



NLIHC State and Local Tenant Protection Series: A Primer on Renters' Rights

Just Cause Eviction Laws: Two Case Studies

Victoria Bourret

State and Local Innovation Project Manager

Nada Hussein

State and Local Innovation Coordinator

Introduction

Tenant protections, passed in the form of laws and policies, are critical tools that can protect tenants against rising rental costs, discriminatory and arbitrary eviction practices, and other threats to housing stability. Tenant protections can help level the playing field between landlords and tenants, rectifying the longstanding power imbalance that exists for the lowest-income and most marginalized renters across the country. When passed with one another, tenant protections work together to protect tenants at all stages of their lease terms, ensuring that tenants can access safe, stable, and affordable housing of their choosing. Since January 2021, NLIHC has tracked more than 300 [state and local tenant protections](#) that have been enacted to help prevent evictions and keep renters stably housed.

The National Low Income Housing Coalition's (NLIHC) State and Local Innovation (SLI) project's State and Local Tenant Protection Series: A Primer on Renters' Rights is a collection of publications and resources aiming to advance the conversation about state and local tenant protections. The series includes toolkits, case studies, and webinars meant to support advocacy for and passage of "just cause" eviction standards, rent stabilization policies, laws that strengthen habitability standards and code enforcement procedures, and laws that limit excessive rental fees, known as "junk fees," in state and local jurisdictions across the country.

The case studies were developed through analysis of state and local tenant protections, interviews conducted with state and local partners, and work undertaken by students at Duke University in conjunction with members of NLIHC's State and Local Innovation project team. The purpose of this case study is to help state and local advocates identify successful tactics for advancing, enacting, and implementing just cause protections in their own jurisdictions, as well as to offer insights into the various challenges that can occur during the advocacy and legislative processes. It is our hope that the case studies that are part of this series will spark dialogue about the importance of state and local tenant protections and provide insights about how best to approach advocacy in jurisdictions across the country.



“It is our hope this series will spark dialogue about the importance of state and local tenant protections...”

Just Cause Eviction Laws

“Just cause” eviction laws – often known as “good cause” or “for cause” eviction laws – aim to prevent arbitrary, retaliatory, and discriminatory evictions by establishing standards for which a landlord can evict a tenant or refuse to renew a tenant’s lease. Just cause eviction laws seek to prevent evictions when a tenant is not at fault and allow landlords and property owners to evict tenants only for specific reasons, such as nonpayment of rent, criminal activity, or other documented violations of a tenant’s lease agreement.

While each state and local jurisdiction’s laws are unique, just cause protections commonly include a clear definition of legal grounds for eviction, notice requirements, and exemptions and enforcement mechanisms. Often, just cause eviction protections are passed alongside rent stabilization laws and policies. Rent stabilization protections limit the amount rents can be increased over a certain period. Without laws preventing extreme and excessive rent increases, a landlord may remove a tenant who is protected from no-cause eviction simply by raising the rent.

In this case study, we explore just cause eviction laws in two states: Oregon and Washington.

Oregon’s Just Cause Legislation

In 2019, lawmakers in the State of Oregon passed “[S.B. 608](#),” an extensive tenant protections bill that bans “no-cause” evictions after the first year of occupancy, in addition to imposing rent increase limitations and requiring 90 days’ notice for no-cause evictions. Tenant advocates and other housing justice-focused organizations led a multi-year campaign to secure these protections for tenants.

WHAT’S INCLUDED IN OREGON’S JUST CAUSE EVICTION PROTECTIONS

- ◆ Oregon’s S.B. 608 amended existing state statutes, establishing that a landlord can evict a tenant only if the tenant violated the lease and the landlord provides a “for cause” notice to the tenant OR the landlord has a so-called “landlord-based” reason and provides the tenant with a qualifying notice. Landlord-based reasons include a landlord’s intention to (1) demolish the unit or use it for some purpose other than as a place of residence within a reasonable time; (2) make repairs or renovations to the unit within a reasonable time that would make the property unsafe to live in; (3) move into the unit, or have immediate family move in and they do not own a comparable unit in the same building

that is available for rent at the same time the tenant receives a notice to terminate; or (4) the landlord has sold the unit to someone who plans to move in and has provided written evidence of the accepted offer.

