



February 15, 2024

**Clackamas County Board of Commissioners  
Policy Position  
Relating to Tax Foreclosure Surplus Process Following Tyler v. Hennepin County**

**Clackamas County supports HB 4056, creating a standard statewide process for county foreclosure surplus claims in response to the Supreme Court decision Tyler vs Hennepin County.**

In 2023, the U.S. Supreme Court ruled on a case called Tyler versus Hennepin County, which is changing how the surpluses from tax foreclosed properties are managed by counties. As a result of the Supreme Court's decision, Oregon statute dictating what counties must do when there is a surplus from a foreclosure became dated.

Oregon is one of nine states that did not have a process compliant with the Supreme Court ruling, and without this legislation all 36 counties will need to create their own processes to be compliant. That is not good for counties or property owners.

Clackamas County urges support for legislation that establishes an opportunity to create one unified process that all Oregon counties can follow, and that property owners affected by tax foreclosure can understand. A standard process that complies with the Supreme Court decisions and preserves county budgets to perform this work should be sustainable and fair for all Oregonians.

We urge a “yes” vote on HB 4056.

Please contact Trent Wilson ([twilson2@clackamas.us](mailto:twilson2@clackamas.us)) for more information.