



HOUSING SENIORS | CREATING HOPE | PILOTING CHANGE

May 3, 2023

Senator Kayse Jama  
Chair, Senate Committee on Housing and Development  
900 Court St NE, S-409  
Salem, OR 97301

**RE: Support for HB 2680**

Chair Jama, Vice-Chair Anderson, and Members of the Committee:

Thank you for the opportunity to share testimony, on behalf of Northwest Pilot Project, in strong support of HB 2680. This bill will create transparency and much-needed regulation of tenant screening fees by:

- Requiring landlords to provide prospective tenants with documentation when processing rental applications and running background checks using their screening fee;
- Establishing a 30-day deadline for landlords to return screening fees to applicants who are not screened; and
- Requiring landlords to provide information to applicants about their right to have their screening fee refunded.

Northwest Pilot Project (NWPP) is a social service agency with over five decades of experience in providing housing stabilization services to low and very low-income older adults, age 55 and over, experiencing or at risk of homelessness in Multnomah County.

Across the state, as rental vacancy rates plummet and housing becomes less and less affordable, an increasing number of Oregonians are experiencing greater housing instability and homelessness, including many older adults. Due to decades of racially discriminatory housing practices, Black, Indigenous, and People of Color (BIPOC) communities are over represented among the vulnerable seniors that NWPP serves as well as in the overall populations experiencing or at risk of homelessness throughout the state.

Excessive application fees are significant barriers to accessing affordable housing for low-income tenants and individuals experiencing homelessness. Recent data indicates that BIPOC renters are

“disproportionately harmed by the cost of application screening fees.”<sup>1</sup> According to the 2022 Zillow Consumer Housing Trends Report, Black and Latinx renters were nearly twice as likely to submit five or more applications.<sup>2</sup> Additionally, renters of color reported paying a higher median application fee than white renters: The typical white renter reported paying \$35 in application fees on their rental, while the typical Black, Latinx, and Asian renters all reported spending \$50 on application fees.<sup>3</sup>

In addition to unregulated application fees, the current screening process lacks transparency and structure. Prospective tenants frequently pay the application fee without ever hearing about the status of their application, or if their background check was even conducted. NWPP staff see this frequently as we work with our clients. Many tenants are unaware of their rights to have their screening fees returned if the application is not processed, yet some landlords do not comply with this obligation. This bill identifies narrow changes to applicant screening law to help renters and landlords navigate requirements for accepting and refunding application fees.

Improving the application screening process is a critical step in dismantling the structural inequities at play in Oregon’s rental housing market. We strongly encourage your support of HB 2680. Thank you for your time and consideration.

Sincerely,

Laura Golino de Lovato  
Executive Director  
Northwest Pilot Project

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<sup>1</sup> The Case Against Rental Application Fees (The Georgetown Journal on Poverty and Law, Fall 2022), Eric Dunn, Georgetown University Law Center. <https://www.law.georgetown.edu/poverty-journal/wp-content/uploads/sites/25/2023/01/The-Case-Against-Rental-Application -Fees.pdf>

<sup>2</sup> “Renters: Results from the Zillow Consumer Housing Trends Report 2022” <https://www.zillow.com/research/renters-consumer-housing-trends-report-2022-31265/>

<sup>3</sup> Ibid.