

## The Oregonian

# Fate of Push to Loosen Portland Renter Restrictions Won't Be Known for Weeks

*By Elliot Njus  
April 4, 2019*

The future remains cloudy for sweeping tenant screening changes intended to make Portland housing more accessible by pushing landlords to overlook older criminal convictions, credit problems and other flags.

The City Council took in nearly six hours of testimony Wednesday and Thursday during hearings for the proposal brought forward by Commissioner Chloe Eudaly, which also would overhaul security deposits often required to rent a home.

A vote is still weeks away, scheduled for April 25, but it could be delayed if additional tweaks are proposed.

Commissioners offered few remarks during the hearings, but Commissioner Jo Ann Hardesty signaled she would likely join Eudaly in supporting the proposal.

Mayor Ted Wheeler and Commissioner Nick Fish, meanwhile, raised questions about the cost to administer the program -- \$500,000 in its first year and \$400,000 in subsequent years, according to Eudaly staffers.

Wheeler, who oversees the housing bureau, suggested on Wednesday that money isn't assured in the coming budget, though he hastened to say he raised the same caveat for any fiscal requests coming before the council in what could be a difficult budget season.

Those who testified Thursday, when members of the public were invited to speak, came down along mostly expected lines.

Landlords said the policy would inhibit their ability to protect their homes and other tenants by limiting their ability to screen new renters based on their criminal, rental or credit history. Instead, some said they would sell their properties and get out of the business altogether.

Nancy Greiff, who rents out a unit in a duplex in Sellwood, said she would pull her rental home from the market over concerns about tenants' past convictions.

"I'll be afraid to even sell it to someone who will rent it out," she said. "There are two little girls living next door. I'm not going to put someone whose background is a mystery to me next to those two little girls."

The rules set out rental screening criteria that are more forgiving than those typically used by private-market landlords today. Landlords may also set their own screening criteria, but at greater expense. Greiff said the rules would require her to hire a lawyer.

Renters and housing activists, meanwhile, said the rules would help protect renters against discrimination and give renters a second chance after mistakes they made years ago.

Jolene Aiken, a housing specialist with the Urban League of Portland, said she works with formerly incarcerated renters. One, she said, is currently homeless despite being sober and having no criminal history since completing drug treatment in 2009, and many have found themselves facing similar obstacles.

“They’re working on to turn their lives around, but finding stable housing continues to be a struggle for them,” Aiken said.

The ordinance would give landlords two options for screening tenants:

A “low barrier” option, with its criteria specifically outlined by the city;

And an “individualized assessment,” where landlords can set their own criteria but must accept “supplemental evidence” from tenants and justify any rejection in writing.

The more lenient criteria prohibit landlords from considering felonies older than 7 years and misdemeanors older than 3 years. Renters wouldn’t be rejected for credit scores above 500, a court eviction order older than 3 years or insufficient credit history.

In all cases, landlords would have to advertise vacancies 72 hours before they begin accepting applications and to evaluate applications in the order they’re received, both new requirements.

They also can’t require tenants to earn more than two times the monthly rent in income.

A companion would restrict how landlords account for security deposits when the tenant moves out. They would have to reduce any charge for damage based on the age of a fixture or appliance and maintain original receipts for the items.

It would also allow tenants to pay security deposits in installments over three months rather than entirely up front.

## **Chloe Eudaly Calls For More Extensive Study of Rose Quarter Freeway Project, Backs Albina Vision**

*By Andrew Theen*

*April 4, 2019*

Portland Commissioner Chloe Eudaly said Tuesday that a more extensive review of the potential effects of a proposed \$500 million on Interstate 5 through the Rose Quarter is “more than called for,” joining a chorus of critics from elected officials to the school district and civic groups.

Eudaly posted a lengthy message on her official Facebook page Tuesday evening saying she believes the Oregon Department of Transportation should go back to the drawing board and further study the project, which would add merging lanes, cap the freeway in a small portion of the 1.7 mile area and add two new bridges spanning the freeway – one for bikes and pedestrians only.

