



Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Building Codes Division

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Delivered by Regular Mail and email

RE: Withdrawal of April 24, 2018 Letter

The division has taken the following actions today:

- Rescinded all of the temporary rules adopted on April 23, 2018 related to program delegation.
- Adopted new rules requiring all municipalities appoint a building official who is employed by a jurisdiction. New temporary rule, enclosed effective immediately.
- Changed your program renewal date to July 1, 2019.
- Requested a formal Attorney General opinion in the matter of third party building inspection programs and minimum standards for state delegated building inspection programs.

Based on these actions, the division formally withdraws its letter to you regarding a potential investigation and rescinds any other related guidance provided to you from April 24, 2018, to date.

Based on newly adopted rules, your current program will remain delegated to your municipality through June 30, 2019. Your renewal date has been extended. In order for the program to be renewed next year, your municipality will need to employ or contract with a municipality that directly employs a building official and meet all other legal requirements. You will receive a reminder towards the end of the year to submit a new renewal application by January 1, 2019, for the four year period beginning July 1, 2019.

We will notify you when we receive the formal Attorney General opinion and of any subsequent rules adopted based on the that opinion.

In the mean time, we are providing you a copy of the Department of Justice (DOJ) advice memorandum and our new temporary rules. While we await new advice, there may be program and permit validity risks. We recommend you review those risks, the new rules, and the DOJ advice memorandum, and obtain advice from your counsel.

Andrea Simmons
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