



HOUSE OF REPRESENTATIVES

February 17, 2022

Chief Clerk Sekerak
Oregon State Capitol

RE: Vote explanation for HB 4125 (A-Engrossed)

Chief Clerk Sekerak,

I wish to submit the following explanation for my vote on HB 4125 (A-Engrossed).

HB 4125 (A-Engrossed) – Changes the requirement regarding landlord refunds of screening charges.

In 2019, SB 484 was passed to address the costs for tenants applying for housing by requiring a single application fee for rental approval for one or more units owned by the same landlord within a 60-day period. It also defined the return of the application fee if the unit was rented prior to their approval. In 2021, the application fee and approval/return processes were tightened up further in SB 291. Yet, less than 6 months later it needs to be redefined again. Has there been overwhelming data showing that the goals of SB 484 and SB 291 are not tight enough? This additional change to existing statute seeks to solve a problem that does not exist.

Landlords are already heavily regulated in how they receive application screening fees and when they are required to return them as well as notification of approval and denial.

- Prohibits a landlord from charging more for applicant screening than they pay for it to be done
- Prohibits a landlord from charging a screening fee unless units are available
- Requires landlord to return screening fee if landlord fills vacancy before screening
- Requires a landlord to provide applicant with a receipt for money paid
- Limits a landlord to applying only one screening charge within a 60-day period
- Requires return of the screening fee if the screening does not occur
- Requires a landlord to adopt written screening criteria
- Requires a landlord to provide written notice of criteria, amount of screening charge, process for screening, right to dispute information in screening report and appeal decision

This legislation seeks to solve a problem that is not there and places another requirement on landlords that are still trying to adapt to the last round of changes.

Regards,

Anna Scharf