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**Subject:** legislative concept 90  
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Legislative Members

I am a multifamily apartment owner that owns more than 250 units of market rate properties within outer NE Portland and in Bend and have owned these units since they were built new starting in about 2006 and continuing through 2019.

I write today to express my extreme frustration and concern with the about to be considered and voted on legislation that would provide for additional eviction moratorium language to become the law of the State of Oregon.

In short, while I am sympathetic to the plight of Oregonians who suffer economic hardship due to income loss as a result of the Pandemic, it is irresponsible on the part of the legislature to enshrine into statute a moratorium against evictions such as the one under consideration or for that matter one that has features even remotely similar to what is in effect right now in Multnomah County.

While I am generally OK with providing some relief to those truly affected, there needs to be some limit placed around how true need is to be determined and regulated, and for how long. There also need to be provisions within any such law that make it possible to evict a tenant who does not communicate with an owner in good faith regarding the matter, does not live up to previously made agreements or promises previously made without adequate justification, and instead chooses to just take advantage of the situation that we are all currently in to just "not pay rent", or for that matter utilities for which they are responsible.

The plans that were in place early on in this pandemic that required a tenant to provide some level of proof of having been negatively affected, and required them to enter into repayment agreements, were not egregiously unreasonable for either side. Multnomah county more recently, I guess in an effort to pander to the rent forgiveness crowd, however went several steps too far in its latest policy, and we have seen the result of that to be a handful of tenants that now think it perfectly acceptable to just not pay rent and not even talk to us about it. The longer this goes on the worse I fear that situation will become, This simply cannot continue for as much as another year without ultimately doing serious harm to owners such as myself and many others, and will also eventually result in devaluation of properties, inability of many owners to properly maintain their units and pay their bills, and a serious disincentive to build more housing in Portland, and for that matter in all of Oregon, most of which already has a serious shortage of housing.

I also have grave concerns about tying this moratorium to the process of a declaration of emergency over which it seems only the governor has control with no limit as to how long this can continue and no real oversight of the process by anyone other than the governor. There has been much discussion about whether or not the governor should have such power beyond perhaps 30 days and I suspect that this issue will one day again be before the courts.

Additionally I cannot see how this proposed legislation if enacted and allowed under the process provided to extend many months if not a year or more cannot possibly eventually be considered to be a taking of private property and or interference in a privately agreed upon contract between two parties. Both of those are actionable causes and I am sure that many lawsuits will be filed, perhaps ultimately resulting in stays and injunctions that may well vary between different parts of the state, thereby resulting in even more confusion and uncertainty. The economic burden of providing housing and shelter to disadvantaged Oregonians cannot and should not be placed on the shoulders of providers of market rate rental housing.

I urge you to instead consider other forms of relief for those renting households that are truly negatively affected by Covid, and to let the continuing executive order authority of Kate Brown deal with the ongoing requirement for moratoriums, or better yet just provide meaningful rent assistance to affected households and let these moratoriums expire, as is being done in most other states.

I would be happy to discuss this with you over the phone if you would like to call me for additional information.

**Tom Skaar Investments**

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