



Portland Housing Bureau

Mayor Ted Wheeler • Director Shannon Callahan

Rental Services Commission

Portland Housing Bureau
421 SW 6th Ave., Suite 500
Portland, OR 97204

January 21, 2020 Meeting Summary - **DRAFT**

Members Present: Ian Davie, Allen Hines, Mike Nuss, Laura Golino De Lovato, Katrina Holland, (On Phone: Margot Black)

Members Excused: Christian Bryant

Staff Present: Andrés Oswill, Kim McCarty, Matthew Tschabold, Tawnya Harris.

Audio for the “*recording time*” column below can be found under “[Meeting Recordings by Year](https://www.portlandoregon.gov/phb/76570)” here: <https://www.portlandoregon.gov/phb/76570>

| Agenda Topic | Key Topics Covered | Recording Time |
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| Call to Order, Roll Call | <ul style="list-style-type: none"> Meeting was called to order by Ian Davie, December meeting summary was approved | 00:01:32 – 00:02:35 |
| Staff Update | <ul style="list-style-type: none"> Andrés Oswill provided a staff update gave an overview of the Budget process update; Fair Admin Rules public comments has been closed. Final draft will be issued as soon as possible. RSC was Informed that Yoni has stepped down from serving as a commissioner for the RSC. There is a total of 5 vacant commissioner positions on the RSC. Andrés Oswill announced this is his last meeting as he has accepted another position within the City of Portland. | 00:02:36 – 00:04:26 |
| Public Testimony | <ul style="list-style-type: none"> Mike Havlik Deputy Director for Multifamily NW. Came to recommend and to support the FAIR ordinances for housing. Also, regarding Selena Barnes testimony from the last meeting, what rules if any have been adopted? Andrés Oswill response, the comments were forwarded to the City Attorney, and language was added in the 2nd draft of rules. | 00:04:35 – 00:08:19 |
| BDS Administrative Rule | <ul style="list-style-type: none"> Beth Benton provided a presentation and overview of the BDS Administrative Rules. Beth covered each area in the Admin Rule, best practices, general inspection guidelines and what the violations levels are. Beth also covered what levels of mold and moisture are considered Minor to Major level violation. | 00:08:29 - 00:44:19 |

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| | <ul style="list-style-type: none"> • Beth covered what is required of Landlords to address any mold and mildew major violations. • RSC made a recommendation regarding saving funds on dealing with mold or mildew issues inside of a rental and recommended a few language changes. • Beth explained that both minor and major levels are required for the landlord to address. • Beth covered Insect and Infestations and Pest Management. The goals are to use less hazardous materials to address any issues. • RSC discussed cost management of how to control pest management. • Beth provided an overview of the Fire Safety Inspections and older buildings higher than 2 stories and their goals. • Beth discussed Hazardous materials and their goals. • RSC question regarding lead detection. • Beth discussed inspection requirements, triggers and the number of violations by unit that is captured in the data, history and their goals. • RSC made recommendations to change the language in the Inspection Requirement section and shared some concerns with the violations, also requested clarification in the language on violations. • RSC discussed Inspections and violations and how to be more effective in the community. • Next steps there will be a period for public comment, once the final drafts are available, they will be shared with the Rental Services staff to be distributed to the RSC. | |
| <p>FAIR Update</p> | <ul style="list-style-type: none"> • Andrès Oswill provided a high overview of the 2nd draft of FAIR Administrative Rules for Title 29 and public comments received. • Also, informed the RSC the rules will look a lot like the permanent rules. • Application and Screening rules reviewed with RSC and concerns that were raised in the second round. • RSC proposed a few recommendations regarding tenant violations, late payments and barriers. • Andrès Oswill explained the feedback received by the public with concerns verifiable and repeated violations, lease agreement preferences, violation time period. • RSC discussed the language maybe misconstrued and used in a negative nature or being too subjective and may not be understood by the community of tenants and landlords. • RSC expressed concerns and discussed late payments and application denials, 211 information not being a good resource for information, also | <p>00:44:28 – 01:44:27</p> |

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| | <p>tenant concerns with application submittals and denials based on new FAIR proposed rules.</p> <ul style="list-style-type: none"> • Andrès Oswill informed this will be the final update and staff should be able to produce a final set of rules. • RSC suggested the bureau prioritize for more equitable outcomes. Also, softer language for better understanding. • Andrès Oswill reviewed high level Application and Screening requirement to allow appeals. • RSC proposed if the bureau would consider adjusting the rules at a later date. • Also, final draft of rules should be available later in the month of Feb. Tentatively. • Also, suggested to cover important information first and place government legal information in the rear, also for big blocks of text to reduce that language, make the language more readable. • RSC reviewed Statement of Applicant Rights and Responsibilities public comments and suggested changes. • RSC reviewed Security Deposit Rule public comments and suggested changes, related to secure bank accounts and what the ordinance allows. • Discussion on replacement items, purchase prices and receipts and deduction items from the Security Deposit. • RSC reviewed Rental History Form public comments and suggested changes. • RSC reviewed the Depreciation Schedule public comments and suggested changes. • RSC discussed damage and wear and tear, intentional damage and security deposit refunds. • Andrès Oswill informed RSC any workplan topics please send to RSC Executive Committee before the Feb. meeting. • RSC propose a vote on final draft implementation, to allow Housing Property Managers to learn, be trained on new rules, processes and software. Also, noted the technical difficulties and proposed a timeline for training. | |
| <p>Extend FAIR Implementation</p> | <ul style="list-style-type: none"> • RSC question on full implementation delay, Right to Cure, and period to help landlords prepare and readiness to understand the laws without penalties. • Suggestion for a Right to Cure, or range of options, staggered roll-out of the rules. • RSC discussion on Admin Rule release process, phase roll-out, difficulties, changes, and opportunities. | <p>01:44:36 - 02:26:11</p> |

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| | <ul style="list-style-type: none">• Suggested letter to City Commissioners summarizing the discussion, and suggested roll-out plans.• Motion: To submit a letter to City Commissioners, reaching consensus on suspending penalties and period of time, attempt to define a rule for intentional disregard of law for landlords and timeline. – All were in favor of the motion. | |
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