

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	6 - 3 - 0
Yeas:	Gallegos, Gelser, Gilliam, Gomberg, Keny-Guyer, Tomei
Nays:	Olson, Whisnant, Whitsett
Exc.:	0
Prepared By:	Regina Wilson, Administrator
Meeting Dates:	3/6, 4/12

WHAT THE MEASURE DOES: Prohibits housing discrimination based on use of subsidy or other housing assistance, by including such assistance in definition of “source of income” applicable to state antidiscrimination statutes. Permits landlord refusal to rent or lease based on prospective tenant’s past conduct or inability to pay. Directs Oregon Housing and Community Services Department (OHCS) to develop Housing Choice Landlord Guarantee Program (Program) to reimburse landlords for damage caused by tenants receiving federal Housing Choice Voucher Program assistance (Section 8). Specifies Program parameters and establishes corresponding fund. Directs OHCS create and administer Stable Rental Housing Program to make grants to qualifying organizations to provide assistance to low-income persons. Creates corresponding account. Creates Statewide Housing Choice Advisory Committee within OHCS. Establishes its composition, duties, and legislative reporting requirement every long session. Directs local housing authorities to facilitate landlord participation in Section 8 program as described. Requires annual internal review and reporting to OHCS by local housing authorities as specified. Operative July 1, 2014.

ISSUES DISCUSSED:

- Number of days to use housing voucher
- Affordable housing availability
- Stable Rental Housing Program
- Creation of advisory committee
- Long term effects of housing stability

EFFECT OF COMMITTEE AMENDMENT: Creates Statewide Housing Choice Advisory Committee within OHCS. Establishes its composition, duties, and legislative reporting requirement every long session. Rewords permissible refusals to rent or lease based on past conduct or inability to pay. Deletes reference to ORS 456.005 in definition of “local housing authority.” Changes upper limit on reimbursement amount landlord may receive from Program, to \$5,000, from “not more than twice the monthly rent.” Directs local housing authorities to facilitate landlord participation in Section 8 program as specified. Makes other technical/conforming changes.

BACKGROUND: “Section 8” is what the federal Housing Choice Voucher Program is commonly called. It is a federally-funded program that assists approximately 32,000 households in Oregon per year by providing vouchers to subsidize the payment of rent. It enables very low-income families, seniors, and individuals with disabilities, to afford housing in the private market, in single-family homes, townhouses, or apartments. It is administered by Oregon’s Housing and Community Services Department (OHCS), and units rented through the program must adhere to certain standards. The subsidy is paid to the landlord by OHCS on behalf of the tenant, and the tenant is responsible for the difference between the total rental amount and the amount of the subsidy.

House Bill 2639A makes it unlawful to refuse to rent to prospective tenants based on their use of a Section 8 voucher, or any other form of housing assistance, by including such assistance within the definition of “source of income” for

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This summary has not been adopted or officially endorsed by action of the committee.

purposes of a state discrimination claim. (Federal and state law both prohibit discrimination based on race, color, national origin, religion, sex, family status, and physical and mental disability, but Oregon further prohibits discrimination based on a number of other circumstances, including marital status, sexual orientation, and the source of a person's income.)

House Bill 2639A also establishes two new programs and an advisory committee within OHCS: the Housing Choice Landlord Guarantee Program, the Stable Rental Housing Program, and the Statewide Housing Choice Advisory Committee, respectively. The Housing Choice Landlord Guarantee Program may reimburse landlords for damage caused by tenants receiving housing assistance up to \$5,000; the Stable Rental Housing Program will make grants to qualifying organizations to provide housing assistance to qualified lower-income persons; and the Statewide Housing Choice Advisory Committee will advise OHCS on Section 8 participation and effectiveness, and report to the legislature upon the convening of each long session (currently every odd-numbered year).

Finally, House Bill 2639A imposes a number of requirements on local housing authorities with regard to the Section 8 program: it directs them to facilitate landlord participation, to report annually to OHCS, and review internal procedures and processes also on an annual basis.