

DRAFT

SUMMARY

Prohibits local governments from prohibiting siting of prefabricated structures in all residential zones. Allows siting of all manufactured homes and prefabricated structures on lands zoned to allow single-family dwellings within urban growth boundary. Allows siting of prefabricated structures in mobile home or manufactured dwelling parks.

Limits improvements that landlord of manufactured dwelling park may require of tenant. Requires Attorney General to update model statement by January 1, 2023.

Expands eligibility for manufactured dwelling replacement program to allow owners of dwellings destroyed by natural disaster to replace outside of disaster area.

Updates certain definitions of manufactured dwellings and manufactured dwelling parks to include prefabricated structures.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to manufactured structures; creating new provisions; amending ORS 62.803, 90.230, 90.514, 174.101, 197.286, 197.307, 197.312, 197.314, 197.485, 197.492, 215.010, 307.651, 446.003, 458.352, 458.356 and 458.358 and section 18, chapter 401, Oregon Laws 2019; repealing ORS 446.007; and declaring an emergency.

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

SITING MANUFACTURED HOMES AND PREFABRICATED STRUCTURES

SECTION 1. ORS 197.314 is amended to read:

197.314. (1) [*Notwithstanding ORS 197.296, 197.298, 197.299, 197.301,*

1 197.302, 197.303, 197.307, 197.312 and 197.313, within urban growth boundaries
2 each city and county shall amend its comprehensive plan and land use regu-
3 lations for all land zoned for single-family residential uses to allow for siting
4 of manufactured homes as defined in ORS 446.003. A local government may
5 only subject the siting of a manufactured home allowed under this section to
6 regulation as set forth in ORS 197.307 (8).] **Notwithstanding any other**
7 **provision in ORS 197.286 to 197.314, within an urban growth boundary,**
8 **a local government shall allow the siting of manufactured homes and**
9 **prefabricated structures on all land zoned to allow the development**
10 **of single-family dwellings.**

11 [(2) Cities and counties shall adopt and amend comprehensive plans and
12 land use regulations under subsection (1) of this section according to the pro-
13 visions of ORS 197.610 to 197.651.]

14 [(3)] (2) [Subsection (1) of] This section does not apply to any area desig-
15 nated in an acknowledged comprehensive plan or land use regulation as a
16 historic district or residential land immediately adjacent to a historic land-
17 mark.

18 [(4)] (3) Manufactured homes [on individual lots zoned for single-family
19 residential use in subsection (1) of this section shall be] **and prefabricated**
20 **structures allowed under this section are** in addition to manufactured
21 [homes on lots] **dwellings or prefabricated structures allowed** within des-
22 igned manufactured dwelling subdivisions.

23 (4) **A local government may not subject manufactured homes or**
24 **prefabricated structures within an urban growth boundary, or the land**
25 **upon which the homes or structures are sited, to any applicable**
26 **standard that would not apply to a conventional single-family resi-**
27 **dential dwelling on the same land.**

28 (5) Within any residential zone inside an urban growth boundary where
29 a manufactured dwelling park is otherwise allowed, a city or county [shall]
30 **may** not adopt[, by charter or ordinance,] a minimum lot size for a manu-
31 factured dwelling park that is larger than one acre.

1 [(6) A city or county may adopt the following standards for the approval
2 of manufactured homes located in manufactured dwelling parks that are
3 smaller than three acres:]

4 [(a) The manufactured home shall have a pitched roof, except that no
5 standard shall require a slope of greater than a nominal three feet in height
6 for each 12 feet in width.]

7 [(b) The manufactured home shall have exterior siding and roofing that, in
8 color, material and appearance, is similar to the exterior siding and roofing
9 material commonly used on residential dwellings within the community or that
10 is comparable to the predominant materials used on surrounding dwellings as
11 determined by the local permit approval authority.]

12 [(7)] (6) This section [shall] **may** not be construed as abrogating a re-
13 corded restrictive covenant.

14 **SECTION 2.** ORS 197.307, as amended by section 14, chapter 401, Oregon
15 Laws 2019, is amended to read:

16 197.307. (1) The availability of affordable, decent, safe and sanitary hous-
17 ing opportunities for persons of lower, middle and fixed income, including
18 housing for farmworkers, is a matter of statewide concern.

19 (2) Many persons of lower, middle and fixed income depend on government
20 assisted housing as a source of affordable, decent, safe and sanitary housing.

21 (3) When a need has been shown for housing within an urban growth
22 boundary at particular price ranges and rent levels, needed housing shall be
23 permitted in one or more zoning districts or in zones described by some
24 comprehensive plans as overlay zones with sufficient buildable land to satisfy
25 that need.

26 (4) Except as provided in subsection (6) of this section, a local government
27 may adopt and apply only clear and objective standards, conditions and
28 procedures regulating the development of housing, including needed housing.
29 The standards, conditions and procedures:

30 (a) May include, but are not limited to, one or more provisions regulating
31 the density or height of a development.

1 (b) May not have the effect, either in themselves or cumulatively, of dis-
2 couraging needed housing through unreasonable cost or delay.

3 (5) The provisions of subsection (4) of this section do not apply to:

4 (a) An application or permit for residential development in an area iden-
5 tified in a formally adopted central city plan, or a regional center as defined
6 by Metro, in a city with a population of 500,000 or more.

7 (b) An application or permit for residential development in historic areas
8 designated for protection under a land use planning goal protecting historic
9 areas.

10 (6) In addition to an approval process for needed housing based on clear
11 and objective standards, conditions and procedures as provided in subsection
12 (4) of this section, a local government may adopt and apply an alternative
13 approval process for applications and permits for residential development
14 based on approval criteria regulating, in whole or in part, appearance or
15 aesthetics that are not clear and objective if:

16 (a) The applicant retains the option of proceeding under the approval
17 process that meets the requirements of subsection (4) of this section;

18 (b) The approval criteria for the alternative approval process comply with
19 applicable statewide land use planning goals and rules; and

20 (c) The approval criteria for the alternative approval process authorize a
21 density at or above the density level authorized in the zone under the ap-
22 proval process provided in subsection (4) of this section.

23 (7) Subject to subsection (4) of this section, this section does not infringe
24 on a local government's prerogative to:

25 (a) Set approval standards under which a particular housing type is per-
26 mitted outright;

27 (b) Impose special conditions upon approval of a specific development
28 proposal; or

29 (c) Establish approval procedures.

