

House Bill 4064

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Housing for Representative Pam Marsh)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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

1
2 Relating to manufactured structures; creating new provisions; amending ORS 62.803, 90.230, 90.514,
3 174.101, 197.286, 197.307, 197.312, 197.314, 197.485, 197.492, 215.010, 307.651, 446.003, 458.352,
4 458.356 and 458.358 and section 18, chapter 401, Oregon Laws 2019; repealing ORS 446.007; and
5 declaring an emergency.

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

SITING MANUFACTURED HOMES AND PREFABRICATED STRUCTURES

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11 **SECTION 1.** ORS 197.314 is amended to read:

12 197.314. (1) [*Notwithstanding ORS 197.296, 197.298, 197.299, 197.301, 197.302, 197.303, 197.307,*
13 *197.312 and 197.313, within urban growth boundaries each city and county shall amend its compre-*
14 *hensive plan and land use regulations for all land zoned for single-family residential uses to allow for*
15 *siting of manufactured homes as defined in ORS 446.003. A local government may only subject the*
16 *siting of a manufactured home allowed under this section to regulation as set forth in ORS 197.307*
17 *(8).] **Notwithstanding any other provision in ORS 197.286 to 197.314, within an urban growth***
18 **boundary, a local government shall allow the siting of manufactured homes and prefabricated**
19 **structures on all land zoned to allow the development of single-family dwellings.**

20 [(2) *Cities and counties shall adopt and amend comprehensive plans and land use regulations un-*
21 *der subsection (1) of this section according to the provisions of ORS 197.610 to 197.651.]*

22 [(3)] (2) [*Subsection (1) of*] This section does not apply to any area designated in an acknowl-
23 edged comprehensive plan or land use regulation as a historic district or residential land imme-
24 diately adjacent to a historic landmark.

25 [(4)] (3) Manufactured homes [*on individual lots zoned for single-family residential use in sub-*

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *section (1) of this section shall be]* **and prefabricated structures allowed under this section are**
 2 in addition to manufactured *[homes on lots]* **dwelling or prefabricated structures allowed** within
 3 designated manufactured dwelling subdivisions.

4 **(4) A local government may not subject manufactured homes or prefabricated structures**
 5 **within an urban growth boundary, or the land upon which the homes or structures are sited,**
 6 **to any applicable standard that would not apply to a conventional single-family residential**
 7 **dwelling on the same land.**

8 (5) Within any residential zone inside an urban growth boundary where a manufactured dwelling
 9 park is otherwise allowed, a city or county *[shall]* **may** not adopt¹*[, by charter or ordinance,]* a min-
 10 imum lot size for a manufactured dwelling park that is larger than one acre.

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

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

15 *[(b) The manufactured home shall have exterior siding and roofing that, in color, material and*
 16 *appearance, is similar to the exterior siding and roofing material commonly used on residential*
 17 *dwelling within the community or that is comparable to the predominant materials used on sur-*
 18 *rounding dwellings as determined by the local permit approval authority.]*

19 *[(7)]* **(6)** This section *[shall]* **may** not be construed as abrogating a recorded restrictive covenant.

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

22 197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for
 23 persons of lower, middle and fixed income, including housing for farmworkers, is a matter of state-
 24 wide concern.

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

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

31 (4) Except as provided in subsection (6) of this section, a local government may adopt and apply
 32 only clear and objective standards, conditions and procedures regulating the development of hous-
 33 ing, including needed housing. The standards, conditions and procedures:

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

36 (b) May not have the effect, either in themselves or cumulatively, of discouraging needed hous-
 37 ing through unreasonable cost or delay.

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

39 (a) An application or permit for residential development in an area identified in a formally
 40 adopted central city plan, or a regional center as defined by Metro, in a city with a population of
 41 500,000 or more.

42 (b) An application or permit for residential development in historic areas designated for pro-
 43 tection under a land use planning goal protecting historic areas.

44 (6) In addition to an approval process for needed housing based on clear and objective standards,
 45 conditions and procedures as provided in subsection (4) of this section, a local government may

1 adopt and apply an alternative approval process for applications and permits for residential devel-
 2 opment based on approval criteria regulating, in whole or in part, appearance or aesthetics that are
 3 not clear and objective if:

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

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

8 (c) The approval criteria for the alternative approval process authorize a density at or above
 9 the density level authorized in the zone under the approval process provided in subsection (4) of this
 10 section.

