



Contact: Rob Bovett  
Oregon Association of County Clerks  
1201 Court Street NE, Suite 300  
Salem, OR 97301  
rbovett@oregoncounties.org  
503-400-3241

Presenter: James V. Morales  
Benton County Clerk  
For: Oregon Association of County Clerks  
120 NW 4<sup>th</sup> Street, Room 3  
Corvallis, OR 97330  
James.v.morales@co.benton.or.us

Tuesday, March 21, 2017

**Written Testimony before the House Committee on Human Services and Housing  
Seeking Amendment to HB 3357**

Chair Keny-Guyer, Vice-Chairs Olsen and Sanchez, and Representatives Gorsek, Meek, Nearman, Noble, Piluso and Stark,

House Bill 3357 seeks to double the \$20 fee collected by County Clerks and Recorders on behalf of the Oregon Housing and Community Services Department. These funds are collected under ORS 205.323, and are in addition to a long-established \$10 County Assessment & Taxation (A&T) fee established to support state and county property tax assessment related programs.

In 2009, the Legislature adopted HB 2436, establishing the new \$15 affordable housing fee. I will refer to this fee as the "affordable housing fee." This new revenue stream is funneled to the Oregon Housing and Community Services Department via the recording services provided by Oregon counties. In 2015, the Legislature adopted HB 2959, which increased the affordable housing fee to \$20.

If House Bill 3357 is adopted as written, the affordable housing fee would increase to \$40, but counties would still be denied their usual five percent administrative fee used to support the vital real property records recording system.

Oregon County Clerks and Recorders respectfully request the removal of the statutory exemption that created an unfunded mandate on County Clerks and Recorders. The statute requires the Clerk Records Fund to be utilized for the purpose of acquiring storage and retrieval systems, payment of expenses incurred in collecting the fee or tax, and maintaining and restoring these vital real property records.

The Oregon Legislature clearly intended five percent of fees collected on recordings to support and maintain the systems that make this service viable and successful for the good of our citizens, as well as the institutions and business community that depend on these records.