hosts are.

"Right now, we literally have no idea where all of the short-term rentals are in the city," said Marshall Runkel, chief of staff to city Commissioner Chloe Eudaly. She oversees the Bureau of Development Services, which handles inspections and issues permits.

In San Francisco, where Airbnb is based, the city recently allowed Airbnb to register hosts online, but the company finally agreed to divulge data about hosts in that city. Hosts who refuse to meet the city's requirements are taken off the Airbnb platform.

Since then, Airbnb says it has taken 4,780 listings off its website for San Francisco, leaving some 6,300 active listings.

Lannom predicts a similar pattern if Airbnb agrees to the new system here. He reasons that hundreds of hosts here don't want to share their data with the city for various reasons, such as their failure to meet basic safety requirements, or a resistance to allow inspectors into their homes.

There are now 4,000 to 5,000 short-term rental listings in Portland, Lannom estimates. "Once this thing goes live, you might see that number drop down to 3,000 or maybe 2,500."

Not committed to mandatory inspections

Eudaly, who took office last year, isn't wedded to the mandatory inspections system.

"As a practical matter, that hasn't been working very well," said Marshall Runkel, Eudaly's chief of staff.

Inspectors might go into a would-be host's spare bedroom in a basement and find the ceilings were two inches lower than required, for instance, Runkel said. It didn't seem fair to punish hosts who were willing to follow the city rules for such relative minor issues, he said.

Under a new system, the bureau might want to handle enforcement as it does with other matters, responding to complaints filed by neighbors or others, Runkel said. Others have suggested the bureau use random enforcements to assure hosts are operating safely.

Eudaly would rather the Bureau of Development Services focus on what she sees as a bigger problem, Runkel said. That's hosts who don't live on-site as required and rent out all their rooms year-round, turning their property into a mini-hotel.

Those are the hosts who are reducing the supply of affordable housing in Portland and driving down the vacancy rate, Runkel said. "Someone renting out a room in their home or basement is doing less damage to the housing market than someone who owns a whole house or apartment and rents it out 100 percent of the time."

New approach coming to City Council

City officials expect to bring a new regulatory framework to the City Council for approval in March or April, Lannom said. At the same time, he expects to bring forward two new fees on short-term rentals that the City Council asked him to prepare last year.

One would treat larger operations like Airbnb the same as hotels with more than 50 units, making them subject to the citywide Tourism Improvement District, which levies an assessment of 2 percent of each lodging's revenues. That would net an additional \$900,000 to \$1.1 million a year for Travel Portland to promote tourism campaigns for Portland, Lannom said.

The other plan would add a \$2 nightly fee for every short-term rental. That is estimated to net \$800,000 to \$1 million a year, to go into the city's Housing Investment Fund and used to support affordable housing. Supporters argue this offsets some of the negative impacts of short-term rentals on the city's housing supply.

The Oregon Restaurant and Lodging Association has been pressing the city to adopt such measures, arguing that it's time the short-term rental industry plays on a more "level playing field" with hotels and motels, said Greg Astley, the group's government affairs director.

But he questioned why the city should loosen its safety standards by ending mandatory inspections. There's no reason why places that are operated like hotels don't have to meet the same fire and other safety requirements, he said.

Given that most short-term rental hosts have never sought city permits, "clearly the self-policing hasn't worked so far, for Airbnb or any of these other short-term rentals," Astley said.

"I'm not confident that it's going to work in the future."

City Hall Update: Salt Proves Worth on City Streets

By Jim Redden

February 27, 2018

Plus, City Council hears arguments for and against a tall building, and PBOT offers discount on bike and transit passes.

Portland transportation officials credited the use of salt for minimizing driving problems during last week's snowstorms.

According to the officials, salt was used to melt snow and ice on several major streets, including West Burnside and Skyline Boulevard.

The Oregon Department of Transportation also used salt on known trouble spots, including the Sylvan Pass on U.S. Highway 26.

The city and state have been reluctant to use salt in the past because of potential environmental problems. But they began experimenting with it during last year's series of severe storms and were encouraged enough by the results to expand its use last week.

