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JACK OHMAN

The Oregonian's award-winning political cartoonist



Cartoon: Cold Restart... Caption contest!

Renters, too, can face the hit of foreclosure

by Suzanne Bonamici and Nick Fish, guest opinion

Tuesday May 05, 2009, 7:00 AM

Losing a home to foreclosure can be devastating. Typically, homeowners come to mind when we think of foreclosure. But the fact is, many foreclosed properties are places that renters call home, too.

Recently, a father of five from Clackamas County called a Legal Aid office. His landlord owns all the houses on the street, and every one is in foreclosure -- many of them are sitting vacant.

The father wants to continue paying rent, but the landlord's bank won't accept his payment and is pushing him to move out. "What should I do?" he asked the Legal Aid office. Unfortunately, there's no good answer under Oregon law.

The housing market is suffering, and many Oregonians are suffering with it. Day after day, the news carries stories of homeowners in trouble, and these stories are heart-wrenching. As homeowners and landlords struggle to cope with the fallout of an unprecedented economic crisis and governments struggle to aid them, another group of troubled Oregonians faces homelessness -- renters who are unaware that their landlord's mortgage is in trouble. When foreclosure is looming over a rental property, what happens to the tenants inside?

According to the National Low-Income Housing Coalition, one in five homes in foreclosure nationwide is occupied by a tenant. Here in Oregon, rent-paying tenants whose homes are being foreclosed upon have virtually no legal protections. Leases, even long-term leases, are extinguished by foreclosure, which means tenants can be evicted on short notice.

In addition, tenants face significant financial cost and emotional stress. It is unlikely that tenants will be able to recover their security deposits from landlords in foreclosure. Displaced tenants need to cover moving expenses, new security deposits, and first and last month's rent for another home.

This burden falls disproportionately upon low-income households. These Oregonians are more likely to be renters, and, because of the statewide shortage of affordable housing, are more likely to have difficulty finding another affordable rental home. If evicted as a result of an owner's foreclosure, they are more likely to become homeless.

In this time of economic crisis, we can't afford to create more homelessness or financial hardship. We need to protect our communities, and it's within our power to do so.

The Oregon Legislature is working on Senate Bill 952 to protect tenants whose homes are in danger of foreclosure. This bill would require that in addition to the property owner, tenants be provided with foreclosure notice.

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Caption Contest: Round 411

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Tenants without a lease would receive 30 days notice. Tenants with a lease would receive up to 60 days notice. SB 952 also protects tenants' security deposits, requiring that landlords in foreclosure apply the deposit toward rent. The bill gives tenants time to look for a new home and save money for expenses.

The legislation is fair to landlords, fair to tenants and fair to lending institutions. Most importantly, it's the right thing to do. To lose a home on short notice, especially through no fault of one's own, can be emotionally devastating and financially ruinous. In these difficult times, it's even more important to protect innocent Oregonians from homelessness. Oregon should join California, Washington, Montana, Minnesota, Illinois, New Jersey, Washington, D.C., New Hampshire, Massachusetts and a growing list of other states in providing tenants with protection in foreclosure proceedings.

Suzanne Bonamici is a Democrat representing Beaverton in the Oregon Senate. Nick Fish is a Portland city commissioner.

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Posted by **PeterAsher** on [05/05/09 at 10:44AM](#)

Fair to Lenders?

Lenders don't deserve 'fair.'

The lenders issued loans in far greater quantities than their borrowers could service or simply failed at due diligence in qualifications.

Now, when their reckless policies have brought down the greatest economy on earth, they are psychopathically ignoring the plight of the victims of their folly. Being to administratively lazy to function as landlords should no longer be an option.

Credit and mortgages have become as essential to survival as public utilities and lenders should be regulated as such.

Pass a bill mandating leases be kept in place on foreclosed property.

There should also be a mandate for a period of forbearance for any home owner who has lost his job or business income and who was current on his mortgage before then.

Free market finance has become an oxymoron!

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Posted by **garypdx** on [05/05/09 at 2:41PM](#)

"Free market finance has become an oxymoron!"

Oh please. We need a suffocating government "mandated" market"? Yea..mmmmkay. You know this isn't Venezuela, right?

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Posted by **PeterAsher** on [05/05/09 at 4:54PM](#)

Usury regulation would not be a "a suffocating government "mandated" market.

Several decades past, when we had such laws, we had a more stable and healthy economy.

Those laws were revoked so lenders could prey on the desperate by charging them exorbitant interest rates which then exacerbated the risk.

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The lending world is a collective monopoly and has acquired a sense of responsibility akin to that of the drug cartels.

The banks, their brokers and the mortgage bonders have turned the economy into a train wreck.

"The Government made me do it" is not a valid plea of innocence.

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