30 [(8) *In accordance with subsection (4) of this section and ORS 197.314, a*
31 *jurisdiction may adopt any or all of the following placement standards, or any*

1 *less restrictive standard, for the approval of manufactured homes located out-*
2 *side mobile home parks:]*

3 *[(a) The manufactured home shall be multisectional and enclose a space of*
4 *not less than 1,000 square feet.]*

5 *[(b) The manufactured home shall be placed on an excavated and back-filled*
6 *foundation and enclosed at the perimeter such that the manufactured home is*
7 *located not more than 12 inches above grade.]*

8 *[(c) The manufactured home shall have a pitched roof, except that no*
9 *standard shall require a slope of greater than a nominal three feet in height*
10 *for each 12 feet in width.]*

11 *[(d) The manufactured home shall have exterior siding and roofing which*
12 *in color, material and appearance is similar to the exterior siding and roofing*
13 *material commonly used on residential dwellings within the community or*
14 *which is comparable to the predominant materials used on surrounding*
15 *dwellings as determined by the local permit approval authority.]*

16 *[(e) The manufactured home shall be certified by the manufacturer to have*
17 *an exterior thermal envelope meeting performance standards which reduce*
18 *levels equivalent to the performance standards required of single-family*
19 *dwellings constructed under the state building code as defined in ORS*
20 *455.010.]*

21 *[(f) The manufactured home shall have a garage or carport constructed of*
22 *like materials. A jurisdiction may require an attached or detached garage in*
23 *lieu of a carport where such is consistent with the predominant construction*
24 *of immediately surrounding dwellings.]*

25 *[(g) In addition to the provisions in paragraphs (a) to (f) of this subsection,*
26 *a city or county may subject a manufactured home and the lot upon which it*
27 *is sited to any development standard, architectural requirement and minimum*
28 *size requirement to which a conventional single-family residential dwelling on*
29 *the same lot would be subject.]*

30 **SECTION 3.** ORS 197.485 is amended to read:

31 197.485. (1) A jurisdiction may not prohibit placement of a manufactured

1 dwelling, due solely to its age, in a mobile home or manufactured dwelling
2 park in a zone with a residential density of eight to 12 units per acre.

3 (2) A jurisdiction may not prohibit placement of a manufactured dwelling,
4 due solely to its age, on a buildable lot or parcel located outside urban
5 growth boundaries or on a space in a mobile home or manufactured dwelling
6 park, if the manufactured dwelling is being relocated due to the closure of
7 a mobile home or manufactured dwelling park or a portion of a mobile home
8 or manufactured dwelling park.

9 **(3) A jurisdiction may not prohibit the placement of a prefabricated**
10 **structure in a mobile home or manufactured dwelling park.**

11 [(3)] (4) A jurisdiction may impose reasonable safety and inspection re-
12 quirements for homes that were not constructed in conformance with the
13 National Manufactured Housing Construction and Safety Standards Act of
14 1974 (42 U.S.C. 5403).

15 **SECTION 4.** ORS 197.312 is amended to read:

16 197.312. (1) A *[city or county]* **local government** may not *[by charter]*
17 prohibit from all residential zones attached or detached single-family hous-
18 ing, multifamily housing for both owner and renter occupancy, *[or]* manu-
19 factured homes **or prefabricated structures**. A city or county may not *[by*
20 *charter]* prohibit government assisted housing or impose additional approval
21 standards on government assisted housing that are not applied to similar but
22 unassisted housing.

23 (2)(a) A single-family dwelling for a farmworker and the farmworker's
24 immediate family is a permitted use in any residential or commercial zone
25 that allows single-family dwellings as a permitted use.

26 (b) A city or county may not impose a zoning requirement on the estab-
27 lishment and maintenance of a single-family dwelling for a farmworker and
28 the farmworker's immediate family in a residential or commercial zone de-
29 scribed in paragraph (a) of this subsection that is more restrictive than a
30 zoning requirement imposed on other single-family dwellings in the same
31 zone.

1 (3)(a) Multifamily housing for farmworkers and farmworkers' immediate
2 families is a permitted use in any residential or commercial zone that allows
3 multifamily housing generally as a permitted use.

4 (b) A city or county may not impose a zoning requirement on the estab-
5 lishment and maintenance of multifamily housing for farmworkers and
6 farmworkers' immediate families in a residential or commercial zone de-
7 scribed in paragraph (a) of this subsection that is more restrictive than a
8 zoning requirement imposed on other multifamily housing in the same zone.

9 (4) A city or county may not prohibit a property owner or developer from
10 maintaining a real estate sales office in a subdivision or planned community
11 containing more than 50 lots or dwelling units for the sale of lots or dwelling
12 units that remain available for sale to the public.

13 (5)(a) A city with a population greater than 2,500 or a county with a
14 population greater than 15,000 shall allow in areas within the urban growth
15 boundary that are zoned for detached single-family dwellings the develop-
16 ment of at least one accessory dwelling unit for each detached single-family
17 dwelling, subject to reasonable local regulations relating to siting and de-
18 sign.

19 (b) As used in this subsection:

20 (A) "Accessory dwelling unit" means an interior, attached or detached
21 residential structure that is used in connection with or that is accessory to
22 a single-family dwelling.

23 (B) "Reasonable local regulations relating to siting and design" does not
24 include owner-occupancy requirements of either the primary or accessory
25 structure or requirements to construct additional off-street parking.

26 (6) Subsection (5) of this section does not prohibit local governments from
27 regulating vacation occupancies, as defined in ORS 90.100, to require
28 owner-occupancy or off-street parking.

29 **SECTION 5.** ORS 197.286 is amended to read:

30 197.286. As used in ORS 197.286 to 197.314 and 197.475 to 197.490:

31 (1) "Buildable lands" means lands in urban and urbanizable areas that are

1 suitable, available and necessary for residential uses. “Buildable lands” in-
2 cludes both vacant land and developed land likely to be redeveloped.

3 [(2) “*Manufactured dwelling park*” has the meaning given that term in ORS
4 446.003.]

5 [(3)] (2) “Government assisted housing” means housing that is financed
6 in whole or part by either a federal or state housing agency or a housing
7 authority as defined in ORS 456.005, or housing that is occupied by a tenant
8 or tenants who benefit from rent supplements or housing vouchers provided
9 by either a federal or state housing agency or a local housing authority.

10 (3) “**Manufactured dwelling,**” “**manufactured dwelling park,**” “**man-**
11 **ufactured home**” and “**mobile home park**” have the meanings given
12 **those terms in ORS 446.003.**

13 [(4) “*Manufactured homes*” has the meaning given that term in ORS
14 446.003.]

15 [(5) “*Mobile home park*” has the meaning given that term in ORS
16 446.007].

17 [(6)] (4) “Periodic review” means the process and procedures as set forth
18 in ORS 197.628 to 197.651.

