



*Protecting Our Natural Heritage
From the Coast to the Cascades*

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March 30, 2023

TO: HOUSE COMMITTEE ON AGRICULTURE, ENVIRONMENT, NATURAL RESOURCES, WATER

FROM: LANDWATCH LANE COUNTY

RE: HB 3362

Chair Helm and Members of the Committee:

LandWach Lane County is a small 501C3 organization that was established in 1997. LWLC works throughout Lane County to protect farm and forest land for farm and forest uses, and from unlawful development. We are not a lobby organization and do not hire lobbyists to do our bidding.

LWLC OPPOSES HB 3362. HB 3362 is presented and characterized by its sponsor Mr. Hunnicutt as a remedy for what his bill refers to as “innocent purchasers.” However, not only does the bill he proposes go far beyond what might be necessary to address the circumstances of the “innocent purchasers” it is not necessary because a statutory remedy already exists.

ORS 92.018, ***Buyer’s remedies for purchase of improperly created unit of land, (1) states:***

“If a person buys a unit of land that is not a lawfully established unit of land, the person may bring an individual action against the seller in an appropriate court to recover damages or to obtain equitable relief. The court shall award reasonable attorney fees to the prevailing party in an action under this section.”

Unlawfully established units of land are nothing new in Oregon, and ORS 92.018 has been on the books for 40 years. The so-called “innocent purchasers” who this bill is for have not sought redress under ORS 92.018, and, therefore, the affected individuals have a remedy at law that they have not pursued. In addition, rather than seeking recourse when they found out they had been swindled, the innocent purchasers spent months defending the person who cheated them.

LWLC respectfully requests that the committee not move this bill.

Thank you.

Lauri Segel

LWLC