



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: 10/14/26

Department: Legal Counsel

Title: Request For Board Approval To Buyout Property

Management Update/Work Session Date: 10/06/26 Audio/Visual aids ☐

Time Required: 15 min Contact: Steve Elzinga Phone: (503) 588-5220

Requested Action: Request for Board approval to buy out nine (9) properties from class action requirements.

Issue, Description & Background: There was a change in the law in 2025 (HB 2089), brought about by a case holding in Hennepin County, Minnesota (Tyler v. Hennepin County, 598 U.S. 631 (2023)), whereby counties were required to restore the prior owners with the surplus following a sale of tax foreclosed property. Marion County was part of a class action, which has now been settled. Since the Court approved the class action settlement, and neither objections nor opt-outs may be filed, the county would like to purchase nine small properties for \$27,522 per the terms of the settlement. This will be more efficient than selling these properties at auction.

Financial Impacts: Estimated \$27,522.

Impacts to Department & External Agencies: This will require work by the Finance Department, with support from legal. No expected impact to external agencies.

List of attachments: Proposed Board Order

Presenter: Steve Elzinga

Department Head Signature: Steve Elzinga

 Digitally signed by Steve Elzinga
Date: 2026.09.29 13:27:49 -07'00'

BEFORE THE BOARD OF COMMISSIONERS

FOR MARION COUNTY, OREGON

In the matter of nine foreclosed)
properties to be bought out by)
Marion County)

Order No.

This matter came before the Board of Commissioners at its regularly scheduled public meeting on October 14, 2026 to consider the matter of disposing of nine foreclosed properties by virtue of buying them out via the terms of the Class Action Settlement in *Martin Lynch, et al. v. Multnomah County, et al.*, Case No. 3:23-cv-01502-IM.

WHEREAS, the Board finds that the properties listed in Exhibit A have been foreclosed upon and are subject to the Class Action Settlement;

WHEREAS, the Class Action Settlement received final federal court approval on September 17, 2026;

WHEREAS, the Board finds that it has the authority to buy out the nine properties for the amounts specified in Exhibit A pursuant to the Class Action Settlement and the Court's Order Granting Final Approval of the Settlement;

WHEREAS, many of the properties at issue are unlikely to be disposed of effectively at auction, although some may be sold by other means after they are bought out and some may be of use to the County; and

WHEREAS, it is in the public interest to buy out all nine properties for which buy-out is available;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Chief Administrative Officer is delegated authority to execute the necessary documents, and provide the required funds in order to execute the acquisition of the properties listed on Exhibit A for the amounts specified therein.

DATED at Salem, Oregon, this _____ day of _____ 2026.

MARION COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

Exhibit A

The following properties shall be bought out by the County:

Location	Map Tax Lot	Redemption ended	“Buy Out” AV redemption ended
0 YORKSHIRE CT SE SALEM, OR, 97317	072W32CB09100	2021.12.23	\$220.00
NO ADDRESS –TURNER, OR, 97392	092W340000102	2022.12.28	\$2,330.00
NO ADDRESS – SALEM, OR, 97306	093W080001000	2022.12.28	\$7,910.00
NO ADDRESS – SALEM, OR, 97306	093W080000700	2022.12.28	\$11,030.00
NO ADDRESS – JEFFERSON, OR, 97352	103W12BB05601	2023.11.23	\$3,920.00
49600 N. SANTIAM HWY SE IDANHA, OR, 97350	106E22AB00300	2018.10.31	\$380.00
NO ADDRESS – SALEM, OR, 97302	083W08C001100	2018.10.31	\$1,730.00
NO ADDRESS – INDUSTRIAL MACHINERY	081W32D000400A1	2022.12.28	\$0.00 / \$1
Tenant Property Reverted to Landlord	083W12A000804A2	2020.10.02	\$0.00 / \$1
		TOTAL	\$27,522.00