



RELOCATION EXEMPTION APPLICATION (REA) FORM

Exemption 4: “Tenants that occupy an Accessory Dwelling Unit that is subject to the Act in the City of Portland so long as the Owner of the Accessory Dwelling Unit lives on the site, *or* tenancies where the Owner occupies the Accessory Dwelling Unit, and the Tenant occupies a Dwelling Unit on the site.”

General instructions for completing the Relocation Exemption Application (REA) Form to claim Exemption from the obligation to pay city Relocation Assistance as specified in Portland City Code 30.01.085.

- Please print clearly and complete all sections of this form. All fields require a response (please use n/a to indicate not applicable). We cannot process illegible or incomplete REA Forms.
- This form is designed to be completed and signed by the legal Owner(s) of the Dwelling Unit where exemption from the obligation to pay city Relocation Assistance is claimed. If someone other than the Owner/Landlord is completing this form on behalf of the Owner/Landlord, documentation that conclusively demonstrates that the person completing the REA Form is authorized by the Owner/Landlord of the Dwelling Unit to certify facts and make legally binding statements on behalf of the Owner/Landlord must accompany this form.
- The Administrative Rules referenced in each REA Form identify stipulations with which a Landlord must comply in order to claim the exemption. If a Landlord fails to fully comply with each and all applicable stipulations, the Landlord’s claim of exemption is invalid.
- Supporting documentation is required for most exemptions. If supporting documentation is required, please review the Documentation Guidance and submit documentation that complies with the guidance, along with your signed and dated REA Form. **REA Forms that do not include documentation, where documentation is required, are incomplete and cannot be processed.**
- If you need assistance completing the REA Form, staff are available during the following hours, except on holidays, to provide technical assistance. Please be advised that the materials and information available through the Rental Services Office are for information purposes only. *Our staff cannot provide legal advice.*

Phone: (503) 823-1303

Rental Services Office Helpline Hours

Monday 9 - 11 AM, 1 - 4 PM

Wednesday 9 - 11 AM, 1 - 4 PM

Friday 9 - 11 AM, 1 - 4 PM

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RELOCATION EXEMPTION APPLICATION (REA) FORM 4:

“Tenants that occupy an Accessory Dwelling Unit that is subject to the Act in the City of Portland so long as the Owner of the Accessory Dwelling Unit lives on the site, or tenancies where the Owner occupies the Accessory Dwelling Unit, and the Tenant occupies a Dwelling Unit on the site.”

The following Administrative Rules and Process apply to Exemption 4:

- The Landlord must submit the required REA Form to PHB.
- The Landlord must receive an Acknowledgment Letter issued by PHB. An Acknowledgement Letter does not exempt a Landlord from complying with all relevant notice requirements.
- For Rental Agreements beginning after March 8, 2018, where the Tenant occupies the Accessory Dwelling Unit, the Landlord must provide a copy of all pages of the Acknowledgment Letter to the Tenant prior to the Tenant entering into a Rental Agreement *and* within 30 days of PHB issuing the Landlord a written renewal of the Acknowledgement Letter.
- For Rental Agreements beginning after December 14, 2020, where the owner occupies the Accessory Dwelling Unit, the Landlord must provide a copy of all pages of the Acknowledgement Letter to the Tenant prior to the Tenant entering into a Rental Agreement.
- In addition to providing a copy of the Acknowledgment Letter as described above, the Landlord must provide a copy of all pages of the Acknowledgement Letter issued to the Tenant, including a description of a Tenant's Rights and Obligations prior to each and any Triggering Event.
- This exemption is effective so long as an Owner of the Dwelling Unit's Principal Residence is on the same legal site as the exempted Accessory Dwelling Unit for the 6 months prior to a Triggering Event.
- Existence of an Accessory Dwelling Unit on the site must be independently verifiable by means of public record.

STEP ONE: DOCUMENTATION GUIDANCE

This exemption requires supporting documentation.

What must be demonstrated: The Principal Owner of both the Accessory Dwelling Unit (ADU) and the other Dwelling Unit (regardless of whether the claim of exemption will apply to the ADU or to the other Dwelling Unit) is currently on the same legal site as the Dwelling Unit for which exemption claimed. Documentation provided must include all the following features:

- Must be dated no more than 90 days prior to the date the REA Form is submitted.
- Must be addressed to the Owner of the Dwelling Unit (by name) at the address shown in the REA Form as the Owner's Principal Residence.

Note: Existence of an Accessory Dwelling Unit (ADU) on that site must be independently verifiable through public records.

- Must conclusively demonstrate that the Owner personally resides at that address, as opposed to owning or managing the property.
 - **Examples of documents that demonstrate Principal Residence**, as opposed to ownership/management, include but are not limited to the following: documents from an Internet Service Provider (ISP) account, cable, and satellite bill; document from an employer, school, healthcare provider, insurance agency (unrelated to the property), a financial institution (unrelated to the property), or governmental entity (unrelated to the property).
 - Documents related to ownership or management of the Dwelling Unit, which **do not** conclusively demonstrate that the Owner personally resides at the Dwelling Unit, include: utility bills, property tax statements, homeowners/rental unit insurance, HOA fees, documents relating to financing of the Dwelling Unit, invoices for maintenance and repair of the Dwelling Unit, and similar items.

