



**OHIO REAL ESTATE INVESTORS ASSOCIATION
GOVERNMENT AFFAIRS COMMITTEE**

TO SUPPORT GOOD GOVERNMENT THAT IMPACTS THE PROFESSIONAL INVESTMENT
PROPERTY INDUSTRY AT STATE AND LOCAL LEVELS.

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**Dan Acton
House Bill 390 Proponent Testimony
House Financial Institutions, Housing, and Urban Development Committee
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Chairman Dever, Vice Chairman Sprague, Ranking Member Smith and members of the committee, my name is Dan Acton and I am the Government Affairs Director of the Ohio Real Estate Investors Association (OREIA). OREIA represents 12 local chapters across Ohio whose membership consists of the smaller real estate investors and housing providers who typically own single-family housing units. My background has been more than 30 years in the property management and ownership industry. I am providing a brief statement of support on House Bill 390.

As Representative Merrin and other proponents have outlined to you in previous testimonies this bill seeks to codify court rulings to standardize the eviction laws in Ohio. This bill is a true example of the Founders' intent in separation of powers and the division of government. Ohio's various levels of the Judicial Branch have ruled on how to count days as it relates to notice requirements for evictions. As the Legislative Branch you are being asked to exercise your power of legislative prerogative to issue your opinion on this topic by way of a new law.

However, through these court rulings, it has become apparent that the definition of a day and the calculation of such have been varied in counties across the state, perhaps subject to the local prevailing tradition. Our investor members sometimes own property in multiple counties and the idea of attempting to interpret local laws for a legal action that should be consistent across the state is a recipe for failure and can lead to more complications for all parties involved.

Let me be clear, landlords do not take evictions lightly. We are business people trying to provide a critical service for residents who opt not to or cannot own a home. Evictions cost us time and money in a business that you have heard me testify to in past appearances as razor thin margins. In a significantly large number of contracts, we want our tenants to remain our tenants. However, there are instances where the eviction process must be invoked because the tenant violates the terms of the lease. House Bill 390 is an effort for all parties involved to know



the “rules of the game” as it relates to counting days for evictions and does nothing to expedite the eviction standard. OREIA supports the codification of court rulings that count calendar days, not business days for evictions. In any other contract related to a property whether it is for utility services, taxes paid, mortgages, or insurance, the service provider, or the government counts calendar days. The calculation of days for eviction should not be any different. We agree with how House Bill 390 includes that the day of notice does not count toward the three-day counting, circumventing the “midnight notice” a landlord may provide a tenant.

OREIA appreciates the effort of Representative Merrin to bring this issue to your attention and for the consideration of you and your colleagues. OREIA is proud to support this bill. Again, we thank Representative Merrin and members of this committee for working to clarify Ohio’s rental housing laws.

Thank you for the opportunity to testify on House Bill 390.