

Calls for comprehensive revision of landlord relationship

Senate sets first tenant law hearing today

By NAN HENDERSON
Of the Emerald

SALEM (Special) — A legislative battle between landlords and tenants will begin here at 9 a.m. today during the first hearing on SB159—a comprehensive revision of landlord-tenant laws.

Major provisions of the bill includerequiring landlords to return deposits to tenants, provide "fit and habitable" living conditions in compliance with local building and health codes, and reimburse tenants for repairs the landlord does not make.

The bill also outlines obligations of the tenant to maintain the rental unit in a clean and safe condition in compliance with local building and health codes, and reimburse tenants for repairs the landlord does not make.

The bill also outlines obligations of the tenant to maintain the rental unit in a clean and safe condition, grant the landlord "reasonable access" to the unit and abide by "reasonable" regulations established by the landlord.

University student tenants from the ASUO Housing Office who plan to jump into the fight will join representatives from tenant groups from around the state who today plan to testify in support of the bill before the Senate State and Local Government Committee.

Landlords will not appear before the committee until a later hearing, as today's hearing was labeled "background gathering" by committee chairer Sen. Keith Burns (D-Portland).

The most important person testifying today is Portland attorney James Clark, who helped draft the bill which was adopted at last August's annual meeting of the National Conference of Commissioners on Uniform State Laws.

In a Tuesday interview, Clark outlined the history of the bill and objections landlords raised while the legislation was being drafted.

"A special committee of national commissioners that drafted this bill had an advisory committee of representatives of every group that we could think of that would have an interest in legislation," including representatives from the National Tenants Assoc. and

the National Association of Real Estate Boards, Clark said.

He said, however, that none of the national landlord groups supported the bill. "We had a very difficult time with landlords because, basically, they didn't see any need for revision of existing landlord-tenant relationship."

Clark said the landlords objected to "almost everything in the act" but particularly opposed the security deposit provisions, the provision that states units must comply with health and safety codes and a provision outlawing "retaliatory eviction" (against tenants that join a tenants' union).

Clark reported that after the Aug. 10 conference adopted the bill, the National Association of Real Estate Boards adopted an alternate bill "which tracks ours in dealing with the same issues."

He indicated that the alternate bill is a much weaker piece of legislation and said it will probably also be introduced in the legislature.

Clark said he expects landlords in Oregon to raise objections to the legislation similar to those raised by landlords on the national advisory committee.

He feels, however, that the legislation is "a balanced and fair bill."

"It's a moderate bill," he said, adding, "If you'd heard the proposals tenants wanted us to adopt, you'd think this was conservative legislation."

He stressed that the bill was designed to "balance the obligation" between landlords and tenants but said because of the existing laws, the legislation had to "tilt toward tenants."

But it is not "vindictive legislation" as some landlords assume, Clark said.

Another Portland attorney, Charles Williamson, who works at the Portland Legal Aids Office, assumed the responsibility of finding sponsors for the legislation when Clark came back from the national conference.

Williamson said in a recent interview that he had some difficulty finding sponsors "because the landlords got to many of the legislators first" but he did gain the support of 12 legislators, including Sen. Betty Browne (D-Oakridge) and Sen. Ed Fadeley (D-Eugene).

Williamson said landlords claimed the bill would hurt the state housing market which caused many

legislators to feel apprehensive about the legislation.

Williamson too expects "tremendous opposition" to the bill from landlords because "it's easier for landlords to do business under the existing laws."

The legal aid attorney reported another claim made by landlords is that only "a bunch of radical lawyers support the bill." But he said the bill really reflects the problems all tenants have with landlords.

Williamson said Oregon has "the worst landlord-tenant laws in the country" and reported he is organizing Portland tenant groups to lobby and testify for the bill today and in subsequent hearings.

Frank Wall, ASUO House office director, met Tuesday with tenants interested in testifying in favor of the bill and said in an interview weekly meetings will continue "as long as the legislation is still being considered." (See related story page 3.)

Though only a few persons will testify today, Wall said he hopes to transport masses of tenants to Salem to testify at subsequent hearings. He said any student wishing to testify should contact the ASUO Housing Office or the ASUO Legislative Coordinator's office.

Wall also indicated that he found little support for the legislation among landlords.

He reported that "several" state-wide landlord-tenant meetings were held "early in the fall" in Salem and Portland to discuss the bill.

"Landlords at the meetings just crucified James Clark," Wall said. "We initially went to the meetings with an understanding that we would talk about our areas of agreement first," he said. "But at the meetings, the landlords would come in and just start raising objections."

Wall said the largest Oregon organization actively campaigning against the legislation is the Oregon Apartment House Assoc.

When contacted by the Emerald Tuesday, an unidentified representative of that organization to contribute money for lobbying efforts against the bill.

Clark, Williamson and Wall agreed that few landlords if any will emerge in support of the bill.

Wall said in the 1971 State Legislative session "landlords and tenants went at each other's throats and the legislators finally tabled the whole issue."

He indicated the blood may run again this session.

Problems eased temporarily for ASUO Day Care Center

By CYNTHIA SPINELLI
Of the Emerald

The ASUO Day Care Center's problems are temporarily eased. Director Mary Keenan stressed the word "temporarily" in a meeting with concerned parents and students Wednesday night.

"It appears in some ways we've won our battle," she said. The temporary victory came as the result of an announcement Wednesday morning from the Children Services Division (CSD) in Salem. CSD is relaxing the new eligibility criteria for determining which parents can use the Day Care Centers and receive financial aid for their children.

The criteria originally announced would have cut the ASUO Day Care program by about two-thirds. But with Wednesday's announcement, all parents who were previously eligible have been re-certified, at least until public hearings can be held on the proposed criteria.

Students from Portland State University and

the ASUO center had planned to bring a class suit against CSD, because the new criteria had been established without the required public hearings. The suit said the CSD criteria discriminated against a certain class of people—students.

The ASUO center has already applied for revenue sharing funds from the city. Whether they will get these funds will be decided today. Keenan said that until the center finds out definitely what criteria will be used, the request for city funds won't be withdrawn.

The ASUO center's steering committee met Wednesday afternoon to discuss the possibility of forming an on-going organization to deal with the day care center's problems. The steering committee recommended forming committees to deal with different aspects—finding out where funds are available, educating the community as to the problem that exists, contacting other day care centers and schools facing similar problems, and working with other agencies whose employees would be interested in day care.

Rights bill faces Senate vote today

SALEM (Special) — State senators today will vote on a resolution (SJR4) calling for ratification of the Equal Rights Amendment to the U.S. Constitution. The resolution carries a "be adopted" recommendation from the Senate Judiciary Committee, which Monday voted unanimously in favor of the resolution.

Committee members last week heard testimony on the amendment which states "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

Sponsors of the resolution Wednesday indicated that they expect the measure to pass the senate "without any problem." If passed, the resolution will go to the House to be referred to a House committee which will then decide if the resolution will go to the House floor.

Two resolutions identical to SJR 4 have been introduced in the House but have not been voted on in the House State and Federal Affairs Committee, where they were referred.

Another hearing on the amendment has been scheduled by that committee for next Monday, but only "technical" legal testimony will be heard. The hearing is, however, open to the public.