

INSTRUCTIONS and INFORMATION:

Notice of Owner's Intent to Sell a Manufactured Dwelling Park or Marina

Before listing or marketing a manufactured dwelling park or marina for sale, or upon receipt of an offer of purchase, Owner is required to provide written notification ("Notice") delivered either by hand or by US Mail to all Tenants, Tenant's Committee and MMCRC.

Chapter 813, Division 65 of the Oregon Administrative Rules Database (OARD) has been revised as of August 2023, regarding notification requirements when an Owner is planning to sell a Manufactured Dwelling Park or Marina. There is specific information that needs to be in the Notice of Intent To Sell to the Tenants.

Specifically, the Owner is required to:

- A. Send To:
 1. The Tenants of the Park or Marina
 2. Tenants Committee
 3. MMCRC Department

- B. Deliver the Notice by US Mail or directly to a tenant's home
 1. Notice is to be delivered at least 15 days prior to publicly marketing the facility for sale.
 2. If mailed, the "Fifteen-Day Period" shall begin on the fourth full calendar day following the Date of Mailing.

- C. Information required in the Notice:
 1. All required information listed in ORS 90.842¹, and
 2. Contact information for the Department's MMCRC
 3. Complete copies of, or web address links to OAR 813 Divisions 27 and 65
 4. Property information that would be included in property marketing materials, real estate listings, or provided to prospective purchasers including:
 - i. Asking price for the facility, or offer price if the facility owner(s) has received an offer to purchase that the facility owner(s) intends to consider; and
 - ii. Property information available via public record such as zoning, lot size, publicly recorded and published facility owner(s) information, property tax, and liens; and
 - iii. Contact information for all individuals or agencies that represent the facility owner(s) or landlord agent(s) in marketing or facilitating the sale of the facility such as a real estate broker or attorney.

- D. Notices provided by the facility Owner(s) or landlord's agent(s) are valid for one calendar year from the date that the facility Owner(s) or landlord's agent(s) provided notice of intent to sell to Tenants, tenant committees, and the Department.
 1. If the facility is not sold within one calendar year, the facility Owner(s) and landlord's agent(s) are required to provide Tenants, Tenants' committees, and MMCRC with an updated Notice that meets the requirements of this Division.
 2. Updated notification must also be provided to any tenant who was not provided the initial notification.

1ORS 90.842(4): The notice must include the following:

(a) The owner is considering selling the facility

(b) The tenants, through a tenants committee, have an opportunity to compete to purchase the facility

(c) In order to compete to purchase the facility, within 15 days after delivery of the notice, the tenants must form or identify a single tenants committee for the purpose of purchasing the facility and notify the owner in writing of:

(A) The tenants' interest in competing to purchase the facility; an

(B) The name and contact information of the representative of the tenants committee with whom the owner may communicate about the purchase.

(d) The representative of the tenants committee may request financial information described in ORS 90.844 (2) from the owner within the 15-day period.

(e) Information about purchasing a facility is available from the Housing and Community Services Department. [2014 c.89 §1; 2019 c.625 §26; 2021 c.292 §1]