



**OREGON PROPERTY OWNERS
ASSOCIATION**

**Senate Committee on Housing
Testimony in Support of SB 1561**

Thank you for the opportunity to provide comments today in support of SB 1561. The Oregon Property Owners Association has represented Oregon property owners before the Legislature, local governments, state agencies and Oregon courts for nearly 40 years, with more than 12,000 contributors across the state, including all 36 Oregon counties.

SB 1561 creates an alternative path for homeowners who have lost their home as a result of an involuntary event and want to rebuild a similar sized home in the same location. Essentially, the bill is intended for homeowners who just want to put their house back.

The bill applies when a home is lost to an involuntary event such as a natural disaster (like a wildfire) or an accident (like an electrical fire caused by faulty wiring). The bill does not apply to property owners who voluntarily remove an existing home to replace it with a different home.

The goal of SB 1561 is simple – to provide Oregonians with a quick path to replace a lost home while ensuring the home is rebuilt in a safe manner and with all necessary infrastructure.

After the Labor Day 2020 wildfires, the 2021 legislature enacted HB 2289 by a combined vote in both chambers of 82-1. HB 2289 provided the same relief for homeowners who lost their homes in the 2020 wildfires that SB 1561 provides for all Oregon homeowners who lose their homes to disaster. In fact, SB 1561 is modeled after and nearly identical to HB 2289.

SB 1561 creates an expedited process for homeowners who essentially want nothing more than to put their home back in the same spot it was when it was damaged or destroyed. In order to take advantage of the streamlined approval process under the bill, a homeowner seeking to replace their lost home must demonstrate:

- That their home had walls, a roof, indoor plumbing and wiring, and a heating system at the time it was damaged or destroyed. The bill doesn't apply to non-dwellings, like shanties or shacks;
- That their destroyed or damaged home was legal. The property owner can do this by either providing evidence of the permits approving the dwelling or demonstrating that the dwelling was taxed by the county as a dwelling on the tax rolls 10 years before the date of the loss. The reason for allowing property owners to use the tax rolls to prove their home was legal is because many homes were built decades ago, and finding records to

prove that their dwelling was legal can be difficult, if not impossible. If a home was built less than 10 years ago, it should be fairly easy for the property owner to obtain copies of the local government permits approving the home. If the house was built many years ago, the evidence of the permits may have been destroyed, or there may not have been any permits required at all. In those situations, proving that the county had taxed the structure as a dwelling is sufficient to demonstrate that the dwelling was lawful, as counties do not tax structures as dwellings unless they receive proof from the local government that issues building permits that a dwelling has been permitted on the property;

- That their new home will be located wholly or partially within the same footprint of their former home, unless required to be moved to satisfy floodplain requirements. The bill isn't intended to apply to rebuilding new homes on different parts of the property. If the homeowner wants to build on another portion of the site, they can use the existing process for rebuilding;
- That their new home will not exceed the size of their damaged or destroyed home by more than 25%. This expedited process is reserved for homeowners wishing to replace their destroyed or damaged home with a home of nearly the same size; and
- That all necessary water, sanitation, and roads are available for the new home.

In short, the goal of this bill is to give homeowners who have just suffered a devastating loss and are trying to piece their lives back together with a quick process to rebuild the same or similar sized home in the same location as the home they just lost.

For these reasons, we strongly urge members of the Committee to vote YES on SB 1561.

Thank you for the opportunity to submit these comments. We are happy to answer any questions you may have.

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