

**Enrolled  
House Bill 2614**

Sponsored by Representative BUCKLEY; Representatives HOLVEY, RILEY, Senators BONAMICI, ROSENBAUM

CHAPTER .....

AN ACT

Relating to rented dwelling units in flood plains.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** Section 2 of this 2009 Act is added to and made a part of ORS chapter 90.

**SECTION 2.** (1) As used in this section, "100-year flood plain" means the level that flood waters may be expected to equal or exceed once each 100 years, as determined by the National Flood Insurance Program of the Federal Emergency Management Agency.

(2) If a dwelling unit is located in a 100-year flood plain, the landlord shall provide notice in the dwelling unit rental agreement that the dwelling unit is located within the flood plain.

(3) If a landlord fails to provide a notice required under this section, and the tenant of the dwelling unit suffers an uninsured loss due to flooding, the tenant may recover from the landlord the lesser of the actual damages for the uninsured loss or two months' rent.

**SECTION 3.** Section 2 of this 2009 Act applies to rental agreements that a tenant enters into on or after the effective date of this 2009 Act.

Passed by House April 7, 2009

Received by Governor:

.....M.,....., 2009

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Chief Clerk of House

Approved:

.....M.,....., 2009

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Speaker of House

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Governor

Passed by Senate May 29, 2009

Filed in Office of Secretary of State:

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President of Senate

.....M.,....., 2009

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Secretary of State