

Requested by Representative WILDE

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2530**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest  
2 of the line and insert “creating new provisions; and amending ORS 86.756  
3 and 105.113.”.

4 Delete lines 4 through 30 and delete page 2 and insert:

5 **“SECTION 1. (1) A person who sends or serves a document listed**  
6 **in subsection (2) of this section shall prominently include the following**  
7 **information with the document:**

8 **“(a) A statement that if the recipient is a veteran of the armed**  
9 **forces, assistance may be available from a county veterans’ service**  
10 **officer or community action agency;**

11 **“(b) Contact information for a service officer appointed under ORS**  
12 **408.410 for the county in which the recipient lives; and**

13 **“(c) Contact information for a community action agency that serves**  
14 **the area where the recipient lives.**

15 **“(2) This section applies to the following documents:**

16 **“(a) A notice of termination of tenancy under any provision of ORS**  
17 **chapter 90;**

18 **“(b) A summons in an action under ORS 105.110 for forcible entry**  
19 **or detainer;**

20 **“(c) A notice to a borrower that a payment is overdue on a loan**  
21 **secured by residential real property;**



1 vs.

2

3 DEFENDANT (Tenants/Occupants):

4

5 \_\_\_\_\_

6

7 \_\_\_\_\_

8

9 TO: \_\_\_\_\_ (Street address and city of property occupied by  
10 defendant)

11 \_\_\_\_\_ (Mailing address if different)

12

13 NOTICE TO TENANTS:

14 READ THESE PAPERS CAREFULLY

15 YOUR LANDLORD WANTS TO

16 EVICT YOU

17

18 ON \_\_\_\_\_, 2\_\_\_\_\_ AT \_\_\_\_\_ A.M./P.M., you must come to the  
19 County Court House located at \_\_\_\_\_. You do not have to pay any  
20 fees to the court for this first hearing.

21

22 • If you do not appear in court and your landlord does, your landlord will  
23 win automatically and can have the Sheriff physically remove you.

24

25 • If you do show up in court and your landlord does not, this eviction  
26 action will be dropped.

27

28 • If both of you show up:

29

30 • The judge may ask you to try to reach an agreement with your

1 landlord, but this is voluntary. Trained mediators may be available  
2 free of charge to help resolve disputes.

- 3
- 4 • The court will schedule a trial if you and your landlord do not reach  
5 an agreement or if you do not agree to move out.

6

7 IF YOU WANT A TRIAL, YOU MUST:

- 8
- 9 • Show up in court at the time scheduled above;
- 10
- 11 • On the same day, file an Answer with the Court giving a legal reason  
12 why you should not be evicted (the Court can give you a form);
- 13
- 14 • Give a copy of the Answer to your landlord (or your landlord's agent  
15 or attorney); and
- 16
- 17 • Pay a filing fee of \$\_\_\_\_\_ (the judge may allow payment to be deferred  
18 in certain circumstances).

19

20 IF YOU HAVE QUESTIONS, YOU SHOULD SEE AN ATTORNEY IMME-  
21 DIATELY. If you need help finding an attorney, you can contact the Oregon  
22 State Bar's Lawyer Referral Service online at [www.oregonstatebar.org](http://www.oregonstatebar.org) or by  
23 calling 503-684-3763 (in the Portland metropolitan area) or toll-free elsewhere  
24 in Oregon at 800-452-7636.

25

26 \_\_\_\_\_  
27 Signature of Plaintiff (landlord or agent)

28

29 Plaintiff's address:  
30

1 \_\_\_\_\_

2

3 \_\_\_\_\_

4

5 Plaintiff's telephone number: \_\_\_\_\_

6

7

8 " \_\_\_\_\_

9 **"(2) A summons under this section must include the information**  
10 **required under section 1 of this 2019 Act.**

11 **"SECTION 5. Section 6 of this 2019 Act is added to and made a part**  
12 **of ORS chapter 86.**

13 **"SECTION 6. A person who sends or serves a notice to a borrower**  
14 **that a payment is overdue on a loan secured by residential real prop-**  
15 **erty, as defined in section 1 of this 2019 Act, must include the infor-**  
16 **mation required under section 1 of this 2019 Act.**

17 **"SECTION 7. Section 8 of this 2019 Act is added to and made a part**  
18 **of ORS chapter 88.**

19 **"SECTION 8. A summons in an action under ORS 88.010 to foreclose**  
20 **a lien upon residential real property, as defined in section 1 of this 2019**  
21 **Act, must include the information required under section 1 of this 2019**  
22 **Act.**

23 **"SECTION 9. ORS 86.756 is amended to read:**

24 **"86.756. (1) If a notice of default is recorded for property that is subject**  
25 **to a residential trust deed, the sender of a notice of sale under ORS 86.764**  
26 **shall, on or before the date the notice of sale is served or mailed, give notice**  
27 **under this section to the grantor by both first class and certified mail with**  
28 **return receipt requested to all addresses on file with the sender for the**  
29 **grantor, including post office boxes. Subject to any rules adopted under**  
30 **subsection (2) of this section, the notice must be in substantially the fol-**

1 lowing form and printed in at least 14-point type:

2 “ \_\_\_\_\_

3 NOTICE:

4 YOU ARE IN DANGER OF LOSING  
5 YOUR PROPERTY IF YOU DO NOT  
6 TAKE ACTION IMMEDIATELY

7  
8 This notice is about your mortgage loan on your property at  
9 \_\_\_\_\_ (address).

