

## HOUSE AMENDMENTS TO HOUSE BILL 2736

By COMMITTEE ON HOUSING

April 2

1 On page 1 of the printed bill, delete lines 5 through 30 and delete page 2 and insert:

2 **“SECTION 1.** ORS 90.390 is amended to read:

3 “90.390. (1) A landlord may not discriminate against a tenant in violation of local, state or fed-  
4 eral law, including ORS 659A.145 and 659A.421.

5 “(2) If the tenant can prove that the landlord violated subsection (1) of this section, the tenant  
6 has a defense in any discriminatory action brought by the landlord against the tenant for possession,  
7 unless the tenant is in default in rent.

8 “(3) A tenant may prove a landlord’s discrimination in violation of ORS 659A.145 or 659A.421  
9 by demonstrating that a facially neutral housing policy has a disparate adverse impact, as described  
10 in ORS 659A.425, on members of a protected class.

11 **“(4) At the time of executing a rental agreement, the landlord shall provide the tenant  
12 with an informational notice in substantially the form prescribed and published by the Bu-  
13 reau of Labor and Industries. The bureau may amend the form. The informational notice  
14 shall briefly describe in plain language:**

15 **“(a) Tenants’ rights regarding discrimination, including harassment, under state and  
16 federal law; and**

17 **“(b) Methods that tenants may use to file a complaint of discrimination against a land-  
18 lord with the bureau or the United States Department of Housing and Urban Development.**

19 **“(5) In any building that has 11 or more residential dwelling units and a common area  
20 within the building, the landlord shall prominently post a copy of the notice under subsection  
21 (4) of this section in a common area of the building.**

22 **“SECTION 2.** The Bureau of Labor and Industries shall prescribe the initial form of the  
23 notice described under ORS 90.390 (4) no later than November 15, 2021.

24 **“SECTION 3.** (1) The amendments to ORS 90.390 by section 1 of this 2021 Act apply to  
25 all tenancies on and after January 1, 2022.

26 **“(2) The landlord of a tenancy in existence on January 1, 2022, must provide the tenant  
27 with a copy of the notice described under ORS 90.390 (4) no later than February 1, 2022.**

28 **“SECTION 4.** This 2021 Act being necessary for the immediate preservation of the public  
29 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect  
30 on its passage.”.

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