

Submitter: Kim McCarty

On Behalf Of:

Committee: House Committee On Housing and Homelessness

Measure, Appointment or Topic: HB4123

Re: Support for HB 4123 - Legislation to Protect Tenant Privacy

Chair Marsh, Vice-Chairs Andersen and Breese-Iverson, and Members of the Committee:

My name is Kim McCarty and I am writing on behalf of tenants in support of HB 4123, which will support Landlord Confidentiality, and Tenant Privacy of Information. In my role as a tenant advocate I am hearing from organizations that serve tenants that tenants are afraid that their personal data will be misused. If the misuse is intentional or by mistake the risks and outcomes are the same. Everyone deserves common sense protection from this kind of harm.

In the course of applying for, securing, and maintaining housing, tenants and applicants share significant amounts of personally identifying, financially sensitive, and other private information with their landlords and property managers. It is well recognized that public disclosure of this type of data can put people at risk of theft, fraud, and other harms.

This legislature has taken important steps in many contexts to provide reasonable consumer protections against inappropriate disclosure of private information.

However, there is currently no Oregon landlord-tenant law providing confidentiality protection for the sensitive information that landlords gather.

HB 4123 will add a clear and simple provision to Oregon's Landlord Tenant law, specifying that certain personally identifying, financially sensitive, and other private information may not be disclosed without the written consent of the tenant, unless in response to a court order.

The bill clearly defines the types of information that must be kept confidential, and specifies appropriate exemptions for business necessities like conducting background or reference checks, or as necessary for the landlord's use in any administrative, court, or collection actions. The bill also ensures that affordable housing providers would be exempt from any contradictory requirements imposed by their local, state, or federal funders.

Privacy protections are urgently needed in housing, where we all want and deserve to feel safe at home. Tenants need to know their private information is secure. And landlords will benefit from having a bright line in the statute that will provide legal clarity, consistency and certainty.

For all of these reasons, we urge your strong support of this bill. Thank you for the opportunity to submit testimony and for your service to Oregon communities.

Sincerely,

Kim McCarty