

**As Reported by the House Financial Institutions, Housing, and Urban
Development Committee**

132nd General Assembly

**Regular Session
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Sub. H. B. No. 390

Representative Merrin

A BILL

To amend sections 1923.04, 1923.14, 3735.31, 1
3735.33, 3735.40, 3735.41, and 5321.17 and to 2
enact sections 4781.401 and 5311.192 of the 3
Revised Code to clarify how to calculate certain 4
timelines under which a forcible entry and 5
detainer action must occur, to make changes to 6
the law related to metropolitan housing 7
authorities, and to prohibit condominium 8
associations and manufactured home park 9
operators from restricting certain electric 10
vehicle charging stations. 11

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1923.04, 1923.14, 3735.31, 12
3735.33, 3735.40, 3735.41, and 5321.17 be amended and sections 13
4781.401 and 5311.192 of the Revised Code be enacted to read as 14
follows: 15

Sec. 1923.04. (A) Except as provided in division (B) or 16
(C) of this section, a party desiring to commence an action 17
under this chapter shall notify the adverse party to leave the 18
premises, for the possession of which the action is about to be 19

brought, three or more days before beginning the action, by 20
certified mail, return receipt requested, or by handing a 21
written copy of the notice to the defendant in person, or by 22
leaving it at the defendant's usual place of abode or at the 23
premises from which the defendant is sought to be evicted. The 24
three-day period shall begin on the day immediately following 25
the day the notice is delivered and, notwithstanding section 26
1.14 of the Revised Code, shall count all intervening days 27
including Saturdays, Sundays, and legal holidays. 28

Every notice given under this section by a landlord to 29
recover residential premises shall contain the following 30
language printed or written in a conspicuous manner: "You are 31
being asked to leave the premises. If you do not leave, an 32
eviction action may be initiated against you. If you are in 33
doubt regarding your legal rights and obligations as a tenant, 34
it is recommended that you seek legal assistance." 35

(B) The service of notice pursuant to section 5313.06 of 36
the Revised Code constitutes compliance with the notice 37
requirement of division (A) of this section. The service of the 38
notice required by division (C) of section 5321.17 of the 39
Revised Code constitutes compliance with the notice requirement 40
of division (A) of this section. 41

(C) If the adverse party in an action under this chapter 42
is a deceased resident of a manufactured home park, the notice 43
required by division (A) of this section shall be left at the 44
premises from which the defendant is sought to be evicted and 45
also shall be sent by ordinary mail to the following persons if 46
their names and addresses are known to the park operator: 47

(1) If a probate court has granted letters testamentary or 48
of administration for the estate of the adverse party in 49

accordance with Title XXI of the Revised Code, the executor or 50
administrator appointed by the probate court; 51

(2) The deceased resident's spouse and any other members 52
of the deceased resident's immediate family. 53

Sec. 1923.14. (A) Except as otherwise provided in this 54
section, within ten days after receiving a writ of execution 55
described in division (A) or (B) of section 1923.13 of the 56
Revised Code, the sheriff, police officer, constable, or bailiff 57
shall execute it by restoring the plaintiff to the possession of 58
the premises, and shall levy and collect reasonable costs, not 59
to exceed the standard motion fee, and make return, as upon 60
other executions. The ten-day period shall begin on the day 61
immediately following the day the writ is received by the 62
sheriff, police officer, constable, or bailiff and, 63
notwithstanding section 1.14 of the Revised Code, shall count 64
all intervening days including Saturdays, Sundays, and legal 65
holidays. 66

If an appeal from the judgment of restitution is filed and 67
if, following the filing of the appeal, a stay of execution is 68
obtained and any required bond is filed with the court of common 69
pleas, municipal court, or county court, the judge of that court 70
immediately shall issue an order to the sheriff, police officer, 71
constable, or bailiff commanding the delay of all further 72
proceedings upon the execution. If the premises have been 73
restored to the plaintiff, the sheriff, police officer, 74
constable, or bailiff shall forthwith place the defendant in 75
possession of them, and return the writ with the sheriff's, 76
police officer's, constable's, or bailiff's proceedings and the 77
costs taxed on it. 78

