

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 245**

**Senators Reynolds, Craig**

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**A BILL**

To amend sections 120.521, 120.53, 319.20, 1923.06, 1  
1923.08, 1923.09, 3735.41, 3781.10, 4735.55, 2  
4735.56, 4735.59, and 5321.17 and to enact 3  
sections 120.531, 120.532, 319.204, 1923.111, 4  
1923.16, and 3781.181 of the Revised Code to 5  
revise the law governing eviction, real estate 6  
representation agreements, residential building 7  
code enforcement, and real property transfers, 8  
and to amend the version of section 3781.10 of 9  
the Revised Code that is scheduled to take 10  
effect January 1, 2025, to continue the changes 11  
after that date. 12

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 120.521, 120.53, 319.20, 1923.06, 13  
1923.08, 1923.09, 3735.41, 3781.10, 4735.55, 4735.56, 4735.59, 14  
and 5321.17 be amended and sections 120.531, 120.532, 319.204, 15  
1923.111, 1923.16, and 3781.181 of the Revised Code be enacted 16  
to read as follows: 17

**Sec. 120.521.** (A) The state public defender shall 18  
establish a charitable, tax exempt foundation, named the Ohio 19

access to justice foundation, to actively solicit and accept 20  
gifts, bequests, donations, and contributions for use in 21  
providing financial assistance to legal aid societies, enhancing 22  
or improving the delivery of civil legal services to indigents, 23  
and operating the foundation. The Ohio access to justice 24  
foundation shall deposit all gifts, bequests, donations, and 25  
contributions accepted by it into the access to justice 26  
foundation fund established under this section or the eviction 27  
defense fund established pursuant to section 120.531 of the 28  
Revised Code. If the state public defender, pursuant to section 29  
120.52 of the Revised Code as it existed prior to June 30, 1995, 30  
established a charitable, tax exempt foundation named the Ohio 31  
access to justice foundation and if that foundation is in 32  
existence on the day before June 30, 1995, that foundation shall 33  
continue in existence and shall serve as the Ohio access to 34  
justice foundation described in this section. 35

There is hereby established the access to justice 36  
foundation fund, which shall be under the custody and control of 37  
the Ohio access to justice foundation. The fund shall contain 38  
all moneys distributed to the Ohio access to justice foundation 39  
pursuant to section 120.53 of the Revised Code and all gifts, 40  
bequests, donations, and contributions accepted by the Ohio 41  
access to justice foundation under this section that are not 42  
directed to the eviction defense fund. 43

The Ohio access to justice foundation shall distribute or 44  
use all moneys in the access to justice foundation fund for the 45  
charitable public purpose of providing financial assistance to 46  
legal aid societies that provide civil legal services to 47  
indigents, enhancing or improving the delivery of civil legal 48  
services to indigents, and operating the foundation. The Ohio 49  
access to justice foundation shall establish rules governing the 50

administration of the access to justice foundation fund. 51

The Ohio access to justice foundation shall include, in 52  
the annual report it is required to make to the governor, the 53  
general assembly, and the supreme court pursuant to division (G) 54  
(2) of section 120.53 of the Revised Code, an audited financial 55  
statement on the distribution and use of the access to justice 56  
foundation fund. No information contained in the statement shall 57  
identify or enable the identification of any person served by a 58  
legal aid society or in any way breach confidentiality. 59

Membership on the board of the Ohio access to justice 60  
foundation does not constitute holding another public office and 61  
does not constitute grounds for resignation from the senate or 62  
house of representatives under section 101.26 of the Revised 63  
Code. 64

The Ohio access to justice foundation shall assist the 65  
chancellor of higher education by determining the ratio, for 66  
each county in the state, of attorneys to total population for 67  
the purpose described in section 3333.132 of the Revised Code. 68

(B) A foundation is tax exempt for purposes of this 69  
section if the foundation is exempt from federal income taxation 70  
under subsection 501(a) of the "Internal Revenue Code of 1986," 71  
100 Stat. 2085, 26 U.S.C. 501(a), as amended, and if the 72  
foundation has received from the internal revenue service a 73  
determination letter that is in effect stating that the 74  
foundation is exempt from federal income taxation under that 75  
subsection. 76

**Sec. 120.53.** (A) A legal aid society that operates within 77  
the state may apply to the Ohio access to justice foundation for 78  
financial assistance from the legal aid fund established by 79

section 120.52 of the Revised Code to be used for the funding of 80  
the society during the calendar year following the calendar year 81  
in which application is made. 82

(B) An application for financial assistance made under 83  
division (A) of this section shall be submitted by the first day 84  
of November of the calendar year preceding the calendar year for 85  
which financial assistance is desired and shall include all of 86  
the following: 87

(1) Evidence that the applicant is incorporated in this 88  
state as a nonprofit corporation; 89

(2) A list of the trustees of the applicant; 90

(3) The proposed budget of the applicant for these funds 91  
for the following calendar year; 92

(4) A summary of the services to be offered by the 93  
applicant in the following calendar year; 94

(5) A specific description of the territory or 95  
constituency served by the applicant; 96

(6) An estimate of the number of persons to be served by 97  
the applicant during the following calendar year; 98

(7) A general description of the additional sources of the 99  
applicant's funding; 100

(8) The amount of the applicant's total budget for the 101  
calendar year in which the application is filed that it will 102  
expend in that calendar year for legal services in each of the 103  
counties it serves; 104

(9) A specific description of any services, programs, 105  
training, and legal technical assistance to be delivered by the 106

applicant or by another person pursuant to a contract with the 107  
applicant, including, but not limited to, by private attorneys 108  
or through reduced fee plans, judicare panels, organized pro 109  
bono programs, and mediation programs. 110

(C) The Ohio access to justice foundation shall determine 111  
whether each applicant that filed an application for financial 112  
assistance under division (A) of this section in a calendar year 113  
is eligible for financial assistance under this section. To be 114  
eligible for such financial assistance, an applicant shall 115  
satisfy the criteria for being a legal aid society and shall be 116  
in compliance with the provisions of sections 120.51 to 120.55 117  
of the Revised Code and with the rules and requirements the 118  
foundation establishes pursuant to section 120.52 of the Revised 119  
Code. The Ohio access to justice foundation then, on or before 120  
the fifteenth day of December of the calendar year in which the 121  
application is filed, shall notify each such applicant, in 122  
writing, whether it is eligible for financial assistance under 123  
this section, and if it is eligible, estimate the amount that 124  
will be available for that applicant for each six-month 125  
distribution period, as determined under division (D) of this 126  
section. 127

(D) The Ohio access to justice foundation shall allocate 128  
moneys contained in the legal aid fund monthly for distribution 129  
to applicants that filed their applications in the previous 130  
calendar year and are determined to be eligible applicants. 131

All moneys contained in the fund on the first day of each 132  
month shall be allocated, after deduction of the costs of 133  
administering sections 120.51 to 120.55 and sections 1901.26, 134  
1907.24, 2303.201, 3953.231, 4705.09, and 4705.10 of the Revised 135  
Code that are authorized by section 120.52 of the Revised Code, 136

according to this section and shall be distributed accordingly 137  
not later than the last day of the month following the month the 138  
moneys were received. In making the allocations under this 139  
section, the moneys in the fund that were generated pursuant to 140  
sections 1901.26, 1907.24, 2303.201, 3953.231, 4705.09, and 141  
4705.10 of the Revised Code shall be apportioned as follows: 142

