

March 23, 2023

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Senate Committee on Housing and Development
900 Court St NE
Salem, Oregon 97301

Wlinsvey Campos, Democrat District 18
Andrea Valderrama, Democrat District 47
Courtney Neron, Democrat District 26
Sara Gelser Blouin, Democrat District 8
Mark Gamba, Democrat District 41
Michael Dembrow, Democrat District 23
Aaron Woods, Democrat District 13
Farrah Chaichi, Democrat District 35
Zach Hudson, Democrat District 49
Susan McLain, Democrat District 29
Khanh Pham, Democrat District 46

Regarding SB 611 Summary:

Increases amount residential landlord owes tenant for landlord-cause termination of tenancy. Limits annual rent increases.

Declares state of emergency, effective on passage.

“Section 8. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this 2023 Act takes effect on its passage.”

The above unilateral declaration of a state of emergency, written in Section 8 of SB 611, by this committee listed above, without there being an actual state of emergency, is clearly a violation of Oregon Revised Statutes, and the following Statutes, none of which is addressed in Section 8 of this bill:

ORS 401.165, Declaration of state of emergency
ORS 476.510 Conflagration Act
ORS 433.441 Public health emergency
ORS 536.740 Drought declaration
ORS 823.012 ODOT Emergency waivers
ORS 176.775 Energy resource emergency
ORS 561.510 Emergency Quarantine Order

1. Has a proclamation been declared at the request of a county governing body that an emergency is imminent?

2. Has a Declaration of Emergency been sent to the Oregon Department of Emergency Management, and submitted through the governing body of the county in which the majority of the city's property is located? Has a certification been signed by the county that all resources have been expended, and has an assessment of property damage or loss injuries and deaths been assessed?
3. Has a geographical area covered by this "State of Emergency" been declared? Remember that this area shall not be larger than necessary to effectively respond to the emergency.
4. Remember that the governing body of each county needs to establish a procedure for receiving, processing and transmitting to the Oregon Department of Emergency Management. Has this been done?

This Bill states that if the landlord does not pay the tenant an arbitrarily set amount when the landlord decides to sell their house, or if the landlord does not limit the rent increase by an arbitrary amount set by the above committee, then the whole State of Oregon will be in a state of emergency. This rationale does not meet the basic standards of emergency response required by the Oregon Department of Emergency Management, and ORS 401.165. Therefore, this bill is invalid as written, because the committee has not proven without a doubt that an emergency will exist if this bill is not passed.

Respectfully Submitted,
Susan Corbett