- ◆ The law specifies two exceptions to the just cause eviction protections it establishes: (1) just cause protections only apply to tenancies after the first year of occupancy, i.e. a landlord does not have to give a reason for an eviction and may give a 30-day no-cause notice if a tenant has lived in the property for less than a year; (2) just cause protections do not apply to tenants who live in a property with two or fewer units when one of the units is occupied by the landlord.
- ◆ Embedded in the law is a requirement that the landlord must provide a 90-day written notice specifying the reason for the termination and supporting facts, and, for landlords who own more than four units, a relocation fee equal to one month rent if a tenant is evicted for a landlord-based reason.
- ◆ The law as originally passed included a rent stabilization measure that capped rent increases at 7% plus the rate of inflation as determined by the Consumer Price Index (CPI). "[S.B. 611](#)," passed in 2023, updated the statute to provide a 10% cap, or 7% plus the rate of inflation as determined by the CPI, whichever was less. However, this measure only applies to buildings that are 15 years old or older.
- ◆ If a landlord terminates a tenancy in violation of the just cause law or increases a tenant's rent in violation of the rent stabilization measure, the tenant has a defense to an improper eviction and may take [civil action](#) against the landlord. A tenant must make a legal claim against a landlord to receive any damages, which can equal the value of up to three-months' rent plus actual damages sustained by the tenant because of the termination of the tenancy.

ADVOCACY EFFORTS TO PASS JUST CAUSE EVICTION PROTECTIONS IN OREGON

Between 2016 and 2019, the Community Alliance of Tenants, SEIU-Oregon, the Oregon Housing Alliance, and the Oregon Law Center came together to create the [Stable Homes for Oregon Families Coalition](#) to advocate for passage of just cause protections and rent stabilization. The founding members were joined in a coalition by dozens of organizations from multiple sectors and worked with legislators to develop and pass policies that would increase housing stability for Oregon's renters.

- ◆ Between 2011 and 2019, renters in Oregon faced [significant threats](#) to their housing security, with cities such as Portland seeing rents rise by more than 30%. In 2016, there were only [13 units affordable and available](#) for every 100 extremely low-income Oregon renters (those with incomes equal to or less than 30% of area median income (AMI) or

below the federal poverty line, whichever is greater). The lack of rental housing affordability affected marginalized communities in particular, as most [Oregonian households of color were renters](#), whereas two thirds of white Oregonian householders were homeowners.

- ◆ The Oregon Community Alliance of Tenants launched a [#RenterStateofEmergency campaign](#) in the City of Portland in 2015 to advocate for a moratorium on no-cause evictions and a cap on rent increases above 5%. Its eviction prevention hotline received an unprecedented number of calls with requests for help with no-cause evictions. The situation was likely made even more urgent due to the fact that Oregon [had a 4.6% vacancy rate at the time](#).
- ◆ The [Stable Homes for Oregon Families Coalition](#) (the Coalition), a diverse coalition of organizations and individuals with the shared goal of creating housing stability, fairness, and predictability for Oregon families, came together in 2016. From 2016 to 2019, the coalition focused on efforts to pass just cause and rent stabilization protections. Currently, the Coalition comprises various organizations representing multiple sectors including the labor, education, economic justice, health, food security, housing, ageing, environment, and civil justice sectors.
- ◆ In partnership with the Coalition, in 2016 State Representative Alissa Keny-Guyer, Chair of the House Housing Committee, introduced "[H.B. 4001](#)," which proposed just cause eviction protections, a repeal of the ban on local rent control, and other tenant protections. This bill did not advance, but advocates were able to include measures to prohibit rent increases in the first year of occupancy and require a 90-day notice prior to a rent increase as provisions in other bills.
- ◆ In 2017, many state democratic legislators from impacted communities collectively introduced and championed "[H.B. 2004](#)." As originally written, the legislation would have protected tenants from being evicted through no fault of their own and would have allowed for local communities to implement reasonable rent stabilization policies. However, despite being amended several times to make concessions to landlords, the bill ultimately [did not pass](#), as it never reached the Senate floor for a vote.
- ◆ After "H.B. 2004" failed to pass, tenants and labor unions organized to get a tenant elected to the state's Senate. Shemia Fagan [primaryed](#) landlord Senator Rod Monroe in 2018 and won her race. Fagan spoke on the campaign trail of her personal experiences with housing instability. Senator Fagan ultimately [endorsed "S.B. 608"](#) in 2019.

