

HB 2008 -5, -6 STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

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Meeting Dates: 4/4, 4/13, 4/18

WHAT THE MEASURE DOES:

Requires landlord of manufactured dwelling park (park) when closing the park to convert to other use to pay the greater of either necessary relocation costs or the applicable park closure penalty as determined by the Manufactured Communities Resource Center (MCRC). Allows local governments to enact and enforce policies requiring landlords to pay penalties or relocation costs in addition to these requirements. Defines necessary relocation costs as the total cost of repair, hiring a service to move and install the dwelling at a new location, and required insurance or permits. Specifies time in which the landlord is required to pay tenant for penalty or necessary relocation costs. Requires owner of park to give written notice to MCRC of interest in selling the park prior to marketing the park for sale. Requires owner to provide notice of final sale to MCRC. Specifies information required to be in final sale notice.

Requires landlord of a manufactured dwelling or floating home to provide cause and written notice when terminating a month-to-month tenancy. Requires landlord of fixed term tenancy to provide written offer to renew fixed term tenancy equal to duration of existing fixed term tenancy no less than 90 days prior to specified end date. Requires fixed term tenancy to become month-to-month tenancy unless tenant gives notice to landlord. Allows tenant of month-to-month tenancy to terminate tenancy with 30-day written notice to landlord. Allows tenant of fixed term tenancy to terminate tenancy without cause and written notice 30 days prior to specified end date of fixed term. Establishes exceptions for landlord to terminate month-to-month tenancy at any time with 90-day written notice to tenant.

Requires MCRC to produce materials to inform tenants of rights and adopt rules requiring landlords to post rules. Requires MCRC to establish and administer landlord-tenant dispute resolution programs. Authorizes MCRC to impose civil penalties against landlords of manufactured dwelling parks for violations of landlord-tenant laws. Requires MCRC to maintain a database of complaints filed against manufactured dwelling parks.

Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Overview of Manufactured Communities Resource Center
- Costs associated with manufactured housing
- Information on the Manufactured Housing Coalition
- Collaboration between manufactured park owners and tenants

EFFECT OF AMENDMENT:

-5 Replaces the measure.

Increases termination fees required for landlord of manufactured dwelling park to pay a tenant when terminating rental agreements for single-wide, double-wide and triple-wide or larger manufactured dwelling. Requires the Office of Manufactured Dwelling Park Community Relations (MCRC) to recalculate the termination fee amounts annually. Applies to manufactured dwelling park closures on or after the effective date.

HB 2008 -5, -6 STAFF MEASURE SUMMARY

Requires owner of manufactured dwelling park to notify MCRC the number of vacant spaces and homes, final sale price, and information about the new owner upon sale, transfer, or exchange of manufactured dwelling park. Specifies requirements for transferring the title of manufactured dwelling from a member of a manufactured dwelling park nonprofit cooperative. Applies to transfers of title and termination of cooperative memberships on or after the effective date.

Declares emergency, effective upon passage.

-6 Replaces the measure.

Increases termination fees required for landlord of manufactured dwelling park to pay a tenant when terminating rental agreements for single-wide, double-wide and triple-wide or larger manufactured dwelling. Requires the Office of Manufactured Dwelling Park Community Relations (MCRC) to recalculate the termination fee amounts annually. Applies to manufactured dwelling park closures on or after the effective date.

Specifies information required for manufactured dwelling park registration to MCRC. Requires MCRC to public report summarizing the information biennially.

Requires owner of manufactured dwelling park to notify MCRC the number of vacant spaces and homes, final sale price, and information about the new owner upon sale, transfer, or exchange of manufactured dwelling park. Specifies requirements for transferring the title of manufactured dwelling from a member of a manufactured dwelling park nonprofit cooperative. Applies to transfers of title and termination of cooperative memberships on or after the effective date.

Declares emergency, effective upon passage.

BACKGROUND:

The Oregon Legislature created the Office of Manufactured Dwelling Park Community Relations or the Manufactured Communities Resource Center (MCRC) in 1989 to provide services and activities supporting the improvement of manufactured dwelling park landlord and tenant relationships. The MCRC additionally monitors continuing education compliance with landlords and maintains park registration requirements.

Current Oregon law, requires landlords of manufactured dwelling parks when closing the manufactured dwelling park and terminating rental agreements to pay the tenant a fixed fee dependent on the type of dwelling within the space such as single-wide, double-wide, or triple-wide dwelling.

House Bill 2008 requires a landlord of a manufactured dwelling park (park) when closing the park to convert to other use to pay the greater of either necessary relocation costs or the applicable park closure penalty as determined by the Manufactured Communities Resource Center (MCRC). Local governments would be allowed to enact and enforce policies requiring landlords to pay penalties or relocation costs in addition to these requirements. Necessary relocation is defined as costs as the total cost of repair, hiring a service to move and install the dwelling at a new location, and required insurance or permits. The bill specifies the time in which the landlord is required to pay tenant for penalty or necessary relocation costs. House Bill 2008 additionally requires owner of park to give written notice to MCRC of interest in selling the park prior to marketing the park for sale and provide notice of final sale to MCRC with specific information pertaining to the final sale.

House Bill 2008 requires a landlord of a manufactured dwelling or floating home to provide cause and written notice when terminating a month-to-month tenancy. A landlord of a fixed term tenancy would be required to provide written offer to renew fixed term tenancy equal to duration of existing fixed term tenancy no less than 90 days prior to specified end date. Fixed term tenancy is required to become month-to-month tenancy unless tenant gives notice to landlord. The bill allows a tenant of a month-to-month tenancy to terminate the tenancy with 30-day written

HB 2008 -5, -6 STAFF MEASURE SUMMARY

notice to the landlord. Tenants of fixed term tenancy can terminate tenancy without cause and written notice 30 days prior to specified end date of fixed term. The bill establishes exceptions for landlord to terminate month-to-month tenancy at any time with 90-day written notice to tenant.

House Bill 2008 additionally requires MCRC to produce materials to inform tenants of rights and adopt rules requiring landlords to post rules. MCRC is also required to establish and administer landlord-tenant dispute resolution program and submit annual report the Legislative Assembly for five years. MCRC is authorized to impose civil penalties against landlords of manufactured dwelling parks for violations of landlord-tenant laws. The bill also requires MCRC to maintain a database of complaints filed against manufactured dwelling parks.