

4-18

PCS 2-2008 (TEMP)

Secretary of State
Certificate and Order for Filing
TEMPORARY ADMINISTRATIVE RULES
A Statement of Need and Justification accompanies this form..

I certify that the attached copies* are true, full and correct copies of the TEMPORARY Rule(s) adopted on April 18, 2008 by the
Date prior to or same as filing date
Dept. of Consumer & Business Services, Div. of Finance & Corporate Securities OAR 441

Agency and Division Administrative Rules Chapter Number
Shelley Greiner 350 Winter St. NE, Room 410, Salem, OR 97301 503-947-7484
Rules Coordinator Address Telephone

to become effective upon filing through October 15, 2008
Date upon filing or later A maximum of 180 days including the effective date.

RULE CAPTION

Adopts contact information required for inclusion in foreclosure notice form.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately, 000-000-0000.

Secure approval of new rule numbers (Adopted rules) with the Administrative Rules Unit prior to filing

ADOPT: OAR 441-505-3045, OAR 441-720-0385, OAR 441-730-0245, OAR 441-850-0040

AMEND:

SUSPEND:

FILED
APR 18 2008
ARCHIVES DIVISION
SECRETARY OF STATE

Stat. Auth.: 2008 Or Laws ch. 19, § 20

Other Auth.:

Stats. Implemented: 2008 Or Laws ch. 19, § 20

RULE SUMMARY

These temporary rules implement section 20 of House Bill 3630 (2008). Section 20(1) of HB 3630 contains the content for a foreclosure notice that must be delivered to a homeowner. Section 20(2) of the bill requires the Department of Consumer and Business Services to adopt by rule contact information that the sender must provide in the foreclosure notice. The foreclosure notice form in statute left spaces for a statewide contact telephone number, the telephone numbers and a website address for the Oregon State Bar's Lawyer Referral Service, and a website address for a directory of legal aid programs. These rules describe what contact information will be required on the foreclosure notice form.

Authorized Signer

David C. Tatman

Printed name

4/18/2008

Date

*With this original and Statement of Need, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. ARC 940-2005

Secretary of State

STATEMENT OF NEED AND JUSTIFICATION

A Certificate and Order for Filing Temporary Administrative Rules accompanies this form.

Dept. of Consumer & Business Services, Div. of Finance & Corporate Securities
Agency and Division

Administrative Rules Chapter Number
OAR 441

In the Matter of: Adopting OAR 441-505-3045, OAR 441-720-0385, OAR 441-730-0245, OAR 441-850-0040

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Adopts contact information required for inclusion in foreclosure notice form.

Statutory Authority: 2008 Or Laws ch. 19, § 20

Other Authority:

Stats. Implemented: 2008 Or Laws ch. 19, § 20

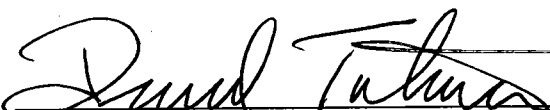
Need for the Temporary Rule(s):

These temporary rules implement section 20 of House Bill 3630 (2008). Section 20(1) of HB 3630 contains the content for a foreclosure notice that must be delivered to a homeowner. Section 20(2) of the bill requires the Department of Consumer and Business Services to adopt by rule contact information that the sender must provide in the foreclosure notice. The foreclosure notice form in statute left spaces for a statewide contact telephone number, the telephone numbers and a website address for the Oregon State Bar's Lawyer Referral Service, and a website address for a directory of legal aid programs. These rules describe what contact information will be required on the foreclosure notice form. The foreclosure notice contained in HB 3630 will be required as of June 9, 2008 when the bill becomes effective. This temporary rule is necessary to provide the required foreclosure notice information so required senders of the notice have sufficient time to access the information prior to the bills effective date of June 9, 2008.

