

**MULTNOMAH COUNTY, OREGON**  
**EXECUTIVE RULE NO. 388 ADDENDUM**  
**Declaration of Emergency- Additional Measures**

A. On March 11, 2020, the Multnomah County Chair signed Executive Rule No. 388 declaring an emergency for the entire County to address the continued spread of the COVID-19 illness, loss of life, an extreme public health risk, and significant economic impact in the region. This is an Addendum to the March 11, 2020, Declaration of Emergency and provides additional measures to address these emergency conditions.

B. The Chair is authorized to order all actions necessary to address and alleviate the emergency, including, but not limited to those powers specifically enumerated in Multnomah County Code § 25.410 *et seq.*, ORS 401.025 *et seq.*, and the Multnomah County Charter.

C. The rapidly evolving nature of this emergency has made it impracticable to list each action that the County and the Chair will take to preserve the health, welfare and safety of the community, and this addendum reserves all powers available under law.

D. The spread of COVID-19 has caused widespread closures and cancellations in the region and across the country, and public health officials recommend at a minimum isolation and social distancing.

E. As the response to this public health emergency escalates, the County anticipates that many residents will experience direct economic impacts. The Federal government and State of Oregon have declared emergencies. To date, numerous Portland restaurants have announced extended closures; and hundreds of concerts, plays, professional sporting events, trade shows, and other events have been postponed or cancelled. On March 11, 2020, Oregon Governor Kate Brown announced the closure of all Oregon K-12 schools through the end of March. Those cancellations and closures will result in lost business throughout the hospitality, entertainment, and retail industries. They will also result in lost wages for employees.

F. The County must avoid the creation of an additional economic and public health emergency that would result from subjecting more households to homelessness as a result of the economic impacts of COVID-19. Additionally, in order to encourage County residents to comply with closures and prevent further spread of COVID-19, the County must protect residents from the fear of potential eviction due to economic dislocation. The ability to maintain housing during this pandemic is a public health imperative, and the Chair is ordering these immediate measures:

NOW, THEREFORE, the following Executive Rule Addendum is adopted, and effective immediately the following additional measures are enacted in Multnomah County:

1. A temporary moratorium is imposed on all residential evictions in Multnomah County for tenants on the basis of nonpayment of rent due to wage loss resulting from COVID-19.
  - a. To establish eligibility for this moratorium, affected tenants must:
    - i. Demonstrate substantial loss of income, through documentation or other objectively verifiable means, resulting from the COVID-19 pandemic, including County, state, and federal restrictions imposed to mitigate its spread; and

- ii. Notify their landlords on or before the day that rent is due that they are unable to pay rent due to substantial loss of income as a result of the COVID-19 pandemic.
  - b. Nothing in this moratorium shall relieve tenants of liability for unpaid rent, which landlords may seek, and tenants must pay within six months after expiration of this emergency. No late fee may be charged or collected for rent that is delayed for the reasons stated in this moratorium; nor may a landlord seek rent that is delayed for the reasons stated in this moratorium through the eviction process.
2. In partnership with the Multnomah County Circuit Courts, it is the understanding and expectation of the County that court hearings on eviction proceedings will be suspended until April 30, 2020, or later.
  3. In partnership with the Multnomah County Sheriff's Office, and upon demonstration that executing a writ will cause a person to be without housing, writs of execution or actions in furtherance of residential evictions for nonpayment of rent or mortgage payments will not be enforced during the state of emergency. See ORS 90.435 (restricting recovery of premises); ORS 105.161 (governing writs of execution);
  4. Any place of lodging within Multnomah County must accept and/or retain housing any individual whose payment is subsidized either by the County or a County contractor. Refusal to accept or retain housing of individuals whose payment is subsidized either by the County or a County contractor during the declarations of emergency will be subject to fines and penalties to the greatest extent possible;
  5. Act on appropriate requests for compensation, commandeered or utilize any private property if deemed necessary to cope with the emergency;
  6. The County Chair directs the Multnomah County Attorney to draft an Ordinance that will impose retroactive fines and penalties for violation of these measures; and
  7. These temporary measures shall remain in effect for the duration of the declaration of emergency set forth in Executive Order No. 388.

<p>FOR THE MULTNOMAH COUNTY CHAIR</p> <p>By: <u>Deborah Kopyay</u></p> <p>Multnomah County Chair</p> <p>DATE: _____</p>	<p>REVIEWED: COUNTY ATTORNEY FOR MULTNOMAH COUNTY, OREGON:</p> <p>By: <u>J. Madson</u></p> <p>County Attorney</p>
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