

THIS NEW LAW AFFECTS YOUR RENTALS!

The Housing Choice Act of 2013 went into effect July 1st.

by **Jim Straub, ORHA Legislative Director**

The Housing Choice Act of 2013, otherwise known as the “Section 8 Bill,” went into effect on July 1, 2014 and could potentially affect all landlords in Oregon. Make sure you know your rights and responsibilities under this new law. The Housing Choice Act:

- Includes federal rent subsidies and other local, state, and federal assistance under the state’s source of income protections.
- No landlord will be forced to accept Section 8 under this law, but no landlord will be able to refuse to rent to someone solely because their income is a Section 8 voucher. In other words, a landlord may not refuse to rent to an applicant or tenant, or treat an applicant or tenant differently from others, because their source of income is a Section 8 voucher or other form of housing assistance.
- Oregon landlords do not have to change who they rent to. They are not required to change their screening criteria, including their income threshold required to rent their properties. If they would not have rented to someone who did not meet their screening criteria before this law goes into effect, chances are they will not have to rent to them now. How they view their Section 8 voucher as income is the real difference here.
- There is a Housing Choice Landlord Guarantee Fund to help protect landlords. This is a fund for landlords who sustained damages to their rental properties by Section 8 tenants. Landlords may make a claim to be reimbursed for the cost of damages from this fund as long as the damages exceeded normal wear and tear, the landlord obtains a court judgment, and the cost of claimed damages was more than \$500 and less than \$5,000. The Housing Choice Advisory Committee will help ensure that the fund is being managed as intended.

Oregon Housing and Community Services agency has now published the final version of the Housing Choice Landlord Guarantee Fund rules. Additionally, they have a nice toolkit for landlords that includes

summary information about the program, as well as the forms you'll need to file a claim with the program and to request information about whether a tenant is repaying their claim.

Rules:

http://www.oregon.gov/ohcs/pdfs/public_notices/813-360-Administrative-Rule-Housing-Choice.pdf

Toolkit:

http://www.oregon.gov/ohcs/Pages/css_housing_choice_landlord_guarantee_assistance.aspx.

- As always, if you have questions, contact your local ORHA organization for more information.