(1) After deduction of the amount authorized and used for 143  
actual, reasonable administrative costs under section 120.52 of 144  
the Revised Code: 145

(a) Five per cent of the moneys remaining in the fund 146  
shall be reserved for use in the manner described in division 147  
(A) of section 120.521 of the Revised Code or for distribution 148  
to legal aid societies that provide assistance to special 149  
population groups of their eligible clients, engage in special 150  
projects that have a substantial impact on their local service 151  
area or on significant segments of the state's poverty 152  
population, or provide legal training or support to other legal 153  
aid societies in the state; 154

(b) After deduction of the amount described in division 155  
(D) (1) (a) of this section, one and three-quarters per cent of 156  
the moneys remaining in the fund shall be apportioned among 157  
entities that received financial assistance from the legal aid 158  
fund prior to July 1, 1993, but that, on and after July 1, 1993, 159  
no longer qualify as a legal aid society that is eligible for 160  
financial assistance under this section. 161

(c) After deduction of the amounts described in divisions 162  
(D) (1) (a) and (b) of this section, fifteen per cent of the 163  
moneys remaining in the fund shall be placed in the access to 164  
justice foundation fund for use in the manner described in 165  
division (A) of section 120.521 of the Revised Code. 166

(2) After deduction of the actual, reasonable 167  
administrative costs under section 120.52 of the Revised Code 168  
and after deduction of the amounts identified in divisions (D) 169  
(1) (a), (b), and (c) of this section, the remaining moneys shall 170  
be apportioned among the counties that are served by eligible 171  
legal aid societies that have applied for financial assistance 172  
under this section so that each such county is apportioned a 173  
portion of those moneys, based upon the ratio of the number of 174  
indigents who reside in that county to the total number of 175  
indigents who reside in all counties of this state that are 176  
served by eligible legal aid societies that have applied for 177  
financial assistance under this section. Subject to division (E) 178  
of this section, the moneys apportioned to a county under this 179  
division then shall be allocated to the eligible legal aid 180  
society that serves the county and that has applied for 181  
financial assistance under this section. For purposes of this 182  
division, the source of data identifying the number of indigent 183  
persons who reside in a county shall be selected by the Ohio 184  
access to justice foundation from the best available figures 185  
maintained by the United States census bureau. 186

(E) If the Ohio access to justice foundation, in 187  
attempting to make an allocation of moneys under division (D) (2) 188  
of this section, determines that a county that has been 189  
apportioned money under that division is served by more than one 190  
eligible legal aid society that has applied for financial 191  
assistance under this section, the Ohio access to justice 192  
foundation shall allocate the moneys that have been apportioned 193  
to that county under division (D) (2) of this section among all 194  
eligible legal aid societies that serve that county and that 195  
have applied for financial assistance under this section on a 196  
pro rata basis, so that each such eligible society is allocated 197

a portion based upon the amount of its total budget expended in 198  
the prior calendar year for legal services in that county as 199  
compared to the total amount expended in the prior calendar year 200  
for legal services in that county by all eligible legal aid 201  
societies that serve that county and that have applied for 202  
financial assistance under this section. 203

(F) Moneys allocated to eligible applicants under this 204  
section shall be paid monthly beginning the calendar year 205  
following the calendar year in which the application is filed. 206

(G) (1) A legal aid society that receives financial 207  
assistance in any calendar year under this section shall file an 208  
annual report with the Ohio access to justice foundation 209  
detailing the number and types of cases handled, and the amount 210  
and types of legal training, legal technical assistance, and 211  
other service provided, by means of that financial assistance. 212  
No information contained in the report shall identify or enable 213  
the identification of any person served by the legal aid society 214  
or in any way breach client confidentiality. 215

(2) The Ohio access to justice foundation shall make an 216  
annual report to the governor, the general assembly, and the 217  
supreme court ~~on~~. No information contained in the report shall 218  
identify or enable the identification of any person served by a 219  
legal aid society, or in any way breach confidentiality. The 220  
report shall include all of the following: 221

(a) A report on the distribution and use of the legal aid 222  
fund. The foundation also shall include in the annual report an; 223

(b) An audited financial statement of all gifts, bequests, 224  
donations, contributions, and other moneys the foundation 225  
receives; 226



(c) The information described in section 120.521 of the 227  
Revised Code; 228

(d) The information described in division (E) of section 229  
120.532 of the Revised Code. No information contained in the 230  
report shall identify or enable the identification of any person 231  
served by a legal aid society, or in any way breach 232  
confidentiality. 233

(H) A legal aid society may enter into agreements for the 234  
provision of services, programs, training, or legal technical 235  
assistance for the legal aid society or to indigent persons. 236

**Sec. 120.531.** (A) There is hereby created in the state 237  
treasury the eviction defense fund. The fund shall consist of 238  
moneys appropriated to it by the general assembly and moneys 239  
directed to it through gifts, bequests, donations, and 240  
contributions to the Ohio access to justice foundation. 241

(B) The treasurer of state may invest moneys contained in 242  
the eviction defense fund in any manner authorized by the 243  
Revised Code for the investment of state moneys. However, no 244  
such investment shall interfere with the use of such moneys as 245  
required by this section and section 120.532 of the Revised 246  
Code. 247

(C) The state public defender, through the Ohio access to 248  
justice foundation, shall administer the payment of moneys out 249  
of the fund for the charitable public purpose of funding legal 250  
representation for indigent defendants in eviction proceedings 251  
pursuant to section 120.532 of the Revised Code. 252

**Sec. 120.532.** (A) As used in this section: 253

(1) "Brief legal assistance" means individualized legal 254  
assistance provided in a single consultation by a designated 255

organization to a covered individual in connection with a 256  
covered proceeding. 257

(2) "Covered individual" means any person who occupies a 258  
dwelling with at least one child under a claim of legal right, 259  
other than the dwelling's owner, and whose annual gross income 260  
is not more than two hundred fifty per cent of the federal 261  
poverty line for the size of the individual's family. 262

(3) "Covered proceeding" means a forcible entry and 263  
detainer action filed under Chapter 1923. of the Revised Code 264  
and an informal hearing that a metropolitan housing authority is 265  
required to provide an opportunity for under 24 C.F.R. 982.555, 266  
and any appeals from such proceedings. 267

(4) "Designated organization" means a legal aid society or 268  
other organization that has entered into an agreement with the 269  
Ohio access to justice foundation pursuant to division (B) of 270  
this section. 271

(5) "Federal poverty line" means the official poverty line 272  
defined by the United States office of management and budget, 273  
based on the most recent data available from the United States 274  
bureau of the census, and revised by the United States secretary 275  
of health and human services pursuant to 42 U.S.C. 9902. 276

(6) "Full legal representation" means ongoing legal 277  
representation provided by a designated organization to a 278  
covered individual, and all legal advice, advocacy, and 279  
assistance associated with that representation. 280

(7) "Legal services" means brief legal assistance provided 281  
to a covered individual or full legal representation provided to 282  
a covered individual. 283

(B) Except as provided in division (D) of this section, 284

the Ohio access to justice foundation shall contract with 285  
designated organizations to provide full legal representation to 286  
defendants in covered proceedings in all areas of the state. 287  
Each contract shall require all of the following: 288