- ◆ In 2018, House Speaker Tina Kotek (who later became governor of Oregon) prioritized passage of just cause and rent stabilization measures and was the legislative leader in the effort to introduce, negotiate, and pass S.B. 608, which passed in the first month of the 2019 session without amendment.
- ◆ As noted by Sybil Hebb, director of legislative advocacy at the Oregon Law Center, the Oregon Community Alliance of Tenants, the Oregon Housing Alliance, SEIU Oregon, and the Oregon Law Center were key players in the Coalition's efforts to pass just cause and rent stabilization protections, supported by myriad other entities, advocates, and organizations. The founding members of the Stable Homes Coalition shared workloads according to their capacity and organizational roles and collectively provided staff capacity, funding, and technical assistance; organized town halls; canvassed neighborhoods; hosted phone banks; mobilized membership bases to provide testimony at hearings; called, emailed, and visited legislators; spoke to the media and wrote opinion pieces; and advised lawmakers on language and content to include in the final bill.
- ◆ Building on the momentum of the just cause legislation and in response to high rates of inflation, in 2023 lawmakers passed "[S.B. 611](#)" to cap rental increases at 7% plus the rate of inflation as determined by the CPI, or 10%, whichever is lower.

THE IMPACT OF JUST CAUSE EVICTION PROTECTIONS IN OREGON

Since passage of S.B. 608, legal aid lawyers in Oregon say that tenants have suffered less displacement from no-cause notices and extreme rent spikes that are the functional equivalent of eviction. No-cause notices and extreme rent spikes were very difficult if not impossible to defend against and often served as cover for discrimination and retaliation that went unchallenged. Passage of S.B. 608 and S.B. 611 have led to greater fairness and made the law less likely to be manipulated to perpetuate discrimination.

However, Oregon's housing shortage is still extreme, and even with rent stabilization, rent prices are largely unaffordable, so nonpayment evictions remain the primary form of displacement. Rent stabilization and just cause eviction standards are tools that must be supplemented with access to legal assistance, adequate supply of housing units, and access to emergency rent assistance in times of crisis.

In addition to improving housing stability for tenants, the passage of S.B. 608 also enabled tenant unions to organize publicly. According to Kevin Cronin, director of policy and advocacy at Housing Oregon and a member of the Springfield Eugene Tenant Association, "there was a sigh of relief after S.B. 608 passed and that tenants could advocate for other tenant protections openly." The Springfield Eugene Tenant Association became an official tenant union immediately after S.B. 608 was signed into law and members' fears of being evicted by their landlords if they organized publicly were dispelled.

STRENGTHENING JUST CAUSE IN OREGON

Although just cause provisions are having a noticeable effect on the types of cases brought to the center, some adjustments could make the provisions even more impactful, including:

- ◆ Removing the first year of occupancy exemption to protect more tenants.
- ◆ Increasing relocation assistance to three months' rent to provide a better disincentive for landlords to evict tenants for landlord-based reasons.
- ◆ Adding more constraints on landlord-based reasons for eviction, including defining allowable evictions for rehabilitation and repair and updating the change of use clause to prevent landlords from evicting tenants to convert units into short-term rentals.
- ◆ Allowing a tenant to make a claim against a landlord if the landlord issues a notice of termination in violation of the just cause provisions as opposed to "if the landlord terminates a tenancy..." as it is unclear what "terminates" means in this context.

