

Sent VIA Email to Chief Petitioners: [evantburchfield@gmail.com](mailto:evantburchfield@gmail.com) and [jill@jwjpdx.org](mailto:jill@jwjpdx.org)

May 26, 2022

Evan Burchfield  
2608 NE 7th Ave.  
Portland OR 97212

Dear Evan Burchfield;

This letter provides the Election Director's certification of the attached ballot title and explanatory statement as prescribed by a court order dated May 24, 2022, following the ballot title challenge related to MultColnit-09.

We have reviewed your initiative petition paperwork, as to meeting the requirements to collect signatures, and have found it to be in order and to include the certified ballot title as necessary. Please use only the approved forms during signature collection. You must use the same paper color for all petition sheets.

The deadline to collect a minimum of 22,686 signatures from registered voters in Multnomah County is Monday, November 28, 2022.

For the measure to be placed on the November 8, 2022 General Election, the completed petition would need to be turned in no later than Monday, July 18, 2022. This date allows time for the Elections Division to signature verify the petition and for the Multnomah County board to act to refer it to the ballot.

Signature sheets must be numbered prior to submission.

If you have any questions, please don't hesitate to contact us at 503-988-VOTE (8683).

Sincerely,



Tim Scott, Director of Elections  
Multnomah County Elections Division  
1040 SE Morrison St  
Portland OR 97214

CC: Katherine Thomas, Assistant Multnomah County Attorney  
Jill Pham, Chief Petitioner

# Signature Sheet | Local Initiative Referendum

Petition ID **MULTCOINIT-09**

**!** It is against the law to sign a petition more than one time. Signers of this page must be active registered voters of the jurisdiction at the time of signing.

SOME Circulators  NO Circulators for this petition are being paid.

## To the Elections Official of:

→ We, the undersigned voters, request this measure to be submitted to the residents of the jurisdiction listed below for their approval or rejection. A full and correct copy of this measure was made available for review and I have not previously signed a petition sheet for this measure.

County **Multnomah**

City

District

**Ballot Title Caption (Initiative) or Number of Ordinance or Resolution and Date Adopted (Referendum)**

**Establishes residential tenant resources program, eviction representation, capital gains tax.**

**i** Initial any changes the circulator makes to your printed name, residence address or date you signed the petition.

Signature

Date Signed mm/dd/yy

Print Name

Residence or Mailing Address street, city, zip code

1

2

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**Circulator Certification** This certification must be completed by the circulator and additional signatures should not be collected on this sheet once the certification has been signed and dated. I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a voter qualified to sign the petition (ORS 198.750, 221.031, 250.165, 250.265, 255.135). I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature

Date Signed mm/dd/yy

Sheet Number  
Completed by  
chief petitioner

Printed Name of Circulator

Circulator's Address street, city, zip code

Initiative or  Referendum Petition

County: Multnomah

City:

District:

### Ballot Title or Measure Title

→ Insert the final ballot title of the initiative or the title of the measure as enacted by the local governing body. If there is no title chief petitioners may supply one that must include the number of the ordinance/resolution being referred and the date the local governing body adopted the ordinance/resolution.

**CAPTION:** Establishes residential tenant resources program, eviction representation, capital gains tax.

**QUESTION:** Should County create residential tenant resources program providing free lawyers, financial assistance, funded by adjustable 0.75 percent capital gains tax?

**SUMMARY:** Establishes program by ordinance to provide free, culturally specific and responsive legal representation, with translation, to persons sued in Multnomah County residential eviction proceedings (including post foreclosure) as well as related housing claims and appeals, including to maintain public housing assistance. Eviction cases postponed until lawyer can be appointed. Program administered by new Tenant Resource Office. County to contract with at least five nonprofit law firms or community-based organizations to provide services. County to administer, establish rules for discretionary award of funds for emergency rental assistance and payment of legal costs or money awards awarded to property owners. County, designated organizations to prepare annual program reports, provide education about services. County to create registry of residential rental properties. Residential property owners must inform individuals about program when serving notice of termination. Establishes new, adjustable 0.75 percent tax on net capital gains (as defined by Internal Revenue Code) of County residents, effective 2023, to fund program. Supplemental funding from recovered attorney fees, costs. Tax rate may be increased or decreased based on annual reports.

