

Community Law

METROPOLITAN PUBLIC DEFENDER

**REDUCING LEGAL BARRIERS TO INCREASE
HOUSING AND STABILITY**

SONJA GOOD STEFANI
ADRIENNE DEL MONTE



JOHS

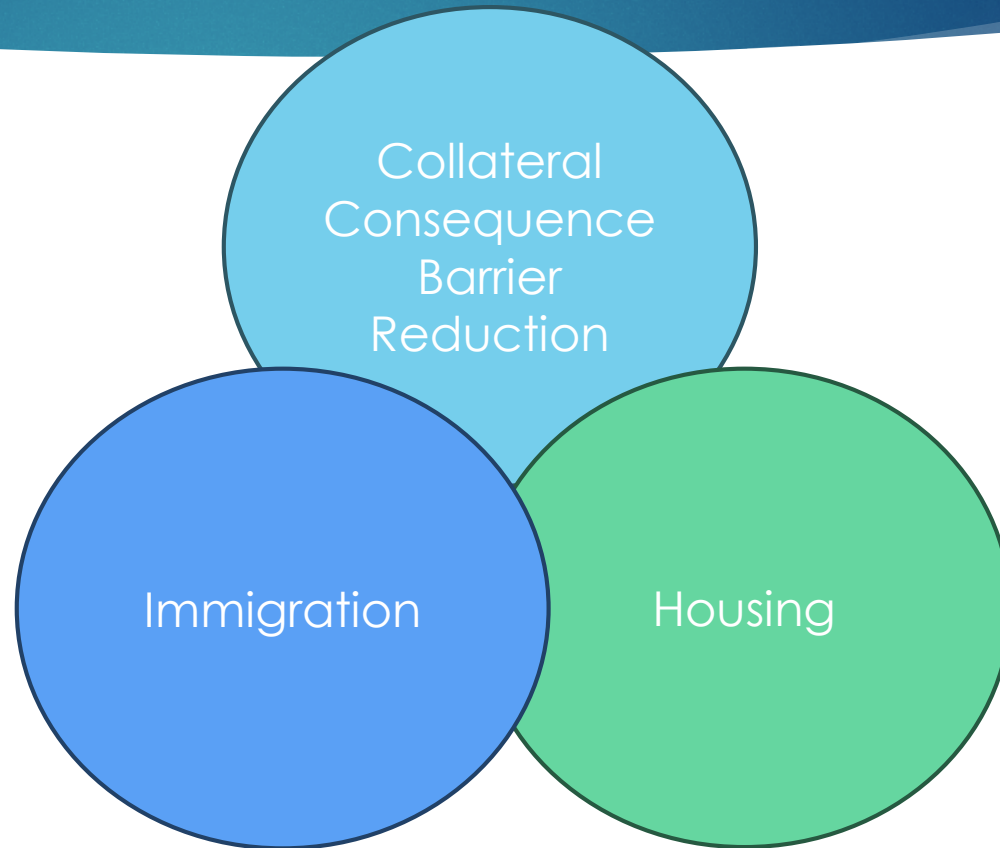
Partner


Community Law

Ship

Community Law: 3 Teams

- ▶ Staff of 28
- ▶ 4 immigration attorneys
- ▶ 6 housing attorneys
- ▶ 7 CCBR attorneys
- ▶ 10 support staff.



A series of hurdles are placed across a light-colored stone path in a grassy yard. The hurdles are made of light-colored wood with red metal legs. Each hurdle has a label in bold black capital letters. The labels, from top to bottom, are: RELIGION, GENDER, NATIONAL ORIGIN, MATERNITY LEAVE, DISABILITY INCOME, and RACE. The path leads towards a house with a brown door and green bushes in the background.

RELIGION

GENDER

NATIONAL ORIGIN

MATERNITY LEAVE

DISABILITY INCOME

RACE

DO YOU KNOW WHO
YOU'RE RENTING TO ?

Fully comprehensive profiling
of prospective tenants



80% of Landlords use
Criminal Background
Checks

Housing Barriers For Those with Records

Criminal background checks are used by...



**...so even a minor record can
be a life sentence to poverty.**

Options:

- I. Denial Appeal.
- II. Address the Criminal Record.
- III. Address the Housing Record.
- IV. Address the Debt.

Denial Appeal

- ▶ 1. Get a copy of the policy.
 - ▶ Sometimes there are timelines for screening folks OUT of housing:
 - ▶ Example: 3 years for misdemeanor convictions, 7 years for felony.
 - ▶ My client was originally charged with felony but pled to a misdo. Background check got it WRONG and recorded it as a felony. He was automatically denied. All I did was call the LL and explain what had happened and provide proof of the judgement. Client accepted into housing.

SB 291 Screening Rules

- ▶ 2. Has the LL done an **INDIVIDUALIZED ASSESSMENT**?
 - ▶ Before denying an application for housing on the basis of criminal history, a landlord must:
 - ▶ Provide an opportunity for the applicant to submit supplemental evidence to explain, justify or negate the relevance of potentially negative information.
 - ▶ Conduct an individualized assessment of the applicant, including any supplemental evidence, taking into consideration:
 1. The nature and severity of the incidents that would lead to a denial;
 2. The number and type of incidents;
 3. The time that has elapsed since the date the incidents occurred; and
 4. The age of the individual at the time the incidents occurred.
 - ▶ Landlords should ensure that they are using a forms that addressed the above changes or that all application and screening materials provided to applicants are updated, as well as their screening policies and procedures.

