

MEMO

To: Senate Committee on General Government, Consumer and Small Business Protection

February 17, 2014

From: John VanLandingham, Lane County Legal Aid & Advocacy Center

RE: Additional Information about HB 4038A

The One-Off Issue: HB 4038A provides that, if the tenants wish to compete to purchase the park from a willing owner, they have 10 days to notify the owner in writing of their interest. Some have raised a concern that each tenant would get 10 days, in an ongoing sequence: Tenant #1 would get 10 days, Tenant #2 would get an additional 10 days for a total of 20 days, Tenant #3 would get a third 10 day period for a total of 30 days, and so on.

Response: That should not be a concern. There is only one ten-day period. There are not sequential or multiple ten-day periods. The bill clearly states that the period is for 10 days, that the period covers all tenants, and that the period runs from the delivery of the owner's notice: "Within 10 days after delivery of the [owner's] notice . . . the tenants must notify the owner in writing" of their interest in competing to buy the park." Section 2 (1).

And Section 2 (2) says that "the tenants" may request financial information needed for a due diligence evaluation "during the ten-day period."

The owner starts the single ten-day period by giving notice to the tenants of his/her interest in selling the park.

There is no suggestion in the bill that there are multiple ten-day periods. And if there were any doubt, as the person who worked with Legislative Counsel to implement the November 19 Interim Work Group proposal, this testimony should resolve that question.