



April 15, 2019

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**Oregon Progressive Party
Position on Bill at 2019
Session of Oregon Legislature:**

SB 484: Support, only if new big loophole is removed

Dear Committee:

The Oregon Progressive Party would support bill, if its large loophole is closed.

The bill introduces this loophole into a landlord's obligation to return the "applicant screening charge" to the applicant:

ORS 90.205 (8)(a). An applicant may not recover an applicant screening charge from the landlord if the tenant refuses an offer from the landlord to rent the dwelling unit.

The landlord could thus escape any obligation to refund the applicant screening charge merely by offering to rent the dwelling unit to the applicant at an outrageously high rent. Then the landlord can keep the screening charge, even if the landlord never conducted the screening at all.

Also, subsection (8)(a) introduces ambiguity by referring both to "the applicant" and then "the tenant." An applicant is not a tenant, until the applicant has agreed to the tenancy.

We recommend that subsection ORS 90.295 (8)(a) be stricken from the bill. If it is not stricken, then the bill should not be passed.

Oregon Progressive Party

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