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Targeted, Harassed, and Displaced: The Role of Discrimination in Oregon Evictions

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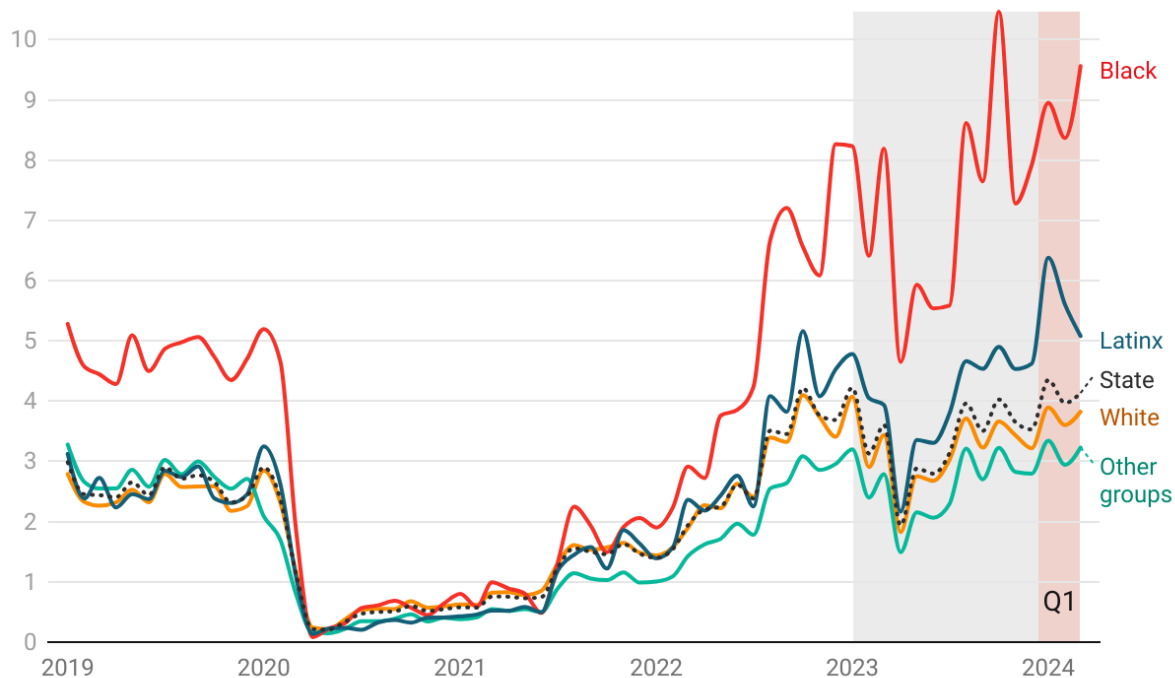
Evicted in Oregon

Targeted, Harassed, and Displaced: The Role of Discrimination in Oregon Evictions

INTRODUCTION

Evictions do not impact all groups equally. At the national level, Hepburn et al. (2019) have found that Black renters are disproportionately targeted for eviction, Black and Latine renters are more likely to experience serial eviction filing than white renters, and that Black women and Latine women are more likely to experience eviction than their male counterparts.¹ According to the latest analysis of Oregon eviction filings by the Eviction Research Network at U.C. Berkeley, Black renters are about two times more likely and Latine renters are about 40% more likely to experience an eviction filing than their white counterparts.²

Figure 1. Eviction Filings per 1,000 Renters by Race Between January 2019 to March 2024



Clackamas, Douglas, Linn, Malheur, Marion, Morrow, Tillamook, Baker, Gilliam, Grant, Harney, Sherman, and Wheeler Counties are omitted for missing data. Filings per 1,000 renters by race = (filings by race ÷ renter households by race) x 1,000.

