From:	Anni Eriksson
To:	CAUDEL Ingrid * DLCD
Subject:	PUBLIC COMMENT — OAR 660-047 (Oregon Homes): Anti-Displacement Safeguards for Low-Income Households, Fixed-Income Seniors, and Residents Navigating Complex Legal Issues or Petitioning for Redress
Date:	Tuesday, July 7, 2026 2:55:29 AM

Greetings, DLDC and MHOR RAC Members:

Division 47 streamlines housing production. **It does nothing to stop cities from destroying existing housing** through utility termination, code enforcement, and franchised service denial—then claiming "vacant" lots for redevelopment.

My experience at 12054 Chapin Ct., Oregon City demonstrates the gap.

I work limited part-time hours as a caregiver (16 hours per week, which is all I can manage under these stressful circumstances) and am actively engaged in active title litigation (*Eriksson v. Bank of New York Mellon,* Clackamas County Case No. 24CV21417). The City exploited my limited financial capacity and ongoing legal proceedings to accelerate displacement. This is not an isolated case—it is a structural pattern that can and does affect anyone with clouded title, disputed ownership, unresolved liens, or any resident navigating complex legal issues and petitioning their government for redress while disabled or living in poverty or on a fixed income. This predatory loop falls heaviest on those without the means to retain counsel during a time when legal aid is exceptionally scarce.

1. **Close the "Vacant Lot" Loophole** (660-047-0010(6)(h)). The definition treats lots as "vacant" if residential units were demolished. Oregon City terminated my water service in June 2024 while my income was severely restricted and I was unable to keep current on utility bills. It removed the meter, declared my home a "Dangerous Building" because it lacked water, allowed its exclusive solid waste franchisee to discontinue trash collection, then cited me for debris and vegetation violations its own actions created.

All of this occurred while I am litigating a contested foreclosure. By intentionally allowing the property to deteriorate, the City is effectively serving as the bank's enforcer—devaluing the home and stripping it of habitability to ease a transfer, while heaping further grief onto an already vulnerable resident. This is nothing less than municipal predation. It is the weaponization of bureaucratic red tape. We must reject a society that treats "demolition by neglect" as a legitimate revenue stream, and that cynically deploys administrative ordinances against citizens precisely when they are diligently pursuing relief through the courts.

> **Request**: Amend 660-047-0010(6)(h) to provide that a lot is not "vacant" if the prior residential unit was lost due to municipal utility termination, code enforcement predation, or lien foreclosure within the preceding ten years, or if the property is subject to active title disputes, municipal appeals, or broader litigation where the occupant is actively petitioning for legal redress or making good-faith efforts to retain the home. Cities should not get credit for "allowing" Oregon Homes while they actively destroy existing housing—especially housing held by part-time workers and residents caught in the cracks of complex legal systems.

2. **Infrastructure Capacity Is Not Infrastructure Access** (660-047-0020(7)). Local

governments may apply public facilities plans, but Oregon City's plan did not prevent it from denying me water service for nearly two years, rejecting partial payments from my limited caregiving wages. Nor did it bar its franchised garbage monopoly to reject payment arrangements and refuse collection. The draft rules assume "sufficient infrastructure" equals capacity for new development. But it must also mean continuity of service that does not prejudice existing residents who are underemployed, burdened with legal troubles, or surviving on fixed incomes.

> **Request**: Amend 660-047-0020(7) to require that local governments demonstrate continuous, non-discriminatory utility and waste service to existing residents, including those experiencing severe hardship, before claiming “sufficient infrastructure” for Oregon Homes. **A city cannot terminate water to a struggling household and then approve new housing on the "vacant" lot it helped create.**

3. Trash Storage Standards Assume Service That Is Not Guaranteed (660-047-0030(3)). Oregon City maintains an exclusive waste franchise that denies collection to residents in financial distress and legally bars alternatives. Yet the design standards require screened trash storage—a standard that is impossible to meet when service is cut off.

The burden falls hardest on those who can least afford it.

In the Tower Vista neighborhood, elderly homeowners on fixed incomes go next door asking for bin space. They have downsized to the smallest available service, or shifted to every-other-week pickup, because B&B Leasing's rates keep climbing. Oregon City's own Resolution No. 25-17 shows the math:

Service Level	Monthly Cost	Annual Cost	Cost Per Pickup
20 Gallon Weekly	$28.74	$344.88	$6.63
35 Gallon Weekly	$37.66	$451.92	$8.69
35 Gallon Monthly	$18.25	$219.00	$18.25

The gap between weekly and monthly service is $10.49 per month—over $125 per year. For a fixed-income senior, that is real money. They are not absorbing rate hikes; they are rationing trash service.

