

HOUSE AMENDMENTS TO HOUSE BILL 4063

By COMMITTEE ON HOUSING AND HOMELESSNESS

February 16

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete lines 3
2 through 5 and insert “92.031, 92.305, 92.325, 92.425, 184.451, 184.453, 184.455, 197.320, 197.480,
3 197.492, 197.522, 197A.015, 197A.018, 197A.025, 197A.210, 197A.215, 197A.300, 197A.302, 197A.325,
4 197A.335, 197A.348, 197A.362, 215.427, 227.178, 307.674, 307.681, 308.875, 446.571, 446.626, 446.736
5 and”.

6 On page 2, delete lines 21 through 30 and insert:

7 “(9) ‘Metro urban unincorporated lands’ means lands within the Metro urban growth boundary
8 that are identified by the county as:

9 “(a) Not within a city;

10 “(b) Zoned for urban development;

11 “(c) Within the boundaries of a sanitary district or sanitary authority formed under ORS chapter
12 450 or a district formed for the purposes of sewage works under ORS chapter 451;

13 “(d) Within the service boundaries of a water provider with a water system subject to regulation
14 as described in ORS 448.119; and

15 “(e) Not zoned with a designation that maintains the land’s potential for future urbanization.”.

16 On page 4, lines 5 and 6, delete the boldfaced material and insert “For Metro urban
17 unincorporated lands, as defined in ORS 197A.015, the department shall make one allocation for each
18 county in Metro.”.

19 On page 5, delete lines 8 through 22 and insert:

20 “(B) For an application relating to development of housing, upon the request of the applicant,
21 those standards and criteria that are operative at the time of the request.

22 “(b) If an applicant requests review under different standards as provided in paragraph (a)(B)
23 of this subsection:

24 “(A) For the purposes of this section, any applicable timelines for completeness review and final
25 decisions restart as if a new application were submitted on the date of the request;

26 “(B) For the purposes of this section and ORS 197A.470 the application is not deemed complete
27 until:

28 “(i) The county determines that additional information is not required under subsection (2) of
29 this section; or

30 “(ii) The applicant makes a submission under subsection (2) of this section in response to a
31 county’s request;

32 “(C) A county may deny a request under paragraph (a)(B) of this subsection if:

33 “(i) The county has issued a public notice of the application; or

34 “(ii) A request under paragraph (a)(B) of this subsection was previously made; and

35 “(D) The county may not require that the applicant:

1 “(i) Pay a fee, except to cover additional costs incurred by the county to accommodate the re-
2 quest;

3 “(ii) Submit a new application or duplicative information, unless information resubmittal is re-
4 quired because the request affects or changes information in other locations in the application or
5 additional narrative is required to understand the request in context; or”.

6 On page 7, delete lines 2 through 16 and insert:

7 “(B) For an application relating to development of housing, upon the request of the applicant,
8 those standards and criteria that are operative at the time of the request.

9 “(b) If an applicant requests review under different standards as provided in paragraph (a)(B)
10 of this subsection:

11 “(A) For the purposes of this section, any applicable timelines for completeness review and final
12 decisions restart as if a new application were submitted on the date of the request;

13 “(B) For the purposes of this section and ORS 197A.470 the application is not deemed complete
14 until:

15 “(i) The city determines that additional information is not required under subsection (2) of this
16 section; or

17 “(ii) The applicant makes a submission under subsection (2) of this section in response to a city’s
18 request; and

19 “(C) A city may deny a request under paragraph (a)(B) of this subsection if:

20 “(i) The city has issued a public notice of the application; or

21 “(ii) A request under paragraph (a)(B) of this subsection was previously made; and

22 “(D) The city may not require that the applicant:

23 “(i) Pay a fee, except to cover additional costs incurred by the city to accommodate the request;

24 “(ii) Submit a new application or duplicative information, unless information resubmittal is re-
25 quired because the request affects or changes information in other locations in the application or
26 additional narrative is required to understand the request in context; or”.

27 On page 9, delete lines 35 through 45 and delete pages 10 through 16.

28 On page 17, delete lines 1 through 13 and insert:

29 “**SECTION 10.** ORS 92.031 is amended to read:

30 “92.031. (1) As used in this section, ‘middle housing land division’ means a partition or subdivi-
31 sion of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420
32 (2) or (3).

