

Submitted by: Sybil Hebb, Oregon Law Center
To: Chair Fahey, Vice-Chair Meek, Vice-Chair Zika, and Members of the House Housing Committee
Re: Landlord-Based Assistance Program in LC 18
Date: November 23, 2020

Landlord-Based Assistance Program Outline

Summary: The Landlord-Based Assistance Program would provide a low-barrier, efficient, and centralized means of ensuring rent assistance to certain residential landlords and tenants for unpaid rent after April 1, 2020. This program will help reduce rent debt for struggling tenants and will help stabilize the most impacted landlords.

Landlords will submit one application for benefits on behalf of all tenants who are in arrears, thereby reducing the administrative burden to the state, for landlords, and for tenants. If combined with an eviction moratorium for tenants who have experienced financial hardship during the pandemic, this program is a critical part of a plan to ensure safety and survival for Oregon renters and communities.

The program model was developed after extensive workgroup discussion, led by Chair Fahey and Vice-Chair Zika, with a goal of ensuring an efficient means of providing assistance to those most impacted. The workgroup sought significant input from administrators of landlord-based programs in other states, primarily Colorado and Washington.

Administration: The program will be administered centrally by the Oregon Department of Housing and Community Services (OHCS), in collaboration regionally with public housing authorities.

- Landlords apply through a central OHCS portal on behalf of all of their tenants who are in arrears. The agency will process the application and ensure it is complete.
- Local public housing authorities will issue checks directly to qualifying landlords in their districts, and collect agreement paperwork.
- OHCS will mail tenants notice that their landlord has received a grant for their arrears.
- Funding will be allocated regionally, to ensure geographic distribution of assistance.
- This ensures ease of initial application through a centralized process, and efficient distribution of checks and collection of paperwork through a localized connection. Local PHAs have pre-existing relationships with many landlords in their area.

Grants: Grants will be for 80% of arrears owed by a landlord's tenants accrued since April 1, 2020. The remaining 20% of arrears will be forgiven.

- This balance is to ensure that limited assistance dollars can help the most tenants and landlords in need across the state in this time of great crisis.

Landlord Criteria: The most impacted landlords will be prioritized. Smaller landlords, and landlords with a higher % of total rent in arrears, will receive priority points.

Additional conditions:

- Must collect Tenants' Declaration of Financial Hardship impacting ability to pay rent, and submit an application on behalf of all tenants who are in arrears. *Note:* the Declaration form is the same as the one required for eviction protection.
- May not be reimbursed for rent owed by a member of the landlord's immediate family.
- May not apply for duplicate benefits and must repay any duplicated benefits or payments.

Tenant Criteria: Tenant must be in arrears, and must provide the landlord with a declaration of financial hardship impacting their ability to pay rent. This form must be submitted by the landlord along with the landlord's application. May not apply for duplicate benefits and must repay any duplicated benefits.

Voluntary: This program is voluntary, and open to any landlord who wishes to participate. If a landlord chooses not to participate, a tenant may seek assistance through tenant-based assistance programs. A landlord who chooses not to participate may pursue unpaid rent through the courts or collections.