

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2008**

1 On page 1 of the printed bill, line 2, after “ORS” insert “62.809, 62.813,”.

2 In line 18, after “\$20,000” insert “, or the amount calculated by the office  
3 under paragraph (c) of this subsection”.

4 On page 2, after line 5, insert:

5 “(c) The office shall annually recalculate and amend by rule the maximum  
6 necessary relocation costs permitted under paragraph (a)(B)(ii) of this sub-  
7 section to reflect the rate of inflation.”.

8 On page 3, line 36, after “\$20,000” insert “, or the amount calculated by  
9 the office under paragraph (c) of this subsection”.

10 After line 44, insert:

11 “(c) The office shall annually recalculate and amend by rule the maximum  
12 necessary relocation costs permitted under paragraph (a)(B)(ii) of this sub-  
13 section to reflect the rate of inflation.”.

14 On page 6, delete lines 10 through 45.

15 On page 7, delete lines 1 through 20 and insert:

16 **“SECTION 5. (1)(a) The Office of Manufactured Dwelling Park  
17 Community Relations of the Housing and Community Services De-  
18 partment shall determine by rule the amount of manufactured dwell-  
19 ing park closure penalties to be paid by landlords to tenants under  
20 ORS 90.645. The penalties may not be less than:**

21 **“(A) \$6,000 if the manufactured dwelling is a single-wide dwelling;**

1       **“(B) \$8,000 if the manufactured dwelling is a double-wide dwelling;**  
2       **or**

3       **“(C) \$10,000 if the manufactured dwelling is a triple-wide or larger**  
4       **dwelling.**

5       **“(b) The office shall annually recalculate the amounts of the man-**  
6       **ufactured dwelling park closure penalties and shall amend the rules**  
7       **establishing the penalties to reflect the rate of inflation.”.**

8       On page 12, after line 14, insert:

9       **“SECTION 14.** ORS 62.809 is amended to read:

10       “62.809. (1) A person may become a member of a manufactured dwelling  
11 park nonprofit cooperative if the person:

12       “(a) Is a natural person;

13       “(b) Owns a manufactured dwelling that is, or is to be, located in a  
14 manufactured dwelling park of the cooperative and occupied by the person;

15       “(c) Pays the membership fee required by the cooperative; and

16       “(d) Meets any additional membership qualifications established in the  
17 articles of incorporation or bylaws of the cooperative.

18       “(2) A manufactured dwelling park nonprofit cooperative shall accept as  
19 a member any person who meets the qualifications described in subsection  
20 (1) of this section.

21       “(3) Membership in a manufactured dwelling park nonprofit cooperative  
22 entitles the member to rent space for a manufactured dwelling in a manu-  
23 factured dwelling park of the cooperative and to occupy the manufactured  
24 dwelling.

25       “(4) The total number of memberships available for issuance by a manu-  
26 factured dwelling park nonprofit cooperative may not exceed the number of  
27 manufactured dwelling spaces in the manufactured dwelling park of the co-  
28 operative. A cooperative shall create or issue one membership for each  
29 manufactured dwelling that is, or is to be, located in a manufactured dwell-  
30 ing park of the cooperative and occupied by the dwelling owner. A person

1 may not own more than one membership in the same cooperative. A mem-  
2 bership may not be issued to a person unless the person meets the quali-  
3 fications for membership described in subsection (1) of this section.

4 “(5) A cooperative shall issue memberships for a fee determined by the  
5 directors of the cooperative. The directors may periodically adjust the fee  
6 amount as provided in the articles of incorporation or bylaws of the coop-  
7 erative. Except for periodic adjustments, the membership fee charged by the  
8 cooperative shall be the same for all members.

9 “(6) A member may sell or redeem membership in the cooperative only to  
10 the cooperative. A member may not sell or redeem membership to the coop-  
11 erative for more than the price the member paid for the membership.

12 “(7) Except as provided in this section, the articles of incorporation or  
13 bylaws of the cooperative shall establish the methods for accepting and ter-  
14 minating membership and for the sale or redemption of a membership.

15 “(8)(a) A member may sell to another person the member’s manufactured  
16 dwelling located in the manufactured dwelling park of a cooperative. The  
17 member selling the manufactured dwelling must arrange to sell or redeem the  
18 membership to the cooperative as described in subsection (6) of this section.

19 “(b) A person that buys a manufactured dwelling located in the park of  
20 a cooperative from any person may apply to become a member of the coop-  
21 erative.

22 “(c) **Except as provided in paragraph (d) of this subsection:**

23 “(A) If a member of the cooperative transfers title to a manufactured  
24 dwelling **located in the park of the cooperative** to a person other than a  
25 lienholder, and [*no buyer*] **a new owner** of the manufactured dwelling [*from*  
26 *the member or from another person becomes*] **does not become** a member of  
27 the cooperative within six months after the member transfers title, the owner  
28 of the manufactured dwelling must remove the manufactured dwelling from  
29 the park of the cooperative.

