

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

House Committee on Human Services and Housing

REVENUE: May have revenue impact, statement not yet issued (intro, -3)**FISCAL: May have fiscal impact, statement not yet issued (intro, -3)****SUBSEQUENT REFERRAL TO:**

Action:**Vote:**

Yeas:

Nays:

Exc.:

Prepared By: Cheyenne Ross, Administrator**Meeting Dates:** 2/3

WHAT THE MEASURE DOES: Requires manufactured dwelling park owners provide written notice to park tenants and to Oregon Housing and Community Services (OHCS), of interest in selling park before marketing park for sale or considering offers. Specifies content of notice. Requires responsive written notice from tenants within ten days, if tenants wish to compete to purchase park. Specifies content of response. Permits tenants to request specified information during ten-day period. Requires owner provide information within seven days. Establishes parameters to permit limited sharing of confidential information. Requires tenants, within 15 days of receipt of requested information, to form or associate with entity capable of contracting and submit evidence of capacity to contract along with written offer. Requires commercially reasonable conduct of parties. Provides owner immunity from liability for minor failure to comply with notice or information requirements. Permits tenants to seek injunctive relief for substantial owner noncompliance, unless sale is complete to *bona fide* purchaser, and the greater of damages or twice the rent of each tenant. Requires OHCS make this information available to tenants of manufactured dwelling parks. Excludes other types of transfer of real property. Makes existing provisions that govern notice and transaction requirements between tenant associations or facility purchase associations for sale of a *facility*, applicable only to sale of a *marina* to a tenant association or *marina* purchase association. Makes other conforming and corrective modifications. Takes effect 91st day after *sine die*.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:**

[-1 amendment] Replaces the measure to substantially same effect. Permits tenants to seek the same damages as described above, and injunctive relief for substantial owner noncompliance *when owner fails to record affidavit prior to sale* (removing language referring to completed sale to *bona fide* purchaser). Also defines “marina purchase association.”

BACKGROUND: