

House Bill 2614

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires landlord for rental dwelling unit located in flood plain to notify tenant that unit is in 100-year flood plain. Allows tenant suffering uninsured flood loss to recover for violation of notice requirement by landlord. Limits tenant recovery for notice violation to lesser of actual loss or two months' rent.

A BILL FOR AN ACT

1
2 Relating to rented dwelling units in flood plains.

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

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

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

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

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

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

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.