

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 1 - 0
Yeas:	Cameron, Clem, Conger, Matthews, Smith J., Holvey, Whisnant
Nays:	Sheehan
Exc.:	0
Prepared By:	Jan Nordlund, Administrator
Meeting Dates:	4/7, 4/20

WHAT THE MEASURE DOES: Modifies provisions regulating communities governed by declarations. Provides process for removing board directors by owners. Allows board of directors to prohibit recording of board meetings, and provides that recording is inadmissible in court and not subject to discovery. Provides process to obtain lenders' approval when required. Provides that easement may be granted over a limited common element of condominium when five or more units are affected. Allows condominium board to impose conditions for approval to change appearance of unit. Allows executive session to be closed to owners if purpose is to consult with legal counsel on any issue, not restricted to specified matters.

ISSUES DISCUSSED:

- Reasons board may want to prohibit recording of meetings
- State of Oregon Real Estate Agency jurisdiction
- Distinction between board meetings and association meetings

EFFECT OF COMMITTEE AMENDMENT: Allows executive session to be closed to owners if purpose is to consult with legal counsel on any issue, not restricted to specified matters.

BACKGROUND: There are three primary features that distinguish owners of planned communities or condominiums from traditional forms of home ownership:

- Owners become members of the association and must abide by covenants, conditions and restrictions
- Owners share ownership or right to use common land and have access to amenities
- Owners pay assessments for upkeep of common areas

The number of owners in planned communities is growing in the United States and Oregon, partly because local jurisdictions are trying to minimize costs by having new developments provide for the creation of a homeowners association that will own and maintain open spaces and streets.