



Portland Housing Bureau

Fair Housing Advocacy Committee

August 10, 2021

Updates

- **HUD Guidance on AFFH**
 - 2021 Interim Final Rule "Restoring Affirmatively Furthering Fair Housing Definitions and Certifications"
 - Voluntary fair housing planning process, but reinstated HUD technical assistance and planning guides
 - Still not required to submit analysis to HUD at this time
- **HUD Disparate Impact Rule**
 - Proposing to return to the 2013 standard and repealing the 2020 changes which made it harder to establish a policy violates the Fair Housing Act.
 - In 60-day public comment period
- Recruitment Outreach
- Committee Chair and Vice Chair
- **Next Meeting:** October 12th, 2021



Portland Housing Bureau

2011 Analysis of Impediments Subsection A Recommendations

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Fair Housing Advocacy Committee
August 10, 2021

Subsection A Recommendations

1. Commit to funding and support the **education of fair housing laws**.
2. Commit to funding and support of **enforcement of fair housing laws**.
3. Conduct **audit testing** to document discrimination.
4. Partner with housing providers to **modify screening and credit criteria**, such as requiring SSN, that have an inadvertent impact on protected classes.

Please add comments to Jamboard link during presentations. Notes will be compiled into the table.

Fair Housing Education & Enforcement

- Direct classes to tenants and landlords, conducted by community partners, with information on landlord-tenant law generally and fair housing
- Call line
- Trainings and educational sessions provided to other housing and social service organizations
- Workshops, fairs and events
- Culturally-specific support and connection to fair housing enforcement
- Extended legal assistance and representation

Modify Screening and Credit Criteria

Application & Screening – PCC 30.01.086

- City of Portland ordinance
- Requires indication of whether the unit is Type A accessible
- Mandates first come, first serve for most publicly advertised units
 - Mobility disabled community members prioritized for accessible units
- Multiple forms of acceptable ID for applicants
- Landlord cannot reject application as incomplete due to lack of SSN
- Creates tenant right to submit Supplemental Evidence to mitigate negative screening results
- Criminal history issues require consideration of Supplemental Evidence/Individualized Assessment before denial.

Modify Screening and Credit Criteria

Senate Bill 291

- Statewide, amends ORS 90
- Effective January 1, 2022
- Requires statement of denial, with reason(s) for denial, to be provided to applicant within 14 days
- Limitations on considering previous arrests: conduct must be presently illegal in Oregon, cannot consider pending charges if participating in diversion, conditional discharge or deferral program.
- Criminal history issues require landlord to consider Supplement Evidence and conduct individualized assessment before denial.

Modify Screening and Credit Criteria

SB 282 COVID-specific Response

- Statewide, amends ORS 90
- Landlord cannot report a tenant's nonpayment of rent, charges or fees that accrued between April 1, 2020 and July 1, 2021 to a credit reporting agency
- Landlord cannot consider evictions claims that arose between April 1, 2020 and March 1, 2022.
- Landlord cannot consider applicant's unpaid rent, including rent reflected in judgements, that accrued on or after April 1, 2020 and before March 1, 2022.