

Current “For-Cause Termination” Statutes in Oregon Law for Residential Tenancies

VanLandingham, February 28, 2017

For-cause 24-hour notice:

ORS 90.396 Acts or omissions justifying termination 24 hours after notice. The tenant does not have a right to cure the cause.

- The tenant, someone in the tenant’s control, or the tenant’s pet does one or more of the following:
 - Seriously threatens to inflict substantial personal injury, or inflicts any substantial personal injury, upon a person on the premises other than the tenant;
 - Recklessly endangers a person on the premises other than the tenant by creating a serious risk of substantial personal injury;
 - Inflicts any substantial personal injury upon a neighbor living in the immediate vicinity of the premises;
 - Intentionally inflicts any substantial damage to the premises or the tenant’s pet inflicts substantial damage to the premises on more than one occasion;
 - Commits any act that is outrageous in the extreme, on the premises or in the immediate vicinity of the premises....Acts that are “outrageous in the extreme” include, but are not limited to, the following acts by a person:
 - Prostitution, commercial sexual solicitation, or promoting prostitution

- Manufacture, delivery, or possession of a controlled substance
 - Intimidation; or
 - Burglary.
- The tenant intentionally provided substantial false information on the application for the tenancy within the past year

ORS 90.403 Taking possession of premises from unauthorized possessor. No right to cure.

- If an unauthorized person is in possession of the premises

ORS 90.440 Termination of tenancy in a group recovery home. No right to cure.

- For possession of drug or alcohol in a group recovery home, no FED needed.

ORS 90.445 Termination of tenant committing criminal act of physical violence related to domestic violence. No right to cure.

- If a tenant perpetrates a criminal act of physical violence related to domestic violence, sexual assault, or stalking against a household member who is a tenant

For-cause 48 hour notice

ORS 90.398 Termination of tenancy for possession or use of alcohol or drugs in alcohol-and-drug-free housing. Tenant may cure.

- If a tenant in alcohol-and-drug-free housing uses or possesses alcohol or drugs

For-cause 72-hour notice:

ORS 90.394 Termination of rental agreement for failure to pay rent. Tenant may cure within the 72 hours.

- Non-payment of rent

For-Cause 10-day notice:

ORS 90.405 Effect of tenant keeping unpermitted pet. Tenant may cure within the 10 days.

- If the tenant, in violation of the rental agreement, keeps on the premises a pet capable of causing damage to persons or property.

For-cause 30- day notice:

ORS 90.392 Termination of rental agreement by landlord for cause; tenant right to cure violation.

- Material violation by the tenant of ORS 90.315 (utility or service payment regulations)
- Failure by the tenant to pay rent
- Material violation by tenant of the rental agreement.