

House Committee on Housing and Homelessness

February 3, 2025, Hearing on HB 3054

Overview Of The Structure And History Of Manufactured Home Parks

John VanLandingham, Oregon Law Center

1. Definition of a manufactured home park – four or more spaces held for rent to MH homeowners.
 - a. “Facilities” are MH parks and floating home marinas.
 - b. ORS 90.505 to 90.840 apply only to facility tenancies, not to apartments or RVs or MHs outside of a facility.
 - c. Some differences with marina tenancies, but our focus will be on MH parks.
2. Numbers of MH parks: about 1,000 with about 62,000 spaces. Scattered throughout the state.
 - a. Legislative districts with large numbers: Rep. Fahey, Rep. Marsh.
 - b. Many more MHs not in parks, often on rural land.

3. Hybrid occupancy. Residents are both homeowners and tenants, in that they own their MHs and rent the land under the MH.

 - a. If MH homeowner also owns the land, that occupancy is treated as real estate, and not covered by residential L/T law.
 - b. If MH homeowner rents the land, but not in a park, the occupancy is treated like an apartment tenancy, and covered by the first half of ORS chapter 90.
4. With an exception for “low value MHs” in the four largest counties, MH homeowners pay property taxes.
5. Who chooses to live in a MH park?

 - a. Starter families who want affordable homeownership. A decent MH can often be purchased for a low amount, depending on the age of the MH and its condition and the quality of the park and location. Because the resident owns the home there is potential for building equity.
 - b. Farmworkers who want affordable homeownership. The Labor Day 2020 wildfire between Ashland and Medford destroyed most or all of about 20 parks with more than 2,000 MHs, mostly owned and occupied by farmworkers. Same benefit of building equity and controlling your home.
 - c. Seniors who no longer want the cost and difficulty of maintaining a single family home. Plus they like the

community aspect of park living. “Low/mod income gated communities.”

6. Park residents are responsible for maintaining their homes. Landlords are responsible for providing utility services to the space and maintaining the common areas and infrastructure.
7. MH homeowner fears: Because they don't own the land under their home, they can be evicted – most commonly for nonpayment of the space rent – and bad management can make their lives difficult. Eviction generally means the homeowner will lose the MH, since many of them cannot be moved due to their age, it is very expensive to move a MH, and many parks won't accept older MHs. There are, of course, other problem areas, but the following are the big ones for tenants.
 - a. Park closures: State cannot prevent, but Oregon does require one year's notice plus a small amount of relocation assistance (along with providing a \$5k tax credit).
 - b. Bad management: Oregon requires managers/landlords to register with the state and to get continuing education on L/T law.
 - c. Rent increases: A form of economic eviction. Especially a concern for seniors on fixed incomes. This is the focus of HB 3054.

8. MH residents have chosen to tax themselves, currently at \$10/year, collected by counties with the residents' property taxes. \$1.50 of that tax is kept by the counties to cover their costs in collecting it. The rest goes to support an OHCS program called Manufactured and Marina Communities Resource Center, which provides education for park and marina Ts and Ls and provides mediation services via the community dispute resolution centers around the state.
 - a. Park landlords pay an annual registration fee of \$50/100 (depending on size) to cover the cost for MMCRC to manage the landlord registration and training program.