

House Bill 3081

Sponsored by Representative NATHANSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs Department of Consumer and Business Services to adopt by rule standards to address conflicts of interest of manufactured structure dealers that are also residential landlords.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to regulation of manufactured structure dealers; creating new provisions; amending ORS
3 446.666; and declaring an emergency.

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

5 **SECTION 1.** ORS 446.666 is amended to read:

6 446.666. The Department of Consumer and Business Services:

7 (1) Shall adopt [*reasonable*] rules for regulating manufactured structure dealers and dealerships
8 and maintaining accurate records of manufactured structure ownership and location. The rules may
9 include, but need not be limited to, [*rules governing*] **provisions governing:**

10 (a) The issuance, renewal, suspension, revocation or cancellation of licenses issued under ORS
11 446.691 and 446.696 and [*for*] temporary or limited manufactured structure dealer licenses issued
12 under ORS 446.701 or 446.706. [*rules for*]

13 (b) **The** placement of dealers on probation under ORS 446.741. [*rules establishing*]

14 (c) **The establishment of** standards of practice and conduct for manufactured structure dealers
15 [*and rules for processing*], **including standards to address actual and potential conflicts of in-**
16 **terest for a dealer that is also a landlord of a facility, as defined in ORS 90.100.**

17 (d) **The processing of** transfers of interests in manufactured structures.

18 (2) May inspect manufactured structure dealer records and manufactured structures in the pos-
19 session of a dealer for purposes of administering and enforcing ORS 446.661 to 446.756 and rules of
20 the department.

21 (3) May examine an application for a manufactured structure dealer license and make an indi-
22 vidual investigation relative to statements contained in the application.

23 (4) May adopt rules regulating manufactured dwelling salespersons, including but not limited to
24 rules governing the ability to engage in the occupation of manufactured dwelling salesperson.

25 **SECTION 2.** **The Department of Consumer and Business Services shall adopt rules re-**
26 **quired by the amendments to ORS 446.666 by section 1 of this 2015 Act on or before the op-**
27 **erative date specified in section 4 of this 2015 Act.**

28 **SECTION 3.** **The amendments to ORS 446.666 by section 1 of this 2015 Act apply to con-**
29 **tracts for the sale of a manufactured structure entered into on or after the operative date**
30 **specified in section 4 of this 2015 Act by a seller of manufactured structures who is subject**
31 **to ORS 446.661 to 446.756.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **SECTION 4.** The amendments to ORS 446.666 by section 1 of this 2015 Act become oper-
2 ative on January 1, 2016.

3 **SECTION 5.** This 2015 Act being necessary for the immediate preservation of the public
4 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
5 on its passage.
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