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

13 (a) Set approval standards under which a particular housing type is permitted outright;

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

15 (c) Establish approval procedures.

16 *[(8) In accordance with subsection (4) of this section and ORS 197.314, a jurisdiction may adopt
 17 any or all of the following placement standards, or any less restrictive standard, for the approval of
 18 manufactured homes located outside mobile home parks:]*

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

21 *[(b) The manufactured home shall be placed on an excavated and back-filled foundation and en-
 22 closed at the perimeter such that the manufactured home is located not more than 12 inches above
 23 grade.]*

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

26 *[(d) The manufactured home shall have exterior siding and roofing which in color, material and
 27 appearance is similar to the exterior siding and roofing material commonly used on residential
 28 dwellings within the community or which is comparable to the predominant materials used on sur-
 29 rounding dwellings as determined by the local permit approval authority.]*

30 *[(e) The manufactured home shall be certified by the manufacturer to have an exterior thermal en-
 31 velope meeting performance standards which reduce levels equivalent to the performance standards re-
 32 quired of single-family dwellings constructed under the state building code as defined in ORS
 33 455.010.]*

34 *[(f) The manufactured home shall have a garage or carport constructed of like materials. A juris-
 35 diction may require an attached or detached garage in lieu of a carport where such is consistent with
 36 the predominant construction of immediately surrounding dwellings.]*

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

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

42 197.485. (1) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to
 43 its age, in a mobile home or manufactured dwelling park in a zone with a residential density of eight
 44 to 12 units per acre.

45 (2) A jurisdiction may not prohibit placement of a manufactured dwelling, due solely to its age,

1 on a buildable lot or parcel located outside urban growth boundaries or on a space in a mobile home
 2 or manufactured dwelling park, if the manufactured dwelling is being relocated due to the closure
 3 of a mobile home or manufactured dwelling park or a portion of a mobile home or manufactured
 4 dwelling park.

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

7 [(3)] (4) A jurisdiction may impose reasonable safety and inspection requirements for homes that
 8 were not constructed in conformance with the National Manufactured Housing Construction and
 9 Safety Standards Act of 1974 (42 U.S.C. 5403).

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

11 197.312. (1) A [city or county] **local government** may not [by charter] prohibit from all residen-
 12 tial zones attached or detached single-family housing, multifamily housing for both owner and renter
 13 occupancy, [or] manufactured homes **or prefabricated structures**. A city or county may not [by
 14 charter] prohibit government assisted housing or impose additional approval standards on govern-
 15 ment assisted housing that are not applied to similar but unassisted housing.

16 (2)(a) A single-family dwelling for a farmworker and the farmworker's immediate family is a
 17 permitted use in any residential or commercial zone that allows single-family dwellings as a per-
 18 mitted use.

19 (b) A city or county may not impose a zoning requirement on the establishment and maintenance
 20 of a single-family dwelling for a farmworker and the farmworker's immediate family in a residential
 21 or commercial zone described in paragraph (a) of this subsection that is more restrictive than a
 22 zoning requirement imposed on other single-family dwellings in the same zone.

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

26 (b) A city or county may not impose a zoning requirement on the establishment and maintenance
 27 of multifamily housing for farmworkers and farmworkers' immediate families in a residential or
 28 commercial zone described in paragraph (a) of this subsection that is more restrictive than a zoning
 29 requirement imposed on other multifamily housing in the same zone.

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

33 (5)(a) A city with a population greater than 2,500 or a county with a population greater than
 34 15,000 shall allow in areas within the urban growth boundary that are zoned for detached single-
 35 family dwellings the development of at least one accessory dwelling unit for each detached single-
 36 family dwelling, subject to reasonable local regulations relating to siting and design.

37 (b) As used in this subsection:

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

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

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

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

1 197.286. As used in ORS 197.286 to 197.314 and 197.475 to 197.490:

2 (1) "Buildable lands" means lands in urban and urbanizable areas that are suitable, available
3 and necessary for residential uses. "Buildable lands" includes both vacant land and developed land
4 likely to be redeveloped.

5 [(2) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.]

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

10 (3) "Manufactured dwelling," "manufactured dwelling park," "manufactured home" and
11 "mobile home park" have the meanings given those terms in ORS 446.003.

12 [(4) "Manufactured homes" has the meaning given that term in ORS 446.003.]

13 [(5) "Mobile home park" has the meaning given that term in ORS 446.007].

