



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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H.B. 282

132nd General Assembly
(As Introduced)

Reps. Hambley, Kick, Becker, Dean, Goodman, Wiggam, Greenspan, Koehler, Merrin

BILL SUMMARY

- Expressly prohibits criminal mischief relating to residential rental property.
 - Prohibits a metropolitan housing authority from providing housing assistance to a person who has recently been convicted of criminal mischief relating to residential rental property.
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CONTENT AND OPERATION

Criminal mischief

Ohio's offense of criminal mischief, in part, prohibits a person without privilege to knowingly move, deface, damage, destroy, or otherwise improperly tamper with either (1) the property of another or (2) one's own residential property with the purpose to decrease the value or enjoyment of the property, if that property is subject to a mortgage and a pending foreclosure action.¹ The bill expressly includes *residential rental property* rented by a person that commits criminal mischief within the meaning of *property of another*. The bill specifies that the residential rental property includes both public and privately owned property.²

Penalty

Under continuing law, a person who violates the prohibition described above for residential property is guilty of criminal mischief, which generally is a third degree misdemeanor. If the violation created a risk of physical harm to any person, then the

¹ R.C. 2909.07(A)(1).

² R.C. 2909.07(B) and (C).

violation is a first degree misdemeanor. Under the bill, a tenant who is convicted of or pleads guilty to criminal mischief relating to rental property is also disqualified from receiving rental assistance from a metropolitan housing authority or being a tenant in a metropolitan housing authority housing project.³

Metropolitan housing authority

The bill prohibits a metropolitan housing authority from accepting any person as a tenant in a housing project or providing rental assistance (low-income housing assistance under the federal Section 8 housing program) to any person who in the preceding three years has been convicted of or plead guilty to criminal mischief related to residential rental property.⁴

Definitions

As used in the bill:

"Residential rental property" means one or more residential premises leased or otherwise rented to tenants solely for residential purposes.⁵

"Tenant" means a person entitled under a rental agreement to the use and occupancy of residential premises to the exclusion of others.⁶

HISTORY

ACTION	DATE
Introduced	06-20-17

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³ R.C. 2909.07(D)(2) and (4).

⁴ R.C. 3735.411.

⁵ R.C. 2909.07(C)(1).

⁶ R.C. 2909.07(C)(3) and 5321.01(A), not in the bill.