“Since passage of S.B. 608, legal aid lawyers in Oregon say that tenants have suffered less displacement from no-cause notices and extreme rent spikes that are the functional equivalent of eviction.”

Just Cause Eviction Protections in Washington State

In 2021, legislators in the State of Washington passed "[H.B. 1236](#)," enacting mandates that landlords and property owners provide a valid reason, or "just cause," for evicting a tenant under certain lease agreements. The law also expands notice requirements to mandate that landlords provide advance notice to tenants before filing for eviction under certain circumstances. Previously, landlords in Washington could evict a tenant with 20 days' notice and without having to show good cause. Tenant groups and members of other housing-justice focused organizations had advocated for the passage of H.B. 1236 in the hope of bringing the state [in line](#) with local just cause ordinances that were already in place across the state.

WHAT'S INCLUDED IN WASHINGTON'S JUST CAUSE EVICTION LAW

- ◆ Created by H.B. 1236, Washington's just cause eviction law mandates that a landlord or property owner give tenants with month-to-month leases 60 days' notice and a "good" reason to end or not renew their lease. For fixed-term leases of between six and 12 months, a landlord does not have to provide a reason for non-renewal of the lease; however, a tenant must be given 60 days' written notice of lease termination.

- ◆ Under the law, a landlord or property owner must provide a “good reason” to evict a month-to-month tenant. Such reasons include non-payment of rent; a substantial breach of the tenant’s lease agreement; disturbing or harassing behavior perpetrated by the tenant; desire by the landlord to move into or sell the unit; desire by the landlord to remodel or demolish the unit; change in the use of the residence; or a legitimate economic or business purpose.
- ◆ The law also stipulates that a landlord or property owner cannot charge a tenant late fees if rent that is past due is paid fully within five days of the due date. For landlords and property owners who knowingly violate the law, a tenant may be within their right to assert a defense in court to receive damages from the landlord equaling two months’ rent, the cost of the lawsuit, and attorney’s fees.

“Washington’s just cause eviction law mandates that a landlord or property owner give tenants with month-to-month leases 60 days’ notice...”

ADVOCACY EFFORTS TO PASS JUST CAUSE EVICTION PROTECTIONS IN WASHINGTON

The Washington Low Income Housing Alliance mobilized renters across Washington to pass just cause provisions in the state, a multi-year effort that led to the enactment of H.B. 1236 in 2021.

- ◆ Prior to just cause protections passing in 2021, Washington landlords could end month-to-month leases by giving a tenant a 20-day notice and did not need to provide a reason as to why the tenant had to move (as established by [H.B. 2014](#)).
- ◆ No-cause evictions affected all renters prior to the passage of the state’s just cause law, though in 2021, [households of color were particularly impacted](#), as 69% of Black households, 66% of Native Hawaiian and Pacific Islander households, and 57% of Hispanic/Latinx households were renters in Washington, compared to just 33% of white households.
- ◆ The [Washington Low Income Housing Alliance \(WLIHA\)](#), a coalition of diverse organizations and individuals championing affordable housing solutions in the state, conducted listening sessions across eight communities in Washington and sent surveys to their network to inform their [2020 legislative priorities](#). Renters and individuals with lived experience were heavily involved in the process. One of the legislative priorities that came out of the effort was [“H.B. 2453”/“S.B. 6379,”](#) which would

have required landlords to provide a legitimate business reason for requesting tenants to move and to give them enough notice to allow them to plan accordingly.