19 (5) “**Prefabricated structure**” mean a **prefabricated structure, as**
20 **defined in ORS 455.010, that is relocatable and more than eight and**
21 **one-half feet wide.**

22 [(7)] (6) “Urban growth boundary” means an urban growth boundary in-
23 cluded or referenced in a comprehensive plan.

24 **SECTION 6.** Section 18, chapter 401, Oregon Laws 2019, as amended by
25 section 1c, chapter 422, Oregon Laws 2019, is amended to read:

26 **Sec. 18.** [Section 9, chapter 401, Oregon Laws 2019,] **ORS 455.616,** the
27 amendments to ORS [197.307,] 446.003, 455.010, 455.135, 455.156 and 455.610
28 by sections 10 to [14] **13,** chapter 401, Oregon Laws 2019, and section 1b,
29 **chapter 422, Oregon Laws 2019,** [of this 2019 Act,] and the repeal of section
30 2, chapter 401, Oregon Laws 2019, by section 17, chapter 401, Oregon Laws
31 2019, become operative on January 2, 2026.

1 **REQUIRED IMPROVEMENTS BY PARK TENANTS**

2
3 **SECTION 7.** ORS 90.514 is amended to read:

4 90.514. (1) Before a prospective tenant signs a rental agreement for space
5 in a manufactured dwelling park or for a converted rental space, the landlord
6 must provide the prospective tenant with a written statement that discloses
7 the improvements that the landlord will require under the rental agreement.
8 The written statement must be in the format developed by the Attorney
9 General pursuant to ORS 90.516 and include at least the following:

10 (a) A notice that the tenant may select and contract directly with a con-
11 tractor to be the provider of an improvement.

12 (b) Separately stated and identifiable information for each required im-
13 provement that specifies:

14 (A) The dimensions, materials and finish for improvements to be con-
15 structed;

16 (B) The [*installation charges imposed by the landlord and the*] installation
17 fees imposed by government agencies; **and**

18 [*(C) The system development charges to be paid by the tenant; and*]

19 [*(D)*] (C) The site preparation requirements and restrictions, including,
20 but not limited to, requirements and restrictions on the use of plants and
21 landscaping.

22 (c) Identification of the improvements that belong to the tenant and the
23 improvements that must remain with the space.

24 **(2) A landlord may not require as part of the improvements under**
25 **the rental agreement that a tenant:**

26 **(a) Pay any fee to the landlord for improvements.**

27 **(b) Pay any system development charges.**

28 **(c) Construct an improvement that cannot reasonably be removed**
29 **and owned by the tenant at the termination of the tenancy, except for**
30 **improvements necessary for the safe and lawful installation of the**
31 **manufactured dwelling.**

1 [(2)] (3) Except as provided in ORS 41.740, a written statement provided
2 under this section is considered to contain all of the terms relating to im-
3 provements that a prospective tenant must make under the rental agreement.
4 There may be no evidence of the terms of the written statement other than
5 the contents of the written statement.

6 **SECTION 8. The Attorney General shall update the model written**
7 **statement under ORS 90.516 to include the provisions in the amend-**
8 **ments to ORS 90.514 by section 7 of this 2022 Act on or before January**
9 **1, 2023.**

10
11 **MANUFACTURED DWELLING REPLACEMENT PROGRAM**

12
13 **SECTION 9.** ORS 458.356 is amended to read:

14 **458.356. (1) As used in ORS 458.356 to 458.362:**

15 **(a) “Manufactured dwelling” means:**

16 **(A) A manufactured dwelling, as defined in ORS 446.003; or**

17 **(B) A prefabricated structure, as defined in ORS 455.010, that are**
18 **relocatable and more than eight and one-half feet wide.**

19 **(b) “Manufactured dwelling park” has the meaning given that term**
20 **in ORS 446.003.**

21 [(1)] (2) The Housing and Community Services Department shall establish
22 a program to provide loans to individuals to buy and site manufactured
23 dwellings that replace older and less energy efficient manufactured
24 dwellings, or manufactured dwellings destroyed by a natural disaster. The
25 department may contract with local governments or public or private hous-
26 ing sponsors to carry out the department’s responsibilities under this pro-
27 gram.

28 [(2)] (3) The department may make loans under the program only to in-
29 dividual borrowers who:

30 (a) Are members of households with income that complies with income
31 restrictions determined at the advice and consent of the Oregon Housing

1 Stability Council, but not to exceed the greater of 100 percent of the state-
2 wide or local area median income adjusted for household size as determined
3 annually by the Housing and Community Services Department using United
4 States Department of Housing and Urban Development information; and

5 (b) Will purchase a manufactured dwelling that:

6 (A) Meets energy efficiency standards as prescribed by the Housing and
7 Community Services Department;

8 *[(B)(i) Will be sited in a manufactured dwelling park that has registered
9 with the department and either has entered into a regulatory agreement with
10 the department or is negotiating a regulatory agreement that is at least par-
11 tially conditioned upon the replacement of the dwelling;]*

12 *[(ii) Will be sited on land owned or purchased under a land sale contract
13 by the individual borrower; or]*

14 *[(iii) Will be sited in a manufactured dwelling park that has been affected
15 by a natural disaster and the department has, pursuant to rule, provided the
16 borrower with a waiver of the requirement that the park enter into an agree-
17 ment under sub-subparagraph (i) of this subparagraph; and]*

18 **(B) Will be sited as required under subsection (4) of this section;
19 and**

20 (C) Will be the primary residence of the borrower throughout the term
21 of the loan.

22 **(4) To be eligible for a loan under this section, the borrower must
23 site the replacement manufactured dwelling on land that is:**

24 **(a) Owned by the borrower or being purchased by the borrower
25 under a land sale contract;**

26 **(b) In a manufactured dwelling park that has registered with the
27 department and either has entered into a regulatory agreement with
28 the department or is negotiating a regulatory agreement that is at
29 least partially conditioned upon the replacement of the dwelling; or**

30 **(c) In any location, provided that the borrower has obtained a
31 waiver from the department and is replacing a manufactured dwelling**

1 **that was destroyed by a natural disaster.**

2 [(3)] (5) The department shall prescribe by rule the maximum loan amount
3 per individual, lending requirements and terms for loans made under this
4 program, including:

- 5 (a) Interest rates charged to borrowers, if any;
- 6 (b) Repayment requirements, if any;
- 7 (c) Loan forgiveness opportunities, if any;
- 8 (d) Affordability requirements; and
- 9 (e) Remedies upon transfer or default.

10 [(4)] (6) In servicing loans under the program, the department shall de-
11 posit all moneys received into the Manufactured Home Preservation Fund
12 established in ORS 458.366.

13 [(5)] (7) The council may establish priorities for evaluating loan applica-
14 tions and shall give consideration to prioritizing loans to borrowers who are:

- 15 (a) From low income households; and
- 16 (b) Decommissioning and replacing manufactured dwellings that are older
17 or less resource or energy efficient.

