

Senate Bill 291-4

With respect to Individualized Assessments, we want to be very clear that we SUPPORT the Federal guidance on performing individualized assessments.

We've included as an attachment the April 4, 2016 memo from The US Department of Housing and Urban Development that outlines how to conduct them. Performing Individualized Assessments is consistent with the intent of Fair Housing Act Standards.

Why do we oppose SB 291-4?

1. Applicants Choice – Applicants should have the right to decide if they want an IA done. This law does not leave the decision to the applicant. Housing providers must conduct the IA whether the applicant wants this or not. Some applicants do not wish to re-litigate their past, and it should be their option to opt into an intrusive investigation of their personal data.
- This rule is impractical from the standpoint of workflow:
 - What if the applicant is non-responsive to the process? How can the housing provider process an approval or denial then?
 - What if the applicant has a violent past and takes issue with a site employee asking specific personal details about their past crimes. If it's not the applicants wish to divulge this information, this places site employees in a tenuous position -- potentially in danger, often alone in an office.
 - There is an important distinction between this being a **voluntary** process on the part of the applicant, and a **mandatory** process driven by housing providers.
- The State of Oregon should maintain alignment with Federal Guidance - HUD will invariably update their guidance over time, and Oregon Law will not remain current.

We recommend not moving forward with this bill. It is not necessary, and we should remain in alignment with the HUD guidance, and not create law that will deviate from this.

Additionally, the bill creates unnecessary complication that will drive more small property owners who self-manage out of the business.

We appreciate your careful consideration, and please do not hesitate to reach out to me with additional questions.

Thank you.

Michael Havlik

Deputy Executive Director for Multifamily NW.