Documents Relied Upon, and where they are available:

Justification of Temporary Rule(s):

The general public, and particularly those individuals facing foreclosure proceedings, will be seriously prejudiced if they are not able to locate and utilize the resources listed in the foreclosure notice. Without pursuing options to avoid foreclosure, a person will most likely lose their home. The organizations helping individuals through foreclosure proceedings will be seriously prejudiced if the individuals needing assistance are unaware of the services available to them. Organizations will not be able to assist homeowners as effectively without homeowners knowing what services are available to them. Finally, given the short timeframe between now and the effective date of the legislation, temporary rules are necessary to avoid serious prejudice to the public.


Authorized Signer

David C. Tatman
Printed name

4/18/2008
Date

OAR 441-505-3045

Contents of Foreclosure Notices

The sender of a notice form required by 2008 Or Laws, ch. 19, § 20 must enter in the form and format adopted by this rule:

- (1) The statewide telephone contact number for handling consumer queries as **800-SAFENET (800-723-3638)**
- (2) The telephone number of the Oregon State Bar's Lawyer Referral Service as **503-684-3763**;
- (3) The Oregon State Bar's Lawyer Referral Service toll-free number as **800-452-7636**;
- (4) The website address of the Oregon State Bar as **<http://www.osbar.org>**;
- (5) The website address for the organization providing more information and a directory of legal aid programs as **<http://www.oregonlawhelp.org>**

Stat. Auth.: 2008 Or Laws, ch. 19, § 20

Stat. Implemented: 2008 Or Laws, ch. 19, § 20

Hist.: New.

OAR 441-720-0385

Contents of Foreclosure Notices

The sender of a notice form required by 2008 Or Laws, ch. 19, § 20 must enter in the form and format adopted by this rule:

- (1) The statewide telephone contact number for handling consumer queries as **800-SAFENET (800-723-3638)**
- (2) The telephone number of the Oregon State Bar's Lawyer Referral Service as **503-684-3763**;
- (3) The Oregon State Bar's Lawyer Referral Service toll-free number as **800-452-7636**;
- (4) The website address of the Oregon State Bar as **<http://www.osbar.org>**;
- (5) The website address for the organization providing more information and a directory of legal aid programs as **<http://www.oregonlawhelp.org>**

Stat. Auth.: 2008 Or Laws, ch. 19, § 20

Stat. Implemented: 2008 Or Laws, ch. 19, § 20

Hist.: New.

OAR 441-730-0245

Contents of Foreclosure Notices

The sender of a notice form required by 2008 Or Laws, ch. 19, § 20 must enter in the form and format adopted by this rule:

- (1) The statewide telephone contact number for handling consumer queries as **800-SAFENET (800-723-3638)**
- (2) The telephone number of the Oregon State Bar's Lawyer Referral Service as **503-684-3763**;
- (3) The Oregon State Bar's Lawyer Referral Service toll-free number as **800-452-7636**;
- (4) The website address of the Oregon State Bar as **<http://www.osbar.org>**;
- (5) The website address for the organization providing more information and a directory of legal aid programs as **<http://www.oregonlawhelp.org>**

Stat. Auth.: 2008 Or Laws, ch. 19, § 20

Stat. Implemented: 2008 Or Laws, ch. 19, § 20

Hist.: New.

OAR 441-850-0040

Contents of Foreclosure Notices

The sender of a notice form required by 2008 Or Laws, ch. 19, § 20 must enter in the form and format adopted by this rule:

- (1) The statewide telephone contact number for handling consumer queries as **800-SAFENET (800-723-3638)**
- (2) The telephone number of the Oregon State Bar's Lawyer Referral Service as **503-684-3763**;
- (3) The Oregon State Bar's Lawyer Referral Service toll-free number as **800-452-7636**;
- (4) The website address of the Oregon State Bar as **<http://www.osbar.org>**;
- (5) The website address for the organization providing more information and a directory of legal aid programs as **<http://www.oregonlawhelp.org>**

Stat. Auth.: 2008 Or Laws, ch. 19, § 20

Stat. Implemented: 2008 Or Laws, ch. 19, § 20

Hist.: New.