

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2639

By JOINT COMMITTEE ON WAYS AND MEANS

July 3

1 On page 1 of the printed A-engrossed bill, line 2, delete “456.561” and insert “659A.139”.

2 On page 4, delete lines 34 through 45.

3 On page 5, delete lines 1 through 16 and insert:

4 **“SECTION 4. (1) When a landlord is determined to be eligible to receive assistance under**
5 **section 3 of this 2013 Act, the Housing and Community Services Department shall require the**
6 **responsible tenant to repay the full or a partial amount of any assistance paid to the landlord**
7 **and shall offer the responsible tenant a reasonable repayment agreement that provides for**
8 **repayment by the tenant to the department of the full or a partial amount of the assistance**
9 **paid to the landlord. Amounts repaid by tenants under this section must be deposited into**
10 **the Housing Choice Landlord Guarantee Program Fund created in section 5 of this 2013 Act.**

11 **“(2) After the department pays a claim for assistance to a landlord under section 3 of this**
12 **2013 Act, the department shall serve a notice upon the responsible tenant stating the fol-**
13 **lowing:**

14 **“(a) The tenant must repay to the department the amount of any assistance paid to a**
15 **landlord on the tenant’s behalf pursuant to section 3 of this 2013 Act;**

16 **“(b) The tenant may enter into a reasonable repayment agreement with the department**
17 **to repay the full or a partial amount of any assistance paid to a landlord on the tenant’s**
18 **behalf pursuant to section 3 of this 2013 Act;**

19 **“(c) If the tenant does not enter into a repayment agreement or make good faith efforts**
20 **to comply with the terms of a repayment agreement that the tenant has entered into, or**
21 **otherwise fails to repay the full or a partial amount of assistance paid to the landlord on the**
22 **tenant’s behalf pursuant to section 3 of this 2013 Act, the department may seek to collect**
23 **any amount remaining unpaid by the tenant;**

24 **“(d) The department shall make available upon request by local housing authorities and**
25 **landlords information regarding a tenant’s compliance with the provisions of this section,**
26 **including records of repayments made by the tenant, where applicable; and**

27 **“(e) The tenant may seek a waiver of repayment requirements under this section for**
28 **good cause shown and may contest the department’s determination that the tenant has an**
29 **obligation to repay any amounts of assistance paid to a landlord on the tenant’s behalf, in**
30 **accordance with ORS chapter 183.**

31 **“(3) The department shall, in accordance with ORS chapter 183, provide an opportunity**
32 **for the tenant to contest the department’s determination that the tenant has failed to repay**
33 **amounts due under a repayment agreement, that the tenant has not made or is not making**
34 **a good faith effort to comply with the repayment agreement or that the tenant has not paid**
35 **to the department the full or a partial amount of the assistance paid to a landlord on the**

1 tenant's behalf pursuant to section 3 of this 2013 Act. The department shall serve a notice
2 of noncompliance upon the tenant in accordance with ORS 183.415 that states the amount
3 remaining unpaid by the tenant.

4 "(4) The department may pursue any rights, remedies or processes provided by law for
5 the collection of unpaid amounts due from a tenant for assistance paid to a landlord on the
6 tenant's behalf pursuant to section 3 of this 2013 Act.

7 "(5) The department shall waive the requirements of this section for good cause as set
8 forth in rules adopted by the department.

9 "(6) The department shall make available upon request by, and in a timely manner to,
10 local housing authorities and landlords information regarding a tenant's compliance with the
11 provisions of this section, including records of repayments made by the tenant, where appli-
12 cable.

13 "(7) The department shall adopt rules to implement the provisions of this section, in-
14 cluding but not limited to the contents of the notice required under subsection (2) of this
15 section and the procedure for providing information to local housing authorities and land-
16 lords regarding a tenant's record of repayment as required under subsection (6) of this sec-
17 tion."

18 After line 23, insert:

19 "(c) Amounts repaid by tenants under section 4 of this 2013 Act;"

20 In line 24, delete "(c)" and insert "(d)".

21 In line 25, delete "(d)" and insert "(e)".

22 On page 6, line 9, delete "and" and insert "or".

23 In line 10, delete the second "and" and insert "or".

24 In line 11, delete "and" and insert "or".

25 Delete lines 23 through 45 and delete page 7.

26 On page 8, delete lines 1 through 3.

27 In line 4, delete "11" and insert "7".

28 In line 11, delete "12" and insert "8" and delete "8 and 11" and insert "7".

29 In line 13, delete "13" and insert "9".

30 In line 15, delete "\$_____" insert "\$74,855".

31 Delete lines 17 through 22 and insert:

32 "**SECTION 10.** (1) In addition to and not in lieu of any other appropriation, there is ap-
33 propriated to the Emergency Board, for the biennium beginning July 1, 2013, out of the
34 General Fund, the amount of \$74,855, to be allocated to the Housing and Community Services
35 Department for the purposes of implementing the Housing Choice Landlord Guarantee Pro-
36 gram and carrying out the provisions of sections 2 to 6 of this 2013 Act.

37 "(2) If any of the moneys appropriated by subsection (1) of this section are not allocated
38 by the Emergency Board prior to December 1, 2014, the moneys remaining on that date be-
39 come available for any purpose for which the Emergency Board lawfully may allocate funds.

40 "**SECTION 11.** Sections 2 to 6 of this 2013 Act and the amendments to ORS 659A.421 by
41 section 1 of this 2013 Act become operative on July 1, 2014.

42 "**SECTION 12.** ORS 659A.139 is amended to read:

43 "659A.139. (1) ORS 659A.103 to [659A.145] **659A.144** shall be construed to the extent possible in
44 a manner that is consistent with any similar provisions of the federal Americans with Disabilities
45 Act of 1990, as amended by the federal ADA Amendments Act of 2008 and as otherwise amended.

1 “(2) The determination of whether an individual has a disability as provided in ORS 659A.104
2 (1) shall be construed in favor of broad coverage of individuals under ORS 659A.103 to 659A.145, to
3 the maximum extent permitted by the terms of ORS 659A.103 to 659A.145.”.

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