18

19 **STANDARDIZING DEFINITIONS**

20

21 **SECTION 10.** ORS 62.803 is amended to read:

22 62.803. As used in ORS 62.800 to 62.815, unless the context requires oth-
23 erwise:

24 (1) “Lienholder” means the holder of a manufactured dwelling lien:

25 (a) That is recorded in the deed records of the county in which the man-
26 ufactured dwelling is located;

27 (b) That is perfected with the Department of Consumer and Business
28 Services pursuant to ORS 446.611; or

29 (c) Of which a manufactured dwelling park nonprofit cooperative has ac-
30 tual knowledge.

31 (2) “Manufactured dwelling” [*has the meaning given that term in ORS*

1 446.003] **means:**

2 (A) **A manufactured dwelling, as defined in ORS 446.003; or**

3 (B) **A prefabricated structure, as defined in ORS 455.010, that is re-**
4 **locatable and more than eight and one-half feet wide.**

5 (3) “Manufactured dwelling park” has the meaning given that term in
6 ORS 446.003.

7 (4) “Manufactured dwelling park nonprofit cooperative” means a cooper-
8 ative corporation that:

9 (a) Is organized to acquire or develop, and to own, an interest in one or
10 more manufactured dwelling parks that are primarily used for the siting of
11 manufactured dwellings owned and occupied by members of the cooperative;

12 (b) Limits the use of all income and earnings to use by the cooperative
13 and not for the benefit or profit of any individual; and

14 (c) Elects to be governed by ORS 62.800 to 62.815.

15 **SECTION 11.** ORS 90.230 is amended to read:

16 90.230. (1) If a tenancy is for the occupancy of a recreational vehicle in
17 a manufactured dwelling park[,] **or** mobile home park, **as defined in ORS**
18 **446.003**, or recreational vehicle park, [*all*] as defined in ORS 197.492, the
19 landlord shall provide a written rental agreement for a month-to-month,
20 week-to-week or fixed-term tenancy. The rental agreement must state:

21 (a) If applicable, that the tenancy may be terminated by the landlord un-
22 der ORS 90.427 without cause upon 30 or 60 days’ written notice for a
23 month-to-month tenancy or upon 10 days’ written notice for a week-to-week
24 tenancy.

25 (b) That any accessory building or structure paid for or provided by the
26 tenant belongs to the tenant and is subject to a demand by the landlord that
27 the tenant remove the building or structure upon termination of the tenancy.

28 (c) That the tenancy is subject to the requirements of ORS 197.493 (1) for
29 exemption from placement and occupancy restrictions.

30 (2) If a tenant described in subsection (1) of this section moves following
31 termination of the tenancy by the landlord under ORS 90.427, and the land-

1 lord failed to provide the required written rental agreement before the be-
2 ginning of the tenancy, the tenant may recover the tenant's actual damages
3 or twice the periodic rent, whichever is greater.

4 (3) If the occupancy fails at any time to comply with the requirements
5 of ORS 197.493 (1) for exemption from placement and occupancy restrictions,
6 and a state agency or local government requires the tenant to move as a
7 result of the noncompliance, the tenant may recover the tenant's actual
8 damages or twice the periodic rent, whichever is greater. This subsection
9 does not apply if the noncompliance was caused by the tenant.

10 (4) This section does not apply to a vacation occupancy.

11 **SECTION 12.** ORS 174.101 is amended to read:

12 174.101. (1) As used in the statutes of this state, "manufactured
13 structure" has the meaning given that term in this section only if the statute
14 using "manufactured structure" makes specific reference to this section and
15 indicates that the term used has the meaning given in this section. As used
16 in the statutes of this state, "recreational vehicle" has the meaning given
17 that term in this section only if the statute using "recreational vehicle"
18 makes specific reference to this section [*or ORS 446.007*] and thereby indi-
19 cates that the term used has the meaning given in this section.

20 (2) "Manufactured structure" means a manufactured dwelling, as defined
21 in ORS 446.003, or a recreational vehicle, as defined in this section.

22 (3) "Recreational vehicle" means a vehicle with or without motive power
23 that is designed for use as temporary living quarters and as further defined
24 by rule by the Director of Transportation.

25 **SECTION 13. ORS 197.492 and 197.493 are added to and made a part**
26 **of ORS 197.475 to 197.490.**

27 **SECTION 14.** ORS 197.492 is amended to read:

28 197.492. As used in this section and ORS 197.493:

29 [(1) "*Manufactured dwelling park*" has the meaning given that term in ORS
30 446.003.]

31 [(2) "*Mobile home park*" and "*recreational vehicle*" have the meanings given

1 *those terms in ORS 446.007.]*

2 **(1) “Recreational vehicle” has the meaning given that term in ORS**
3 **174.101.**

4 [(3)] **(2) “Recreational vehicle park”:**

5 (a) Means a place where two or more recreational vehicles are located
6 within 500 feet of one another on a lot, tract or parcel of land under common
7 ownership and having as its primary purpose:

8 (A) The renting of space and related facilities for a charge or fee; or

9 (B) The provision of space for free in connection with securing the
10 patronage of a person.

11 (b) Does not mean:

12 (A) An area designated only for picnicking or overnight camping; or

13 (B) A manufactured dwelling park or mobile home park.

14 **SECTION 15.** ORS 215.010 is amended to read:

15 215.010. As used in this chapter:

16 (1) The terms defined in ORS 92.010 shall have the meanings given
17 therein, except that “parcel”:

18 (a) Includes a unit of land created:

19 (A) By partitioning land as defined in ORS 92.010;

20 (B) In compliance with all applicable planning, zoning and partitioning
21 ordinances and regulations; or

22 (C) By deed or land sales contract, if there were no applicable planning,
23 zoning or partitioning ordinances or regulations.

24 (b) Does not include a unit of land created solely to establish a separate
25 tax account.

26 (2) “Tract” means one or more contiguous lots or parcels under the same
27 ownership.

28 (3) The terms defined in ORS chapter 197 shall have the meanings given
29 therein.

30 (4) “Farm use” has the meaning given that term in ORS 215.203.

31 **(5) “Recreational structure” means a campground structure with**

1 **or without plumbing, heating or cooking facilities intended to be used**
2 **by any particular occupant on a limited-time basis for recreational,**
3 **seasonal, emergency or transitional housing purposes and may include**
4 **yurts, cabins, fabric structures or similar structures as further de-**
5 **finned, by rule, by the Director of the Department of Consumer and**
6 **Business Services.**

7 [(5)] (6) “Recreational vehicle” has the meaning given that term in ORS
8 174.101.

9 [(6)] (7) “The Willamette Valley” is Clackamas, Linn, Marion,
10 Multnomah, Polk, Washington and Yamhill Counties and the portion of
11 Benton and Lane Counties lying east of the summit of the Coast Range.

12 **SECTION 16.** ORS 307.651 is amended to read:

13 307.651. As used in ORS 307.651 to 307.687, unless the context requires
14 otherwise:

15 (1) “Governing body” means the city legislative body having jurisdiction
16 over the property for which an exemption may be applied for under ORS
17 307.651 to 307.687.

18 (2) “Qualified dwelling unit” means a dwelling unit that, at the time an
19 application is filed pursuant to ORS 307.667, has a market value for the land
20 and improvements of no more than 120 percent, or a lesser percentage as
21 adopted by the governing body by resolution, of the median sales price of
22 dwelling units located within the city.

23 (3) “Single-unit housing” means a structure having one or more dwelling
24 units that:

25 (a) Is, or will be, upon purchase, rehabilitation or completion of con-
26 struction, in conformance with all local plans and planning regulations, in-
27 cluding special or district-wide plans developed and adopted pursuant to ORS
28 chapters 195, 196, 197 and 227.

29 (b) If newly constructed, is completed within two years after application
30 for exemption is approved under ORS 307.674.

31 (c) Is designed for each dwelling unit within the structure to be purchased

1 by and lived in by one person or one family.

2 (d) Has one or more qualified dwelling units within the single-unit hous-
3 ing.

4 (e) Is not a floating home, as defined in ORS 830.700, or a manufactured
5 structure, other than a manufactured home described in ORS 197.307 (8)(a)
6 to (f) **(2021 Edition)**.

7 (4) "Structure" does not include the land or any site development made
8 to the land, as those terms are defined in ORS 307.010.

9 **SECTION 17.** ORS 446.003 is amended to read:

10 446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, [*and for*
11 *the purposes of ORS chapters 195, 196, 197, 215 and 227, the following defi-*
12 *nitions apply,*] unless the context requires otherwise[,] or unless adminis-
13 tration and enforcement by the State of Oregon under the existing or revised
14 National Manufactured Housing Construction and Safety Standards Act
15 would be adversely affected[, *and except as provided in ORS 197.746 or*
16 *446.007*]:

17 (1) "Accessory building or structure" means any portable, demountable
18 or permanent structure established for use of the occupant of the manufac-
19 tured dwelling and as further defined by rule by the Director of the Depart-
20 ment of Consumer and Business Services.

21 (2)(a) "Alteration" means any change, addition, repair, conversion, re-
22 placement, modification or removal of any equipment or installation that
23 may affect the operation, construction or occupancy of a manufactured
24 dwelling.

25 (b) "Alteration" does not include:

26 (A) Minor repairs with approved component parts;

27 (B) Conversion of listed fuel-burning appliances in accordance with the
28 terms of their listing;

29 (C) Adjustment and maintenance of equipment; or

30 (D) Replacement of equipment or accessories in kind.

31 (3) "Approved" means approved, licensed or certified by the Department

1 of Consumer and Business Services or its designee.

2 [(4) *“Board” means the Residential and Manufactured Structures Board.*]

3 [(5)] (4) *“Cabana”* means a stationary, lightweight structure that may be
4 prefabricated, or demountable, with two or more walls, used adjacent to and
5 in conjunction with a manufactured dwelling to provide additional living
6 space.

7 [(6)] (5) *“Certification”* means an evaluation process by which the de-
8 partment verifies a manufacturer’s ability to produce manufactured dwellings
9 to the department rules and to the department approved quality control
10 manual.

11 [(7)] (6) *“Dealer”* means any person engaged in the business of selling,
12 leasing or distributing manufactured dwellings or equipment, or both, pri-
13 marily to persons who in good faith purchase or lease manufactured
14 dwellings or equipment, or both, for purposes other than resale.

15 [(8)] (7) *“Department”* means the Department of Consumer and Business
16 Services.

17 [(9)] (8) *“Director”* means the Director of the Department of Consumer
18 and Business Services.

19 [(10)] (9) *“Distributor”* means any person engaged in selling and distrib-
20 uting manufactured dwellings or equipment for resale.

21 [(11)] (10) *“Equipment”* means materials, appliances, subassembly, devices,
22 fixtures, fittings and apparatuses used in the construction, plumbing, me-
23 chanical and electrical systems of a manufactured dwelling.

24 [(12)] (11) *“Federal manufactured housing construction and safety stand-
25 ard”* means a standard for construction, design and performance of a manu-
26 factured dwelling promulgated by the Secretary of Housing and Urban
27 Development pursuant to the federal National Manufactured Housing Con-
28 struction and Safety Standards Act of 1974 (Public Law 93-383).

29 [(13) *“Fire Marshal” means the State Fire Marshal.*]

30 [(14)] (12) *“Imminent safety hazard”* means an imminent and unreasonable
31 risk of death or severe personal injury.

1 [(15)] (13) “Insignia of compliance” means the HUD label for a manufac-
2 tured dwelling.

3 [(16)] (14) “Inspecting authority” or “inspector” means the Director of the
4 Department of Consumer and Business Services or representatives as ap-
5 pointed or authorized to administer and enforce provisions of ORS [446.111,
6 446.160, 446.176] **446.003 to 446.200**, 446.225 to 446.285, 446.310 to 446.350[,]
7 **and** 446.990 [*and this section*].

8 [(17)] (15) “Installation” in relation to:

9 (a) Construction means the arrangements and methods of construction,
10 fire and life safety, electrical, plumbing and mechanical equipment and sys-
11 tems within a manufactured dwelling.

12 (b) Siting means the manufactured dwelling and cabana foundation sup-
13 port and tiedown, the structural, fire and life safety, electrical, plumbing and
14 mechanical equipment and material connections and the installation of
15 skirting and temporary steps.

16 [(18)] (16) “Installer” means any individual licensed by the director to
17 install, set up, connect, hook up, block, tie down, secure, support, install
18 temporary steps for, install skirting for or make electrical, plumbing or me-
19 chanical connections to manufactured dwellings or cabanas or who provides
20 consultation or supervision for any of these activities, except architects
21 registered under ORS 671.010 to 671.220 or engineers registered under ORS
22 672.002 to 672.325.

23 [(19)] (17) “Listed” means equipment or materials included in a list, pub-
24 lished by an organization concerned with product evaluation acceptable to
25 the department that maintains periodic inspection of production of listed
26 equipment or materials, and whose listing states either that the equipment
27 or materials meets appropriate standards or has been tested and found suit-
28 able in a specified manner.

