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## Testimony in Opposition to House Bill 480

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Ohio Poverty Law Center  
House Criminal Justice Committee  
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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 opposition to House Bill 480. My name is Zack Eckles, and I am an attorney at the Ohio Poverty Law Center (OPLC). Our mission is to reduce poverty and increase justice by protecting and expanding the legal rights of Ohioans living, working, and raising their families in poverty.

House Bill 480 is a solution in search of a problem that does not exist in Ohio. In Ohio Attorney General Opinion 2024-005 (attached) the Attorney General's Office concluded the following is true under current Ohio Law:

- 1. It is a criminal offense for a person to knowingly enter and occupy another's residence without any legal right or permission of the owner or lawful tenant.** This conduct, commonly known as "squatting," would constitute criminal trespass or a more serious offense based on trespass and related acts, depending on the perpetrator's actions and intent.
- 2. At the request of the owner or lawful tenant of a residence, a law enforcement officer may enter onto the property and arrest the trespasser** when there is probable cause for the arrest, although in some cases an officer may need to obtain an arrest warrant.
- 3. If property rights are reasonably in dispute or the law enforcement officer lacks probable cause for an arrest, the property owner may need to file an action for eviction,** in which case law enforcement officers must wait for a court to grant a writ of execution to remove the occupant.

House Bill 480 is completely unnecessary in the State of Ohio. Because the bills require an unlawful entry onto the property by the occupant, the conduct sought to be addressed is already covered by Ohio's criminal trespass laws. The new process proposed by the bills would create an unnecessary gray area between criminal trespass and the eviction process. The proposed process lacks sufficient due process and provides no opportunity for judicial review or legal representation before a person is removed from a property.

There is a significant risk that legitimate tenants could be wrongfully removed from their home without sufficient due process. This could happen intentionally by an unscrupulous landlord, or even unintentionally by a landowner who does not know Ohio landlord-tenant law. For example, if an out of state investor purchased a property without knowledge tenants were living on the property at the time of purchase they could, in good faith, have the tenants removed through the proposed process without filing an eviction as would be required by Ohio law. Tenants who do not have written lease agreements, do not know their rights under Ohio law, or do not speak English as their first language would have an extremely difficult time protecting themselves when Sheriffs arrive at the property to remove them and their personal belongings.

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Because this bill seeks to provide a solution to a problem that does not exist in Ohio at the risk of displacing low-income tenants, we would ask that you please oppose House Bill 480.

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