33 “(2) A city or county shall approve a tentative plan for a middle housing land division if the
34 application includes:

35 “(a) A proposal for development of middle housing in compliance with the Oregon residential
36 specialty code and land use regulations applicable to the original lot or parcel allowed under ORS
37 197A.420 (5);

38 “(b) Separate utilities for each dwelling unit;

39 “(c) Proposed easements necessary for each dwelling unit on the plan for:

40 “(A) Locating, accessing, replacing and servicing all utilities;

41 “(B) Pedestrian access from each dwelling unit to a private or public road;

42 “(C) Any common use areas or shared building elements;

43 “(D) Any dedicated driveways or parking; and

44 “(E) Any dedicated common area;

45 “(d) Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts

1 used as common areas; and

2 “(e) Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply
3 with applicable building codes provisions relating to new property lines and, notwithstanding the
4 creation of new lots or parcels, how structures or buildings located on the newly created lots or
5 parcels will comply with the Oregon residential specialty code.

6 “(3) A city or county may add conditions to the approval of a tentative plan for a middle housing
7 land division to:

8 “(a) Prohibit the further division of the resulting lots or parcels.

9 “(b) Require that a notation appear on the final plat indicating that the approval was given
10 under this section.

11 “(4) In reviewing an application for a middle housing land division, a city or county:

12 “(a) Shall apply the procedures under ORS 197.360 to 197.380.

13 “(b) May require street frontage improvements where a resulting lot or parcel abuts the street
14 consistent with land use regulations implementing ORS 197A.420.

15 “(c) May not subject an application to approval criteria except as provided in this section, in-
16 cluding that a lot or parcel require driveways, vehicle access, parking or minimum or maximum
17 street frontage.

18 “(d) May not subject the application to procedures, ordinances or regulations adopted under
19 ORS 92.044 or 92.046 that are inconsistent with this section or ORS 197.360 to 197.380.

20 “(e) May allow the submission of an application for a middle housing land division at the same
21 time as the submission of an application for building permits for the middle housing.

22 “(f) May require the dedication of right of way if the original parcel did not previously provide
23 a dedication.

24 “(5) The type of middle housing developed on the original parcel is not altered by a middle
25 housing land division.

26 “(6) Notwithstanding ORS 197A.425 (1), a city or county is not required to allow an accessory
27 dwelling unit on a lot or parcel resulting from a middle housing land division.

28 “(7) **Notwithstanding any other provision of ORS 92.010 to 92.192, within the same calen-**
29 **dar year as an original partition, a city or county may allow one of the resulting vacant**
30 **parcels to be further divided into not more than three parcels through a middle housing land**
31 **division, provided that:**

32 **(a) The original partition was not a middle housing land division; and**

33 **(b) The original parcel or parcels not divided will not be part of the resulting partition**
34 **plat for the middle housing land division.**

35 “[7] (8) The tentative approval of a middle housing land division is void if and only if a final
36 subdivision or partition plat is not approved within three years of the tentative approval. Nothing
37 in this section or ORS 197.360 to 197.380 prohibits a city or county from requiring a final plat before
38 issuing building permits.

39 “**SECTION 11.** ORS 92.325 is amended to read:

40 “92.325. [(1) *Except as provided in subsection (2) of this section, no person shall*] **A person may**
41 **not** sell or lease any subdivided lands or series partitioned lands without having complied with all
42 the applicable provisions of ORS 92.305 to 92.495[.]

43 “[2) *With respect to a developer, chapter 643, Oregon Laws 1975, applies only to a developer who*
44 *acquires a lot, parcel or interest in a subdivision or series partition for which a public report has been*
45 *issued after September 13, 1975, and a developer who acquires a lot or parcel in a subdivision for*

1 *which a revised public report has been issued under ORS 92.410.]*

2 *“(3) Except as otherwise provided in paragraph (g) of this subsection,]* **except that:**

3 **(1) ORS 92.305 to 92.495 do not apply to the sale or leasing of:**

4 **“(a) Apartments or similar space within an apartment building;**

5 **“(b) Cemetery lots, parcels or units in Oregon;**

6 **“(c) Subdivided lands and series partitioned lands in Oregon that are not in unit ownership or**
7 **being developed as unit ownerships created under ORS chapter 100, to be used for residential pur-**
8 **poses and that qualify under ORS 92.337;**

9 **“(d) Property submitted to the provisions of ORS chapter 100;**

10 **“(e) Subdivided lands and series partitioned lands in Oregon expressly zoned for and limited in**
11 **use to nonresidential industrial or nonresidential commercial purposes;**

