

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO
HOUSE BILL 2002**

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

3 Delete line 19 and insert:

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

6 On page 2, after line 13, insert:

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

10 Delete lines 40 through 43 and insert “The owner of a participating
11 property shall provide notice by registered or certified mail, with return re-
12 ceipt requested, to each local government entitled to notice and to the
13 Housing and Community Services Department, in a form prescribed by the
14 department, no sooner than 36 months prior and at least 30 months prior to
15 the date when:”.

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

17 In line 11, after “(1)” delete the rest of the line and lines 12 through 17
18 and insert “A property owner shall provide notice by registered or certified
19 mail, with return receipt requested, to the each local government entitled to
20 notice under ORS 456.260 and to the Housing and Community Services De-
21 partment, in a form prescribed by the department, no sooner than 30 months

1 prior and at least 24 months prior to any withdrawal of the participating
2 property from publicly supported housing, including by an expiration of a
3 contract.”.

4 Delete lines 41 through 45 and insert:

5 “(3) After the property owner has delivered the notice under subsection
6 (1) of this section, a qualified purchaser may deliver by certified mail, with
7 return receipt requested, an offer to the property owner to purchase the
8 participating property, which includes a notice that the qualified purchaser
9 may, after 30 days, record a notice of right of first refusal under subsection
10 (4) of this section.”.

11 On page 5, after line 3, insert:

12 “(4) At any time after a qualified purchaser has made an offer to purchase
13 the participating property under subsection (3) of this section and no later
14 than two months before the owner may withdraw the property under sub-
15 section (5) of this section, a qualified purchaser may record in the real
16 property records of the county, a notice of right of first refusal that:

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

18 “(b) If the qualified purchaser is not the department or a local govern-
19 ment, declares states that the qualified purchaser is appointed by the de-
20 partment as a qualified purchaser and attach a copy of the agreement
21 between the qualified purchaser and the department under subsection (2) of
22 this section;

23 “(c) Attaches a copy of the notice and proof of mailing of the notice re-
24 quired by subsection (3) of this section;

25 “(d) Declares that the qualified purchaser holds the right of first refusal
26 to purchase the property under ORS 456.263;

27 “(e) Declares that the right of first refusal shall expire 24 months from
28 the date the property may be withdrawn from publicly supported housing
29 under subsection (5) of this section;

30 “(f) Declares that a copy of the right of first refusal will be promptly

1 delivered by certified mail to the property owner;

2 “(g) Is executed and acknowledged in the manner provided for the ac-
3 knowledgment of deeds; and

4 “(h) Complies with any other rules of the department.”.

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

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

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

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

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

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

11 Delete lines 39 through 45 and insert:

12 “(1) Before selling a participating property that is subject to a recorded
13 notice of first refusal under ORS 456.262 (5) to a private third party other
14 than a qualified purchaser, a property owner shall send notice of the owner’s
15 intent to accept a purchase offer by registered or certified mail, with return
16 receipt requested, to each qualified purchaser. The notice must contain a
17 copy of the third party offer or the terms and conditions of the offer to
18 purchase that the owner intends to accept.”.

19 On page 6, line 2, before the period insert “by certified mail. The match-
20 ing offer must contain a commitment from the qualified purchaser to pre-
21 serve the property as affordable on terms comparable to those required under
22 the property owner’s contract”.

23 In line 17, restore the bracketed material and delete the boldfaced mate-
24 rial and after “(c)” insert “That”.

25 After line 20, insert:

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

28 Delete lines 29 through 31 and insert:

29 “(a) More than 24 months have elapsed since the participating property
30 was eligible for withdrawal from publicly supported housing under ORS

1 456.262 (5).”.

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

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

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

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

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

12 In line 30, delete “11” and insert “9”.

13 In line 38, delete “10” and insert “8”.

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