EXECUTIVE ORDER NO. 20-11

TEMPORARY MORATORIUM ON RESIDENTIAL EVICTIONS FOR NONPAYMENT, IN RESPONSE TO CORONAVIRUS (COVID-19) OUTBREAK

On March 8, 2020, I declared an emergency under ORS 401.165 *et seq*. due to the public health threat posed by the novel infectious coronavirus (COVID-19).

On March 11, 2020, the World Health Organization announced that COVID-19 is a global pandemic.

On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.

The number of presumptive or confirmed COVID-19 cases continues to rise rapidly in Oregon. On March 8, 2020, at the time I declared an emergency, there were 14 presumptive or confirmed cases in Oregon. As of today, there are at least 137 cases and four deaths.

The COVID-19 pandemic has already caused, and is anticipated to continue to cause, sustained global economic slowdown and a significant economic downturn in Oregon, causing a serious economic hardship for many Oregonians in the form of lost wages and the inability to pay basic household expenses, including rent and related costs.

The inability of Oregonians to pay rent and related costs as a result of the COVID-19 pandemic increases the likelihood of evictions from their homes, which in turn increases economic hardship and life, health and safety risks for all Oregonians.

People being evicted from their homes creates an additional risk for the transmission of COVID-19, as they likely will be less able to practice the appropriate social distancing that is necessary to slow the spread of COVID-19 throughout the population.

Under ORS 401.175(2), the Governor's emergency powers include assuming control of police and law enforcement activities, including the activities of all local police and peace officers. Under ORS 401.188(2), the Governor's emergency powers include prescribing and directing activities in connection with the use and conservation of housing.

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At this time, a temporary moratorium throughout Oregon on law enforcement actions relating to residential evictions for nonpayment of rent and related costs will prevent economically vulnerable Oregonians from having to leave their homes to seek temporary or new shelter, and will make it significantly easier for them to continue to practice the effective social distancing that is vital to control the spread of this pandemic. It also will conserve housing resources and help reduce economic hardship and related life, health, and safety risks to Oregonians.

If immediate action is not taken to suspend residential evictions for nonpayment of rent and related costs, there will be increased opportunities for the virus to spread among people displaced from their homes. In addition, Oregon runs the risk that available housing resources will not be efficiently used, and that the already serious economic and other effects of the the COVID-19 pandemic will be even worse for vulnerable Oregonians.

NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

1. Law enforcement officers in Oregon are prohibited from serving, delivering or acting on any notice, order or writ of termination of tenancy or the equivalent or any judicial action, pursuant to or arising under ORS 105.105 through ORS 105.168, that relates to residential evictions for nonpayment.

2. As used in this Executive Order, the term "nonpayment" means any nonpayment as described in ORS 90.392(2)(a) or (c), ORS 90.394, or ORS 90.630(1)(d) or (10), or any termination without cause under ORS 90.427. All other terms used in this Executive Order shall have the same meanings as set forth in ORS chapters 90 or 105.

3. Nothing in this Executive Order is intended to prohibit law enforcement officers from serving, delivering or acting on any notice, order or writ of termination of tenancy or the equivalent or any judicial action, pursuant to or arising under ORS 105.105 through ORS 105.168, that relates to residential evictions for causes other than nonpayment.

4. Any person found to be in violation of this Executive Order is subject to the penalties described in ORS 401.990.

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This Executive Order is issued under the authority conferred to the Governor by ORS 401.165 to 401.236. Pursuant to ORS 401.192(1), the directives set forth in this Executive Order shall have the full force and effect of law, and any existing laws, ordinances, rules and orders shall be inoperative to the extent they are inconsistent with this exercise of the Governor's emergency powers.

This Executive Order is effective immediately, and remains in effect for 90 days unless extended or terminated earlier by the Governor.

Done at Salem, Oregon this 22nd day of March, 2020.

Kate Brown

Kate Brown
GOVERNOR

ATTEST:

Bev Clarno
SECRETARY OF STATE

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