

Dear legislators:

I am an attorney and a landlord. Multnomah County just issued a rule prohibiting evictions or execution of judgments of evictions in Multnomah County without exception. I am hoping the State legislature takes a more considered approach to this emergency and avoids the unintended consequences resulting from the County rule.

Provide exemptions or at least the ability to apply for an exemption. Two issues of which I am personally aware, and there are probably others, need exemptions:

1. A tenant is occupying a residential dwelling after trial awarding the landlord restitution, without water, electric service or heat, inviting homeless persons and drug addicts to occupy the home with them, with knowledge that the police will not do anything to remove them without a writ of execution issued by the sheriff. The county sheriff will not serve the writ due to the County's ill advised rule that was implemented without consulting landlord tenant attorneys most familiar with this area. When Oregon needs more affordable housing, permitting a tenant and homeless people to remain in a home under these circumstances will only guarantee that this dwelling will have to be demolished when the emergency rule is ended.

2. An exemption where the occupant of a dwelling is a wrongful holdover after sale for the purpose of remaining in the dwelling without payment of rent during this time of emergency at the expense of the purchaser who desired to inhabit the home personally.

If the state is inclined to suspend evictions and foreclosures due to lack of payment during this emergency period, the state must provide financial assistance to landlords so that they can pay utilities, garbage bills, repair expenses and property taxes if the tenants fail to pay the suspended rent or the buyers fail to make their payments - especially tax and insurance escrow during this time. Right now we don't know if this state of emergency will last weeks or months, but the laws need to assure that providing a benefit to one group does not unduly burden another.

Please consider that not all landlords are institutions and that many Oregon landlords depend upon this income to pay their own expenses. It would be better, for this reason, for the state to provide rental assistance to those whose jobs are impacted by COVID 19 rather than suspend rent or mortgage payment obligations.

Thank you for considering my comments.

Melinda B. Wilde