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# 191898

Ordinance

## Amend Code to create the Portland Advisory Committee on Housing for Portland Housing Bureau (replace Code Chapter 3.38, repeal Code Chapter 3.133, and amend Code Chapter 3.36)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In January 2009, the City Council passed Ordinance 182465, merging the City's Bureau of Housing and Community Development and the housing staff and functions of the Portland Development Commission (PDC), now Prosper Portland, into the Portland Housing Bureau.
2. In May 2010, the Portland Housing Bureau initiated a strategic planning process. The plan called for the bureau to demonstrate transparency and accountability by adopting a public involvement strategy that provides multiple opportunities for comment and influence for stakeholders. Creating the Portland Housing Advisory Commission (PHAC) was an element of the public involvement strategy.
3. In December 2010, the City Council passed Ordinance 184329, adding the Portland Housing Advisory Commission to city code.
4. In October 2017, in response to the City's growing role in the regulation of landlord-tenant law, the City Council passed Ordinance 188633, adding the Renter Services Commission (RSC) to city code.
5. Every five years, the City of Portland is required to submit an assessment of fair housing, in accordance with the Affirmatively Furthering Fair Housing (AFFH) rule, to the United States Department of Housing and Urban Development (HUD).
6. In 2010, the City of Portland, via the Portland Housing Bureau, established an Analysis of Impediments Review Committee to advise the Portland Housing Bureau on its report to HUD.
7. In September 2011, the City Council passed Resolution 36878, adopting the City of Portland Fair Housing Action Plan including the recommendations made in the Analysis of Impediments to Fair Housing Choice analysis.

Introduced by

[Mayor Ted Wheeler](#)

City department

[Housing Bureau](#)

Contact

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Analyst II

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**Requested Agenda Type**

Regular

**Date and Time Information**

**Requested Council Date**

September 25, 2024

Changes City Code

8. A key recommendation from the Fair Housing Action Plan was to create a Fair Housing Advocacy Committee (FHAC) to review and monitor future fair housing plans and to function as a strong advocate for fair housing in the jurisdiction.
9. Since 2010, PHAC advised the Housing Bureau on housing policy, planning, and program development as well as served at the bureau's budget advisory committee.
10. PHAC was instrumental in raising the tax increment financing affordable housing set aside rate from 30 percent to 45 percent. The commission's support was essential to achieving our goals for the "11x13" preservation project (11 projects preserved by 2013) which provided critical preservation needs for extremely low income housing.
11. Since 2011, FHAC has monitored implementation of the Analysis of Impediments to Fair Housing Choice, continued to update local fair housing data, and provided a public forum for fair housing issues.
12. In 2018, HUD made significant changes to the assessment tools and ultimately repealed the AFFH rule requiring fair housing assessments, directly impacting the scope of work and purpose of FHAC.
13. While the Biden Administration signaled a return to a required assessment with proposed rules in 2023, permanent rules have not been published. This shifting political landscape at the national level and unclear direction regarding jurisdictional duties under AFFH, FHAC has faced mounting difficulties in attempting to update a clear Fair Housing Action Plan and monitor any implementation.
14. Since 2017, RSC has advised City Council on a number of landlord tenant policies and served as the primary public forum on rental housing.
15. From 2017 to 2020, RSC provided technical review and stakeholder input on the Mandatory Renter Relocation Assistance policy (PCC 30.01.085 Portland Renter Additional Protections), Rental Registration Program, and FAIR Ordinances. RSC has issued formal recommendations on anti-harassment policies, rental assistance, and stabilization policies during the COVID-19 pandemic.
16. While each of these advisory bodies have provided valuable input to the Housing Bureau regarding their subject area, their overlapping themes within housing policy and the unpredictable political directives both nationally and locally have made it challenging to maintain robust workplans for each body. Community members serving on these advisory bodies have repeatedly expressed concerns about the impact of their work, overlapping scopes, and duplication of their efforts. Housing Bureau staff serving as liaisons also face capacity concerns in supporting three advisory bodies related to housing policy broadly.
17. Since the beginning of 2023, the Housing Bureau has received guidance from the Office of Community & Civic Life as well as Bureau Commissioners to identify potential opportunities to streamline and improve function of advisory bodies.

