On May 20, Shanaquewa Finney was packing the last of her things to put into storage. For six years, Finney has lived in a five-bedroom house in the outer Southeast Portland neighborhood of Mill Park with her family, including four children and now a grandchild. Rent is $1,500 a month.

In March, Finney’s landlord told her to leave—but didn’t say what she had done to get kicked out.

“In Portland, the landlord doesn’t have to. “We didn’t know what we were going to do,” Finney says. “It’s unfortunate, and it’s unfair, very unfair.”

After a year of working to improve her credit, paying off all her debts, Finney says she can actually get a mortgage, but not one large enough to buy a house in the go-go real estate market that is Portland. At least not within commuting distance of her job at the Urban League of Portland.

“I’m not going to move to Salem,” she says. “I’ve looked in Vancouver. I’ve looked in Gresham. I’m not approved for the amount of money I’d need.”

From one angle, Portland has never been more appealing. Unemployment is at its lowest level in 15 years. More than 12,000 people a year are moving to the city. Media everywhere compete to extol the virtues of our food, beer, coffee and now cannabis.

Yet Portlanders like Finney live in fear—the dread that they’ll soon be told to leave their homes.

According to a growing number of voices, this is not just a matter of market economics. It’s also that Portland and Oregon give tenants less protection than do some other U.S. cities and states.

In Oregon, you can be evicted for no reason. Called a no-cause eviction, it’s not allowed, for example, in Seattle. Portland landlords can decide to throw you out even if you pay rent on time and never cause trouble; they don’t have to give a reason as long as they give you proper notice. Low income and requests for repairs may come into play, as long as landlords don’t divulge the reasons.

CONT. on page 12
In the past month, we’ve talked to a dozen people who have experienced no-cause evictions in the past year. We’ve chosen four of their stories. Some may feel these examples are what the laws of supply and demand and property ownership are all about. Others may view them as simply not the rules by which civilized society should operate—particularly when the tenants are elderly or disabled.

Some of these evictions would be unlawful elsewhere. Other cases are more complicated. All share the backdrop of rapidly rising rents and landlords who can evict renters without a reason.

“We see it as hugely destabilizing,” says the Rev. Joseph Santos-Lyons, executive director of the nonprofit Asian Pacific American Network of Oregon. “It allows unrelenting market forces to drive how our neighborhoods look and feel.”

Tenants and advocates are pushing for protections offered elsewhere. Now they have a powerful ally: Portland Mayor-elect Ted Wheeler made restricting no-cause evictions a central theme of his campaign.

That may be a hard promise to keep.

Needing to unexpectedly find a place to live is a common upheaval for Portlanders.

The sale of a 16-unit apartment building at 3562 SE Harrison St. last November for $2.65 million—more than 10 times what it previously sold for, in 1988—sparked fear in the building.

In some cases, the sale of an apartment building results in the new owners evicting all tenants—or at least many of them—so renovations can be completed. Buildings that once served low-income renters are turned over to wealthier residents.

S, a 32-year-old student who requested anonymity, was among the tenants told to get out by the new owner, Bristol Urban Apartments, while units were upgraded. If she wanted to move back in, S would now face a 66 percent rent increase on her $750-a-month unit.

“I feel like I got an Old Portland deal,” she says, noting the rent on her month-to-month lease hadn’t gone up in her four years living there. “We all really made it our home.”

A former organic farmer, S moved to Portland for the food culture and access to the outdoors. Plus, the city was affordable.

The new owners offered displaced tenants $200 toward moving expenses, but given that the company never responded to questions after the building’s sale, S says she decided not to pursue the offer.

Still, she considers herself one of the fortunate ones—she has a car and credit cards to get her through the cost of moving. She was able to rent a two-bedroom house—albeit outside Portland, in West Linn. Her rent doubled, but she will soon be paying the same amount as before after a roommate moves in later this summer, she says.

Other cities offer renters more protection than Portland. Seattle’s just-cause policy would allow a new landlord to evict S for renovations, but the landlord and city must split the cost of $3,340 paid to low-income tenants for relocation.

Steve Rose, owner of Bristol Urban Apartments, points out that he gave more notice than was required, warning tenants as soon as the building was sold. His company owns about 30 apartment buildings. “The building needed a signifi cant amount of work,” says Rose, whose company owns about 30 apartment buildings. “There has been very little maintenance done in the last 20 years.”

He contends that no-cause evictions allow landlords to get rid of bad tenants for the protection of other tenants. He also believes there is no way to legislate against all bad landlords, though he supports education and driving bad landlords out of the business.

“They should all be punished,” Rose says, noting that bad landlords create problems for good landlords. “It screws up everybody’s life.”

“Between a rock and a hard place, I chose the hard place.”

—James Porter
Restricting no-cause evictions can give tenants more security in the face of health and safety problems at their homes. Shanaquewa Finney's house has a mold problem—she says she complained about it to the landlord soon after moving in, but she stopped complaining, she says, because she wanted to stay. The problem became more acute, and she worried about it more after her grandchild arrived last fall.

