

HB 2634 A STAFF MEASURE SUMMARY
House Committee On Housing and Homelessness

Carrier: Rep. Levy B

Action Date: 03/21/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 10-0-1-0

Yeas: 10 - Boice, Cate, Dexter, Fahey, Gamba, Hartman, Helfrich, Helm, Javadi, Levy E

Exc: 1 - Wright

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Claire Adamsick, LPRO Analyst

Meeting Dates: 2/9, 3/21

WHAT THE MEASURE DOES:

Clarifies recreational vehicle tenancies, both inside and outside of a manufactured dwelling facility, are not subject to manufactured dwelling facility statutes within the Landlord and Tenant Act. Clarifies rental of a space in a recreational vehicle park, for a vehicle owned by the occupant, is for vacation purposes only and not as occupant's principal residence. Applies notice requirements for removal of abandoned personal property to recreational vehicles. Allows landlord to dispose of recreational vehicle with current market value of \$4,000 or less if tenant fails to remove property or respond to notice. Allows landlord to utilize procedure for removal of abandoned motor vehicles as alternative to disposal procedures described in this Act. Applies provisions to residential tenancies and vacation occupancies entered into on or after the effective date of this Act.

ISSUES DISCUSSED:

- Existence of longer-term rental contracts for occupants utilizing RV park as primary residence
- Potential legal fees or lost rent for RV park owners upon tenant refusal to leave
- Provisions of measure distinguishing recreational vehicle from manufactured dwellings
- Balancing housing options for low-income Oregonians with protections for RV park owners under tenancy law

EFFECT OF AMENDMENT:

Clarifies recreational vehicle tenancies, both inside and outside of a manufactured dwelling facility, are not subject to manufactured dwelling facility statutes within the Landlord and Tenant Act. Clarifies rental of a space in a recreational vehicle park, for a vehicle owned by the occupant, is for vacation purposes only and not as occupant's principal residence. Revises language in written agreement signed by occupant regarding vacation occupancy, and removes trespassing language. Deletes from measure provisions related to 14-day notice requirements and form of complaint applicable to ORS chapter 90. Retains current statutory language regarding rental agreements for occupancy of a recreational vehicle in a manufactured dwelling park.

BACKGROUND:

Under current Oregon residential and landlord tenant law (90.100), recreational vehicle occupancy falls within the category of vacation occupancy, defined as an occupancy that is less than 45 days in a unit that is not the occupant's principal residence. Recreational vehicles are defined as a vehicle with or without motive power that is designed for use as temporary living quarters, and are included in the definition of manufactured dwellings.

House Bill 2634 A clarifies, within the Landlord and Tenant Act, that recreational vehicle tenancies are not subject to laws governing manufactured dwelling facilities. It expands the definition of vacation occupancy to include occupancies of up to 90 days at a recreational vehicle park, provided that the space is used for vacation purposes and not as the occupant's primary residence. The measure distinguishes recreational vehicles from manufactured dwellings, and describes landlord or recreational vehicle park owner rights related to notice and disposal of

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abandoned recreational vehicles.