

Statement on Senate Bill 59

Legislative Housing and Development Committee

Senator Khan Pham

Senator Dick Anderson

Senator Anthony Broadman

Senator Todd Nash

Senator Deb Patterson

Dear Members of the Legislative Housing and Development Committee,

On behalf of the Oregon Community Association Institute (CAI) Legislative Action Committee (LAC), which represents the interests of approximately 565,000 Oregonians residing in 228,000 homes within more than 3,980 community associations across our state, we are writing to provide feedback on Senate Bill 59, which seeks to void provisions in governing documents that prohibit gardening, hen-keeping, or beekeeping.

While the intent behind the bill may be to promote sustainable living practices, we believe that a blanket repeal of these provisions is both impractical and detrimental to the integrity of common interest communities.

Homeowners choose to live in common interest communities with the understanding that there are specific governing provisions in place to protect property values, ensure safety, and maintain harmony within the community. One-size-fits-all solutions, such as the repeal proposed in SB 59, fail to recognize the diversity of needs, priorities, and risk factors present in these communities. These provisions often serve to prevent nuisances, manage insurance liabilities, and mitigate health risks. By eliminating these restrictions entirely, the bill places undue strain on communities and potentially opens the door to conflicts, non-compliance, and increased insurance premiums.

Importantly, Oregon law already provides for established procedures through which community associations can amend their governing documents. While the threshold for amendments may vary between communities, this process allows for local control and ensures that changes are made thoughtfully and in alignment with the interests of the entire community. SB 59 undermines this local control by imposing a statewide, sweeping change that fails to take into account the unique circumstances of individual communities.

We understand that this bill is being brought forth at the request of the Sweet Home City Council, and we respectfully recommend that the Council pursue changes within their own municipal ordinance

process, rather than advocating for a statewide shift. A tailored approach would better address the specific needs of Sweet Home while avoiding the unintended consequences that a statewide repeal of these provisions would cause.

We urge you to consider the long-term implications of this bill on community associations and the responsible management of common interest communities. We believe that the right approach is to allow communities to handle these matters on a case-by-case basis, using existing amendment procedures, rather than enacting a broad, sweeping change that could have significant negative impacts.

Thank you for your attention to this matter.

Sincerely,

Community Associations Oregon Legislative Action Committee Signatures

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