(B) (1) After a municipal court or county court issues a 79

writ of execution described in division (B) of section 1923.13 80
of the Revised Code, the clerk of the court shall send by 81
regular mail, to the last known address of each person other 82
than the titled owner of the manufactured home, mobile home, or 83
recreational vehicle that is the subject of the writ who is 84
listed on the writ as having any outstanding right, title, or 85
interest in the home, vehicle, or personal property and to the 86
auditor and treasurer of the county in which the court is 87
located, a written notice that the home or vehicle potentially 88
may be sold, destroyed, or have its title transferred under the 89
circumstances described in division (B) (3) or (4) of this 90
section. A person having any outstanding right, title, or 91
interest in the home, vehicle, or personal property is not 92
required to consent to the notice required under this division 93
in order for the writ to be executed. 94

(2) Except as otherwise provided in this division, after 95
causing the defendant to be removed from the residential 96
premises of the manufactured home park, if necessary, by writ of 97
restitution, and receiving a writ of execution described in 98
division (B) of section 1923.13 of the Revised Code, in 99
accordance with the writ, the sheriff, police officer, 100
constable, or bailiff may cause the manufactured home, mobile 101
home, or recreational vehicle that is the subject of the writ, 102
and all personal property on the residential premises, to be 103
retained at their current location on the residential premises, 104
until they are claimed by the defendant or they are disposed of 105
in a manner authorized by division (B) (3), (4), or (6) of this 106
section or by another section of the Revised Code. 107

The park operator shall not be liable for any damage 108
caused by the park operator's removal of the manufactured home, 109
mobile home, or recreational vehicle or the removal of the 110

personal property from the residential premises, or for any 111
damage to the home, vehicle, or personal property during the 112
time the home, vehicle, or property remains abandoned or stored 113
in the manufactured home park, unless the damage is the result 114
of acts that the park operator or the park operator's agents or 115
employees performed with malicious purpose, in bad faith, or in 116
a wanton or reckless manner. The reasonable costs for a removal 117
of the manufactured home, mobile home, or recreational vehicle 118
and personal property and, as applicable, the reasonable costs 119
for its storage shall constitute a lien upon the home or vehicle 120
payable by the titled owner of the home or vehicle or payable 121
pursuant to division (B) (3) of this section to the park 122
operator. 123

The sheriff, police officer, constable, or bailiff shall 124
not be liable for any damage caused by the park operator's 125
removal of the manufactured home, mobile home, or recreational 126
vehicle or the removal of the personal property from the 127
residential premises, or for any damage to the home, vehicle, or 128
personal property during the time the home, vehicle, or property 129
remains abandoned or stored in the manufactured home park. 130

(3) Except as provided in divisions (B) (4), (5), and (6) 131
of this section and division (D) of section 1923.12 of the 132
Revised Code, within sixty days after receiving a writ of 133
execution described in division (B) of section 1923.13 of the 134
Revised Code for a manufactured home, mobile home, or 135
recreational vehicle, determined to have a value of more than 136
three thousand dollars, the sheriff, police officer, constable, 137
or bailiff shall commence proceedings for the sale of the 138
manufactured home, mobile home, or recreational vehicle that is 139
the subject of the writ, and the abandoned personal property on 140
the residential premises, if the home or vehicle is determined 141

to be abandoned in accordance with the procedures for the sale 142
of goods on execution under Chapter 2329. of the Revised Code. 143
In addition to all notices required to be given under section 144
2329.13 of the Revised Code, the sheriff, police officer, 145
constable, or bailiff shall serve at their respective last known 146
addresses a written notice of the date, time, and place of the 147
sale upon all persons who are listed on the writ of execution as 148
having any outstanding right, title, or interest in the 149
abandoned manufactured home, mobile home, or recreational 150
vehicle and the personal property and shall provide written 151
notice to the auditor and the treasurer of the county in which 152
the court issuing the writ is located. 153

Unless the proceedings are governed by division (D) of 154
section 1923.12 of the Revised Code, notwithstanding any 155
statutory provision to the contrary, including, but not limited 156
to, section 2329.66 of the Revised Code, there shall be no stay 157
of execution or exemption from levy or sale on execution 158
available to the titled owner of the abandoned manufactured 159
home, mobile home, or recreational vehicle in relation to a sale 160
under this division. Except as otherwise provided in sections 161
2113.031, 2117.25, and 5162.21 of the Revised Code in a case 162
involving a deceased resident or resident's estate, the sheriff, 163
police officer, constable, or bailiff shall distribute the 164
proceeds from the sale of an abandoned manufactured home, mobile 165
home, or recreational vehicle and any personal property under 166
this division in the following manner: 167

