

HB 2484 A STAFF MEASURE SUMMARY

Senate Committee On Housing and Development

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Meeting Dates: 5/6, 5/18

WHAT THE MEASURE DOES:

Prevents landlords from prohibiting tenants from using residential dwelling as family child care home if home is certified or registered by Office of Child Care and tenants notified landlord of use. Requires landlords to reasonably cooperate with tenants who use or intend to use dwelling as family child care home. Allows landlords to require of tenants advance payment for dwelling modifications not required of landlord, and to prohibit uses not allowed under zoning, association's governing document, or Early Learning Council rules. Allows landlords to require signed acknowledgements from parents of children under care of family child care home provider. Allows landlords to require family child care home providers carry certain liability insurance. Restricts landlords from retaliating against tenants who use or intend to use dwelling as family child care home. Allows Early Learning Council to establish reasonable requirements for landlords of tenants who operate family child care homes.

ISSUES DISCUSSED:

- Legal liability risks for landlords
- Access to child care in rural areas
- Child care facility regulations
- Supply of affordable child care

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Office of Child Care oversees two types of family child care homes: certified and registered. ORS 329A.280 establishes the Office of Child Care's responsibility to certify family child care homes, defined as single family dwellings where providers care for no more than 16 children. ORS 329A.330 establishes the Office of Child Care's responsibility to register family child care homes where providers care for a maximum of 10 children.

House Bill 2484 A prevents landlords from prohibiting tenants from using their residential dwelling as a family child care home if the home is certified or registered by the Office of Child Care and the tenants notified landlord of the use. Landlords must reasonably cooperate with tenants who use or intend to use the dwelling as a family child care home. Landlords may still require of tenants pay in advance for dwelling modifications not required of the landlord, and to prohibit uses not allowed under zoning, association's governing document, or Early Learning Council rules. Landlords may also still require signed acknowledgements from parents of children under the care of the family child care home provider, in addition to requiring family child care home providers to carry certain liability insurance. Landlords may not retaliate against tenants who use or intend to use the dwelling as a family child care home. Early Learning Council will have rulemaking authority to establish reasonable requirements for landlords of tenants who operate family child care homes.