

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2896

By JOINT COMMITTEE ON WAYS AND MEANS

June 20

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon insert “creating new pro-
2 visions; amending ORS 90.840, 90.849, 456.579 and 456.581;”.

3 After line 3, insert:

4 **“SECTION 1. Sections 2 and 6 to 9 of this 2019 Act are added to and made a part of ORS**
5 **chapter 458.”.**

6 In line 4, delete “1” and insert “2”.

7 On page 2, line 36, delete “2” and insert “3”.

8 In line 40, delete “1” and insert “2”.

9 In line 41, delete “3” and insert “4” and delete the first “2” and insert “3”.

10 Delete lines 42 through 45 and insert:

11 **“SECTION 5. ORS 90.849 is amended to read:**

12 **“90.849. (1) In addition to providing notice as required by ORS 90.842, upon sale of a manufac-**
13 **tured dwelling park under ORS 90.842 to 90.850 or upon any sale, transfer, exchange or other**
14 **conveyance of a manufactured dwelling park described in ORS 90.848, the owner shall give notice**
15 **of the conveyance to the Office of Manufactured Dwelling Park Community Relations stating:**

16 **“[(1)] (a) The number of vacant spaces and homes in the manufactured dwelling park;**

17 **“[(2)] (b) If applicable, the final sale price of the manufactured dwelling park;**

18 **“[(3)] (c) The date the conveyance became final; and**

19 **“[(4)] (d) The name, address and telephone number of the new owner.**

20 **“(2) Upon receipt of a notice under ORS 90.655 (1) or 90.842 (3) or subsection (1) of this**
21 **section, the office shall make available on a website any public information contained in the**
22 **notice and shall deliver the information to any person who has requested copies in a manner**
23 **prescribed by the office.**

24 **“SECTION 6. (1) The Housing and Community Services Department shall establish a**
25 **program to provide loans to individuals to buy and site manufactured dwellings that replace**
26 **older and less energy efficient manufactured dwellings.**

27 **“(2) The department may make loans under the program only to individual borrowers**
28 **who:**

29 **“(a) Are members of households with income that complies with income restrictions de-**
30 **termined at the advice and consent of the Oregon Housing Stability Council, but not to ex-**
31 **ceed the greater of 100 percent of the statewide or local area median income adjusted for**
32 **household size as determined annually by the Housing and Community Services Department**
33 **using United States Department of Housing and Urban Development information; and**

34 **“(b) Will purchase a manufactured dwelling that:**

35 **“(A) Meets energy efficiency standards as prescribed by the Housing and Community**

1 **Services Department;**

2 **“(B)(i) Will be sited in a manufactured dwelling park that has registered with the Office**
3 **of Manufactured Dwelling Park Community Relations and either has entered into a regula-**
4 **tory agreement with the department or is negotiating a regulatory agreement that is at least**
5 **partially conditioned upon the replacement of the dwelling; or**

6 **“(ii) Will be sited on land owned or purchased under a land sale contract by the individual**
7 **borrower; and**

8 **“(C) Will be the primary residence of the borrower throughout the term of the loan.**

9 **“(3) A loan under this section may not exceed \$35,000 per individual. The department**
10 **shall prescribe by rule lending requirements and terms for loans made under this program,**
11 **including:**

12 **“(a) Interest rates charged to borrowers, if any;**

13 **“(b) Repayment requirements, if any;**

14 **“(c) Loan forgiveness opportunities, if any;**

15 **“(d) Affordability requirements; and**

16 **“(e) Remedies upon transfer or default.**

17 **“(4) In servicing loans under the program, the department shall deposit all moneys re-**
18 **ceived into the Manufactured Home Preservation Fund established in section 9 of this 2019**
19 **Act.**

20 **“(5) The council may establish priorities for evaluating loan applications and shall give**
21 **consideration to prioritizing loans to borrowers who are:**

22 **“(a) From low income households; and**

23 **“(b) Decommissioning and replacing manufactured dwellings that are older or less re-**
24 **source or energy efficient.**

25 **“SECTION 7. (1) The Housing and Community Services Department shall establish a**
26 **program to provide grants to persons for safely decommissioning and disposing of a manu-**
27 **factured dwelling as defined in ORS 446.003.**

28 **“(2) The department may award grants under the program only to a person that is:**

29 **“(a)(A) An individual who owns a manufactured dwelling sited:**

30 **“(i) In a manufactured dwelling park that has registered with the Office of Manufactured**
31 **Dwelling Park Community Relations and either has entered into a regulatory agreement with**
32 **the department or is negotiating a regulatory agreement that is at least partially conditioned**
33 **upon the replacement of the dwelling;**

34 **“(ii) On land owned by the individual; or**

35 **“(iii) On land being purchased by the individual under a land sale contract as defined in**
36 **ORS 18.960; or**

