

HB 3151 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Sollman

Action Date: 05/08/23
Action: Do pass the A-Eng bill.
Vote: 4-0-0-1
Yeas: 4 - Anderson, Jama, Patterson, Sollman
Abs: 1 - Knopp
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Kevin Rancik, LPRO Analyst
Meeting Dates: 4/12, 5/8

WHAT THE MEASURE DOES:

Specifies repairs which may be required of tenants by manufactured dwelling park landlord; prohibits landlord from requiring under rental agreement that tenant pay fee for certain improvements, pay system development charges, or construct or repair improvements that cannot be reasonably removed or owned by tenant at termination of tenancy, with specified exceptions. Extends sunset for Manufactured and Marina Communities Dispute Resolution Advisory Committee from January 2, 2024, to January 2, 2027, and clarifies allowable types of legal assistance grants. Adds manufactured dwelling parks serving only households with incomes of 120 percent or less of area median income to definition of “affordable housing.” Adds property owned by housing authority; manufactured dwelling park nonprofit cooperative; or nonprofit corporation organized as public benefit corporation whose primary purpose is the development of affordable housing, to properties on which a local government is required to allow affordable housing. 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:

- Length of affordability period
- Use of rent increases to cover improvements
- Education about landlord/tenant law
- Change in ownership of manufactured dwelling park
- Timing of manufactured dwelling park fees

EFFECT OF AMENDMENT:

No amendment.

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.

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.

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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 Manufactured and Marina Communities 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 adds specified ownership types within an existing requirement that local governments allow siting of manufactured dwelling parks in certain nonresidential zones without requiring a zone change or conditional use permit, subject to conditions.