On March 9, Finney called the city to complain. Eight days later, she was told she would have to move. Chris Gasperini, the daughter of property owner Ada Tryon, says the tenants' departure was necessary to clean up the mold, which Gasperini learned about this year.

“It has nothing to do with her,” Gasperini says of Finney. “The house has a mold problem.”

“We notified her we have to take care of it,” Gasperini added, before referring WW to the property manager, who did not return calls seeking comment.

On May 20, Finney consulted a lawyer, who told her the landlord had failed to give proper notice of the eviction. At WW press deadlines, Finney still has no idea if she’s going to be evicted. The prospect that her landlord could file the eviction notice fills her with anxiety.

“Am I going to be unpacking my stuff now? No, I’m living out of boxes,” she says.

State law provides some protections for tenants whose landlords are aware of health and safety issues. There can be more protections under “just cause” eviction laws, stipulating that landlords may have to cover a tenant’s relocation costs if there are health and safety violations.

Even when a landlord has good reason to evict a tenant, a no-cause eviction can offer an easier eject button. Landlords can use no-cause evictions instead of taking their claims to court, where tenants would have a chance to correct the problems raised or argue their side of the case. One result of skirting a formal legal process? It’s often hard to tell who’s really to blame.

Consider the case of Janice Carr.

For three months, Carr rented a room in a Parkrose house. She had known her landlord for at least 15 years.

On Sept. 15, Carr was asked to leave by owner Becca Lyons, with no cause listed.

Carr, a former contractor who is now disabled, still wonders why she was evicted.

Was it because she had volunteered too many opinions about the way contractors were working on the house? Or was it that her erstwhile friend and landlord decided she could charge more rent? Carr paid just $400 a month, she says.

Lyons, Carr’s landlord, says she had good reason to evict: Carr didn’t pay her rent and argued with other tenants. (Records show Lyons called police about Carr the day before she sent her an official eviction notice, and on three other days afterward.)

Carr denies that she caused trouble and says she paid rent until the eviction.

A police report shows Lyons and Carr’s friendship clearly deteriorated after the eviction notice. On Oct. 3, police responded to a complaint from Lyons. “She said she confronted Carr about leaving and told her she was going to call [Department of Human Services] on her,” the report says. “She said Carr pushed her and then picked up a metal pipe in a threatening way.”

Carr and her son denied that allegation to police. The officer made no arrest and “advised Carr and Lyons (separately) to avoid contact with one another.”

The closer you get to stories of eviction, the messier they become. What looks from one angle like a heartless landlord looks from another like self-preservation.

But the Oregon law is clear: The decision rests with the owner of the property.

Lyons says she and a lawyer discussed going to court to evict Carr for harassment or failure to pay. That process would have provided clarity about who was at fault, and might have been faster. But a no-cause eviction was simpler.

Carr left the Parkrose house in December and has been shuttling between friends’ homes in her aging, blue Dodge pickup, carrying a plastic tub of her possessions.

“It gets old,” she says.

Lyons says she was unprepared for dealing with her friend’s behavior, and notes she was new to being a landlord. “It’s a steep learning curve,” she says.

CONT. on page 15
Demand for rental units in Portland is so strong that the problem of no-cause evictions now extends to the city’s lower-cost suburbs.

In Gresham, the sale of an apartment building last year carried higher stakes for James Porter, 61, who has stage 4 kidney disease after suffering, he says, six heart attacks in the past three years.

Porter, a disabled appliance technician, says he has paid rent promptly. “Never a day late, never a dollar short,” he says. Yet, in March, he was told to leave, and he has to be out of his apartment by the end of May. “They’re going to kick me out so they can do whatever,” he says, speculating that the $850 a month he pays for a two-bedroom unit isn’t enough now that similar units are renting for $1,200.

In fact, two-bedroom apartments at Parkside Apartment Homes are now listed for as much as $1,806 a month and marketed on the building’s website as having stainless-steel appliances, including access to a 24-hour fitness center with a relaxing “sauna spa.”

Porter and his partner, Theresa Pribbenow, 50, live on $1,600 a month, they say. “It’s Gresham,” she says. “It’s not supposed to be expensive.”

Porter and Pribbenow say they have no place to go. “I count coins to get my medicine in the middle of the month,” Porter says. “I’m in the last whatever of my life. I don’t deserve to be outside. It’s just not right.”

He’s reaching out to social-service agencies for help. But the situation has left him increasingly desperate. “The only option is to go and rob a bank for a dollar and have them put me in jail,” he says.

But Porter won’t overstay his welcome for fear that a court-ordered eviction in this market would mean he won’t be able to find a new place to live. “Between a rock and hard place, I chose the hard place,” he says.

The landlord declined to comment.

