

## **The Oregonian**

# **Portland Housing Audit Finds Renters Still Face Discrimination**

*By Gordon Friedman  
November 20, 2018*

Immigrants and people of color continue to face discrimination in Portland's white-hot rental market, years after city officials committed to end housing discrimination.

Undercover testing found landlords gave worse treatment to immigrant and non-white renters about 25 percent of the time, according to results published Tuesday by the Portland Housing Bureau. Immigrant renters were given disparate treatment most often, results show.

The figures reinforce a 2011 city audit and subsequent fair-housing tests that found black, Latino and disabled renters face widespread discrimination in Portland.

Mayor Ted Wheeler, who is the city housing commissioner, said in a statement Tuesday that city officials will work to hard to remedy the problem.

"The results from the fair housing report indicate something we have been working to remedy locally, and in our nation -- an inherited history of discrimination. I think we can all agree we have much further to go. I instructed the Housing Bureau to increase efforts and help provide tools so that all Portlanders can find and access quality housing, free from discrimination."

Previous housing commissioners made clear their indignation at prejudiced landlords. Commissioner Nick Fish, the housing commissioner at the time of the 2011 audit, said then that he was "outraged" at the "shocking" results. Commissioner Dan Saltzman, the housing commissioner when additional data was released in 2015, said at the time he was "deeply troubled" by the findings of discrimination.

Fair-housing audits work by sending trained actors to seek rental housing. A white actor will pose as a renter as will a person who belongs to a protected class: a person of color, immigrant, disabled person and so on. They separately seek the same rental housing and compare results for preferential treatment.

For the latest tests, initial results found white renters were given preference in nine of 45 cases. The Fair Housing Council of Oregon, which conducted the audit, did additional testing at 12 of the 45 sites where the initial results were inconclusive and found four more instances of discrimination.

The Fair Housing Council also operates a housing discrimination hotline, and of calls from March 2016 to November 2017, nearly 25 percent reported racial discrimination and 37 percent complained of discrimination based on disability.

Results suggests renters who are immigrants or people of color are far more likely to be quoted a higher price for rent and security deposit than white counterparts, even for the same unit. White renters, by contrast, are more often alerted to special prices for rentals, told of additional units and invited to open house events.

That kind of discrimination is illegal. The U.S. Fair Housing Act bans giving preference to housing based on race, national origin, religion, sex, family status and disability.

Landlords who discriminate can be subject to fines and lawsuits. But enforcement is rare because officials may be reluctant to crack down on the powerful real estate industry and few lawyers take on the cases, the Fair Housing Council said. And many renters do not report housing discrimination because they do not know it is unlawful.

There are not simple, readily available ways for tenants or city officials to force landlords to stop discriminating or force them to pay fines, however, particularly since the state labor bureau stopped fair housing enforcement. The report to the city Tuesday called for strengthening the fair housing enforcement system.

“The reality is that successfully prosecuting enforcement actions requires significant evidence of legally cognizable discrimination, usually from multiple positive test results,” the Fair Housing Council wrote in the report.

The Council’s recommendation: Continue frequent fair-housing testing, create an incentive for private attorneys to take on fair-housing cases, and even consider establishing a city “enforcement branch.”

In Portland, officials have not followed through on commitments to get serious about housing discrimination.

While he was housing commissioner, Fish proposed a fair-housing action plan, the first plank of which was titled “End Discrimination in Rental Housing.” But the 2011 plan was largely symbolic. Though the city continues to dedicate more and more money to renter services, a pledge by the City Council to require the housing discrimination tests annually was not carried out; Tuesday’s results are the first to be published in more than three years.

Shannon Callahan, the Housing Bureau director, said the city is trying to do more. She pointed to her bureau’s announcement that it will make \$200,000 available for nonprofits to provide legal aid for enforcement against bad landlords.

## **The Portland Tribune**

### **So Long, E-Scooters, But Maybe Not For Long**

*By Steve Law*

*November 20, 2018*

**Portland's pilot project with battery-powered scooters ends, but a second project may be in store for 2019.**

The proliferation of battery-powered "e-scooters" on Portland streets ended Tuesday, Nov. 20, marking the planned conclusion of a four-month pilot project.

