

HOUSE AMENDMENTS TO HOUSE BILL 2002

By COMMITTEE ON HUMAN SERVICES AND HOUSING

April 11

1 On page 1 of the printed bill, line 3, delete “, 456.263 and 456.264” and insert “and 456.263”.

2 Delete line 19 and insert:

3 “(5) ‘Property owner’ or ‘owner’ means the owner or long-term lessee of a participating
4 property.”.

5 On page 2, line 7, after “assistance” insert “vouchers”.

6 After line 13, insert:

7 “(8) ‘Third party offeror’ or ‘third party’ means a party that is not a qualified purchaser and that
8 has made an offer to purchase, or has purchased, a participating property from a property owner.”.

9 In line 39, delete “(1)”.

10 Delete lines 40 through 43 and insert:

11 “(1) The owner of a participating property shall provide notice in a format prescribed the
12 Housing and Community Services Department, including by electronic delivery or by registered or
13 certified mail, to each local government entitled to notice and to the department no sooner than 36
14 months prior and at least 30 months prior to the date when:”.

15 On page 4, line 5, delete the boldfaced material.

16 In line 11, after “(1)” delete the rest of the line and lines 12 through 17 and insert “A property
17 owner shall provide notice in a format prescribed by the Housing and Community Services Depart-
18 ment, including by electronic delivery or registered or certified mail, to each local government en-
19 titled to notice under ORS 456.260 and to the department, no sooner than 30 months prior and at
20 least 24 months prior to any withdrawal of the participating property from publicly supported
21 housing, including by an expiration of a contract.”.

22 Delete lines 41 through 45.

23 On page 5, after line 3, insert:

24 “(3) After the property owner has delivered the notice under subsection (1) of this section, a
25 qualified purchaser may deliver by certified mail, with return receipt requested, an offer to the
26 property owner to purchase the participating property, which includes a notice that the qualified
27 purchaser may, after 30 days, record a notice of right of first refusal under subsection (4) of this
28 section. A property owner is under no obligation to accept an offer made under this subsection.

29 “(4) At any time after a qualified purchaser has made an offer to purchase the participating
30 property under subsection (3) of this section and no later than two months before the owner may
31 withdraw the property under subsection (5) of this section, a qualified purchaser may record in the
32 real property records of the county, a notice of right of first refusal in a form prepared by the de-
33 partment that:

34 “(a) Includes a legal description of the participating property;

35 “(b) Attaches a copy of the notice delivered with the offer and proof of mailing of the notice as

1 required by subsection (3) of this section;

2 “(c) Declares that the department or local government party acknowledging the instrument
3 holds the right of first refusal to purchase the property under ORS 456.263 and that the acknowl-
4 edging party may assign the right of first refusal to a qualified purchaser and that right may be,
5 from time to time, reassigned;

6 “(d) Declares that the right of first refusal shall expire 24 months after the date the property
7 may be withdrawn from publicly supported housing under subsection (5) of this section;

8 “(e) Declares that a copy of the recorded notice of right of first refusal must be promptly de-
9 livered to the property owner by the qualified purchaser offering the instrument for recording; and

10 “(f) Is executed and acknowledged by the local government or department in the manner pro-
11 vided for the acknowledgment of deeds.”.

12 In line 4, delete “(4)” and insert “(5)”.

13 In line 12, delete “13” and insert “24”.

14 In line 14, delete “24” and insert “30”.

15 In line 17, delete “(5)” and insert “(6)”.

16 In line 22, delete “(6)(a)” and insert “(7)(a)”.

17 In line 24, delete “(5)” and insert “(6)”.

18 Delete lines 39 through 45 and insert:

19 “(1) Before selling a participating property that is subject to a recorded notice of right of first
20 refusal under ORS 456.262 (4) to a third party other than a qualified purchaser, a property owner
21 shall send notice of the owner’s intent to accept a purchase offer by registered or certified mail,
22 with return receipt requested, to each party acknowledging under ORS 456.262 (4)(f) a notice of right
23 of first refusal under ORS 456.262. The notice delivered under this subsection must contain a copy
24 of the third party offer or the terms and conditions of the offer to purchase that the owner intends
25 to accept.”.

26 On page 6, line 2, before the period insert “by certified mail. The matching offer must contain
27 a commitment from the qualified purchaser to preserve the property as affordable on terms deter-
28 mined by the Housing and Community Services Department”.

29 In line 17, restore the bracketed material and delete the boldfaced material and after “(c)” insert
30 “That”.

31 After line 20, insert:

32 “(f) A commitment to maintain the affordability of the property required under subsection (2)
33 of this section.”.

34 Delete lines 29 through 31 and insert:

35 “(a) More than 24 months have elapsed since the participating property was eligible for with-
36 drawal from publicly supported housing under ORS 456.262 (5);”.

37 On page 7, delete lines 3 through 24 and insert:

38 “**SECTION 7. The amendments to ORS 456.260, 456.262 and 456.263 by sections 4 to 6 of**
39 **this 2019 Act apply to participating properties subject to an affordability restriction or con-**
40 **tract that will, by its terms, terminate on or after 30 months following the effective date of**
41 **this 2019 Act.**”.

42 In line 25, delete “10” and insert “8”.

43 In line 27, delete “11” and insert “9”.

44 In line 29, delete “affordable housing” and insert “publicly supported housing, as defined in ORS
45 456.250”.

- 1 In line 30, delete "11" and insert "9".
- 2 In line 38, delete "10" and insert "8".
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