



MULTIFAMILY NW

The Association Promoting Quality Rental Housing

February 27, 2023

Oregon House Committee on Housing & Homelessness
900 Court. St NE
Salem, OR 97301

RE: Comments on HB 2001-8

Chair Dexter, members of the committee,

Multifamily NW is the largest association of housing providers in the state, with more than 1,000 members collectively managing more than 275,000 units throughout Oregon and southwest Washington. Our association advocates for common sense public policy with one goal in mind: Keeping Oregonians housed. We believe that to do that, this Legislature must focus on providing permanent rent assistance to low-income Oregonians, ensuring that housing supply is aligned with our growing population, and creating a regulatory environment where housing providers can do what they do best – provide housing.

To be clear, our association does not and will not have a formal position on the entirety of this bill – there are far too many specific components for our diverse membership to fully support or oppose all of them. What we can say with certainty is that this bill is an important step toward stabilizing housing for Oregonians, however, we do have some concerns we need to raise.

Firstly, we have greatly appreciated the focus on housing stability during this current legislative session and have been grateful to see housing providers' perspectives included in the proposed legislation – specifically related to safe harbor periods and guest occupancy rules.

While Multifamily NW is neutral on the elements of HB 2001 that related to SB 799, our members have several concerns about the practicality (and potentially, the legality) of the other elements included in the -8 amendment. The primary problems with the -8 lie in several duplicative or burdensome requirements for reporting, and unclear definitions that could make execution of these well-intended programs more difficult.

This bill rightly has an emergency clause attached to it; we ought to be treating this situation like the crisis that it is and focus on immediately implementable solutions that we know be effective.

Simplify Dashboard and Reporting Requirements

We can appreciate the directive for Oregon Housing and Community Services (OHCS) to build and manage a new statewide dashboard that keeps local municipalities accountable toward their housing production goals. However, including housing equity indicators – like outcomes based on English speaking proficiency – will be a next to impossible task.

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Every housing provider around the state is subject to stringent federal Fair Housing laws that ensure equity remains at the forefront of the property management industry. Layering in new requirements for OHCS staff to collect information about “housing conditions” by race, environmental concerns, or income would be duplicative and could have ramifications for housing providers’ need to comply with federal Fair Housing law in the future.

While we don’t necessarily oppose the reporting of equity indicators at a state level, we want to ensure that this dashboard and the associated accountability efforts have every chance of successfully guiding cities across Oregon to reach their housing goals.

Clarify Fair Housing Definitions and Guiding Principles

Housing providers around the state look to Multifamily NW for expertise and guidance on compliance with federal Fair Housing law. We host several trainings each year on the subject.

That is one of the reasons we feel compelled to highlight issues with Section 28 of the -8 amendment’s inclusion of a provision regarding “affirmatively furthering fair housing.” The proposed legislation provides some loose definitions of this new requirement, but ultimately raises more questions than it answers. Without clear definitions and metrics on this requirement, executing on any proactive strategy developed to that end is going to be quite impractical. At the very least, there should be clear legislative intent on the record for how the Oregon Legislature envisions what “furthering fair housing” means.

The legislation also calls for a set of principles that will guide the Department of Land Conservation and Development to assist with setting critically important housing targets. Because this is such a key element of accelerated housing production, we feel that it is imperative that those principles are actionable. Currently, the bill lacks a concrete definition for “housing that is safe, accessible, and affordable” to every Oregonian in the “community of their choice.”

If we cannot define what each of these terms mean in relation to housing targets and metrics, and how exactly they will be acted on, we should not distract from the urgency of this situation by issuing an unclear mandate to a state agency that we will rely on to achieve those targets.

Further Strengthen Protections for Local Governments

We do appreciate the clarification that any city or department working to accelerate the development of housing will not be subject to land use review or appeal. Oregon’s strict land use process has been a challenge to navigate for housing developers, which has directly led to the stunning undersupply we are currently facing. We would support any additional language to clarify and strengthen this protection for local governments.

In that same vein, we respectfully oppose the inclusion of a requirement for cities with 25 percent or more residents that are rent burdened to host an annual public hearing to explore why residents are rent burdened. We all know why Oregonians are rent burdened: Their incomes aren’t aligned with the cost of housing, and the cost of housing is largely due to factors outside housing providers’ control like increased local tax burdens, utility increases, the cost of goods, inflation/wage increases, etc.

The solution is not a state mandated city meeting which would be triggered by time-intensive and costly data collection and can take away valuable time for city officials that are already likely holding hearings on housing issues. It also opens the door for local efforts to delay statewide strategies for housing stability. This is wholly unnecessary.

We look forward to continuing to work with the committee and the entire Legislature to ensure that this bill will help our state make significant progress in addressing the housing emergency. Thank you very much for considering our perspective.

Sincerely,

Deborah Imse
Executive Director