

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Bureau of Labor and Industries Commissioner's Office Hearings Unit
Agency and Division

839
Administrative Rules Chapter Number

Amendments to contested case rules to provide for participation of aggrieved persons in housing discrimination cases
Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of: Notice of Proposed Rulemaking to provide for participation by aggrieved persons in contested cases of housing discrimination

Statutory Authority: ORS chapter 183 and 659.060(4)

Other Authority:

Stats. Implemented: ORS 659A.885

Need for the Rule(s): Proposed amendments to contested case rules would provide for participation by aggrieved persons in cases involving housing discrimination. The bureau was given authority to process federal housing discrimination cases during 2007, and state housing discrimination law was amended to be substantially similar. Now both laws provide for participation in housing contested cases by aggrieved persons. Aggrieved persons have not previously had standing to appear in any type of bureau contested cases.

Documents Relied Upon, and where they are available: N/A

Fiscal and Economic Impact: Any such impact would already be in play because of the statutory scheme which provided the bureau with authority and jurisdiction over these types of cases. Aggrieved person standing is in the statute.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): None expected, except that having clear and specific rules for this may save time and money for all participants in housing discrimination cases in which aggrieved persons appear.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: All businesses that could be respondents in housing discrimination cases would be subject to the rule. This is an undetermined number.

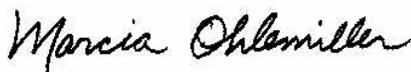
b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None expected.

c. Equipment, supplies, labor and increased administration required for compliance: None expected.

How were small businesses involved in the development of this rule? They have not been.

Administrative Rule Advisory Committee consulted?: yes

If not, why?: Comments will be solicited from the bureau's housing discrimination stakeholder's list



Marcia Ohlemiller

8/15/08

Signature

Printed name

Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007