(a) The sheriff, police officer, constable, or bailiff 168
shall first pay the costs for any moving of and any storage 169
outside the manufactured home park of the home or vehicle and 170
any personal property pursuant to division (B)(2) of this 171
section, the costs of the sale, any advertising expenses paid by 172

the park operator for the sale of the manufactured home, mobile 173
home, or recreational vehicle under division (B) (3) of this 174
section, and any unpaid court costs assessed against the 175
defendant in the underlying action. 176

(b) Following the payment required by division (B) (3) (a) 177
of this section, the sheriff, police officer, constable, or 178
bailiff shall pay all outstanding tax liens on the home or 179
vehicle. 180

(c) Following the payment required by division (B) (3) (b) 181
of this section, the sheriff, police officer, constable, or 182
bailiff shall pay all other outstanding security interests, 183
liens, or encumbrances on the home or vehicle by priority of 184
filing or other priority. 185

(d) Following the payment required by division (B) (3) (c) 186
of this section, the sheriff, police officer, constable, or 187
bailiff shall pay any outstanding monetary judgment rendered 188
under section 1923.09 or 1923.11 of the Revised Code in favor of 189
the plaintiff and any costs associated with retaining the home 190
or vehicle prior to the sale at its location on the residential 191
premises within the manufactured home park pursuant to division 192
(B) (2) of this section. 193

(e) After complying with divisions (B) (3) (a) to (d) of 194
this section, the sheriff, police officer, constable, or bailiff 195
shall report any remaining money as unclaimed funds pursuant to 196
Chapter 169. of the Revised Code. 197

Upon the return of any writ of execution for the 198
satisfaction of which an abandoned manufactured home, mobile 199
home, or recreational vehicle has been sold under this division, 200
on careful examination of the proceedings of the sheriff, police 201

officer, constable, or bailiff conducting the sale, if the court 202
that issued the writ finds that the sale was made, in all 203
respects, in conformity with this division, the court shall 204
direct the clerk of the court to make an entry on the journal 205
that the court is satisfied with the legality of the sale and 206
order the clerk of the court of common pleas title division to 207
issue a certificate of title, free and clear of all security 208
interests, liens, and encumbrances, to the purchaser of the home 209
or vehicle. If the manufactured home, mobile home, or 210
recreational vehicle sold under this division is located in a 211
manufactured home park, the purchaser of the home or vehicle 212
shall have no right to maintain the home or vehicle in the 213
manufactured home park without the park operator's consent and 214
the sheriff, police officer, constable, or bailiff conducting 215
the sale shall notify all prospective purchasers of this fact 216
prior to the commencement of the sale. 217

If, after it is offered for sale on two occasions under 218
this division, the abandoned manufactured home, mobile home, or 219
recreational vehicle cannot be sold due to a want of bidders, 220
the sheriff, police officer, constable, or bailiff shall present 221
the writ of execution unsatisfied to the clerk of the court of 222
common pleas title division, of the county in which the writ was 223
issued for the issuance by the clerk in the manner prescribed in 224
section 4505.10 of the Revised Code of a certificate of title 225
transferring the title of the home or vehicle to the plaintiff, 226
free and clear of all security interests, liens, and 227
encumbrances. If any taxes are owed on the home or vehicle at 228
this time, the county auditor shall remove the delinquent taxes 229
from the manufactured home tax list and the delinquent 230
manufactured home tax list and remit any penalties for late 231
payment of manufactured home taxes. Acceptance of the 232

certificate of title by the plaintiff terminates all further 233
proceedings under this section. In accordance with division (E) 234
(3) of section 4503.061 of the Revised Code, the plaintiff shall 235
notify the county auditor of the transfer of title. Pursuant to 236
section 4503.061 of the Revised Code, if the manufactured home, 237
mobile home, or recreational vehicle is destroyed or removed, 238
the plaintiff shall provide the county auditor with notice of 239
removal or destruction of the manufactured home, mobile home, or 240
recreational vehicle. 241

(4) Except as provided in division (B) (5) or (6) of this 242
section and division (D) of section 1923.12 of the Revised Code, 243
within thirty days after receiving a writ of execution described 244
in division (B) of section 1923.13 of the Revised Code, if the 245
manufactured home, mobile home, or recreational vehicle is 246
determined to be abandoned and to have a value of three thousand 247
dollars or less, the sheriff, police officer, constable, or 248
bailiff shall present the writ of execution to the clerk of the 249
court of common pleas title division, of the county in which the 250
writ was issued for the issuance by the clerk in the manner 251
prescribed in section 4505.10 of the Revised Code of a 252
certificate of title transferring the title of the home or 253
vehicle to the plaintiff, free and clear of all security 254
interests, liens, and encumbrances. If any taxes are owed on the 255
home or vehicle at this time, the county auditor shall remove 256
the delinquent taxes from the manufactured home tax list and the 257
delinquent manufactured home tax list and remit any penalties 258
for late payment of manufactured home taxes. Acceptance of the 259
certificate of title by the plaintiff terminates all further 260
proceedings under this section. In accordance with division (E) 261
(3) of section 4503.061 of the Revised Code, the plaintiff shall 262
notify the county auditor of the transfer of title. Pursuant to 263