Chart: The Eviction Research Network • Source: Evicted in Oregon & U.S. Census Bureau • Created with Datawrapper

While we know that there are clear racial, ethnic, and gender disparities in eviction filings, there is still much we do not know about discrimination in the eviction process. Detecting housing discrimination can be difficult, in part because landlords can often point to elements outside a tenants' identity (e.g., credit history or late payments) in order to justify actions like denying a rental application or filing an eviction.³ While fair housing testers can sometimes uncover legally-actionable discrimination by landlords at the application stage, it is extremely difficult to investigate or prove fair housing violations that occur during an eviction.⁴

One concrete way to shed light on this understudied phenomenon is to talk directly with evicted tenants about their experiences as members of Fair Housing-protected identity groups and other marginalized populations. Drawing on focus groups with 101 Oregon tenants who have experienced an eviction since the onset of the COVID-19 pandemic, this report examines the role that discrimination plays in Oregon evictions. As this is not a legal investigation, we do not focus solely on legally-actionable or provable claims. Rather, we include a wide range of tenants' descriptions of their experiences with unfair, malicious, or prejudicial treatment. Talking to tenants directly about their experiences—rather than relying solely on court records—also gives us an insight into instances in which landlords displace tenants without filing an eviction case.

We find that many tenants are specifically targeted for eviction or experience prejudicial treatment during the eviction process because of their identity or background. This includes being treated unfairly based on tenants' race, language, criminal record, gender, sexual orientation, or disabilities, including experiences that may indicate violations of federal and state anti-discrimination housing laws.

METHODS

The Evicted in Oregon research team conducted 18 focus groups with 101 Oregon tenants who had faced eviction since the onset of the COVID-19 pandemic. The tenants we talked with lived in Multnomah, Washington, Marion, Lincoln, Baker, and Linn counties. We deliberately recruited individuals from groups disproportionately vulnerable to eviction in order to learn more about the challenges they face. This included tenants with a criminal record, tenants with disabilities, Latine immigrants and farmworkers, and Black, African-American, and African tenants. Although we recruited specific populations for specific focus groups, many participants fell into multiple categories listed above.

We asked focus group participants about their eviction experiences and whether they had faced discrimination from their landlord. Our analysis does not assess whether a tenants' experience meets a legal threshold for a Fair Housing Act or other civil rights legal complaint, nor do we attempt to substantiate their reports as an investigator would do. National and state civil rights and anti-discrimination legal processes do not capture all the ways that tenants experience poor

treatment on the basis of their identities. This research centers those experiences as important and meaningful experiences of exclusion and inequitable treatment whether they could be adjudicated in a legal process or not.

The research team provided the participants with a complimentary meal and a \$50 gift card. Focus group transcripts were analyzed using qualitative research software to identify key findings and themes.

RESULTS

Over one-third of the tenants we talked with reported encountering discrimination at some point over the course of their eviction experience. Several tenants reported that they had a difficult time finding housing even before their eviction because of their identity or background. Many tenants faced racial discrimination, language discrimination, or disability-related discrimination from their landlord during the eviction process. This included harassment, threats, utility shut-offs, and prejudicial treatment. Additionally, some tenants said that they either did not challenge their eviction or did not report the discrimination they encountered because they did not expect to be treated fairly by the legal system.

Discrimination Against Black, African-American, and African Tenants

Black Americans experience significantly higher rates of housing insecurity than their white counterparts.⁵ This disparity stems from a long history of discriminatory housing policies and practices in the United States—including lending discrimination, residential segregation, and neighborhood disinvestment—that has severely disadvantaged Black households. Although the 1968 Fair Housing Act established race as a protected class under federal law, racial discrimination in housing persists. According to the National Fair Housing Alliance 2023 Fair Housing Trends Report, racial discrimination was the second most common form of discrimination reported across the country in 2022, accounting for almost 6,000 fair housing complaints. Moreover, these fair housing complaints only represent a small fraction of the broader landscape of discriminatory practices. Most instances of housing discrimination go unreported because they are often difficult to adequately detect or document.⁶

Many Black participants in our focus groups reported experiencing discriminatory treatment from their landlord. For example, a Black tenant in our disability focus group noted how their landlord, a white man, asked them intrusive questions about their background and made them feel unwelcome.

“My landlord, he was an older white man who made me feel uncomfortable from the moment that I stepped my foot in his office. So he was asking a series of questions that were [...] quite intrusive and offensive, such as where I was from, what my parents did for

a living, and what my religious beliefs were. So he asked if I was married and had children [...] He just gave off this feeling like he was not really comfortable [...] he never really wanted me to stay from the onset.” (Disability group, 2023)

The same tenant went on to explain how their landlord treated them differently from white tenants. While white tenants were often given extra time to pay their rent, this flexibility was not extended to the participant in our focus group.

