

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2896**

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon in-
2 sert “creating new provisions; amending ORS 90.840, 90.849, 456.579 and
3 456.581;”.

4 After line 3, insert:

5 **“SECTION 1. Sections 2 and 6 to 9 of this 2019 Act are added to and
6 made a part of ORS chapter 458.”**.

7 In line 4, delete “1” and insert “2”.

8 On page 2, line 36, delete “2” and insert “3”.

9 In line 40, delete “1” and insert “2”.

10 In line 41, delete “3” and insert “4” and delete the first “2” and insert
11 “3”.

12 Delete lines 42 through 45 and insert:

13 **“SECTION 5. ORS 90.849 is amended to read:**

14 “90.849. (1) In addition to providing notice as required by ORS 90.842,
15 upon sale of a manufactured dwelling park under ORS 90.842 to 90.850 or
16 upon any sale, transfer, exchange or other conveyance of a manufactured
17 dwelling park described in ORS 90.848, the owner shall give notice of the
18 conveyance to the Office of Manufactured Dwelling Park Community Re-
19 lations stating:

20 “[1] (a) The number of vacant spaces and homes in the manufactured
21 dwelling park;

1 “[2] (b) If applicable, the final sale price of the manufactured dwelling
2 park;

3 “[3] (c) The date the conveyance became final; and

4 “[4] (d) The name, address and telephone number of the new owner.

5 **“(2) Upon receipt of a notice under ORS 90.655 (1) or 90.842 (3) or
6 subsection (1) of this section, the office shall make available on a
7 website any public information contained in the notice and shall de-
8 liver the information to any person who has requested copies in a
9 manner prescribed by the office.**

10 **“SECTION 6. (1) The Housing and Community Services Department
11 shall establish a program to provide loans to individuals to buy and
12 site manufactured dwellings that replace older and less energy effi-
13 cient manufactured dwellings.**

14 **“(2) The department may make loans under the program only to
15 individual borrowers who:**

16 **“(a) Are members of households with income that complies with
17 income restrictions determined at the advice and consent of the
18 Oregon Housing Stability Council, but not to exceed the greater of 100
19 percent of the statewide or local area median income adjusted for
20 household size as determined annually by the Housing and Community
21 Services Department using United States Department of Housing and
22 Urban Development information; and**

23 **“(b) Will purchase a manufactured dwelling that:**

24 **“(A) Meets energy efficiency standards as prescribed by the Housing
25 and Community Services Department;**

26 **“(B)(i) Will be sited in a manufactured dwelling park that has reg-
27 istered with the Office of Manufactured Dwelling Park Community
28 Relations and either has entered into a regulatory agreement with the
29 department or is negotiating a regulatory agreement that is at least
30 partially conditioned upon the replacement of the dwelling; or**

1 “(ii) Will be sited on land owned or purchased under a land sale
2 contract by the individual borrower; and

3 “(C) Will be the primary residence of the borrower throughout the
4 term of the loan.

5 “(3) A loan under this section may not exceed \$35,000 per individual.
6 The department shall prescribe by rule lending requirements and
7 terms for loans made under this program, including:

8 “(a) Interest rates charged to borrowers, if any;

9 “(b) Repayment requirements, if any;

10 “(c) Loan forgiveness opportunities, if any;

11 “(d) Affordability requirements; and

12 “(e) Remedies upon transfer or default.

13 “(4) In servicing loans under the program, the department shall
14 deposit all moneys received into the Manufactured Home Preservation
15 Fund established in section 9 of this 2019 Act.

16 “(5) The council may establish priorities for evaluating loan appli-
17 cations and shall give consideration to prioritizing loans to borrowers
18 who are:

19 “(a) From low income households; and

20 “(b) Decommissioning and replacing manufactured dwellings that
21 are older or less resource or energy efficient.

22 “SECTION 7. (1) The Housing and Community Services Department
23 shall establish a program to provide grants to persons for safely de-
24 commissioning and disposing of a manufactured dwelling as defined in
25 ORS 446.003.

26 “(2) The department may award grants under the program only to
27 a person that is:

28 “(a)(A) An individual who owns a manufactured dwelling sited:

29 “(i) In a manufactured dwelling park that has registered with the
30 Office of Manufactured Dwelling Park Community Relations and ei-

1 **ther has entered into a regulatory agreement with the department or**
2 **is negotiating a regulatory agreement that is at least partially condi-**
3 **tioned upon the replacement of the dwelling;**

4 **“(ii) On land owned by the individual; or**

5 **“(iii) On land being purchased by the individual under a land sale**
6 **contract as defined in ORS 18.960; or**

7 **“(B) An entity described in paragraph (b)(B) of this subsection that**
8 **has a controlling interest, including a controlling interest in a general**
9 **partner of a limited partnership, in:**

