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To: Joint Interim Committee on the Third Special Session of 2020
From: Sybil Hebb, Oregon Law Center
Date: December 17th, 2020
Re: Eviction Moratorium and Rent Assistance in December special session

Co-Chairs President Courtney & Speaker Tina Kotek, Co-Vice Chairs Sen. Girod and Rep. Drazen, and members of the committee:

I write to today on behalf of the Oregon Law Center (OLC), to urge support for LC 18 (version 12/15/20) to ensure the extension of an eviction moratorium through the end of the school year. We also support the creation of a landlord-based rent assistance program to assist small landlords and landlords with high percentages of arrears, to help stabilize the housing market. Passage of these provisions in December is critical to providing thousands of Oregonians with the housing security and stability they need to weather the COVID pandemic.

Without action in December to provide stability through the end of the school year, renters most affected by the pandemic will suffer anxiety, uncertainty, and the risk of eviction and homelessness. Without action in December, small landlords will go without stabilizing assistance. As Oregonians struggle to weather this pandemic, there is no more critical need than the stability of housing.

Attached to this letter is a compilation of survey responses from Oregonians across the state, expressing fear for themselves, their families, or their communities if they do not have the assurance of housing stability for the next six months. As COVID case numbers spike and winter weather takes hold, we must extend the moratorium to ensure stability for our communities while we wait for the worst of the pandemic to subside.

The statewide need is great. While the vast majority (85-87%) of Oregonians have paid all rent in full, many Oregonians are at risk of eviction because they have been unable to keep up.¹ Renters have gone to great lengths to pay rent, despite lay-offs, reduced hours, increased expenses, and failed state support systems. Oregonians who have been unable to pay full rent report deep anxiety about their future safety and security should the moratorium be lifted (*see attached survey report.*) The Oregon Judicial Department estimates the filing of 14,000 eviction cases should the moratorium be lifted.² Other estimates range from 20,000 – 56,000.³ These cases, when filed, will move quickly: statutory timelines require the prompt scheduling of

¹ <https://www.oregonlive.com/coronavirus/2020/10/majority-of-oregonians-paying-rent-on-time-but-debt-is-adding-up-for-those-who-cant.html>

² <https://olis.oregonlegislature.gov/liz/201911/Downloads/CommitteeMeetingDocument/227307> (see slides 38 and 39)

³ See Stout, Risius, and Ross [Eviction Estimator](#)

eviction hearings.⁴ Without state action to intervene, families could be facing homelessness before the end of January. A temporary solution such as through an executive order is an incomplete solution that would unnecessarily exacerbate the precarious situation that many renters are in due to the pandemic.

Families with children need stability through the end of the school year. The most recent census data from the reporting period of November 11-23 shows that 31% of Oregon renter families with children have no confidence that they can pay next month's rent.⁵ If we do not step up to protect these families, they will be facing the possibility of unsheltered homelessness and increased risk of COVID. With an eviction on their record, they would experience decreased options for future stable housing. Children cannot participate in remote learning if they do not have a stable home, and the impact of eviction on children is lifelong.⁶ We must act to prevent this harm.

Oregonians of color are particularly impacted by COVID, and by the risk of eviction. Black, Latinx, Native American, and other Oregonians of color are more likely to be renters as a result of historic discrimination in housing and economic barriers to homeownership.⁷ These same Oregonians suffer greater incidence and risk of COVID, and have suffered greater economic harm due to COVID.⁸ As a result, BIPOC renter households in Oregon are at greater risk of eviction and homelessness during this pandemic than are white households.⁹ We must act immediately to prevent further harm while we look to long term solutions.

A landlord-based rent-assistance program will help stabilize small landlords and landlords with high percentages of arrears. When tenants are unable to pay their rent due to financial hardship experienced during this global pandemic, we must ensure that the consequence for them is not immediate homelessness. And we must also step forward to help small landlords and those with high % of arrears to weather the downturn that this economy has had on their businesses. A landlord-based rent assistance program will provide landlords who choose to use it with an efficient means to access payment, and will help stabilize the rental market. While true solutions to this problem require federal investments, it is incumbent upon Oregon to step up with assistance to begin to meet the priority need while we await federal action.

A recent study reveals that, controlling for other factors, evictions are directly tied to increases in COVID incidence, mortality, and community spread.¹⁰ Lifting moratoriums amounted to an estimated 433,700 excess cases and 10,700 excess deaths during the study period (March 13-September 3). If we do not act to extend eviction protections, we risk exacerbating the pandemic – and its public health and economic consequences - in communities across the state.

⁴ ORS 105.137, 105.151, 105.161. See also OJD [materials](#) in OLIS from Judiciary Committee presentation 12/10.

⁵ <https://www.census.gov/data/tables/2020/demo/hhp/hhp19.html>

⁶ <https://hechingerreport.org/children-will-bear-the-brunt-of-a-looming-eviction-crisis/>

⁷ <https://www.wweek.com/news/2020/09/02/black-oregonians-have-the-lowest-rates-of-homeownership/>

⁸ <https://www.oregonlive.com/coronavirus/2020/07/as-the-covid-19-pandemic-surges-again-people-of-color-in-oregon-continue-to-be-harder-hit.html>

⁹ <https://www.pdx.edu/homelessness/oregon-renters-report>

¹⁰ https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3739576

In summary, the health and stability of our communities is on the line. Without action to establish certainty for families through the end of the school year, eviction and sudden displacement will wreak lasting impact. A recent study found that the sudden loss of a home due to eviction is a cause of generational poverty.¹¹ Families who rent their homes, whether white, brown, or black, cannot be allowed to suffer displacement due financial hardship experienced during this devastating pandemic.

With vaccines on the way, there is light at the end of the tunnel. We have an opportunity to come together to ensure safety for our friends and neighbors who rent their homes, and to provide stabilization for the housing market.

For all of the above reasons, we respectfully urge action to extend the moratorium and provide rent assistance in the December special session.

Thank you for your work and commitment to Oregonians,

Sincerely,
Sybil Hebb

¹¹ <https://scholar.harvard.edu/files/mdesmond/files/desmond.evictionpoverty.ajs2012.pdf>