



The Ohio Apartment Association

October 23, 2017

Representative Jonathan Dever
77 S. High St 13th Floor
Columbus, OH 43215

Re: House Bill 282 – Criminal Mischief for Destruction of Rental Properties

Dear Representative Dever:

The Ohio Apartment Association (OAA) is a federation of nine local apartment associations. OAA members own or manage about 500,000 rental units across the state of Ohio. On behalf of the members of OAA, thank you for the opportunity to offer our support of House Bill 282's provisions to add damage to rental property to the state's definition of criminal mischief.

As the owners and managers of properties around the state, we understand that no one is perfect. The simple act of daily living will result in normal wear and tear on our properties – scuffs to paint, knicks in hardwood floors and appliances that reach the end of their useful lives. Additionally, we know that accidents do happen. Repairs of this nature are built into our cost of doing business and/or can be covered by a tenant's security deposit. Most of our tenants are respectful of our properties and treat them like their own home. However, there are unfortunately those rare instances where tenants have knowingly inflicted major damage upon our properties. – theft of appliances and fixtures, holes in walls and floors, etc. Damage that goes beyond a simple accident, that is not covered by a security deposit and leaves the property owner out of pocket thousands of dollars and frequently with no recourse.

House Bill 282 is a simple change to our criminal mischief laws to provide an added measure of deterrence against the intentional, *knowing*, destruction of residential rental property. The simple fact is that the current criminal and civil penalties are not adequate to deter this type of damage from occurring. It is hoped that with this additional measure, we can prevent more of this destructive behavior. This not only protects our business investment but ensures our properties are back on the market in a timely manner, available for new tenants to call home.

Note, House Bill 282 is aimed at intentional damage and is not designed to target tenants that have accidents or normal wear and tear damage. Further, based on our experience with prosecutors on these types of cases under the current law, while House Bill 282 increases penalties and thus hopefully the deterrence factor, we do not foresee this changing the types of cases it would be applied to. In other words, charges are only likely to be brought in the most serious of cases. Our primary hope is that, with notice, we can avoid damages to our property by notifying tenants of the possibility of both serious criminal and civil penalties.

Thank you so much for your support of residential rental property owners. Our properties are our livelihoods and House Bill 282 adds another tool to the tool box in helping protect that investment.

Sincerely,

Laura Swanson
Executive Director

Cc: Members of the House Financial Institutions, Housing and Urban Development Committee
Representative Steve Hambley

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Wood County Apartment Association • Columbus Apartment Association • Greater Dayton Apartment Association
Greater Cincinnati & N. Kentucky Apartment Association • Findlay Area Apartment Association • Licking County Apartment Association
Muskingum Apartment Owners Association • Home Builders Association of Greater Toledo • Northeast Ohio Apartment Association