But those who have come to depend on the scooters for travel or recreation on city streets shouldn't fret too much, as the Portland Bureau of Transportation says it's considering a second pilot project for next year.

PBOT staff plan to gather data and public input based on the 120-day trial period, then use that information to evaluate the project and perhaps frame a second pilot project.

To share your experience and views about the e-scooters, send an email to [E-scooter@portlandoregon.gov](mailto:E-scooter@portlandoregon.gov)

Or you can leave a phone message at 503-823-7483.

PBOT announced the pilot project in May, and three companies agreed to provide scooters: Bird, Lime and Skip. Combined, there were 2,049 scooters available for short-term rentals on city streets.

The scooters operated much like bikeshare programs, and were available at dozens of places around the city for short-term, one-way trips. Users downloaded apps for one or more of the companies whose scooters they wished to rent on their smartphones. Then they picked up an available scooter found on the sidewalk and off they scooted, paying for it with their smartphone.

Since the pilot project began July 25, PBOT says the scooters were used for 676,000 trips, covering more than 775,000 miles.

PBOT required that the companies place a number of scooters in East Portland, to assure that part of the city was not underserved, and barred scooter use in parks and on sidewalks.

While it was clear that many Portlanders took to the new technology, it was rare to see riders wearing helmets — which is required by state law. And it wasn't hard to spot scooter riders running stop signs and riding on the wrong side of the street.

For more information about the city program:

[https://www.portlandoregon.gov/transportation/77294?utm\\_medium=email&utm\\_source=govdelivery](https://www.portlandoregon.gov/transportation/77294?utm_medium=email&utm_source=govdelivery)

## **Study: Portland Renters Face Discrimination**

*By Jim Redden*

*November 20, 2018*

### **Portland Housing Bureau releases study and announces \$200,000 for new services.**

Nearly one fourth of Portland housing leasing agents discriminate against minorities, according to testing results released Tuesday.

According to the Portland Housing Bureau, the latest Fair Housing audit revealed that in nearly one in four cases, leasing agents provided adverse differential treatment to prospective renters based on their race or national origin.

"Despite the fact that the Fair Housing Act was passed 50 years ago, many members of our community continue to experience discrimination and differential treatment in the housing market," said Housing Bureau Director Shannon Callahan. "As we address the challenges in our community of displacement and housing affordability, it's critical to ensure that Portlanders are treated equally when they are applying for housing and have the same access to opportunity, regardless of their race, national origin, color, religion, sex, family status, or disability."

In response, the PHB announced it is providing \$200,000 for one or more community-based organizations to provide a range of renter services for historically underserved communities living in Multnomah County, with an emphasis on direct legal services to enforce Fair Housing and landlord tenant law.

"We want to make sure Portland continues to address these issues as we focus our resources on some of our most vulnerable citizens, realizing there is a lot more work to be done," said Mayor Ted Wheeler.

According to PHB, the city contracts annually with the Fair Housing Council of Oregon (FHCO) to conduct random anonymous testing of housing providers to identify potential illegal

discrimination as well as other patterns or issues in the city's rental market. Results are analyzed to identify market trends of concern, areas to target education efforts and, where there is sufficient evidence, to conduct enforcement of Fair Housing violations.

Between March 2016 and February 2018, FHCO conducted 45 initial tests of rental properties within the City of Portland. Of these tests, 16 were either positive or inconclusive for adverse differential treatment of a protected class tester and warranted further testing. The 13 total positive tests (including retests) showed evidence that differing information about rental terms and conditions, rent prices, move-in specials, deposits, application fees, and screening criteria had been provided that favored the comparative tester over the protected class tester.

Testing also showed that agents continued to make statements that could either discourage protected class testers from renting or applying or encourage comparative testers to rent or apply.

But, PHB says, this year's report also cites challenges to successful enforcement of Fair Housing law, including the difficulty of obtaining the services of a private attorney and a lack of funding for enforcement at the state and city level.

You can read the report at [www.portlandoregon.gov/phb/article/703893](http://www.portlandoregon.gov/phb/article/703893).

## **Willamette Week**

### **Portland's Mayor Got Stuck in the New Landscape of Street Politics. A Closer Look at Ted Wheeler's Very Bad Month.**

*By Rachel Monahan*

*November 21, 2018*

#### **His behavior shows odd parallels to the Trump era he is defying.**

Portland Mayor Ted Wheeler can make a case for being a leading figure of the anti-Trump resistance.