“Sometimes he gives people the liberty to pay their rent, he gives them some months, he gives them that time, some months, but when it comes to my time to renew my rent, or pay my rent, I don't get the [extra] time. [...] And sometimes when I call him, or when I'm talking to him, the way he responds, I just sense [...] a form of racial discrimination from him.” (Disability group, 2023)

Some tenants said that their landlords not only targeted them individually but also engaged in broader patterns of harassment or eviction against Black tenants. A tenant in our low-income focus group said that after their apartment complex was sold to a new landlord, that landlord threatened all the Black tenants living in the apartment complex and tried to force them out.

“At first the [apartment] I was living [in] [...] was owned by a black man, but due to some circumstances, I think [he] had to sell the house to a white man. Ever since then, the apartment has been a living hell because he definitely was trying to get all the black tenants out from his new apartment he just got. Due to our color, he was not always happy living or having a black man in his own rented apartment. Due to that, he was [...] threatening all of us. Not only me as well, only those of my same race. Threatening us, threatening, doing a lot of bad stuff. He was not letting us be at peace. [...]. Like I said, I came back one day and he changed the locks of my house.” (Low income group, 2022)

Some Black tenants mentioned that they did not try to challenge their eviction because they did not think their landlord or the legal system would treat them fairly. For example, one tenant left their home rather than try to confront their landlord.

“Well, for me, I wasn't ready to struggle or argue anything with him about my rights and stuff like that because I'm black and then he's white, so I just didn't want to go through all of that. I just had to leave, just so I could find peace with myself.” (Disability group, 2023)

The same tenant went on to explain that they also did not try to report the discrimination they experienced to the authorities because they did not think it would be taken seriously.

“I just had this feeling that even [if] I got to file that formal grievance, I don't think I would've won the case or something because of my race and because of that I just didn't have the courage to do so.” (Disability group, 2023)

Another tenant had similar feelings about challenging their eviction. Due to their race, they did not expect to be treated fairly by the legal system. They also noted that housing discrimination is just one of many forms of discrimination faced by people of color.

“[S]ometimes, when you take that case to the necessary authorities, and they see maybe you are a person of color, they tend to maybe, might not actually take up the case. [...] This is something we've experienced, not only in the housing area, also in the schools, or the hospital. So this is common among people of color, this kind of issue happening to people of color.” (Legal assistance group, 2022)

As mentioned in the Introduction, Black renters are significantly more likely to be targeted for eviction than white renters, both at the national level and in Oregon. These accounts reveal some of the discriminatory practices through which Black tenants are targeted for eviction. They also reveal why some Black tenants feel like they cannot challenge their eviction or report the discrimination they face from their landlord. These tenants do not feel that it is worth engaging with the legal system because they do not expect to be taken seriously or treated fairly.

Discrimination Against Tenants with Disabilities

Disability is a broad category that encompasses many conditions, including physical disabilities, intellectual and developmental disabilities, severe mental illness, and substance use disorder.⁷ In 1988, an amendment to the Fair Housing Act classified people with disabilities as a protected class under federal fair housing law. In addition, people with disabilities are permitted to request reasonable modifications to their housing unit and reasonable accommodations to policies and procedures related to their rental housing.⁸

Despite these legal protections, it is still common for people with disabilities to experience discrimination in rental housing.⁹ For example, a 2015 study by the Urban Institute for the U.S. Department of Housing and Urban Development found that people in wheelchairs are less likely to get an appointment with a landlord or property manager, less likely to be told about available units, and less likely to be shown available units compared to other renters. The study also found that landlords failed to give a clear response to 21% of reasonable modification requests from tenants in wheelchairs.¹⁰ However, housing discrimination is not only directed towards tenants with physical disabilities. Recent research has also shown that tenants with severe and persistent mental illness are often unfairly targeted for eviction in subsidized housing.¹¹

We conducted focus groups with 14 tenants who either had a disability or lived with someone with a disability at the time of their eviction. Half of the participants in these groups reported experiencing disability-related discrimination from their landlord.

Several tenants stated they felt their landlord treated them differently because of their disability. One tenant wished their landlord would have told them an eviction notice was coming so they could be more prepared to find a new place to live. They felt the landlord had not been communicating with them because of their disability.

