

<b>Policy Questions</b>			<b>Update based on staff discussion between the Housing Bureau and Mayor's Office</b>
<i>Numbering is for Reference Only – No Prioritization</i>		<b>Work Plan</b>	
<b>Category: Increase City's Role</b>			
<p>1. Should the City develop and disseminate information to renters and landlords on rights and responsibilities associated with mandatory relocation assistance? In addition, should this information:</p> <ul style="list-style-type: none"> <li>a. Mention that relocation assistance payments could create an income tax obligation for a renter, or make a renter fall out of eligibility for social service benefits?</li> <li>b. Be culturally-specific, language-specific, and immigrant/refugee-specific to support these communities in their understanding of the policy?</li> </ul>		<p><b>Staff to develop materials and plan for outreach and education to renters and landlords</b></p>	
<b>Category: Adjust/Add/Remove Exemptions</b>			
<p>2. Should relocation assistance only be available for renters who fall below a certain income threshold (e.g. 100% AMI)?</p>		<p>n/a</p>	
<p>3. Should relocation assistance only be available for rents below a certain threshold (e.g. \$4,500 per month)</p>		<p><b>Update: Yellow to Red</b></p>	<p><b>This modification will not be made due to administrative challenges and potential negative consequences for larger households.</b></p>
<p>4. Should the length of time exemption for landlords who temporarily rent out their primary residence be increased (currently 3 years)?</p>		<p>n/a</p>	
<p>5. Should the one unit exemption be removed or increased (or changed to ADU)?</p>		<p><b>Update: Technical Group to continue discussion on 11/17</b></p>	<p><b>More discussion and feedback from the technical group is desired, if the exemption is reduced or eliminated it should be linked to a hardship waiver process.</b></p>
<p>6. Should the one unit exemption be offered only when the rental unit is owned and operated by a human (no artificial entity ownership or management)?</p>		<p>n/a</p>	
<p>7. Should the expiration of concessions without triggering relocation assistance be allowed?</p>		<p><b>Staff to draft changes with City Attorney</b></p>	

8. Should the demolition, change of use, or major rehabilitation of a building be exempted from relocation assistance requirements?		<b>*Would conflict with City Council policy direction</b>	
9. Should the closure of a rental unit due to health and safety violations by a government official be exempted from relocation assistance requirements?		n/a	
a. Should relocation requirements be waived in the event of catastrophic damage due to a non-landlord action (flood, earthquake, force majeure, etc.)?		<b>New item: Technical Group to discuss on 11/17</b>	<b>Discussion and feedback from the technical group is desired.</b>
<p><b>10.</b> Should any of the following regulated affordable housing scenarios be exempted from triggering relocation assistance, or be eligible for a reduced relocation payment:</p> <ul style="list-style-type: none"> <li>a. A change in income for subsidized households whereby the rent is based on a percentage of income to pay for rent and utilities</li> <li>b. A change in household size when program requirements state that household size determines rent and housing eligibility</li> <li>c. An increase in AMI levels where rents are set by a state or federal agency and rent is based upon the AMI</li> <li>d. A reduction in the utility allowance</li> <li>e. A renter already protected by the uniform relocation act</li> <li>f. Increase in contract rent as determined by federal, state, or local agency but that otherwise does not affect the portion of the rent paid by the family or tenant</li> <li>g. A change in the subsidy stream for a regulated unit or rent assistance program</li> <li>h. Rent-to-income right sizing within a building</li> </ul>		<b>Staff to draft changes with City Attorney</b>	
<b>Category: Adjust/Add/Remove Relocation Assistance Payment Rules</b>			
11. Should more detail be added on the timing or size of <b>payment</b> of relocation assistance (lump sum, installment payments, etc.)?		n/a	
12. Should more detail be added on the timing or size of <b>repayment</b> of relocation assistance (lump sum, installment payments, etc.)?		n/a	

13. Should more detail be added to specify the form that relocation assistance payments should take? (cashier's check, money order, etc.)		n/a	
14. Should landlords be able to withhold relocation assistance payments to repair damages if costs exceed the renter's security deposit?		n/a	
15. Should the amount of time given to a landlord to pay relocation assistance be changed? (currently 31 days)		n/a	
16. Should the amount of time given to a renter to request relocation assistance be changed? (currently 45 days)		n/a	
17. Should the relocation period (currently 6 months) that the renter must either return the relocation payment or provide a termination notice be changed?		n/a	
18. Should the City add in timelines for payment of relocation assistance for leases that do not have automatic rollover provisions?		<b>Update: Meeting with C. Dirks to discuss on 11/14</b>	
19. Should all financial transactions under the relocation assistance code use federal tax code (IRS code)?	N/A		
<b>Category: Adjust/Add/Remove Components</b>			
20. Should landlords and renters be required to attend a training on local landlord-tenant law rights and responsibilities?		n/a	
21. Should substantially the same terms be more defined?		<b>Update: Technical Group to continue discussion on 11/17 or 12/1</b>	<b>Language being developed establishing that substantially the same terms includes, but is not limited to, a change in lease terms resulting from a landlord action that increases the aggregate monthly cost of leasing by more than 10%, or a change in lease terms that have the effect of making tenure untenable for the renter. Substantially the same terms are not meant to prevent changes to the lease terms that do not have the effect of the cost increase or displacing effect.</b>

