



October 21, 2021

Governor Kate Brown
President Peter Courtney
Speaker Tina Kotek
Oregon State Capitol
900 Court Street NE
Salem, Oregon 97031

Dear Governor Brown, President Courtney, and Speaker Kotek,

Good afternoon,

On behalf of Oregon's housing provider community, we are reaching out to share an overview of the current challenges, and offer solutions to, housing instability related to the COVID-19 rental assistance crisis.

After reviewing current renter protections, court records for eviction filings, and the emergency rental assistance distribution information, we do not see how a special session is the appropriate avenue to address the current challenges renters and housing providers are facing with accessing rental assistance.

We understand that despite a broad array of current protections for nonpayment of rent and hundreds of millions of dollars in rental assistance available, renters are still feeling extreme uncertainty and stress related to the pandemic. The moratorium was extended by the Governor and the Legislature a handful of times already with the same result each time. We are now told by OHCS that the program needs more time to be effective.

We need to speed up, not slow down, the delivery of rental assistance. Another extension of the moratorium will undermine the urgency of the situation and, most importantly, do nothing to solve the agency-level problems with the state's rental assistance program.

The following is an overview of housing instability in Oregon related to the pandemic and proposed solutions to address barriers to accessing assistance.

Current Renter Protections

- Under SB 278, renters have a 60-day extension of the moratorium if they file for assistance, 90 days in Multnomah and Washington county. This specifically kicks in when they notify their property owner, not when they file, so it is longer than 60 or 90 days.
- **Under SB 278, there is also a loophole where renters can cancel their applications and resubmit to restart that 60- or 90-day clock. In other words, this provides for an infinite amount of extensions of the moratorium.**
- The Chief Justice of Oregon issued [a judicial order](#) requiring a 21-day delay for first appearance for eviction hearings, and trials to occur after first appearance no earlier than 20 days and no later than 30. That is at least another 40-day extension to apply for assistance.
- Judges also can delay first hearings indefinitely if they are aware that a renter is eligible for assistance.
- Oregon has hundreds of millions in rental assistance on hand and more coming. So far it has been more than enough to meet demand.
- SB 282 prevents any evictions for nonpayment of rent until March of 2022 from going on permanent records, including credit reports.

Eviction Filings Data

See attached chart for data. To get a better understanding of housing instability in Oregon since the implementation of SB 278, Multifamily NW reviewed every eviction filing in every county from July 2021 through September 2021. They also looked back at those same months in 2019 for a pre-COVID-19 comparison.

The court filings show the following:

1. Filings are far below pre-COVID-19, indicating that the “wave” of evictions is not materializing as some projected.
2. 52% of all filings have been for nonpayment and could be addressed through federal rental assistance. This means half of all eviction filings could be addressed overnight if OHCS wanted to cross reference the filings and quickly identify Oregonians in need.
3. Many of the filings for nonpayment have been dismissed because the renter eventually applied for or received assistance.
4. The online court records contain contact information for renters. OHCS could look up every single person who has received a complaint for nonpayment and reach out to them directly to help. If OHCS wanted to, they could engage before renters needed to enter a courtroom for their first hearing.
5. Outreach by community organizations (Don’t Evict PDX, Oregon Law Center and others) to help enroll people for assistance has relied heavily on monitoring court dockets and intercepting people at the courts, allowing them to register people for assistance on the spot. This is clearly an effective method of getting help to those in need.

Analysis of Rental Assistance Distribution

See attached chart for data. For a better understanding of how the rental assistance programs are performing, we have reorganized the data provided by OHCS on their dashboard.

OHCS data on rental assistance distribution shows the following:

- The ratio of complete vs. incomplete applications have remained relatively unchanged at about 25% since the launch of the program. This would indicate renters are continuing to struggle with the 25-page application packet.
- Only 14,304 out of 38,474 applications (37.8%) have actually received payment since the program launched in May (150+ days ago).
- Many counties have excelled at distributing rental assistance, while others are far behind. The reasons for this have not been shared with the public, despite housing providers regularly requesting transparency.
- Multnomah, Washington and Clackamas counties' applications have been referred to a centralized hub managed by a third-party contractor PPL LLC. Community Action Agencies (80% paid) have continued to outperform PPL (54% paid) in processing applications.

Next steps to address immediate housing instability

Renters and housing providers have both done their part. Now the state needs to uphold their end of the deal and start distributing these funds. Here are our recommended next steps to address housing instability:

- Cross reference court filings with rental assistance applications and immediately cut a check to Oregonians in need or send them to the front of the queue for processing.
- OHCS needs to better communicate with housing providers about the status of applications and if renters have qualified for assistance. This will address the uncertainty about payment that is leading to many notices being filed.
- Offer housing providers better access to the Alita software to address discrepancies generated by the software. This will expedite the current backlog of applications, and according to OHCS, is the main obstacle to distributing relief.
- Simplify the applications for rental assistance by following Treasury guidance to allow for self-attestations and reduce the amount of documents and paperwork needed. The complex nature of the applications has drastically impeded access to assistance during this emergency.
- Counties that are high-performing should be utilized to process other counties' applications to expedite elimination of the backlog.