14 [(6)] (4) "Periodic review" means the process and procedures as set forth in ORS 197.628 to
15 197.651.

16 (5) "Prefabricated structure" mean a prefabricated structure, as defined in ORS 455.010,
17 that is relocatable and more than eight and one-half feet wide.

18 [(7)] (6) "Urban growth boundary" means an urban growth boundary included or referenced in
19 a comprehensive plan.

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

22 **Sec. 18.** [Section 9, chapter 401, Oregon Laws 2019,] **ORS 455.616**, the amendments to ORS
23 [197.307,] 446.003, 455.010, 455.135, 455.156 and 455.610 by sections 10 to [14] **13**, chapter 401, Oregon
24 Laws 2019, and section 1b, **chapter 422, Oregon Laws 2019**, [of this 2019 Act,] and the repeal of
25 section 2, chapter 401, Oregon Laws 2019, by section 17, chapter 401, Oregon Laws 2019, become
26 operative on January 2, 2026.

27
28 **REQUIRED IMPROVEMENTS BY PARK TENANTS**

29
30 **SECTION 7.** ORS 90.514 is amended to read:

31 90.514. (1) Before a prospective tenant signs a rental agreement for space in a manufactured
32 dwelling park or for a converted rental space, the landlord must provide the prospective tenant with
33 a written statement that discloses the improvements that the landlord will require under the rental
34 agreement. The written statement must be in the format developed by the Attorney General pursu-
35 ant to ORS 90.516 and include at least the following:

36 (a) A notice that the tenant may select and contract directly with a contractor to be the pro-
37 vider of an improvement.

38 (b) Separately stated and identifiable information for each required improvement that specifies:

39 (A) The dimensions, materials and finish for improvements to be constructed;

40 (B) The [installation charges imposed by the landlord and the] installation fees imposed by gov-
41 ernment agencies; **and**

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

43 [(D)] (C) The site preparation requirements and restrictions, including, but not limited to, re-
44 quirements and restrictions on the use of plants and landscaping.

45 (c) Identification of the improvements that belong to the tenant and the improvements that must

1 remain with the space.

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

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

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

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

9 [(2)] **(3)** Except as provided in ORS 41.740, a written statement provided under this section is
 10 considered to contain all of the terms relating to improvements that a prospective tenant must make
 11 under the rental agreement. There may be no evidence of the terms of the written statement other
 12 than the contents of the written statement.

13 **SECTION 8. The Attorney General shall update the model written statement under ORS**
 14 **90.516 to include the provisions in the amendments to ORS 90.514 by section 7 of this 2022**
 15 **Act on or before January 1, 2023.**

16
 17 **MANUFACTURED DWELLING REPLACEMENT PROGRAM**

18
 19 **SECTION 9.** ORS 458.356 is amended to read:

20 458.356. (1) **As used in ORS 458.356 to 458.362:**

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

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

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

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

26 [(1)] **(2)** The Housing and Community Services Department shall establish a program to provide
 27 loans to individuals to buy and site manufactured dwellings that replace older and less energy effi-
 28 cient manufactured dwellings, or manufactured dwellings destroyed by a natural disaster. The de-
 29 partment may contract with local governments or public or private housing sponsors to carry out
 30 the department’s responsibilities under this program.

31 [(2)] **(3)** The department may make loans under the program only to individual borrowers who:

32 (a) Are members of households with income that complies with income restrictions determined
 33 at the advice and consent of the Oregon Housing Stability Council, but not to exceed the greater
 34 of 100 percent of the statewide or local area median income adjusted for household size as deter-
 35 mined annually by the Housing and Community Services Department using United States Depart-
 36 ment of Housing and Urban Development information; and

37 (b) Will purchase a manufactured dwelling that:

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

40 [(B)(i)] *Will be sited in a manufactured dwelling park that has registered with the department and*
 41 *either has entered into a regulatory agreement with the department or is negotiating a regulatory*
 42 *agreement that is at least partially conditioned upon the replacement of the dwelling;]*

43 [(ii)] *Will be sited on land owned or purchased under a land sale contract by the individual bor-*
 44 *rower; or]*

45 [(iii)] *Will be sited in a manufactured dwelling park that has been affected by a natural disaster*

1 and the department has, pursuant to rule, provided the borrower with a waiver of the requirement that
2 the park enter into an agreement under sub-subparagraph (i) of this subparagraph; and]

