

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	4 - 0 - 1
Yeas:	Burdick, Girod, Rosenbaum, Bonamici
Nays:	0
Exc.:	George
Prepared By:	Lori Brocker, Administrator
Meeting Dates:	2/4

WHAT THE MEASURE DOES: Clarifies that requirement to provide notice to tenant of a foreclosed property applies only to tenant of residential property. Revises form for required notice and allows for delayed implementation of revisions. Resolves statutory conflict relating to application of prepaid rent or security deposit. Declares an emergency; effective on passage.

ISSUES DISCUSSED:

- Current form of notice to tenants in foreclosure
- Accessibility of information in notice

EFFECT OF COMMITTEE AMENDMENT: Revises form of notice to residential tenant of property to be foreclosed. Makes technical changes.

BACKGROUND: SB 952 (2009) increased the rights of tenants living in residential property subject to a foreclosure sale. Prior to passage of SB 952, once a property was foreclosed the tenants were given a 30-day notice of intent to remove tenants in preparation for sale of the property. SB 952 amended notice requirements to give tenants additional notice of foreclosure proceedings and provided new requirements for the return of a tenant's prepaid rent or security deposit. Federal laws passed in 2009 also provide new protection for tenants in foreclosure. Since the passage of the new state and federal laws, however, several questions of application and interpretation have arisen.

SB 1013A revises the required notice provided to tenants of a foreclosed dwelling and states that the notice requirement applies only to residential tenants. SB 1013A also adds a provision cross-referencing two current statutes relating to the application of prepaid rents or security deposits to alleviate potential conflict or confusion.