



Chairman Hambley, Vice Chair Patton, Ranking Member Brown, Members of the House Civil Justice Committee, on behalf of NAIOP of Ohio, we are writing to support House Bill 209, which would abolish dower rights in Ohio.

NAIOP of Ohio is the statewide association of the local chapters of NAIOP. We represent the interests of professionals who advance commercial real estate development throughout Ohio. We have more than 500 members in Ohio, including owners, officers and employees of most of our State's leading developers. We are frequently on the front-line of Ohio job creation efforts, working with economic development officials and other public and private sector leaders to attract and retain companies from around the world in the facilities that we develop, redevelop, sell, and lease.

Dower dates back to the middle ages when special measures had to be taken to protect spouses who did not hold title to property. Ohio is just one of just three states that still recognizes dower, and House Bill 209 would at last abolish the estate of dower in Ohio after its effective date. Many participants in commercial real estate transactions do not fully understand the concept of dower, which leads to unnecessary tension in transactions and scrivener's errors within certain real property instruments due to the innocent failure to account for a dower interest. The steps that have to be taken to properly address dower cost all parties to real estate transactions time, money, and other expenses.

Dower is no longer necessary to protect non-title holding spouses from selling or encumbering property without their knowledge. Continuing to maintain the ancient concept of dower puts Ohio at a competitive disadvantage compared to the overwhelming majority of states where dower has been abolished. Ohio should not continue to follow such an antiquated concept that is a bane to the real estate industry and has long since outlived its intended purpose. Dower is no longer necessary in the current real estate and legal system in Ohio, and any arguable benefit is far outweighed by how cumbersome it unnecessarily makes so many real estate transactions throughout Ohio

NAIOP Ohio urges the House Civil Justice Committee to favorably report HB 209. Thank you for your time and consideration.

Sincerely,

Scott Ziance
President

Michael J. Sikora III
Financial Issues Chairperson