10 **“(i) The manufactured dwelling; or**

11 **“(ii) A manufactured dwelling park where the manufactured dwell-**
12 **ing slated for disposal is sited; and**

13 **“(b)(A) An individual who is a member of a household with income**
14 **that complies with income restrictions determined at the advice and**
15 **consent of the Oregon Housing Stability Council, and not exceeding**
16 **the greater of 100 percent of the statewide or local area median income**
17 **adjusted for household size as determined annually by the Housing and**
18 **Community Services Department using United States Department of**
19 **Housing and Urban Development information; or**

20 **“(B) A nonprofit corporation as defined in ORS 317.097, a manufac-**
21 **tured dwelling park nonprofit cooperative as defined in ORS 62.803, a**
22 **housing authority as defined in ORS 456.005, a local unit of govern-**
23 **ment as defined in ORS 466.706 or a state governmental entity.**

24 **“(3) Grants awarded under the program may not exceed 80 percent**
25 **of the cost of decommissioning and disposing of the manufactured**
26 **dwelling.**

27 **“(4) The Oregon Housing Stability Council may establish priorities**
28 **for the evaluation of grant applications and shall consider prioritizing**
29 **grant awards:**

30 **“(a) For the safe remediation of dwellings with environmental and**

1 public health hazards and risks, including asbestos, lead paint and
2 mold;

3 “(b) To owners from low income households; and

4 “(c) For the decommissioning of manufactured dwellings that are
5 older or less resource and energy efficient.

6 **“SECTION 8. (1) The Director of the Housing and Community Ser-**
7 **vices Department shall appoint an advisory committee on manufac-**
8 **tured housing. The director has the discretion to determine the**
9 **membership of the committee and the terms of committee members,**
10 **but shall consider for membership representatives from the following**
11 **groups:**

12 “(a) State agencies such as the Housing and Community Services
13 Department, the Department of Land Conservation and Development,
14 the Department of Environmental Quality, the Department of Con-
15 sumer and Business Services and the Oregon Business Development
16 Department;

17 “(b) The United States Department of Housing and Urban Develop-
18 ment and the United States Department of Agriculture Rural Devel-
19 opment;

20 “(c) Local governments and local government agencies;

21 “(d) Owners of manufactured dwelling parks that have an interest
22 in providing affordable housing, or nonprofit corporations or cooper-
23 ative corporations that own manufactured dwelling parks;

24 “(e) Representatives of organizations that have a particular focus
25 on serving people of color and that provide financial counseling, edu-
26 cation or the opportunity to purchase affordable housing to individuals
27 and families;

28 “(f) Lenders or other persons that offer financing for manufactured
29 dwelling parks or for purchasing manufactured dwellings; and

30 “(g) Manufactured dwelling park tenants or owners of manufac-

1 tured dwellings.

2 “(2) The advisory committee shall:

3 “(a) Advise the Housing and Community Services Department and
4 other state agencies with respect to matters of interest and concern
5 that are related to manufactured housing, manufactured dwellings and
6 manufactured dwelling parks;

7 “(b) Develop and promote strategies to maximize long-term preser-
8 vation of manufactured dwelling parks as affordable housing;

9 “(c) Identify and propose solutions to overcome barriers that pre-
10 vent development of manufactured dwelling parks;

11 “(d) Identify strategies to fund, preserve and improve infrastructure
12 in manufactured dwelling parks;

13 “(e) Develop and propose fair and equitable sources of financing for
14 purchasing manufactured dwellings;

15 “(f) Identify and promote strategies and services for assisting own-
16 ers of manufactured dwellings to weatherize existing manufactured
17 dwellings or replace deteriorating manufactured dwellings;

18 “(g) Develop, approve or promote courses to counsel home buyers
19 with respect to purchasing manufactured dwellings in this state;

20 “(h) Identify and propose solutions to overcome barriers that pre-
21 vent using manufactured dwellings as accessory dwelling units;

22 “(i) Encourage the development of capacity for nonprofit corpo-
23 rations and residents of this state to acquire, own and maintain man-
24 ufactured dwelling parks in fair market transactions;

25 “(j) Conduct annual evaluations of the committee’s efforts and the
26 efforts of the Housing and Community Services Department and other
27 state agencies in achieving the actions, priorities, goals and functions
28 described in this subsection;

29 “(k) Encourage and promote home buyer and homeowner coun-
30 seling and education; and

1 “(L) Meaningfully engage culturally specific and culturally respon-
2 sive organizations and their constituents, including federally recog-
3 nized Indian tribes located within this state.

4 “(3) In undertaking the duties described in subsection (2) of this
5 section, the advisory committee shall take account of the capacity of
6 the department’s staff and resources and the staff and resources of
7 other state agencies.