He's the top politician in a deep-blue city in the midst of a blue state. This summer, he refused for weeks to deploy cops to disband a protest at the offices of U.S. Immigration and Customs Enforcement, earning him the ire of the right wing. He's been pilloried on Fox News and right-wing talk radio.

Over the past six weeks, Wheeler has tried to end the alarmingly violent street protests sparked by out-of-state Trump supporters. And last week, he attempted but failed to pass an ordinance through the City Council that would have given police more tools to restrict on the protests.

Though that effort fizzled, he did finish last week on a high note when, over the weekend, his police force calmly handled another round of dueling protesters.

But his behavior shows odd parallels to the Trump era he is defying. The day after Wheeler failed to pass his ordinance, he made news with a grumble: "I cannot wait for the next 24 months to be up."

"It's a very publicly tough week for him," says Jim Moore, professor of political science at Pacific University. "There are times when the job doesn't seem worth it."

Here are five key moments that show the pressures the mayor faces—and how those pressures are affecting his decisions.

1. Ted Wheeler was prickly about what he saw on cable TV.

On Oct. 9, Fox News ran an eight-minute segment that labeled Wheeler a "cowardly mayor" for his alleged failure to enforce the law. "The mayor's a nutcase," Fox News piled on.

The proximate cause was a conflict between protesters and a Lexus, whose driver had pushed through the crowd. The larger context was Wheeler's refusal to clear out the anti-ICE blockade in June.

Wheeler claimed not to care about his own image but instead defended the police. "I'm willing to take criticism all day long from Fox News, but I am not willing to accept criticism from Fox News of the men and women of the Portland Police Bureau," he said.

On Oct. 15, after more national news stories on yet another street brawl, he rushed his protest ordinance out the door, giving colleagues only two hours' notice.

Jim Pasero, director of the conservative group ActionPAC, says Wheeler had seen the TV clips and felt a need to respond: "He's a pretty proud guy. He doesn't want to be a laughingstock."

2. Wheeler battled with users on Twitter.

On Oct. 18, civil liberties advocates met with the mayor to propose a series of fixes to the city's street brawls between right-wing extremists and Antifa, rather than the measure he was supporting (which ended up failing for lack of support from city commissioners who were worried Wheeler's proposal was unconstitutional). Their alternative proposals included educating the police, the press and others about the dangers and tactics of white supremacists.

In an extraordinary break from past practices, the mayor didn't express gratitude to the advocates who came his way or suggest he would work with them in the future on their suggestions. Those are the typical "Portland polite" ways of blowing off critics.

Instead, he publicly criticized American Civil Liberties Union of Oregon lawyer Mat dos Santos. He compared dos Santos unfavorably with a lawyer who supported the mayor's proposal. "Calling you out on this one," Wheeler tweeted, adding that the other lawyer had "a higher profile and with a successful history of defending the constitutionality of time, manner and place restrictions."

3. Wheeler didn't bother with traditional politics.

The mayor of Portland needs to be able to count to three: the number of votes required to pass a city ordinance.

And yet it is very clear Wheeler never had the support needed for his ordinance to control violent protests but decided to bring it to a vote anyway. He does not appear to have consulted fellow commissioners before announcing the ordinance.

The mayor knew he didn't have the votes, but his staffers say they wanted to show supporters of law and order that the mayor wouldn't cave. "I am encouraged that this has sparked a necessary and hard look at protest safety in our city," said Wheeler in a statement immediately after the vote. At the same time, say City Hall observers, not compromising looks a lot like giving up.

4. Wheeler blamed the media.

When Wheeler announced his ordinance, it wasn't difficult for reporters to find legal experts critical of the measure and its constraints on free speech. The Oregonian reported Wheeler's first draft was "blatantly, dangerously unconstitutional."

When the measure failed to get enough votes at City Hall, Wheeler turned on the news media and blamed them. "If you put an ordinance out there and there is any question about its legality, make sure your lawyers get to the media first, because once that frame is set, it is very, very hard to turn that frame around," Wheeler said.