12 **“(f) Lands in this state sold by lots or parcels of not less than 160 acres each;**

13 **“(g) Timeshares regulated or otherwise exempt under ORS 94.803 and 94.807 to 94.945;**

14 *“(h) Subdivided and series partitioned lands in a city or county which, at the time tentative ap-*
15 *proval of a subdivision plat and each partition map for those lands is given under ORS 92.040 or an*
16 *ordinance adopted under ORS 92.046, has a comprehensive plan and implementing ordinances that*
17 *have been acknowledged under ORS 197.251. The subdivider or series partitioner of such lands shall*
18 *comply with ORS 92.425, 92.427, 92.430, 92.433, 92.460 and 92.485 in the sale or leasing of such lands;*
19 *or]*

20 *“(i) (h) Mobile home or manufactured dwelling parks, as defined in ORS 446.003, located in*
21 *Oregon[.];*

22 **“(i) Planned community subdivision of manufactured dwellings or mobile homes created**
23 **under ORS 92.830 to 92.845;**

24 **“(j) Lots or parcels created from an expedited land division under ORS 197.360; or**

25 **“(k) Lots or parcels created from a middle housing land division under ORS 92.031.**

26 **“(2) The subdivider or series partitioner of subdivided and series partitioned lands in a**
27 **city or county which, at the time tentative approval of a subdivision plat and each partition**
28 **map for those lands is given under ORS 92.040 or an ordinance adopted under ORS 92.046,**
29 **has a comprehensive plan and implementing ordinances that have been acknowledged under**
30 **ORS 197.251 must only comply with ORS 92.425, 92.427, 92.430, 92.433, 92.460 and 92.485 in the**
31 **sale or leasing of such lands.**

32 **“SECTION 12.** ORS 92.305 is amended to read:

33 **“92.305.** As used in ORS 92.305 to 92.495:

34 **“(1) ‘Blanket encumbrance’** means a trust deed or mortgage or any other lien or encumbrance,
35 mechanic’s lien or otherwise, securing or evidencing the payment of money and affecting more than
36 one interest in subdivided or series partitioned land, or an agreement affecting more than one such
37 lot, parcel or interest by which the subdivider, series partitioner or developer holds such subdivision
38 or series partition under an option, contract to sell or trust agreement.

39 **“(2) ‘Commissioner’** means the Real Estate Commissioner.

40 **“(3)(a) [Except as otherwise provided in ORS 92.325 (2),]** ‘Developer’ means a person who pur-
41 chases a lot, parcel or interest in a subdivision or series partition that does not have a single family
42 residential dwelling or duplex thereon to construct a single family residential dwelling or duplex on
43 the lot, parcel or interest and to resell the lot, parcel or interest and the dwelling or duplex for
44 eventual residential use purposes. ‘Developer’ also includes a person who purchases a lot, parcel
45 or other interest in a subdivision or series partition that does not have a single family residential

1 dwelling or duplex thereon for resale to another person.

2 “(b) ‘Developer’ does not mean a ‘developer’ as that term is defined in ORS 100.005.

3 “(4)(a) ‘Interest’ includes a lot or parcel, and a share, undivided interest or membership which
4 includes the right to occupy the land overnight, and lessee’s interest in land for more than three
5 years or less than three years if the interest may be renewed under the terms of the lease for a total
6 period more than three years.

7 “(b) ‘Interest’ does not include any interest in a condominium as that term is defined in ORS
8 100.005 or any security interest under a land sales contract, trust deed or mortgage. ‘Interest’ does
9 not include divisions of land created by lien foreclosures or foreclosures of recorded contracts for
10 the sale of real property.

11 “(5) ‘Negotiate’ means any activity preliminary to the execution of a binding agreement for the
12 sale or lease of land in a subdivision or series partition, including but not limited to advertising,
13 solicitation and promotion of the sale or lease of such land.

14 “(6) ‘Lot,’ ‘parcel’ and ‘partition’ have the meaning given those terms in ORS 92.010.

15 “(7) ‘Person’ includes a natural person, a domestic or foreign corporation, a partnership, an as-
16 sociation, a joint stock company, a trust and any unincorporated organization. As used in [ORS
17 92.305 to 92.495] **this subsection**, the term ‘trust’ includes a common law or business trust, but does
18 not include a private trust or a trust created or appointed under or by virtue of any last will and
19 testament, or by a court.