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

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

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

7 **(a) Owned by the borrower or being purchased by the borrower under a land sale con-**
8 **tract;**

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

12 **(c) In any location, provided that the borrower has obtained a waiver from the depart-**
13 **ment and is replacing a manufactured dwelling that was destroyed by a natural disaster.**

14 [(3)] **(5)** The department shall prescribe by rule the maximum loan amount per individual, lend-
15 ing requirements and terms for loans made under this program, including:

- 16 (a) Interest rates charged to borrowers, if any;
- 17 (b) Repayment requirements, if any;
- 18 (c) Loan forgiveness opportunities, if any;
- 19 (d) Affordability requirements; and
- 20 (e) Remedies upon transfer or default.

21 [(4)] **(6)** In servicing loans under the program, the department shall deposit all moneys received
22 into the Manufactured Home Preservation Fund established in ORS 458.366.

23 [(5)] **(7)** The council may establish priorities for evaluating loan applications and shall give
24 consideration to prioritizing loans to borrowers who are:

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

28
29 **STANDARDIZING DEFINITIONS**

30
31 **SECTION 10.** ORS 62.803 is amended to read:

32 62.803. As used in ORS 62.800 to 62.815, unless the context requires otherwise:

33 (1) "Lienholder" means the holder of a manufactured dwelling lien:

34 (a) That is recorded in the deed records of the county in which the manufactured dwelling is
35 located;

36 (b) That is perfected with the Department of Consumer and Business Services pursuant to ORS
37 446.611; or

38 (c) Of which a manufactured dwelling park nonprofit cooperative has actual knowledge.

39 (2) "Manufactured dwelling" [*has the meaning given that term in ORS 446.003*] **means:**

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

41 **(b) A prefabricated structure, as defined in ORS 455.010, that is relocatable and more**
42 **than eight and one-half feet wide.**

43 (3) "Manufactured dwelling park" has the meaning given that term in ORS 446.003.

44 (4) "Manufactured dwelling park nonprofit cooperative" means a cooperative corporation that:

45 (a) Is organized to acquire or develop, and to own, an interest in one or more manufactured

1 dwelling parks that are primarily used for the siting of manufactured dwellings owned and occupied
 2 by members of the cooperative;

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

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

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

7 90.230. (1) If a tenancy is for the occupancy of a recreational vehicle in a manufactured dwelling
 8 park[,] or mobile home park, as defined in ORS 446.003, or recreational vehicle park, [all] as de-
 9 fined in ORS 197.492, the landlord shall provide a written rental agreement for a month-to-month,
 10 week-to-week or fixed-term tenancy. The rental agreement must state:

11 (a) If applicable, that the tenancy may be terminated by the landlord under ORS 90.427 without
 12 cause upon 30 or 60 days' written notice for a month-to-month tenancy or upon 10 days' written
 13 notice for a week-to-week tenancy.

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

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

19 (2) If a tenant described in subsection (1) of this section moves following termination of the
 20 tenancy by the landlord under ORS 90.427, and the landlord failed to provide the required written
 21 rental agreement before the beginning of the tenancy, the tenant may recover the tenant's actual
 22 damages or twice the periodic rent, whichever is greater.

23 (3) If the occupancy fails at any time to comply with the requirements of ORS 197.493 (1) for
 24 exemption from placement and occupancy restrictions, and a state agency or local government re-
 25 quires the tenant to move as a result of the noncompliance, the tenant may recover the tenant's
 26 actual damages or twice the periodic rent, whichever is greater. This subsection does not apply if
 27 the noncompliance was caused by the tenant.

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

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

30 174.101. (1) As used in the statutes of this state, "manufactured structure" has the meaning
 31 given that term in this section only if the statute using "manufactured structure" makes specific
 32 reference to this section and indicates that the term used has the meaning given in this section.
 33 As used in the statutes of this state, "recreational vehicle" has the meaning given that term in this
 34 section only if the statute using "recreational vehicle" makes specific reference to this section [or
 35 ORS 446.007] and thereby indicates that the term used has the meaning given in this section.

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

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

40 **SECTION 13.** ORS 197.492 and 197.493 are added to and made a part of ORS 197.475 to
 41 197.490.

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

43 197.492. As used in this section and ORS 197.493:

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

45 [(2) "Mobile home park" and "recreational vehicle" have the meanings given those terms in ORS

1 446.007.]