To many observers, Wheeler, by blaming others, was showing weakness. Wheeler says he respects the press: "Journalists play an essential role in our political discourse, challenging elected leaders to be better and to explain more thoroughly."

5. Wheeler ended back where he started.

The week ended on a much stronger note for Wheeler—because his police force learned from its mistakes and tried new tactics. On Nov. 17, police went back to the streets to confront extremists—and succeeded in preventing violence.

ACLU of Oregon's Kimberly McCullough acknowledged the protest had "a better outcome" but also proved critics' point: "This weekend confirmed that the proposed protest ordinance was completely unnecessary." Now Wheeler finds himself much where he started—Fox News again did a segment decrying violence at Portland protests, but this time without mentioning the mayor.

## **Portland's Mayor Decided to Replace Police on Horseback With Unarmed Cops. Where Are They?**

*By Katie Shepherd  
November 21, 2018*

**The police union says the new officers will spend little time in the streets.**

Almost two years ago, Portland Mayor Ted Wheeler made a difficult and unpopular decision. He eliminated a division of the Portland Police Bureau that was a perennial favorite among cops and citizens: the Mounted Patrol Unit.

He pledged to replace it with something that could be more valuable: officers who would work primarily on improving Portland police's relationship with residents living on the margins of the city.

But 17 months later, those replacements haven't arrived. Multiple sources tell WW that the mayor's office didn't begin negotiating with the police union for these jobs for over a year. Even now, the mayor and the union are quarreling over what the jobs will entail: The union says the new officers will spend little time in the streets.

City Commissioner Amanda Fritz says she only voted for a new police union contract in 2016 because she expected the unarmed officers would be added.

"Over the course of the negotiations with the Portland Police Association, much of the original intent has been watered down," Fritz says. "I am very disappointed."

Outside observers are also perplexed.

"It seems like, if it is a priority, they would have done it faster," says Dan Handelman, who runs Portland Copwatch. "It's very frustrating that it's taken this long."

The mounted patrol served as a kinder, gentler face of the Police Bureau. The horse-and-cop duos patrolled Old Town and helped control protests, but unlike officers in cruisers, they also served as a public relations team.

"Groups of kids, parents, teenagers and elderly, they all come up, they want to see the horses, they want to pet them," Robert Ball, then-president of Friends of the Mounted Patrol, told KATU in 2017. "They end up talking to the police officers, and that is what community policing is all about."

In June 2017, Wheeler cut the mounted patrol from the city budget. The horses were sold to private owners. The officers were reassigned to other units.

But Wheeler promised to use the savings—more than \$1 million—to fund 14 unarmed community service officers who would concentrate on improving police interactions with minorities and the homeless.

Advocates say such unarmed officers build trust with citizens most likely to have frequent interactions with police or be victims of crime.

"When you bring your gun and a badge into a situation, it can make some people uneasy," says Sam Sachs, a former Portland park ranger. "If you're not wearing a gun, it kind of changes things."

The city originally proposed the public safety support specialists, or PS3s, as a way to more robustly staff the Police Bureau at a lower cost than simply hiring more sworn police.

The bureau said in 2017 the PS3s would respond to minor car crashes, perform welfare checks, and handle lower-level livability issues. Then-Chief Mike Marshman said the program would be modeled on one in San Diego, where community service officers patrol neighborhoods, write reports and help children safely cross the street after school.

But negotiations with Portland's police union have changed the scope of those jobs. Community service officers are often opposed by police unions, which don't want lower-paying jobs in which officers don't carry guns.

Daryl Turner, president of the Portland Police Association, says the PS3s will not respond to any calls for service and won't patrol on their own. Instead, they will focus primarily on support services, like manning the front desk at precincts and waiting for tow trucks to remove disabled vehicles from roadways. "They will not be taking any calls for service whatsoever," Turner says.

Handelman calls the shrinking scope of the PS3s' role a "bait and switch."

The mayor's office says the new officers won't simply be manning desks. "Nothing prevents them from participating in a walking beat with a sworn member," says Wheeler spokeswoman Sophia June, "in addition to attending community events."

Fritz says the negotiated jobs aren't what was promised.

