

## **The Portland Tribune**

# **Your City Hall: Comment Sought on Rental Reform proposals**

*By Jim Redden  
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**Portlanders are encouraged to weigh in on the most recent proposals until the final vote, which is currently scheduled for June 12**

WHAT IS HAPPENING? The City Council is accepting public comments on Commissioner Chloe Eudlay's two new rental reform proposals until the final vote, which is scheduled for Wednesday, June 12.

Both measures are controversial. They are supported by many renters and housing rights advocates but opposed by many landlords, their organizations and some developers. The City Attorney's Office also has identified potential legal problems with some of the provisions.

WHAT WOULD THE MEASURES DO? The measures are intended to reduce barriers to housing to certain groups of people, including lower income and handicapped renters, and to people with criminal convictions.

They regulate some advertising for vacancies and require landlords to adopt a "low barrier" tenant application process or justify not renting to some applicants. They also would restrict income requirements to two times the monthly rent (two-and-a-half times for affordable units), limit security deposits, and set requirements for refunding them.

WHAT DO THE TWO SIDES SAY? Supporters say such requirements are necessary to prohibit discrimination against people in marginalized communities, including minorities and the disabled. Many renters and their advocates testified about difficulties finding housing during three previous council hearings.

Opponents say new requirements are not needed because federal and state fair housing laws already prohibit such discrimination. They say rents will be increased to pay the administrative cost, and the potential liability of not complying will prompt some landlords to sell their properties, reducing the supply of rentals.

Some developers also say the income limits will reduce financing for future rental housing projects. Some financiers require future tenants to earn three times the monthly rent to help ensure such projects will pencil out.

Opponents also complain about the cumulative effect of several recent tenant reform measures, including Eudlay's original renter protection measures approved by the council in 2017 and the statewide rent control program approved by the 2019 Oregon Legislature.

WHAT ARE THE POTENTIAL LEGAL PROBLEMS? A May 20 analysis by the City Attorney's Office said certain provisions of the measures may violate federal and state constitutional protections, housing laws and credit regulations.

The memo said the current versions present a low to moderate risk of being invalidated on the grounds of preemption, violation of free speech or as a regulatory taking. Although the risks have been reduced from the original versions, the memo still said that if the city were to lose a suit based on a federal constitutional challenge, it would face substantial liability for attorneys' fees.

**WHAT CAN I DO?** You can review the most recent version of the measures when they are posted on the city's website before the June 12 meeting. In the meantime, you can find contact information for all council members on the same website, [www.portlandoregon.gov](http://www.portlandoregon.gov).