section 4503.0611 of the Revised Code, if the manufactured home, 264
mobile home, or recreational vehicle is destroyed or removed, 265
the plaintiff shall provide the county auditor with notice of 266
removal or destruction of the manufactured home, mobile home, or 267
recreational vehicle. 268

(5) At any time prior to the issuance of the writ of 269
execution described in division (B) of section 1923.13 of the 270
Revised Code, the titled owner of the manufactured home, mobile 271
home, or recreational vehicle that would be the subject of the 272
writ may remove the abandoned home or vehicle from the 273
manufactured home park upon payment to the county auditor of all 274
outstanding tax liens on the home or vehicle and, unless the 275
owner is indigent, payment to the clerk of court of all unpaid 276
court costs assessed against the defendant in the underlying 277
action. After the issuance of the writ of execution, the titled 278
owner of the home or vehicle may remove the abandoned home or 279
vehicle from the manufactured home park at any time up to the 280
day before the scheduled sale, destruction, or transfer of the 281
home or vehicle pursuant to division (B)(3) or (4) of this 282
section upon payment of all of the following: 283

(a) All costs incurred by the sheriff, police officer, 284
constable, or bailiff; 285

(b) All outstanding tax liens on the home or vehicle; 286

(c) Unless the owner is indigent, all unpaid court costs 287
assessed against the defendant in the underlying action. 288

(6) At any time after the issuance of the writ of 289
execution described in division (B) of section 1923.13 of the 290
Revised Code, the holder of any outstanding lien, right, title, 291
or interest in the manufactured home, mobile home, or 292

recreational vehicle, other than the titled owner of the home or 293
vehicle, may stop the sheriff, police officer, constable, or 294
bailiff from proceeding with the sale under this division by 295
doing both of the following: 296

(a) Commencing a proceeding to repossess the home or 297
vehicle pursuant to Chapters 1309. and 1317. of the Revised 298
Code; 299

(b) Paying to the park operator all monthly rental 300
payments for the lot on which the home or vehicle is located 301
from the time of the issuance of the writ of execution until the 302
time that the home or vehicle is sold pursuant to Chapters 1309. 303
and 1317. of the Revised Code. 304

(7) (a) At any time prior to the day before the scheduled 305
sale of the property pursuant to division (B) (3) of this 306
section, the defendant may remove any personal property of the 307
defendant from the abandoned home or vehicle or other place of 308
storage. 309

(b) If personal property owned by a person other than the 310
defendant is abandoned on the residential premises and has not 311
previously been removed, the owner of the personal property may 312
remove the personal property from the abandoned home or vehicle 313
or other place of storage up to the day before the scheduled 314
sale of the property pursuant to division (B) (3) of this section 315
upon presentation of proof of ownership of the property that is 316
satisfactory to the sheriff, police officer, constable, or 317
bailiff conducting the sale. 318

Sec. 3735.31. A metropolitan housing authority created 319
under sections 3735.27 to 3735.50 of the Revised Code 320
constitutes a body corporate and politic. Nothing in this 321

chapter shall limit the authority of a metropolitan housing 322
authority, or a nonprofit corporation formed by a metropolitan 323
housing authority to carry out its functions, to compete for and 324
perform federal housing contracts or grants within or outside 325
this state. To clear, plan, redevelop, and rebuild slum areas 326
within the district in which the authority is created, ; to 327
provide safe and sanitary housing accommodations to families of 328
low income within that district, ; to make available, acquire, 329
construct, improve, manage, lease, or own mixed-use or mixed- 330
income developments, or a combination of such developments; or 331
to accomplish any combination of the foregoing purposes, the 332
authority may do any of the following: 333

(A) Sue and be sued; have a seal; have corporate 334
succession; receive grants from state, federal, or other 335
governments, or from private sources; conduct investigations 336
into housing and living conditions; enter any buildings or 337
property in order to conduct its investigations; conduct 338
examinations, subpoena, and require the attendance of witnesses 339
and the production of books and papers; issue commissions for 340
the examination of witnesses who are out of the state or unable 341
to attend before the authority or excused from attendance; and 342
in connection with these powers, any member of the authority may 343
administer oaths, take affidavits, and issue subpoenas; 344