STEP TWO: LANDLORD INFORMATION

1. Who is the Owner/Landlord of the property?

Note: Acknowledgment Letters are issued in the legal name(s) of the property Owner(s)

NAME:					
MAILING ADDRESS:				UNIT:	
CITY:		STATE:		ZIP:	
PHONE:		EMAIL:			

2. What is the street address of the Owner of the Property's Principal Residence?

Note: Principal Residence means the primary location a person inhabits. It is the Dwelling Unit that is physically occupied and personally used for overnight sleep more than any other Dwelling Unit during the period of time specified in each exemption.

ADDRESS:				UNIT:	
CITY:		STATE:		ZIP:	

STEP THREE: DWELLING UNIT INFORMATION

3. Which of the following best describes the ownership of the property? Check one.

- ☐ The property is owned by a Natural Person (as opposed to an entity created by an operation of law) and the Landlord is the Owner.
- ☐ The property is owned by a trust and the Landlord is the settlor/grantor/named beneficiary of the trust that owns the Dwelling Unit.
- ☐ The property is owned by a business entity and the Landlord is the owner/principal member the business that owns the property.

4. The Owner's Principal Residence is:

- ☐ The Dwelling Unit on the same legal lot as an Accessory Dwelling Unit (ADU) which is or will be occupied by a Tenant.
- ☐ The ADU on the same legal lot as another Dwelling Unit that is or will be occupied by a Tenant.

5. Which of the following best describes the size of the rental unit to which the exemption will be applied?

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- ☐ Single Room Occupancy (SRO) or Studio
- ☐ One bedroom
- ☐ Two bedrooms
- ☐ Three or more bedrooms

6. What is the street address of the Dwelling Unit for which the exemption is being claimed?

DWELLING UNIT ADDRESS:		UNIT:	
CITY:	STATE:	ZIP:	

STEP FOUR: RENTAL AGREEMENT INFORMATION

7. This exemption will be applied to: (check one)

- ☐ A future tenancy/Rental Agreement with a Tenant who does not currently live in the Dwelling Unit.
- ☐ An existing tenancy/Rental Agreement where the Tenant already lives in the unit, including renewal or replacement of a previous lease or Rental Agreement *but where an Acknowledgement Letter **has not been** previously issued.*
- ☐ An existing tenancy/Rental Agreement where the Tenant already lives in the unit, including renewal or replacement of a previous lease or Rental Agreement *and where an Acknowledgement Letter **has been** previously issued (landlord requesting renewal of expiring or expired Acknowledgement Letter).*
 - ☐ If requesting renewal of an expired or expiring Acknowledgment Letter, what is the 7 or 8 digit REA Tracking Number of the Acknowledgment Letter that is expiring/expired (found in the top section of that letter)? _____

8. When did the tenancy/Rental Agreement *originally* begin?

- ☐ This is for a future tenancy/Rental Agreement that has not started yet.
- ☐ This is for an existing tenancy/Rental Agreement that originally ***began on or before March 8, 2018.***
- ☐ This is for an existing tenancy/Rental Agreement that originally ***began after March 8, 2018 but before December 14, 2020.***
- ☐ This is for an existing tenancy/Rental Agreement that originally ***began after December 14, 2020.***

STEP FIVE: CERTIFICATIONS & ACKNOWLEDGEMENTS

Note: This REA Form is not complete unless all sections of the form are completed, the certifications and acknowledgment statements below are certified/acknowledged, the form is signed and dated, and any required documentation is attached.

1. I hereby certify that my Principal Residence (regardless of whether the claim of exemption will apply to the ADU or to the other Dwelling Unit) is currently on the same legal site as the Dwelling Unit for which

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this is exemption is claimed.

- ☐ I so certify
- ☐ I do not so certify

2. I acknowledge that my Principal Residence must be the unexempted Dwelling Unit on the same legal site as a Dwelling Unit for which this exemption is claimed for the entirety of the six months prior to the Triggering Event.

- ☐ I so acknowledge
- ☐ I do not so acknowledge

3. I acknowledge that exemption from obligation to pay city Relocation Assistance as required under PCC 30.01.085 does not extend to the notification requirements of that same section of City Code, nor does it exempt a Landlord from the limitations and obligations of any other applicable local, state, or federal law. I understand that acknowledgment of my claim of exemption is not authorization for any action or inaction that is inconsistent with all applicable rules and laws.

- ☐ I so acknowledge
- ☐ I do not so acknowledge

4. I hereby certify that all information provided by me in the REA form and/or provided in supporting documentation is current, true, and complete to the best of my knowledge. I understand that I must inform the Portland Housing Bureau immediately and in writing of any changes. I understand that a Landlord that fails to comply with any of the requirements set forth in PCC 30.01.085 shall be liable to the Tenant for an amount up to 3 times the monthly Rent as well as actual damages, city Relocation Assistance, reasonable attorney fees and costs.

- ☐ I so certify
- ☐ I do not so certify

Signature: _____ Date: _____