37 **“(B) An entity described in paragraph (b)(B) of this subsection that has a controlling in-**
38 **terest, including a controlling interest in a general partner of a limited partnership, in:**

39 **“(i) The manufactured dwelling; or**

40 **“(ii) A manufactured dwelling park where the manufactured dwelling slated for disposal**
41 **is sited; and**

42 **“(b)(A) An individual who is a member of a household with income that complies with**
43 **income restrictions determined at the advice and consent of the Oregon Housing Stability**
44 **Council, and not exceeding the greater of 100 percent of the statewide or local area median**
45 **income adjusted for household size as determined annually by the Housing and Community**

1 Services Department using United States Department of Housing and Urban Development
2 information; or

3 “(B) A nonprofit corporation as defined in ORS 317.097, a manufactured dwelling park
4 nonprofit cooperative as defined in ORS 62.803, a housing authority as defined in ORS 456.005,
5 a local unit of government as defined in ORS 466.706 or a state governmental entity.

6 “(3) Grants awarded under the program may not exceed 80 percent of the cost of de-
7 commissioning and disposing of the manufactured dwelling.

8 “(4) The Oregon Housing Stability Council may establish priorities for the evaluation of
9 grant applications and shall consider prioritizing grant awards:

10 “(a) For the safe remediation of dwellings with environmental and public health hazards
11 and risks, including asbestos, lead paint and mold;

12 “(b) To owners from low income households; and

13 “(c) For the decommissioning of manufactured dwellings that are older or less resource
14 and energy efficient.

15 “SECTION 8. (1) The Director of the Housing and Community Services Department shall
16 appoint an advisory committee on manufactured housing. The director has the discretion to
17 determine the membership of the committee and the terms of committee members, but shall
18 consider for membership representatives from the following groups:

19 “(a) State agencies such as the Housing and Community Services Department, the De-
20 partment of Land Conservation and Development, the Department of Environmental Quality,
21 the Department of Consumer and Business Services and the Oregon Business Development
22 Department;

23 “(b) The United States Department of Housing and Urban Development and the United
24 States Department of Agriculture Rural Development;

25 “(c) Local governments and local government agencies;

26 “(d) Owners of manufactured dwelling parks that have an interest in providing affordable
27 housing, or nonprofit corporations or cooperative corporations that own manufactured
28 dwelling parks;

29 “(e) Representatives of organizations that have a particular focus on serving people of
30 color and that provide financial counseling, education or the opportunity to purchase af-
31 fordable housing to individuals and families;

32 “(f) Lenders or other persons that offer financing for manufactured dwelling parks or for
33 purchasing manufactured dwellings; and

34 “(g) Manufactured dwelling park tenants or owners of manufactured dwellings.

35 “(2) The advisory committee shall:

36 “(a) Advise the Housing and Community Services Department and other state agencies
37 with respect to matters of interest and concern that are related to manufactured housing,
38 manufactured dwellings and manufactured dwelling parks;

39 “(b) Develop and promote strategies to maximize long-term preservation of manufactured
40 dwelling parks as affordable housing;

41 “(c) Identify and propose solutions to overcome barriers that prevent development of
42 manufactured dwelling parks;

43 “(d) Identify strategies to fund, preserve and improve infrastructure in manufactured
44 dwelling parks;

45 “(e) Develop and propose fair and equitable sources of financing for purchasing manu-

1 **factured dwellings;**

2 **“(f) Identify and promote strategies and services for assisting owners of manufactured**
3 **dwellings to weatherize existing manufactured dwellings or replace deteriorating manufac-**
4 **tured dwellings;**

5 **“(g) Develop, approve or promote courses to counsel home buyers with respect to pur-**
6 **chasing manufactured dwellings in this state;**

7 **“(h) Identify and propose solutions to overcome barriers that prevent using manufac-**
8 **tured dwellings as accessory dwelling units;**

9 **“(i) Encourage the development of capacity for nonprofit corporations and residents of**
10 **this state to acquire, own and maintain manufactured dwelling parks in fair market trans-**
11 **actions;**

12 **“(j) Conduct annual evaluations of the committee’s efforts and the efforts of the Housing**
13 **and Community Services Department and other state agencies in achieving the actions, pri-**
14 **orities, goals and functions described in this subsection;**

15 **“(k) Encourage and promote home buyer and homeowner counseling and education; and**

16 **“(L) Meaningfully engage culturally specific and culturally responsive organizations and**
17 **their constituents, including federally recognized Indian tribes located within this state.**

18 **“(3) In undertaking the duties described in subsection (2) of this section, the advisory**
19 **committee shall take account of the capacity of the department’s staff and resources and the**
20 **staff and resources of other state agencies.**

21 **“(4) The advisory committee shall compile and report the results of the committee’s**
22 **evaluations under subsection (2)(j) of this section to the Oregon Housing Stability Council**
23 **not later than March 30 of each year.**

