



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Sean Brady, City Attorney
DATE: September 28, 2021

SUBJECT:

Consideration of Ordinance No. 1461-21, an Ordinance Relating to Landlord Tenant; Extending the 60-Day Protection Period in SB 278 (2021) to 90 Days; Creating New Provisions in Tualatin Municipal Code Chapter 9-12; and Declaring an Emergency.

RECOMMENDATION:

Staff recommends Council consider Ordinance No. 1461-21.

EXECUTIVE SUMMARY:

Ordinance No. 1461-21 extends eviction protections to those seeking rental assistance under Senate Bill 278 (2021) from 60 days to 90 days. A copy of SB 278 (2021) is attached as Attachment A.

In relevant part, SB 278 (2021) requires landlords and courts to provide a 60-day delay in evictions for nonpayment of rent if a tenant provides documentation that the tenant applied for rental assistance.¹ Ordinance No. 1461-21 would extend the 60-day protection provisions in SB 278 (2021) to 90 days in the City of Tualatin.

The Ordinance contains virtually verbatim language to that contained in the relevant portions of SB 278 (2021).² Additionally, the Ordinance contains the definitions of the terms “Landlord” and “Tenant” from ORS Chapter 90 – State Landlord Tenant Law – to ensure the Ordinance appropriately complements State law. The relevant provisions of SB 278 (2021) sunset on March 1, 2022. As a result, the Ordinance contains a similar sunset provision and is automatically repealed on March 1, 2022. The Ordinance also contains an emergency clause, making the Ordinance effective October 1, 2021, if adopted.

The Ordinance will impact Tualatin renters who are behind in rent, but have applied for rental assistance through State or County grants. Due to the volume and nature of the rental assistance programs, 60 days is not sufficient time to provide rental relief to renters. As a result, Ordinance No. 1461-21 would extend eviction protections to 90 days to allow additional time to process requests for rental assistance and provide relief to renters. The goal of extending the eviction

¹ SB 278 (2021) has other provisions regarding the issuance of summons, translation services, and State grants to compensate qualified landlords for 100 percent of past-due rent that accrued during COVID-19 emergency period.

² Sections 4, 5, 6, 7, 9, 10, 11, and 12 of SB 278 (2021) are not included in the Ordinance.

protections to 90 days is to provide renters with aid, which will allow landlords to be fully compensated for past-due rent and avoid evictions.

In sum, Ordinance No. 1461-21 mirrors SB 278 (2021), but extends eviction protections to those seeking rental assistance from 60 days to 90 days.

ATTACHMENTS:

- Attachment A – SB 278 (2021)