

HB 3417-1
(LC 4085)
3/22/23 (RLM/ps)

Requested by Representative RAYFIELD (at the request of Governor Tina Kotek)

**PROPOSED AMENDMENTS TO
HOUSE BILL 3417**

1 In line 2 of the printed bill, after “program;” insert “amending ORS
2 456.375 and 456.378;”.

3 Delete lines 4 through 14 and insert:

4 **“SECTION 1.** If House Bill 5019 becomes law, ORS 456.378 is amended
5 to read:

6 “456.378. (1) The Housing and Community Services Department shall de-
7 velop and implement the Housing Choice Landlord Guarantee Program for
8 the purpose of providing financial assistance to landlords to mitigate dam-
9 ages caused by tenants [*as a result of occupancy under*] **who have received**
10 **rental assistance:**

11 **“(a) Under** the Housing Choice Voucher Program; **or**

12 **“(b) From a rehousing initiative under section 4, 5 or 11, chapter**
13 **___, Oregon Laws 2023 (Enrolled House Bill 5019).**

14 “(2) Landlords that are eligible for assistance under the Housing Choice
15 Landlord Guarantee Program must submit an application in the form and
16 format prescribed by the department. Assistance is limited to reimbursement
17 for only those amounts that are related to property damage, unpaid rent or
18 other damages:

19 **“(a) Caused** [*as a result of the tenant’s occupancy under the Housing Choice*
20 *Voucher Program*] **by tenants described in subsection (1) of this**
21 **section;**

1 “(b) That exceed normal wear and tear; and

2 “(c) That are in excess of \$500 but not more than \$5,000 per tenancy.

3 “(3) A landlord must submit an application for assistance to the depart-
4 ment within one year following the later of the date that:

5 “(a) The tenancy terminates;

6 “(b) The landlord obtains possession of the dwelling unit; or

7 “(c) Payments from the Housing Choice Voucher Program to the landlord
8 terminate.

9 “(4) The department may contract with a public or private provider for
10 the administration of the Housing Choice Landlord Guarantee Program. The
11 department is not subject to the provisions of ORS chapter 279A or 279B in
12 awarding a contract under the provisions of this subsection. The department
13 shall establish by rule procedures for inviting proposals and awarding con-
14 tracts under this subsection.

15 “(5) The department shall adopt rules to implement the provisions of this
16 section, including but not limited to prescribing additional qualifications and
17 requirements that must be met by landlords and the form of application that
18 must be submitted to the department to receive assistance under the pro-
19 gram.

20 **“SECTION 2.** ORS 456.375 is amended to read:

21 “456.375. As used in ORS 456.375 to 456.390:

22 “(1) ‘Housing Choice Voucher Program’ means the federal tenant-based
23 assistance program established under 42 U.S.C. 1437f(o).

24 “(2) ‘Landlord’ [*means an owner of a dwelling unit that has entered into*
25 *an agreement with a housing authority to receive tenant-based assistance pay-*
26 *ments under the Housing Choice Voucher Program and that has entered into*
27 *a rental or lease agreement with a tenant]* **and ‘tenant’ have the meanings**
28 **given those terms in ORS 90.100.**

29 “[*(3) ‘Tenant’ means an individual or a family who is eligible to receive*
30 *tenant-based assistance payments under the Housing Choice Voucher Program*”

1 *and who has entered into a rental or lease agreement with a landlord.]”.*

2 _____