“[T]he eviction, it was something that was very sudden, so now I'm disabled, what shall I do? How can I go start looking for another house? I need someone to help me, and I felt that [the landlord] was not being fair to me.” (Disability group, 2023)

Under federal fair housing law, tenants with disabilities can request reasonable modifications or accommodations from their landlord to make their housing more accessible to their needs. Some tenants reported that their landlord had denied their reasonable modification or accommodation requests. One tenant said their landlord ignored their request for reasonable modifications altogether.

Participant: “[T]hat was the main reason that I got the eviction notice because I requested for an easier means to come down the steps in my house, and I wasn't given a listening ear. It seemed like it wasn't possible or he wasn't going to do anything about it.”

Facilitator: “That's really frustrating that you never got any real response to those accommodation requests. So, did your landlord respond and say no, or did he just ignore you?”

Participant: “Totally ignored, probably like he didn't hear what I said or it just gave me deaf ears. All my complaints fell on deaf ears.” (Disability group, 2023)

While it is alarming that such a large portion of the tenants with disabilities that we spoke with experienced discrimination, it is not surprising. Data from the National Fair Housing Alliance shows that disability-based discrimination was the most commonly reported forms of housing discrimination in Oregon in 2022.¹²

Discrimination Against Latine Immigrants and Farmworkers

Latine immigrants face a number of barriers—including language barriers, immigration status, and limited access to government resources—that lead to increased housing insecurity.¹³ About 10% of Oregon residents and 60% of Oregon agricultural workers are immigrants, most of whom

are from Mexico.¹⁴ A recent study found that farmworkers in Oregon make an average income between \$20,000-\$25,000 and experience poverty rates twice that of the national average. Due to these high poverty rates and a lack of affordable housing, most farmworkers are rent-burdened and have no choice but to live in overcrowded (and often unsafe) housing conditions.¹⁵

While national origin is a protected class under federal fair housing law, immigrants still face discrimination in the rental housing market. In our focus groups with Latine immigrants and farmworkers, over half of participants reported experiencing discrimination based on their identity or language. These tenants encountered substandard housing conditions, landlords and property managements who were slow to fix much-needed repairs, threats, and utility shut-offs.

Some tenants reported that their landlord or property manager tried to take advantage of them because they did not speak English. For instance, one tenant said that their property manager assumed they did not know their rights or how to defend themselves.

“I think that sometimes the [property] managers take advantage of one for being Hispanic, someone who does not speak English well or that doesn’t understand it, that doesn’t know how to defend oneself.” (Latine immigrant and farmworker group, 2023)

Other tenants said that their landlord tried to take advantage of them because of their immigration status. One tenant explained that landlords often neglected much-needed repairs for Latine immigrant tenants.

“They think that because we are immigrants we don’t have rights, but we also have rights. [...] It is difficult with the ones who rent the apartments, because sometimes [the apartments] are not good and they want us to pay.” (Latine immigrant and farmworker group, 2023)

Several tenants mentioned that their landlord or property manager were much slower to address problems in their homes compared to white, English-speaking tenants.

“If you speak English, it is like they pay attention to do the repairs, they will fix it. And for us, no.” (Latine immigrant and farmworker group, 2023)

“[W]hen I go to say that I am missing something, it takes a while. To this date, I am still waiting. But to people of [the landlord’s] own class or race [...] immediately they are there the next day fixing it.” (Latine immigrant and farmworker group, 2023)

Some tenants also said they were threatened with eviction or forced out of their home because of their identity. One tenant said their landlord had shut off their electricity and water to force

them out of their home. Leading up to the shut-off, the tenant had faced discrimination and threats from the landlord.

“[On] one occasion, he said, ‘I’m actually [doing] you guys a favor by letting you guys live here.’ So it was like, this is not free, so what favor?” (Latine immigrant group, 2022)

According to another tenant, their landlord threatened them with an eviction case even after they had managed to secure rental assistance to cover their rent. Despite the tenant's efforts to explain to the landlord that they had been approved for rental assistance, the landlord persisted in threatening them with an eviction filing. It wasn't until a caseworker intervened and asked for the eviction case number that the tenant realized the landlord was using the threat of court action to try and force them out.

