



June 1, 2015

Testimony to House Business and Labor Committee  
Provided by: Paloma Sparks, Legislative Director  
Oregon Bureau of Labor and Industries

The Oregon Bureau of Labor and Industries (BOLI) appreciates the opportunity to testify in support of SB 380, which would give the Bureau discretion and flexibility in enforcement of housing cases.

As you know the Bureau of Labor and Industries enforces anti-discrimination laws that apply to workplaces, housing and public accommodations. The Bureau investigates and prosecutes complaints regarding alleged discriminatory practices in housing throughout the state.

We have introduced this legislation to better manage taxpayer costs in housing cases while still ensuring strong and fair enforcement.

When the Bureau receives a housing discrimination complaint our investigators analyze the documents, interview the parties and makes a determination as to whether there is evidence to show a violation of civil rights law. Where investigators find sufficient evidence of unlawful discrimination, we will pursue remedies for the injured party through settlement or administrative hearing processes. Individuals can elect to take their cases out of our administrative process and go to court.

Current law requires that the Bureau represent individuals and cover the costs for representation when either party elects to go to court. The Bureau works hard to get settlements or administrative orders to remedy the harm experienced by tenants. When individuals elect to leave the administrative process in favor of civil court, the Department of Justice represents the Bureau. Tenants are often also represented by private counsel.

The requirement that the Bureau represent individuals who elect at no cost to the parties is quickly becoming unsustainable. The costs associated with legal representation are estimated to be \$20,000 a month. A single case can incur over \$100,000 in legal costs and sometimes the Bureau recovers nothing from the settlement of those cases. This does not include the costs associated with taking a case to trial, which for a single case could easily exceed \$1 million. Expenses at this level could drastically impact our enforcement of anti-discrimination laws in employment and public accommodation.

The Bureau has brought forward this bill because there are instances when it is not appropriate for the agency and DOJ to continue to represent individuals who have elected to go to court. The agency needs flexibility in negotiating settlements in these cases. We are committed to preventing and prosecuting discrimination in housing while using scarce taxpayer dollars wisely. This tool will simply help us to better allocate BOLI resources while maintaining effective enforcement.

I urge you to support SB 380 and give BOLI needed flexibility. Thank you for the opportunity to testify today. I would be happy to answer questions.

**PORTLAND**  
800 NE Oregon St. Suite 1045  
Portland, OR 97232-2180  
(971) 673-0761  
Fax (971) 673-0762

**SALEM**  
3865 Wolverine St. NE; E-1  
Salem, OR 97305-1268  
(503) 378-3292  
FAX (503) 373-7636

**EUGENE**  
1400 Executive Parkway, Suite 200  
Eugene, OR 97401-2158  
(541) 686-7623  
FAX (541) 686-7980

**BEND**  
Apprenticeship and Training  
Worksource Bend  
1645 NE Forbes Rd, Ste 106  
Bend, OR 97701-4990  
(541) 322-2435  
FAX (541) 389-8265

Oregon Relay TTY:711

[www.oregon.gov/boli](http://www.oregon.gov/boli)  
AN EQUAL OPPORTUNITY EMPLOYER

**MEDFORD**  
Apprenticeship and Training  
119 N Oakdale Ave.  
Medford, OR 97501-2629  
(541) 776-6201  
FAX (541) 776-6284

