

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

House Committee on Human Services and Housing

REVENUE: No revenue impact (intro, -1)**FISCAL: No fiscal impact (intro, -1)****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Cheyenne Ross, Administrator**Meeting Dates:** 2/3, 2/5

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 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:

- Review of work group activity – duration, composition, number of meetings, timeline, and previous appearances before the Committee in November 2013 and January 2014
- Persistence of issues over a number of years; difficulty of reaching satisfactory agreement
- Importance of affordable housing; approximately 1100 parks in Oregon offering 63,000 residential spaces

EFFECT OF COMMITTEE AMENDMENT:

[-1 amendment] Replaces the measure to substantially same effect. Permits tenants to seek 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 *bona fide* purchaser). Also defines “marina purchase association.”

BACKGROUND: In manufactured home parks, owners may rent space to a tenant to place a manufactured home. The park provides basic utilities, plus amenities such as community and shared recreational areas. Park communities are an important source of affordable housing for seniors, people with disabilities, and others. When a park is sold, residents are at risk of losing their homes or subject to rent increases that pose difficult challenges for persons living on fixed incomes. The burden of relocation for many residents is also very high. A home can be moved to another park at great expense, and if it cannot be moved, its value is significantly diminished.

House Bill 4038 provides a process that allows residents an opportunity to compete to purchase their community.

2/3/2014 7:24:00 PM *

This summary has not been adopted or officially endorsed by action of the committee.