The commissioner said she agreed with the Portland Public Schools board and the volunteer group known as the Albina Vision Trust -- which seeks to bring affordable housing, development and new public plazas to an area once home to hundreds of African Americans who were displaced by the freeway construction and adjoining stadium district decades ago – that questions remain.

“My priorities as your transportation commissioner center on increasing safety, decreasing carbon emissions, and ensuring equitable outcomes for impacted communities,” Eudaly wrote on her Facebook page. “Although it would be nice to fix the bottleneck on I-5 and the project includes \$250 million for surface street improvements focused on better pedestrian, bike, and transit infrastructure, as it stands the added auxiliary lanes on I-5 will not deliver meaningful safety, environmental, or equity benefits to Portland.”

At the conclusion of a state public hearing on the project on March 12, Eudaly seemed to defuse some of the ammunition from climate-driven opponents of the development, saying she didn't necessarily think "fixing this poorly designed" part of the freeway was a bad idea, adding "we're not adding capacity at either end of it."

She doesn't address that issue in her Facebook comments, but Eudaly said the \$500 million set aside as "not under my control," and she was told the money would be moved elsewhere if not spent on I-5, "most likely on a significant freeway expansion project such as additional lanes on I-205 around West Linn."

"As it stands," she wrote, "we need to manage our current reality with this project in the best way that we can," she said, adding she hopes ODOT can see the moment and address the historic wrongs wrought onto the black community there.

Monday marked the end of the public comment period for the state-led Environmental Assessment of the Rose Quarter project, which was released in mid-February. Eudaly's chief of staff, Marshall Runkel, indicated to The Oregonian/OregonLive on Monday that the commissioner would likely call for a more extensive study of the project, but it's unclear whether she submitted that request to ODOT itself.

Metro Council President Lynn Peterson on March 29 submitted formal comments to the state asking the agency to "consider the significant historical context" of the surrounding area when moving forward. "In the 1950s, the Oregon Highway Commission razed the predominately black Albina neighborhood displacing hundreds of families and destroying black-owned businesses and community to build I-5," Peterson wrote. Those actions coupled with other government decisions "have made a lasting detrimental impact" on the black community. "It is our collective responsibility to address these wrongs," she said.

Albina Vision Trust leaders have pushed the state to dream bigger with the freeway cap ion particular, saying the current proposals don't do enough to re-stitch the community.

Peterson, whose Metro Council is expected to put a region-wide transportation funding package that could number in the tens of billions of dollars on the November 2020 ballot, told OPB News this week the caps should be more substantial and developable.

"If you can imagine walking through the Rose Quarter now and nothing being different," she told OPB, "that's how it would be. You're recreating the same kind of dead space."

Eudaly on Tuesday also sent a letter to the Oregon Transportation Commission, the state's top decision-making body, reminding them that freeway tolls must be in place before any Rose Quarter development is completed.

Oregon's Legislature in 2017 both funded the Rose Quarter and two other metro-area freeway projects and called for a serious look at congestion pricing as a way to battle traffic. Oregon has applied for federal approval to toll sections of I-5 and I-205 in the Portland area.

Eudaly pointed out the city's Central City 2035 plan, the governing code for its next two decades of growth, specifically required tolls be in place before the Rose Quarter project is completed.

That appears to fit with the state's own timelines. Tolls, if approved, will likely be in place by 2024. Former legislator Julie Parrish is leading a 2020 ballot measure that could put some of the rolling plan in jeopardy if approved. The measure would put tolling proposals before voters — both local and statewide — and stipulate revenues pay for new freeway capacity. If the Rose Quarter moves forward as planned, construction likely wouldn't be finished until 2027.

## **The Portland Tribune**

### **Rent Reform Vote Set for April 25, at the Soonest**

*April 05, 2019*

City Council hears more than six hours of testimony over two days about controversial proposal to change tenant screening and security deposit policies.

The Portland City Council heard public testimony Thursday on the new ordinance that would change how landlords screen applicants and handle security deposits.

The goal is to help reduce barriers to affordable housing. Almost half the people who live in city limits are renters.

About 50 people testified, and they were split between renter advocates who supported the ordinance and landlords who said it was too complicated and restrictive. The testimony followed a Wednesday hearing with invited witnesses.

Although the council heard more than six hours of testimony over the two days, the vote is not scheduled until April 25. It could be delayed even longer if amendments are offered to the proposal.

Some of the changes in the ordinance sponsored by led by Commissioner Chloe Eudaly include having to allow a tenant who has a criminal history. Specifically, if it's been more than three years since a misdemeanor sentencing or seven years from a felony, which would include murder.

Although that change is intended to make housing available to more people, some landlords argued that not all crimes are equal and other tenants could be put at risk.

Another change eases identity restrictions. Any non-governmental document or combination would be allowed for verification of identity. There are also proposed changes to security deposits and the standards of what qualifies as damage.

## **Willamette Week**

### **Will the \$500 Million Rose Quarter Project Grow, Not Shrink?**

*By Rachel Monahan*

*April 5, 2019*

**There's renewed pressure to support the concept championed by Albina Vision to correct the past mistakes with the construction of the I-5 project.**

A rare public spat between government agencies has overshadowed a potentially more significant development for the Interstate 5 Rose Quarter project: There's increasing pressure to spend more public money on the project, not less.

The regional government Metro made headlines on Monday by calling into question the veracity of the Oregon Department of Transportation's analysis of the project and its benefits.

Those strong words overshadowed another, less combative letter from Metro Council President Lynn Peterson, which called for ODOT to be racially sensitive in its approach to the neighborhood.

But that request signals support for the Albina Vision, a much larger and more ambitious investment in the historically black neighborhoods surrounding the highway.

In response to subsequent questions from WW, Peterson was explicit about her support for the Albina Vision. That ambition concept for the Rose Quarter and lower Albina that includes capping the highway from Northeast Multnomah Street past Northeast Flint Street so that structures as tall as six stories can be built on them. (Current lids proposed for the highway may be able to support a two-story structure on overpasses.)

"Adding auxiliary lanes between I-84 and I-405 should make traffic flow more smoothly because of fewer merges and collisions, but none of that matters if the project doesn't help advance the Albina Vision and repair past injustice," Peterson said in a statement to WW. "Whatever happens must support the Albina Vision, the health of Portland's Black community and the health of students at Harriet Tubman."

Peterson's support for the Albina Vision concept is significant because she is expected to be championing a multibillion-dollar transportation bond on the 2020 ballot.

It's not clear at this point whether the state would increase the funding for highway caps or whether it could become part of the Metro transportation bond.

"The Metro Council has a policy that says that interstate capacity projects in the greater Portland region should be funded by the federal government and ODOT," Peterson tells WW. "But connections to the interstates are definitely part of the regional conversation. I'm interested in conversations about using regional resources to help support the health of communities around the Portland region, particularly in areas that have faced historic injustice."

Rukaiyah Adams, who is the chair of Albina Vision, wrote her own searing letter last week, calling on ODOT to conduct an environmental impact statement, a more careful analysis of the project. That could delay the project by years, though Adams said that's not her point in calling for it.

The highway project "is a once-in-a-generation opportunity to build over the divisive, trenched highway and reconnect inner east Portland neighborhoods to the Willamette River. Let's take the opportunity to fix the problem that was created when I-5 was originally constructed," wrote Adams, as first reported by BikePortland.org.

"The structure of the caps as currently designed, with a 300 pound-per-square-foot live load capacity, is sufficient to carry two-story buildings," Adams wrote. "With design adjustments, the caps have the potential to carry much more. AVT would support a RQIP with highway covers engineered to be capable of bearing six-story buildings that could be used for affordable residential and commercial spaces to ease the transition between lower Albina and the Lloyd Commercial District immediately to the east of the RQIP."

Adams is a behind-the-scenes force in Portland politics. And her chief aim, the letter makes clear, is getting as much of the Albina Vision funded as she can.