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

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

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

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

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

8 (b) Does not mean:

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

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

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

12 215.010. As used in this chapter:

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

15 (a) Includes a unit of land created:

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

17 (B) In compliance with all applicable planning, zoning and partitioning ordinances and regu-
18 lations; or

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

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

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

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

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

25 (5) **“Recreational structure” means a campground structure with or without plumbing,
26 heating or cooking facilities intended to be used by any particular occupant on a limited-time
27 basis for recreational, seasonal, emergency or transitional housing purposes and may include
28 yurts, cabins, fabric structures or similar structures as further defined, by rule, by the Di-
29 rector of the Department of Consumer and Business Services.**

30 [(5)] (6) “Recreational vehicle” has the meaning given that term in ORS 174.101.

31 [(6)] (7) “The Willamette Valley” is Clackamas, Linn, Marion, Multnomah, Polk, Washington and
32 Yamhill Counties and the portion of Benton and Lane Counties lying east of the summit of the Coast
33 Range.

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

35 307.651. As used in ORS 307.651 to 307.687, unless the context requires otherwise:

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

38 (2) “Qualified dwelling unit” means a dwelling unit that, at the time an application is filed pur-
39 suant to ORS 307.667, has a market value for the land and improvements of no more than 120 per-
40 cent, or a lesser percentage as adopted by the governing body by resolution, of the median sales
41 price of dwelling units located within the city.

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

43 (a) Is, or will be, upon purchase, rehabilitation or completion of construction, in conformance
44 with all local plans and planning regulations, including special or district-wide plans developed and
45 adopted pursuant to ORS chapters 195, 196, 197 and 227.

1 (b) If newly constructed, is completed within two years after application for exemption is ap-
 2 proved under ORS 307.674.

3 (c) Is designed for each dwelling unit within the structure to be purchased by and lived in by
 4 one person or one family.

5 (d) Has one or more qualified dwelling units within the single-unit housing.

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

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

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

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

16 (1) “Accessory building or structure” means any portable, demountable or permanent structure
 17 established for use of the occupant of the manufactured dwelling and as further defined by rule by
 18 the Director of the Department of Consumer and Business Services.

19 (2)(a) “Alteration” means any change, addition, repair, conversion, replacement, modification or
 20 removal of any equipment or installation that may affect the operation, construction or occupancy
 21 of a manufactured dwelling.

22 (b) “Alteration” does not include:

23 (A) Minor repairs with approved component parts;

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

25 (C) Adjustment and maintenance of equipment; or

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

27 (3) “Approved” means approved, licensed or certified by the Department of Consumer and
 28 Business Services or its designee.

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

30 [(5)] (4) “Cabana” means a stationary, lightweight structure that may be prefabricated, or de-
 31 mountable, with two or more walls, used adjacent to and in conjunction with a manufactured
 32 dwelling to provide additional living space.

33 [(6)] (5) “Certification” means an evaluation process by which the department verifies a
 34 manufacturer’s ability to produce manufactured dwellings to the department rules and to the de-
 35 partment approved quality control manual.

36 [(7)] (6) “Dealer” means any person engaged in the business of selling, leasing or distributing
 37 manufactured dwellings or equipment, or both, primarily to persons who in good faith purchase or
 38 lease manufactured dwellings or equipment, or both, for purposes other than resale.

39 [(8)] (7) “Department” means the Department of Consumer and Business Services.

40 [(9)] (8) “Director” means the Director of the Department of Consumer and Business Services.

41 [(10)] (9) “Distributor” means any person engaged in selling and distributing manufactured
 42 dwellings or equipment for resale.

43 [(11)] (10) “Equipment” means materials, appliances, subassembly, devices, fixtures, fittings and
 44 apparatuses used in the construction, plumbing, mechanical and electrical systems of a manufactured
 45 dwelling.

1 [(12)] (11) “Federal manufactured housing construction and safety standard” means a standard
 2 for construction, design and performance of a manufactured dwelling promulgated by the Secretary
 3 of Housing and Urban Development pursuant to the federal National Manufactured Housing Con-
 4 struction and Safety Standards Act of 1974 (Public Law 93-383).

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

6 [(14)] (12) “Imminent safety hazard” means an imminent and unreasonable risk of death or se-
 7 vere personal injury.

8 [(15)] (13) “Insignia of compliance” means the HUD label for a manufactured dwelling.