(B) Determine what areas constitute slum areas, and 345
prepare plans for housing or other projects in those areas; 346
purchase, lease, sell, exchange, transfer, assign, or mortgage 347
any property, real or personal, or any interest in that 348
property, or acquire the same by gift, bequest, or eminent 349
domain; own, hold, clear, and improve property; provide and set 350
aside housing projects, or dwelling units comprising portions of 351
housing projects, designed especially for the use of families, 352

the head of which or the spouse of which is sixty-five years of 353
age or older; engage in, or contract for, the construction, 354
reconstruction, alteration, or repair, or both, of any housing 355
project or part of any housing project; participate in 356
partnerships or joint ventures relating to the development or 357
redevelopment of housing or projects with other public or 358
private entities; include in any contract let in connection with 359
a project, stipulations requiring that the contractor and any 360
subcontractors comply with requirements as to minimum wages and 361
maximum hours of labor, and comply with any conditions that the 362
federal government has attached to its financial aid of the 363
project; lease or operate, or both, any project, and establish 364
or revise schedules of rents for any projects or part of any 365
project; arrange with the county or municipal corporations, or 366
both, for the planning and replanning of streets, alleys, and 367
other public places or facilities in connection with any area or 368
project; borrow money upon its notes, debentures, or other 369
evidences of indebtedness, and secure the same by mortgages upon 370
property held or to be held by it, or by pledge of its revenues, 371
or in any other manner; invest any funds held in reserves or 372
sinking funds or not required for immediate disbursements; enter 373
into a shared service agreement with another metropolitan 374
housing authority; execute contracts and all other instruments 375
necessary or convenient to the exercise of the powers granted in 376
this section; make, amend, and repeal bylaws and rules to carry 377
into effect its powers and purposes; 378

(C) Borrow money or accept grants or other financial 379
assistance from the federal government for or in aid of any 380
housing project within its territorial limits; take over or 381
lease or manage any housing project or undertaking constructed 382
or owned by the federal government; comply with any conditions 383

and enter into any mortgages, trust indentures, leases, or 384
agreements that are necessary, convenient, or desirable; 385

(D) Subject to section 3735.311 of the Revised Code, 386
employ a police force to protect the lives and property of the 387
residents of housing projects within the district, to preserve 388
the peace in the housing projects, and to enforce the laws, 389
ordinances, and regulations of this state and its political 390
subdivisions in the housing projects and, when authorized by 391
law, outside the limits of the housing projects. 392

(E) Enter into an agreement with a county, municipal 393
corporation, or township in whose jurisdiction the metropolitan 394
housing authority is located that permits metropolitan housing 395
authority police officers employed under division (D) of this 396
section to exercise full arrest powers as provided in section 397
2935.03 of the Revised Code, perform any police function, 398
exercise any police power, or render any police service within 399
specified areas of the county, municipal corporation, or 400
township for the purpose of preserving the peace and enforcing 401
all laws of the state, ordinances of the municipal corporation, 402
or regulations of the township. 403

Sec. 3735.33. Any two or more metropolitan housing 404
authorities created under sections 3735.27 to 3735.50 of the 405
Revised Code, may join or cooperate with one another in the 406
exercise, either jointly or otherwise, of any or all of their 407
powers relative to the purpose of financing as provided in 408
sections 3735.31 and 3735.45 to 3735.49 of the Revised Code. The 409
moneys received from such joint or cooperative financing may be 410
used for planning, undertaking, owning, constructing, operating, 411
or contracting with respect to a housing project or projects 412
located within the area of operation of any one or more of the 413

authorities. An authority may by resolution prescribe and 414
authorize any other authority or authorities, joining or 415
cooperating with it, to act on its behalf with respect to any or 416
all powers relative to the purpose of financing, as its agent or 417
otherwise, in the name of the authority or authorities so 418
joining or cooperating, or in its own name. 419

Any two or more metropolitan housing authorities created 420
under sections 3735.27 to 3735.50 of the Revised Code may enter 421
into a shared service agreement. 422

A metropolitan housing authority may provide, consult, or 423
contract to provide to other metropolitan housing authorities, 424
public housing authorities, or nonprofit organizations formed 425
inside or outside of this state, or to government agencies, 426
housing-related knowledge, technology, or expertise for any of 427
the following: 428