10  
11 Your lender has decided to sell this property because the money due on your  
12 mortgage loan has not been paid on time or because you have failed to fulfill  
13 some other obligation to your lender. This is sometimes called  
14 “foreclosure.”

15  
16 The amount you would have had to pay as of \_\_\_\_\_ (date) to bring your  
17 mortgage loan current was \$\_\_\_\_\_. The amount you must now pay to bring  
18 your loan current may have increased since that date.

19  
20 By law, your lender has to provide you with details about the amount you  
21 owe, if you ask. You may call \_\_\_\_\_ (telephone number) to find out  
22 the exact amount you must pay to bring your mortgage loan current and to  
23 get other details about the amount you owe. You may also get these details  
24 by sending a request by certified mail to: \_\_\_\_\_.

25  
26 THIS IS WHEN AND WHERE  
27 YOUR PROPERTY WILL BE SOLD  
28 IF YOU DO NOT TAKE ACTION:

29  
30 Date and time: \_\_\_\_\_, 2\_\_\_\_\_ at \_\_\_\_\_

1 Place: \_\_\_\_\_

2

3

THIS IS WHAT YOU CAN DO

4

TO STOP THE SALE:

5

6 1. You can pay the amount past due or correct any other default, up to five  
7 days before the sale.

8 2. You can refinance or otherwise pay off the loan in full anytime before the  
9 sale.

10 3. You can call \_\_\_\_\_ (name) at \_\_\_\_\_ (telephone number) to  
11 find out if your lender is willing to give you more time or change the terms  
12 of your loan.

13 4. You can sell your home, provided the sale price is enough to pay what you  
14 owe.

15

16 There are government agencies and nonprofit organizations that can give you  
17 information about foreclosure and help you decide what to do. For the name  
18 and telephone number of an organization near you, please call the statewide  
19 telephone contact number at \_\_\_\_\_. You may also wish to talk to a  
20 lawyer. If you need help finding a lawyer, you may call the Oregon State  
21 Bar's Lawyer Referral Service at \_\_\_\_\_ or toll-free in Oregon at  
22 \_\_\_\_\_ or you may visit its website at: \_\_\_\_\_. Legal assistance  
23 may be available if you have a low income and meet federal poverty guide-  
24 lines. For more information and a directory of legal aid programs, go to  
25 \_\_\_\_\_.

26

27

28 **WARNING:** You may get offers from people who tell you they can help you  
29 keep your property. You should be careful about those offers. Make sure  
30 you understand any papers you are asked to sign. If you have any questions,

1 talk to a lawyer or one of the organizations mentioned above before signing.

2

3 DATED: \_\_\_\_\_, 2\_\_\_\_\_

4

5 Trustee name: \_\_\_\_\_ (print)

6

7 Trustee signature: \_\_\_\_\_

8

9 Trustee telephone number: \_\_\_\_\_

10 “ \_\_\_\_\_

11 “(2) The Department of Consumer and Business Services may adopt rules  
12 prescribing the format, font size and other physical characteristics of the  
13 notice form set forth in subsection (1) of this section. The department shall  
14 adopt rules specifying the resource telephone contact numbers and website  
15 addresses the sender is to insert in completing the notice.

16 “(3) When filling blanks in the notice form set forth in subsection (1) of  
17 this section, the sender of the notice shall include, stated in plain language:

18 “(a) The amount of payment that was needed to bring the mortgage loan  
19 current as of the date stated in the notice; and

20 “(b) One or more telephone numbers consisting of:

21 “(A) A telephone number that will allow the grantor access during regu-  
22 lar business hours to details regarding the grantor’s loan delinquency and  
23 repayment information; and

24 “(B) A telephone number that will allow the grantor access during regu-  
25 lar business hours to person-to-person consultation with an individual au-  
26 thorized by the beneficiary to discuss the grantor’s payment and loan term  
27 negotiation and modification options.

28 “(4) Telephone numbers described in subsection (3) of this section must  
29 be toll-free numbers unless the beneficiary:

30 “(a) Made the loan with the beneficiary’s own money;



