

**Ohio Access to Justice Foundation
Interested Party Testimony on Senate Bill 245
Before the Senate Select Committee on Housing**

Chair Reynolds, Vice Chair Johnson, and members of the Senate Select Committee on Housing, thank you for the opportunity to provide interested party testimony on Senate Bill 245. My name is Angie Lloyd, and I am the Executive Director of the Ohio Access to Justice Foundation.

The Foundation is a statewide nonprofit organization committed to funding civil legal aid and access to justice initiatives to help ensure fairness and access to justice for low-income Ohioans. The Foundation achieves its mission through the distribution of financial resources generated by the Interest on Lawyer Trust Accounts (IOLTA) and Interest on Trust Accounts (IOTA) programs, funds collected through a civil filing fee surcharge, and by raising additional dollars for civil legal aid and access to justice. Our testimony today is focused on the proposed Eviction Defense Fund within Senate Bill 245.

Stable housing is critical to individual and community success, and the current strain on housing is significant. The Foundation is deeply invested in legal work and programs that keep families stably housed. Legal services are some of the most impactful ways to stabilize housing not just for single families, but for whole communities. We sincerely appreciate and applaud the work of the Senate Select Committee on Housing, introduction of Senate Bill 245, and attention to Ohio's housing deficit overall.

We are pleased to see discussion of funding for civil legal services with SB 245 and would like to offer the following suggestions to the bill in its current form:

1. Expand the "Eviction Defense Fund" to the "Housing Legal Defense Fund."

While the Foundation believes that legal representation in eviction cases is pivotal, eviction defense only addresses one form of housing problem at a particular point in time. However, legal services can provide earlier interventions that can potentially prevent evictions, foreclosures, and neighborhood decline. Examples of these housing defense legal services include resolving tangled titles and home repair loans, neighborhood stabilization, foreclosure prevention, improving housing conditions, and property tax remediation.

Broadening SB 245 to support a housing legal defense fund allows additional housing support legal services that would include eviction defense and are consistent with the goals of the bill.

2. Remove amended sections 120.521 and 120.53 from the bill and instead create a new section (120.522) specifically for the Housing Legal Defense Fund.

This change prevents the new housing legal defense fund from being conflated with the current legal aid fund (120.521 and 120.53). This builds on the success of the structure of the legal aid fund and offers a cleaner structure for both funds.

3. Adjust fund definitions and eligibility.

The Foundation proposes changes that incorporate the definition of “covered individual” into the description of who the housing legal defense fund serves in section 120.531(A). The current draft sets an income threshold of 250 percent of the Federal Poverty Guidelines. We propose capping household income at 300 percent as this data is readily available from the American Community Survey. Additionally, we propose broadening eligibility by removing a requirement that at least one child resides in the home, which allows flexibility in service for other populations, such as disabled individuals or seniors.

4. Simplify the proposed changes in section 120.532 and direct funds to housing legal services through grants.

As currently drafted, SB 245 *requires* the Foundation to fund eviction defense for certain low-income individuals and creates definitions for covered circumstances. Truly, access to legal counsel is impactful; however, as currently drafted, the bill could sacrifice services in other important areas of civil legal aid, like help for survivors of domestic violence and foreclosure defense should the need for eviction services outpace any funding directed to it.

Rather than requiring funding for one specific legal issue, eviction, the Foundation proposes a framework modeled on the legal aid fund that will allow the Foundation to make grants for housing defense legal services. This flexibility will allow housing defense legal services to address not only evictions, but also, preserving home ownership and addressing housing conditions. It will also ensure that housing preservation work can be done without impacting current levels of service in other areas.

Distribution of the housing legal defense fund would be similar to the distribution of the current legal aid fund in section 120.53 which distributes grant funding in proportion to the poverty population served. Should a legal aid society not receive all of the available funding for their service area, the funds may be granted to another nonprofit offering housing defense services or, if funds are still available, to private counsel.

The Foundation sincerely appreciates the work of this committee on Senate Bill 245 and housing issues generally. We look forward to continued collaboration on this critically important issue.

Thank you for the opportunity to provide interested party testimony on Senate Bill 245. I’m happy to answer any questions the committee may have.