



To: House Democratic Leader Barbara Smith Warner and House Rules Committee members
From: Kim McCarty, Executive Director of Community Alliance of Tenants
Re: SB 278 Amendment
Date: June 14, 2021

The Community Alliance of Tenants (CAT) has served Oregon tenants since 1996. Our mission is to educate and empower tenants to demand safe, stable and affordable rental homes Oregon faces a growing housing crisis. While it did not begin in 2020, the pandemic has exacerbated the existing difficulties renters already face.

An estimated 90,000 households may not be able to pay rent July 1, 2021 and will likely face eviction. Once a tenant receives an eviction notice, they have only days to seek help and negotiate with their landlord. The amendment of SB 278 offers needed time but the 60-day time frame is short sighted and arbitrary, because we do not know how long it will take to reach the tenants that need emergency rent assistance or how much time it takes to process an application. We do know that most tenants have paid the rent, and while our rental housing owners are in economic trouble, most are not at the brink of bankruptcy or homelessness as many tenants are.

Why wait until next year to create a comprehensive recovery plan? We need an extension of the moratorium on evictions based on measurable metrics such as the amount of rent assistance available or full employment. We need an eviction moratorium without barriers such as a declaration form to ensure community health and safety and long-term stability. Here is a list of demands from Oregon Renters in Action that CAT supports.

- “1. Extend the eviction moratorium, allowing time for the Oregon economy to regain stable business activity and jobs.
2. Help tenants secure living-wage jobs in stable and growing industries, offering education, special training, and funding and prioritizing low-income tenants and people of color.
3. Extend the rent repayment period for 24 months after tenants establish stable employment.
4. Prioritize unemployed and very low-income tenants for receiving back-rent funding and housing vouchers, targeting people of color and other vulnerable renter populations.
5. Provide post-pandemic rehousing support for tenants facing eviction, including case management; temporary and permanent replacement housing; funding for applications, rent deposits, fees, and moving expenses; and services such as free storage of belongings, pet day-care, and transportation.
6. Provide legal representation during eviction court.
7. Ensure impacted communities are meaningfully represented in decision making about how to allocate housing assistance resources and build structures of accountability to renters experiencing housing insecurity, houseless community members, low-income residents, people of color, immigrants, unemployed and underemployed workers, single-parent households, seniors, and disabled persons.”



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Black, Indigenous, Latinx, immigrant, and refugee communities, along with rural and low-income renters,

are disproportionately affected by looming evictions – 41% of Oregon tenants behind on their rent, belong to BIPOC households. The experiences of BIPOC tenants in Oregon are complicated by historic racism, the global pandemic and the wildfires. This recovery period will last years, and for some they may never fully recover at all. Erica from Jackson County lost her trailer, savings, and pets in the devastating Almeda Fire in 2020. She then contracted COVID-19 and faced a lengthy recovery. She is living with a friend and paying rent while she awaits disaster relief resources. She reported to us how important home is to her. She said “I need my own space.... I loved my little trailer. It was small and old, but I loved it with all my heart.”

One reason we instituted an eviction moratorium was to protect public health. It worked well. Without the eviction moratorium we can lose the public health impact of all that we worked for. We need a comprehensive safety net to address the 90,000 households that do not have the income to pay July rent. The emergency Rent assistance tenants have been promised, became available only 6 weeks before the eviction moratorium ends. It appears from recent OHCS reports that few know about the program or have benefited from the program due to delays. Landlords report rent delinquencies that far exceed current applications. At this rate, with the SB 278 proposal will the sixty day clock that starts with the tenant notifies their landlord of their application be enough time? Can the system provide the needed documentation in time given barriers such as lack of open offices, slow response times from the Alita system, tenants without printers or cellphones? What is being done to ensure that the courts are prepared, and Judges are educated? We already see a lack of understanding of past legislative tenant protections that were ignored, and tenants were still evicted because they did not have an attorney. What guarantee is there that terminations without a proper notice will be deemed defective and any clock regarding the 60 days will restart? If a tenant applies February 28th and shares this with the landlord, the provisions of this proposal should still extend 60 days. A tenant should not be restricted from applying to more than once. This restriction is just retaliation for poverty and not protection for the landlord interests.

Social service and tenant advocates have been asking for longer more realistic time frames that help households, service providers to plan. The timeline of 60 days is arbitrary. We do not have evidence yet of how long it takes for tenants to learn about the emergency rental assistance. We do know how much emergency assistance we have, and for how long. We should base timeframes on what is predictable and measurable. For example, we can measure when rent assistance is running out, when tenants return to work when COVID viral infection is low and low resign

This summer we are unlikely to reach full immunity, significant numbers of people will not have not been back to work long enough to able to both pay debts and July rent and many will not qualify for the help they need. And most tenants will need years to fully recover from months of rent and credit debt. All indicators show that most tenants will not have applied for or received emergency rent assistance before July 1st.

We cannot afford evictions to cause us to lose all of the public health progress we have made. But it could happen if we allow evictions to happen just weeks before a household may be eligible for emergency rent assistance. The cost of evicting 90,000 Oregonians is estimated to be anywhere from \$1 billion to \$3.3 billion in public services. The cost of forgiving the rent debt in Oregon is between



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approximately \$249 million and \$378 million. This is an easy financial and moral choice to make. Even if a

fraction of predicted evictions happens, the courts, social service agencies, emergency housing and hotel options will be overwhelmed. There needs to be readiness beyond a grace period to safeguard every household from homelessness. The simplest solution would be an extension of the eviction moratorium, like the extension of the mortgage forbearance just approved by the Governor. Lacking this, what is the comprehensive safety net plan? Will there be legal assistance in every court house to represent tenants, is there a plan for emergency shelters, vouchers or hotels. And what is the goal? Are we planning to accept that a significant number of people will be evicted, because we are not prepared to help?

When the eviction moratorium expiration date was set, no one knew how much rent assistance the federal government would offer. Now that we know, we must do everything in our power to keep people housed while our social service agencies continue their work to reach people most in need. We are hearing that it takes some service providers over 45 minutes to assist a tenant to navigate the emergency rent assistance portal. That information alone tells us that we cannot work fast enough to overcome this timing problem and should recognize that we all need additional time and support to provide the needed safety net. Timing is critical to this problem. It takes time to distribute information to compile forms, to get approvals, send the money and communicate with the landlords.

New York gave its self an additional 90 days by extending the eviction moratorium to September. They recognized the huge effort it will take to get systems fully in place. In Oregon the Landlord Compensation Fund, has taken months to fully implement, with only a fraction of the number of applicants being served as compared to the number tenant applicants that will apply to the emergency rental assistance fund.

What is CAT doing? We have kept our 6,000 members and the general public informed with every change in landlord tenant law. We sent the economic hardship forms to all of our members. We have counseled hundreds of tenants on the phone and offered to pay for legal representation when possible. We have distributed \$300,000 in rent assistance to tenants throughout the state. We did this without any additional staffing for that purpose. We recognize how critical the service is and want to continue this work but it is hardly sustainable without staffing for this purpose.

What is CAT's observation of how the emergency rental assistance system is working? CAT staff have spent dozens of hours in trainings related to the state and federal guidelines for emergency rent assistance and use of the various systems. We applied to be partners with the Community Action Agencies. Two have asked to work with us. We feel ready, but we do not any agreements or guidance about how the relationship would work, or how we can help the Community Action Agencies. While we wait, we are distributing other sources of rent assistance, we are making referrals to the rental assistance portal.

How is rent assistance working for tenants? We are hearing reports that many tenants do not have access to the technology to submit applications. Tenants and social service providers are not getting confirmation of where an applicant is at in terms of application completion, approval or disbursements. Many low-income households relied on libraries and other service organizations for computer access. They are not available now due to the pandemic. Location of paper copies for applications is unclear. And the offer of mailed applications take time. Many are resorting to using their phones. Applications



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via a phone, create many difficulties such as knowing how to use the phone for uploads. Not every phone has

the memory capacity to upload documents. This part is especially frustrating because people may not know how to reduce the size of their PDF or they may not have the software to do this. These kinds of frustrations are clearly putting the people with the least resources to the back of the line, in a system that feels like first come first serve because we know the resource is limited, and because for some, all of this must be completed before the end of the month to prevent an eviction. Even putting an application in the mail, given the lack of mail reliability creates a barrier if this process needs to be completed before the end of the month.

There needs to be a comprehensive safety net plan that includes CAT, Culturally Specific Organizations and other tenant advocacy organizations seeking to serve low-income and Black, Indigenous, Latinx People of Color and other historically underserved households.

CAT is asking to extend the eviction moratorium to give our hard-working social service agencies the time to find and support the tenants most in need. The state needs to support culturally specific agencies to reach our hard to reach communities. We need attorneys in the court houses to prevent needless evictions based on faulty notices, we need more communication resources to inform landlords and tenants regarding rent assistance options. Our social service net will need to include more emergency shelter and housing and hotel vouchers. We especially need nimble ways to help tenants cover July, August and September rent if they do not have access or qualification for rental assistance. And we will need all of this, just a few weeks before the likely reoccurrence of wildfire displacements this summer.

Oregon tenants are still struggling. This pandemic is not over yet and the impact it has had will last beyond July 1st. Make sure we have a plan to keep every Oregonian housed so we can all recover together.

Please review these recent reports on the risk and cost of evictions.

Digital Townhall. View the [webinar recording](#).

Resources:

- [Community Alliance of Tenants](#)
- PolicyLink [Oregon Eviction Risk Fact Sheet](#)
- Portland State University [Oregon Renters Report](#)
- Portland State University [The Cost of Evictions in Oregon](#)

Thank you for your time and for your service to the State of Oregon.

Sincerely,

Kim McCarty

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