

**BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON**

ORDINANCE NO. 1284

Adopting an Eviction Moratorium Six-Month Repayment Grace Period and Suspending Enforcement of Ordinance No. 1282 to Align with the Governor's Statewide Residential Eviction Moratorium.

The Multnomah County Board of Commissioners Finds:

A. On March 11, 2020, the Multnomah County Chair issued Executive Rule No. 388 declaring an emergency for the entire County to address the continued spread of the COVID-19 illness, loss of life, an extreme public health risk, and its significant economic impacts.

B. On March 19, 2020, the Multnomah County Board of Commissioners ratified Executive Order 388 and adopted Ordinance No. 1282 to address the impacts of COVID-19 by creating a countywide residential eviction moratorium. The purpose of the Eviction Moratorium was to promote housing stability during the COVID-19 pandemic to allow County residents to stay home, and to avoid a preventable increase in homelessness due to the economic effects of COVID-19.

C. On April 1, 2020, and following the Board's action, the Governor of the State of Oregon issued a statewide moratorium on evictions with Executive Order 201-13.

D. The Board supports the uniform statewide implementation and enforcement of a residential eviction moratorium, and announces that enforcement of Ordinance No. 1282 is suspended to align with the Governor's Executive Order 20-13.

E. The Board offers this revised Eviction Moratorium Repayment Grace Period to further address the COVID-19 public health emergency and address its significant and long lasting impacts.

Multnomah County Ordains as Follows:

Section 1. Title

This Ordinance shall be known as the Multnomah County COVID-19 "Eviction Moratorium Six-Month Repayment Grace Period."

Section 2. Purpose

The purpose of the Eviction Moratorium Six-Month Repayment Grace Period is to promote housing stability and to avoid a preventable increase in homelessness due to the ongoing impacts of COVID-19.

Section 3. Repayment Grace Period

A. All terms used in this Ordinance have the same meanings as set forth in the Governor's Executive Order 20-13, Section 1.

B. Any residential tenant shall have a six-month repayment grace period to pay all unpaid rent, utility charges, or any other service charges or fees owed to the landlord that accrued during the effective dates of Executive Order 20-13 or any County mandated residential eviction moratorium. No late charges or other penalties arising from nonpayment may be imposed or collected for payments under this provision. The six-month repayment grace period will begin on the first calendar day after the Governor's Executive Order 20-13 or any County mandated residential eviction moratorium is no longer in effect, whichever is later.

C. During the six-month repayment grace period, landlords of residential properties in Multnomah County shall not, for reasons of nonpayment of the amounts identified in paragraph B, terminate any tenant's rental agreement; take any action, judicial or otherwise, relating to residential evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere in any way with such tenant's right to possession of the tenant's dwelling unit.

D. Nothing in this Ordinance relieves a residential tenant's obligations to owe rent, utility charges, or any other service charges or fees, including those obligations subject to repayment during the six-month repayment grace period, except for late charges or penalties arising from nonpayment which were specifically waived during any applicable residential eviction moratorium.

E. Nothing in this Ordinance prohibits or requires a payment plan between a residential tenant and landlord.

Section 4. Penalties and Remedies

A. Any landlord may be subject to civil proceedings for violation of this Ordinance. Proceedings may be initiated by the County or a tenant for damages.

B. A landlord that fails to comply with any of the requirements set forth in this Ordinance shall be subject to appropriate injunctive relief, and for an amount up to 3 times the monthly rent, as well as actual damages, reasonable attorney fees, and costs.

C. Nothing herein shall be deemed to interfere with the right of a landlord to file an action against a tenant or non-tenant third party for alleged damage to the landlord's property.

Section 5. This ordinance being necessary for the health, safety and general welfare of the people of Multnomah County, an emergency is declared and this ordinance will take effect immediately upon being signed pursuant to Section 5.50 of the Multnomah County Home Rule Charter.

FIRST READING AND ADOPTION: April 16, 2020

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Deborah Kafoury

Deborah Kafoury, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

JM Madkour

By _____
Jenny M. Madkour, County Attorney

Submitted by: Deborah Kafoury, Chair

Enforcement Suspended by Ordinance 1287