



**House Criminal Justice Committee
Proponent Testimony
House Bill 478
5/14/2024**

Chair Abrams, Vice Chair Williams, Ranking Member Brown, and members of the House Criminal Justice Committee, thank you for the opportunity to provide testimony in support of HB 478 on behalf of Ohio REALTORS®. Formed in 1910, Ohio REALTORS® is the state's largest professional trade organization with approximately 36,000 members representing both residential and commercial practitioners, as well as auctioneers and appraisers.

Ensuring the protection of private property rights is a fundamental value of Ohio REALTORS®. Squatters, who unlawfully occupy properties and make false ownership claims, disrupt the lives of rightful property owners and pose a pressing threat to our neighborhoods and housing market. It is imperative that we take decisive action to close legal loopholes that allow squatters to exploit the system, and HB 478 proposes measures to empower property owners in effectively addressing this issue.

Just this past March, an Ohio Realtor found himself unable to fulfill his professional duties due to the presence of a squatter in a property that he was attempting to show to a potential buyer. Despite leaving a 24-hour notice indicating his intention to access the property for a viewing, the squatter that was occupying the home would not allow the Realtor to enter, hindering the legitimate business activities of the homeowner.¹

HB 478 would allow a property owner to request the intervention of a county sheriff in immediately removing a squatter from their premises. It establishes a standardized form through which a property owner can request assistance and, if appropriate, grants the sheriff authority to arrest the squatter for trespassing.

Additionally, this bill would permit the property owner the option, upon payment of a fee, to request the sheriff's presence to maintain peace while changing locks and removing the squatter's belongings from the premises, thereby facilitating a safe transition. Importantly, this bill releases liability from both the sheriff and property owner for any damages or losses to the squatter's belongings that may occur during the removal process.

To address the severity of squatting, this legislation would classify the unlawful occupation of a residential dwelling as a first-degree misdemeanor, with penalties escalating to a fourth-degree felony if property damage exceeds \$5,000. These provisions aim to deter unlawful occupation and ensure accountability for any resulting harm to property.

Squatters also often resort to fraudulent tactics, such as forging documents, to assert false claims of tenancy or ownership after unlawfully entering a home. This bill addresses these deceptive practices by prohibiting the forging of documents to falsely represent legal

¹ [Squatter prevents possible buyer from entering house for sale: Olmsted Falls Police Blotter - cleveland.com](https://www.cleveland.com/news/ohio-realtor-prevents-buyer-from-entering-house-for-sale-olmsted-falls-police-blotter/)

occupancy. This language further criminalizes the advertisement and rental of properties by individuals who do not possess legal ownership: such acts would be classified as first-degree felonies. By codifying these prohibitions into Ohio law, this bill establishes clear legal safeguards against fraudulent property transactions.

Importantly, this legislation offers recourse to individuals wrongfully removed from property that they were legally leasing. Tenants subjected to wrongful removal would have the right to seek civil action that could lead to the restoration of possession of property and compensation for any damages incurred. These provisions ensure that those who are unjustly evicted have a legal avenue to find restitution and regain occupancy.

HB 478 is a necessary step towards addressing the pressing issue of squatting in our communities. By providing property owners with a streamlined procedure for removing unauthorized occupants and imposing stricter penalties for fraudulent behavior, this legislation upholds the essential principles of property rights and ensures the safety of our neighborhoods. Ohio REALTORS® supports the passage of this bill and commends Representative Edwards and Representative LaRe for bringing it forward. We appreciate your attention to this critical issue.

Sincerely,



Scott Williams
Chief Executive Officer
Ohio REALTORS®.