20 “(8) ‘Real property sales contract’ means an agreement wherein one party agrees to lease or to
21 convey title to real property to another party upon the satisfaction of specified conditions set forth
22 in the contract.

23 “(9) ‘Sale’ or ‘lease’ includes every disposition or transfer of land in a subdivision or a series
24 partition, or an interest or estate therein, by a subdivider or series partitioner or a developer, or
25 their agents, including the offering of such property as a prize or gift when a monetary charge or
26 consideration for whatever purpose is required by the subdivider, series partitioner or developer or
27 their agents.

28 “(10) ‘Series partitioned lands’ and ‘series partition’ mean a series of partitions of land located
29 within this state resulting in the creation of four or more parcels over a period of more than one
30 calendar year.

31 “(11) ‘Series partitioner’ means any person who causes land to be series partitioned into a series
32 partition, or who undertakes to develop a series partition, but does not include a public agency or
33 officer authorized by law to make partitions.

34 “(12)(a) ‘Subdivided lands’ and ‘subdivision’ mean improved or unimproved land or lands divided,
35 or created into interests or sold under an agreement to be subsequently divided or created into in-
36 terests, for the purpose of sale or lease, whether immediate or future, into 11 or more undivided
37 interests or four or more other interests. ‘Subdivided lands’ and ‘subdivision’ include but are not
38 limited to a subdivision of land located within this state subject to an ordinance adopted under ORS
39 92.044 and do not include series partitioned lands.

40 “(b) ‘Subdivided lands’ and ‘subdivision’ do not mean property submitted to ORS 100.005 to
41 100.910 or property located outside this state which has been committed to the condominium form
42 of ownership in accordance with the laws of the jurisdiction within which the property is located.

43 “(13) ‘Subdivider’ means any person who causes land to be subdivided into a subdivision, or who
44 undertakes to develop a subdivision, but does not include a public agency or officer authorized by
45 law to make subdivisions.

1 “**SECTION 13.** ORS 92.425 is amended to read:

2 “92.425. (1) No lot, parcel or interest in a subdivision or series partition shall be sold by a
3 subdivider, series partitioner or developer by means of a land sale contract unless a collection
4 escrow is established within this state with a person or firm authorized to receive escrows under
5 the laws of this state and all of the following are deposited in the escrow:

6 “(a) A copy of the title report or abstract, as it relates to the property being sold.

7 “(b) The original sales document or an executed copy thereof relating to the purchase of real
8 property in the subdivision or series partition clearly setting forth the legal description of the
9 property being purchased, the principal amount of the encumbrance outstanding at the date of the
10 sales document and the terms of the document.

11 “(c) A commitment to give a partial release for the lot, parcel or other interest being sold from
12 the terms and provisions of any blanket encumbrance as described in ORS 92.305 (1). Except as
13 otherwise provided in subsection (4) of this section, the commitment shall be in a form satisfactory
14 to the Real Estate Commissioner.

15 “(d) A commitment to give a release of any other lien or encumbrance existing against such lot,
16 parcel or other interest being sold as revealed by such title report. Except as otherwise provided
17 in subsection (4) of this section, the commitment shall be in a form satisfactory to the commissioner.

18 “(e) A warranty or bargain and sale deed in good and sufficient form conveying merchantable
19 and marketable title to the purchaser of such lot, parcel or other interest.

20 “(2) The subdivider, series partitioner or developer shall submit written authorization allowing
21 the commissioner to inspect all escrow deposits established pursuant to subsection (1) of this sec-
22 tion.

23 “(3) In lieu of the procedures provided in subsection (1) of this section, the subdivider, series
24 partitioner or developer shall conform to such alternative requirement or method which the com-
25 missioner may deem acceptable to carry into effect the intent and provisions of this section.

26 “(4) The requirements of subsection (1)(c) and (d) of this section relating to use of a commitment
27 form acceptable to the commissioner and the provisions of subsection (2) of this section shall not
28 apply to subdivided or series partitioned lands described by ORS 92.325 [(3)(h)] (2).

29 “**NOTE:** Sections 14 through 16 were deleted by amendment. Subsequent sections were not re-
30 numbered.”.

