

Senate Bill 677

Sponsored by Senator PROZANSKI (at the request of Dean Kaufman)

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**.

Creates exception for occupancy of landlord's premises by members of employee's household from application of Residential Landlord and Tenant Act on same terms as occupancy by employee of landlord. Authorizes eviction of members of employee's household from landlord's premises on same terms as employee of landlord whose occupancy is based on employment relationship.

A BILL FOR AN ACT

1
2 Relating to occupancy of landlord's premises by employee; creating new provisions; and amending
3 ORS 90.110 and 91.120.

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

5 **SECTION 1.** ORS 90.110 is amended to read:

6 90.110. Unless created to avoid the application of this chapter, the following arrangements are
7 not governed by this chapter:

8 (1) Residence at an institution, public or private, if incidental to detention or the provision of
9 medical, geriatric, educational, counseling, religious or similar service, but not including residence
10 in off-campus nondormitory housing.

11 (2) Occupancy of a dwelling unit for no more than 90 days by a purchaser prior to the scheduled
12 closing of a real estate sale or by a seller following the closing of a sale, in either case as permitted
13 under the terms of an agreement for sale of a dwelling unit or the property of which it is a part.
14 The occupancy by a purchaser or seller described in this subsection may be terminated only pursu-
15 ant to ORS 91.130. A tenant who holds but has not exercised an option to purchase the dwelling unit
16 is not a purchaser for purposes of this subsection.

17 (3) Occupancy by a member of a fraternal or social organization in the portion of a structure
18 operated for the benefit of the organization.

19 (4) Transient occupancy in a hotel or motel.

20 (5) Occupancy by a squatter.

21 (6) Vacation occupancy.

22 (7) Occupancy by an employee of a landlord, **and members of the employee's household**,
23 whose right to occupancy is conditional upon employment in and about the premises. However, the
24 occupancy by an employee, **and members of the employee's household**, as described in this sub-
25 section may be terminated only pursuant to ORS 91.120.

26 (8) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a co-
27 operative.

28 (9) Occupancy under a rental agreement covering premises used by the occupant primarily for
29 agricultural purposes.

30 **SECTION 2.** ORS 91.120 is amended to read:

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.

1 91.120. (1) An employee, **and members of the employee's household**, described in ORS 90.110
2 (7) may only be evicted pursuant to ORS 105.105 to 105.168 after at least 24 hours' written notice
3 of the termination of employment or a notice period set forth in a written employment contract,
4 whichever is longer.

5 (2) This section does not create the relationship of landlord and tenant between a landlord and
6 [*such*] **the employee, or members of the employee's household.**

7 **SECTION 3. The amendments to ORS 90.110 and 91.120 by sections 1 and 2 of this 2009**
8 **Act apply to occupancy of a landlord's premises by an employee and members of the em-**
9 **ployee's household on and after the effective date of this 2009 Act.**

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