Portland’s problem is exacerbated by vacancy rates below 4 percent, and monthly rents in Portland climbed last year more quickly than almost anywhere else in the nation. “We have unbelievably weak renter protections,” says Lisa Bates, a professor of urban studies and planning at Portland State University. “Eviction is a very hot topic in housing right now. It’s a national conversation.”

“In most of those conversations, it’s about providing additional legal protections for tenants. It’s very different from a conversation here, which is sudden termination with no recourse of any kind.”

Portland renters do have some protections, though many are federal. Landlords are forbidden from discriminating on the basis of race, religion or Section 8 voucher.

It’s also illegal to retaliate against anyone on the basis of making a complaint about the landlord. But that can be difficult to prove in court unless it’s blatant, argue tenant advocates and lawyers.

Nobody knows how many Portlanders have been evicted for no cause, because unlike home foreclosures, evictions often don’t go as far as court. (Landlords often don’t even call them “evictions” because they usually don’t reach court.)

The exact number of renters evicted “without cause” in Multnomah County is unclear. But there are indicators.

Earlier this year, the David Douglas School District, which is located in a densely populated swath of East Portland, analyzed students who were identified as homeless (which, by the school definition, includes living on couches, in hotels or in shelters) during one hectic week. It found that more than half of 79 homeless students had faced no-cause evictions.

“It’s not as affordable in David Douglas as it was a year ago, two years ago, three years ago,” says student services director Barbara Kienle, noting that a district official spends a couple hours each week helping families try to find housing.

Margot Black, an organizer of the activist group Portland Tenants United, says she hears of more no-cause evictions each month, though she attributes that partly to a growing tenants’ Facebook group.

Tenant advocates say Portland and Oregon have failed for a generation to enact protections for renters. Nothing short of more housing is likely to solve the problem of rising rents, but region isn’t alone in failing to provide tenants protection from no-cause evictions, advocates say, although far greater protections are provided, for example, in San Francisco and Seattle.

CONT. on page 16
new rules could give tenants some leverage in a market where they currently have little security.

In Seattle, for example, landlords cannot evict tenants without having one of 18 reasons, including the tenant’s failure to pay rent or abide by the lease, or the owner’s desire to sell or live in the unit. In some cases, landlords must pay for a low-income tenant to move out.

Tenant advocates have identified “just cause” as a key for Portland.

“At this point, it’s our highest priority,” says Justin Buri, executive director of the advocacy group Community Alliance of Tenants. “It would drastically reduce the fear tenants have when they’re asking for a repair or defending their rights in some way.”

John DiLorenzo—a lawyer and apartment owner who last fall sued the city for passing a rule that requires a 90-day notice for rent increases—says tenant advocates and politicians have failed to make the case there’s a growing problem with no-cause evictions.

“Where a scalpel will do, you’re going to use a sledgehammer,” DiLorenzo says. “That doesn’t make any sense unless, again, you’re an advocacy group that wants a whole lot of stuff to put on a brochure, or a politician who says, ‘Hey, look what I’ve done.’”

The politician promising to restrict no-cause evictions? Portland’s next mayor, Ted Wheeler.

Though he won’t take office until January, the mayor-elect says he will keep that campaign promise.

“I made the just-cause eviction process the centerpiece of my tenant bill of rights because I do believe we have the legal authority to implement it,” Wheeler says, though he expects a legal challenge. “Admittedly, it will probably have to be clarified in the courts; that’s the way it works in America.”

One key lawmaker backs him up.

“The way I interpret the law, I don’t see a reason why localities couldn’t abolish ‘no cause’ on their own,” says state Rep. Alissa Keny-Guyer (D-Portland), chairwoman of the Oregon House Committee on Human Services and Housing.

But Multnomah County officials and Portland city attorneys have decided that the legal case for local action is tenuous at best—and may first require a change in state law.

Portland city attorney Tracy Reeve stated in an opinion last month: “Based on our research, we do not believe Oregon law currently would permit such an ordinance.”

Her opinion offered no rationale, but the idea is that state law pre-empts the city from acting, given that it mentions that landlords may get rid of tenants “without cause,” though only with the proper amount of notice.

City Commissioner Dan Saltzman, who oversees the Portland Housing Bureau, says state law gives him few options.

“It’s pretty draconian,” Saltzman says. “It doesn’t give any recourse to tenants.”

Wheeler says he’ll try to change the rules anyway.

“While I do respect the opinion of the city attorney, attorneys aren’t engaged by government to dictate policy; they are there as advisers,” Wheeler says, noting he will push for change in Salem if his efforts fail in court.

“I would encourage those in the realtor and developer and landlord community to work with us now on some pragmatic solutions,” Wheeler says, “if for no other reason than to alleviate the likelihood that the Legislature might do something that they don’t like.”

Tenants hope he will succeed.

“You can be evicted for no reason whatsoever,” says Finney. “It can really cause your life to spiral downhill. The landlord should have to have a legit reason.”