(1) That funds distributed to the designated organization 289  
from the eviction defense fund, created pursuant to section 290  
120.531 of the Revised Code, are to be used only to provide 291  
legal services to covered individuals in covered proceedings and 292  
to educate tenants of their rights and available resources; 293

(2) That, so long as funding remains available, the 294  
designated organization shall seek to provide full legal 295  
representation to covered individuals in covered proceedings as 296  
soon as possible after the proceedings are initiated and the 297  
covered individuals contact the designated organization; 298

(3) That, if the designated organization is unable to 299  
provide full legal representation to a covered individual due to 300  
an irreconcilable conflict of interest, or because another 301  
circumstance makes full legal representation infeasible, the 302  
designated organization shall attempt to provide brief legal 303  
assistance if the Ohio rules of professional conduct permit it; 304

(4) That the designated organization shall work with the 305  
Ohio access to justice foundation and community partners to 306  
engage and educate tenants on their rights and available 307  
resources; 308

(5) That the designated organization shall meet and report 309  
on performance metrics set in the contract, report those metrics 310  
to the Ohio access to justice foundation on a quarterly basis, 311  
and adhere to quality assurance standards set in the contract as 312  
a condition of continuing eligibility for funds from the 313

eviction defense fund. No information contained in the reports 314  
shall identify or enable the identification of any person served 315  
by a covered organization or in any way breach confidentiality. 316

(6) That information provided pursuant to division (B) (5) 317  
of this section shall be provided in such a way as to prevent 318  
the identification of any particular individual who received 319  
legal services pursuant to the contract; 320

(7) That legal services performed pursuant to the contract 321  
shall not supplant, replace, or satisfy any obligations or 322  
responsibilities of the designated organization under any other 323  
program agreement or contract; 324

(8) Any other terms the Ohio access to justice foundation 325  
considers necessary for delivery of competent and efficient 326  
legal services in covered proceedings. 327

(C) (1) When seeking to contract with designated 328  
organizations to provide legal services in a given area of the 329  
state pursuant to division (B) of this section, the Ohio access 330  
to justice foundation shall first attempt to contract with a 331  
legal aid society that already provides legal representation in 332  
that area and receives funds pursuant to divisions (D) (2) and 333  
(E) of section 120.53 of the Revised Code for that purpose. 334

(2) If a legal aid society that is already providing legal 335  
services in an area of the state, and receives funds pursuant to 336  
divisions (D) (2) and (E) of section 120.53 of the Revised Code 337  
for that purpose, is unable or unwilling to contract with the 338  
Ohio access to justice foundation pursuant to division (B) of 339  
this section, the foundation may contract with one or more other 340  
nonprofit organizations the foundation determines are able to 341  
provide legal services to covered persons in covered proceedings 342

in that area of the state. 343

(3) The Ohio access to justice foundation shall apportion 344  
funds from the eviction defense fund to designated organizations 345  
with which the foundation contracts, pursuant to division (B) of 346  
this section, based on the area of the state the contract 347  
concerns and in the same proportion that funds are distributed 348  
to legal aid societies servicing that area of the state pursuant 349  
to divisions (D) (2) and (E) of section 120.53 of the Revised 350  
Code. 351

(D) The Ohio access to justice foundation shall only be 352  
required to contract with designated organizations pursuant to 353  
division (B) of this section when funds appropriated by the 354  
general assembly are available to fund legal services under such 355  
contracts. 356

(E) (1) The Ohio access to justice foundation shall 357  
include, in the annual report it is required to make to the 358  
governor, the general assembly, and the supreme court pursuant 359  
to division (G) (2) of section 120.53 of the Revised Code, all of 360  
the following: 361

(a) Information about the number of covered individuals 362  
served since the last report was submitted; 363

(b) The extent of legal services performed; 364

(c) Information regarding the outcomes achieved through 365  
legal services; 366

(d) Projected budgeting needs for full legal 367  
representation to all covered individuals; 368

(e) A summary of the engagement and education of tenants. 369

(2) No information contained in the report shall identify 370

or enable the identification of any person served by a covered 371  
organization or in any way breach confidentiality. 372

(F) Nothing in this section, or the administration or 373  
application of this section, shall be construed to create a 374  
private right of action against the state or any state agency, 375  
state official, or state employee. 376

**Sec. 319.20.** After complying with sections 315.251, 377  
319.202, 315.251, and 319.203, and 319.204 of the Revised Code, 378  
and on application and presentation of title, with the 379  
affidavits required by law, or the proper order of a court or 380  
the county board of revision, bearing the last known address of 381  
the grantee, or of any one of the grantees named in the title 382  
and, if the grantee is not a natural person, the name and 383  
address of the owner identified or agent designated under 384  
section 319.204 of the Revised Code, and a reference to the 385  
volume and page of the recording, or other means of identifying 386  
the recording, of the next preceding recorded instrument by or 387  
through which the grantor claims title, the county auditor shall 388  
transfer any land or town lot or part thereof, minerals therein, 389  
or mineral rights thereto, charged with taxes on the tax list, 390  
from the name in which it stands into the name of the owner, 391  
when rendered necessary by a conveyance, partition, devise, 392  
descent, or otherwise. If by reason of the conveyance or 393  
otherwise, a part only of a tract or lot, minerals therein, or 394  
mineral rights thereto, as charged in the tax list, is to be 395  
transferred, the auditor shall determine the tax value of the 396  
part of a tract or lot of real estate, minerals therein, or 397  
mineral rights thereto, so transferred, and the value of the 398  
remaining part compared with the value of the whole. 399

Whenever a part only of a tract or lot of real estate has 400

been transferred by the auditor and the tract or lot bears 401  
unpaid taxes, penalties, interest, or special assessments, the 402  
unpaid taxes, penalties, interest, or special assessments shall 403  
immediately be apportioned, upon demand or request by the 404  
transferee or remaining owner, in the following manner: 405

(A) The auditor shall allocate to the part so transferred, 406  
and to the remaining part, amounts of any current or delinquent 407  
taxes, interest, or penalties that have accrued against the 408  
parcel as a whole, proportionate to their respective values. 409

(B) The lien of taxes, penalties, interest, and special 410  
assessments, as levied against the original tract, shall extend 411  
to the part so transferred and the part remaining only to the 412  
extent of the amounts so allocated to the respective parts. 413

This section does not change the total amount of taxes, 414  
special assessments, or other charges as originally levied, or 415  
the total amount of the balance due. The auditor shall certify 416  
such apportionments to the county treasurer. 417

Whenever the state acquires an entire parcel or a part 418  
only of a parcel of real property in fee simple, the county 419  
auditor, upon application of the grantor or property owner or 420  
the state, which application shall contain a description of the 421  
property as it appears on the tax list and the date of transfer 422  
of ownership, shall prepare an estimate of the taxes that are a 423  
lien on the property, but have not been determined, assessed, 424  
and levied for the year in which the property was acquired. The 425  
county auditor shall thereupon apportion the estimated taxes 426  
proportionately between the grantor and the state for the period 427  
of the lien year that each had or shall have had ownership or 428  
possession of the property, whichever is earlier. The county 429  
treasurer shall accept payment from the state for estimated 430

taxes at the time that the real property is acquired. If the 431  
state has paid in full in the year in which the property is 432  
acquired that proportion of the estimated taxes that the tax 433  
commissioner determines are not subject to remission by the 434  
county auditor for such year under division (D) of section 435  
5713.08 of the Revised Code, the estimated taxes paid shall be 436  
considered the tax liability on the exempted property for that 437  
year. 438