- ◆ In March 2020, [Governor Jay Inslee enacted an eviction moratorium](#) to prevent evictions for nonpayment of rent and no cause lease terminations during the height of the pandemic. [WLIHA then led a campaign](#) to extend the moratorium until rental assistance and other tenant protections were passed. Governor Inslee continued the moratorium until October 2021, making it one of the longest-running moratoriums in the U.S. during the pandemic.
- ◆ State Representative Nicole Macri introduced H.B. 1236 in January 2021 to prevent a rise in no cause evictions once the moratorium expired.
- ◆ [WLIHA led the campaign](#) to pass H.B. 1236, which included mobilizing constituents to reach out to their state legislators, organizing a virtual advocacy day, providing testimony at hearings, circulating sign on letters, and utilizing social media to provide updates and garner support from their base. WLIHA's Resident Action Project, which organizes people with lived experience of homelessness and housing instability, played an essential role in building grassroots support and educating elected officials about the impact of housing policy on their communities.

- ◆ Governor Inslee [signed H.B. 1236](#) into law in May 2021. The law went into effect immediately, preventing renters from being evicted for no cause after the moratorium ended.
- ◆ In 2022, the WLIHA partnered with Northwest Justice Project to launch an ongoing state-wide tenant education campaign to spread awareness about emergency rental assistance, right to counsel, and just cause eviction protections. The campaign consisted of social media ads, the mailing of informational postcards to approximately 450,000 low-income renters, an email in English and Spanish to 100,000 of the same renters, and a recurring radio segment in Spanish.

THE IMPACT OF JUST CAUSE PROTECTIONS IN WASHINGTON

- ◆ The passage of just cause eviction protections in Washington underscores the importance of passing multiple tenant protections that work in conjunction with one another to keep tenants stably housed. Passed at the height of the COVID-19 pandemic in 2021, just cause protections worked hand in hand with existing state and local emergency rental assistance and right to counsel protections (passed through "[S.B. 5160](#)") to safeguard tenants against the threat of displacement. Though there is little data to accurately assess the individual impact of just cause protections on eviction rates since the law went into effect, the

Washington State Administrative Office of the Court [found](#) that while eviction filings started to climb in 2022 after the statewide eviction moratorium expired, due to the array of new tenant protections passed in the state at the time, eviction filings remained below pre-pandemic levels: 18,157 evictions were filed in 2016 compared to 10,414 in 2022.

- ◆ Further evidence of laws working in conjunction with each other to prevent evictions is noted in a [Washington State Office of Civil Legal Aid report](#). The reports finds that just cause and right to counsel protections required landlords to recalibrate their cost-benefit analysis for deciding whether to start the eviction process for a tenant in ways that are likely beneficial for housing stability. “[L]andlords (and counsel) appear to recognize that writs no longer come cheap or easy; that should they decide to commence an unlawful detainer proceeding, they will be required and tested to prove their right to extraordinary, accelerated relief (summary dispossession of their tenants’ right to live in their home); and that their tenants will be effectively represented by skilled attorneys appointed by the court,” observes the report.

STRENGTHENING JUST CAUSE PROTECTIONS IN WASHINGTON

- ◆ Looking forward, tenant advocates have supported instituting a cap on excessive and arbitrary rental fees, known commonly as “junk fees,” to limit the impact of a loophole found in the state’s just cause law. Under the existing law, landlords can evict tenants at the end of leases running from six months to a year without cause, so some landlords have [charged tenants fees for month-to-month leases](#) of upwards of \$300/month in order to push tenants into fixed-term leases that do not have to be renewed after the initial lease period. Tenants can either pay an exorbitant fee to avoid a no cause eviction or enter into a new fixed lease that the landlord can choose not to renew at the end of the term. Laws that prohibit “junk fees,” or excessive rental fees, could prevent tenants from having to confront this lose/lose situation.
- ◆ In 2024, tenant advocates, including the WLIHA, advocated for the passage of a statewide rent stabilization measure that would have capped rent increases at no more than 7% a year. Though the bill (which was introduced through “[H.B. 2114](#)”) passed in the House with a 54-43 majority, it ultimately died in the Senate. Under the bill, late fees would have also been capped at 1.5% of a tenant’s monthly rent.

Looking for more information?

Please visit the NLIHC [Tenant Protections Website](#) or download NLIHC's report [Promoting Housing Stability through Just Cause Legislation](#).