(A) The development or redevelopment of housing projects; 429

(B) The performance of federal housing contracts or 430
grants; 431

(C) Any matter related to the efficient operation of 432
housing projects. 433

Sec. 3735.40. As used in sections 3735.27, 3735.31, and 434
3735.40 to 3735.50 of the Revised Code: 435

(A) "Federal government" includes the United States, the 436
federal works administrator, or any other agency or 437
instrumentality, corporate or otherwise, of the United States. 438

(B) "Slum" has the meaning defined in section 1.08 of the 439
Revised Code. 440

(C) "Housing project" or "project" means any of the 441

following works or undertakings:	442
(1) Demolish, clear, or remove, <u>or redevelop</u> buildings	443
from any slum area. Such work or undertaking may embrace the	444
adaptation of such area to public purposes, including parks or	445
other recreational or community purposes.	446
(2) Provide decent, safe, and sanitary urban or rural	447
dwellings, apartments, or other living accommodations for	448
persons of low income.	449
(3) Provide for buildings, land, equipment, facilities,	450
and other real or personal property for necessary, convenient,	451
or desirable appurtenances, streets, sewers, water service,	452
parks, site preparation, gardening, administrative, community,	453
health, recreational, educational, welfare, commercial,	454
residential, or other purposes.	455
(4) <u>Provide for mixed-income developments.</u>	456
(5) <u>Provide for mixed-use developments.</u>	457
(6) Accomplish a combination of the foregoing. "Housing	458
project" also may be applied to the planning of the buildings	459
and improvements, the acquisition of property, the demolition of	460
existing structures, the construction, reconstruction,	461
alteration, and repair of the improvements, and all other work	462
in connection therewith.	463
(D) "Families of low income" means <u>and "persons of low</u>	464
<u>income" mean</u> persons or families who lack the amount of income	465
which is necessary, as determined by the metropolitan housing	466
authority undertaking the housing project, to enable them,	467
without financial assistance, to live in decent, safe, and	468
sanitary dwellings, without overcrowding. <u>The terms include</u>	469
<u>persons or families as defined by federal law or regulations who</u>	470

are eligible for a federally derived rent subsidy. 471

(E) "Families" means families consisting of two or more 472
persons, a single person who has attained the age at which an 473
individual may elect to receive an old age benefit under Title 474
II of the "Social Security Act" or is under disability as 475
defined in section 223 of that act, 49 Stat. 622 (1935), 42 476
U.S.C.A. 401, as amended, or the remaining member of a tenant 477
family. 478

(F) "Families" also means a single person discharged by 479
the head of a hospital pursuant to section 5122.21 of the 480
Revised Code after March 10, 1964. 481

(G) "Mixed-income development" means a development that 482
provides decent, safe, and sanitary urban or rural dwellings, 483
apartments, or other living accommodations for persons or 484
families of varying incomes, including but not limited to, 485
families of low income. 486

(H) "Mixed-use development" means a development that is 487
both residential and nonresidential in character. 488

Sec. 3735.41. Except as otherwise provided in ~~section~~ 489
~~sections 3735.27 to 3735.43~~ of the Revised Code, in the 490
~~operation or management of housing projects~~ use of federally 491
derived rent subsidies a metropolitan housing authority shall 492
observe the following with respect to rentals and tenant 493
selection: 494

(A) (1) It shall not provide a federally derived rent 495
subsidy to any tenant for any dwelling in a housing project if 496
the persons who would occupy the dwelling have an aggregate 497
annual net income that equals or exceeds the amount that the 498
authority determines to be necessary to enable such persons to 499

do both of the following:	500
(a) Secure safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority;	501 502
(b) Provide an adequate standard of living for themselves.	503
(2) As used in this division, "aggregate annual net income" means the aggregate annual income less the deductions and exemptions from that income authorized by law or regulations established by the United States department of housing and urban development.	504 505 506 507 508
(B) It may <u>use a federally derived rent subsidy to rent or lease the, to a tenant, dwelling accommodations therein</u> only at rentals within the financial reach of persons who lack the amount of income which it determines, pursuant to division (A) of this section, to be necessary in order to obtain safe, sanitary, and uncongested dwelling accommodations within the area of operation of the authority and to provide an adequate standard of living.	509 510 511 512 513 514 515 516
(C) It may use a federally derived rent subsidy to rent or lease to a tenant a dwelling consisting of the number of rooms, but no greater number, which it considers necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding.	517 518 519 520 521
(D) <u>Notwithstanding any other provision in this section, it may always provide a federally derived rent subsidy to a tenant who is eligible for a federally derived rent subsidy under the laws or regulations established by the United States department of housing and urban development.</u>	522 523 524 525 526
Sections 3735.27 to 3735.50 of the Revised Code do not limit the power of an authority to vest in a bondholder the	527 528

right, in the event of a default by such authority, to take 529
possession of a housing project or cause the appointment of a 530
receiver thereof or acquire title thereto through foreclosure 531
proceedings, free from all the restrictions imposed by such 532
sections. 533