Section 319.42 of the Revised Code applies to the 439  
apportionment of special assessments. 440

Complaint against such values as determined by the auditor 441  
or the allocation of assessments by the certifying authority may 442  
be filed by the transferee or the remaining owner, and if filed, 443  
proceedings including appeals shall be had in the manner and 444  
within the time provided by sections 5717.01 to 5717.06 and 445  
5715.19 to 5715.22 of the Revised Code, for complaints against 446  
valuation or assessment of real property. 447

The auditor shall endorse on the deed or other evidences 448  
of title presented to the auditor that the proper transfer of 449  
the real estate described in the deed has been made in the 450  
auditor's office or that it is not entered for taxation, and 451  
sign the auditor's name to the deed. The address of the grantee, 452  
or any one of the grantees, set forth in the deed or other 453  
evidences of title shall be entered by the auditor on the 454  
transfer sheets and on the general tax list of real property 455  
prepared pursuant to section 319.28 of the Revised Code. 456

**Sec. 319.204. (A) For the purposes of this section:** 457

(1) "Control" means the authority, by contract or by law, 458  
to direct the affairs and day-to-day operations of a grantee 459



without the consent of any other person. 460

(2) "Own" means possession of more than fifty per cent of 461  
the stock, equity, or other ownership interest of a grantee. 462

(B) Before the county auditor indorses any real property 463  
conveyance or manufactured or mobile home conveyance presented 464  
to the auditor pursuant to section 319.20 of the Revised Code or 465  
registers any manufactured or mobile home conveyance pursuant to 466  
section 4503.061 of the Revised Code, the grantee or the 467  
grantee's representative shall submit, either electronically or 468  
by three written copies of, a statement that does one of the 469  
following: 470

(1) Affirms that the grantee is a natural person; 471

(2) If the grantee is not a natural person, identifies a 472  
natural person and who owns or controls the grantee; 473

(3) If the grantee is not a natural person, and no natural 474  
person owns or controls the grantee, designates an agent who is 475  
a natural person. 476

(C) If the grantee is not a natural person, the statement 477  
shall vest the owner identified under division (B) (2) of this 478  
section, or the agent designated under division (B) (3) of this 479  
section, as applicable, with the authority to make binding 480  
decisions on behalf of the grantee respecting the real property 481  
or manufactured or mobile home that is the subject of the 482  
conveyance. 483

(D) The grantee may change the owner identified or the 484  
agent designated under division (B) of this section by filing a 485  
petition in the court of common pleas, in the same manner 486  
permitted for correcting an error, omission, or defect in an 487  
instrument or writing under Chapter 2719. of the Revised Code. 488

**Sec. 1923.06.** (A) Any summons in an action, including a 489  
claim for possession, pursuant to this chapter shall be issued, 490  
be in the form specified, and be served and returned as provided 491  
in this section. Such service shall be at least seven days 492  
before the day set for trial. 493

(B) Every summons issued under this section to recover 494  
residential premises shall contain the following language 495  
printed in a conspicuous manner: "A complaint to evict you has 496  
been filed with this court. No person shall be evicted unless 497  
the person's right to possession has ended and no person shall 498  
be evicted in retaliation for the exercise of the person's 499  
lawful rights. If you are depositing rent with the clerk of this 500  
court you shall continue to deposit such rent until the time of 501  
the court hearing. The failure to continue to deposit such rent 502  
may result in your eviction. You may request a trial by jury or 503  
nonbinding mediation. You have the right to seek legal 504  
assistance. ~~If you cannot afford a lawyer, you may contact your~~ 505  
~~local legal aid or legal service office. If none is available,~~ 506  
~~you may contact your local bar association and may qualify for~~ 507  
free legal representation based on your income. It is 508  
recommended that you inquire with legal aid at 509  
www.ohiolegalhelp.org or (866) 529-6446 to see if you are 510  
eligible." 511

(C) The clerk of the court in which a complaint to evict 512  
is filed shall mail any summons by ordinary mail, along with a 513  
copy of the complaint, document, or other process to be served, 514  
to the defendant at the address set forth in the caption of the 515  
summons and to any address set forth in any written instructions 516  
furnished to the clerk. The mailing shall be evidenced by a 517  
certificate of mailing which the clerk shall complete and file. 518

In addition to this ordinary mail service, the clerk also 519  
shall cause service of that process to be completed under either 520  
of the following: 521

(1) Division (D) or (E) of this section or both, depending 522  
upon which of those two methods of service is requested by the 523  
plaintiff upon filing the complaint to evict; 524

(2) Division (F) of this section if the action relates to 525  
a deceased manufactured home park resident. 526

(D) (1) If requested, the clerk shall deliver sufficient 527  
copies of the summons, complaint, document, or other process to 528  
be served to, and service shall be made by, one of the following 529  
persons: 530

(a) The sheriff of the county in which the premises are 531  
located when the process issues from a court of common pleas or 532  
county court; 533

(b) The bailiff of the court for service when process 534  
issues from a municipal court; 535

(c) Any person who is eighteen years of age or older, who 536  
is not a party, and who has been designated by order of the 537  
court to make service of process when process issues from any of 538  
the courts referred to in divisions (D) (1) (a) and (b) of this 539  
section. 540

(2) The person serving process shall effect service at the 541  
premises that are the subject of the forcible entry and detainer 542  
action by one of the following means: 543

(a) By locating the person to be served at the premises to 544  
tender a copy of the process and accompanying documents to that 545  
person; 546

(b) By leaving a copy of the summons, complaint, document, 547  
or other process with a person of suitable age and discretion 548  
found at the premises if the person to be served cannot be found 549  
at the time the person making service attempts to serve the 550  
summons pursuant to division (D) (2) (a) of this section; 551

(c) By posting a copy in a conspicuous place on the 552  
subject premises if service cannot be made pursuant to divisions 553  
(D) (2) (a) and (b) of this section. 554

(3) Within five days after receiving the summons, 555  
complaint, document, or other process from the clerk for 556  
service, the person making service shall return the process to 557  
the clerk. The person shall indicate on the process which method 558  
described in division (D) (2) of this section was used to serve 559  
the summons. The clerk shall make the appropriate entry on the 560  
appearance docket. 561

(E) If requested, the clerk shall mail by certified mail, 562  
return receipt requested, a copy of the summons, complaint, 563  
document, or other process to be served to the address set forth 564  
in the caption of the summons and to any address set forth in 565  
any written instructions furnished to the clerk. 566

(F) (1) If the person to be evicted in an action pursuant 567  
to this chapter is a deceased manufactured home park resident, 568  
the plaintiff shall provide to the clerk the following 569  
information: 570

(a) If the plaintiff knows that a probate court has 571  
granted letters testamentary or of administration for the estate 572  
of the deceased resident, the name and address of the probate 573  
court, the case number of the estate, and the name and address 574  
of the executor or administrator appointed by the probate court; 575

(b) If the plaintiff knows that a probate court has not 576  
granted letters testamentary or of administration for the estate 577  
of the deceased resident or does not know whether or not a 578  
probate court has granted letters testamentary or of 579  
administration for the estate, the names and addresses of the 580  
deceased resident's spouse and any other members of the deceased 581  
resident's immediate family that are known to the plaintiff; 582