It is clear that administrative challenges are holding back the emergency rental assistance. Clearly, none of these actions require a special session. OHCS could take administrative action and additional funding could be provided through the legislative emergency board.

We also acknowledge that this situation has brought forward a deep need for expanded assistance to renters due to Oregon’s ongoing housing crisis and we continue to offer our organization as partners in addressing this crisis moving forward.

Oregon Eviction Filings 2021									
County	July			August			September		
	2019 Filing	2021 Filing	Non-PMT	2019 Filing	2021 Filing	Non-PMT	2019 Filing	2021 Filing	Non-PMT
Baker	1	0	0	0	0	0	1	0	0
Benton	16	16	9	21	21	15	10	19	17
Clackamas	31	15	4	38	21	7	37	8	2
Clatsop	17	12	3	17	10	3	4	8	1
Columbia	12	4	3	13	10	5	7	9	5
Coos	40	13	3	28	26	2	30	17	7
Crook	9	7	5	11	7	3	14	6	3
Curry	9	3	0	4	9	1	9	10	3
Deschutes	50	19	7	61	31	11	34	26	8
Douglas	27	24	1	28	27	16	27	26	14
Harney	0	0	0	1	0	0	0	0	0
Hood River	0	0	0	3	2	1	2	0	0
Jackson	86	39	13	108	61	16	101	56	22
Jefferson	12	3	0	4	5	2	14	8	3
Josephine	30	27	4	28	32	4	25	12	1
Klamath	47	36	2	56	33	8	46	30	14
Lake	2	1		0	0		4	2	2
Lane	171	65	22	121	95	46	145	100	35
Lincoln	14	6	1	10	15	2	10	14	6
Linn	39	52	30	33	28	14	31	36	23
Malheur	5	2	0	4	5	1	5	3	0
Marion	183	95	63	141	90	58	155	109	58
Morrow	0	4	4	3	1	1	1	1	0
Multnomah	537	206	180	519	249	172	533	244	148
Polk	34	14	10	31	12	6	34	25	10
Tillamook	6	7	1	2	5	3	2	7	2
Umatilla	23	16	0	24	17	5	24	18	7
Union	14	4	3	7	9	2	1	6	2
Wallowa	0	0	0	2	2	1	1	5	1
Wasco	3	4	4	6	2	1	13	5	1
Washington	274	81	50	249	90	63	279	92	72
Yamhill	30	22	12	18	15	10	20	13	9
Totals	1722	797	434	1591	930	479	1619	915	476
2021 Non-Pmt as % of Filings		54%			52%			52%	

OERAP Rent Assistance October 15, 2021

Community Action Agencies			Completed	Incomplete	Approved	Paid	Amount	% Paid
ACCESS	Aging Comm. Coord. Enterp. & Supt. SVCS	Jackson County	1,725	200	705	609	3,985,805	35%
CAPCO	Com.Action Prog. E. Central OR	Gilliam, Morrow, Umatilla, Wheeler	702	163	603	365	1,689,932	52%
CAT	Community Action Team, Inc.	Clatsop, Columbia, Tillamook	547	184	771	693	3,301,722	127%
CCNO	Community Connection of NE OR, Inc	Baker, Grant, Union, Wallowa	821	57	596	494	1,308,074	60%
CinA	Communities in Action	Harney, Malheur	303	85	270	229	753,239	76%
CSC	Community Services Consortium	Benton, Lincoln, Linn	1,792	151	1,022	841	5,789,660	47%
KLCAS	Klamath & Lake Comm. Action Services	Klamath and Lake	659	102	619	570	2,599,902	86%
LC	Lane County Human Services Division	Lane County	1,982	1,572	1,771	1,555	10,112,179	78%
MCHA	Mid Columbia Comm. Action Council, Inc	Hood River, Sherman, Wasco	236	102	242	216	866,824	92%
MWVCAA	Mid-Willamette Valley Comm. Action Agency	Marion and Polk	3,858	1,384	2,144	1,498	11,250,008	39%
NIMPACT	NeighborImpact	Crook, Deschutes, Jefferson	1,589	308	1,195	1,037	6,637,161	65%
ORCCA	Oregon Coast Community Action	Coos and Curry	744	224	317	110	486,442	15%
UCAN	United Community Action Network	Douglas, Josephine	957	813	1,009	758	4,413,351	79%
YCAP	Yamhill Community Action Partnership	Yamhill County	614	291	487	376	2,268,532	61%
		Totals	16,529	5,636	11,751	9,351	55,462,831	57%

PPL Counties Combined			Completed	Incomplete	Approved	Paid	Amount	% Paid
PPL	Wash, Clack, Mult Counties	Public Partnership LLC	21,882	7,711	9,201	4,938	36,796,815	23%

Source: Oregon ERA Weekly Report Dashboard by Oregon Housing and Community Svcs.
 Last Updated: October 18, 2021, 3 pm