This is not hypothetical. It happened to me.

B&B Leasing discontinued my service while I was unemployed and negotiating payment plans. The City then cited me for rubbish accumulation under OCC 8.20.160-A. The franchise monopoly and code enforcement are working in tandem to displace residents already in distress.

Relief is possible. Washington County gave me a 75% trash discount through Community Action. Oregon City offers nothing: no relief, no alternative, no safety net. The exclusive franchise lets the city select winners and penalize losers. This regulatory gap cannot stand.

> **Request**: Amend 660-047-0030(3) to add an exemption for households lawfully denied access to franchised waste collection due to restricted income or financial hardship through no fault of their own. Alternatively, require local governments to ensure universal waste service access, including reasonable payment plans for low-income and fixed-income residents, as a precondition to applying this standard *if not as a precondition to legitimate governance*.

4. **Oregon Law Already Provides Broader Protections. The Rules Should Too.** Oregon law prohibits housing discrimination based on source of income (ORS 659A.421) and immigration or citizenship status (SB 599, 2025), protections federal law does not provide. The Oregon Supreme Court has held that Article I, Section 20 provides broader equal protection than the federal Constitution. Oregon Homes should follow this state tradition of expansive equity, not federal minimalism. Just as state law bars source-of-income and immigration status discrimination, the rules must provide protections for those in financial distress or complex ownership situations. They must prohibit cities from using utility shutoffs, code enforcement, or service denial to displace vulnerable residents.

5. **Federal Weatherization Programs Explicitly Exclude Foreclosed Homes.** The exclusion I face is not unique to Oregon City. The federal Weatherization Assistance Program (WAP), administered locally by Community Action Agencies, categorically disqualifies any property "in foreclosure"—regardless of income or need. This rigid exclusion creates a self-reinforcing displacement cycle: I met the income threshold but was denied solely due to ongoing title litigation, which itself becomes a disqualifying "condition."

6. **Even the Federal Government Is Moving Away From Rigid Exclusion** My experience is not an isolated anomaly. Congress has recognized this exact gap through the HEIRS Act of 2025 (H.R. 1640) and the HEIR Act of 2025 (H.R. 1607). These bills would establish HUD grant programs for legal assistance and title clearing, and would allow alternative documentation for those without traditional proof of ownership. HUD has also allocated $48 million to expand housing counseling for "heirs' property management." Even the federal government is recognizing the need to move away from rigid, exclusionary rules. But Oregon should not wait for Congress to act.

7. **Impact Statements Must Analyze Socioeconomic Intersectionality, Legal Vulnerability, and Due Process.** The draft Impact Statements are titled Fiscal, Housing, and Racial Equity. *To fully address the realities of displacement in the Pacific Northwest*, these frameworks must expand to analyze how economic class, fixed-income constraints, and active legal vulnerability intersect with housing insecurity.

Oregon City's garbage franchise (Ordinance 06-1001) creates a legal monopoly with no affordable alternative. When combined with aggressive collections, service discontinuation to low- or fixed-income customers, and $300/day code penalties issued during active title litigation or administrative appeals, it becomes a class-based displacement tool. It effectively penalizes residents navigating complex legal frameworks or actively petitioning for redress, pushing them out so their lots can be redeveloped.

> **Request**: Mandate a dedicated "Socioeconomic Equity, Legal Vulnerability, and Due Process Protection" component within the Impact Statement framework. Require it to examine:
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> - Whether utility franchises and code fines disproportionately fall on low-income residents, fixed-income seniors, and unrepresented litigants
> - Whether cascading shutoffs, waste denial, and liens accelerate displacement during income crises and title disputes
> - Whether the "vacant" lot definition simply launder economic distress and legal vulnerability into redevelopment
> - Whether local rules replicate federal exclusions, like WAP's foreclosure bar, to freeze out those actively seeking legal redress

Conclusion

I am defending my home against a complex foreclosure while restricted to 16 hours a week of caregiving work, navigating overlapping municipal and legal systems where counsel is scarce. My elderly neighbors in Tower Vista are rationing their trash service to survive compounding rate hikes.

Oregon Homes will fail its legislative intent if it only addresses what cities must *allow* while ignoring what they *actively destroy.* The rules must recognize that the inequity is deeply economic, procedural, and legal: cities are using regulatory tools to clear out part-time workers, fixed-income seniors, the poor, and any resident currently navigating the legal system or petitioning for redress…and calling it progress.

The federal government is already moving to address these very gaps. Oregon has the opportunity to lead by embedding intersectional **anti-displacement principles** and **due process safeguards** into its housing rules *now*, rather than waiting for Congress to catch up.

I respectfully urge DLCD to incorporate these safeguards into the final rules.

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