



February 14, 2017

Honorable Brian Clem
Chair, House Agriculture and Natural Resources Committee

Re: Support for HB 2144

Chair Clem and Members of the Committee,

My name is Roger Beyer and I am submitting this testimony on behalf of my client, the Oregon Small Woodlands Association (OSWA). OSWA represents approximately 1400 owners of non-industrial forestland owners in every part of the state. Our regular members own between 1 and 5000 acres of land with trees growing on their property. OSWA members are individuals, families, or companies who want to connect and network with other property owners in their county, state, and region. In addition to lobbying, OSWA provides a variety of services for its members such as being a resource for the most current information and technology about forestland.

Many OSWA members own land which have previously unpermitted non-conforming uses. Whether these came to be via their own action or in-action or they purchased the land without knowledge of the unpermitted use, they still exist.

A member relayed to me his experience of purchasing a small tract with a house. He later went to the county to apply for a building permit in order to remodel the home and was told the house wasn't legal so therefore he would not be able to get a permit. He had been paying taxes on the home for the entire time he owned it so the county knew the parcel had a home. Nothing was revealed in the title report he received when he purchased the home. What was our member now to do? He ended up hiring an attorney and after thousands of dollars in legal fees the county agreed to let him keep and remodel his home.

This can be a house, barn, equipment shed, land division or just about anything else. Owners of these non-permitted problems face a quandary that many times they are not aware of until they attempt to sell the property. This creates delays in the best of cases and inability to sell in the worst.

HB 2144 fixes these problems by clearly stating, if the action could have been permitted at the time it commenced, it is grandfathered in and accepted. A simple fix for many un-knowing landowners.