9 [(16)] (14) “Inspecting authority” or “inspector” means the Director of the Department of Con-
 10 sumer and Business Services or representatives as appointed or authorized to administer and enforce
 11 provisions of ORS [446.111, 446.160, 446.176] **446.003 to 446.200**, 446.225 to 446.285, 446.310 to
 12 446.350[,] **and** 446.990 [and this section].

13 [(17)] (15) “Installation” in relation to:

14 (a) Construction means the arrangements and methods of construction, fire and life safety,
 15 electrical, plumbing and mechanical equipment and systems within a manufactured dwelling.

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

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

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

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

32 [(21)(a)] (19)(a) “Manufactured dwelling” means a residential trailer, mobile home or manufac-
 33 tured home.

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

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

45 (b) “Manufactured dwelling park” does not include a lot or lots located within a subdivision

1 being rented or leased for occupancy by no more than one manufactured dwelling per lot if the
2 subdivision was approved by the local government unit having jurisdiction under an ordinance
3 adopted pursuant to ORS 92.010 to 92.192.

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

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

12 [(24)] **(22)** “Manufacturer” means any person engaged in manufacturing, building, rebuilding, al-
13 tering, converting or assembling manufactured dwellings or equipment.

14 [(25)] **(23)** “Manufacturing” means the building, rebuilding, altering or converting of manufac-
15 tured dwellings that bear or are required to bear an Oregon insignia of compliance.

16 [(26)] **(24)** “Minimum safety standards” means the plumbing, mechanical, electrical, thermal, fire
17 and life safety, structural and transportation standards prescribed by rules adopted by the director.

18 [(27)] **(25)** “Mobile home” means a structure constructed for movement on the public highways
19 that has sleeping, cooking and plumbing facilities, that is intended for human occupancy, that is
20 being used for residential purposes and that was constructed between January 1, 1962, and June 15,
21 1976, and met the construction requirements of Oregon mobile home law in effect at the time of
22 construction.

23 [(28)] **(26)** “Mobile home park”:

24 (a) Means any place where four or more manufactured dwellings, recreational vehicles as de-
25 fined in ORS 174.101, or a combination thereof, are located within 500 feet of one another on a lot,
26 tract or parcel of land under the same ownership, the primary purpose of which is to rent space or
27 keep space for rent to any person for a charge or fee paid or to be paid for the rental or use of
28 facilities or to offer space free in connection with securing the trade or patronage of such person.

29 (b) Does not include a lot or lots located within a subdivision being rented or leased for occu-
30 pancy by no more than one manufactured dwelling per lot if the subdivision was approved by the
31 municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

32 [(29)] **(27)** “Municipality” means a city, county or other unit of local government otherwise au-
33 thorized by law to enact codes.

34 [(30)] **(28)** “Residential trailer” means a structure constructed for movement on the public
35 highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy,
36 that is being used for residential purposes and that was constructed before January 1, 1962.

37 [(31)] **(29)** “Sale” means rent, lease, sale or exchange.

38 [(32)] **(30)** “Skirting” means a weather resistant material used to enclose the space below a
39 manufactured dwelling.

40 [(33)] **(31)** “Tiedown” means any device designed to anchor a manufactured dwelling securely to
41 the ground.

42 [(34)] *“Transitional housing accommodations” means accommodations described under ORS*
43 *197.746.*

44 [(35)] **(32)** “Utilities” means the water, sewer, gas or electric services provided on a lot for a
45 manufactured dwelling.

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

3 446.003. As used in ORS 446.003 to 446.200 and 446.225 to 446.285, [*and for the purposes of ORS*
4 *chapters 195, 196, 197, 215 and 227, the following definitions apply,*] unless the context requires
5 otherwise[,] or unless administration and enforcement by the State of Oregon under the existing or
6 revised National Manufactured Housing Construction and Safety Standards Act would be adversely
7 affected[, *and except as provided in ORS 197.746 or 446.007*]:

8 (1) “Accessory building or structure” means any portable, demountable or permanent structure
9 established for use of the occupant of the manufactured dwelling and as further defined by rule by
10 the Director of the Department of Consumer and Business Services.

11 (2)(a) “Alteration” means any change, addition, repair, conversion, replacement, modification or
12 removal of any equipment or installation that may affect the operation, construction or occupancy
13 of a manufactured dwelling.

14 (b) “Alteration” does not include:

15 (A) Minor repairs with approved component parts;

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

17 (C) Adjustment and maintenance of equipment; or

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

19 (3) “Approved” means approved, licensed or certified by the Department of Consumer and
20 Business Services or its designee.

