

HB 4064 -5 STAFF MEASURE SUMMARY

House Committee On Housing

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/7, 2/9

WHAT THE MEASURE DOES:

Standardizes definitions to allow siting of prefabricated structures in mobile home or manufactured dwelling parks, including parks that are cooperatively owned. Clarifies local governments must allow siting of manufactured homes and prefabricated structures in single-family dwelling zones inside urban growth boundary, and prohibits local governments from applying standards to prefabricated and manufactured homes located outside manufactured dwelling parks other than those standards applicable to single family dwellings on the same land. Prohibits a manufactured dwelling park landlord from requiring tenant to pay for or construct certain site improvements as part of a rental agreement, and directs the Attorney General to update the model statement related to improvements required of park tenants by January 1, 2023. Expands the manufactured dwelling replacement program to borrowers whose manufactured home or prefabricated structure was destroyed by a natural disaster, and allows an eligible replacement home to be located either inside or outside a natural disaster area. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Reducing administrative barriers and cost burdens for manufactured housing residents
- Applicability of restrictive covenants regarding site improvements if manufactured home or prefabricated structure is within a Homeowners Association
- Bill limited to manufactured dwellings and prefabricated structures inside urban growth boundary
- Impact of bill on manufactured dwelling tenant obligation to pay special assessment charges

EFFECT OF AMENDMENT:

-5 Modifies definition of “prefabricated structure” to clarify that such structures are designed for use as a single-family dwelling. Requires local governments to apply the same siting standards to manufactured homes or prefabricated structures within an urban growth boundary as those applicable to a detached, site-built, single-family residential dwelling on the same land, except as necessary to comply with protective measures adopted pursuant to statewide land use planning goals, or to require certification that the manufactured home or prefabricated structure meets energy efficiency performance standards equivalent to those required under the Low-Rise Residential Dwelling Code. Specifies certain improvements a manufactured dwelling park landlord may require a tenant to construct for the safe and lawful installation of the dwelling.

No revenue impact; minimal fiscal impact

BACKGROUND:

Manufactured housing is one of the largest sources of unsubsidized affordable housing in the country. In Oregon, manufactured homes account for eight percent of the state’s total housing volume, and 16 percent of the state’s affordable housing stock, according to American Community Survey data collected between 2013-2017. The September 2020 Oregon wildfires destroyed 20 manufactured dwelling parks in the state, eliminating over 1,000 homes for mostly fixed-income or low-income Oregonians.

In 2019, the Legislative Assembly enacted House Bill 2896, which established two manufactured home programs:

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a park preservation program to allow nonprofits, housing authorities, and resident/tenant cooperatives to purchase parks available for sale; and a state loan program to help low-income manufactured homeowners upgrade to newer, more energy-efficient homes. The measure limited loans to borrowers siting homes in a manufactured home park owned by a nonprofit or a cooperative. In 2021, the Legislative Assembly enacted legislation to support wildfire-impacted communities in the redevelopment and repair of manufactured dwellings. House Bill 3218 (2021) expanded the manufactured dwelling replacement program to make loans available to borrowers whose manufactured home was destroyed by a natural disaster.

Oregon Law currently allows local governments to adopt certain placement standards for the approval of manufactured homes located outside manufactured dwelling parks. House Bill 3219 (2021) addressed siting barriers for manufactured dwellings and expanded the definition of manufactured dwelling park to allow the placement of relocatable prefabricated structures of a certain size inside parks. The statutory definition of a prefabricated structure is “a building or subassembly that has been in whole or substantial part manufactured or assembled using closed-construction at an off-site location to be wholly or partially assembled on-site.”

House Bill 4064 restricts local governments from prohibiting siting of or imposing unique placement standards on a manufactured dwelling or prefabricated structure inside and outside of a manufactured dwelling park, as long as it is located on land inside the urban growth boundary zoned for single-family residential dwellings. The measure prohibits a manufactured dwelling park landlord from requiring tenant to pay for or construct certain site improvements as part of a rental agreement. Additionally, the measure expands the manufactured dwelling replacement program to borrowers whose manufactured home or prefabricated structure was destroyed by a natural disaster, regardless of whether the replacement home is in park located inside or outside the natural disaster area.