

Technical Advisory

Oregon Housing and Community Services



July 2, 2021

RE: Updated Landlord Terms and Conditions to streamline OERAP processing

Dear Partners:

OHCS rolled out the Emergency Rental Assistance program in accordance with US Treasury guidance. US Treasury provided a strong recommendation that grantees (including OHCS) enact policies that prevent property owners from evicting tenants for 90 days after receiving federal rental assistance dollars. The federal government's reasoning on this is twofold: first, to prevent evictions; and secondly, to monitor the use of federal funds.

We understand that the policy landscape has changed here in Oregon with the passage of SB 278. The new state law passed on a bipartisan basis and created new tenant protections. It focuses on a safe harbor period **prior** to receipt of the rental assistance dollars. The federal guidance relates to the period of time **after** the rental assistance is awarded. While OHCS' policy and legal interpretation saw these as separate and distinct issues, we understand there is a perception from many, including lawmakers, that the federal guidance conflicts with the new state statute.

With this rapidly changing Oregon Rental Assistance landscape it was elevated to us that maintaining this position could contribute to a lengthier process that could delay getting checks into the hands of households facing eviction. We are uniquely cognizant of the human cost of evictions; the trauma families feel from even a brief moment of homelessness is not lost on us. Partners on all sides have asked us to remove any potential barriers that might slow down processing and possibly delay families and individuals from accessing the protections in SB278. We are willing to be responsive to do anything we can in our power to ensure Oregonians avoid eviction.

To address this confusion, OHCS will remove the requirement of 90 day stabilization after receipt of the funds from the terms and conditions (please note this change will have to go through our software vendor and will not be automatic). The most important provision of this program is that we reach as many tenants and housing providers as possible, so we are prepared to err on the side of removing provisions that may be manifesting themselves as barriers. We will work quickly to make this change and communicate it to our provider network. The OHCS team will also work to determine the most effective ways to communicate this out and provide any additional training to local administrators. We ask for your patience in these coming days to make sure the communication is landing clearly with partners.

OHCS is focused on working as quickly as possible to administer assistance to those in need, and helping to educate partners and the public about the new tenant protections in SB 278.