31 On page 18, delete lines 7 through 45 and delete pages 19 through 26.

32 On page 27, delete lines 1 through 13 and insert:

33 “**SECTION 18.** ORS 446.626 is amended to read:

34 “446.626. [(1) *The owner of a manufactured structure that qualifies under this subsection may apply*
35 *to the county assessor to have the structure recorded in the deed records of the county. The application*
36 *must be on a form approved by the Department of Consumer and Business Services. The application*
37 *must include a description of the location of the real property on which the manufactured structure is*
38 *or will be sited. If the structure is being sold by a manufactured structure dealer, the dealer may file*
39 *the application on behalf of the owner within the time described in ORS 446.736 (7). A manufactured*
40 *structure qualifies for recording in the deed records if the owner of the structure:]*

41 “(1) **The owner of a manufactured structure may record in the deed records for the**
42 **county in which the structure is sited:**

43 “(a) **An application to have the manufactured structure recorded in the deed records on**
44 **the form that was approved by the Department of Consumer and Business Services; or**

45 “(b) **An affidavit declaring that the manufactured structure is affixed to the real property**

1 on which it is sited.

2 **“(2) The application or affidavit under subsection (1) of this section must include:**

3 **“(a) The structure’s owner, manufacturer, make, model, year built and square footages;**

4 **“(b) A legal description of the real property to which the manufactured structure is af-**
5 **fixed and the county assessor’s property account number for the real property;**

6 **“(c) Any unreleased security interest in the manufactured structure; and**

7 **“(d) A declaration that the owner of the manufactured structure:**

8 “[a] (A) Also owns the land on which the manufactured structure is located;

9 “[b] (B) Is the holder of a recorded leasehold estate of 20 years or more if the lease specifically
10 permits the manufactured structure owner to record the structure under this section; or

11 “[c] (C) Is a member of a manufactured dwelling park nonprofit cooperative formed under ORS
12 62.800 to 62.815 that owns the land on which the manufactured structure is located.

13 **“(3) If the manufactured structure is being sold by a manufactured structure dealer, the**
14 **dealer may file the application or affidavit under subsection (1) of this section on behalf of**
15 **the owner within the time described in ORS 446.736 (7).**

16 “[2] (4)(a) **In reviewing an application submitted under subsection (1)(a) of this section,**
17 **if the assessor, as agent for the department, determines that the manufactured structure qualifies**
18 **for recording in the deed records of the county, the assessor shall cause the structure to be recorded**
19 **in the deed records. [The deed records must contain any unreleased security interest in the manufac-**
20 **tured structure.]**

21 **“(b) The affiant shall deliver a copy of an affidavit recorded under subsection (1)(b) of this**
22 **section to the county assessor.**

23 **“(5)(a) If the department has issued an ownership document for the manufactured structure, the**
24 **owner [must] shall:**

25 **“(A) Submit the ownership document to the assessor with the application described in sub-**
26 **section [(1)] (1)(a) of this section[.]; or**

27 **“(B) Deliver the ownership document along with the recorded affidavit under subsection**
28 **(1)(b) of this section to the department for cancellation.**

29 **“(b) Upon recording the manufactured structure in the deed records, the assessor described in**
30 **paragraph (a)(A) of this subsection shall send the ownership document to the department for**
31 **cancellation.**

32 **“(c) The department shall cancel the ownership document and send confirmation of the cancel-**
33 **lation to the assessor and the owner.**

34 “[3] (6) The recording of a security interest in the deed records of the county under this sec-
35 tion satisfies the requirements for filing a financing statement for a fixture to real property under
36 ORS 79.0502. The recording of a manufactured structure in the deed records of the county is inde-
37 pendent of the assessment and taxation of the structure as real property under ORS 308.875. The
38 recording of a manufactured structure in the deed records of the county makes the structure subject
39 to the same provisions of law applicable to any other building, housing or structure on the land.
40 However, the manufactured structure may not be sold separately from the land or leasehold estate
41 unless the owner complies with subsection [(4)] (7) of this section.

42 “[4] (7) The owner of a manufactured structure that is recorded in the deed records of the
43 county may apply to have the structure removed from the deed records and an ownership document
44 issued for the structure. Unless the manufactured structure is subject to ORS 446.631, the owner
45 must apply to the county assessor, as agent for the department, for an ownership document as pro-

1 vided in ORS 446.571. Upon approval of the application, the assessor shall terminate the recording
2 of the manufactured structure in the deed records.