18. Approved in 2022, Ballot Measure 26-228 approved various reforms to the City of Portland Charter, including streamlining administrative functions and expanding city council. These changes to the Portland Housing Bureau's advisory bodies are in alignment with streamlining city functions and creates a clear community advisory body for future city council to engage with for policy issues related to housing.

NOW, THEREFORE, the Council directs:

- A. Replace City Code Chapter 3.38 Portland Housing Advisory Commission with the Portland Advisory Committee on Housing, as shown in Exhibit A.
- B. Disband and dissolve the Portland Housing Advisory Commission.
- C. Amend City Code Chapter 3.36 Portland Housing Bureau, as shown in Exhibit B.
- D. Repeal City Code Chapter 3.133 Rental Services Commission.
- E. Disband and dissolve the Rental Services Commission.

## Exhibits and Attachments

 [Exhibit A](#) 219.87 KB

 [Exhibit B](#) 213.19 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  
September 25, 2024

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

The purpose of the proposed legislation is to consolidate three existing Portland Housing Bureau advisory bodies (Portland Housing Advisory Commission, Rental Services Commission, Fair Housing Advocacy Committee) into a new singular advisory body named the Portland Advisory Committee on Housing.

In December 2010, City Council passed Ordinance 184329 creating the Portland Housing Advisory Commission (PHAC) in alignment with the principles of transparency and accountability in regard to the work of the

Portland Housing Bureau. In October 2017, in response to the City's growing role in the regulation of landlord-tenant law, the City Council passed Ordinance 188633, which created the Renter Services Commission (RSC). In September 2011, the City Council passed Resolution 36878, adopting the City of Portland Fair Housing Action Plan with a key recommendation to create a Fair Housing Advocacy Committee (FHAC).

While each of these advisory bodies have provided valuable input to the Housing Bureau regarding their subject area, their overlapping themes within housing policy and the unpredictable political directives both nationally and locally have made it challenging to maintain robust workplans for each body. Community members serving on these advisory bodies have repeatedly expressed concerns about the impact of their work, overlapping scopes, and duplication of their efforts. Housing Bureau staff serving as liaisons also face capacity concerns in supporting three advisory bodies related to housing policy broadly.

Since the beginning of 2023, the Housing Bureau has received guidance from the Office of Community & Civic Life, Bureau Commissioners and in the work of the charter transition to identify potential opportunities to streamline and improve function of advisory bodies. These changes to the Portland Housing Bureau's advisory bodies are in alignment with streamlining city functions and creates a clear community advisory body for future city council to engage with for policy issues related to housing.

### **Financial and Budgetary Impacts**

No financial or budgetary impacts.

### **Community Impacts and Community Involvement**

These changes are in response to continual feedback and concerns expressed by community members serving on several of the Portland Housing Bureau's advisory bodies since 2021.

In June 2024, the Portland Housing Bureau held a series of meetings to gather feedback on their recommended changes to these advisory bodies from internal staff and currently appointed members of the Portland Housing Advisory Committee (PHAC), Rental Services Commission (RSC) and the Fair Housing Advocacy Committee (FHAC). Both staff and currently appointed members broadly supported these changes, and their feedback has been incorporated.

### **100% Renewable Goal**

This legislation does not have an impact on the City's renewable energy goals.

## Financial and Budget Analysis

No fiscal impact. The purpose of the proposed legislation is to consolidate three existing Portland Housing Bureau advisory bodies (Portland Housing Advisory Commission, Rental Services Commission, Fair Housing Advocacy Committee) into a new singular advisory body named the Portland Advisory Committee on Housing.

## Document History

Item 810 Regular Agenda in [September 18-19, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/18) (<https://www.portland.gov/council/agenda/2024/9/18>)

City Council

Passed to second reading

Passed to second reading September 25, 2024 at 9:30 a.m.

Item 825 Regular Agenda in [September 25, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/9/25) (<https://www.portland.gov/council/agenda/2024/9/25>)

City Council

Passed

Aye (4): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez

Absent (1): Ted Wheeler