

Testimony to Joint Interim Committee on the First Special Session of 2020, June 22, 2020

Chairs Kotek and Courtney, members of the joint Committee, thank you for allowing me to testify in favor of LC 45, the eviction moratorium bill.

My name is John VanLandingham. I work as a lawyer for the Oregon Law Center, based in Lane County.

I have represented low income tenants on residential L/T issues for 43 years. I have negotiated and drafted L/T legislation in the Oregon legislature for almost 30 years.

I would be happy to answer questions regarding the details of either LC 45 or LC 90. I have been involved in the drafting.

For now, let me make a few points.

First, LC 45 and LC 90 are identical, except that the grace period in LC 45 is 180 days versus 90 days.

The grace period is a period after the eviction moratorium ends when the tenant must pay currently due rent but has that grace period to catch up on the arrears.

Second, I want to make sure that the language in Section 4 of both about 270 days doesn't confuse you. This is how LC drafted it. It consists of 90 days for the extended eviction moratorium plus 180 days for the grace period.

Finally, there are four amendments for LC 45 that are coming:

1. The Governor's eviction moratorium will be extended 90 days, from June 30 to September 30. The extension will not be tied to the Governor's state of emergency declaration, which might be extended. This is in Section 4. We do not expect her eviction moratorium order to be

extended. To be clear, the eviction moratorium will only be extended 90 days.

2. Making the eviction moratorium in LC 45 consistent with the Governor's moratorium, with reference to ORS 90.427 and which types of terminations are prevented by the moratorium.

3. That statute allows a landlord to use a no-cause termination notice during the first year of a tenancy. The amendment will extend that trial period by 30 days following the eviction moratorium for tenancies where the first year occurs during the moratorium. Fairness issue.

4. Allow a landlord to require a tenant to notify the landlord if the tenant intends to rely on the grace period, after the eviction moratorium ends.

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