“Then I told her that they were going to help me. She (landlord) told me, ‘No, there is nothing you can do, there is nothing you can do. I don’t want it.’ And she would walk away, like she would ignore me, and she didn’t want to talk to me anymore until I found the [case] worker [...] She (caseworker) changed everything.” (Latine immigrant and farmworker group, 2023)

The eviction experiences of Latine immigrants and farmworkers are explored in more detail in Evicted in Oregon’s report, [*Unjust and Unsafe: The Eviction Experiences of Latine Immigrant and Farmworker Tenants in Oregon*](#).¹⁶

Discrimination Against Tenants with a Criminal Record

Tenants with a criminal history face significant barriers to securing stable housing. Research shows that landlords are less likely to accept tenants if they have a criminal record.¹⁷ This practice of housing denial functions as a form of continued punishment that persists even after an individual is incarcerated. This pattern of housing denial can also lead to homelessness, which in turn can increase the likelihood of police contact and arrest. Due to the racially disproportionate nature of the criminal justice system, people of color are more likely to fall into this vicious cycle of criminal conviction, housing denial, homelessness, and re-criminalization.

In Oregon, individuals with a criminal record are not considered a protected class under state fair housing law. However, there are some protections for tenants with a criminal history under Oregon landlord and tenant law. Landlords cannot institute a blanket ban on any tenant with a criminal history. They can, however, deny tenants with convictions for certain crimes, including sex offenses, violent crimes, some drug-related crimes, and crimes related to tenancy. In addition, landlords cannot consider arrest history unless the case is ongoing or the individual was convicted. Before denying a rental application due to criminal history, landlords must also

give applicants a chance to submit additional materials to explain why they should be accepted.¹⁸ Many of these protections went into effect in 2022 as a result of Oregon Senate Bill 291. However, some of the tenants we spoke with experienced an eviction before these protections were in place.

In our focus groups with tenants who had a criminal record, three out of five participants reported experiencing discrimination from their landlord. Some tenants said that it was difficult to find housing with a criminal record because landlords saw them as dangerous or untrustworthy. Two tenants noted how landlords made assumptions about them based on their records.

“[Ye]s I felt we were disadvantage[d]. [P]eople find it easy to discriminate against persons with criminal records. They feel like we are monsters or [can’t] be saved, making redemption difficult.” (Criminal record group, 2022)

“I think some of the landlords are judgmental, especially for whatever criminal record that you have [...] Sometimes it’s just a one-time thing. You made a mistake or something that you did. But they wouldn’t really give you a chance to explain yourself [...]” (Criminal record group, 2022)

One tenant said they were discriminated against not only for their record, but also their appearance.

“In my case, I can say that I’ve [had] a hard time trying to get a house that I can really be a tenant, because you realize that these people, they really judge you from your appearance. And in my case, I got a couple of tattoos [on] my face and my neck, and that gives that gangster vibe [...] By just looking at me, you can just judge me and say, “This guy’s a bad guy.” [...] And [the landlord’s perception of me] really prevented me from trying to vibe with him so that I can just share my story, and I can just tell him about how I’ve been through life, and I can just tell him everything about me. And I didn’t get [any] chance of explaining myself.” (Criminal record group, 2022)

The same tenant noted that because of their record and appearance, their landlord watched them closely and violated their privacy. The landlord often visited them unannounced, which made them feel surveilled and uncomfortable in their home.

“[I]n my situation, my landlord [...] was always this guy who was trying to spy on you, trying to maybe knock on your door every time without an [announcement]. He would just knock on your door, without even just telling you anything. And you’ll have this feeling that this guy was just trying to catch you unawares, and trying to know about

what you're doing in there. Maybe he's just suspecting that you [are] just doing some drugs or stuff. And with that kind of behavior, I could judge that this guy was trying to just spy on me and trying to catch me unaware.” (Criminal record group, 2022)

The findings are consistent with previous research indicating that renters with a criminal record face difficulties in finding stable housing, which ultimately impacts their financial and mental well-being. In fact, one study found that because tenants with criminal records were acutely aware of landlords’ biases against them, they were often reluctant to challenge unfair or illegal rental practices.¹⁹

Intersecting Forms of Discrimination

It is important to remember that the categories presented separately in this report—Black tenants, Latine immigrants and farmworkers, tenants with disabilities, and tenants with a criminal record—are not mutually exclusive. In fact, many of the tenants most vulnerable to eviction belong to multiple groups that are subject to housing discrimination. For example, as mentioned in the Introduction, research has shown that Black women and Latine women are more likely to be evicted than their male counterparts. Drawing on Faber and Mercier (2022), we recognize that housing discrimination is multidimensional and often targets individuals with multiple marginalized identities.²⁰

Several tenants we talked with reported that they faced overlapping forms of discrimination. For instance, a few tenants in the disability group reported facing both racial discrimination and disability-related discrimination from their landlord. And in the criminal record group, one tenant noted how they faced difficulty finding housing due to a combination of their race, their record, and their appearance.