In fact, Portland Mayor Ted Wheeler joined Peterson in a April 4 letter to Tammy Baney, chair of the Oregon Transportation Commission, which sets policy in the state, backing the idea that the project should be sensitive to the history of the area.

"Whatever happens in the Rose Quarter, it must account for the history of the construction of Interstate 5, take meaningful steps to repair the damage that construction caused and offer environmental, social and economic justice to Portland's Black community," they wrote.

Peterson declined to answer questions about whether she believed ODOT should revise its official environmental assessment of the project or even create a more thorough environmental impact statement, which could create delays.

## **The Portland Business Journal**

### **It's Time For a More Localized Form of City Government**

*By Michael Liu*

*April 4, 2019*

#### **A business leader and City Club mainstay calls for the end of the city's commission system**

In 1982, my father and mother started a food distribution company that specializes in Asian products.

At that time, Portland was a smaller city. Much of East Portland was unincorporated Multnomah County. There were fewer tall buildings. You could drive from one end of the city to the other in half an hour or less.

In recent years, Portland has grown up and out. The city is more diverse than ever and a large Asian American population has established itself on 82nd Avenue. My family was part of that change. In 2006, we opened the Fubonn Shopping Center at Southeast Woodward Street and 82nd Avenue, in the heart of what is now the Jade District.

I have always believed that change can be good. The Jade District has strengthened our community and created opportunities for family-run small businesses to share their uniqueness with the whole city. After reading City Club of Portland's report on Portland's commission form of government and reflecting on my experiences as a Chinese-American business owner in Portland, I think it's time to make a change to how Portland is governed.

For more than 100 years, the city has been represented by only five people, including the mayor. Other cities Portland's size have city councils that are two or three times larger. Even smaller cities in Oregon have larger councils, including Bend, Eugene and Ashland. With such a small city council, it's hard to have representatives who know your community, who live and breathe your neighborhood.

Diverse representation is made even harder by the fact that Portland elects its council citywide. If you have the resources and political connections to run a city-wide race full time, you have a good shot at getting elected. But I know a lot of community leaders who are immigrants, who only have a local area profile or who grew up with limited resources and don't have the connections or the fundraising power to get the 200,000 votes you need to win in a primary and a general election.

As a business owner, I know there's a lot of value in diversity — ethnic, geographic, gender identity, sexual orientation and more. When you have people who look at issues from a different perspective or bring unique life experiences to the table, you get new ideas and innovative ways to rise to the challenges in front of you. For too long, we've limited our potential by electing city councils that do not reflect the neighborhoods and cultures of our city.

The structure of our government also limits our ability to be efficient and effective as a city. Our city council members are commissioners who oversee multiple city bureaus. They are like the CEOs of those bureaus and have to manage thousands of employees and millions of dollars.

The problem is, we don't vote for who will run each bureau. The mayor decides. And often we're electing people who have no management or public works expertise.

Could you imagine if Nike or McMenamins changed CEOs every year or two? And what if half the time the new CEO had never worked for a similar company? Those organizations would struggle. Morale would plummet. Unfortunately, that's what happens in Portland right now.

Meanwhile, city council members are so busy learning their bureaus and getting involved in the operations of those bureaus that they often have trouble developing a long-term vision for the future.

It's no wonder cities all over the country abandoned the commission form of government decades ago. It doesn't work. We are an innovative and enterprising city. It's time to imagine a new government that brings forward the best ideas of today, not the failed ideas of last century. And, if we work together, we can establish a new government that represents all of us.

## **OPB**

### **Portland's Proposed Rental Screening Rules: 3 Perspectives**

*By Amelia Templeton*

*April 4, 2019*

Portland City Council heard public testimony today on a proposal to dramatically increase the regulation of the screening process, security deposits and other aspects of renting.

Supporters say it's a necessary step to combat discrimination in the rental market and for Portland to live up to its progressive values.

Detractors say it's overly prescriptive, heavy on red tape and could have unintended consequences – like raising rents.