Text Proposed charter or ordinance or text of ordinance as enacted by local governing body.

Available from Circulator

Included below

### Chief Petitioners Names and Residential City and State

Evan Burchfield, Portland, Oregon

Jill Pham, Portland, Oregon

### Instructions for Circulators

- 1 Only active registered voters of the county, city or district may sign the petition.
  - 2 Have signers use a pen when signing petitions. Use a pen when you are certifying petitions.
  - 3 Only one circulator may collect signatures on any one signature sheet of the petition.
  - 4 You must personally witness all signatures you collect and you should not collect additional signatures on the petition sheet once you have signed and dated the circulator certification.
  - 5 It is against the law for circulators to:
    - Circulate a petition containing a false signature.
    - Make false statements to any person who signs the petition or requests information about it.
    - Attempt to obtain the signature of a person who is not qualified to sign the petition.
    - Offer money or anything of value to another person to sign or not sign the petition.
    - Sell or offer to sell signature sheets.
    - Write, alter, correct, clarify or obscure any information about the signers unless the signer is disabled and requests assistance or the signer initials after the changes are made.
    - Accept compensation to circulate a petition that is based on the number of signatures obtained.
- Warning** Violations of the circulator requirements may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years.

### Instructions for Signers

- 1 Only active Oregon voters may sign the petition. Sign your full name, as you did when you registered to vote.
- 2 Fill in the date you signed the petition, your printed name and residence address in the spaces provided. Only you may complete your optional information.
- 3 Initial any changes the circulator makes to your printed name, residence address or date you signed the petition.
- 4 Use a pen when signing the petition.
- 5 It is against the law for signers to:
  - Sign another person's name under any circumstances.
  - Sign a petition more than one time.
  - Sign a petition when you are not qualified to sign it.

SOME Circulators  NO Circulators for this petition are being paid.

Ballot Title or Measure Title

County, City or District Name Multnomah County

CAPTION: Establishes residential tenant resources program, eviction representation, capital gains tax.

QUESTION: Should County create residential tenant resources program providing free lawyers, financial assistance, funded by adjustable 0.75 percent capital gains tax?

SUMMARY: Establishes program by ordinance to provide free, culturally specific and responsive legal representation, with translation, to persons sued in Multnomah County residential eviction proceedings (including post foreclosure) as well as related housing claims and appeals, including to maintain public housing assistance. Eviction cases postponed until lawyer can be appointed. Program administered by new Tenant Resource Office. County to contract with at least five nonprofit law firms or community-based organizations to provide services. County to administer, establish rules for discretionary award of funds for emergency rental assistance and payment of legal costs or money awards awarded to property owners. County, designated organizations to prepare annual program reports, provide education about services. County to create registry of residential rental properties. Residential property owners must inform individuals about program when serving notice of termination. Establishes new, adjustable 0.75 percent tax on net capital gains (as defined by Internal Revenue Code) of County residents, effective 2023, to fund program. Supplemental funding from recovered attorney fees, costs. Tax rate may be increased or decreased based on annual reports.

A full and correct copy of the text of the petition is included.

Chief Petitioners

Evan Burchfield, Portland, Oregon      Jill Pham, Portland, Oregon

Warning! It is against the law for you to sign another person's name under any circumstances, sign a petition more than one time or sign a petition when you are not qualified to sign it.

Instructions Only sign this petition if you are an active Oregon voter, registered to vote in the county, city or district where this petition is being circulated and you personally printed this sheet or requested someone else print it for you.

- 1 You must sign both the request for the petition to appear on the ballot and the certification.
- 2 Sign your name, as you did when you registered to vote.
- 3 Fill in the date, print your name and residence address. Only you may complete this optional information.

