

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections 1923.01, 1923.05, and" 1  
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In line 5 of the title, after "speech" insert "and to prohibit landlords from listing a minor as a defendant in a forcible entry and detainer action" 3  
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In line 6, delete "section" and insert "sections 1923.01, 1923.05, and" 6  
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After line 8, insert: 8

"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 9  
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tenements are held unlawfully and by force, a judge shall cause 18  
the plaintiff in an action under this chapter to have 19  
restitution of the lands or tenements. 20

(B) An action shall be brought under this chapter within 21  
two years after the cause of action accrues. 22

(C) As used in this chapter: 23

(1) "Tenant" means a person who is entitled under a rental 24  
agreement to the use or occupancy of premises, other than 25  
premises located in a manufactured home park, to the exclusion 26  
of others, except that as used in division (A) (6) of section 27  
1923.02 and section 1923.051 of the Revised Code, "tenant" 28  
includes a manufactured home park resident. 29

(2) "Landlord" means the owner, lessor, or sublessor of 30  
premises, or the agent or person the landlord authorizes to 31  
manage premises or to receive rent from a tenant under a rental 32  
agreement, except, if required by the facts of the action to 33  
which the term is applied, "landlord" means a park operator. 34

(3) "Resident" has the same meaning as in section 4781.01 35  
of the Revised Code. 36

(4) "Residential premises" has the same meaning as in 37  
section 5321.01 of the Revised Code, except, if required by the 38  
facts of the action to which the term is applied, "residential 39  
premises" has the same meaning as in section 4781.01 of the 40  
Revised Code. 41

(5) "Rental agreement" means any agreement or lease, 42  
written or oral, that establishes or modifies the terms, 43  
conditions, rules, or other provisions concerning the use or 44  
occupancy of premises by one of the parties to the agreement or 45

lease, except that "rental agreement," as used in division (A) 46  
(13) of section 1923.02 of the Revised Code and where the 47  
context requires as used in this chapter, means a rental 48  
agreement as defined in division (D) of section 5322.01 of the 49  
Revised Code. 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 53  
2925.01 of the Revised Code. 54

(8) "Sexually oriented offense" and "child-victim oriented 55  
offense" have the same meanings as in section 2950.01 of the 56  
Revised Code. 57

(9) "Recreational vehicle" and "mobile home" have the same 58  
meanings as in section 4501.01 of the Revised Code. 59

(10) "Manufactured home" has the same meaning as in 60  
section 3781.06 of the Revised Code. 61

(11) "Manufactured home park" has the same meaning as in 62  
section 4781.01 of the Revised Code and also means any tract of 63  
land upon which one or two manufactured or mobile homes used for 64  
habitation are parked, either free of charge or for revenue 65  
purposes, pursuant to rental agreements between the owners of 66  
the manufactured or mobile homes and the owner of the tract of 67  
land. 68

(12) "Park operator" has the same meaning as in section 69  
4781.01 of the Revised Code and also means a landlord of 70  
premises upon which one or two manufactured or mobile homes used 71  
for habitation are parked, either free of charge or for revenue 72  
purposes, pursuant to rental agreements between the owners of 73

the manufactured or mobile homes and a landlord who is not 74  
licensed as a manufactured home park operator pursuant to 75  
Chapter 4781. of the Revised Code. 76

(13) "Personal property" means tangible personal property 77  
other than a manufactured home, mobile home, or recreational 78  
vehicle that is the subject of an action under this chapter. 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 84  
action under this chapter until the plaintiff files ~~his~~ a 85  
complaint in writing with the court. The complaint shall 86  
particularly describe the premises so entered upon and detained, 87  
and set forth either an unlawful and forcible entry and 88  
detention, or an unlawful and forcible detention after a 89  
peaceable or lawful entry of the described premises. The 90  
complaint shall be copied into, 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

In line 230, delete "section" and insert "sections 1923.01, 1923.05, 99  
and" 100

In line 231, delete "is" and insert "are" 101

In line 232, delete "This" and insert "Section 2505.02 of the Revised Code as amended by this act and sections 2747.01, 2747.02, 2747.03, 2747.04, 2747.05, and 2747.06 of the Revised Code as enacted by this"

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Prohibits listing a minor tenant as a defendant in an eviction action**

**R.C. 1923.01 and 1923.05**

Prohibits a person from listing a minor tenant as a defendant in an eviction proceeding if a parent or adult guardian is also listed as a defendant on the same complaint.

Defines a minor tenant as a tenant under 18 years old who is not emancipated.

Requires the court where the eviction action is filed to dismiss the action without prejudice and order the person who filed the action to pay the minor tenant's reasonable attorneys' fees.