30 “(B) If title to a manufactured dwelling located in the park of a cooper-

1 ative is transferred to a lienholder, and [*no*] a buyer of the manufactured  
2 dwelling from the lienholder or from a person that acquired title from the  
3 lienholder [*becomes*] **does not become** a member of the cooperative within  
4 12 months after title is transferred to the lienholder, the owner of the man-  
5 ufactured dwelling must remove the manufactured dwelling from the park  
6 of the cooperative.

7 **“(d) An owner of a manufactured dwelling is not required to remove**  
8 **the manufactured dwelling as described in paragraph (c) of this sub-**  
9 **section if the cooperative agrees with the owner in writing to:**

10 **“(A) Waive or extend the deadline by which the buyer or subsequent**  
11 **buyer must remove the manufactured dwelling; or**

12 **“(B) Store the manufactured dwelling in the space for a specified**  
13 **period of time.**

14 **“[(c)] (e) Notwithstanding ORS 446.626, if a manufactured dwelling lo-**  
15 **cated in a manufactured dwelling park of a cooperative was recorded in the**  
16 **county deed records before title to the manufactured dwelling was trans-**  
17 **ferred from the record owner of the manufactured dwelling, the county shall**  
18 **continue to list the manufactured dwelling in the deed records until the**  
19 **earlier of:**

20 **“(A) Twelve months after title is transferred from the record owner to a**  
21 **person other than a lienholder shown on the deed record for the manufac-**  
22 **tured dwelling, unless the county is notified that a subsequent buyer of the**  
23 **manufactured dwelling has become a member of the cooperative;**

24 **“(B) Twelve months after title is transferred to a lienholder shown on the**  
25 **deed record for the manufactured dwelling, unless the county is notified that**  
26 **a subsequent buyer of the manufactured dwelling has become a member of**  
27 **the cooperative; or**

28 **“(C) Issuance of a trip permit under ORS 446.631 for moving the dwelling.**

29 **“(9) If a newly created manufactured dwelling park originates as a man-**  
30 **ufactured dwelling park nonprofit cooperative, a manufactured dwelling**

1 owner must become a member of the cooperative before residing in the park.

2 **“SECTION 15.** ORS 62.813 is amended to read:

3 “62.813. (1) If a lienholder provides a manufactured dwelling park  
4 nonprofit cooperative with a written request for notification regarding a  
5 manufactured dwelling on which the lienholder has a lien, the cooperative  
6 shall provide the lienholder with written notice of a termination of occu-  
7 pancy or membership if:

8 “(a) A member of the cooperative who is identified in the lienholder re-  
9 quest for notification terminates occupancy in the manufactured dwelling  
10 park of the cooperative and the cooperative knows of the termination;

11 “(b) A member of the cooperative who is identified in the lienholder re-  
12 quest for notification terminates membership in the cooperative; or

13 “(c) The cooperative terminates, or gives notice of cause for terminating,  
14 the occupancy or membership of a member of the cooperative who is identi-  
15 fied in the lienholder request for notification.

16 “(2) If a member or the cooperative terminates the member’s occupancy  
17 in the park or membership in the cooperative, and the member fails to move  
18 or sell the manufactured dwelling, a lienholder that has foreclosed on the  
19 lien on the manufactured dwelling may:

20 “(a) Remove the manufactured dwelling from the park after satisfying any  
21 obligation to the cooperative;

22 “(b) Subject to subsection (3) of this section, sell the manufactured  
23 dwelling; or

24 “(c) Require the cooperative to enter into a storage agreement that allows  
25 the lienholder to store the manufactured dwelling on the space for up to 12  
26 months if the lienholder pays the space rent and reasonably maintains the  
27 manufactured dwelling and space.

28 “(3) The buyer of a manufactured dwelling sold by a lienholder under  
29 subsection (2)(b) of this section takes possession of the manufactured dwell-  
30 ing subject to ORS 62.809 (8) and any obligation to the cooperative. During

1 the term of a storage agreement described in subsection (2)(c) of this section,  
2 the lienholder may remove or sell the manufactured dwelling as provided in  
3 subsection (2)(a) or (b) of this section.

4 **“(4) A lienholder and a cooperative that are subject to a storage  
5 agreement under subsection (2)(c) of this section may agree in writing  
6 to extend the term of the agreement beyond 12 months.**

7 “[~~4~~] (5) If the member of the cooperative terminated occupancy in the  
8 park without terminating membership in the cooperative, an application for  
9 membership by the buyer or moving of the manufactured dwelling shall act  
10 to transfer the membership of the terminating owner to the cooperative.”.

11 In line 15, delete “14” and insert “16”.

12 In line 20, delete “15” and insert “17”.

13 In line 23, delete “16” and insert “18”.

14 Delete lines 26 through 30 and insert:

15 **“SECTION 19. The amendments to ORS 62.809 and 62.813 by sections  
16 14 and 15 of this 2017 Act apply to transfers of title and termination  
17 of cooperative memberships occurring on or after the effective date  
18 of this 2017 Act.”.**

19 In line 31, delete “18” and insert “20”.

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