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191586

Ordinance

Amend Business License Law Code related to Residential Rental Registration Program (amend Code Sections 7.02.100 and 7.02.890)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On July 25, 2018, the Council adopted ordinance 189086 creating the Residential Rental Registration (RRR) Program to develop and maintain an inventory of residential rental housing unit locations within the City.
2. On August 7, 2019, the Council adopted ordinance 189650 exempting units guaranteed to be affordable under United States Department of Housing and Urban Development guidelines for households that earn no more than 60 percent of the median household income. Placing this exemption in code and clarifying that the exemption applies to units regulated or certified as affordable housing by federal, state, or local government, increases awareness of this exemption and may encourage additional affordable housing units.
3. On September 16, 2020, the Council adopted ordinance 190129 defining a residential rental unit for purposes of the RRR Program as a "dwelling unit" as defined in Oregon Revised Statutes (ORS) 90.100. ORS Chapter 90 adopts Oregon's Residential Landlord and Tenant Act (ORLTA). While ORS 90.100 defines the term "dwelling unit," one must look to the entirety of the statutory scheme, which includes exemptions, to determine whether a structure is considered a "dwelling unit" subject to the ORLTA.
4. While ordinance 190129 only defines a "residential rental unit" as a "dwelling unit" defined in ORS 90.100, testimony implies that Council intended for a "residential rental unit" to mean a "dwelling unit" that is both defined by ORS 90.100 and that is subject to the ORLTA. The Portland Housing Bureau requests that Portland City Code Chapter 7.02 be amended to adopt this treatment for all years of the RRR Program.

Introduced by

[Mayor Ted Wheeler](#)

Bureau

[Management and Finance;](#)
[Revenue Division](#)

Contact

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Monday through Friday,
8:00 to 4:30

Requested Agenda Type

Consent

Date and Time Information

Requested Council Date


January 17, 2024

Changes City Code

NOW, THEREFORE, The Council directs:

- A. City Code Sections 7.02.100 and 7.02.890 are amended as set forth in the attached Exhibit A.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/amend-pcc-7.02-residential-rental-registration-exhibit-a.docx\)](https://www.portland.gov/sites/default/files/council-documents/2023/amend-pcc-7.02-residential-rental-registration-exhibit-a.docx) 23.78 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
January 17, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this proposed legislation is to further define a residential rental unit and place in code an exemption previously adopted for units guaranteed to be affordable housing units.

In July 2018 the Council created the Residential Rental Registration (RRR) Program to develop and maintain an inventory of residential rental housing units located within the City. In August 2019 an exemption was adopted for units guaranteed to be affordable rental housing units. Then, in September 2020 a definition of a residential rental unit was adopted using the definition of a “dwelling unit” found in Oregon Revised Statute 90.100. While the definition did not specify it, testimony supports that the intent was to define a residential rental unit for the RRR Program as a dwelling unit subject to Oregon’s Residential Landlord and Tenant Law.

Financial and Budgetary Impacts

The proposed code changes will not have a material impact on City expenses. There is little to no anticipated impact on City revenues as the proposed changes only serve to clearly state and further articulate an existing understanding as to the specific intent of the program.

Community Impacts and Community Involvement

This issue came to the attention of the Portland Housing Bureau on inquiry made by an institution that is not subject to the Oregon Residential Landlord and Tenant Act. There is little to no anticipated community impact as the proposed changes only serve to clearly state and further articulate an existing understanding as to the specific intent of the program.

100% Renewable Goal

The legislation has no direct impacts on this goal.

Budget Office Financial Impact Analysis

The purpose of this proposed legislation is to further define a residential rental unit and place in code an exemption previously adopted for units guaranteed to be affordable housing units. The proposed code changes will not have a material impact on City expenses. There is little to no anticipated impact on City revenues as the proposed changes only serve to clearly state and further articulate an existing understanding as to the specific intent of the program.

Agenda Items

11 Consent Agenda in [January 10-11, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/1/10) (<https://www.portland.gov/council/agenda/2024/1/10>)

Passed to second reading

Passed to second reading January 17, 2024 at 9:30 a.m.

46 Consent Agenda in [January 17, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/1/17) (<https://www.portland.gov/council/agenda/2024/1/17>)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea