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**Majority Floor Leader Bill Seitz  
The Ohio House of Representatives**

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**Sponsor Testimony for House Bill 50: Create mechanism to allow relief collateral sanction for housing**

Chairman Johnson, Vice Chair Hoagland, Ranking Member Sykes, and members of the Senate Community Revitalization Committee, it is my pleasure to present sponsor testimony on HB 50. I am happy to be accompanied by my joint sponsor, Representative Humphrey.

Numerous studies have concluded that ex-offenders face two great obstacles when they are released: finding a job, and finding housing. This bill tackles the housing issue; as explained later, we already tackled the employment issue. As we did 11 years ago when we created the certificate of qualification for employment, HB 50 creates a certificate of qualification for housing that a sentencing court may issue to a rehabilitated offender certifying that such person is sufficiently low risk that landlords should consider providing housing to such a person.

This legislation's CQH policy would work in the following way: First, the bill will provide potential relief for most in-state convictions, both felonies and misdemeanors after completion of the prison sentence. Next, the bill provides reasonable standards for courts when considering the issuance or denial of a certificate. During this decision making process, the court will review the applicant's criminal history (excluding records that have been sealed), and the applicant's emotional, mental, and physical condition, among other factors. During this decision making process, the bill also sets reasonable deadlines for the court to issue an approval or denial of a certificate. On this point, I want to be very clear- this decision making process occurs at the sentencing court in which the offender was originally sentenced. In other words, the same judge that sentenced an individual also determines the individual's fitness to be awarded a CQH. Finally, the bill provides a pathway to establish a rebuttable presumption of rehabilitation of the petitioner.

HB 50 also affords protections to public and private housing entities who provide housing to individuals with a CQH by limiting liability that may ensue for assisting individuals with a CQH.

This legislation further allows these housing entities to consider potential residents who have obtained a CQH on a case-by-case basis. In no way, shape, or form does this legislation require anyone to rent to any possessor of a CQH. It remains completely in the discretion of the landlord whether to rent to such a person. However, as previously mentioned, the incentive for a landlord to rent to a CQH possessor is that they receive immunity from any lawsuit predicated on the theory that the landlord was negligent in renting to such a person in the first place.

This is not the first proposal of its kind in Ohio. In fact, since 2012, individuals with criminal histories could obtain a certificate of qualification for employment (CQE), a certificate to assist individuals facing collateral sanctions relating to employment. This legislation, in tandem with existing CQE laws, are an excellent step in helping Ohioans get back to work, and maintain a safe place to live.

Finally, this bill was unanimously voted out of the Criminal Justice Committee in the House and received very strong bipartisan support when the House voted to favorably pass HB 50. This legislation is also supported by the Ohio Real Estate Investors Association, Ohio Manufactured Homes Association, and the Ohio Justice and Policy Center.

Thank you again for the opportunity to provide sponsor testimony on HB 50. We would be happy to answer any questions at this time.