

High Level Summary of SB 586A with House Amendments 2019 Manufactured Home Landlord/Tenant Coalition Consensus Bill

Background: SB 586A was developed by the Manufactured Housing Landlord/Tenant Coalition in 19 meetings each of three hours between September 2017 and March 1, 2019, when final agreement was reached.

The Coalition consists of manufactured housing landlords and tenants and tenant advocates. There are about 1,100 MH parks in Oregon with about 60,000 homeowners/tenants. The coalition has existed since 1997 and has produced a negotiated bill amending MH landlord/tenant law in every long session since.

This session the coalition included floating home marina landlords and tenants and the bill makes improvements to the laws that cover those tenancies. Floating home owners – there are about 1500 in Oregon – in marinas share many of the characteristics of manufactured homeowners who rent spaces in parks.

The bill is supported by organizations representing MH park and floating home marina tenants and landlords.

For this session, the coalition undertook several very complicated issues. As a result, we were late in wrapping up those issues, and the A-engrossed bill, as it passed the Senate, omitted several issues and needed significant amendments for others. With the A-4 amendments, the bill is complete. The majority of the bill is now in the amendments. The length of the amendments reflects that fact, and that we are amending several very long statutes and that more than a third of the sections are simply changing cross-references or making similar non-substantive changes.

HIGH LEVEL SUMMARY OF SB 586A with the A-4 amendments (the bill will cover five areas) (there is also a more detailed summary)

- 1. Floating home tenancies in marinas:** Adds floating home tenancies in marinas to the programs provided by the Manufactured Communities Resource Center of the Housing & Community Services Department – which will necessitate changing its name to include a reference to marinas – and makes other, related changes.

- 2. Submetering of water:** Clarifies and simplifies the process for landlords to recover for the cost of water/sewer/stormwater. Requires a landlord who wants to change the billing method to first meet with tenants and, for switching to submeters, to do a three-month trial billing period.

3. **Dispute resolution and enforcement:** Provide that a landlord or tenant may require the other party to participate in at least one mediation session regarding most disputes involving landlord/tenant law before the filing of an eviction lawsuit. Mediations will generally be performed by the existing network of Community Dispute Resolution Centers and will be funded by the existing annual special assessments paid by tenants and an increased annual landlord registration fee; no state tax dollars are involved. **Enforcement:** The bill also authorizes a four-year pilot program to provide legal representation to tenants – advice, negotiation, litigation – through an OHCS D grant capped at \$100,000 per year, also funded from the tenants’ annual special assessment. An advisory committee will monitor both elements and report to the 2021 and 2023 legislatures.

4. **Termination of tenancies; noncompliance fees:** Improves the process for landlords to require cure of separate and distinct violations of a rental agreement, as consistent with law applicable in apartment landlord/tenant law since 2005, and simplifies and clarifies the termination statute language. Allows landlords to better utilize an existing statute regarding noncompliance fees.

5. **Maintenance of trees on MH park spaces:** Requires landlords, in maintaining hazardous trees, to specify a tree that the landlord proposes to remove.