

REVENUE: No revenue impact

FISCAL: No fiscal impact

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 9 - 0 - 0 |
| Yeas: | Gilliam, Krieger, Matthews, Riley, Smith J., Tomei, Whisnant, Wingard, Holvey |
| Nays: | 0 |
| Exc.: | 0 |
| Prepared By: | Patrick Brennan, Administrator |
| Meeting Dates: | 2/8, 2/10 |

WHAT THE MEASURE DOES: Authorizes residential landlords to continue to use, or to revert to using, a separately charged pro rata apportionment billing method for water or sewer services if such a billing method was used for tenants on the premises immediately before a statutory change that restricted the use of the billing method. Stipulates that pro rata billing must be charged separately for all tenants.

ISSUES DISCUSSED:

- Transition to sub-metering
- Use of pro rata billing in manufactured home parks
- Increase in cost of water service

EFFECT OF COMMITTEE AMENDMENT: Clarifies that a pro rata apportionment billing arrangement must be charged separately for all tenants. Changes bill language referencing tenants “in the premises” to tenants “in the facility.” Deletes changes to ORS 90.532(3).

BACKGROUND: Senate Bill 772 (2009) made a number of changes to landlord-tenant law relating to manufactured dwelling parks, including changes to allowable billing methods for utilities and services such as water, sewer and garbage. There are 1,269 such parks in Oregon.

House Bill 3694-A specifies that if the landlord of a manufactured dwelling park was using a pro rata apportionment billing method for water or sewer services immediately prior to January 1, 2010, the landlord may continue to do so for tenants whose rental agreement provides for such a billing method.

2/12/2010 9:41:00 AM