(c) If the plaintiff does not possess the information set 583  
forth in division (F) (1) (a) or (b) of this section, an affidavit 584  
from the plaintiff stating that the plaintiff does not possess 585  
the information. 586

(2) (a) Upon receipt from the plaintiff of the information 587  
set forth in division (F) (1) (a) of this section, the clerk shall 588  
mail by certified mail, return receipt requested, a copy of the 589  
summons, complaint, document, or other process to be served to 590  
the address of the executor or administrator appointed by the 591  
probate court. 592

(b) Upon receipt from the plaintiff of the information set 593  
forth in division (F) (1) (b) or (c) of this section, the clerk 594  
shall do both of the following: 595

(i) Mail by ordinary mail and by certified mail, return 596  
receipt requested, a copy of the summons, complaint, document, 597  
or other process to be served to the persons and addresses 598  
provided by the plaintiff, if any. The ordinary mail mailing 599  
shall be evidenced by a certificate of mailing that the clerk 600  
shall complete and file. 601

(ii) Cause service of notice to be made by publication in 602  
a newspaper of general circulation in the county in which the 603  
complaint is filed. The publication shall set forth the name and 604

address of the court, the case number, the name and address of 605  
the plaintiff or the plaintiff's attorney, and the name and 606  
address of the deceased manufactured home park resident. The 607  
publication shall describe the premises entered upon and 608  
detained, shall contain a summary statement of the object of the 609  
eviction complaint against the deceased resident, and shall 610  
state that the claim for restitution of the premises shall be 611  
scheduled for a hearing in accordance with local court rules, 612  
but in no event sooner than the seventh day from the date 613  
service is complete. The clerk shall cause the publication to be 614  
published at least once a week for two weeks. 615

(G) Service of process shall be deemed complete on the 616  
date that any of the following has occurred: 617

(1) Service is made pursuant to division (D) (2) (a) or (b) 618  
of this section. 619

(2) Both ordinary mail service under division (C) and 620  
service by posting pursuant to division (D) (2) (c) of this 621  
section have been made. 622

(3) For service performed pursuant to division (E) or (F) 623  
(2) (a) of this section, on the date of mailing, if on the date 624  
of the hearing either of the following applies: 625

(a) The certified mail has not been returned for any 626  
reason other than refused or unclaimed. 627

(b) The certified mail has not been endorsed, and the 628  
ordinary mail has not been returned. 629

(4) For service performed under division (F) (2) (b) of this 630  
section, on the date of mailing under division (F) (2) (b) (i) of 631  
this section or on the date of the last publication under 632  
division (F) (2) (b) (ii) of this section, whichever is later, if 633

on the date of the hearing, either of the following applies: 634

(a) The certified mail has not been returned for any 635  
reason other than refused or unclaimed. 636

(b) The certified mail has not been endorsed, and the 637  
ordinary mail has not been returned. 638

(H) (1) The claim for restitution of the premises shall be 639  
scheduled for hearing in accordance with local court rules, but 640  
in no event sooner than the seventh day from the date service is 641  
complete. 642

(2) Answer day for any other claims filed with the claim 643  
for possession shall be twenty-eight days from the date service 644  
is deemed complete under this section. 645

(I) As used in this section, "immediate family" means a 646  
person's spouse, brothers and sisters of the whole or half 647  
blood, children, including adopted children and stepchildren, 648  
parents, and grandparents. 649

**Sec. 1923.08.** No continuance in an action under this 650  
chapter shall be granted for a period longer than eight days, 651  
unless ~~the~~ any of the following apply: 652

(A) The plaintiff applies for the continuance and the 653  
defendant consents to it, ~~or unless the~~ . 654

(B) The defendant applies for the continuance and gives a 655  
bond to the plaintiff, with good and sufficient surety, that is 656  
approved by the court and conditioned for the payment of rent 657  
that may accrue, if judgment is rendered against the defendant. 658

(C) The defendant is entitled to legal representation 659  
under section 120.532 of the Revised Code and has not yet 660  
entered into an attorney-client relationship with an attorney 661

providing services pursuant to that section. A stay entered 662  
pursuant to this division shall be for fourteen days. 663

(D) Either the plaintiff or the defendant demand 664  
nonbinding mediation under section 1923.16 of the Revised Code, 665  
in which case the judge shall enter a stay for fifty days, which 666  
may be extended in accordance with that section. 667

**Sec. 1923.09.** (A) If an action under this chapter is not 668  
continued, the place of trial is not changed, and neither party 669  
demands a jury or nonbinding mediation on the return day of the 670  
summons, a judge of the court shall try the cause. After hearing 671  
the evidence, if the judge concludes that the complaint is not 672  
true, the judge shall enter judgment against the plaintiff for 673  
costs. If the judge finds the complaint to be true, the judge 674  
shall render a general judgment against the defendant, in favor 675  
of the plaintiff, for restitution of the premises and costs of 676  
suit. If the judge finds the complaint true in part, the judge 677  
shall render a judgment for restitution of that part only, and 678  
the costs shall be taxed as the judge considers just. 679

(B) If a judgment is entered under this section in favor 680  
of a plaintiff who is a park operator, the judge shall include 681  
in the judgment entry authority for the plaintiff to permit, in 682  
accordance with section 1923.12 and division (B) of section 683  
1923.13 and division (B) of section 1923.14 of the Revised Code, 684  
the removal from the manufactured home park and potential sale, 685  
destruction, or transfer of ownership of the defendant's 686  
manufactured home, mobile home, or recreational vehicle. 687

**Sec. 1923.111.** (A) Upon the motion of a tenant or 688  
manufactured home park resident, or upon the court's own motion, 689  
a court in which an action under this chapter was commenced may 690  
order the court file in the action to be sealed if any of the 691



<u>following applies:</u>	692
<u>(1) The action was dismissed.</u>	693
<u>(2) Judgment was granted for the defendant in the action.</u>	694
<u>(3) The plaintiff prevailed on the merits in the action</u> <u>and all of the following apply:</u>	695 696
<u>(a) At least five years have passed since judgment was</u> <u>entered.</u>	697 698
<u>(b) At least five years have passed since any judgment was</u> <u>entered against the defendant in that court.</u>	699 700
<u>(c) If the plaintiff prevailed on an action for past due</u> <u>rent or other damages under a rental agreement, the defendant</u> <u>has satisfied the judgment.</u>	701 702 703
<u>(4) The plaintiff consents to sealing the court file.</u>	704
<u>(5) The judgment was granted improperly.</u>	705
<u>(6) The judge decides that restricting public access to</u> <u>the court file is appropriate under Rule 45 of the Rules of</u> <u>Superintendence for the Courts of Ohio.</u>	706 707 708
<u>(B) (1) If the defendant in an action under this chapter</u> <u>files a motion to seal under this section, the defendant shall</u> <u>serve the plaintiff with a copy of the motion.</u>	709 710 711
<u>(2) The plaintiff may file a response to the motion to</u> <u>seal within seventeen days of the filing.</u>	712 713
<u>(3) Either party may request an oral hearing on a motion</u> <u>to seal.</u>	714 715
<u>(C) The court may consider any of the following when</u> <u>considering a motion to seal:</u>	716 717

<u>(1) Whether any unusual or exceptional circumstances</u>	718
<u>apply;</u>	719
<u>(2) The disposition of the action, including which party</u>	720
<u>prevailed or whether the matter was voluntarily dismissed;</u>	721
<u>(3) Whether the plaintiff has filed a memorandum opposing</u>	722
<u>the motion to seal;</u>	723
<u>(4) The legitimate need of the government to maintain a</u>	724
<u>public record of the case;</u>	725
<u>(5) Any other relevant information.</u>	726
<u>(D) If the court grants a motion to seal under this</u>	727
<u>section, the clerk shall cause the tenant's or manufactured home</u>	728
<u>park resident's name to be redacted from all public records the</u>	729
<u>clerk maintains, including the electronic case index system, to</u>	730
<u>the same extent the clerk would for the sealing of the record of</u>	731
<u>a criminal conviction.</u>	732
<u>(E) A court shall not consider sealing more than five</u>	733
<u>cases per individual.</u>	734
<b><u>Sec. 1923.16. Any time after a complaint is filed under</u></b>	735
<u>section 1923.05 of the Revised Code, and before trial</u>	736
<u>proceedings are commenced, either the plaintiff or defendant may</u>	737
<u>demand nonbinding mediation. Upon such a demand, the court shall</u>	738
<u>appoint a mediator, and the mediation shall be conducted and</u>	739
<u>concluded within fifty days after the complaint was filed. Only</u>	740
<u>a judge may extend the time for concluding the mediation. If the</u>	741
<u>mediation is not timely concluded, or does not resolve the</u>	742
<u>dispute, the cause of action shall proceed to trial under</u>	743
<u>section 1923.09 or 1923.10 of the Revised Code. The judge shall</u>	744
<u>determine which party or parties shall pay the cost of the</u>	745
<u>mediation.</u>	746

**Sec. 3735.41.** Except as otherwise provided in section 747  
3735.43 of the Revised Code, in the operation or management of 748  
housing projects a metropolitan housing authority shall observe 749  
the following with respect to rentals and tenant selection: 750

(A) (1) It shall not provide a federally derived rent 751  
subsidy to any tenant for any dwelling in a housing project if 752  
the persons who would occupy the dwelling have an aggregate 753  
annual net income that equals or exceeds the amount that the 754  
authority determines to be necessary to enable such persons to 755  
do both of the following: 756

(a) Secure safe, sanitary, and uncongested dwelling 757  
accommodations within the area of operation of the authority; 758

(b) Provide an adequate standard of living for themselves. 759

(2) As used in this division, "aggregate annual net 760  
income" means the aggregate annual income less the deductions 761  
and exemptions from that income authorized by law or regulations 762  
established by the United States department of housing and urban 763  
development. 764

(B) (1) Except as provided in division (B) (2) of this 765  
section, it may rent or lease the dwelling accommodations 766  
therein only at rentals within the financial reach of persons 767  
who lack the amount of income which it determines, pursuant to 768  
division (A) of this section, to be necessary in order to obtain 769  
safe, sanitary, and uncongested dwelling accommodations within 770  
the area of operation of the authority and to provide an 771  
adequate standard of living. 772

(2) It may rent or lease to nonresidential tenants and 773  
persons of varying incomes within a project, mixed-use 774  
development, or mixed-income development. 775

(C) It may use a federally derived rent subsidy to rent or 776  
lease to a tenant a dwelling consisting of the number of rooms, 777  
but no greater number, which it considers necessary to provide 778  
safe and sanitary accommodations to the proposed occupants 779  
thereof, without overcrowding. 780

(D) It shall include a notice of a tenant's potential 781  
right to legal representation pursuant to section 120.532 of the 782  
Revised Code in every notice sent pursuant to 24 C.F.R. 982.555. 783

Sections 3735.27 to 3735.50 of the Revised Code do not 784  
limit the power of an authority to vest in a bondholder the 785  
right, in the event of a default by such authority, to take 786  
possession of a housing project or cause the appointment of a 787  
receiver thereof or acquire title thereto through foreclosure 788  
proceedings, free from all the restrictions imposed by such 789  
sections. 790

**Sec. 3781.10.** (A) (1) The board of building standards shall 791  
formulate and adopt rules governing the erection, construction, 792  
repair, alteration, and maintenance of all buildings or classes 793  
of buildings specified in section 3781.06 of the Revised Code, 794  
including land area incidental to those buildings, the 795  
construction of industrialized units, the installation of 796  
equipment, and the standards or requirements for materials used 797  
in connection with those buildings. The board shall incorporate 798  
those rules into separate residential and nonresidential 799  
building codes. The standards shall relate to the conservation 800  
of energy and the safety and sanitation of those buildings. 801

(2) The rules governing nonresidential buildings are the 802  
lawful minimum requirements specified for those buildings and 803  
industrialized units, except that no rule other than as provided 804  
in division (C) of section 3781.108 of the Revised Code that 805

specifies a higher requirement than is imposed by any section of 806  
the Revised Code is enforceable. The rules governing residential 807  
buildings are uniform requirements for residential buildings in 808  
any area with a building department certified to enforce the 809  
state residential building code. In no case shall any local code 810  
or regulation differ from the state residential building code 811  
unless that code or regulation addresses subject matter not 812  
addressed by the state residential building code or is adopted 813  
pursuant to section 3781.01 of the Revised Code. 814

(3) The rules adopted pursuant to this section are 815  
complete, lawful alternatives to any requirements specified for 816  
buildings or industrialized units in any section of the Revised 817  
Code. Except as otherwise provided in division (I) of this 818  
section, the board shall, on its own motion or on application 819  
made under sections 3781.12 and 3781.13 of the Revised Code, 820  
formulate, propose, adopt, modify, amend, or repeal the rules to 821  
the extent necessary or desirable to effectuate the purposes of 822  
sections 3781.06 to 3781.18 of the Revised Code. 823

(B) The board shall report to the general assembly 824  
proposals for amendments to existing statutes relating to the 825  
purposes declared in section 3781.06 of the Revised Code that 826  
public health and safety and the development of the arts require 827  
and shall recommend any additional legislation to assist in 828  
carrying out fully, in statutory form, the purposes declared in 829  
that section. The board shall prepare and submit to the general 830  
assembly a summary report of the number, nature, and disposition 831  
of the petitions filed under sections 3781.13 and 3781.14 of the 832  
Revised Code. 833

(C) On its own motion or on application made under 834  
sections 3781.12 and 3781.13 of the Revised Code, and after 835

thorough testing and evaluation, the board shall determine by 836  
rule that any particular fixture, device, material, process of 837  
manufacture, manufactured unit or component, method of 838  
manufacture, system, or method of construction complies with 839  
performance standards adopted pursuant to section 3781.11 of the 840  
Revised Code. The board shall make its determination with regard 841  
to adaptability for safe and sanitary erection, use, or 842  
construction, to that described in any section of the Revised 843  
Code, wherever the use of a fixture, device, material, method of 844  
manufacture, system, or method of construction described in that 845  
section of the Revised Code is permitted by law. The board shall 846  
amend or annul any rule or issue an authorization for the use of 847  
a new material or manufactured unit on any like application. No 848  
department, officer, board, or commission of the state other 849  
than the board of building standards or the board of building 850  
appeals shall permit the use of any fixture, device, material, 851  
method of manufacture, newly designed product, system, or method 852  
of construction at variance with what is described in any rule 853  
the board of building standards adopts or issues or that is 854  
authorized by any section of the Revised Code. Nothing in this 855  
section shall be construed as requiring approval, by rule, of 856  
plans for an industrialized unit that conforms with the rules 857  
the board of building standards adopts pursuant to section 858  
3781.11 of the Revised Code. 859

(D) The board shall recommend rules, codes, and standards 860  
to help carry out the purposes of section 3781.06 of the Revised 861  
Code and to help secure uniformity of state administrative 862  
rulings and local legislation and administrative action to the 863  
bureau of workers' compensation, the director of commerce, any 864  
other department, officer, board, or commission of the state, 865  
and to legislative authorities and building departments of 866

counties, townships, and municipal corporations, and shall 867  
recommend that they audit those recommended rules, codes, and 868  
standards by any appropriate action that they are allowed 869  
pursuant to law or the constitution. 870

(E) (1) The board shall certify municipal, township, and 871  
county building departments, the personnel of those building 872  
departments, persons described in division (E) (7) of this 873  
section, and employees of individuals, firms, the state, or 874  
corporations described in division (E) (7) of this section to 875  
exercise enforcement authority, to accept and approve plans and 876  
specifications, and to make inspections, pursuant to sections 877  
3781.03, 3791.04, and 4104.43 of the Revised Code. 878

(2) The board shall certify departments, personnel, and 879  
persons to enforce the state residential building code, to 880  
enforce the nonresidential building code, or to enforce both the 881  
residential and the nonresidential building codes. Any 882  
department, personnel, or person may enforce only the type of 883  
building code for which certified. 884

~~(3)~~ (3) (a) The board shall not require a building 885  
department, its personnel, or any persons that it employs to be 886  
certified for residential building code enforcement if that 887  
building department does not enforce the state residential 888  
building code. 889

(b) The board shall specify, in rules adopted pursuant to 890  
Chapter 119. of the Revised Code, the requirements for 891  
certification for residential and nonresidential building code 892  
enforcement, which shall be consistent with ~~this~~ division (E) (3) 893  
of this section. 894

(c) Rules adopted under division (E) (3) (b) of this section 895

related to residential building code enforcement shall make the 896  
certification process as accessible as possible, while still 897  
ensuring that certificate holders are adequately qualified to 898  
enforce compliance with the state's residential building 899  
standards. 900

(d) The requirements for residential and nonresidential 901  
certification may differ. 902

(e) Except as otherwise provided in this division, the 903  
requirements shall include, but are not limited to, the 904  
satisfactory completion of an initial examination and, to remain 905  
certified, the completion of a specified number of hours of 906  
continuing building code education within each three-year period 907  
following the date of certification which shall be not less than 908  
thirty hours. 909

(f) The rules shall provide that continuing education 910  
credits and certification issued by the council of American 911  
building officials, national model code organizations, and 912  
agencies or entities the board recognizes are acceptable for 913  
purposes of ~~this division~~ (E) (3) of this section. 914

(g) The rules shall specify requirements that are 915  
consistent with the provisions of section 5903.12 of the Revised 916  
Code relating to active duty military service and are 917  
compatible, to the extent possible, with requirements the 918  
council of American building officials and national model code 919  
organizations establish. 920

(4) The board shall establish and collect a certification 921  
and renewal fee for building department personnel, and persons 922  
and employees of persons, firms, or corporations as described in 923  
this section, who are certified pursuant to this division. 924



(5) Any individual certified pursuant to this division 925  
shall complete the number of hours of continuing building code 926  
education that the board requires or, for failure to do so, 927  
forfeit certification. 928

(6) This division does not require or authorize the board 929  
to certify personnel of municipal, township, and county building 930  
departments, and persons and employees of persons, firms, or 931  
corporations as described in this section, whose 932  
responsibilities do not include the exercise of enforcement 933  
authority, the approval of plans and specifications, or making 934  
inspections under the state residential and nonresidential 935  
building codes. 936

(7) Enforcement authority for approval of plans and 937  
specifications and enforcement authority for inspections may be 938  
exercised, and plans and specifications may be approved and 939  
inspections may be made on behalf of a municipal corporation, 940  
township, or county, by any of the following who the board of 941  
building standards certifies: 942

(a) Officers or employees of the municipal corporation, 943  
township, or county; 944

(b) Persons, or employees of persons, firms, or 945  
corporations, pursuant to a contract to furnish architectural, 946  
engineering, or other services to the municipal corporation, 947  
township, or county; 948

(c) Officers or employees of, and persons under contract 949  
with, a municipal corporation, township, county, health 950  
district, or other political subdivision, pursuant to a contract 951  
to furnish architectural, engineering, or other services; 952

(d) Officers or employees of the division of industrial 953

compliance in the department of commerce pursuant to a contract 954  
authorized by division (B) of section 121.083 of the Revised 955  
Code; 956

(e) Persons, or employees of persons, firms, or 957  
corporations, or officers or employees of other municipal 958  
corporations, townships, or counties certified by the board of 959  
building standards to make inspections under conditions 960  
established in rules adopted under division (E) (11) (c) of this 961  
section. 962

(8) Municipal, township, and county building departments 963  
have jurisdiction within the meaning of sections 3781.03, 964  
3791.04, and 4104.43 of the Revised Code, only with respect to 965  
the types of buildings and subject matters for which they are 966  
certified under this section. 967

(9) A certified municipal, township, or county building 968  
department may exercise enforcement authority, accept and 969  
approve plans and specifications, and make inspections pursuant 970  
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 971  
for a park district created pursuant to Chapter 1545. of the 972  
Revised Code upon the approval, by resolution, of the board of 973  
park commissioners of the park district requesting the 974  
department to exercise that authority and conduct those 975  
activities, as applicable. 976

(10) Certification shall be granted upon application by 977  
the municipal corporation, the board of township trustees, or 978  
the board of county commissioners and approval of that 979  
application by the board of building standards. The application 980  
shall set forth: 981

(a) Whether the certification is requested for residential 982

or nonresidential buildings, or both;	983
(b) The number and qualifications of the staff composing the building department;	984 985
(c) The names, addresses, and qualifications of persons, firms, or corporations contracting to furnish work or services pursuant to division (E) (7) (b) of this section;	986 987 988
(d) The names of any other municipal corporation, township, county, health district, or political subdivision under contract to furnish work or services pursuant to division (E) (7) of this section;	989 990 991 992
(e) The proposed budget for the operation of the building department.	993 994
(11) The board of building standards shall adopt rules governing all of the following:	995 996
(a) The certification of building department personnel and persons and employees of persons, firms, or corporations exercising authority pursuant to division (E) (7) of this section. The rules shall disqualify any employee of the department or person who contracts for services with the department <u>or a general contractor or owner under section 3781.181 of the Revised Code</u> from performing services for the department <u>or the general contractor or owner</u> when that employee or person would have to pass upon, inspect, or otherwise exercise authority over any labor, material, or equipment the employee or person furnishes for the construction, alteration, or maintenance of a building or the preparation of working drawings or specifications for work within the jurisdictional area of the department. <del>The</del> <u>Except in the case of a contract under section 3781.181 of the Revised Code, the</u> department shall	997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

provide other similarly qualified personnel to enforce the 1012  
residential and nonresidential building codes as they pertain to 1013  
that work. 1014

