

_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "1923.01 and 1923.05" 1
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In line _____ of the title, after "_____" insert ", and to prohibit landlords from listing a minor as a defendant in a forcible entry and detainer action." 3
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After line _____, insert: 6

"**Section 1.** That sections 1923.01 and 1923.05 of the Revised Code be amended to read as follows: 7
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Sec. 1923.01. (A) As provided in this chapter, any judge of a county or municipal court or a court of common pleas, within the judge's proper area of jurisdiction, may inquire about persons who make unlawful and forcible entry into lands or tenements and detain them, and about persons who make a lawful and peaceable entry into lands or tenements and hold them unlawfully and by force. If, upon the inquiry, it is found that an unlawful and forcible entry has been made and the lands or tenements are detained, or that, after a lawful entry, lands or tenements are held unlawfully and by force, a judge shall cause the plaintiff in an action under this chapter to have restitution of the lands or tenements. 9
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(B) An action shall be brought under this chapter within two years after the cause of action accrues. 21
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(C) As used in this chapter:	23
(1) "Tenant" means a person who is entitled under a rental agreement to the use or occupancy of premises, other than premises located in a manufactured home park, to the exclusion of others, except that as used in division (A)(6) of section 1923.02 and section 1923.051 of the Revised Code, "tenant" includes a manufactured home park resident.	24 25 26 27 28 29
(2) "Landlord" means the owner, lessor, or sublessor of premises, or the agent or person the landlord authorizes to manage premises or to receive rent from a tenant under a rental agreement, except, if required by the facts of the action to which the term is applied, "landlord" means a park operator.	30 31 32 33 34
(3) "Resident" has the same meaning as in section 4781.01 of the Revised Code.	35 36
(4) "Residential premises" has the same meaning as in section 5321.01 of the Revised Code, except, if required by the facts of the action to which the term is applied, "residential premises" has the same meaning as in section 4781.01 of the Revised Code.	37 38 39 40 41
(5) "Rental agreement" means any agreement or lease, written or oral, that establishes or modifies the terms, conditions, rules, or other provisions concerning the use or occupancy of premises by one of the parties to the agreement or lease, except that "rental agreement," as used in division (A)(13) of section 1923.02 of the Revised Code and where the context requires as used in this chapter, means a rental agreement as defined in division (D) of section 5322.01 of the Revised Code.	42 43 44 45 46 47 48 49 50
(6) "Controlled substance" has the same meaning as in	51

section 3719.01 of the Revised Code.	52
(7) "School premises" has the same meaning as in section 2925.01 of the Revised Code.	53 54
(8) "Sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.	55 56 57
(9) "Recreational vehicle" and "mobile home" have the same meanings as in section 4501.01 of the Revised Code.	58 59
(10) "Manufactured home" has the same meaning as in section 3781.06 of the Revised Code.	60 61
(11) "Manufactured home park" has the same meaning as in section 4781.01 of the Revised Code and also means any tract of land upon which one or two manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes, pursuant to rental agreements between the owners of the manufactured or mobile homes and the owner of the tract of land.	62 63 64 65 66 67 68
(12) "Park operator" has the same meaning as in section 4781.01 of the Revised Code and also means a landlord of premises upon which one or two manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes, pursuant to rental agreements between the owners of the manufactured or mobile homes and a landlord who is not licensed as a manufactured home park operator pursuant to Chapter 4781. of the Revised Code.	69 70 71 72 73 74 75 76
(13) "Personal property" means tangible personal property other than a manufactured home, mobile home, or recreational vehicle that is the subject of an action under this chapter.	77 78 79

(14) "Preschool or child care center premises" has the 80
same meaning as in section 2950.034 of the Revised Code. 81

(15) "Minor tenant" means a tenant under eighteen years of 82
age who is not emancipated. 83

Sec. 1923.05. (A) The summons shall not issue in an action 84
under this chapter until the plaintiff files ~~his~~ a complaint in 85
writing with the court. The complaint shall particularly 86
describe the premises so entered upon and detained, and set 87
forth either an unlawful and forcible entry and detention, or an 88
unlawful and forcible detention after a peacable or lawful entry 89
of the described premises. The complaint shall be copied into, 90
and made a part of the record. 91

(B) No person shall file an action under this chapter 92
listing a minor tenant as a defendant if a parent or adult 93
guardian is also listed as a defendant on the same complaint. 94

(C) The court shall dismiss without prejudice any action 95
filed in violation of division (B) of this section and order the 96
person that filed the action to pay the minor tenant's 97
reasonable attorneys' fees. 98

Section 2. That existing sections 1923.01 and 1923.05 of 99
the Revised Code are hereby repealed." 100

The motion was _____ agreed to.

SYNOPSIS 101

Prohibits listing a minor tenant as a defendant in an 102
eviction action 103

R.C. 1923.01 and 1923.05	104
Prohibits a person from listing a minor tenant as a	105
defendant in an eviction proceeding if a parent or adult	106
guardian is also listed as a defendant on the same complaint.	107
Defines a minor tenant as a tenant under 18 years old who	108
is not emancipated.	109
Requires the court where the eviction action is filed to	110
dismiss the action without prejudice and order the person who	111
filed the action to pay the minor tenant's reasonable attorneys'	112
fees.	113