Request I request this petition be placed on the ballot for approval or rejection by the voters.

Signature

Date Signed mm/dd/yy

Certification I certify that I personally printed a copy of this sheet or requested a separate person print a copy so that I may sign it.

Signature

Date Signed mm/dd/yy

Print Name

Residence Address street, city, zip code

## APPENDIX A

### **MultCoInit-09 Ballot Title and Explanatory Statement**

**Caption:** Establishes residential tenant resources program, eviction representation, capital gains tax.

**Question:** Should County create residential tenant resources program providing free lawyers, financial assistance, funded by adjustable 0.75 percent capital gains tax?

**Summary:** Establishes program by ordinance to provide free, culturally specific and responsive legal representation, with translation, to persons sued in Multnomah County residential eviction proceedings (including post foreclosure) as well as related housing claims and appeals, including to maintain public housing assistance. Eviction cases postponed until lawyer can be appointed. Program administered by new Tenant Resource Office. County to contract with at least five nonprofit law firms or community-based organizations to provide services. County to administer, establish rules for discretionary award of funds for emergency rental assistance and payment of legal costs or money awards awarded to property owners. County, designated organizations to prepare annual program reports, provide education about services. County to create registry of residential rental properties. Residential property owners must inform individuals about program when serving notice of termination. Establishes new, adjustable 0.75 percent tax on net capital gains (as defined by Internal Revenue Code) of County residents, effective 2023, to fund program. Supplemental funding from recovered attorney fees, costs. Tax rate may be increased or decreased based on annual reports.

**Explanatory Statement:** This measure creates a Multnomah County ordinance establishing a new program to provide free, culturally specific and responsive legal representation, including translation services, to persons facing eviction in Multnomah County residential eviction proceedings (including post-foreclosure), and related claims, including appeals to maintain public housing assistance payments. Any natural person, regardless of immigration status, facing eviction from a residential property can seek services immediately after receiving notice of termination or immediately after having reasonable belief that notice of termination has been served. Residential property includes any building, structure, land, rented space, or transportable dwelling unit, or part thereof, used for a residence.

The program would be administered and managed by a new Tenant Resource Office within the Department of County Human Services. The County would be required to contract with at least five nonprofit law firms or community-based organizations to provide legal representation, including seeking to recover attorney fees, costs, and prevailing party fees when applicable; educate the public about eviction services and related programs; and report annually on predetermined performance metrics. Designated organizations must employ staff attorneys or contract with attorneys to provide representation and must provide competitive salaries and benefit levels.

The County must administer and establish rules for the discretionary award of program funds for emergency rental assistance and payment of legal costs or money awards awarded to residential

property owners or landlords if a represented person does not prevail in a claim. County rules for distribution of those program funds must account for measure's policy objectives, budgetary considerations, fairness, and whether the funds would resolve the legal dispute. County to provide education about eviction services and related programs; maintain a countywide registry of residential rental properties; and prepare annual reports on a variety of metrics. Residential property owners are required to provide written notification about the legal representation program when serving an individual with notice of termination, and failure to do so would require setover of a first court appearance for at least 7 days to allow individual time to seek legal representation. Eviction cases postponed until lawyer can be appointed.

The measure establishes a new, adjustable 0.75 percent tax on net capital gains (as defined by the Internal Revenue Code) of County residents to fund the program, imposed for tax years beginning on or after January 1, 2023. Businesses are not subject to the tax. The tax rate may be increased or decreased based on the County's annual reports. Net revenues, after deducting the costs of collection and enforcement, to be deposited into a separate program fund. If a designated organization is awarded attorney fees or costs, or if the County receives temporary funds from another government for eviction representation, those monies also would be added to the program fund. The fund must accrue and maintain reserve funds adequate to ensure 18 months of continued program operation. The tax will be received, collected, and enforced by the County Chief Financial Officer, or a public agency, who also will adopt administrative rules to implement the tax.