

Call us if you have been discriminated against 1-800-424-3247 ext. 2
www.fhco.org or email information@fhco.org

What does housing discrimination look like?

You are told housing is not available, but you know it really is.



A landlord refuses to rent to you because your first language is not English.

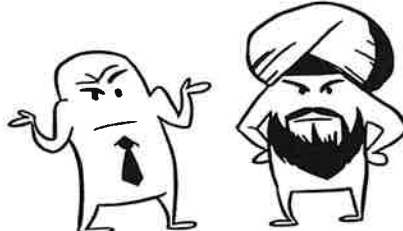


Your landlord charges a fee for each person living in your house.



Your landlord refuses or takes longer to make repairs on your apartment, but does it for others who are not immigrants.

Your neighbors harass you because of where you are from, and your landlord does nothing to stop it

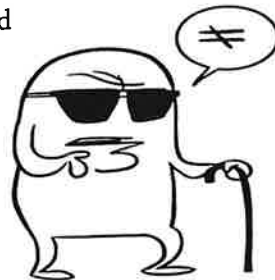


You are asked where you were born when you apply for an apartment



Your landlord asks you to trade sex for rent.

You are treated differently because you have a disability

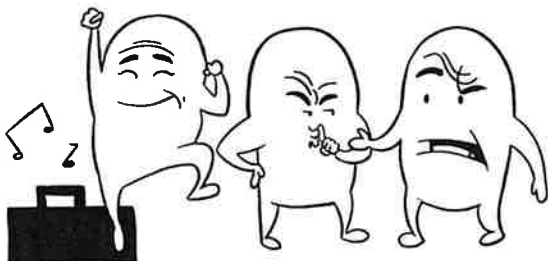


You are told that there are no apartments available for families or that children are not allowed.

You are evicted because you have called the police because of domestic violence and neighbors have complained.



You are given different rules than other people.



Has this happened to you?

If you think you have faced discrimination, or if you would like more information about your rights, you may call our hotline at 1-800-424-3247 ext. 2, or visit our website at www.fhco.org.

All of our services are free and confidential. We are not a government agency.



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IMPORTANT NEW PROTECTIONS FOR RENTERS

The Oregon Legislature has passed new protections for renters in HB 2001 (2023). Under the new laws, renters have important rights that can help protect from eviction because of nonpayment of rent, fees, or other money owed to a landlord. These new rights include:

- Termination notices for nonpayment of rent must give at **least 10 days** for renters to pay the late rent and stay in their homes.
- If renters are able to pay their overdue rent after a court case has started, but before the trial, the eviction must be dismissed.
- If landlords prevent renters from paying their rent in any way, including by refusing to work with a rent assistance provider, renters have a defense to evictions for nonpayment.

Termination notices for nonpayment of rent must give at least 10 days to pay

Under the new law, renters who rent month to month or have a lease have a right to at least 10 days' notice before a landlord can evict for nonpayment of rent. 72-hour notices are no longer allowed for any tenancy other than week-to-week tenancies. If a renter pays the late rent in full during the 10-day notice period, the landlord cannot file an eviction based on the unpaid rent. If a landlord gives a 72-hour notice for nonpayment of rent, renters may have a legal defense to an eviction case.

Renters can pay overdue rent after an eviction case has started

Even if a landlord has already started an eviction case, renters now have the right to pay their overdue rent and get the eviction case dismissed. Landlords no longer have the right to refuse a rent payment just because the time to pay stated on the nonpayment notice has passed. Renters have until the time of their trial to pay their landlord the amount of rent that is due on the termination notice.

Landlords cannot refuse to work with rent assistance providers

If a landlord refuses to work with a rent assistance provider, and as a result a renter can't pay rent, renters have a defense to an eviction that is based on nonpayment. If a landlord prevents a renter from paying rent in other ways, renters may also have a defense.

Legal Help is Available!

If you are being taken to eviction court because of nonpayment, and you think your landlord is not following the law, you should contact the Eviction Defense Project right away. You can call the Eviction Defense Project at 888-585-9638 and leave a message Monday-Friday from 9-1PM. Or you can fill out a web form at <https://oregonlawcenter.org/eviction-defense-project/> at any time.

If you would like to talk to an attorney about your rights, you can find contact information for a legal aid office near you at <https://oregonlawhelp.org/find-legal-help>.

LEGAL REQUIREMENTS FOR TERMINATION NOTICES

This handout is general legal information. It is not legal advice about a specific case. If possible, you should talk to a lawyer about your specific case.

Eviction cases are usually based on termination notices. Termination notices are written documents that a landlord gives a renter to end the rental agreement.