29 [(20)] (18) “Lot” means any space, area or tract of land, or portion of a
30 manufactured dwelling park, mobile home park or recreation park that is
31 designated or used for occupancy by one manufactured dwelling.

1 [(21)(a)] **(19)(a)** “Manufactured dwelling” means a residential trailer, mo-
2 bile home or manufactured home.

3 (b) “Manufactured dwelling” does not include any building or structure
4 constructed to conform to the State of Oregon Structural Specialty Code, the
5 Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.020 or
6 455.610 or the Small Home Specialty Code adopted under section 2, chapter
7 401, Oregon Laws 2019.

8 [(22)(a)] **(20)(a)** “Manufactured dwelling park” means any place where
9 four or more manufactured dwellings or prefabricated structures, as defined
10 in ORS 455.010, that are relocatable and more than eight and one-half feet
11 wide, are located within 500 feet of one another on a lot, tract or parcel of
12 land under the same ownership, the primary purpose of which is to rent or
13 lease space or keep space for rent or lease to any person for a charge or fee
14 paid or to be paid for the rental or lease or use of facilities or to offer space
15 free in connection with securing the trade or patronage of such person.

16 (b) “Manufactured dwelling park” does not include a lot or lots located
17 within a subdivision being rented or leased for occupancy by no more than
18 one manufactured dwelling per lot if the subdivision was approved by the
19 local government unit having jurisdiction under an ordinance adopted pur-
20 suant to ORS 92.010 to 92.192.

21 [(23)(a)] **(21)(a)** “Manufactured home,” except as provided in paragraph (b)
22 of this subsection, means a structure constructed for movement on the public
23 highways that has sleeping, cooking and plumbing facilities, that is intended
24 for human occupancy, that is being used for residential purposes and that
25 was constructed in accordance with federal manufactured housing con-
26 struction and safety standards and regulations in effect at the time of con-
27 struction.

28 (b) For purposes of implementing any contract pertaining to manufactured
29 homes between the department and the federal government, “manufactured
30 home” has the meaning given the term in the contract.

31 [(24)] **(22)** “Manufacturer” means any person engaged in manufacturing,

1 building, rebuilding, altering, converting or assembling manufactured
2 dwellings or equipment.

3 [(25)] **(23)** “Manufacturing” means the building, rebuilding, altering or
4 converting of manufactured dwellings that bear or are required to bear an
5 Oregon insignia of compliance.

6 [(26)] **(24)** “Minimum safety standards” means the plumbing, mechanical,
7 electrical, thermal, fire and life safety, structural and transportation stan-
8 dards prescribed by rules adopted by the director.

9 [(27)] **(25)** “Mobile home” means a structure constructed for movement on
10 the public highways that has sleeping, cooking and plumbing facilities, that
11 is intended for human occupancy, that is being used for residential purposes
12 and that was constructed between January 1, 1962, and June 15, 1976, and
13 met the construction requirements of Oregon mobile home law in effect at
14 the time of construction.

15 [(28)] **(26)** “Mobile home park”:

16 (a) Means any place where four or more manufactured dwellings, recre-
17 ational vehicles as defined in ORS 174.101, or a combination thereof, are lo-
18 cated within 500 feet of one another on a lot, tract or parcel of land under
19 the same ownership, the primary purpose of which is to rent space or keep
20 space for rent to any person for a charge or fee paid or to be paid for the
21 rental or use of facilities or to offer space free in connection with securing
22 the trade or patronage of such person.

23 (b) Does not include a lot or lots located within a subdivision being
24 rented or leased for occupancy by no more than one manufactured dwelling
25 per lot if the subdivision was approved by the municipality unit having ju-
26 risdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

27 [(29)] **(27)** “Municipality” means a city, county or other unit of local
28 government otherwise authorized by law to enact codes.

29 [(30)] **(28)** “Residential trailer” means a structure constructed for move-
30 ment on the public highways that has sleeping, cooking and plumbing facil-
31 ities, that is intended for human occupancy, that is being used for residential

1 purposes and that was constructed before January 1, 1962.

2 [(31)] (29) “Sale” means rent, lease, sale or exchange.

3 [(32)] (30) “Skirting” means a weather resistant material used to enclose
4 the space below a manufactured dwelling.

5 [(33)] (31) “Tiedown” means any device designed to anchor a manufac-
6 tured dwelling securely to the ground.

7 [(34)] “*Transitional housing accommodations*” means accommodations de-
8 scribed under ORS 197.746.]

9 [(35)] (32) “Utilities” means the water, sewer, gas or electric services
10 provided on a lot for a manufactured dwelling.

11 **SECTION 18.** ORS 446.003, as amended by section 1b, chapter 422, Oregon
12 Laws 2019, and section 7, chapter 260, Oregon Laws 2021, is amended to read:

13 446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, [*and for*
14 *the purposes of ORS chapters 195, 196, 197, 215 and 227, the following defi-*
15 *initions apply,*] unless the context requires otherwise[,] or unless adminis-
16 tration and enforcement by the State of Oregon under the existing or revised
17 National Manufactured Housing Construction and Safety Standards Act
18 would be adversely affected[, *and except as provided in ORS 197.746 or*
19 *446.007*]:

20 (1) “Accessory building or structure” means any portable, demountable
21 or permanent structure established for use of the occupant of the manufac-
22 tured dwelling and as further defined by rule by the Director of the Depart-
23 ment of Consumer and Business Services.

24 (2)(a) “Alteration” means any change, addition, repair, conversion, re-
25 placement, modification or removal of any equipment or installation that
26 may affect the operation, construction or occupancy of a manufactured
27 dwelling.

28 (b) “Alteration” does not include:

29 (A) Minor repairs with approved component parts;

30 (B) Conversion of listed fuel-burning appliances in accordance with the
31 terms of their listing;

1 (C) Adjustment and maintenance of equipment; or

2 (D) Replacement of equipment or accessories in kind.

3 (3) "Approved" means approved, licensed or certified by the Department
4 of Consumer and Business Services or its designee.

5 [(4) "*Board*" means the *Residential and Manufactured Structures Board*.]

6 [(5)] (4) "Cabana" means a stationary, lightweight structure that may be
7 prefabricated, or demountable, with two or more walls, used adjacent to and
8 in conjunction with a manufactured dwelling to provide additional living
9 space.

10 [(6)] (5) "Certification" means an evaluation process by which the de-
11 partment verifies a manufacturer's ability to produce manufactured dwellings
12 to the department rules and to the department approved quality control
13 manual.

14 [(7)] (6) "Dealer" means any person engaged in the business of selling,
15 leasing or distributing manufactured dwellings or equipment, or both, pri-
16 marily to persons who in good faith purchase or lease manufactured
17 dwellings or equipment, or both, for purposes other than resale.

