

SB 829 STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

Action Date: 03/30/21

Action: Do pass.

Vote: 4-3-0-0

Yeas: 4 - Dembrow, Gelser, Manning Jr, Prozanski

Nays: 3 - Heard, Linthicum, Thatcher

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 3/8, 3/30

WHAT THE MEASURE DOES:

Adds reference to applicable eviction processes in ORS Chapter 105. Specifies that a purchaser or redemptioner entitled to real property may use forcible entry and detainer processes to obtain possession of property from occupant. Clarifies process for tenant in possession of real property under an unexpired lease to remain in possession of the property if the property is sold.

ISSUES DISCUSSED:

- History of Senate Bill 241 (2009) modifying eviction actions following foreclosure
- Effect of changes on case law
- Addition of cross reference to avoid confusion

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon State Bar was established in 1935 to license and discipline lawyers, regulate the practice of law, and provide services to bar members and the public. The organization lists over 15,000 individuals admitted to practice law in Oregon. The Debtor-Creditor section of the Bar has over 500 members.

Senate Bill 829 reorganizes and clarifies the process for eviction in foreclosure proceedings.