

HB 2634 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Knopp

Action Date: 05/08/23
Action: Do pass the A-Eng bill.
Vote: 4-0-0-1
Yeas: 4 - Anderson, Jama, Patterson, Sollman
Abs: 1 - Knopp
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Kevin Rancik, LPRO Analyst
Meeting Dates: 4/17, 5/8

WHAT THE MEASURE DOES:

Clarifies recreational vehicle (RV) tenancies, both inside and outside of a manufactured dwelling facility, are not subject to manufactured dwelling facility statutes within the Landlord and Tenant Act. Classifies RVs as “vacation occupancy” provided: RV is owned by occupant located on rented space of recreational vehicle park; space is not occupied as principal residence; authorized occupancy on space does not exceed 90 days; RV must be removed from park at end of occupancy period before a new occupancy may begin; and occupant signs written agreement notifying occupant the occupancy is a vacation occupancy and not subject to Oregon Residential Landlord and Tenant Act. Allows landlord to dispose of RV 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 Act provisions to residential tenancies and vacation occupancies entered into on or after the effective date of Act.

ISSUES DISCUSSED:

- Provisions of measure
- Manufactured housing versus recreational vehicles under landlord/tenant law
- Recreational vehicle use as vacation occupancy

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Recreational vehicles (RVs) are defined as vehicles with or without motive power that are designed for use as temporary living quarters and are included in the definition of manufactured dwellings. Under current Oregon residential and landlord tenant law (ORS 90.100), RV 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.

Also under current Oregon law (ORS 197.492), a “recreational vehicle park” covers locations where two or more RVs are within 500 feet of one another on a lot, tract, or parcel under common ownership, and for which the primary purpose is renting space and related facilities for a charge or fee, or provisioning space for free in connection with securing a person’s patronage. Not included in the definition are areas designated for picnicking or overnight camping, or manufactured dwelling or mobile home parks.

House Bill 2634 A clarifies that RV tenancies are not subject to Landlord and Tenant Act provisions governing manufactured dwelling facilities. It expands the definition of “vacation occupancy” to include occupancies of up to 90 days at an RV park, provided the space is used for vacation purposes, is not the occupant's primary residence, the RV must be removed from the park at the end of the occupancy period before a new occupancy may begin, and the occupant signs a written agreement acknowledging it is a vacation occupancy. The measure distinguishes

This summary has not been adopted or officially endorsed by action of the committee.

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RVs from manufactured dwellings, and describes landlord or RV park owner rights related to notice and disposal of abandoned RVs.