22. Should more prescriptive notice be required from landlords to renters on (1) the lease terms and/or (2) rights and responsibilities under the relocation assistance policy and/or (3) and exemptions under the relocation assistance policy?		<b>Staff to draft changes with City Attorney</b>	
23. Should it be clarified that a renter not have to repay a landlord for legal expenses in the event lose a case in court (ORS 90 prevailing party provisions)?		<b>Update: Technical Group to discuss on 12/1</b>	
24. Should City Code specify that a landlord's failure to pay relocation assistance as outlined in Code is a valid defense to an eviction case?		<b>Staff to draft changes with City Attorney</b>	
25. Should all definitions and verbiage in the relocation assistance code mirror the language and definitions found in ORS 90 and ORS 696 when applicable?		<b>Technical Group members to submit necessary changes to staff for incorporation</b>	
<b>Category: Major Changes</b>			
26. Should only developers or recent purchasers of rental housing be responsible for the relocation assistance payments?		n/a	
27. Should the City provide a hardship assessment and waiver process for landlords unable to pay relocation assistance? If so: a. Should the City fund a relocation payment for renters whose landlord received a hardship waiver?		<b>Update: Technical Group to continue discussion on 11/17 or 12/1</b>	<b>There is interest in exploring a hardship process for a single-structure or single-site with fewer than 3-4 units that is based on the income of the owner. (Low-income owners could qualify for a waiver – questions to explore include what income level or % AMI, etc.) This should be a staff level review that would likely include a small application processing fee. Income tax filings from previous years would assess low-income owner status.</b>
28. Should the relocation payment requirement be per rental agreement rather than per dwelling unit?		<b>Legal clarification needed</b>	
29. Should a renter be eligible to request relocation assistance after securing new housing out of concern of a retaliatory reference from a landlord?		<b>Technical group agreed not to proceed at this point</b>	

30. Should the percentage of rent increase that triggers relocation assistance be changed? If so what percentage is acceptable?		n/a	
31. Should the requirement that a landlord renew a lease or trigger mandatory relocation assistance be removed?		n/a	
32. Should the calculations of the rent increase include associated housing costs?		Update: Technical Group to discuss on 11/17 and 12/1 with #21	More discussion needed as apart of the substantially the same terms discussion.
33. Should there be mandatory mediation at the renter's expense if the renter does not move or repay relocation assistance within the 6-month relocation period?		n/a	
34. Should the mismatch in timing between the 90-day notice for terminating a no cause tenancy, and the 60-day occupancy rule for federally guaranteed loan products be addressed?		Staff to draft changes with City Attorney	
35. Should shorter term rental units, under certain conditions, be exempt from relocation assistance requirements (4-month rental, 8 months before a demolition, etc.)?		Update: Technical Group to discuss on 12/1	
36. Should renters be eligible for a hardship exemption process for a rent increase below 10% when the rent increase could be displacement inducing?		Update: Yellow to Red	At this point the City does not have the resources to guarantee relocation payments for an undetermined number of people and mandating payments by landlords for rent increases below 10% is not an option the City will pursue.
37. Should Single Family rental property and Multi-Family rental property have different relocation assistance requirement (and separate code)?		n/a	
<b>Category: W9, 1099, and Potential Tax Issues</b>			
38. Should the relocation assistance policy be adjusted such that there is no W-9 tax form requirement?		n/a	
39. Should the completion of a W-9 form be required of renters, when requested, to be eligible for relocation assistance?		n/a	

40. If a W-9 is required, there may be harmful impacts on immigrants or undocumented communities, how will this be addressed?	See #1		
<b>Category: Policy Monitoring and Review</b>			
41. Should an annual recalculation of relocation assistance payment amounts be established?		Update: Technical Group to discuss on 12/1	
42. Should a formal mechanism for reviewing the relocation assistance policy, including collecting outcomes and related data, be established?		Staff to develop plan for formal review	
43. Should what constitutes a housing emergency be defined?	N/A		

DRAFT