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STATUTORY MINOR CORRECTION

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ARCHIVES DIVISION
SECRETARY OF STATE
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CHAPTER 813
OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT

FILING CAPTION: Updating statutory references for manufactured dwelling parks or marinas program (0103).

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 813-065-0103

RULE TITLE: Required Notification of Intent to Sell Manufactured Home Park or Marina Community.

RULE SUMMARY: Updating statutory references to current.

RULE TEXT:

(1) Facility owner(s) and landlord's agent(s) shall deliver written notification of their intent to place the facility for sale no less than 15 calendar days prior to publicly marketing the facility for sale or 10 calendar days from the date the facility owner(s) or landlord's agent(s) has received an offer to purchase the facility, whichever comes first, to:

(a) All tenants and facility owner(s) of manufactured homes or floating homes within the facility;

(b) The tenant’s committee, if a tenant’s committee exists, and with which the facility owner(s) or landlord's agent(s) has formally met within the calendar year immediately preceding delivery of the notice;

(c) The Department's MMCRC.

(2) Notification under this rule shall include all required information listed in ORS 90.842; and

(a) Contact information for the Department's MMCRC, including complete copies of, or web address links to OAR 813 Divisions 27 and 65; and

(b) Property information that would customarily be included in property marketing materials, real estate listings, or provided to prospective purchasers and shall include:

(A) Asking price for the facility, or offer price if the facility owner(s) has received an offer to purchase that the facility owner(s) intends to consider; and

(B) Property information available via public record such as zoning, lot size, publicly recorded and published facility owner(s) information, property tax, and liens; and

(C) Contact information for all individuals or agencies that represent the facility owner(s) or landlord agent(s) in marketing or facilitating the sale of the facility such as a real estate broker or attorney.

(3) The Department shall provide within five (5) calendar days of receipt of notification of a facility owner(s) or landlord's agent(s)' intent to sell or receipt of an offer to purchase:

(a) Notification via first class mail to the facility owner(s) or landlord's agent(s) at an address or email address provided to the Department confirming receipt of their notice to sell; and

(b) Notification via first class mail of the facility status or listing for sale to the tenants’ committee if one exists at the

time of the delivery of the notification from the facility owner(s) or landlord's agent(s); and

(c) Publication of the facility status or listing for sale on the MMCRC website and information regarding resources to assist tenants in the purchase of the facility shall be kept current and accessible to the public by the Department on the MMCRC website and provided upon request via email or first-class mail.

(4) Notices provided by the facility owner(s) or landlord's agent(s) are valid for one calendar year from the date that the facility owner(s) or landlord's agent(s) provided notice of intent to sell to tenants, tenant committees, and the Department.

(a) If the facility is not sold within one calendar year, the facility owner(s) and landlord's agent(s) are required to provide tenants, tenant committees, and the Department with an updated notice that meets the requirements of this Division.

(b) Updated notification must also be provided to any tenant who was not provided the initial notification.

STATUTORY/OTHER AUTHORITY: ORS 90.842, 90.844

STATUTES/OTHER IMPLEMENTED: ORS 90.842, 90.844