



Chair Pham, Vice-Chair Anderson and members of the Senate Committee on Housing and Development,

Thank you for the opportunity to provide testimony in support of SB 438. For background, Oregon REALTORS® is an industry association comprised of roughly 18,000 members who work as real estate brokers, principal real estate brokers, real estate property managers, and affiliated industry professionals.

SB 438 would allow the owner of a property that exists outside an urban growth boundary to site one additional single-family or manufactured dwelling on their lot for use by a member of the property owner's family.

This bill is particularly relevant now, as it would help shield the property owner's family from the high cost of housing which they would otherwise have to pay. For example, imagine an owner's child finished school and wanted to save money while getting their career established and their finances on a strong footing. This bill would allow them to live in the dwelling established under SB 438. Similarly, if an owner's retired parents or grandparents were struggling to afford their housing costs due to being on a fixed income such as Social Security, the owner's parents or grandparents could live in the dwelling established under SB 438.

In such situations, SB 438 would ensure housing stability by allowing a property owner to provide their relative with potentially low- or no-cost housing, and it allows the owner to do so in a way that maintains their relative's likely desire for privacy and independent living.

You will likely hear arguments in opposition to this bill claiming that it could cause undue burden or harm to adjacent lands or properties. However, these arguments are moot, as SB 438 includes sufficient sideboards to ensure the protection of nearby lands, including:

- Compliance with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment;
- A prohibition on the use of a domestic well to provide water to the new dwelling if any portion of the property is in an area which the Water Resources Commission has restricted new or existing ground water uses under ORS 537.545 (1)(b) or (d); and
- Compliance with applicable defensible space and home hardening requirements.

Also, you will likely hear arguments in opposition to SB 438 claiming that it would circumvent the land use system. Again, this point is moot, as SB 438 requires that the new dwelling not be used to provide residential tenancy for a person other than a family



member of the owner with the exception of the 18-month period immediately following the date the owner's family member(s) move out of the dwelling. The bill also prohibits the use of the dwelling as a vacation occupancy by any person and it prevents the county in which such a dwelling is sited from dividing the lot if the original dwelling and the new dwelling would end up on two different lots.

SB 438 is a good bill. It enables opportunities for housing stability and intergenerational living environments while protecting the environment and preventing abuse of the land use system.

Oregon REALTORS® urges you to vote YES on SB 438.

Thank you for your time and consideration of our testimony.