

December 4, 2017

House Bill 390- Proponent Testimony
Financial Institutions, Housing, and Urban Development Committee

Chairman Dever, Vice-Chairman Sprague, Member Smith, and members of the Financial Institutions, Housing, and Urban Development Committee thank you for the opportunity to present testimony for House Bill 390. Our office represents the interests of the Ohio and Columbus Apartment Associations. My practice focuses on the multi-family community in Central Ohio and around the State. Our office represents approximately 70,000 residential rental units in Central Ohio and surrounding areas. The Ohio Apartment Association is representative of over 500,000 residential rental units throughout Ohio. As a consequence of the fact that our office represents this volume of multi-family operators in the State, we deal with landlord and tenant issues constantly. Our office files approximately 600 evictions per month in more than ten (10) counties around the state.

Many of my clients and the constituency of OAA and CAA operate residential multi-family apartment complexes in various counties throughout the state. For example, we have one member who has a multi-family complex which is physically in Fairfield, Licking and Franklin Counties. At this point in time, the statutory interpretation of how to calculate time relative to the 3 day notice varies from County to County. As a result, our clients and members are often required to vary their business practices, sometimes at the same apartment complex, depending on what county they find themselves in. We live in a digitized era where many multi-family operators seek to standardize their forms in a cloud based system over counties, states and even countries. As a result, many of our members have an Ohio Eviction Process. Unfortunately, the disparity between counties in calculating three (3) days pursuant to R.C. § 1923.04 can often give rise to countersuits and trials due to a difference of one (1) day in counting a three (3) day time frame.

As a result, the Ohio Apartment Association is in favor of HB 390 which would standardize the eviction process during the termination notice and execution process. In addition, this legislation would have the effect of quelling any argument that Civil Rule 6 applies to the expedited proceedings contemplated by Chapter 1923 of the Ohio Revised Code.

I appreciate the opportunity to discuss this matter with you.