24 **“SECTION 9. (1) The Manufactured Home Preservation Fund is established within the**
25 **State Treasury, separate and distinct from the General Fund. Interest earned by the Manu-**
26 **factured Home Preservation Fund shall be credited to the fund.**

27 **“(2) Moneys in the Manufactured Home Preservation Fund consist of:**

28 **“(a) Amounts donated to the fund;**

29 **“(b) Amounts appropriated or otherwise transferred to the fund by the Legislative As-**
30 **sembly;**

31 **“(c) Amounts received from state or federal sources to be deposited into the fund;**

32 **“(d) Income derived from moneys in the fund; and**

33 **“(e) Other amounts deposited in the fund from any source.**

34 **“(3) Moneys in the fund are continuously appropriated to the Housing and Community**
35 **Services Department to:**

36 **“(a) Carry out the provisions of sections 6 to 8 of this 2019 Act; and**

37 **“(b) Pay the administrative costs associated with the fund and with implementing and**
38 **maintaining the programs and advisory committee established under sections 6 to 8 of this**
39 **2019 Act.**

40 **“SECTION 10. (1) The Housing and Community Services Department shall provide one**
41 **or more grants to a nonprofit organization for the purposes of developing or improving**
42 **infrastructure for a manufactured dwelling park.**

43 **“(2) A nonprofit organization eligible for grants under this section must:**

44 **“(a) Have experience in manufactured dwelling park development and redevelopment; and**

45 **“(b) Own or have made plans to purchase or develop a manufactured dwelling park in**

1 Springfield, Oregon.

2 “(3) A nonprofit organization receiving grants under this section shall enter into an
3 agreement with the department and a local housing authority that requires the nonprofit to:

4 “(a) Ensure that the manufactured dwelling park primarily supports residents who are
5 low income or who have been displaced by the recent closure of an existing park;

6 “(b) Provide a report to the department on or before November 15, 2020, that includes:

7 “(A) The nonprofit organization’s accounting and use of grant moneys under this section;

8 “(B) Identification of other moneys or other assistance that the nonprofit organization
9 was able to obtain or plans to obtain to support the acquisition and development of the park
10 or to acquire manufactured dwellings made available for rent or purchase by the nonprofit
11 organization in the park;

12 “(C) Identification of other moneys or other assistance that the nonprofit organization
13 obtained, or assisted the residents of the park in obtaining, that provided direct support to
14 the park’s low income and displaced residents, including outreach and counseling, and ac-
15 quisition, rehabilitation, transportation or demolition of manufactured dwellings;

16 “(D) Outreach, counseling and other resources that the nonprofit has provided or plans
17 to provide to the park’s low income and displaced residents; and

18 “(E) Lessons learned and any best practices identified by the nonprofit regarding sub-
19 paragraphs (A) to (D) of this paragraph; and

20 “(c) Meet any other requirements that the department may establish.

21 “SECTION 11. In addition to the funds appropriated by section 18 (3) of this 2019 Act,
22 notwithstanding ORS 456.579 (1) and 456.581, the Housing and Community Services Depart-
23 ment may use moneys available in the Manufactured Dwelling Parks Account established
24 under ORS 458.579 to fund grants under section 10 of this 2019 Act.

25 “SECTION 12. No later than December 15, 2020, the Housing and Community Services
26 Department shall provide a report to the Legislative Assembly or an appropriate committee
27 of the Legislative Assembly in the manner provided under ORS 192.245 on the use of grant
28 moneys under section 10 of this 2019 Act, including the information reported by the nonprofit
29 organization that received grant moneys under section 10 (3)(b) of this 2019 Act.

30 “SECTION 13. Sections 10, 11 and 12 of this 2019 Act are repealed on June 30, 2023.

31 “SECTION 14. (1) The amendments to ORS 456.579 by section 15 of this 2019 Act are in-
32 tended to change the name of the ‘Mobile Home Parks Purchase Account’ to the ‘Manufac-
33 tured Dwelling Parks Account.’

34 “(2) Whenever, in any statutory law or resolution of the Legislative Assembly or in any
35 rule, document, record or proceeding authorized by the Legislative Assembly, reference is
36 made to the Mobile Home Parks Purchase Account, the reference is considered to be a ref-
37 erence to the Manufactured Dwelling Parks Account.

38 “(3) For the purpose of harmonizing and clarifying statutory law, the Legislative Counsel
39 may substitute for words designating the ‘Mobile Home Parks Purchase Account,’ wherever
40 they occur in statutory law, other words designating the ‘Manufactured Dwelling Parks Ac-
41 count.’

