



Portland Housing Bureau

Mayor Ted Wheeler • Director Shannon Callahan

Rental Services Commission

November 20, 2018

2:30 – 5:00 pm

Portland Housing Bureau

421 SW 6th Ave., Suite 500

November 20, 2018

Meeting Summary and Position Tally

Members Present: Margot Black, Ian Davie, Laura Golino de Lovato, Jessica Greenlee, Allen Hines, Katrina Holland, Deborah Imse, Yoni Kahn-Jochowitz, Mike Nuss, Leah Sykes

Members Excused: Christian Bryant, Christina Dirks, Raul Preciado Mendez

Staff Present: Andrés Oswill, Kim McCarty, Antoinette Pietka, Matthew Tschabold, Stacy Jeffries

Guests Present: Tyler Wallace and Matthew Thorup, Revenue Division

Audio for the “recording time” column below can be found under “[Meeting Recordings](#)” here:

<https://www.portlandoregon.gov/phb/76570>

<i>Agenda Topic</i>	<i>Speakers/Key Topics Covered</i>	<i>Recording Time</i>
Call to Order, Roll Call, Minutes	Andrés Oswill	00:00:00 – 00:00:38
Staff Update	<p>Alan Lazo, Fair Housing Council of Oregon</p> <ul style="list-style-type: none"> Overview of Fair Housing audit and its findings <p>Andrés Oswill</p> <ul style="list-style-type: none"> PHB has issued a \$200K solicitation for services focused on fair housing and landlord-tenant law Bureau of Development Services Dir. Esau is fast-tracking landlord training, with assistance from PHB staff <p>Margot Black</p> <ul style="list-style-type: none"> Request that the RSC review affordable housing exemption to relocation assistance before it goes to City Council 	00:00:59– 00:16:11
Meeting Roadmap	<p>Andrés Oswill</p> <ul style="list-style-type: none"> Commissioner Eudaly’s office will run a 2-month beta test of screening criteria / security deposit policies with market-rate and affordable housing providers before policies go to Council They do not expect these policies to come back to the RSC before they’re submitted for a Council date Overview of how position letters to Council will be drafted 	00:16:15 – 00:23:55

Public Testimony	<p>The following individuals provided testimony:</p> <p>Chris Nguyen Sam Patterson Roz Roseman Taghi Azizi Dan Hayes Doris Krantz Alex Hirsch Jim Bartok</p>	00:24:00 – 00:49:36
Commissioners’ positions on screening criteria	<i>See table below for votes and commissioners’ specific concerns.</i>	00:50:31 – 01:15:00
Commissioners’ positions on security deposits	<i>See table below for votes and specific concerns.</i>	01:15:05 – 01:22:36 <i>(pause for rental registration)</i> 01:37:32 – 01:53:44
Rental Registration Overview	<p>Matthew Thorup and Tyler Wallace, Revenue Division</p> <ul style="list-style-type: none"> • Stated goal: getting rental owners registered with the Revenue Division’s Business License Tax Program • No fee or penalties for non-compliance during the first year • Overview of Schedule R form (for 9 or fewer rentals) • Revenue foresees creating a pre-formatted excel file for owners with many units <p>Matthew Tschabold, Portland Housing Bureau</p> <ul style="list-style-type: none"> • Clarification: registration is by unit, not by building • For the first year, the only data collected will be the owner, address, and unit number (partially due to current software capabilities) • There will be discussions regarding what information to collect in the future • PHB will be engaging the RSC in discussions of these supplemental policy questions (options for data collection and fees) 	01:23:45 – 01:37:12
City Budget Process	<p>Matthew Tschabold, Portland Housing Bureau</p> <ul style="list-style-type: none"> • Overview of Rental Services Office budget, changes to city’s budget process (shift from base budget to program offer approach) • Discussion about services provided by the RSO and how to pay for them 	01:54:27 – 02:14:42

Commissioners' Positions on Screening Criteria

Name	Yea	Nay	Abstain	Absent	Concerns
Margot Black	X				Echoed feedback provided by Katrina Holland/CAT
Christian Bryant				X	
Ian Davie	X				Concerns: self-certification for ADA units (Type A v. Type B); FCFS language; need for education; possibility for unintended consequences of using a first-come, first-served policy (instead of a waitlist) for some subsidized programs (could result in lines of hundreds, even thousands, of people at a given building or the HomeForward main office)
Christina Dirks				X	
Laura Golino de Lovato	X				(*Said NWPP was in the "neutral zone" with this policy and would probably submit their own letter.) Concerns: Section K, L (notice of adverse action, denial - who sends the notice). Agrees with: income-to-rent ratio, individual assessment.
Jessica Greenlee		X			Concerns: Advertisement, income-to-rent ratio
Allen Hines	X				Concerns: Type A, Type B ADA units; agrees with: income-to-rent ratio
Katrina Holland	X				Concerns: Fair Housing protected classes; advertising; lack of specific definitions
Deborah Imse		X			Concerns: high level of administrative burden for housing providers; high potential for unintentional error
Yoni Kahn-Jochnowitz			X		Fair Housing Council of Oregon will submit its own opinion
Michael Nuss		X			Concerns: Sections C & J: too many limits on ability to screen; FCFS is too cumbersome; added cost to the community will be that landlords will hire management companies to deal with the new regulations, and pass those costs on to renters.
Raul Preciado Mendez				X	
Leah Sykes		X			Concerns: Too cumbersome; will reduce housing stock; exemptions for affordable housing providers are too narrow; language/definitions need work; income-to-rent ratio of 2X is insufficient
	Yea	Nay	Abstain	Absent	
Total:	5	4	1	3	

Commissioners' Positions on Security Deposits					
Name	Yea	Nay	Abstain	Absent	Concerns
Margot Black	X				Concerns: 3.6% depreciation for 27 years; would like prospective tenants to be able to look at past tenant history, to see what LL has charged for.
Christian Bryant				X	
Ian Davie	X				Concerns: If passed in tandem with screening criteria, concerns about administrative burden, maintaining receipts for decades, depreciation schedule that is "divorced from reality," need for education
Christina Dirks				X	
Laura Golino de Lovato	X				Concerns: The policy helps, but it's too onerous. Depreciation schedule needs to be addressed
Jessica Greenlee		X			Concerns: Installment options in Section B - would limit use of short-term leases; depreciation schedule is little to no use in determining charges; Section E should be "account holder" instead of "account number"
Allen Hines	X				Concerns: depreciation schedule
Katrina Holland	X				Concerns: Needs to be passed in tandem with screening criteria to be effective; depreciation schedule is problematic; certain information (?) needs to be available to tenant at time of application; tenant should have access to an annual report of interest
Deborah Imse		X			Concerns: Echoed concerns raised by Leah and Jessica
Yoni Kahn-Jochnowitz			X		FHCO will submit its own opinion; has concerns about unintended consequences
Michael Nuss		X			Concerns: Maximum security deposit, installment plan don't take the legal document seriously; depreciation schedule is problematic; definition of things like "moveable property" is unclear; increased administrative cost will push landlords to use property managers. Feels that education and a prohibition on comingling funds would solve most problems.
Raul Preciado Mendez				X	
Leah Sykes		X			Concerns: Lack of clear definitions for things like "contiguous carpet" and "moveable property." Appreciates: clarification of "normal wear and tear."
	Yea	Nay	Abstain	Absent	
Total:	5	4	1	3	