

ORDINANCE No. 189581 As Amended

Add Security Deposits; Pre-paid Rent to include renter protections in the form of security deposit regulations (Ordinance; amend Code Section 30.01.087)

The City of Portland ordains:

Section 1. The Council finds:

1. Security deposits are tenant funds held by a landlord for application to actual landlord costs incurred and should be regulated in a manner befitting their purpose.
2. A tenant should have its security deposit refunded in full if they return a leasehold premises to landlord in the same condition as that at the beginning of the lease except for ordinary wear and tear and if the tenant did inflict damage to landlord's property should receive a refund of all of the security deposit except for the actual cost of repair or replacement of the damaged property.
3. Security deposits are one of the most frequent topics of complaints and questions received by the Community Alliance of Tenants, Oregon Law Center, and Legal Aid Services of Oregon.
4. Greater clarity of expectations about security deposits for both landlords and tenants will increase understanding, decrease conflict, and create a healthier, more predictable contractual relationship.
5. Research about best practice security deposit laws across the country, as well as the input of a robust stakeholder committee that included tenant advocates and industry experts determined that security deposit regulations would improve landlord/tenant relationships and outcomes.
6. Current law in the City of Portland is silent about the amount of deposit that can be charged, depreciation definitions, and where security deposits should be kept.

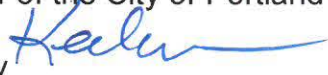
NOW, THEREFORE, the Council directs:

- a. City Code Chapter 30 is amended by adding a new section 30.01.087 to establish renter protections related to security deposits as described in the attached as Exhibit A.
- b. The Portland Housing Bureau is hereby directed to establish and publish a fixture value depreciation schedule, rental history form, and a delayed implementation plan.
- c. If any section, subsection, sentence, clause or phrase of this Ordinance, or any of the code amendments it adopts, is for any reason held to be invalid or unconstitutional, that shall not affect the validity of any of the remaining portions of the Portland City Code, including but not limited to

any remaining provisions of Portland City Code Chapter 30. Council expressly declares that it would have passed the Portland City Code, and each section, subsection, sentence, clause, and phrase thereof, including but not limited to any remaining provisions of Portland City Code Chapter 30, regardless of the fact that any one or more sections, subsections, sentences, clauses, or phrases of this Ordinance may be found to be invalid or unconstitutional.

- d. This Ordinance shall be effective on March 1, 2020.

Passed by the Council: JUN 19 2019
Commissioner Eudaly
Prepared by: Jamey Duhamel
Date Prepared: 03/20/19

Mary Hull Caballero
Auditor of the City of Portland
By 
Deputy

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Agenda No.

ORDINANCE NO. 189581 As Amended

Security Deposits; Pre-paid Rent Title

Add City Code Chapter 30.01.087 to include renter protections in the form of security deposit regulations. (Ordinance); add Code Section 30.01.087)

<p>INTRODUCED BY Commissioner/Auditor: Commissioner Eudaly</p>	<p>CLERK USE: DATE FILED <u>MAR 26 2019</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Soltzman ^{Hardesty}</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Keala</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Bureau Head:</p>	<p>ACTION TAKEN:</p> <p>APRIL 03, 2019 CONTINUED TO APRIL 4, 2019 AT 2:00 PM TIME CERTAIN</p> <p>APRIL 04, 2019 CONTINUED TO APRIL 25, 2019 AT 2:00 PM TIME CERTAIN</p> <p>APRIL 25, 2019 RESCHEDULED TO MAY 23, 2019 AT 3:00 PM TIME CERTAIN</p>
<p>Prepared by: Jamey Duhamel Date Prepared: 3/25/19</p>	<p>MAY 23 2019 Rescheduled to May 29, 2019 at 6:00 pm Time Certain</p>
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p>MAY 29 2019 Continued to June 12, 2019 at 9:30 am</p>
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>JUN 12 2019 PASSED TO SECOND READING As Amended JUN 19 2019 4:15 pm Time Certain</p>
<p>City Auditor Office Approval: required for Code Ordinances <i>[Signature]</i></p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i></p>	
<p>Council Meeting Date April 3rd, 2019</p>	

AGENDA

TIME CERTAIN
Start time: 3pm

Total amount of time needed: 2 hours
 (for presentation, testimony and discussion)

CONSENT

REGULAR

Total amount of time needed: _____
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	<i>1. Fritz</i>	<input checked="" type="checkbox"/>
2. Fish	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Soltzman ^{Hardesty}	3. Soltzman ^{Hardesty}	<input type="checkbox"/>
4. Eudaly	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wheeler	<input checked="" type="checkbox"/>	<input type="checkbox"/>