

HB 4038A: PROCESS – OAPA INVOLVEMENT

John VanLandingham, Lane County Legal Aid & Advocacy Center

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The Oregon Park Owners Alliance (OPOA) opposes HB 4038A. One of its arguments is that it was not included in the development of the MH park resident opportunity to compete to purchase bill. Here's the history.

- 2010 to 2013: The Manufactured Housing Landlord/Tenant Coalition works on the resident opportunity to purchase issue for four years. During that period, the areas of disagreement and concern are well-identified. OPOA is an active member of the coalition and participates actively in those discussions.
- 2013: Resident advocates support HB 3007. Both landlord groups, Manufactured Housing Communities of Oregon (MHCO) and OPOA, oppose. Rep. Whisnant suggests an interim work group, co-chaired by him and Rep. Nathanson, the sponsor of HB 3007, to seek a compromise for the 2014 session.
- May 2013: Rep. Whisnant and Rep. Nathanson agree on the make-up of the work group – four tenant representatives and four landlord representatives, the latter divided between MHCO and OPOA. OAPA insists on five representatives, making a total of seven landlord representatives.
- June 2013: The work group holds its first meeting. OPOA argues that no bill is needed, saying that the current law is okay and there is no problem. MHCO argues for a revised, simplified, typical real estate transaction market-based version of the current law. Tenant reps disagree with OPOA and agree with MHCO's approach. Rep. Whisnant and Rep. Nathanson emphasize the need to find a compromise proposal.
- September 2013: The work group has its second meeting. OPOA again argues for no bill, then offers to require landlord notice to tenants and opportunity to compete to purchase but only after a landlord has decided to close the park for redevelopment. Residents oppose this, arguing that at that point, the land is worth way more redeveloped than as a park, and no one could compete to buy and operate it as a park.
- November 19, 2013: The work group has its final meeting. It reviews OPOA's proposal allowing tenants to compete but only after the landlord decides to close and redevelop. Rep. Nathanson and the tenant reps oppose. MHCO then submits and reviews in detail a compromise proposal developed by MHCO's attorney and VanLandingham which addressed – some in favor of landlords, some tenants – all of the issues which everyone had identified over the past five years. OPOA asks for

three changes, which were agreed to and made. No one objects; two of four OPOA representatives present at the meeting indicate their support; two others said they want to think about it. Everyone else in the work group agrees to support the November 19 proposal, which is two-and-a-half pages of detail.

- November 21, 2013: VanLandingham presents the November 19 proposal to the Interim House Human Services and Housing Committee, noting that the MHCO board had unanimously voted to support it. The committee agrees to introduce it as a committee bill in the 2014 session. That same day OPOA's attorney sends the committee a letter opposing the November 19 proposal.
- January 13, 2014: LC produces a first draft, LC 103, implementing the November 19 proposal. It needs work in order to accurately reflect that proposal.
- January 16, 2014: VanLandingham shares a copy of the next LC 103 draft with OPOA's lobbyist and its lawyer, along with his list of additional amendments needed to implement the November 19 proposal. All subsequent drafts and amendment requests are shared.
- January 29, 2014: OPOA's lobbyist shares a revised version of the bill which it says it could support. It would make significant changes to the November 19 proposal, and includes provisions which tenant reps have rejected for five years. It is apparently the basis of the HB 4038 dash-2 amendments, which have never been entered into the record.
- February 3, 2014: After the first hearing on HB 4038, where OPOA testifies in opposition, Rep. Whisnant organizes one last meeting of the work group. OPOA requests changes. The work group agrees to make five changes and to put on the record clarification regarding three other issues (which was done on February 5).
- February 4, 2014: OPOA again says it can't support HB 4038 unless it is the dash-2 version.
- February 5: Work session. OPOA again testifies in opposition. The House Committee votes out HB 4038 unanimously, with the five February 3 amendments (the dash-3 amendments) but without OPOA's dash-2 amendments.