

Dear Legislator,

I am a Property Manager at a mid-level property management firm with 5 locations in Oregon. I have been silent throughout the repeated changes to Oregon landlord/tenant policy related to the COVID-19 pandemic, however proposed legislation SB 282-1 forces me to write this testimony.

You do not now, nor have you in the past, considered the human toll these laws take on an industry employing thousands of individuals around the state. In your effort to help prevent homelessness and overcrowding, you have penalized myself and my colleagues time and time again. I am not a property owner, but being a landlord is my career. My livelihood and housing are tied to my employer's ability to cover their expenses, but the choices you are making related to restrictions during the pandemic ensure more and more jobs in my industry will be affected.

Not every person effected by these restrictions is a wealthy property owner, and yet as a legislative body you continue to act as if every landlord is a villain looking for a reason to put honest, hard-working people out on the street while lining their pockets. Property management is an industry that creates jobs and security for Oregonians. We care about our residents because we know them. We know their names and their children and their pets. We know who couldn't visit their mom while she was in a hospital with COVID. We know who is beyond excited about their first child due in May. We know who got a puppy during the pandemic because they just couldn't stand the loneliness. We know who wants to tear their hair out distance learning with their 8-year old. We know who can't pay their rent because of a COVID-related hardship. And we know who is choosing not to pay their rent because they are saving for a down-payment on a home. We know they know there is nothing we can do to stop it.

In the past year myself and my team have been screamed at because the gym is closed, because the pool is closed, because I won't risk the health of my maintenance crew to enter an apartment for a minor repair. And yet, we have been here, in the office, every day throughout a global pandemic because our jobs cannot be done remotely. Answering phone calls and emails. Providing our residents with access resources to help those in need. Being a kind ear to listen. Struggling to make sense of the vague and penalizing laws the Oregon legislature and Governor Brown have created.

No one recognizes the multifamily industry as essential, but we are. People need housing and we are not only here to provide it, but to make our residents' moving and living situations as comfortable as possible. No industry specific guidance was offered to multifamily for the pandemic, so we figured it out for ourselves. We invested in technology to offer more options for virtual tours, reallocated resources to meet sanitization requirements and made tough choices about limiting our employees' paid hours to reduce contact within our own staff and help stop the spread. That's what we do – we adapt, with no help or guidance from a state that continues to level blow after blow without any regard for how property management actually functions day to day, or the flesh and blood people working to provide necessary services to your constituents. We are your constituents too.

Did you consider when you passed HB 4401 that most property management companies send a monthly statement of the total due to our residents? We are, in fact, required by the ORLTA utility billing statute to bill our residents in writing within 30 days after receipt of the provider's bill. This bill also includes the rent and any other charges to make it easy for residents to see their total. We sought legal advice as to whether or not our monthly statements would prompt the HB 4401 requirement to attach the Notice of

Rights and Declaration of Financial Hardship. We do not have the manpower or systems in place to attach 6 pages of documents to thousands of monthly statements. So, we adapted.

Did you consider when you passed HB 4213 that some residents had already seen the benefit to withholding rent, and would use the extended moratorium to fleece property owners who had their hands tied? These people then vacated to their newly purchased home just before the moratorium was set to expire in December, using funds meant for rent towards a down-payment. Again, we adapted. Rents were lowered to lease more units. Payment plans established with residents for emergency period rent were torn up to adhere to the new payment application requirements.

Did you consider that, if it is necessary to keep people in their apartment homes to prevent the spread of COVID-19, it is also necessary to keep people in their leased single-family homes? No, you provided a loop-hole for owner-occupied home purchases which only forces people into apartments – a more dense living scenario!

Did you consider in creating the landlord compensation fund that no other industry is expected to inform the public of their rights just to be allowed to recoup contractually obligated income lost by state restrictions? Or that \$150M would be a drop in the bucket? Or that OHCS would not be prepared to handle the huge number of applications? In my nearly 20 years in this industry, I have never experienced the mess that is the application system for the landlord compensation fund.

Have you considered in the draft of SB 282-1 that preventing landlords from evicting based on occupancy/guest limits is a problem you have created by not providing adequate affordable housing or rent assistance? Have you considered that over-occupancy leads to an increased chance for improper ventilation and stresses HVAC systems leading to mold/mildew? Mold is not only damaging to the building but is also a health and safety concern. Correcting mold problems costs money, both for the resident and for the landlord.

Have you considered how creating a provision to prevent “retaliation” against our residents for using the grace period/eviction moratoriums will create more opportunity for bad residents to chase out good residents? Let us consider a for instance. Let’s say, a year from now, a resident who utilized the grace period for emergency period rent is blatantly violating the lease agreement by smoking in the apartment. After receiving dozens of complaints from neighbors and sending multiple violation notices, the landlord issues a For Cause termination notice. The violating resident still does not comply. At this point, three neighbors have vacated or transferred because of the smoking – costing the landlord money in turnover expenses and vacancy. The landlord acts on the For Cause and files an FED based on the failure to comply. Now, that bad resident can claim the landlord is retaliating because last year the grace period was used. While absurd, the landlord will have to spend time and money refuting this claim of retaliation and in the meantime, will continue to lose neighboring good residents while the violating bad resident refuses to vacate.

Proposed SB 282-1 is the wrong approach to prevent homelessness or overcrowding. Properly funding assistance programs without putting the burden on an essential industry already taxed to our limits is necessary. Do not pass this bill.

Sincerely,
Wendy Sylvester