

March 24, 2019

Chair and members of the committee,

Please accept this testimony regarding HB 2997.

ORS 197.309 is certainly one of the more convoluted housing statutes. The proposed amendments don't resolve the ambiguities and lack of clarity.

I would suggest the committee have someone who can express the intent in clear language, either rewrite ORS 197.309 or provide additional edits as amendments.

Here are a couple specific suggestions that would improve the definitions under section (1).

ORS 197.309(1)(a) "Affordable housing" means housing that is affordable to households with incomes equal to [*or higher than*] 80 percent of the median family income for the county in which the housing is built.

If housing is affordable to households with an income of 80 percent of the median family income ..., it is inherently and unequivocally affordable to households with higher incomes. The current wording is unnecessarily confusing because the disjunction ("or") can be read to mean housing that's "affordable to either households with incomes equal to 80 percent or households with incomes greater than 80 percent."

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Changing from "multifamily structure" to "multifamily housing" is a step in the wrong direction. This defines multifamily *housing* as "a" structure, i.e., one structure.

Then: in (1)(b) " 'Housing development' means multifamily housing or a collection of residential housing units planned ..." which is identical (with substitution) to:
"Housing development" means **one structure that contains three or more housing units** or a collection of residential housing units planned ...

The result is redundant and confusing.

Noting that in the amended version, "multifamily structure" is replaced everywhere by "housing development," and that (5)(b) established the minimum size of 20 units; all you need to effectively amend (1) is to strike the current (b) and insert: (b) "Housing development" means a collection of residential housing units planned"

The statute would now be simpler and clearer.

Thank you for your consideration.

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