There are different legal requirements for different types of termination notices. If a landlord files an eviction case based on a notice that doesn't follow the law, the renter can win the case. This info sheet lists things that notices must have to be legal. If a notice doesn't have these things, the renter may be able to win at trial.

Checklist for *all* termination notices:

- Every termination notice must be delivered **on paper**. Notices given by email, text message, or verbally are not legal. Notices can't be delivered by certified or registered mail.
- Every termination notice must have a **termination date**. This must be a specific date. It's not enough if the notice says "tenancy will terminate in 30 days" or something like that. There must be a specific date for the tenant to move out.
- Every termination notice must have **information about services for veterans**. The notice can either give contact information for a local veterans' services officer, or contact information for a referral service, like 2-1-1.

Special rules for *specific types* of termination notices:

Because landlords can terminate a rental agreement for different reasons, the rules for termination notices can be different depending on the type of notice.

10 day, 13 day, or 72 hour termination notices for nonpayment of rent:

- Notices for nonpayment of monthly rent must be at least 10 or 13 days. 72 hour notices are only allowed for week to week tenancies.
- Deadline to pay the rent must say both a **date and time**
- Notice must say a **specific dollar amount** that must be paid
- Notice can only require tenant to pay **rent**, not late fees, utilities, or other amounts

24 hour notices for outrageous or criminal acts:

- Deadline to move out must have both a **date and time**
- Notice must say **specific facts**

30 day notices for violations of the rental agreement:

- Notice must say **specific facts**
- Notice must say a way to **cure the violation**

90 day notices for a landlord's reason:

- Notice must say that the landlord is ending the rental agreement for **one of these reasons**:
 - demolishing the rental
 - taking the rental off the rental market/ converting it to another use
 - doing repairs or renovations that would make the rental unlivable
 - moving in to the rental/ moving a family member into the rental
 - the landlord has sold the rental to someone who plans on moving in

This handbook is intended as general legal information. It is not legal advice about your specific case. If you would like advice about your case, you must contact a lawyer. Contact information for legal aid programs is available at the bottom of this information sheet.

RENTERS' RIGHTS TO REDEMPTION (LATE PAYMENT)

Renters in Oregon now have an important new right to stay in their homes if they pay rent or other money owed to a landlord late. Renters have the right to stop an eviction if they pay their landlord late rent, fees, or utilities at any time up until the end of an eviction trial. Landlords do not have the right to refuse to accept a late payment, even if the due date on a nonpayment notice has already passed.

When can renters pay?

Renters can pay money they owe their landlords at any time before an eviction judgment. Renters can pay:

- Before a nonpayment notice expires
- After a nonpayment notice expires, but before an eviction court case is filed
- At or before the first appearance in an eviction court case
- At or before the trial in an eviction court case

What kinds of payments can renters pay late?

Renters can pay rent, late fees, other fees, or utilities that the renter pays to the landlord at any time up until the end of an eviction trial. Renters **cannot** pay money they owe for damage to the rental unit late, unless the landlord chooses to accept the money. If renters get a notice requiring payment to cover damage the renter caused to the rental unit, that payment must be made on time.

Will renters owe late fees or court costs if they pay late?

Yes. If renters pay late, they may owe late fees to the landlord if the late fee is in a written rental agreement. But if a landlord has filed an eviction case in court, renters can have the case dismissed by paying the amount stated on the termination notice. Renters do not have to pay anything extra to get the case dismissed. But landlords can still bill renters for late fees or court filing fees after the case is dismissed.

How should renters pay landlords?

Renters should make sure that if they pay their landlords late, they have proof of the payment. Renters should **never pay in cash unless they get a receipt**. If renters pay their landlords after a court case is filed, renters still need to **show up to any court dates** to tell the court that the landlord got paid.

Who is allowed to pay?

Landlords are not allowed to refuse a payment from a renter, a rent assistance agency, or a third party. If a renter, or someone on the renter's behalf, tries to pay the landlord, and the landlord refuses payment, that may be a defense in an eviction court case. Renters should get proof that the landlord refused to accept payment, and bring the proof to court.

If you would like to talk to an attorney about your rights, you can find contact information for a legal aid office near you at <https://oregonlawhelp.org/find-legal-help>.

INVITATION

Housing Equity Summit & Advocacy Luncheon Thursday, April 20th 2023



Summit 10AM-4PM | Luncheon 12-1PM

State leaders, community-based organizations and advocates working to improve housing access for all Oregonians are invited to participate.

Willamette Heritage Center, Spinning Room

1313 Mill Street SE Salem OR 97301

Half mile from the Capitol

Contact Mel Keller at
mkeller@fhco.org with
questions

RSVP:

