

Requested by Representative LEIF

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2736**

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

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

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

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

10 “(3) A tenant may prove a landlord’s discrimination in violation of ORS  
11 659A.145 or 659A.421 by demonstrating that a facially neutral housing policy  
12 has a disparate adverse impact, as described in ORS 659A.425, on members  
13 of a protected class.

14 **“(4) At the time of executing a rental agreement, the landlord shall**  
15 **provide the tenant with an informational notice in substantially the**  
16 **form prescribed and published by the Bureau of Labor and Industries.**  
17 **The bureau may amend the form. The informational notice shall**  
18 **briefly describe in plain language:**

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

21 **“(b) Methods that tenants may use to file a complaint of discrimi-**

1 nation against a landlord with the bureau or the United States De-  
2 partment of Housing and Urban Development.

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

7 “SECTION 2. The Bureau of Labor and Industries shall prescribe  
8 the initial form of the notice described under ORS 90.390 (4), as  
9 amended by section 1 of this 2021 Act, no later than November 15, 2021.

10 “SECTION 3. (1) The amendments to ORS 90.390 by section 1 of this  
11 2021 Act apply to all tenancies on and after January 1, 2022.

12 “(2) The landlord of a tenancy in existence on January 1, 2022, must  
13 provide the tenant with a copy of the notice described under ORS  
14 90.390 (4) no later than February 1, 2022.

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

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