42 “SECTION 15. ORS 456.579 is amended to read:

43 “456.579. (1) There is established separate and distinct from the General Fund an account to be
44 known as the [*Mobile Home Parks Purchase*] **Manufactured Dwelling Parks** Account. [*Except as*
45 *otherwise provided by law, all moneys credited to the Mobile Home Parks Purchase*] **Moneys in the**

1 account are **continuously** appropriated [*continuously*] to the [*Director of the*] Housing and Commu-
2 nity Services Department for the purpose of carrying out the duties and responsibilities imposed
3 upon the [*Housing and Community Services*] department under ORS 90.800 to 90.850 and 456.581 and
4 this section. Interest earned on [*moneys in*] the account [*must be*] is credited to the account.

5 “(2) Except for loans provided in ORS 90.840, moneys in the account described in subsection (1)
6 of this section may not be connected to or commingled in any way with the moneys in the fund de-
7 scribed in ORS 456.720.

8 “(3) For the purpose of carrying out the provisions of ORS 90.800 to 90.850 and 456.581 and this
9 section, the [*Housing and Community Services*] department may seek moneys from any lawful source.
10 Moneys obtained by the department pursuant to this subsection must be credited to the [*Mobile*
11 *Home Parks Purchase*] account.

12 “**SECTION 16.** ORS 456.581 is amended to read:

13 “456.581. The [*Mobile Home Parks Purchase*] **Manufactured Dwelling Parks** Account estab-
14 lished in ORS 456.579 shall be used by the Housing and Community Services Department to provide:

15 “(1) Technical assistance to tenants’ associations, manufactured dwelling park nonprofit coop-
16 eratives, tenants’ association supported nonprofit organizations and housing authorities and to help
17 tenants in activities related to the purchase or preservation of a mobile home park or a manufac-
18 tured dwelling park by a tenants’ association, a manufactured dwelling park nonprofit cooperative,
19 a tenants’ association supported nonprofit organization, a housing authority or a corporate entity
20 legally capable of purchasing real property that is formed by or associated with tenants pursuant
21 to ORS 90.844.

22 “(2) By rule, loans for initial costs for purchasing a mobile home park or manufactured dwelling
23 park **or the development of infrastructure for a newly purchased park** that the department
24 determines has a significant percentage of tenants who are individuals of lower income **or who have**
25 **been displaced by the recent closure of an existing park.** Loans provided under this section may
26 be made only if the department is of the opinion that the purchase is economically feasible and only
27 to:

28 “(a) A tenants’ association, a manufactured dwelling park nonprofit cooperative, a tenants’ as-
29 sociation supported nonprofit organization or a housing authority; or

30 “(b) A corporate entity legally capable of purchasing real property that is formed by or associ-
31 ated with tenants pursuant to ORS 90.844 and that includes more than 50 percent of the tenants
32 residing in the park.

33 “**SECTION 17.** ORS 90.840 is amended to read:

34 “90.840. (1) The Director of the Housing and Community Services Department may lend funds
35 available to the Housing and Community Services Department to provide funds necessary to carry
36 out the provisions of ORS 456.581 (2). Such funds advanced shall be repaid to the Housing and
37 Community Services Department as determined by the director.

38 “(2) Notwithstanding any budget limitation, the director may spend funds available from the
39 [*Mobile Home Parks Purchase*] **Manufactured Dwelling Parks** Account to employ personnel to
40 carry out the provisions of ORS 456.581 (1).

41 “**SECTION 18. In addition to and not in lieu of any other appropriation, there is appro-**
42 **propriated to the Housing and Community Services Department, for the biennium beginning July**
43 **1, 2019, out of the General Fund:**

44 “(1) **The amount of \$9,500,000 for administering and funding loans under section 2 of this**
45 **2019 Act and for carrying out the requirements of the Office of Manufactured Dwelling Park**

1 **Community Relations under ORS 90.849 (2).**

2 **“(2) The amount of \$2,500,000 for deposit into the Manufactured Home Preservation Fund**
3 **established in section 9 of this 2019 Act.**

4 **“(3) The amount of \$3,000,000 for deposit into the Manufactured Dwelling Parks Account**
5 **established under ORS 456.579 to fund grants under section 10 of this 2019 Act.**

6 **“SECTION 19. Notwithstanding any other law limiting expenditures, the limitation on**
7 **expenditures established by section 2, chapter __, Oregon Laws 2019 (Enrolled Senate Bill**
8 **5512), for the biennium beginning July 1, 2019, as the maximum limit for payment of expenses**
9 **for operations, from fees, moneys or other revenues, including Miscellaneous Receipts and**
10 **federal funds from the United States Department of Housing and Urban Development for**
11 **contract services, but excluding lottery funds and federal funds not described in this section,**
12 **collected or received by the Housing and Community Services Department, is increased by**
13 **\$5,500,000 for expenditures related to sections 6, 7, 8 and 10 of this 2019 Act.”.**

14 On page 3, line 1, delete “5” and insert “20”.

15