

## HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 519

By COMMITTEE ON JUDICIARY

June 8

1 On page 1 of the printed A-engrossed bill, line 2, after the second semicolon delete the rest of  
2 the line and line 3 and insert “and amending ORS 86.705, 86.755, 130.005 and 456.280.”.

3 On page 2, delete lines 2 through 45 and delete pages 3 through 5.

4 On page 6, delete lines 1 through 12.

5 In line 13, delete “5” and insert “2”.

6 Delete lines 23 through 30 and insert:

7 “(b) If the trustee sells property upon which a single residential unit that is subject to an af-  
8 fordable housing covenant is situated, the eligible covenant holder may purchase the property from  
9 the trustee at the trustee’s sale for cash or cash equivalent in an amount that is the lesser of:

10 “(A) The sum of the amounts payable under ORS 86.765 (1) and (2); or

11 “(B) The highest bid received for the property other than a bid from the eligible covenant  
12 holder.

13 “(c)(A) Except as provided in subparagraph (B) of this paragraph, if an eligible covenant holder  
14 purchases the property in accordance with paragraph (b) of this subsection, the sale forecloses and  
15 terminates all other interests in the property as provided in ORS 86.770 (1).

16 “(B) If an interest in the property exists that is prior to the eligible covenant holder’s interest,  
17 other than the interest set forth in the trust deed that was the subject of the foreclosure proceeding  
18 under ORS 86.735, notwithstanding the provisions of ORS 86.770 (1) the sale does not foreclose and  
19 terminate the prior interest and the eligible covenant holder’s title to the property is subject to the  
20 prior interest.”.

21 On page 9, line 16, delete “6” and insert “3”.

22 On page 10, line 4, delete “7” and insert “4”.

23 Delete lines 21 and 22 and insert:

24 “(d) Purchase real property at a trustee’s sale under terms set forth in ORS 86.755.”.

25 On page 11, delete lines 20 through 28 and insert:

26 “**SECTION 5. (1) The amendments to ORS 86.705 and 86.755 by sections 1 and 2 of this**  
27 **2011 Act apply to trustee’s sales for which notice was sent on or after the effective date of**  
28 **this 2011 Act.**

29 “**(2) The amendments to ORS 456.280 by section 4 of this 2011 Act apply to affordable**  
30 **housing covenants that are created on or after the effective date of this 2011 Act.**”.

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