18 [(8)] (7) "Department" means the Department of Consumer and Business
19 Services.

20 [(9)] (8) "Director" means the Director of the Department of Consumer
21 and Business Services.

22 [(10)] (9) "Distributor" means any person engaged in selling and distrib-
23 uting manufactured dwellings or equipment for resale.

24 [(11)] (10) "Equipment" means materials, appliances, subassembly, devices,
25 fixtures, fittings and apparatuses used in the construction, plumbing, me-
26 chanical and electrical systems of a manufactured dwelling.

27 [(12)] (11) "Federal manufactured housing construction and safety stand-
28 ard" means a standard for construction, design and performance of a manu-
29 factured dwelling promulgated by the Secretary of Housing and Urban
30 Development pursuant to the federal National Manufactured Housing Con-
31 struction and Safety Standards Act of 1974 (Public Law 93-383).

1 [(13) “Fire Marshal” means the State Fire Marshal.]

2 [(14) (12) “Imminent safety hazard” means an imminent and unreasonable
3 risk of death or severe personal injury.

4 [(15) (13) “Insignia of compliance” means the HUD label for a manufac-
5 tured dwelling.

6 [(16) (14) “Inspecting authority” or “inspector” means the Director of the
7 Department of Consumer and Business Services or representatives as ap-
8 pointed or authorized to administer and enforce provisions of ORS [446.111,
9 446.160, 446.176] **446.003 to 446.200**, 446.225 to 446.285, 446.310 to 446.350[,]
10 **and** 446.990 [*and this section*].

11 [(17) (15) “Installation” in relation to:

12 (a) Construction means the arrangements and methods of construction,
13 fire and life safety, electrical, plumbing and mechanical equipment and sys-
14 tems within a manufactured dwelling.

15 (b) Siting means the manufactured dwelling and cabana foundation sup-
16 port and tiedown, the structural, fire and life safety, electrical, plumbing and
17 mechanical equipment and material connections and the installation of
18 skirting and temporary steps.

19 [(18) (16) “Installer” means any individual licensed by the director to
20 install, set up, connect, hook up, block, tie down, secure, support, install
21 temporary steps for, install skirting for or make electrical, plumbing or me-
22 chanical connections to manufactured dwellings or cabanas or who provides
23 consultation or supervision for any of these activities, except architects
24 registered under ORS 671.010 to 671.220 or engineers registered under ORS
25 672.002 to 672.325.

26 [(19) (17) “Listed” means equipment or materials included in a list, pub-
27 lished by an organization concerned with product evaluation acceptable to
28 the department that maintains periodic inspection of production of listed
29 equipment or materials, and whose listing states either that the equipment
30 or materials meets appropriate standards or has been tested and found suit-
31 able in a specified manner.

1 [(20)] **(18)** “Lot” means any space, area or tract of land, or portion of a
2 manufactured dwelling park, mobile home park or recreation park that is
3 designated or used for occupancy by one manufactured dwelling.

4 [(21)(a)] **(19)(a)** “Manufactured dwelling” means a residential trailer, mo-
5 bile home or manufactured home.

6 (b) “Manufactured dwelling” does not include any building or structure
7 constructed to conform to the State of Oregon Structural Specialty Code or
8 the Low-Rise Residential Dwelling Code adopted pursuant to ORS 455.020,
9 455.610 or 455.616.

10 [(22)(a)] **(20)(a)** “Manufactured dwelling park” means any place where
11 four or more manufactured dwellings or prefabricated structures, as defined
12 in ORS 455.010, that are relocatable and more than eight and one-half feet
13 wide, are located within 500 feet of one another on a lot, tract or parcel of
14 land under the same ownership, the primary purpose of which is to rent or
15 lease space or keep space for rent or lease to any person for a charge or fee
16 paid or to be paid for the rental or lease or use of facilities or to offer space
17 free in connection with securing the trade or patronage of such person.

18 (b) “Manufactured dwelling park” does not include a lot or lots located
19 within a subdivision being rented or leased for occupancy by no more than
20 one manufactured dwelling per lot if the subdivision was approved by the
21 local government unit having jurisdiction under an ordinance adopted pur-
22 suant to ORS 92.010 to 92.192.

23 [(23)(a)] **(21)(a)** “Manufactured home,” except as provided in paragraph (b)
24 of this subsection, means a structure constructed for movement on the public
25 highways that has sleeping, cooking and plumbing facilities, that is intended
26 for human occupancy, that is being used for residential purposes and that
27 was constructed in accordance with federal manufactured housing con-
28 struction and safety standards and regulations in effect at the time of con-
29 struction.

30 (b) For purposes of implementing any contract pertaining to manufactured
31 homes between the department and the federal government, “manufactured

1 home” has the meaning given the term in the contract.

2 [(24)] **(22)** “Manufacturer” means any person engaged in manufacturing,
3 building, rebuilding, altering, converting or assembling manufactured
4 dwellings or equipment.

5 [(25)] **(23)** “Manufacturing” means the building, rebuilding, altering or
6 converting of manufactured dwellings that bear or are required to bear an
7 Oregon insignia of compliance.

8 [(26)] **(24)** “Minimum safety standards” means the plumbing, mechanical,
9 electrical, thermal, fire and life safety, structural and transportation stan-
10 dards prescribed by rules adopted by the director.

11 [(27)] **(25)** “Mobile home” means a structure constructed for movement on
12 the public highways that has sleeping, cooking and plumbing facilities, that
13 is intended for human occupancy, that is being used for residential purposes
14 and that was constructed between January 1, 1962, and June 15, 1976, and
15 met the construction requirements of Oregon mobile home law in effect at
16 the time of construction.

17 [(28)] **(26)** “Mobile home park”:

18 (a) Means any place where four or more manufactured dwellings, recre-
19 ational vehicles as defined in ORS 174.101, or a combination thereof, are lo-
20 cated within 500 feet of one another on a lot, tract or parcel of land under
21 the same ownership, the primary purpose of which is to rent space or keep
22 space for rent to any person for a charge or fee paid or to be paid for the
23 rental or use of facilities or to offer space free in connection with securing
24 the trade or patronage of such person.

25 (b) Does not include a lot or lots located within a subdivision being
26 rented or leased for occupancy by no more than one manufactured dwelling
27 per lot if the subdivision was approved by the municipality unit having ju-
28 risdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

29 [(29)] **(27)** “Municipality” means a city, county or other unit of local
30 government otherwise authorized by law to enact codes.

31 [(30)] **(28)** “Residential trailer” means a structure constructed for move-

1 ment on the public highways that has sleeping, cooking and plumbing facil-
2 ities, that is intended for human occupancy, that is being used for residential
3 purposes and that was constructed before January 1, 1962.