City and county crews used transitional deicer on most roads, however. They also credit several other factors with reducing gridlock compared to last year, including drivers paying more attention to weather warnings.

Council hears tall building arguments

The City Council heard arguments for and against the construction of a 17-story, mixed-use building at 1650 N.W. Naito Parkway last Wednesday.

Supporters said the proposed Fremont Apartments project meets city density goals while opponents said it would block scenic views and interfere with the Willamette Greenway along the river.

The council made no decision on the Pearl District Neighborhood Association's appeal of the Design Commission's approval of the design. It will take up the issue again March 7.

The controversy is just one example of how Portlanders are split over proposals to increase density to accommodate the additional people expected to live here in coming years.

Discount bike, transit passes for sale

The Portland Bureau of Transportation announced Wednesday that people who live or work in the Northwest Parking District can now purchase a Transportation Wallet that includes three transportation passes for only \$99.

The passes are good for \$100 deposited on a TriMet Hop Card, an annual Biketown bike rental membership, or an annual Portland Streetcar Pass.

According to PBOT, the total value is \$684. A portion of the parking permit fees that Northwest Portland residents and employees pay go to provide Transportation Wallet's discount. You can purchase one at: transportationwallet.com

The Skanner

Central Library Hosts ‘Sanctuary City: What Does It Mean for Portland?’

*By Multnomah County Library
February 26, 2018*

Portland is one of many cities adopting the designation of sanctuary city, leading to both controversy and questions. What led Portland’s City Council to make the declaration? What does the history of the sanctuary movement tell us about contemporary initiatives? How does being a sanctuary city affect immigrant rights? How does it affect law enforcement?

This panel, hosted by Portland State University, brings together immigrant advocates, city officials and scholars to better understand what it means to be a sanctuary city and to reflect on our values and ideals. It will take place from 6 p.m. to 7:45 p.m. Feb. 28 in the U.S. Bank Room at Central Library. For more information, visit <https://multcolib.org/events/sanctuary-city-what-does-it-mean-portland/85317>.

OPB

City of Portland Granted More Power To Clean Up Homeless Camps

*By Lauren Drake
February 26, 2018*

Oregon state lawmakers approved a measure Monday to give the city of Portland more control over conducting sweeps of homeless camps near the Springwater Corridor.

The measure, House Bill 4054, would allow the city to clean up homeless camps on property owned by the Oregon Department of Transportation.

Mark Seaton and David Somers spend almost every night camping out along Portland's Springwater Trail. They say they like to watch over the area — they pick up trash and make sure people don't graffiti. "I think of it as paying rent, in a way," says Seaton.

Mark Seaton and David Somers spend almost every night camping out along Portland’s Springwater Trail. They say they like to watch over the area — they pick up trash and make sure people don’t graffiti. “I think of it as paying rent, in a way,” says Seaton.

“You have this problem of people moving back and forth between ODOT property and city of Portland property,” said Sen. Rod Monroe, D-Portland, the chief proponent of the measure.

While on the Senate floor, Monroe described the area where the Springwater Corridor runs into the I-205 path.

“There are a number of homeless people that set up camp and many of them have not only the problem of being homeless, but also have a drug problem and use needles and so on and also have no bathroom facilities, except Johnson Creek,” Monroe said.

City of Portland officials wrote in favor of the bill, saying the city has proven its ability to manage cleanups in a “coordinated and compassionate” way and that the intergovernmental agreement between the state and city would result in better management of public spaces.

A lobbyist for the Oregon American Civil Liberties Union submitted testimony on the bill, expressing a hope the bill doesn’t lead to more frequent homeless camp sweeps.

“When camps are broken up and perpetually moved from place to place, and when people experiencing homelessness are swept from spaces they have gathered to seek safety, the ability to rest and the formation of community, great harm can occur,” the letter reads.

The intergovernmental agreement would last for five years. The Senate approved the measure unanimously. It now heads to Gov. Kate Brown’s desk for her signature.