

HB 3151 A STAFF MEASURE SUMMARY
House Committee On Housing and Homelessness

Carrier: Rep. Marsh

Action Date: 03/14/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 7-1-3-0

Yeas: 7 - Dexter, Fahey, Gamba, Hartman, Helm, Levy E, Wright

Nays: 1 - Cate

Exc: 3 - Boice, Helfrich, Javadi

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Claire Adamsick, LPRO Analyst

Meeting Dates: 3/2, 3/14

WHAT THE MEASURE DOES:

Specifies **improvements manufactured dwelling park landlord may require tenant to construct** for the safe and lawful installation of the dwelling. Prohibits manufactured dwelling park landlord from requiring tenants to construct or repair certain site improvements as part of a rental agreement, or pay any system development charges. **Extends sunset for Dispute Resolution Advisory Committee** and related legal assistance grants for low-income facility tenants addressing disputes from January 2, 2024 to January 2, 2027. Requires local governments to allow siting of manufactured dwelling parks in specified nonresidential zones without requiring a zone change or conditional use permit, as long as the **housing is affordable** to households earning 120 percent or less of area median income, and is located on property owned by a public body, religious or other nonprofit organization, housing authority, or manufactured dwelling park nonprofit cooperative. Allows **manufactured dwelling park preservation loan program** funds to be used for the development and expansion of manufactured dwelling parks, and allows Oregon Housing and Community Services to apply amended program provisions to existing loans.

ISSUES DISCUSSED:

- Existing resources available to landlords to cover park improvements
- Balancing responsibility for certain improvements between tenants and park owners
- Aging manufactured dwelling park infrastructure and need for future subsidy
- Clarification that measure would not impact landlord-tenant law related to damages to the home

EFFECT OF AMENDMENT:

Clarifies manufactured dwelling park landlord may not require tenant to construct or repair certain site improvements as part of a rental agreement. Removes requirement that Attorney General update model written statement regarding improvements landlord may require of tenant under rental agreement. Removes limitation on landlord screening of tenant income received through state or federal disability program or Social Security. Clarifies affordable manufactured dwelling park serves only households earning 120 percent or less of area median income. Removes directive to Department of Land Conservation and Development to develop model ordinances related to manufactured dwelling cottage clusters.

BACKGROUND:

Manufactured housing is one of the largest sources of unsubsidized affordable housing in the country. In Oregon, manufactured homes account for eight percent of the state's total housing volume, and 16 percent of the state's affordable housing stock, according to American Community Survey data collected between 2013-2017. The September 2020 Oregon wildfires destroyed 20 manufactured dwelling parks in the state, eliminating over 1,700 homes for mostly fixed-income or low-income Oregonians.

This summary has not been adopted or officially endorsed by action of the committee.

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Through Senate Bill 586 (2019), the Legislative Assembly established the Manufactured and Marina Communities Dispute Resolution Advisory Committee. In addition to requiring mediation for some landlord-tenant disputes, the measure established a grant program administered by Oregon Housing and Community Services to provide attorneys to low-income tenants involved in landlord-tenant disputes. The Dispute Resolution Advisory Committee and the legal assistance grant program are scheduled to sunset January 2, 2024.

In 2019, the Legislative Assembly enacted House Bill 2896, which established two manufactured home programs: a park preservation program to allow nonprofits, housing authorities, and resident/tenant cooperatives to purchase parks available for sale; and a state loan program to help low-income manufactured homeowners upgrade to newer, more energy-efficient homes. The measure limited loans to borrowers siting homes in a manufactured home park owned by a nonprofit or a cooperative. In 2021, the Legislative Assembly enacted legislation to support wildfire-impacted communities in the redevelopment and repair of manufactured dwellings. That measure, House Bill 3218 (2021), expanded the manufactured dwelling replacement program to make loans available to borrowers whose manufactured home was destroyed by a natural disaster.

House Bill 3151 A limits and specifies the improvements a manufactured dwelling park landlord may require tenants to construct or repair as part of a rental agreement. The measure extends the sunset for the Dispute Resolution Advisory Committee and legal assistance grants for low-income facility tenants addressing disputes to January 2, 2027. The measure also allows manufactured dwelling park loan funds to be used for the development of new parks, and requires local governments to allow siting of manufactured dwelling parks in specified nonresidential zones without requiring a zone change or conditional use permit, subject to certain conditions.