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

22 [(5)] (4) “Cabana” means a stationary, lightweight structure that may be prefabricated, or de-
23 mountable, with two or more walls, used adjacent to and in conjunction with a manufactured
24 dwelling to provide additional living space.

25 [(6)] (5) “Certification” means an evaluation process by which the department verifies a
26 manufacturer’s ability to produce manufactured dwellings to the department rules and to the de-
27 partment approved quality control manual.

28 [(7)] (6) “Dealer” means any person engaged in the business of selling, leasing or distributing
29 manufactured dwellings or equipment, or both, primarily to persons who in good faith purchase or
30 lease manufactured dwellings or equipment, or both, for purposes other than resale.

31 [(8)] (7) “Department” means the Department of Consumer and Business Services.

32 [(9)] (8) “Director” means the Director of the Department of Consumer and Business Services.

33 [(10)] (9) “Distributor” means any person engaged in selling and distributing manufactured
34 dwellings or equipment for resale.

35 [(11)] (10) “Equipment” means materials, appliances, subassembly, devices, fixtures, fittings and
36 apparatuses used in the construction, plumbing, mechanical and electrical systems of a manufactured
37 dwelling.

38 [(12)] (11) “Federal manufactured housing construction and safety standard” means a standard
39 for construction, design and performance of a manufactured dwelling promulgated by the Secretary
40 of Housing and Urban Development pursuant to the federal National Manufactured Housing Con-
41 struction and Safety Standards Act of 1974 (Public Law 93-383).

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

43 [(14)] (12) “Imminent safety hazard” means an imminent and unreasonable risk of death or se-
44 vere personal injury.

45 [(15)] (13) “Insignia of compliance” means the HUD label for a manufactured dwelling.

1 [(16)] **(14)** “Inspecting authority” or “inspector” means the Director of the Department of Con-
2 sumer and Business Services or representatives as appointed or authorized to administer and enforce
3 provisions of ORS [446.111, 446.160, 446.176] **446.003 to 446.200**, 446.225 to 446.285, 446.310 to
4 446.350[,] **and** 446.990 [and this section].

5 [(17)] **(15)** “Installation” in relation to:

6 (a) Construction means the arrangements and methods of construction, fire and life safety,
7 electrical, plumbing and mechanical equipment and systems within a manufactured dwelling.

8 (b) Siting means the manufactured dwelling and cabana foundation support and tiedown, the
9 structural, fire and life safety, electrical, plumbing and mechanical equipment and material con-
10 nections and the installation of skirting and temporary steps.

11 [(18)] **(16)** “Installer” means any individual licensed by the director to install, set up, connect,
12 hook up, block, tie down, secure, support, install temporary steps for, install skirting for or make
13 electrical, plumbing or mechanical connections to manufactured dwellings or cabanas or who pro-
14 vides consultation or supervision for any of these activities, except architects registered under ORS
15 671.010 to 671.220 or engineers registered under ORS 672.002 to 672.325.

16 [(19)] **(17)** “Listed” means equipment or materials included in a list, published by an organization
17 concerned with product evaluation acceptable to the department that maintains periodic inspection
18 of production of listed equipment or materials, and whose listing states either that the equipment
19 or materials meets appropriate standards or has been tested and found suitable in a specified man-
20 ner.

21 [(20)] **(18)** “Lot” means any space, area or tract of land, or portion of a manufactured dwelling
22 park, mobile home park or recreation park that is designated or used for occupancy by one manu-
23 factured dwelling.

24 [(21)(a)] **(19)(a)** “Manufactured dwelling” means a residential trailer, mobile home or manufac-
25 tured home.

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

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

36 (b) “Manufactured dwelling park” does not include a lot or lots located within a subdivision
37 being rented or leased for occupancy by no more than one manufactured dwelling per lot if the
38 subdivision was approved by the local government unit having jurisdiction under an ordinance
39 adopted pursuant to ORS 92.010 to 92.192.

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

45 (b) For purposes of implementing any contract pertaining to manufactured homes between the

1 department and the federal government, “manufactured home” has the meaning given the term in
2 the contract.

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

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

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

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

14 [(28)] (26) “Mobile home park”:

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

20 (b) Does not include a lot or lots located within a subdivision being rented or leased for occu-
21 pancy by no more than one manufactured dwelling per lot if the subdivision was approved by the
22 municipality unit having jurisdiction under an ordinance adopted pursuant to ORS 92.010 to 92.192.

