

**A-Engrossed**  
**House Bill 2530**

Ordered by the House April 16  
Including House Amendments dated April 16

Sponsored by Representatives EVANS, WILDE; Representatives BOLES, GOMBERG, LEWIS, NOSSE, ZIKA (Pre-session filed.)

**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.

*[Establishes Task Force on Innovative Housing Strategies for Veterans. Requires report to Legislative Assembly by September 15, 2020.]*

*[Sunsets on December 31, 2020.]*

*[Declares emergency, effective on passage.]*

**Requires persons who send or serve certain documents related to termination of tenancy, forcible entry or detainer, overdue loan payments for loans secured by residential real property and residential foreclosures to include certain information regarding assistance that may be available to veterans of armed forces.**

**Directs Department of Veterans' Affairs and Housing and Community Services Department to jointly submit written report on veterans' housing programs to interim House committee related to veterans.**

**A BILL FOR AN ACT**

1  
2 Relating to housing for veterans; creating new provisions; and amending ORS 86.756 and 105.113.

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

4 **SECTION 1. (1) Except as provided in subsection (3) of this section, a person who sends**  
5 **or serves a document listed in subsection (2) of this section shall include the following in-**  
6 **formation with the document:**

7 (a) **A statement that if the recipient is a veteran of the armed forces, assistance may**  
8 **be available from a county veterans' service officer or community action agency;**

9 (b) **Contact information for a service officer appointed under ORS 408.410 for the county**  
10 **in which the recipient lives; and**

11 (c) **Contact information for a community action agency that serves the area where the**  
12 **recipient lives.**

13 (2) **This section applies to the following documents:**

14 (a) **A notice of termination of tenancy under any provision of ORS chapter 90;**

15 (b) **A summons in an action under ORS 105.110 for forcible entry or detainer;**

16 (c) **A notice to a borrower that a payment is overdue on a loan secured by residential real**  
17 **property;**

18 (d) **A summons in an action under ORS 88.010 to foreclose a lien upon residential real**  
19 **property; and**

20 (e) **A notice under ORS 86.756 of foreclosure of a residential trust deed.**

21 (3) **This section does not apply to documents sent or served by the judicial department,**  
22 **as defined in ORS 174.113.**

**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 (4) As used in this section, “residential real property” means a single-family, owner-  
2 occupied dwelling and appurtenances.

3 **SECTION 2.** Section 3 of this 2019 Act is added to and made a part of ORS chapter 90.

4 **SECTION 3.** Except as provided in section 1 (3) of this 2019 Act, a notice of termination  
5 of tenancy under any provision of this chapter must include the information required by  
6 section 1 of this 2019 Act.

7 **SECTION 4.** ORS 105.113 is amended to read:

8 105.113. (1) Notwithstanding ORCP 7, for premises to which ORS chapter 90 or ORS 91.120 ap-  
9 plies, the summons must be in substantially the following form and be available from the court clerk:

10 \_\_\_\_\_  
11  
12 IN THE CIRCUIT COURT  
13 FOR THE COUNTY OF

14 \_\_\_\_\_  
15 No. \_\_\_\_\_

16  
17 SUMMONS  
18 RESIDENTIAL EVICTION

19  
20 PLAINTIFF (Landlord or agent):

21 \_\_\_\_\_  
22  
23  
24 \_\_\_\_\_

25  
26 vs.

27  
28 DEFENDANT (Tenants/Occupants):

29 \_\_\_\_\_  
30  
31  
32 \_\_\_\_\_

33  
34 TO: \_\_\_\_\_ (Street address and city of property occupied by defendant)  
35 \_\_\_\_\_ (Mailing address if different)

36  
37 NOTICE TO TENANTS:  
38 READ THESE PAPERS CAREFULLY  
39 YOUR LANDLORD WANTS TO  
40 EVICT YOU

41  
42 ON \_\_\_\_\_, 2\_\_\_\_\_ AT \_\_\_\_\_ A.M./P.M., you must come to the County Court House  
43 located at \_\_\_\_\_. You do not have to pay any fees to the court for this first hearing.

