

## **SB 291 A STAFF MEASURE SUMMARY**

### **House Committee On Housing**

---

**Prepared By:** Claire Adamsick, LPRO Analyst

**Meeting Dates:** 5/6

---

#### **WHAT THE MEASURE DOES:**

Requires landlords to adopt certain written screening criteria and inform prospective tenant of screening process prior to accepting application or any related fees. Requires that landlord inform applicant of tenant rights regarding nondiscrimination and the right to appeal a negative determination. Requires landlords to conduct individualized assessment and consider supplemental evidence from applicant before denying an application for housing on the basis of criminal history. Clarifies that a landlord, upon denial of application, must provide applicant with written statement specifying basis for denial within 14 days. Prohibits landlords from considering previous arrests if applicants entered into a diversion program or received a deferred judgement.

*Senate Vote: Passed. Ayes, 17; Nays, 13--Anderson, Boquist, Findley, Girod, Hansell, Heard, Johnson, Kennemer, Knopp, Linthicum, Robinson, Thatcher, Thomsen*

*FISCAL: Minimal fiscal impact*

*REVENUE: No revenue impact*

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

Oregon residential landlord and tenant law restricts landlords from considering certain information when screening prospective tenant applications. Before processing rental applications and charging associated fees, landlords must provide applicants with written notice of: the fee amount; the criteria and process used to screen applications (such as, what credit check company will be used, whether criminal records will be considered, and whether previous employers or landlords will be contacted); and information about applicants' rights to dispute information disclosed as part of the screening process that they believe is not accurate. Landlords are also currently required to furnish a written explanation of application denials upon request.

Senate Bill 291 A requires landlords to conduct an individual assessment on a prospective tenant's criminal history before denying a tenant application. The measure disallows landlords from considering arrest records in cases in which the person was never charged, or convictions for actions no longer illegal under Oregon law. It limits the information a landlord may consider when screening a rental application, and requires a landlord to notify an applicant of their rights regarding nondiscrimination or to appeal an application denial. If a landlord denies an application, the measure requires a landlord to provide the applicant with a written explanation of the basis of denial within 14 days.