

## Summary of HB 2004A

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### Section One: Establishes a Just Cause eviction standard:

- **No-cause termination allowed during first 6 months of occupancy.**
- **After the first 6 months of occupancy, a landlord may terminate a month-to-month tenancy only for-cause, unless there is an exception.** For-cause terminations can be in 1 of 2 categories:
  - a) **Tenant-based causes:** All the currently available tenant fault-based causes. (These are 24/48/72 hour notices, 10 day notice, or 30/14 day notice)
  - b) **Landlord-based legitimate causes:** Landlord intends in good faith to make repairs or renovations (must offer unit to T after repairs or renovations are complete); Landlord intends to convert the dwelling unit to a non-residential use or to demolish the unit; Landlord has accepted an offer to purchase to someone who will live in the unit as a primary residence; Landlord or immediate family member plans to move into the unit as a primary residence.
    - i. **Notice:** Landlord would give Tenant 90 days' notice, and pay an amount equal to one month's rent towards moving expenses.
    - ii. **Exception from relocation:** Landlords with four or fewer units would be exempt from paying relocation expenses.
- **Exceptions:** The new law would not apply to a landlord who lives on the same property as the tenant with 2 or fewer units.
- **Damages for landlord violation:** Three months' rent penalty plus actual damages, defense to eviction, suit brought within one year of discovery of violation.
- **Fixed term leases:** May only be terminated for-cause, as is current law. Landlord must make an offer to renew the fixed term tenancy for a new term that is at least equal to the existing term, 90 days before the end of the tenancy. If the LL does not make a renewal offer, the tenancy will roll over to month-to-month. Landlord may avoid renewal or roll-over requirement by giving one of the Landlord-based cause notices.

### Section Two: Allows Local Governments to Enact Rent Stabilization Ordinances, with sideboards.

- **Amends ORS 91.225**, to allow a local city or county to adopt an ordinance implementing a rent stabilization program for residential rental units, so long as the program:
  - Provides landlords with a **fair rate of return**, as determined by the local government;
  - Provides a **process for landlords to request an exception** when necessary to allow for a fair rate of return;
  - **Exempts any new residential development for a period of 5 years** from the date of issuance of the first certificate of occupancy.

### Sections Three – Six: Internal cross references

#### Section Seven: Effective Date

- Applies to fixed term leases entered into on or after the effective date;
- Applies to terminations of month-to-month tenancies occurring on or after the 30<sup>th</sup> day after the effective date;

#### Section Eight: Emergency Clause

- The bill takes effect on passage.