- 44  
45 • If you do not appear in court and your landlord does, your landlord will win automatically and

1 can have the Sheriff physically remove you.

2  
3 • If you do show up in court and your landlord does not, this eviction action will be dropped.

4  
5 • If both of you show up:

6  
7 • The judge may ask you to try to reach an agreement with your landlord, but this is vol-  
8 untary. Trained mediators may be available free of charge to help resolve disputes.

9  
10 • The court will schedule a trial if you and your landlord do not reach an agreement or if  
11 you do not agree to move out.

12  
13 IF YOU WANT A TRIAL, YOU MUST:

14  
15 • Show up in court at the time scheduled above;

16  
17 • On the same day, file an Answer with the Court giving a legal reason why you should not be  
18 evicted (the Court can give you a form);

19  
20 • Give a copy of the Answer to your landlord (or your landlord’s agent or attorney); and

21  
22 • Pay a filing fee of \$\_\_\_\_\_ (the judge may allow payment to be deferred in certain circum-  
23 stances).

24  
25 IF YOU HAVE QUESTIONS, YOU SHOULD SEE AN ATTORNEY IMMEDIATELY. If you need  
26 help finding an attorney, you can contact the Oregon State Bar’s Lawyer Referral Service online  
27 at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by calling 503-684-3763 (in the Portland metropolitan area) or toll-free  
28 elsewhere in Oregon at 800-452-7636.

29  
30 \_\_\_\_\_  
31 Signature of Plaintiff (landlord or agent)

32  
33 Plaintiff’s address:

34  
35 \_\_\_\_\_  
36  
37 \_\_\_\_\_

38  
39 Plaintiff’s telephone number: \_\_\_\_\_

40  
41  
42 \_\_\_\_\_  
43  
44 **(2) Except as provided in section 1 (3) of this 2019 Act, the information required under**  
45 **section 1 of this 2019 Act must be included with the summons.**

**SECTION 5.** Section 6 of this 2019 Act is added to and made a part of ORS chapter 86.

**SECTION 6.** Except as provided in section 1 (3) of this 2019 Act, a person who sends or serves a notice to a borrower that a payment is overdue on a loan secured by residential real property, as defined in section 1 of this 2019 Act, must include the information required under section 1 of this 2019 Act.

**SECTION 7.** Section 8 of this 2019 Act is added to and made a part of ORS chapter 88.

**SECTION 8.** Except as provided in section 1 (3) of this 2019 Act, the information required under section 1 of this 2019 Act must be included with a summons in an action under ORS 88.010 to foreclose a lien upon residential real property, as defined in section 1 of this 2019 Act.

**SECTION 9.** ORS 86.756 is amended to read:

86.756. (1) If a notice of default is recorded for property that is subject to a residential trust deed, the sender of a notice of sale under ORS 86.764 shall, on or before the date the notice of sale is served or mailed, give notice under this section to the grantor by both first class and certified mail with return receipt requested to all addresses on file with the sender for the grantor, including post office boxes. Subject to any rules adopted under subsection (2) of this section, the notice must be in substantially the following form and printed in at least 14-point type:

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NOTICE:  
YOU ARE IN DANGER OF LOSING  
YOUR PROPERTY IF YOU DO NOT  
TAKE ACTION IMMEDIATELY

This notice is about your mortgage loan on your property at \_\_\_\_\_ (address).

Your lender has decided to sell this property because the money due on your mortgage loan has not been paid on time or because you have failed to fulfill some other obligation to your lender. This is sometimes called "foreclosure."

The amount you would have had to pay as of \_\_\_\_\_ (date) to bring your mortgage loan current was \$\_\_\_\_\_. The amount you must now pay to bring your loan current may have increased since that date.

By law, your lender has to provide you with details about the amount you owe, if you ask. You may call \_\_\_\_\_ (telephone number) to find out the exact amount you must pay to bring your mortgage loan current and to get other details about the amount you owe. You may also get these details by sending a request by certified mail to: \_\_\_\_\_.