“Supplemental evidence”

- ▶ Letters from probation officer
- ▶ Letter from CW
- ▶ Support from Employer/proof of employment
- ▶ Letter from Lawyer
- ▶ Support from past LL
- ▶ Certificates (parenting, rent well, trainings, course completions)
- ▶ AA mentor



Reasonable Accommodation

- ▶ 3. Is there an opportunity to address the barrier through RA?
 - ▶ Under the law, a person with a disability can ask for a reasonable accommodation (can include adjusting the POLICY of denial).
 - ▶ Disability can include alcoholism or drug addiction if individual no longer actively using illegal substances.
 - ▶ LL CAN request verification of that disability – so please have that ready from doctor/specialist.
 - ▶ Connecting criminal activity to disability = must have NEXUS



II. Address the Criminal Record

- ▶ Expungement
- ▶ Felony Reduction
- ▶ Vacating Judgements (non-unanimous jury verdicts) (victims of ST)
- ▶ SB 819
- ▶ Warrant Lifts
- ▶ Sex Offender Registration Relief
- ▶ Correcting the record

III. Address the Housing Record

Eviction Expungement:

- Dismissed Evictions
- Stipulated Agreement Evictions
- Judgement where NOR issued have to wait 5 years and pay all \$ on judgement (on the Judgement, not what is owed to the LL due to damages etc...)

- COVID evictions – SB 282:

“Housing providers are not allowed to consider eviction judgments rendered or cases pending during the Protected Period (April 1, 2020 – February 28, 2022). Housing providers are also prohibited from denying applicants based on debt owing from a prior tenancy that accrued during the Protected Period. These restrictions apply to any applicant through January 2, 2028.”



IV. Address the Debt

- Debt negotiation and settlement with past LL.
- Vacating and dismissing evictions
- Eviction record expungement.
- Civil Debt?
- Traffic/Parking/Criminal Debt??
 - Multnomah Project Reset
 - <https://mpdlaw.com/multnomah-project-reset/>



Who Can Refer

Youth System

New Avenues for Youth

Janus

Outside In

NAYA

Family System

Human Solutions

Portland Homeless Family
Solutions

SEI

NAYA

EPHC

Latino Network

NARA

JOIN

IRCO

Greater New Hope

East County Community Health

DV System

ywca

Volunteers of America

NAYA

EPHC

IRCO

Salvation Army-West Women's
Shelter

Bradley Angle

Rafael House

Call to Safety

Gateway Center for DV Services

Slavic Oregon Social Services

Who Can Refer

Adult System

Cascade AIDS Project
EPHC
NAYA
NARA
Northwest Pilot Project
Urban League
Latino Network
Black & Beyond the Binary
Collective
211
Cascadia Behavioral Health
Catholic Charities
Central City Concern
Cultivate Initiatives
Do Good Multnomah
All Good Multnomah

Human Solutions
JOIN
Portland Street Medicine
Street Roots
Transition Projects
Worksystems Inc.
Beacon Village
New Narrative
MHAAO
4D Recovery
Innovative Housing Inc.
FUSE
City of Gresham Homeless Services



How to Refer
Participants*:

<http://bit.ly/communitylawintake>

* Starting July 1st, 2024!

Application for Legal Services

Welcome to MPD Community Law!

The purpose of this form is for Community Law to assess your/your client's eligibility for our legal services. We do not charge our clients for our legal services. With this request for services, you and Community Law are not entering into an attorney-client relationship. Community Law does not yet represent you in any legal matters and there is no attorney/client relationship unless and until the client signs an agreement confirming the nature and scope of representation. The information contained in this form may be shared within MPD's office.

By submitting this request, you agree that all statements you make to Community Law and all information below will be truthful to the best of your knowledge.

Community Law will review your request and assess your eligibility for services. **We will respond to your request within one week.** We may request additional information to confirm eligibility. Additionally, due to public health concerns, all communication must be via phone, email, and postal mail until further notice, and some court services may be suspended.

Who is filling out this form?*

Please Select

Please Select

I am the potential client and I have read the above information.

I am a social services organization case manager and I want to refer my client. I have read the above information

Next

Statistics from this Past Year:

Number of Clients: **578**

Total motions filed on behalf of clients: **1,303**

Total amount of money clients saved as a direct result of legal services: **\$461,858.26**

Expungement - Criminal: 136 packets (779
motions filed in 19 different jurisdictions/courts)

Waive/reduce \$\$: 111

LL/T Debt Negotiation: 59

Dismiss and Vacate Eviction Case: 32

Eviction Defense : 17

Eviction Expungement: 78

Housing Denial Appeal: 22

Housing Support Letter: 53

Reasonable Accommodation Request: 12

Civil Debt Negotiation: 18

Immigration Legal Services: 15

Restitution Negotiation/Waiver: 3

Sex Offender Registration Analysis: 22

Sex Offender Registration Relief Petitions: 4

Warrant Lift: 23

THANK YOU!!

sgstefani@mpdlaw.com

