



**Tim Williams, Executive Director
Ohio Manufactured Homes Association
Senate Community Revitalization Committee
Senate Bill 36 interested party testimony
March 22, 2023**

Chairman Johnson, Vice Chairman Hoagland, Ranking Member Sykes, and members of the Senate Community Revitalization Committee, I am Tim Williams, Executive Director of the Ohio Manufactured Homes Association. On behalf of the Ohio Manufactured Homes Association, I am providing an interested party statement on Senate Bill 36. Since 1947 the Ohio Manufactured Homes Association (OMHA) has represented all segments of the manufactured housing industry providing affordable housing to over 900,000 Ohioans living in manufactured homes.

Senate Bill 36 seeks to add additional rights to a defaulting resident in a public sale of single and multi-residential homes, giving them more right to intervene in the sale. If this bill were to pass in its current form, this could cause a confusion for our industry in particular. The bill makes specific reference to “one to four single-family units” (lines 10-11).

We wish to point out that in ORC 2308.01 (definitions) “residential property” is defined in division (D) as "real property located within this state consisting of land and a structure on that land containing four or fewer dwelling units, each of which is intended for occupancy by a separate household. "Residential property" includes a residential condominium unit, notwithstanding the number of units in the structure, but includes a manufactured or mobile home only if it is taxed as real property.” OMHA would like to further state that in ORC 5701.02 (real property definitions), current law in division (A) states (emphasis added):

"Real property," "realty," and "land" include land itself, whether laid out in town lots or otherwise, all growing crops, including deciduous and evergreen trees, plants, and shrubs, with all things contained therein, and, unless otherwise

specified in this section or section 5701.03 of the Revised Code, all buildings, structures, improvements, and fixtures of whatever kind on the land, and all rights and privileges belonging or appertaining thereto. "*Real property*" does not include a manufactured home as defined in division (C)(4) of section 3781.06 of the Revised Code or a mobile home, travel trailer, or park trailer, each as defined in section 4501.01 of the Revised Code, that is not a manufactured or mobile home building as defined in division (B)(2) of this section.

In raising this issue, we are seeking a clarifying amendment that the bill's application remain for one to four single-family units, but that Senate Bill 36 not apply to manufactured homes in a manufactured home community. Often, those manufactured homes in manufactured homes communities that are subject to foreclosure are abandoned and not in any condition for desirable acquisition or suitable for habitation. Furthermore, manufactured and mobile homes already fall under a foreclosure law (abandoned manufactured home law O.R.C. Sections 1923.12, 1923.13 and 1923.14. The Abandoned Manufactured Home foreclosure law is unique to the tax and property structure for manufactured homes and such changes would inadvertently compromise the existing Abandoned manufactured home law.

Therefore, we respectfully request that after line 71 the proposed language be inserted: "(D) As used in this section, "residential property" does not include manufactured homes as defined in division (C)(4) of section 3781.06 of the Revised Code or a mobile home, travel trailer, or park trailer, each as defined in section 4501.01 of the Revised Code, that is not a manufactured or mobile home building as defined in division (B)(2) of section 5701.02 of the Revised Code."

We believe this will achieve the desired clarity while maintaining the spirit of SB 36. We appreciate consideration of this request and stand ready to discuss these issues with further.