

OREGON HOUSING AND COMMUNITY SERVICES

Hearing Officer's Report to Agency on Rulemaking Hearing

Date (of report):	January 31, 2025
To:	OHCS
From:	Shauna McDonough
Subject:	Hearing Officer's Report on Rulemaking Hearing
Hearing Date:	January 16, 2025
Hearing Location:	Teams Online Meeting
Rule Number:	813-007-0000
Rule Title:	Manufactured Dwelling Park and Marina Communities

The rulemaking hearing on the proposed rules was convened at 11:30am PST and ended at 12:00 noon PST. No one from the public attended the hearing. Present from OHCS were the hearing officer, Kari Hodai, Jaci Davis and Nathan Clark.

Summary of Oral Comments:

Zero people from the public attended. No one signed up to present oral comments and no one submitted any written comments.

Written Comments:

Zero written comments were submitted at the hearing.

The hearing was adjourned at 12:00pm. The public comment period closed at 5 PM on January 31, 2025.

An index of all comments received during the public comment period is appended as Attachment A.

OHCS's Evaluation of Public Comments is contained in Attachment B

ATTACHMENT A: An index of all comments received during the public comment period

1 Tera Cleland, Mediator, East County Resolutions sent email on 06/18/2024: “I have no feedback reading this as revisions to statutes that impact the landlords and owners.”

2 Teddy Badege, Financial Policy Analyst, DCBS sent email on 06/24/24: “It looks like a great undertaking and a much needed updating of the rules. I’m sure the new rules and updates will provide clarity for all stakeholders. In my review, I’ve found that these rules don’t apply to neither Division of Financial Regulation, nor Building Codes Division, of DCBS.”

3. John Van Landingham, Attorney, Oregon Law Center sent email on 01/27/25: . “I have a few comments/suggestions, in legislative format:”

- (a) Section 813-007-0015 : “The landlord . . . must file an annual registration [fee] and pay a registration fee [charge]”
- (b) Section 813-007-0020: “Add at the end of subsection (1): *‘The notice shall include the due date for registration of each facility and the registration fee amount.’*”
- (c) Section 813-007-0025: “Add the required length of training (4 hours every two years) and the subject of the required training. See the deleted language in 0040 (1) (“relating to the management of MH parks” – although that should say “and floating home marinas”).”
- (d) Section 813-007-0057: “Subsections (1) and (2), as amended, refer to “owners, landlords, and/or landlord’s agent.” But you have earlier defined “landlord” to include owners and agents, consistent with the definition in ORS 90.100. It does not hurt to repeat that definition, but if you do it here, you need to do it throughout your rules, which otherwise would be unnecessary.”
 - i. “In addition, you are inconsistent with the “oxford comma” in subsections (1) and (2). The oxford comma is using an additional comma in a series of three or more things: A, B, and C.”
 - ii. “New subsection (2) deletes the examples of mitigating circumstances now found in subsection (4). Why? They are helpful to people who read your rules.”

ATTACHMENT B: OHCS's Evaluation of Public Comments

1. No response required
2. No response required
3. Response to comments made by John Van Landingham:
 - a. The recommended revision was made.
 - b. The amount due is already stated in ORS 90.732. The rule states that all registrations are due by January 1.
 - c. The requirement for training is already stated in ORS 90.734.
 - d.
 - i. The recommended revision was made.
 - ii. To further create transparency in the Rules, examples are seen as "unnecessary language" and no longer used in Rules.