

When SB 608 was passed and signed by the Governor, it was cast as either rent control which would insure tenants' rights, or the death of the residential rental industry. Based on the remarks by experts at the September 19 Springfield City Club it is neither. Jon van Landingham and Jim Straub provided not only an analysis of the new law, but also the back story of how it was developed.



There are two aspects to the changes adopted in SB 608. First, the ability to evict tenants is limited. After the first year of tenancy, no cause evictions are prohibited, except in cases of owner-occupied housing with two rental units or less. Second, increases in rent are restricted to an amount equal to 7 percent plus the change in the consumer price index, except for building less than 15 years old, in which case the limit does not apply. The limitation on increases also does not apply if the landlord is providing reduced rent as part of a subsidy program.

While no cause evictions are restricted, the law also created four new bases under which a landlord may evict a tenant. These include: Landlord or family member move-in, substantial repair or renovation, demolition, and removal from residential use. If a landlord evicts for one of these reasons, in addition to 90 day's notice they must be relocation expenses in the amount of one month's rent. The historic reasons for eviction for cause – non-payment of rent, violation of the rental agreement, outrageous conduct remain unchanged under the new law.

Rent regulation has a long history in Oregon, dating from the 1980's, when a Springfield group, "Fair Share" attempted to persuade the legislature to adopt rent control. The response from the industry was a statewide prohibition on rent control in 1985. Since then, numerous attempts to reverse that decision were not successful. When the Democrats achieved a "supermajority" in the 2018 election, it became more likely that some form of rent regulation might be enacted. According to Mr. Straub, the Speaker of the House, Tina Kotek, approached him because she wanted to try to work out something that landlords could accept.

Mr. Straub gave a description of how the current law came to be crafted, as a response not only to concerns expressed by tenants, but as a way of addressing the fact that out of state investors were ousting local investors and seizing a predominant place in the rental market. He said there are several "carve-outs" designed to help small, local landlords. While he indicated he remains opposed to the changes, he acknowledged that he was directly involved in detailed negotiations with the Speaker in discussions which led to the draft that was finally approved. Mr. Straub, who is the Legislative Director of the Oregon Rental Housing Association, concluded that it was better for the rental industry to help craft the best bill possible, rather than stay on the sidelines and complain. One of the major successes from the landlord perspectives, was the retention of no cause for eviction within the first year



of a tenancy. The legislative changes do not affect the ability of landlords to impose deposits for various reasons but do restrict the number and type of fees (fees are not refundable, while deposits are).