

September 14, 2018

Mayor Ted Wheeler  
Commissioner Chloe Eudaly  
Commissioner Nick Fish  
Commissioner Amanda Fritz  
Commissioner Dan Saltzman  
City of Portland  
1221 SW 4th Avenue  
Portland, OR 97204

Re: Office of Commissioner Eudaly's proposed Screening Criteria Policy Concept (draft 8/10/18)

Dear Mayor and Commissioners:

This letter is from a group of mission-based non-profit housing development agencies, focusing on the work of ensuring that all Oregonians have a healthy and stable place to live. We also serve as the landlords of the housing we create, which means that screening criteria and how decisions are made about accessing affordable housing speaks precisely to the heart of the work we do. We also understand that unreasonable screening criteria rooted in racist systems has an adverse impact on communities of color.

We appreciate that Commissioner Eudaly's staff, Jamey Duhamel, met with the Housing Oregon Portland Metro Policy Council regarding the criteria and the work that has been done on it. We applaud the desire to increase access to housing. **However, as practitioners in the affordable housing community, we have many concerns that remain unaddressed and we are very worried that this set of criteria will have a significant adverse impact on the work we do.** There are many factors to consider when thinking through policy changes around screening applicants, including how we support the current vulnerable residents that we house, how we are consistent and fair, and the actual cost of operationalizing any new procedure.

We recommend that a process be convened to draft a policy proposal that incorporates the expertise of affordable housing and other property owners with knowledge of tested practices that increase access to housing and with knowledge of operational costs and limitations. We also recommend a pilot project and evaluation of the pilot outcomes, before instituting far-reaching policy changes that could reduce available housing and lead to fewer people being housed over time.

Our specific concerns with the current policy as drafted include the following:

- 1- **The criminal history standards are too permissive.** Our primary concern is for the safety of other tenants and existing communities. We are mission-based and work to help people overcome barriers to housing, including people with extensive criminal backgrounds. However, the proposed policy removes thresholds for certain convictions that could negatively impact existing vulnerable residents. We invite a conversation on this set of criteria that includes how and where to apply low-barrier criminal history criteria.
- 2- **A high level of expert legal knowledge will be required to write a Notice of Denial; additionally these policies could put our agencies at legal risk.** It is not clear what types of evidence or claims would need to be shown or proven in a Notice of Denial. The standard for denying applicants

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appears to be prohibitively high, as landlords would be required to refute the presumptions laid out in the policy. Broader dialogue on this process and the outcomes we are trying to achieve would be helpful in creating a more effective strategy. Affordable housing providers are already housing many people with barriers to housing through our current process which often includes individualized assessment through an appeal process.

Individual housing providers have additional concerns including added financial strain on operating budgets of affordable housing communities, with unclear benefits, at a time when we are working to create more housing and increasing operating efficiency. **These changes will make it more difficult to be a provider of affordable housing.** It also raises a related concern— that increased regulations with unclear implementation impacts will cause some private landlords to exit the market.

Some organizations also have significant concern with the latest version of the proposed security deposit regulations and we believe this issue would benefit from convening a broader workgroup.

We definitely want to continue work on making Portland's housing communities more inclusive. We share the goal of a more equitable Portland and think that the current screening criteria proposal is an opportunity to establish a broader process to advance equitable access to housing. We believe a significant breakthrough could be achieved by assembling a broader group of non-profit mission-based affordable housing organizations, social responsible property managers and owners, homeless service providers, culturally specific organizations, and tenant and fair housing advocates.

We urge you to consider our recommendation for a broader process , along with time to test the final product before such significant policy changes are passed by Council. We look forward to working on these issues with others. A broader process will ensure that the end result is operational and that good intentions are not unnecessarily overshadowed by unintended negative consequences.

Thank you,

**BRIDGE Housing**, Cynthia Parker, President & CEO

**Community Partners for Affordable Housing**, Rachael Duke, Executive Director

**Hacienda CDC**, Ernesto Fonseca, CEO

**Housing Development Center**, Joni Hartmann, Executive Director

**Innovative Housing**, Sarah Stevenson, Executive Director

**Northwest Housing Alternatives**, Ray Hackworth Interim Executive Director & Trell Anderson, Incoming Executive Director

**REACH CDC**, Dan Valliere, CEO

**ROSE CDC**, Nick Sauvie, Executive Director