3 “[5] (8) If a manufactured structure described in subsection [(1)(b) or (c)] (2)(d)(B) or (C) of
4 this section is recorded in the deed records, the owner of the structure has a real property interest
5 in the manufactured structure for purposes of:

6 “(a) Recordation of documents pursuant to ORS 93.600 to 93.802, 93.804, 93.806 and 93.808;

7 “(b) Deed forms pursuant to ORS 93.850 to 93.870;

8 “(c) Mortgages, trust deeds and other liens pursuant to ORS chapters 86, 87 and 88; and

9 “(d) Real property tax collection pursuant to ORS chapters 311 and 312. The **manufactured**
10 structure owner is considered the owner of the real property for purposes of assessing the structure
11 under ORS 308.875.

12 “**SECTION 19.** ORS 308.875 is amended to read:

13 “308.875. (1) If a manufactured structure and the land upon which the manufactured structure
14 is situated are owned by the same person, **or the owner of the structure has recorded an affi-**
15 **davit under ORS 446.626 (1)(b)**, the assessor shall assess the manufactured structure as real
16 property.

17 “(2) [*If a manufactured structure is owned separately and apart from the land upon which it is*
18 *located,*] The assessor shall assess and tax [*the*] **any** manufactured structure **not described in sub-**
19 **section (1) of this section** as personal property.

20 “(3) A change in the property classification of a manufactured structure for ad valorem tax
21 purposes does not change the property classification of the structure with respect to any trans-
22 actions between the owner and security interest holders or other persons.

23 “**SECTION 20.** ORS 446.736 is amended to read:

24 “446.736. (1) Except as provided in subsection (7) of this section, a manufactured structure
25 dealer who transfers an interest in a manufactured structure shall:

26 “(a) Submit to the Department of Consumer and Business Services an application for an owner-
27 ship document on behalf of the purchaser; or

28 “(b) If the purchase is being financed, submit sufficient information to a lender to allow the
29 lender to make an application to the department for an ownership document.

30 “(2) An application under subsection (1) of this section must be on a form approved by the de-
31 partment and include:

32 “(a) The year, manufacturer’s name, model if available and identification number for the manu-
33 factured structure.

34 “(b) Any existing ownership document for the **manufactured** structure or, if none, the
35 manufacturer’s certificate of origin or other document evidencing ownership of the manufactured
36 structure.

37 “(c) The legal description or street address for the proposed situs for the manufactured struc-
38 ture.

39 “(d) The identity of the owner of record for the location where the manufactured structure is
40 being sited or, if the structure is being sited in a facility as defined in ORS 90.100, the name of the
41 facility.

42 “(e) The name and mailing address of each person acquiring an ownership interest in the man-
43 ufactured structure.

44 “(f) The name and mailing address of each person acquiring a security interest in the manufac-
45 tured structure.

1 “(g) Any other information required by the department by rule for processing an application.
2 “(3) If a manufactured structure dealer is unable to comply with subsection (1) of this section,
3 within 25 business days of the transfer the dealer shall provide a notice of delay to the security
4 interest holder next named, if any, and the purchaser. The notice must contain:
5 “(a) The reason for the delay;
6 “(b) The anticipated extent of the delay; and
7 “(c) A statement of the rights and remedies available to the purchaser if the delay becomes
8 unreasonably extended.
9 “(4) A manufactured structure dealer that fails to comply with this section is subject to revo-
10 cation or suspension of the dealer’s license or being placed on probation by the Department of
11 Consumer and Business Services pursuant to ORS 446.741. A dealer that fails to comply with sub-
12 section (1) of this section within 90 days is subject to criminal penalties under ORS 446.746 (1)(h).
13 “(5) Notwithstanding subsections (1) and (4) of this section, if a purchaser is not in compliance
14 with the payment terms of a purchase agreement on the 20th calendar day after the transfer, the
15 dealer is not required to perform under subsection (1) of this section until 25 calendar days after the
16 purchaser is in compliance with the payment terms of the purchase agreement. This subsection does
17 not excuse the duty of the dealer under subsection (3) of this section.
18 “(6) This section does not apply to a transfer of interest in a manufactured structure that is
19 subject to an escrow transaction.
20 “(7) This section does not apply to a manufactured structure for which an application **or affi-**
21 **davit** is filed under ORS 446.626 within 25 business days of the transfer.
22 “**NOTE:** Sections 21 through 24 were deleted by amendment. Subsequent sections were not re-
23 numbered.”.
24 On page 27, line 31, after “addition,” insert “on or before the deadline set forth in ORS
25 307.512,”.
26
