

OREGON LEGISLATIVE UPDATE

By Jim Straub

The Oregon Landlord-Tenant Coalition finished their work this legislative session, which resulted in the passage of the Coalition's omnibus bill, otherwise known as Senate Bill 390. I've included the final details of this bill, which becomes effective as new law next January, as well as other items we discussed and followed this legislative session.

1) Landlord-Tenant Coalition Omnibus Bill / Senate Bill 390 – Passed Legislature and signed by Governor Brown, goes into effect January 1, 2016:

Here are the seven issues addressed by the 2015 coalition omnibus bill:

- *Municipal Fees and Utilities Pass-Through to Tenants.* This portion of the bill allows landlords to pass "public services charges" through to their tenants under certain circumstances. As identified in the draft bill, a "public service charge" means:

"...a charge imposed on a landlord by a utility or service provider on behalf of the provider or on behalf of a local government or imposed on a landlord by a local government for one or more municipal services or for the general use of a public resource related to the dwelling unit, including fees assessed to support street maintenance or transportation improvements, transit, public safety and parks and open space. "Public service charge" does not include real property or income taxes or business license or dwelling inspection fees."

In order to pass through these charges, a landlord must bill a tenant in writing within 30 days of receipt of the provider's bill, must clearly itemize the charges, include a copy or make the provider's bill available for review by the tenant (including by electronic means, if allowed by a rental agreement), give the tenant no less than 30 days to pay the landlord after delivery of the bill to the tenant, and a landlord may not make a tenant liable for a public service charge billed to a previous tenant.

Landlords must include the authority for this pass-through in their written rental agreements, and landlords may amend a rental agreement for a month to month tenancy upon 60 days written notice to impose a public service charge which has recently been adopted by a utility or service provider or local government.