"It is unclear whether these staff will be able to function as independent responders to low-priority calls or take reports," she tells WW. "Their usefulness may be greatly diminished compared with the vision. I will approach all future contract negotiations with PPA with a high degree of skepticism."

The mayor's office concedes it will miss its January 2019 deadline for hiring the first new officers. That deadline was set only after the city failed for a year to make progress in implementing the new program.

The mayor's staff says the new officers remain a top priority. "We are prioritizing the PS3 program," June says.

The false starts and delays show the steepness of the challenge Wheeler took on when he campaigned on police reform. But they also raise questions about how urgently the mayor and Police Chief Danielle Outlaw have pursued his promised changes.

"Chief Outlaw has been steadfastly committed to this program, and is looking forward to the deployment of PS3s," the Police Bureau wrote in emailed answers to WW's questions.

Community policing has long been a stated priority for Portland mayors, dating back to Vera Katz.

"These institutions take a long time to change sometimes," Copwatch's Handelman says.

"Maybe, eventually, if we got a larger squad of these [PS3s], we wouldn't need as many armed officers."

The mayor had a model for the new job: park rangers, a position Commissioner Nick Fish created in 2012.

"If they used that model, I think they'd be successful," says Sachs, the former park ranger who now sits on the Citizen Review Committee, which oversees investigations of the Police Bureau. "Park rangers are ambassadors first, and code enforcers second."

Union president Turner tells WW the city did not begin earnestly pursuing the agreement until late July 2018, a full year after the City Council funded the program.

The city and the union have only just this month come to a tentative agreement to ratify the positions.

Marquis Fudge, a labor relations analyst for the city's Bureau of Human Resources, says he became involved in the contract negotiations with the police union in July. He says the negotiations took a typical length of time, spanning about four months until an early agreement was reached in October. He says he doesn't know why the city didn't start the negotiations sooner.

June, the mayor's spokeswoman, says informal negotiations started well before that. "The late timing of formal bargaining," she says, "was due to scheduling conflicts among the PPA representatives."

Even as the city slowly moved toward creating the new positions, Outlaw and Wheeler lobbied the City Council to fund 58 additional sworn officers—who would carry guns and perform traditional police functions.

His staffers say the mayor is committed to improving the relationship between the public and police. They point to several programs that predate Wheeler's tenure and a new civilian oversight committee required under a settlement agreement with the U.S. Department of Justice.

"The mayor is delivering on his promises to improve community policing," June says.

# **With So Many New Homes and Apartment Buildings, Shouldn't Our Tax Revenue Coffers be Awash in Fresh Cash?**

*By Marty Smith  
November 21, 2018*

**With so many new homes and apartment buildings rising up in places where there once were none, shouldn't our tax revenue coffers be awash in fresh cash? Or is it the case, as my namesake said 150 years ago: "Property is theft"? —Henry George**

Before I answer your question, Henry, I feel compelled to point out that while your namesake, the 19th-century economic writer Henry George, was definitely a redistributive, eat-the-rich kind of dude, he did not actually say "Property is theft." That distinction belongs to a different 19th-century hippie, Pierre-Joseph Proudhon. However, both men did have huge boobs.

Not really; it just seemed like everybody was falling asleep there for a minute. That aside, I'm sure that once we dive into the meat of the issue and are up to our eyebrows in municipal revenue streams, I'll have your complete attention.

The point of your question seems to be that, as we add units of housing stock, property tax revenues should rise, providing us with lots of extra money to spend on fun stuff.

There are a couple of problems with this. The most glaring is that all those new units of housing stock are being built because they're needed to house new residents. And those new residents, of course, will drive and park and poop and make garbage and get arrested and go to rehab and do all the other expensive things cities spend money on, making the whole proposition a wash over the long term.

But an even bigger problem with your premise is that property taxes, for all that they command our attention, don't constitute a majority of city revenues.

"The real reason we've seen such a big jump in revenue lies with business income taxes and hotel lodging taxes," says Heather Hafer of Portland's Office of Management and Finance. "High business profits and the emergence of Portland as a tourist destination have resulted in large revenue increases."

Anyone who has ever had to dodge a gaggle of German tourists on Segways will be pleased to learn that we're offloading a substantial portion of our city expenses onto their Day-Glo-jacketed backs. It almost makes you want to be nice to them. Almost.