

City of Portland

Remote Rental Housing Advisory Committee



Monday, December 12, 2022 at 5:30 PM

To submit written public comment on an agenda item, please submit your comments to Vvolent@portlandhousing.gov. Submissions must be received by 12:00 pm the Friday before the Rental Housing Advisory Committee meeting to guarantee their inclusion in the agenda packet. All submissions must include the commenter's name and legal address. To help ensure your comment is submitted for the correct item, please include the name of the agenda item (see below).

REMOTE ACCESS INFORMATION:

The Rental Housing Advisory Committee will conduct this meeting remotely via Zoom pursuant to the Remote Meeting Policy adopted by the Portland City Council. Please install the free Zoom app to join the meeting. If you are not able to attend via Zoom, a recording will be available in the [Agenda Center](#) following the meeting.

For public comment via Zoom, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

<https://portlandmaine-gov.zoom.us/j/84803100399>

To join via telephone dial: 1 312 626 6799

Webinar ID: 848 0310 0399

1. Review and Approval of Minutes of the November 14, 2022 meeting
 - a. Draft Minutes from 11-14-22
2. Update and changes in RHAC membership
3. Nomination and selection of new Tenant Co-Chair
4. Discussion of upcoming meeting schedule and future meeting dates
5. Discussion of memo to Housing & Economic Development Committee requesting clarification / update on RHAC's charge and duties
 - a. RHAC Duties and Charge Draft memo
6. Discussion of City's low-interest loan program for energy efficiency and related updates / upgrades.
7. Public Comment

**Rental Housing Advisory Committee
Minutes of Remote Meeting held on November 14, 2022**

Committee attendance: Nora Graves, Wendy Harmon, Jonathan Kurzfeld, Jeremy Lock, Christopher Marot, Crow Norlander, and Regan Sweeney

Absent: Gretchen Phoenix

Staff attendance: Victoria Volent

Item 1: Review and Approval of the Minutes of the July 28, 2022 Meeting

On motion made by Jeremy Lock , seconded by Regan Sweeney , the Committee voted (3-0) to accept the minutes with Nora Graves, Wendy Harmon, Jonathan Kurzfeld, and Christopher Marot abstaining.

Item 2: Update and changes in RHAC membership

Gretchen Phoenix has been sworn in as the newest member of the Committee.

Item 3: Nomination and selection of new Tenant Co-Chair

The Committee discussed and decided to table this item to allow absent members the opportunity to participate in the discussion.

Item 4: Discussion of upcoming meeting schedule and future meeting dates

The Committee will next meet remotely on December 12, 2022 at 5:30.

Item 5: Discussion of results of November 8 election and City ballot items applicable to rental housing.

The Committee discussed the viability of the RHAC juxtaposed with the expanded authority of the Rent Board. Members desire to participate in a meaningful role that benefits the City and citizens but question what that role is. Members agreed Regan Sweeney will draft a memo to the City Council asking the Council to clarify the role of the RHAC and consider granting mechanism to address that role.

Item 6: Public Comment

The meeting was opened to public comment, seeing no members of the public wishing to provide public comment, the public comment period was closed.

Item 7: Other Business

The Committee did not discuss other business.

The next meeting is to be scheduled for Monday, December 12, 2022.

On a motion made by Regan Sweeney, seconded by Jonathan Kurzfeld, the Committee voted unanimously (7-0) to adjourn.

The meeting was adjourned at 6:07 PM.

Respectfully submitted by Victoria Volent

MEMORANDUM

FROM: Rental Housing Advisory Committee

TO: Housing & Economic Development Committee and
City Council

DATE: December __, 2022

SUBJECT: RHAC Duties and Charge

I. Summary

As the Rental Housing Advisory Committee (“RHAC”) enters its seventh year of existence (though fourth year of operation), and in light of the significant changes to regulation of rental housing in Portland since its inception, the RHAC seeks a **restatement/clarification of purpose/charge/duties** for the committee, so that we can better serve the City and its citizens.

II. History

The RHAC was formed in November of 2016, as part of the Tenant Housing Rights Ordinance (Chapter 6 Article XI, Section 6-225; Council Orders [76-16/17](#) and [32-18/19](#)). The Ordinance cited addressing housing insecurity and educating tenants among its purposes, and specifically charged the RHAC with two duties:

1. Provide the Housing Committee with recommendations or proposals for improvements, modifications, or changes regarding landlord and tenant policy issues; and
2. Identify educational opportunities, seminars, and materials that would be useful to landlords and tenants.

The RHAC’s first meeting was on September 24, 2019, and it very quickly set to work on an issue raised by RHAC members in early meetings: rental housing application fees. After much debate and hard work, on [REDACTED], 2020 the RHAC made a formal recommendation to the then-Housing Committee, recommending that the City adopt an ordinance prohibiting landlords from charging prospective tenants application fees (or any fees prior to move-in, aside from first month’s rent and security deposit). *See* [REDACTED]. Through a process in which the RHAC’s recommendation and work went mostly unconsidered, on August 3, 2020, the City Council ultimately enacted its own, and very different, ordinance restricting rental application fees. *See* [206-19/20](#). (This would ultimately be superseded by the [Act to Protect Tenants in Portland](#), passed via citizen initiative (Question C) on November 8, 2022, which, in part, prohibits application fees for rental housing. *See* Chapter 6, 6-223.1 and 223.1(c).)

On April 27, 2020, the RHAC sent a recommendation to the Housing Committee and

City Council, providing committee members' feedback, questions, and suggestions regarding Councilor Cook's proposed amendments to the City's Stay-at-Home Order (#156-19/20) as they pertained to short-term and long-term rental housing. The memo also included a recommendation that the City enact a temporary prohibition on rent increases, to run concurrent with other pandemic protections. *See* RHAC Memo, 4/27/2020.

At some point, the RHAC discussed hosting or otherwise coordinating a housing-related forum to facilitate the exchange of information and provide education to Portland tenants and landlords, **similar to the event previously held at King Middle School (?) in 2015(?)**. City staff informed the RHAC that such activities were outside the scope of the RHAC's charge, and so the RHAC ceased its efforts in that regard.

In November of 2020, Portland voters approved the citizen initiative enacting the Rent Stabilization Ordinance, effective as of January 1, 2021. This Ordinance created the [Rent Board](#), and gave it the authority to "conduct hearings in response to tenant complaints, mediate disputes between tenants and landlords, and consider landlords' requests for rent increases outside the scope of this Ordinance."

This past November, Portland voters approved the Act to Protect Tenants in Portland, which built upon and expanded the authority granted to the Rent Board by the initial Ordinance. These new provisions give the Rent Board the jurisdiction and authority to, among other things, "adopt or amend ... such rules and regulations as are necessary to implement" the Ordinance, and to "initiate changes and amendments to the city's Rent Stabilization Ordinance."

III. Request

Because the RHAC was formed prior to the citizen initiatives creating the Rent Board, and in light of the recent expansion of the Rent Board's authority via the most recent initiative, the RHAC seeks clarification of its purpose and/or role. Understanding that the RHAC is separate from, and independent of, the Rent Board and its activities, and seeking to avoid any duplicative or otherwise redundant work, the RHAC seeks a restatement or reaffirmation of its mission from City Council / H&ED.

IV. Summary

The RHAC is, and has always been, comprised of members who are not only knowledgeable about Portland's rental housing environment, but are dedicated and committed to working on finding solutions to the many issues therein. We all remain eager to do so, and seek the City's guidance on how we can better do that in light of the significant changes to rental housing regulation since our committee's inception.