

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 1 - 0

Yeas: Burdick, George, Rosenbaum, Bonamici

Nays: Girod

Exc.: 0

Prepared By: Lori Brocker, Administrator

Meeting Dates: 4/7, 4/23, 4/28

WHAT THE MEASURE DOES: Revises certain provisions governing homeowners associations in planned communities and condominiums. Adds provisions specifying eligibility, qualifications, and criteria for service on planned community board of directors and condominium board of directors. Adds provisions pertaining to dissolution of homeowners association and governance by unincorporated association in planned community. Clarifies application of zoning, building code or similar law, ordinance or regulation in condominium form of ownership. Gives authorized persons right of entry to perform necessary maintenance, repair or replacement if association is responsible for property. Exempts certain renewable energy contracts from prohibition against association, directors or owners entering into certain contracts in excess of three years. Revises supplemental declaration provisions. Revises plat amendment provisions. Requires certified exact copy of plat or supplemental plat be filed with county assessor and county surveyor.

ISSUES DISCUSSED:

- Renewable energy contract exemptions and disclosure of contract exemptions
- Similarities between homeowners associations and condominium associations
- Fiduciary responsibility of association board of directors
- Continuance as unincorporated association after dissolution
- Real Estate Agency regulation of certain real estate developments

EFFECT OF COMMITTEE AMENDMENT: Makes technical revisions. Revises plat amendment provisions.

BACKGROUND: Planned developments, planned communities and condominiums often have associations that manage the common interests of the owners. In Oregon, homeowners associations in planned communities are governed by the Planned Community Act, ORS chapter 94. Condominium associations are governed by the Condominium Act, ORS chapter 100. Senate Bill 963A is the product of a condominium/homeowners association work group.