

Enrolled
House Bill 2688

Sponsored by Representative BERGER

CHAPTER

AN ACT

Relating to statements of account for foreclosures of liens on chattel; creating new provisions; and amending ORS 87.202.

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

SECTION 1. ORS 87.202 is amended to read:

87.202. (1) A person [*who*] **that** forecloses a lien created [*by*] **under** ORS 87.152 to 87.162 by sale shall file a statement of account **that the person verifies by oath** [*verified by the oath of the person*] with the recording officer of the county in which the sale took place [*when*] **if:**

- (a) The chattel sold at the foreclosure sale has a fair market value of [~~\$250~~] **\$1,000** or more; or
- (b) The chattel sold at the foreclosure sale is an animal [*bearing*] **that bears** a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604.
- (2) The statement of account required under subsection (1) of this section must [*contain*] **show:**
 - (a) The amount of the lien claim and the cost of foreclosing the lien;
 - (b) A copy of the published or posted notice of foreclosure sale;
 - (c) The amount received for the chattel sold at the sale; and
 - (d) The name of each person [*who*] **that** received proceeds from the foreclosure sale as described in ORS 87.206 and the amount each person received.

(3) A person [*filing*] **that files** a statement of account under this section shall send a copy of the statement by registered or certified mail to the **last-known address of the** owner of the chattel sold at the foreclosure sale. [*The person filing the statement of account shall send the copy to the last-known address of the owner.*] If the chattel sold at a foreclosure sale is an animal [*bearing*] **that bears** a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604, a person [*filing*] **that files** a statement of account under this section shall send a copy of the statement to the State Department of Agriculture.

SECTION 2. The amendments to ORS 87.202 by section 1 of this 2013 Act apply to foreclosures by sale that occur on or after the effective date of this 2013 Act.

Passed by House March 7, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 13, 2013

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Peter Courtney, President of Senate

Received by Governor:

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Approved:

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

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Kate Brown, Secretary of State