

House Bill 3331

Sponsored by Representative FAHEY; Representatives CLEM, GORSEK, MARSH

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 Office of Manufactured Dwelling Park Community Relations to establish and administer landlord-tenant dispute resolution program for disputes arising from notices of certain rent increases.

A BILL FOR AN ACT

1
2 Relating to dispute resolution of proposed rent increase.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 90.505 to 90.850.**

5 **SECTION 2. (1) In addition to and not in lieu of the dispute resolution procedures pro-**
6 **vided by ORS 105.138 and 446.515 to 446.547, the Office of Manufactured Dwelling Park Com-**
7 **munity Relations shall establish and administer a landlord-tenant dispute resolution program**
8 **to provide manufactured dwelling park landlords and tenants with an efficient process to**
9 **resolve disputes arising from notices of rent increase given from landlords to tenants under**
10 **ORS 90.600. The office shall adopt rules to establish and administer the program.**

11 **(2) The landlord-tenant dispute resolution program established under this section is**
12 **available to tenants of manufactured dwelling parks if:**

13 **(a) The landlord of the manufactured dwelling park gives the tenants notice of a rent**
14 **increase under ORS 90.600;**

15 **(b) The proposed rent increase is more than one percentage point above the OR-WA**
16 **Consumer Price Index for All Urban Consumers for Housing as published by the Bureau of**
17 **Labor Statistics of the United States Department of Labor; and**

18 **(c) At least a majority of tenants in the manufactured dwelling park agree to dispute the**
19 **rent increase.**

20 **(3) Within 15 days of receiving a notice of rent increase from the landlord under ORS**
21 **90.600, tenants of a manufactured dwelling park may initiate the dispute resolution process**
22 **under this section by giving the landlord and the office notice in writing of the tenants' in-**
23 **tent to dispute the proposed rent increase. The notice shall include:**

24 **(a) The names, addresses and signatures of the tenants disputing the rent increase;**

25 **(b) The name of the tenant or person designated to represent the tenants disputing the**
26 **rent increase; and**

27 **(c) A statement that the tenants dispute the rent increase and request dispute resolution**
28 **from the office.**

29 **(4) Within 10 days of receiving the notice under subsection (3) of this section, the office**
30 **shall provide mediation services to the tenants and the landlord.**

31 **(5) Not more than five days prior to the initial mediation session, the landlord shall**

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 submit to the office all information and documentation necessary to support the proposed
2 rent increase. The office may request additional information or documentation for the pur-
3 poses of the dispute resolution process.

4 (6) The landlord shall have the burden of proving that the proposed rent increase is
5 necessary and reasonable.

6 (7) If the dispute is resolved:

7 (a) The resolution shall include an agreement regarding the amount and effective date
8 of the rent.

9 (b) The office may not require the landlord to provide additional notice of the rent in-
10 crease.

11 (8) Not less than 10 days before the effective date of the proposed rent increase, the
12 mediator shall conclude the mediation process and issue a report to the parties stating the
13 outcome of the dispute resolution process.

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