THIS IS WHEN AND WHERE  
YOUR PROPERTY WILL BE SOLD  
IF YOU DO NOT TAKE ACTION:

Date and time: \_\_\_\_\_, 2\_\_\_\_\_ at \_\_\_\_\_

1 Place: \_\_\_\_\_

2

3

THIS IS WHAT YOU CAN DO  
TO STOP THE SALE:

4

5

6

1. You can pay the amount past due or correct any other default, up to five days before the sale.

7

2. You can refinance or otherwise pay off the loan in full anytime before the sale.

8

3. You can call \_\_\_\_\_ (name) at \_\_\_\_\_ (telephone number) to find out if your lender is willing to give you more time or change the terms of your loan.

9

4. You can sell your home, provided the sale price is enough to pay what you owe.

10

11

There are government agencies and nonprofit organizations that can give you information about foreclosure and help you decide what to do. For the name and telephone number of an organization near you, please call the statewide telephone contact number at \_\_\_\_\_. You may also wish to talk to a lawyer. If you need help finding a lawyer, you may call the Oregon State Bar's Lawyer Referral Service at \_\_\_\_\_ or toll-free in Oregon at \_\_\_\_\_ or you may visit its website at: \_\_\_\_\_. Legal assistance may be available if you have a low income and meet federal poverty guidelines. For more information and a directory of legal aid programs, go to \_\_\_\_\_.

12

13

14

**WARNING:** You may get offers from people who tell you they can help you keep your property. You should be careful about those offers. Make sure you understand any papers you are asked to sign. If you have any questions, talk to a lawyer or one of the organizations mentioned above before signing.

15

16

DATED: \_\_\_\_\_, 2\_\_\_\_\_

17

18

Trustee name: \_\_\_\_\_ (print)

19

20

Trustee signature: \_\_\_\_\_

21

22

Trustee telephone number: \_\_\_\_\_

23

24

25

(2) The Department of Consumer and Business Services may adopt rules prescribing the format, font size and other physical characteristics of the notice form set forth in subsection (1) of this section. The department shall adopt rules specifying the resource telephone contact numbers and website addresses the sender is to insert in completing the notice.

26

(3) When filling blanks in the notice form set forth in subsection (1) of this section, the sender of the notice shall include, stated in plain language:

27

(a) The amount of payment that was needed to bring the mortgage loan current as of the date stated in the notice; and

28

(b) One or more telephone numbers consisting of:

29

(A) A telephone number that will allow the grantor access during regular business hours to

1 details regarding the grantor's loan delinquency and repayment information; and

2 (B) A telephone number that will allow the grantor access during regular business hours to  
3 person-to-person consultation with an individual authorized by the beneficiary to discuss the  
4 grantor's payment and loan term negotiation and modification options.

5 (4) Telephone numbers described in subsection (3) of this section must be toll-free numbers un-  
6 less the beneficiary:

7 (a) Made the loan with the beneficiary's own money;

8 (b) Made the loan for the beneficiary's own investment; and

9 (c) Is not in the business of making loans secured by an interest in real estate.

10 (5) If the sender giving notice under subsection (1) of this section has actual knowledge that the  
11 grantor is not the occupant of the residential real property, the sender shall also give notice to the  
12 occupant of the property by both first class and certified mail with return receipt requested to all  
13 addresses on file with the trustee for the occupant, including post office boxes.

14 **(6) Except as provided in section 1 (3) of this 2019 Act, the information required under**  
15 **section 1 of this 2019 Act must be included with a notice under subsection (1) of this section.**

16 **SECTION 10. On or before December 1 of each year, the Department of Veterans' Affairs**  
17 **and the Housing and Community Services Department shall jointly submit a written report**  
18 **on veterans' housing programs to the interim House committee related to veterans. The re-**  
19 **port must describe:**

20 **(1) Expenditures relating to veterans' housing programs, including how moneys were**  
21 **expended and the source of the moneys;**

22 **(2) Programs or initiatives to enroll veterans in or inform veterans of existing housing**  
23 **programs;**

24 **(3) Implementation of programs and training for identification of veterans who are or**  
25 **may become homeless; and**

26 **(4) Training of and coordination with state and local agencies on veterans' housing pro-**  
27 **grams, including "Operation Welcome Home."**

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