Sec. 4781.401. (A) As used in this section: 534

(1) "Charging level" means the standardized indicators of 535
electrical force, or voltage, at which an electric vehicle's 536
battery is recharged. The terms "level-one," "level-two," and 537
"level-three" include the following specifications: 538

(a) "Level-one" means voltage from the range of zero 539
through one hundred twenty volts. 540

(b) "Level-two" means voltage from one hundred twenty 541
through two hundred forty volts. 542

(c) "Level-three" means voltage greater than two hundred 543
forty volts. 544

(2) "Designated parking space" includes, but is not 545
limited to, a parking space on an owner's or tenant's 546
manufactured home park lot, or a parking space that is 547
specifically designated for use by a particular owner or tenant. 548

(3) "Electric vehicle charging station" means a station 549
that delivers electricity from a source outside an electric 550
vehicle into one or more electric vehicles. An electric vehicle 551
charging station may include several charge points 552
simultaneously connecting several electric vehicles to the 553
station and any related equipment needed to facilitate charging 554
plug-in electric vehicles. 555

(4) "Reasonable restriction" means a restriction that does 556

not significantly increase the cost of the construction or use 557
of an electric vehicle charging station or significantly 558
decrease its efficiency or specified performance. 559

(B) (1) No deed restriction, rule, rental agreement, or 560
development plan of a manufactured home park shall prohibit the 561
construction of, or unreasonably inhibit the construction or use 562
of, a level-one or level-two electric vehicle charging station 563
in an owner's or tenant's designated parking space. No electric 564
charging station constructed by a manufactured home park 565
operator in either a common parking area or an owner's or 566
tenant's designated parking space shall place an unreasonable 567
restriction on the use of the station by an owner or tenant. 568

(2) A deed restriction, rule, rental agreement, or 569
development plan of a manufactured home park that conflicts with 570
division (B) (1) of this section is void and unenforceable. 571

(3) This section does not apply to a deed restriction, 572
rule, rental agreement, or development plan of a manufactured 573
home park that imposes a reasonable restriction on an electric 574
vehicle charging station. 575

(C) (1) Before an owner, tenant, or the park operator 576
constructs an electric charging station on or after the 577
effective date of this section, the park operator shall adopt 578
standards regarding an electric vehicle charging station. The 579
park operator shall not unreasonably delay the adoption of such 580
standards. If a park operator, owner, or tenant already has 581
constructed an electric charging station, the park operator 582
shall adopt the standards within one hundred eighty days of the 583
effective date of this section. 584

(2) The standards shall comply with division (B) of this 585

section and shall be included in a deed restriction, rule, 586
rental agreement, or development plan of the manufactured home 587
park. The standards, at a minimum, shall require the owner or 588
tenant to be responsible for all of the following regarding the 589
electric vehicle charging station, if the electric charging 590
station is constructed in an owner's or tenant's designated 591
parking space: 592

(a) The cost of electricity; 593

(b) Maintenance and repair; 594

(c) Insurance; 595

(d) The cost of construction. 596

Sec. 5311.192. (A) As used in this section: 597

(1) "Charging level" means the standardized indicators of 598
electrical force, or voltage, at which an electric vehicle's 599
battery is recharged. The terms "level-one," "level-two," and 600
"level-three" include the following specifications: 601

(a) "Level-one" means voltage from the range of zero 602
through one hundred twenty volts. 603

(b) "Level-two" means voltage from one hundred twenty 604
through two hundred forty volts. 605

(c) "Level-three" means voltage greater than two hundred 606
forty volts. 607

(2) "Designated parking space" includes, but is not 608
limited to, a deeded parking space, a parking space in an 609
owner's exclusive use limited common element, or a parking space 610
that is specifically designated for use by a particular owner. 611

(3) "Electric vehicle charging station" means a station 612

that delivers electricity from a source outside an electric 613
vehicle into one or more electric vehicles. An electric vehicle 614
charging station may include several charge points 615
simultaneously connecting several electric vehicles to the 616
station and any related equipment needed to facilitate charging 617
plug-in electric vehicles. 618