23 [(29)] (27) “Municipality” means a city, county or other unit of local government otherwise au-
24 thorized by law to enact codes.

25 [(30)] (28) “Residential trailer” means a structure constructed for movement on the public
26 highways that has sleeping, cooking and plumbing facilities, that is intended for human occupancy,
27 that is being used for residential purposes and that was constructed before January 1, 1962.

28 [(31)] (29) “Sale” means rent, lease, sale or exchange.

29 [(32)] (30) “Skirting” means a weather resistant material used to enclose the space below a
30 manufactured dwelling.

31 [(33)] (31) “Tiedown” means any device designed to anchor a manufactured dwelling securely to
32 the ground.

33 [(34)] “*Transitional housing accommodations*” means accommodations described under ORS
34 197.746.]

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

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

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

39 458.352. (1) As used in this section:

40 (a) “Average income” means an income that complies with income restrictions determined at the
41 advice and consent of the Oregon Housing Stability Council, but not to exceed the greater of 100
42 percent of the statewide or local area median income adjusted for household size as determined
43 annually by the Housing and Community Services Department using United States Department of
44 Housing and Urban Development information.

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

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

3 (2) The Housing and Community Services Department shall provide one or more loans to
 4 nonprofit corporations to create manufactured dwelling park preservation programs that invest in,
 5 and provide loans for, the preservation and affordability of manufactured dwelling parks in this
 6 state, including through:

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

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

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

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

14 (b) Has the ability and capacity to provide the services and reporting required of the program
 15 described in subsections (4) and (6) of this section; and

16 (c) Meets other requirements established by the department regarding financial risk and avail-
 17 ability or accessibility of additional resources.

18 (4) An eligible nonprofit corporation, with input from the department, shall develop a manufac-
 19 tured dwelling park preservation program that:

20 (a) Invests in, and loans funds to, other nonprofit corporations, housing authorities, manufac-
 21 tured dwelling park nonprofit cooperatives as defined in ORS 62.803, local units of government as
 22 defined in ORS 466.706, agencies as defined in ORS 183.310, or any entity in which a nonprofit cor-
 23 poration has a controlling share, to:

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

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

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

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

32 (5) An eligible nonprofit corporation shall create a park preservation account to be used by the
 33 nonprofit corporation for the manufactured dwelling park preservation program and shall deposit the
 34 moneys loaned by the department into the account.

35 (6) An eligible nonprofit corporation shall ensure that all financial activities of the program are
 36 paid from and into the park preservation account created under subsection (5) of this section. Each
 37 nonprofit corporation shall report to the department no less than semiannually, showing the ex-
 38 penses and incomes of the park preservation account and the results of the manufactured dwelling
 39 park preservation program.

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

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

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

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

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

1 (e) Shall have all or part of the unpaid balance forgiven by the department in an amount not to
2 exceed the losses incurred on investments or loans made by the nonprofit corporation under sub-
3 section (4)(a) of this section.

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

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

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

10 458.358. (1) The Housing and Community Services Department shall establish a program to pro-
11 vide grants to persons for safely decommissioning and disposing of a manufactured dwelling [*as de-*
12 *defined in ORS 446.003*].

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

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

15 (i) In a manufactured dwelling park that has registered with the department and either has en-
16 tered into a regulatory agreement with the department or is negotiating a regulatory agreement that
17 is at least partially conditioned upon the replacement of the dwelling;

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

19 (iii) On land being purchased by the individual under a land sale contract as defined in ORS
20 18.960; or

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

23 (i) The manufactured dwelling; or

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

26 (b)(A) An individual who is a member of a household with income that complies with income
27 restrictions determined at the advice and consent of the Oregon Housing Stability Council, and not
28 exceeding the greater of 100 percent of the statewide or local area median income adjusted for
29 household size as determined annually by the Housing and Community Services Department using
30 United States Department of Housing and Urban Development information; or

31 (B) A nonprofit corporation as defined in ORS 317.097, a manufactured dwelling park nonprofit
32 cooperative as defined in ORS 62.803, a housing authority as defined in ORS 456.005, a local unit
33 of government as defined in ORS 466.706 or a state governmental entity.

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

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

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

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

41 (c) For the decommissioning of manufactured dwellings that are older or less resource and en-
42 ergy efficient.

43
44 **UNIT CAPTIONS**

