

# House Bill 2951

Sponsored by Representative HELM (at the request of Dana Weintraub)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits association or other owners from retaliating or discriminating against owner for exercising owner's right. Awards attorney fees to prevailing aggrieved owner.

### A BILL FOR AN ACT

1 Relating to actions taken against lot owners in homeowners association.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 94.550 to 94.783.**

4 **SECTION 2. (1) An association, its board of directors, managers, other owners or any**  
5 **agent acting on behalf of an association or any other owner, may not retaliate or discrimi-**  
6 **nate against an owner because the owner, while acting lawfully and with the reasonable in-**  
7 **tention to address, prevent or stop a violation:**

8 (a) **Complains of or reports an alleged violation;**

9 (b) **Participates in or cooperates with an investigation of a complaint or report filed;**

10 (c) **Otherwise acts in furtherance of a complaint, report or investigation concerning an**  
11 **alleged violation; or**

12 (d) **Exercises or attempts to exercise any owner's right.**

13 (2) **A court shall award attorney fees to an owner who brings a claim of retaliation or**  
14 **discrimination under this section and prevails on the claim, in addition to costs and appro-**  
15 **priate damages or injunctive relief.**

16 (3) **As used in this section:**

17 (a) **"Owner's right" means any right of an owner arising under:**

18 (A) **ORS 94.550 to 94.783;**

19 (B) **The association's governing documents; or**

20 (C) **Other legally enforceable documents setting forth the rights and responsibilities of**  
21 **the association, its board of directors or manager, or the owner.**

22 (b) **"Violation" means a violation of an owner's right.**

23  
24  

---

  
**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.