“I feel in the past, I wasn't able to get a spot. Sometimes I feel it's probably because of my history, or the fact that I'm black, or the fact that I appear rugged, the way I look, the way I dress. This has been an issue in the past, so I wasn't shocked or surprised.”
(Criminal record group, 2022)

Another tenant described experiencing both racial and gender discrimination. After losing her job during the pandemic, she received a termination notice from their landlord. She said she felt targeted because of her race and gender. The tenant also did not try to challenge the eviction because she did not expect to be treated fairly by the landlord or the legal system.

“[The landlord knew] my job situation, we talked about it a couple of times, it felt like he understood. But when he decided to put on the eviction notice, he wasn't listening. So I kind of feel like it was [...] about [my] race and probably also my feminine gender, I

couldn't fight it or anything. Even though I could bring a couple of people to stand in for me, but I felt [...] I don't have much power here." (Low-income group, 2022)

A tenant in the criminal record reported that their landlord engaged in discrimination against multiple tenants based on their criminal record and sexual orientation.

"[W]e were about six or seven of us eventually who would get an eviction, and I would say about four or five of us had some previous history where we had some jail time or some correctional time. So we felt like we were targeted. And we had two [people] who weren't straight, so they felt also like it was a minority target as well." (Criminal record group, 2022)

These accounts demonstrate that tenants who belong to multiple marginalized groups can be especially vulnerable to housing discrimination and eviction. The intersecting forms of discrimination reported above certainly do not exhaust all the ways in which discrimination occurs. Other forms of discrimination that are unexplored in this report include discrimination based on familial status, source of income, religion, and discrimination against survivors of domestic violence.

CONCLUSIONS AND RECOMMENDATIONS

From our findings, it is clear that prejudiced treatment and identity-based discrimination play a significant role in many Oregon evictions. This report has documented some of the ways tenants encounter discrimination from their landlords, including harassment, threats, utility shut-offs, and refusal to respond to reasonable accommodation requests. It has also revealed that some tenants choose not to challenge their evictions or report the discrimination they face because they do not trust the legal system to treat them fairly.

One way that housing discrimination can be combated is through fair housing law. At the federal level, the Fair Housing Act prohibits housing discrimination on the basis of race, color, nation of origin, religion, sex, disability, and familial status. The U.S. Department of Housing and Urban Development has also issued specific [guidelines](#) for landlords concerning discrimination based on an individual's criminal history. Additionally, Oregon law prohibits housing discrimination against sexual orientation, gender identity, source of income, marital status, and victims of domestic violence. And although Oregon law offers some protections for tenants with a criminal history, this could be strengthened through additional state and local legislation. For example, in 2019 Portland City Council passed the Fair Access in Housing (FAIR) ordinance, which placed new limitations on landlords' ability to reject applicants with criminal histories. Another model is

Seattle's [Fair Chance Housing Ordinance](#), which prohibits landlords from requiring rental applicants to disclose their criminal history.

Expanding the education and enforcement of fair housing law can help confront discrimination in rental housing. In Oregon, the Fair Housing Council of Oregon (FHCO) educates landlords and property managers about fair housing law in an effort to prevent discrimination before it occurs. FHCO also educates tenants about their rights so they can recognize and report fair housing discrimination when it happens. Local governments can strengthen this work by funding additional education and outreach programs in their communities. For example, Montgomery County in Maryland hosts its own fair housing training for tenants, landlords, and property managers. It also created a Human Rights Camp which offers an introduction to fair housing for 5th grade students. This ensures that students learn about discrimination and fair housing protections early in their educational journey. In addition to initiatives like these, state and local governments can also strengthen fair housing education by requiring landlords and property managers to participate in recurring fair housing training.

