

## **SB 1551 A STAFF MEASURE SUMMARY**

### **House Committee On Housing and Homelessness**

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**Prepared By:** Iva Sokolovska, LPRO Analyst

**Meeting Dates:** 2/26

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#### **WHAT THE MEASURE DOES:**

The measure invalidates deed restrictions and homeowners association provisions that prohibit the removal of non-fire-hardened building materials, or the installation of fire-hardened building materials.

#### Detailed Summary

- Invalidates deed restrictions in planned community documents that prohibit, on residential properties:
  - Installation, use, or maintenance of fire-hardened building materials
  - Removal of non-fire-hardened building materials
- Invalidates provisions in a homeowner association's governing documents that:
  - Prohibit the removal and replacement of non-fire-hardened building materials
  - Limit the design, dimensions, placement, maintenance, or appearance of fire-hardened building materials in a manner that effectively prevents their use or requires materials that are substantially more expensive than comparable available alternatives
- Provides that an application to install fire-hardened building materials or remove non-fire-hardened building materials is deemed approved unless the homeowners association, acting in a non-arbitrary and non-capricious manner:
  - Denies or requests modifications in writing within 90 days
  - Demonstrates the basis for the denial and any necessary modifications

*FISCAL: Has minimal fiscal impact*

*REVENUE: No revenue impact*

*SENATE VOTE: Ayes 28; Nays 0*

#### **ISSUES DISCUSSED:**

#### **EFFECT OF AMENDMENT:**

No amendment.

#### **BACKGROUND:**

ORS 94.550 addresses planned communities and HOAs. These communities often adopt covenants, conditions, and restrictions (CC&Rs), governing rules that regulate how property is used, maintained, and appears. CC&Rs are commonly created and enforced by communities and HOAs and may limit landscaping, exterior changes, lawn care, paint colors, and other property uses. In 2025, the Insurance Institute for Business & Home Safety launched the Wildfire Prepared Home Program, which provides guidance to reduce parcel-level wildfire risk through a systems-based approach that considers building materials, home design, and surrounding property conditions. Homes earn a designation by meeting mitigation requirements that include the use of fire-resistant materials and construction features. The National Fire Protection Association establishes nationally recognized standards for fire-resistant building materials and assemblies in wildfire-prone areas, including requirements for noncombustible materials and fire-resistance ratings.