

**PROPOSED AMENDMENTS TO
HOUSE BILL 2662**

1 On page 1 of the printed bill, line 7, after the semicolon insert “or”.

2 In line 8, delete “; or” and insert a period.

3 Delete line 9.

4 In line 24, after the second comma delete the rest of the line and delete
5 line 25 and insert “that forecloses a trust deed by advertisement and sale
6 under ORS 86.735 or by suit under ORS 88.010.

7 “(d) ‘Reasonable costs’ means actual and demonstrable costs that are
8 commensurate with and do not exceed the market rate for services necessary
9 to remedy a condition of neglect, plus the actual and demonstrable costs of
10 administering a contract for services to remedy a condition of neglect or the
11 portion of the costs of a program to remedy conditions of neglect that are
12 attributable to remedying a condition of neglect for specific foreclosed resi-
13 dential real property.”.

14 On page 2, delete lines 13 through 45 and delete page 3 and insert:

15 “(3)(a) If a local government finds a violation of subsection (2)(a) of this
16 section, the local government shall notify the owner in writing of the fore-
17 closed residential real property that is the subject of the violation and in
18 accordance with paragraph (b) or (c) of this subsection, as appropriate, shall
19 specify a time within which the owner must remedy the condition of neglect
20 that is the basis for the local government’s finding.

21 “(b) The local government shall allow the owner not less than 30 days to
22 remedy the violation unless the local government makes a determination

1 under paragraph (c) of this subsection and shall provide the owner with an
2 opportunity to contest the local government's finding at a hearing. The
3 owner must contest the local government's finding within 10 days after the
4 local government notifies the owner of the violation.

5 “(c) If the local government determines that a specific condition of the
6 foreclosed residential real property constitutes a threat to public health or
7 safety, the local government may require an owner to remedy the specific
8 condition in less than 30 days, provided that the local government specifies
9 in the written notice the date by which the owner must remedy the specific
10 condition. A local government may specify in the written notice different
11 dates by which the owner must remedy separate conditions of neglect on the
12 foreclosed residential real property.

13 “(4)(a) After a local government allows an owner the time specified in
14 subsection (3)(b) of this section or makes a determination under subsection
15 (3)(c) of this section, the local government may remedy or contract with an-
16 other person to remedy neglect or a specific condition of neglect on fore-
17 closed residential real property and require the owner to reimburse the local
18 government for reasonable costs the local government incurs under this
19 paragraph.

20 “(b) A local government that has incurred costs with respect to foreclosed
21 residential real property under paragraph (a) of this subsection has a lien
22 on the foreclosed residential real property for the sum of the local
23 government's unreimbursed costs. A lien created under this paragraph is
24 prior to all other liens and encumbrances, except that the lien has equal
25 priority with a tax lien. The lien attaches at the time the local government
26 files a claim of lien with the county clerk of the county in which the fore-
27 closed residential real property is located. A local government may bring an
28 action in the circuit court to foreclose the lien in the manner provided for
29 foreclosing other liens on real or personal property.

30 **SECTION 2. This 2013 Act being necessary for the immediate**

1 **preservation of the public peace, health and safety, an emergency is**
2 **declared to exist, and this 2013 Act takes effect on its passage.”.**

3
