

Legislative Update for Oregon Landlords – Passing of Senate Bill 970

On June 6, 2019, Governor Kate Brown signed into law Senate Bill 970. This Bill added new language to Oregon Revised Statutes (ORS) 90.303 as it relates to the criteria landlords may use to screen for criminal convictions of applicants for residency.

Specifically, landlords may continue to screen for all prior drug-related crimes except for convictions based solely on the use or possession of marijuana.

Also, when evaluating an applicant, landlords may not consider the possession of a medical marijuana card or status as a medical marijuana patient when making a determination about suitability of an applicant. Affordable housing providers subject to federal laws prohibiting the use or possession of marijuana (including medical marijuana) by residents on the premises may continue to enforce those rules with their residents.

Landlords with questions regarding changes to the laws impacting ORS 90.303 should consult an attorney.

The effective date of Senate Bill 970 is January 1, 2020. All screening criteria used by landlords in the evaluation of an applicant must be updated to reflect the changes by this date. Multifamily NW will have forms updated and ready for use before the deadline.

Landlords with any questions, concerns or need for clarification should consult an attorney. Each situation is different, and this update is not to be construed as legal advice in any particular situation.