While education and outreach programs can help identify and prevent discrimination, strong fair housing enforcement programs are necessary to address discrimination once it has occurred. In Oregon, FHCO has an enforcement team that receives reports concerning housing discrimination from across the state. However, due to staffing and funding constraints, FHCO's capacity to investigate and litigate fair housing violations is currently limited. Therefore, there is an urgent need for increased state funding to expand the scope of Oregon's fair housing enforcement efforts. One way to do this is by funding fair housing legal aid programs. For example, the [Fair Housing Law Center](#) in Pennsylvania provides litigation services for individuals who experienced housing discrimination based on their status as members of a protected class.

Another crucial part of investigating and litigating fair housing complaints is through fair housing testing. During fair housing tests, a pair of testers—each of whom report the same qualifications except for their identity as a member of a protected class—apply for housing to reveal whether they are treated differently by the housing provider. However, fair housing testing in Oregon is severely limited by current funding constraints. For example, there were only 20 fair housing tests conducted in Portland between July 2022-June 2023.²¹ Seattle, however, was able to conduct 421 fair housing tests in 2022.²² These tests were carried out by a civil rights investigation team with Seattle's Office of Civil Rights. In order to increase fair housing testing in Oregon, Portland and other cities can partner with FHCO to develop more robust testing programs in their communities. This will in turn increase Oregon's capacity to reveal and remedy housing discrimination across the state.

Fair housing law is an important source of protection for tenants. However, our findings reveal that many tenants are hesitant to report the discrimination they encounter during their eviction. First, tenants must have an idea of whether the treatment they've experienced is illegal and where to report it. Then, even if tenants do seek legal recourse for discrimination under fair housing law, it is often difficult to prove that landlords were discriminating based on a protected class. While fair housing testers can often reveal housing discrimination at the application stage, it is much more difficult to utilize testing at the eviction stage. Finally, if tenants win their case and receive monetary damages, it will likely be long after the tenant has already been evicted. Therefore, there is a need for other avenues of addressing the discrimination that so often occurs during evictions.

One avenue of confronting this discrimination directly is by bolstering the knowledge and power of tenants. Tenant unions are a crucial medium through which tenants can share their experiences with one another, learn about their rights, discover if others are being treated unfairly, and leverage collective power to confront discriminatory landlords. The first step for tenants seeking to build this collective capacity is to [start talking to neighbors in their building](#). Broader tenant support organizations, like Oregon's Community Alliance of Tenants (CAT) or the Springfield-Eugene Tenant Association (SETA), are also valuable sources of tenant education and organizing. For example, CAT operates a statewide renters rights hotline, hosts Know Your Rights training for tenants, and through its Safe Housing Project helps tenants organize around habitability and repair issues. Local officials can strengthen these efforts by working directly with tenant organizations to better understand the issues tenants are facing in their community and create tailored outreach and support programs to address these issues.

Another avenue of curbing housing discrimination is to restrict the discretion that landlords have over eviction decisions. Before they file an eviction case against a tenant, landlords could be required to participate in an eviction diversion program. For example in Philadelphia, landlords are required to engage in good faith with the city's [Eviction Diversion Program](#), which connects landlords and tenants to resources like mediation and rental assistance in the effort of preventing evictions before they are filed. By providing educational materials, mediation services, or even referrals to legal assistance, programs like these can ensure that landlords and tenants are aware of landlords' responsibilities under the law *before* tenants are displaced. Pre-filing eviction prevention programs can also provide information to tenants about how to report any discrimination or prejudicial treatment they experience from their landlord. If some of the tenants mentioned in this report had access to a diversion program, they might have been better able to identify and report the discrimination they faced, access resources like legal aid or rental assistance, and avoid displacement from their homes.

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EVICTED IN OREGON

RESEARCH TEAM

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MORE INFORMATION

For more information about the eviction process, the latest statewide and county-level eviction data, and more visit evictedinoregon.com.

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Evicted in Oregon is a research project interested in understanding how evictions happen, for the purpose of eliminating them.

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APPENDIX

Focus Group Questions

Thank you everyone for being here. You are all here to share your eviction experience that happened in the past four years (from March 2020 to now). As we mentioned, we are not affiliated with [name of organization]. We are going to start the discussion by asking you to briefly describe what was happening at the time you received the eviction notice and then we will go into specific questions about your eviction experience as [specific group]. Finally, we'll end with some questions about the outcomes of your eviction experience.

