

House Committee on Housing
900 Court Street NE
Salem, Oregon 97301

February 7, 2022

RE: HB 4063 Concerns



Dear Chair Fahey and Members of the Committee,

Thank you for the opportunity to provide comments relating to HB 4063. The Oregon Building Officials Association (OBOA) represents more than 1,000 building officials and personnel throughout the state. Its members include a wide range of building officials, both in large, metropolitan cities and counties, as well as small, rural jurisdictions and includes third-party building inspectors.

As you know, Oregon has a statewide building code, adopted by the State Building Codes Division, which establishes uniform safety and energy standards for all residential and commercial buildings throughout the state. In most jurisdictions, the statewide code is administered and enforced by local city or county building departments. In jurisdictions where neither a city nor a county assume these responsibilities, the State Building Codes Division must do so.

First, we want to thank Representative Morgan for her work on this issue and convening stakeholders to discuss HB 4063. We have a shared goal amongst the stakeholders to build homes more efficiently and remove barriers where we can do so confidently and without causing unnecessary delay and additional cost. We believe there has been a productive conversation amongst stakeholders thus far and hope to continue that conversation this session and into the interim on areas where consensus is not achieved. The bill before you, HB 4063, would make changes to Oregon's recently passed substantial completion law (HB 2306 (2019)) in a number of ways, in addition to creating a pilot project. While the bill impacts a number of different departments within local government, OBOA is focused on those sections with a direct impact on building departments.

Specifically, section 3(4)-(5), requiring permits be issued prior to a plat being recorded and requiring issuance of temporary addresses. First, some city/county permitting systems don't allow for the use of temporary addresses. If the bill was to pass with these requirements, many cities and counties facing that issue would need to alter their permitting systems to allow for this. Cities and counties that have purchased or developed their own e-permitting systems have invested significant time and funding to develop those systems and changes can be costly and time consuming. Further, all of the permit and utility billing systems are indexed by an address or tax lot identification. If there is no recorded plat, jurisdictions have concerns with how indexes will be reconciled with temporary addresses. Lastly, without the plat being recorded we have concerns with verifying the property pins match the recorded plat. Pin location is verified as part of the recording process. Lastly, by allowing construction to start before a recorded plat, we have concerns around ensuring proper setbacks.

As stated previously, we are happy to continue the conversation on these two areas into the interim with hopes of finding consensus on ways we can increase the speed at which housing units can be built and look to remove unnecessary barriers.

Thank you again for this opportunity to provide testimony raising concerns with HB 4063.

Sincerely,

Matthew Rozzell
Oregon Building Officials Association
MRozzell@Clackamas.us