

78th Oregon Legislative Assembly - 2016 Regular Session
STAFF MEASURE SUMMARY
House Committee On Rules

MINORITY REPORT
MEASURE: HB 4143 MRB
CARRIER: Rep. Wilson

Fiscal: Fiscal impact issued
Revenue: Revenue impact issued

Action Date: 02/16/16
Action: Do Pass With Amendments. (Printed B-Eng.)
Meeting Dates: 02/16
Signers of the Report: Rep. Carl Wilson, Rep. Bill Kennemer
Prepared By: Erin Seiler, Committee Administrator

WHAT THE MEASURE DOES:

Requires landlord to give at least 90 days' notice prior to terminating tenancy of residents in occupancy more than one year. Prohibits landlord from increasing rent during first year of occupancy. Requires at least 90 days' notice prior to increase in rent after first year of occupancy for month-to-month tenants. Requires landlord provide occupant of manufactured dwelling park, mobile home park or recreational vehicle park 30 days' written notice for month-to-month tenancy during first year of occupancy, 60 days' written notice for month-to-month tenancy at any time after first year of occupancy and 10 days' written notice for week-to-week tenancy. Requires at least 7 days' notice prior to rent increases in the case of week-to-week tenants. Specifies content of notice of rent increase. Specifies certain tenancies for which tenancy can be terminated without cause within 30 days during first year of occupancy, or with 60 days' notice after first year of occupancy. Exempts landlord or agent of landlord from 90-day notice requirement prior to termination of month-to-month tenant if landlord: dies, suffers disability, becomes incapacitated, intends to care for child or parent with disability on premises or sell unit in order to provide moneys for long term care facility or home care services for child or parent. Preempts local government ordinance, provision or regulation that exceeds rent increase or termination notice required by state. Requires landlord have secondary egress if required at time of building or renovation. Allows qualifying landowner to develop affordable housing units on rural residential land notwithstanding contrary provisions of law or rules. Requires counties develop permitting process allowing qualifying landowner to develop affordable housing units on rural residential land. Limits total amount of property taxes due on homestead properties owned by persons 70 years of age whose federal adjusted gross income does not exceed 150 percent of federal poverty guidelines. Specifies process for tax abatement relief. Prohibits local government that declares housing emergency from placing system development charge or permit fee in excess of costs incurred by local government. Lifts prohibition when housing emergency declaration repealed. Applies to local government ordinances and resolutions adopted on or after January 1, 2015. Allows county governments to issue exemption with specified provisions to ad valorem property taxation for veterans or unmarried surviving spouses. Removes emergency clause. Act takes effect 91st day after sine die.

ISSUES DISCUSSED:

- Provisions of measure
- Amendments
- Tools to provide affordable housing

EFFECT OF MINORITY AMENDMENT:

Exempts landlord or agent of landlord from 90-day notice requirement prior to termination of month-to-month tenant if landlord: dies, suffers disability, becomes incapacitated, intends to care for child or parent with disability on premises or sell unit in order to provide moneys for long term care facility or home care services for child or parent. Preempts local government ordinance, provision or regulation that exceeds rent increase or termination notice required by state. Allows qualifying landowner to develop affordable housing units on rural residential land

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notwithstanding contrary provisions of law or rules. Requires counties develop permitting process allowing qualifying landowner to develop affordable housing units on rural residential land. Limits total amount of property taxes due on homestead properties owned by persons 70 years of age whose federal adjusted gross income does not exceed 150 percent of federal poverty guidelines. Specifies process for tax abatement relief. Prohibits local government that declares housing emergency from placing system development charge or permit fee in excess of costs incurred by local government. Lifts prohibition when housing emergency declaration repealed. Applies to local government ordinances and resolutions adopted on or after January 1, 2015. Allows county governments to issue exemption with specified provisions to ad valorem property taxation for veterans or unmarried surviving spouses. Removes emergency clause. Act takes effect 91st day after sine die.

BACKGROUND:

Under current Oregon law, rent may not be increased without a 30-day written notice in the case of a month-to-month tenancy or a seven-day written notice in the case of a week-to-week tenancy. Also, landlords must provide written notice 30 days prior to termination of tenancy for renters in their first year of occupancy, or written notification 60 days prior, after the first year of occupancy.