- 1) Please tell us what kind of eviction notice you received. Did you just get something from your landlord, or did you get a summons from court?
 - a) What was the reason listed on the notice by the landlord?
- 2) What are some life events/circumstances that led up to or contributed to your termination notice or eviction?
- 3) What were your biggest needs after receiving the termination/eviction notice?
 - a) Who did you go to for assistance?
 - b) Probe/follow-up: Did you call any tenant organizations or other community organizations for help? Did you apply for emergency rent assistance?
 - c) How did you find out about/learn about these orgs or assistance?
- 4) Did you know what to do about getting a termination notice/eviction case summons?
 - a) Probe/follow-up: Did you understand what your legal rights were? What kind of notice did you receive? Did anyone help you figure that out?
- 5) How did you and your landlord communicate about your termination/eviction notice?
- 6) Ultimately, what was the end of your termination or eviction experience?
 - a) Did you stay in the unit, move out, or?
 - b) Did you access rent assistance either through ELD or another avenue, and was the rent assistance able to help you maintain your housing?
- 7) How did the termination notice or eviction court case impact your health/family/household?
 - i) Did you make changes for your job, kids' school, or other due to moving?
 - ii) Do you have ongoing financial impacts like a payback plan with your landlord?
 - iii) What was the impact of the termination notice or eviction court case on your mental and physical health?
 - iv) Did you get the help you needed, other than legal help with the eviction case? Help with cash or food? Relocation to new housing? Transition with schools?
- 8) Finally, what advice would you give, or do you give, to others in your community who get a termination or eviction notice or eviction court case?

Target Population Questions

Tenants with Criminal Records

- Has having a criminal record ever caused problems that prevented you from being housed?
 - Probe/followup:
 - Has a screening procedure stopped you from being able to rent a place? Have you had sealed or expunged records that came up in a tenant screening?
 - How does having a record affect the kinds of housing and neighborhoods you can access?
- Have you had challenges with staying housed due to criminal justice system contact?
 - Probe/followup:
 - Have you or a household member been evicted due to arrests or cases that were incidents that happened away from the rental?
 - Experience with additional surveillance from a landlord or “one strike” for any problems?
- How does having a criminal record affect how you respond to a termination notice or eviction court case?
 - Probe/followup:
 - Are there strategies you used to avoid going to court with an eviction?
 - Did you feel unwilling or unable to assert some legal rights as a tenant due to having a criminal record or wanting to avoid a court case or having to find a new place to live?

Black, African-American, and African Tenants and Families with Children

- What was your family’s biggest need after receiving the notice from your landlord?
- How did you talk to your children about the eviction?
 - How did your children respond to the eviction?
- Did you or your children ever feel that the landlord treated you unfairly because of your race, income level, language, etc?
- Did you ever feel like you were treated unfairly by the landlord because there were children in the household, or any other differential treatment having to do with kids?

Latine Immigrants and Farmworkers

- Have you experienced language barriers as a renter?
 - Probe/followup:
 - Did you sign a lease in English? If there are questions or issues understanding the lease/contract how do you get help?
 - How do you and your landlord navigate language barriers?
 - Did you get a termination notice or eviction court case summons in English only, and what did you do to get it translated?
- Do you think or feel that your landlord treats you differently because you weren’t born in the US?

- How does your immigration status, whatever it is, affect how you respond to an eviction notice or case?
- Probe/followup:
 - Are there strategies you used to avoid going to court with an eviction?
 - Did you feel unwilling or unable to assert some legal rights as a tenant due to your immigration status, like wanting to avoid a court case or having to find a new place to live?

Tenants with Disabilities

- During the pandemic, did you ask the landlord to change policies, services, rules, or procedures to accommodate your needs?
- Probe: Were any of these requests made to avoid or prevent eviction?
 - Probe: Did your landlord respond in a timely manner?
- Did you ever ask the landlord or the court for accommodations during the eviction process?
 - If yes, did they respond in a timely manner? Did they meet your needs?
 - If not, what accommodations would have been helpful during the eviction process?
- Were you in contact with community resources that assisted you with navigating your rights as a tenant under fair housing laws?
- Did you ever file, or feel the need to file, a formal grievance with a government agency because the landlord did not meet your accommodations?