



Housing Authority of Clackamas County

Landlord News

Summer 2017

Keeping Clackamas County Landlords Informed

Free Fair Housing Training

When: June 22, 2017 9-12noon

**Where: 150 Beaver Creek Rd Room #119
Oregon City, OR**

**RSVP: By June 15th to Elizabeth Miller
at emiller@clackamas.us or call 503-
655-8279**

VAWA Stands for What?

The Violence Against Women Act (VAWA) is a special protection that families have if they are receiving Federal Assistance with Housing. That means if you have a Section 8 Voucher family they are protected and the HUD revised Lease Addendum Section 8(e) covers protections for Victims of Violence and states:

e. Protections for Victims of Abuse.

- (1) An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as serious or repeated violations of the lease or other "good cause" for termination of the assistance, tenancy, or occupancy rights of such a victim.
- (2) Criminal activity directly relating to abuse, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an immediate member of the tenant's family is the victim or threatened victim of domestic violence, dating violence, or stalking.
- (3) Notwithstanding any restrictions on admission, occupancy, or terminations of occupancy or assistance, or any Federal, State or local law to the contrary, a PHA, owner or manager may

"bifurcate" a lease, or otherwise remove a household member from a lease, without regard to whether a household member is a signatory to the lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in criminal acts of physical violence against family members or others. This action may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of the violence who is also a tenant or lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by Federal, State, and local law for the termination of leases or assistance under the housing choice voucher program.

(4) Nothing in this section may be construed to limit the authority of a public housing agency, owner, or manager, when notified, to honor court orders addressing rights of access or control of the property, including civil protection orders issued to protect the victim and issued to address the distribution or possession of property among the household members in cases where a family breaks up.

(5) Nothing in this section limits any otherwise available authority of an owner or manager to evict or the public housing agency to terminate assistance to a tenant for any violation of a lease not premised on the act or acts of violence in question against the tenant or a member of the tenant's household, provided that the owner, manager, or public housing agency does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate.

(6) Nothing in this section may be construed to limit the authority of an owner or manager to evict, or the public housing agency to terminate assistance, to any tenant if the owner, manager, or public housing agency can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if the tenant

Voucher Program Changes (cont.)

is not evicted or terminated from assistance.

(7) Nothing in this section shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, or stalking.

Renter's Insurance REMINDER:

Senate Bill 91 ORS 90.222 Reads:

(8) A landlord may **not** require a tenant to obtain or maintain renter's liability insurance if the household income of the tenant is equal to or less than 50 percent of the area median income, adjusted for family size as measured up to a five-person family, as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development. [Note HACC keeps income limits on its website up to date at:

<https://www.huduser.gov/portal/datasets/il/il2016/2016summary.odn>]

(9) A landlord may not require a tenant to obtain or maintain renter's liability insurance if the dwelling unit of the tenant has been subsidized with public funds:

- (a) Including federal or state tax credits, federal block grants authorized in the HOME Investment Partnerships Act under Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, or the Community Development Block Grant program authorized in the Housing and Community Development Act of 1974, as amended, project-based federal rent subsidy payments under 42 U.S.C. 1437f and tax-exempt bonds.
- (b) Not including tenant-based federal rent subsidy payments under the Housing Choice Voucher Program authorized by 42 U.S.C. 1437f or any other local, state or federal rental housing assistance.

Change of Ownership or Property Management Company or Bank Accounts?

Properties change hands often, but it is important that you inform the Housing Authority as soon as possible if you have Section 8 families at your property. We have forms available on our website under Landlord Information with the following form packet options:

- Change of Ownership Packet
- Change of Property Management
- Change of Bank Accounts

Notice to Tenants must also be sent to the Housing Authority

You can email rent increase notices, termination notices, no cause notices and other notices to:

landlordservices@clackamas.us

Do you have a Property for rent?

Contact Susan Warneke at 503-650-3142 to list your property on our website for our clients to call.

Questions, Comments, Submissions

Questions, comments and submissions for HACC's Landlord Newsletter can be directed to: Toni Karter, Housing Services Manager at 503-650-3139 or

tonikar@clackamas.us