

SB 586 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Housing**Action Date:** 04/08/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Fagan, Golden, Heard, Knopp, Monnes Anderson**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** C. Ross, Counsel**Meeting Dates:** 3/4, 4/8**WHAT THE MEASURE DOES:**

Provides marinas, with tenants and owners of floating homes, equivalent treatment as manufactured home dwelling parks. Applies equivalent provisions for sale of manufactured dwelling parks, to marinas. Renames Office of Manufactured Dwelling Park Community Relations of Oregon Housing and Community Services (OHCS), the Manufactured and Marina Communities Division of OHCS; renames relevant accounting structures; replaces references to mobile and manufactured home parks with references to manufactured and marina communities. Authorizes marina to require tenant to move floating home at landlord's cost under certain circumstances. Requires 10-month advance notice of for-cause termination for marina tenant to cure home floatation. Allows marina tenant longer storage period post-tenancy. Requires landlords to notify park tenants, as specified, to allow reasonable opportunity for tenant to maintain hazard tree, unless it presents immediate, serious danger. Amends requirements for siting, billing, and notice before converting to submetered or pro rata billing method.

ISSUES DISCUSSED:

- History of coalition and its modeling proactive, collaborative effort between landlord and tenant groups
- Issues addressed by provisions of pending amendment
- Extending application of statutes governing owners and renters of manufactured homes in parks to include tenants in/owners of floating homes in marinas
- Issues unique to manufactured and floating home owners and tenants, who rent space in a park or marina; distinguishing from ordinary residential renters
- Need for further amendment

EFFECT OF AMENDMENT:

Inserts new section governing empty floating homes to include storage and disposition of personal property, repair of defects, and disposition of the home itself. Restores existing provisions governing change of ownership and adds reference to new section. Restores original provisions governing hazard trees and adds requirement for landlords to notify tenants, as specified, to allow reasonable opportunity for tenant to maintain tree, unless it presents immediate, serious danger. Removes sections concerned with renaming accounting structures and extending tax-related sunsets. Refines section containing miscellaneous facility provisions.

BACKGROUND:

The Manufactured Housing Landlord/Tenant Coalition has existed since 1997. It meets approximately on a monthly basis to discuss Landlord/Tenant concerns proactively, and has produced negotiated legislation every long session since its inception, each addressing a variety of issues. Senate Bill 586-A is the negotiated bill for 2019, and for the first time, incorporates floating home tenancies in marinas.

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Senate Bill 586-A provides equivalent provisions for marinas, with tenants and owners of floating homes, as exist for manufactured dwelling parks, including provisions governing sale of the facility. It renames the Office of Manufactured Dwelling Park Community Relations of Oregon Housing and Community Services (OHCS), the Manufactured and Marina Communities Division of OHCS; it renames relevant accounting structures; and it replaces references to mobile and manufactured home parks with references to manufactured and marina communities. Specific to marinas, the measure authorizes them to require tenants to move their floating homes at the landlord's expense for things like repairs, improvements, and dredging; it requires a longer notice period of 10 months in advance of a for-cause termination for a marina tenant to cure home floatation issues; and it allows marina tenants a longer storage period post-tenancy. The measure also requires landlords to allow tenants a reasonable opportunity to maintain hazard trees, unless the tree presents an immediate, serious danger; and it modifies requirements for siting, billing, and notice before a facility converts to a submetered or pro rata billing method.