8 “(4) The advisory committee shall compile and report the results
9 of the committee’s evaluations under subsection (2)(j) of this section
10 to the Oregon Housing Stability Council not later than March 30 of
11 each year.

12 “SECTION 9. (1) The Manufactured Home Preservation Fund is es-
13 tablished within the State Treasury, separate and distinct from the
14 General Fund. Interest earned by the Manufactured Home Preserva-
15 tion Fund shall be credited to the fund.

16 “(2) Moneys in the Manufactured Home Preservation Fund consist
17 of:

18 “(a) Amounts donated to the fund;

19 “(b) Amounts appropriated or otherwise transferred to the fund by
20 the Legislative Assembly;

21 “(c) Amounts received from state or federal sources to be deposited
22 into the fund;

23 “(d) Income derived from moneys in the fund; and

24 “(e) Other amounts deposited in the fund from any source.

25 “(3) Moneys in the fund are continuously appropriated to the
26 Housing and Community Services Department to:

27 “(a) Carry out the provisions of sections 6 to 8 of this 2019 Act; and

28 “(b) Pay the administrative costs associated with the fund and with
29 implementing and maintaining the programs and advisory committee
30 established under sections 6 to 8 of this 2019 Act.

1 **“SECTION 10. (1) The Housing and Community Services Depart-**
2 **ment shall provide one or more grants to a nonprofit organization for**
3 **the purposes of developing or improving infrastructure for a manu-**
4 **factured dwelling park.**

5 **“(2) A nonprofit organization eligible for grants under this section**
6 **must:**

7 **“(a) Have experience in manufactured dwelling park development**
8 **and redevelopment; and**

9 **“(b) Own or have made plans to purchase or develop a manufac-**
10 **tured dwelling park in Springfield, Oregon.**

11 **“(3) A nonprofit organization receiving grants under this section**
12 **shall enter into an agreement with the department and a local housing**
13 **authority that requires the nonprofit to:**

14 **“(a) Ensure that the manufactured dwelling park primarily supports**
15 **residents who are low income or who have been displaced by the recent**
16 **closure of an existing park;**

17 **“(b) Provide a report to the department on or before November 15,**
18 **2020, that includes:**

19 **“(A) The nonprofit organization’s accounting and use of grant**
20 **moneys under this section;**

21 **“(B) Identification of other moneys or other assistance that the**
22 **nonprofit organization was able to obtain or plans to obtain to support**
23 **the acquisition and development of the park or to acquire manufac-**
24 **tured dwellings made available for rent or purchase by the nonprofit**
25 **organization in the park;**

26 **“(C) Identification of other moneys or other assistance that the**
27 **nonprofit organization obtained, or assisted the residents of the park**
28 **in obtaining, that provided direct support to the park’s low income and**
29 **displaced residents, including outreach and counseling, and acquisi-**
30 **tion, rehabilitation, transportation or demolition of manufactured**

1 dwellings;

2 “(D) Outreach, counseling and other resources that the nonprofit
3 has provided or plans to provide to the park’s low income and dis-
4 placed residents; and

5 “(E) Lessons learned and any best practices identified by the
6 nonprofit regarding subparagraphs (A) to (D) of this paragraph; and

7 “(c) Meet any other requirements that the department may estab-
8 lish.

9 “SECTION 11. In addition to the funds appropriated by section 18
10 (3) of this 2019 Act, notwithstanding ORS 456.579 (1) and 456.581, the
11 Housing and Community Services Department may use moneys avail-
12 able in the Manufactured Dwelling Parks Account established under
13 ORS 458.579 to fund grants under section 10 of this 2019 Act.

14 “SECTION 12. No later than December 15, 2020, the Housing and
15 Community Services Department shall provide a report to the Legis-
16 lative Assembly or an appropriate committee of the Legislative As-
17 sembly in the manner provided under ORS 192.245 on the use of grant
18 moneys under section 10 of this 2019 Act, including the information
19 reported by the nonprofit organization that received grant moneys
20 under section 10 (3)(b) of this 2019 Act.

21 “SECTION 13. Sections 10, 11 and 12 of this 2019 Act are repealed
22 on June 30, 2023.

23 “SECTION 14. (1) The amendments to ORS 456.579 by section 15 of
24 this 2019 Act are intended to change the name of the ‘Mobile Home
25 Parks Purchase Account’ to the ‘Manufactured Dwelling Parks Ac-
26 count.’

27 “(2) Whenever, in any statutory law or resolution of the Legislative
28 Assembly or in any rule, document, record or proceeding authorized
29 by the Legislative Assembly, reference is made to the Mobile Home
30 Parks Purchase Account, the reference is considered to be a reference

1 **to the Manufactured Dwelling Parks Account.**

2 “(3) For the purpose of harmonizing and clarifying statutory law,
3 the Legislative Counsel may substitute for words designating the
4 ‘Mobile Home Parks Purchase Account,’ wherever they occur in stat-
5 utory law, other words designating the ‘Manufactured Dwelling Parks
6 Account.’

