



OHIO REAL ESTATE INVESTORS ASSOCIATION

Dan Acton
House Bill 271 Proponent Testimony
Senate Judiciary Committee
November 27, 2018

Chairman Bacon, Vice Chairman Dolan, Ranking Member Thomas, and members of the Senate Judiciary 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 proponent statement on House Bill 271.

OREIA supports this bill because we want you to understand that investors operate on razor thin profit margins for a property. An unexpected repair, a tenant who does not pay rent, terminates a lease early or vacates without notice, damages the property, leaves unpaid water bills, or any layering of government fees that we are subjected to reduce the profits for a property owner that could otherwise be used to reduce the overall debt or make improvements on the property. The opportunity to support a bill that seeks to remedy situations with education and remediation first over litigation is beneficial for all parties involved.

Last session, OREIA was pleased to support changes in the law that helped put a clamp down on the cottage industry of “property testers” calling landlords with fake scenarios of disabilities and various situations to test the answers provided to them for compliance with fair housing laws. The General Assembly took steps to put a stop to costly bounty hunting on landlords to drag them to court or through lengthy Ohio Civil Rights Commission (OCRC) processes for violations of Fair Housing laws based on their response, many times unnecessarily when education and remediation may have addressed the issue as a first, best step. The concepts of House Bill 271 echo the calls for action that we made last session on these testers.

Even though the bill’s use of “accessibility laws” does not apply to Ohio laws relating to housing discrimination, OREIA felt the need to comment. Let me be unequivocal in my statement that OREIA does not condone housing discrimination and finds it unacceptable to not comply with the tenets of the Americans with Disabilities Act (ADA). We believe that property owners should educate themselves on the laws of the day, including changes to the landlord/tenant, fair housing, and ADA laws. In fact, OREIA sponsors and oversees a program called the Ohio Professional Housing Provider (OPHP) program. OPHP is a designation that is a statewide,

education-based certification program designed to recognize the high level of knowledge and professionalism among the designation holder. The course of study is divided into 42 clock hours of core courses and 18 hours of elective topics for a total of 60 hours of formal education. We support efforts to bring to justice landlords that are in violation of the law and purposefully ignoring the spirit and letter of the law.

House Bill 271, in our Association's opinion, does not remove or limit anyone's ability to seek justice for a violation of the law; the bill outlines a reasonable timeline for action and provides the aggrieved party appropriate opportunities for action. The bill seeks to set into law a common-sense approach for addressing a perceived or true deficiency in the law. We have reviewed the testimony of some of the leading business organizations in this state on this bill and the common theme is that businesses, when a violation is brought to their attention, want the opportunity to remedy the situation because as business people they do not want to lose a segment of the consuming public due to unwelcoming business accessibility or practices. OREIA is adding its voice to this chorus of common sense. If the party pointing out the violation were truly seeking to address the problem, satisfaction would be gained by working with the business or property owner to successfully remedy the issue for themselves and others and not seek a quick payout, unconcerned whether the violation is fixed or not.

OREIA is proud to support a measured approach that seeks to respect the parties with true grievances and establishes a process to assist in resolving them. We thank the sponsors for introducing House Bill 271.