4 [(31)] (29) “Sale” means rent, lease, sale or exchange.

5 [(32)] (30) “Skirting” means a weather resistant material used to enclose
6 the space below a manufactured dwelling.

7 [(33)] (31) “Tiedown” means any device designed to anchor a manufac-
8 tured dwelling securely to the ground.

9 [(34) “*Transitional housing accommodations*” means accommodations de-
10 scribed under ORS 197.746.]

11 [(35)] (32) “Utilities” means the water, sewer, gas or electric services
12 provided on a lot for a manufactured dwelling.

13 **SECTION 19. ORS 446.007 is repealed.**

14 **SECTION 20. ORS 458.352 is amended to read:**

15 458.352. (1) As used in this section:

16 (a) “Average income” means an income that complies with income re-
17 strictions determined at the advice and consent of the Oregon Housing Sta-
18 bility Council, but not to exceed the greater of 100 percent of the statewide
19 or local area median income adjusted for household size as determined an-
20 nually by the Housing and Community Services Department using United
21 States Department of Housing and Urban Development information.

22 (b) **“Manufactured dwelling park” has the meaning given that term**
23 **in ORS 446.003.**

24 [(b)] (c) “Nonprofit corporation” means a corporation that is exempt from
25 income taxes under section 501(c)(3) or (4) of the Internal Revenue Code as
26 amended and in effect on December 31, 2016.

27 (2) The Housing and Community Services Department shall provide one
28 or more loans to nonprofit corporations to create manufactured dwelling
29 park preservation programs that invest in, and provide loans for, the pres-
30 ervation and affordability of manufactured dwelling parks in this state, in-
31 cluding through:

1 (a) The repair or reconstruction of parks destroyed by natural disasters;
2 or

3 (b) The acquisition and development of land for parks or for the expansion
4 of parks in areas that have been affected by a natural disaster.

5 (3) To be eligible for a loan under this section, a nonprofit corporation
6 shall demonstrate to the satisfaction of the department that the nonprofit
7 corporation:

8 (a) Is a community development financial institution operating statewide
9 to support investment in, and acquisition, renovation and construction of,
10 affordable housing;

11 (b) Has the ability and capacity to provide the services and reporting re-
12 quired of the program described in subsections (4) and (6) of this section; and

13 (c) Meets other requirements established by the department regarding fi-
14 nancial risk and availability or accessibility of additional resources.

15 (4) An eligible nonprofit corporation, with input from the department,
16 shall develop a manufactured dwelling park preservation program that:

17 (a) Invests in, and loans funds to, other nonprofit corporations, housing
18 authorities, manufactured dwelling park nonprofit cooperatives as defined in
19 ORS 62.803, local units of government as defined in ORS 466.706, agencies
20 as defined in ORS 183.310, or any entity in which a nonprofit corporation
21 has a controlling share, to:

22 (A) Purchase or refinance manufactured dwelling parks that will maintain
23 the parks as parks long term; or

24 (B) Develop, expand, repair or reconstruct parks destroyed by natural
25 disasters;

26 (b) Emphasizes, when providing loans under paragraph (a) of this sub-
27 section, the financing of parks whose residents are predominantly members
28 of households with income less than average income; and

29 (c) Preserves the affordability of the park space rent to park tenants who
30 are members of households with income less than average income.

31 (5) An eligible nonprofit corporation shall create a park preservation ac-

1 count to be used by the nonprofit corporation for the manufactured dwelling
2 park preservation program and shall deposit the moneys loaned by the de-
3 partment into the account.

4 (6) An eligible nonprofit corporation shall ensure that all financial ac-
5 tivities of the program are paid from and into the park preservation account
6 created under subsection (5) of this section. Each nonprofit corporation shall
7 report to the department no less than semiannually, showing the expenses
8 and incomes of the park preservation account and the results of the manu-
9 factured dwelling park preservation program.

10 (7) A loan made by the department under this section:

11 (a) May require the nonprofit corporation to pay interest.

12 (b) May not require the nonprofit corporation to make any loan payments
13 before the maturity date of the loan.

14 (c) Must have a maturity date of no later than September 15, 2036.

15 (d) May have its maturity date extended by the department.

16 (e) Shall have all or part of the unpaid balance forgiven by the depart-
17 ment in an amount not to exceed the losses incurred on investments or loans
18 made by the nonprofit corporation under subsection (4)(a) of this section.

19 (f) May include such agreements by the nonprofit corporation practical
20 to secure the loan made by the department and to accomplish the purposes
21 of the program described in subsection (4) of this section.

22 (8) The department or the State Treasurer shall deposit moneys received
23 in servicing the loan into the General Housing Account of the Oregon
24 Housing Fund created under ORS 458.620.

25 **SECTION 21.** ORS 458.358 is amended to read:

26 458.358. (1) The Housing and Community Services Department shall es-
27 tablish a program to provide grants to persons for safely decommissioning
28 and disposing of a manufactured dwelling [*as defined in ORS 446.003*].

29 (2) The department may award grants under the program only to a person
30 that is:

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

1 (i) In a manufactured dwelling park that has registered with the depart-
2 ment and either has entered into a regulatory agreement with the department
3 or is negotiating a regulatory agreement that is at least partially conditioned
4 upon the replacement of the dwelling;

5 (ii) On land owned by the individual; or

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

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

11 (i) The manufactured dwelling; or

12 (ii) A manufactured dwelling park where the manufactured dwelling
13 slated for disposal is sited; and

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

21 (B) A nonprofit corporation as defined in ORS 317.097, a manufactured
22 dwelling park nonprofit cooperative as defined in ORS 62.803, a housing au-
23 thority as defined in ORS 456.005, a local unit of government as defined in
24 ORS 466.706 or a state governmental entity.

25 (3) Grants awarded under the program may not exceed \$15,000 or the cost
26 of decommissioning and disposing of the manufactured dwelling.

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

29 (a) For the safe remediation of dwellings with environmental and public
30 health hazards and risks, including asbestos, lead paint and mold;

31 (b) To owners from low income households; and

1 (c) For the decommissioning of manufactured dwellings that are older or
2 less resource and energy efficient.

3

4

UNIT CAPTIONS

5

6 **SECTION 22. The unit captions used in this 2022 Act are provided**
7 **only for the convenience of the reader and do not become part of the**
8 **statutory law of this state or express any legislative intent in the**
9 **enactment of this 2022 Act.**

10

11

EMERGENCY CLAUSE

12

13 **SECTION 23. This 2022 Act being necessary for the immediate**
14 **preservation of the public peace, health and safety, an emergency is**
15 **declared to exist, and this 2022 Act takes effect on its passage.**

16