(4) "Reasonable restriction" means a restriction that does 619
not significantly increase the cost of the construction or use 620
of an electric vehicle charging station or significantly 621
decrease its efficiency or specified performance. 622

(B) (1) No deed restriction, declaration, bylaw, drawing, 623
rule, regulation, or agreement of a condominium property shall 624
prohibit the construction of, or unreasonably inhibit the 625
construction or use of, a level-one or level-two electric 626
vehicle charging station in a unit owner's designated parking 627
space. No electric charging station constructed by a condominium 628
property's board of directors in either a common element, 629
limited common element, or a unit owner's designated parking 630
space shall place an unreasonable restriction on the use of the 631
station by a unit owner. 632

(2) A deed restriction, declaration, bylaw, drawing, rule, 633
regulation, or agreement of a condominium property that 634
conflicts with division (B) (1) of this section is void and 635
unenforceable. 636

(3) This section does not apply to a deed restriction, 637
declaration, bylaw, drawing, rule, regulation, or agreement of a 638
condominium property that imposes a reasonable restriction on an 639
electric vehicle charging station. 640

(C) (1) Before a unit owner or the board of directors 641

constructs an electric charging station on or after the 642
effective date of this section, the board of directors shall 643
adopt standards regarding an electric vehicle charging station. 644
The board shall not unreasonably delay the adoption of such 645
standards. If a condominium property already has constructed an 646
electric charging station, the board of directors shall adopt 647
the standards within one hundred eighty days of the effective 648
date of this section. 649

(2) The standards shall comply with division (B) of this 650
section and shall be included in a deed restriction, 651
declaration, bylaw, drawing, rule, regulation, or agreement of 652
the condominium property. The standards, at a minimum, shall 653
require the unit owner to be responsible for all of the 654
following regarding the electric vehicle charging station, if 655
the electric charging station is constructed in a unit owner's 656
designated parking space: 657

(a) The cost of electricity; 658

(b) Maintenance and repair; 659

(c) Insurance; 660

(d) The cost of construction. 661

Sec. 5321.17. (A) Except as provided in division (C) of 662
this section, the landlord or the tenant may terminate or fail 663
to renew a week-to-week tenancy by notice given the other at 664
least seven days prior to the termination date specified in the 665
notice. 666

(B) Except as provided in division (C) of this section, 667
the landlord or the tenant may terminate or fail to renew a 668
month-to-month tenancy by notice given the other at least thirty 669
days prior to the periodic rental date. 670

(C) (1) If a tenant violates division (A) (9) of section 5321.05 of the Revised Code and if the landlord has actual knowledge of or has reasonable cause to believe that the tenant, any person in the tenant's household, or any person on the residential premises with the consent of the tenant previously has or presently is engaged in a violation as described in division (A) (6) (a) (i) of section 1923.02 of the Revised Code, the landlord shall terminate the week-to-week tenancy, month-to-month tenancy, or other rental agreement with the tenant by giving a notice of termination to the tenant in accordance with this division. The notice shall specify that the tenancy or other rental agreement is terminated three days after the giving of the notice, and the landlord may give the notice whether or not the tenant or other person has been charged with, has pleaded guilty to or been convicted of, or has been determined to be a delinquent child for an act that, if committed by an adult, would be a violation as described in division (A) (6) (a) (i) of section 1923.02 of the Revised Code. If the tenant fails to vacate the premises within three days after the giving of that notice, then the landlord promptly shall comply with division (A) (9) of section 5321.04 of the Revised Code. For purposes of this division, actual knowledge or reasonable cause to believe as described in this division shall be determined in accordance with division (A) (6) (a) (i) of section 1923.02 of the Revised Code.

(2) The three-day period described in division (C) (1) of this section shall begin on the day immediately following the day the notice is delivered and, notwithstanding section 1.14 of the Revised Code, shall count all intervening days including Saturdays, Sundays, and legal holidays.

(D) This section does not apply to a termination based on

the breach of a condition of a rental agreement or the breach of 702
a duty and obligation imposed by law, except that it does apply 703
to a breach of the obligation imposed upon a tenant by division 704
(A) (9) of section 5321.05 of the Revised Code. 705

Section 2. That existing sections 1923.04, 1923.14, 706
3735.31, 3735.33, 3735.40, 3735.41, and 5321.17 of the Revised 707
Code are hereby repealed. 708