More than 50 people came to council to testify. They were split broadly between tenants, community organizers, and affordable housing advocates who largely favored the ordinance, and landlords and developers opposed to it, though two landlords broke ranks and backed the proposal.

Below are highlights from three people with different perspectives:

Who: Clyde Holland, developer — Chairman of Holland Partner Group, manages 17,093 units across the west, including in Oregon

Position: Opposed

Key concerns: Regulation stifling investment, cost of compliance, the ordinance's cap on the income ratio landlords can require as two times the rent.

Testimony highlights:

“First, HUD, Fanny Mae, and Freddie Mac all require that we screen at three times the rent, in order to be in compliance with their financing. To mandate a criteria that is lower than that will put landlords in default on their mortgages. In order to attract institutional equity to be able to

build new projects in Portland and thereby provide additional housing, we are required to screen three times the income in order to access institutional equity.

In order to look at the compliance aspects of the very confusing pages here, our estimate is it will take one person per hundred units to be able to deal with the challenges. That will raise rents on Portlanders approximately \$65 dollars per unit, per month.”

“The policy-layering effects of inclusionary zoning, tenant relocation, registration, and now these have substantially lowered the ability for us to access debt and equity. It has cost the city of Portland about 5 billion dollars of investment in housing.”

Who: Marih Alyn-Claire, renter and tenant advocate

Position: Supports with changes

Key concerns: Renters need protections to prevent their financial exploitation, but the bill could be simpler. Renters shouldn't be penalized for credit card debt because it's often a survival strategy for people dealing with high costs of housing.

Testimony highlights: “I support many of its basic elements, allowing different forms of identification, lowering the income rent ratio to two times the rent, security deposit caps, the anti-discrimination look-back periods for criminal histories which really impacts people of color”

“One significant issue for me however about the proposal is step two, which is focused mainly on debt and credit history, as primary first measurements for assessing a tenant's worthiness for access to housing.”

“I wondered why rental history as the main measurement was not foremost, not credit and debt load ... It's astounding to me how this essential category didn't make the list. For long-term renters like myself with 10, 20, 30 plus years of solid rent payment history, this is our credit rating.”

“For years, renters have endured the abusive practices of rent gouging, burdened with paying 50 to 80% of their income on rent. Then, having to run up balances on credit cards to pay for groceries, medicines, daycare, multiple moves after being rent evicted several times.

And still, we're having to qualify over and over again, risking disqualification over debt as a means of survival, before the very industry that has profited from our misery.”

“For renters, these type of indignities equal injustices, compounded.”

“My second concern is the proposal's complexity... I would rather we take the time to pair down much of the complexity from 30 pages to 15, fine-tune and simplify the content, and if it is to be meaningful, it has to be enforceable.”

Who: Mike Westling, co-owner of a triplex in Montavilla

Position: Strongly in favor of the ordinance

Key concerns: Landlords need to recognize their comparative financial privilege. Screening out tenants with poor credit or past criminal history perpetuates homelessness.

Testimony highlights: “I don't take this investment lightly. This was a huge financial decision for my family. It's something that we hope will help to pay for our kids' college someday, if that's what they choose.

At the same time, I think it is important that we recognize that anyone that's in the position of owning a rental property benefits from serious financial privilege, at a time when many in our community are facing serious financial challenges, even when they're working full time."

"I'll be really clear, these proposed screening rules are absolutely not a burden. They actually align with how responsible landlords and property managers should be treating applicants anyway. I have no problem with the non discrimination requirements regarding an applicant's criminal history. My take is that just because someone committed a crime in the past does not mark them as a horrible tenant for the rest of their life."

"People wonder why so many people in our community are experiencing homelessness and one of the major reasons is that people who have any kind of criminal activity in their past cannot find a place to work or live."

"At the end of the day, I'm not going to be selling this property because I have to consider a wider pool of tenants. Thank you for considering these new rental screening rules. They will increase opportunity and fairness for tenants, and they aren't going to be a burden for small landlords. Plus, it's just the right thing to do."