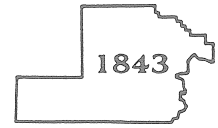


Yamhill County



535 NE Fifth St, McMinnville, OR 97128 • (503) 434-7502 • Fax (503) 434-7553 • TTY 800/735-2900

OFFICE OF COUNTY COUNSEL

CHRISTIAN BOENISCH
COUNTY COUNSEL

JODI GOLLEHON
ASSISTANT COUNTY COUNSEL II

NOHELY BARAJAS-MONTALVO
LEGAL ASSISTANT

April 9, 2025

At the request of Chair Nathanson, please accept this written copy of my prepared testimony that was given during the April 8, 2025 legislative hearing for House Bill 2089.

Thank you chair Nathanson, members of the committee. For the record, my name is Jodi Gollehon, Assistant County Counsel for Yamhill County.

Thank you to my colleagues for providing great input into the various county concerns regarding HB 2089. Also, special thank you to Representative Levy for her continued efforts in creating a bill that works for everyone. I have two specific areas of concern that remain post-amendment that I'd like to speak briefly about here today.

First, the counties would like to express their desire to remove the third-party appraisal requirements from the bill. Not only will this requirement sizably cut into a claimant's surplus proceed funds, assuming, of course, that the property even sells, but it's also likely to create confusion over how to assess the property going forward. If the property is appraised at a dollar value higher than what's on the tax roll, does the county have the ability to make that upward adjustment on the following years' taxes? And if it's lower, are the counties obligated to instead lower them? Moreover, can the former owner appeal the prior years under ORS 305.288? Many questions will flow from the addition of this requirement, and we fear that it will lead to an abundance of litigation at the counties' expense.

Secondly, we have concerns over the use of the term "residential or occupied" in amendment 2 to define which properties will require use of a realtor. While simple on the face of it, many questions flow from this language – namely, do we mean zoned residential? What about resource lands that contain a home (i.e., exclusive farm use, forestland, etc.)? Furthermore, what do we mean by occupied? Do illegal squatters count as occupiers? What about homeless encampments? Many of our empty lots come with illegally parked RVs with folks living in them. Do those properties need to be referred a realtor? What if we remove illegal occupants – does that change the property's status? If I may offer a recommendation, the term single-family dwelling would be more appropriate if the goal is to only capture those properties that contain housing units. Alternatively, ORS 305.288(1)(a) has already-developed language that better describes property that contains housing units – the committee could effectively pull language from that statute instead.

Thank you for allowing me to speak here today. I am available for questions or concerns.