7 **“SECTION 15.** ORS 456.579 is amended to read:

8 “456.579. (1) There is established separate and distinct from the General
9 Fund an account to be known as the [*Mobile Home Parks Purchase*] **Manu-
10 factured Dwelling Parks** Account. [*Except as otherwise provided by law, all
11 moneys credited to the Mobile Home Parks Purchase*] **Moneys in the** account
12 are **continuously** appropriated [*continuously*] to the [*Director of the*] Hous-
13 ing and Community Services Department for the purpose of carrying out the
14 duties and responsibilities imposed upon the [*Housing and Community Ser-
15 vices*] department under ORS 90.800 to 90.850 and 456.581 and this section.
16 Interest earned on [*moneys in*] the account [*must be*] **is** credited to the ac-
17 count.

18 “(2) Except for loans provided in ORS 90.840, moneys in the account de-
19 scribed in subsection (1) of this section may not be connected to or
20 commingled in any way with the moneys in the fund described in ORS
21 456.720.

22 “(3) For the purpose of carrying out the provisions of ORS 90.800 to 90.850
23 and 456.581 and this section, the [*Housing and Community Services*] depart-
24 ment may seek moneys from any lawful source. Moneys obtained by the de-
25 partment pursuant to this subsection must be credited to the [*Mobile Home
26 Parks Purchase*] account.

27 **“SECTION 16.** ORS 456.581 is amended to read:

28 “456.581. The [*Mobile Home Parks Purchase*] **Manufactured Dwelling
29 Parks** Account established in ORS 456.579 shall be used by the Housing and
30 Community Services Department to provide:

1 “(1) Technical assistance to tenants’ associations, manufactured dwelling
2 park nonprofit cooperatives, tenants’ association supported nonprofit organ-
3 izations and housing authorities and to help tenants in activities related to
4 the purchase or preservation of a mobile home park or a manufactured
5 dwelling park by a tenants’ association, a manufactured dwelling park
6 nonprofit cooperative, a tenants’ association supported nonprofit organiza-
7 tion, a housing authority or a corporate entity legally capable of purchasing
8 real property that is formed by or associated with tenants pursuant to ORS
9 90.844.

10 “(2) By rule, loans for initial costs for purchasing a mobile home park or
11 manufactured dwelling park **or the development of infrastructure for a**
12 **newly purchased park** that the department determines has a significant
13 percentage of tenants who are individuals of lower income **or who have**
14 **been displaced by the recent closure of an existing park**. Loans provided
15 under this section may be made only if the department is of the opinion that
16 the purchase is economically feasible and only to:

17 “(a) A tenants’ association, a manufactured dwelling park nonprofit co-
18 operative, a tenants’ association supported nonprofit organization or a
19 housing authority; or

20 “(b) A corporate entity legally capable of purchasing real property that
21 is formed by or associated with tenants pursuant to ORS 90.844 and that
22 includes more than 50 percent of the tenants residing in the park.

23 **“SECTION 17.** ORS 90.840 is amended to read:

24 “90.840. (1) The Director of the Housing and Community Services De-
25 partment may lend funds available to the Housing and Community Services
26 Department to provide funds necessary to carry out the provisions of ORS
27 456.581 (2). Such funds advanced shall be repaid to the Housing and Com-
28 munity Services Department as determined by the director.

29 “(2) Notwithstanding any budget limitation, the director may spend funds
30 available from the [*Mobile Home Parks Purchase*] **Manufactured Dwelling**

1 **Parks** Account to employ personnel to carry out the provisions of ORS
2 456.581 (1).

3 **“SECTION 18. In addition to and not in lieu of any other appropri-**
4 **ation, there is appropriated to the Housing and Community Services**
5 **Department, for the biennium beginning July 1, 2019, out of the Gen-**
6 **eral Fund:**

7 **“(1) The amount of \$9,500,000 for administering and funding loans**
8 **under section 2 of this 2019 Act and for carrying out the requirements**
9 **of the Office of Manufactured Dwelling Park Community Relations**
10 **under ORS 90.849 (2).**

11 **“(2) The amount of \$2,500,000 for deposit into the Manufactured**
12 **Home Preservation Fund established in section 9 of this 2019 Act.**

13 **“(3) The amount of \$3,000,000 for deposit into the Manufactured**
14 **Dwelling Parks Account established under ORS 456.579 to fund grants**
15 **under section 10 of this 2019 Act.”.**

16 On page 3, line 1, delete “5” and insert “19”.

17