(b) The minimum services to be provided by a certified 1015  
building department; 1016

(c) Rules necessary to implement section 3781.181 of the 1017  
Revised Code. 1018

(12) The board of building standards may revoke or suspend 1019  
certification to enforce the residential and nonresidential 1020  
building codes, on petition to the board by any person affected 1021  
by that enforcement or approval of plans, or by the board on its 1022  
own motion. Hearings shall be held and appeals permitted on any 1023  
proceedings for certification or revocation or suspension of 1024  
certification in the same manner as provided in section 3781.101 1025  
of the Revised Code for other proceedings of the board of 1026  
building standards. 1027

(13) Upon certification, and until that authority is 1028  
revoked, any county or township building department shall 1029  
enforce the residential and nonresidential building codes for 1030  
which it is certified without regard to limitation upon the 1031  
authority of boards of county commissioners under Chapter 307. 1032  
of the Revised Code or boards of township trustees under Chapter 1033  
505. of the Revised Code. 1034

(14) The board shall certify a person to exercise 1035  
enforcement authority, to accept and approve plans and 1036  
specifications, or to make inspections in this state in 1037  
accordance with Chapter 4796. of the Revised Code if either of 1038  
the following applies: 1039

(a) The person holds a license or certificate in another 1040

state. 1041

(b) The person has satisfactory work experience, a 1042  
government certification, or a private certification as 1043  
described in that chapter in the same profession, occupation, or 1044  
occupational activity as the profession, occupation, or 1045  
occupational activity for which the certificate is required in 1046  
this state in a state that does not issue that license or 1047  
certificate. 1048

(F) In addition to hearings sections 3781.06 to 3781.18 1049  
and 3791.04 of the Revised Code require, the board of building 1050  
standards shall make investigations and tests, and require from 1051  
other state departments, officers, boards, and commissions 1052  
information the board considers necessary or desirable to assist 1053  
it in the discharge of any duty or the exercise of any power 1054  
mentioned in this section or in sections 3781.06 to 3781.18, 1055  
3791.04, and 4104.43 of the Revised Code. 1056

(G) The board shall adopt rules and establish reasonable 1057  
fees for the review of all applications submitted where the 1058  
applicant applies for authority to use a new material, assembly, 1059  
or product of a manufacturing process. The fee shall bear some 1060  
reasonable relationship to the cost of the review or testing of 1061  
the materials, assembly, or products and for the notification of 1062  
approval or disapproval as provided in section 3781.12 of the 1063  
Revised Code. 1064

(H) The residential construction advisory committee shall 1065  
provide the board with a proposal for a state residential 1066  
building code that the committee recommends pursuant to division 1067  
(D)(1) of section 4740.14 of the Revised Code. Upon receiving a 1068  
recommendation from the committee that is acceptable to the 1069  
board, the board shall adopt rules establishing that code as the 1070

state residential building code. 1071

(I) (1) The committee may provide the board with proposed 1072  
rules to update or amend the state residential building code 1073  
that the committee recommends pursuant to division (E) of 1074  
section 4740.14 of the Revised Code. 1075

(2) If the board receives a proposed rule to update or 1076  
amend the state residential building code as provided in 1077  
division (I) (1) of this section, the board either may accept or 1078  
reject the proposed rule for incorporation into the residential 1079  
building code. If the board does not act to either accept or 1080  
reject the proposed rule within ninety days after receiving the 1081  
proposed rule from the committee as described in division (I) (1) 1082  
of this section, the proposed rule shall become part of the 1083  
residential building code. 1084

(J) The board shall cooperate with the director of job and 1085  
family services when the director promulgates rules pursuant to 1086  
section 5104.05 of the Revised Code regarding safety and 1087  
sanitation in type A family child care homes. 1088

(K) The board shall adopt rules to implement the 1089  
requirements of section 3781.108 of the Revised Code. 1090

**Sec. 3781.181.** (A) As used in this section: 1091

(1) "Nonresidential building" and "residential building" 1092  
have the same meanings as in section 3781.06 of the Revised 1093  
Code. 1094

(2) "Owner" means the fee owner of any building or 1095  
structure. 1096

(3) "Third-party private inspector" means an inspector 1097  
that is certified under section 3781.10 of the Revised Code to 1098

to accept and approve plans and specifications, and to make 1099  
inspections of residential or nonresidential building 1100  
construction projects but who is not directly employed by a 1101  
governmental entity. 1102

(B) A building department having jurisdiction with respect 1103  
to a residential or nonresidential building shall review plans 1104  
and perform inspections of residential and nonresidential 1105  
building construction projects within thirty days after 1106  
receiving a plan review or inspection request. 1107

(C) The board of building standards shall do all of the 1108  
following: 1109

(1) Maintain a list of third-party private inspectors and 1110  
building departments that are certified by the board to conduct 1111  
plan review or to provide inspections for residential and 1112  
nonresidential buildings; 1113

(2) Include on the list for each third-party private 1114  
inspector all of the following: 1115

(a) Whether the third-party private inspector is certified 1116  
to conduct plan review, provide inspections, or both; 1117

(b) Whether the third-party private inspector is certified 1118  
to provide services for residential buildings, nonresidential 1119  
buildings, or both; 1120

(c) Any other limitations on the third-party private 1121  
inspector's authority to provide services under this section. 1122

(3) Publish the list to a publicly accessible web site 1123  
maintained by the board. 1124

(D) (1) If the building department having jurisdiction does 1125  
not timely conduct the plan review or inspection in accordance 1126

with division (B) of this section, the general contractor or 1127  
owner of the residential or nonresidential building construction 1128  
project may notify the board of building standards and the 1129  
building department having jurisdiction that the general 1130  
contractor or owner intends to contract for an independent plan 1131  
review or inspection. 1132

(2) After sending notice, the general contractor or owner 1133  
may enter into a contract with a qualified third-party private 1134  
inspector or a building department included on the list 1135  
maintained by the board under division (C) of this section to 1136  
conduct the plan review or inspection of the residential or 1137  
nonresidential building construction project. 1138

(3) The general contractor or owner is responsible for 1139  
payment of both of the following: 1140

(a) Any fee contracted for by the third-party private 1141  
inspector or certified building department for the independent 1142  
plan review or inspection under division (D)(2) of this section; 1143

(b) Any fee charged by the building department having 1144  
jurisdiction that is customary for the approval of a plan review 1145  
or inspection, including an administrative or filing fee, but 1146  
excluding any fee related to the actual plan review or 1147  
inspection. 1148

(4) A third-party private inspector or an inspector 1149  
employed by a certified building department shall send the 1150  
results to the building department having jurisdiction within 1151  
twenty-four hours after completing an independent plan review or 1152  
inspection. 1153

(5) The rules adopted by the board of building standards 1154  
under section 3781.10 of the Revised Code shall prescribe 1155



procedures for the review and processing of plan review and 1156  
inspection reports by the building official of the building 1157  
department having jurisdiction. 1158

(E) A building department having jurisdiction with respect 1159  
to a residential or nonresidential building inspection may 1160  
contract for an independent plan review or inspection in the 1161  
same manner prescribed by division (C) of this section, except 1162  
that the building department having jurisdiction shall pay any 1163  
fee contracted for by the third-party private inspector or 1164  
certified building department. 1165

(F) A general contractor or owner of a residential or 1166  
nonresidential construction project may request a certificate of 1167  
occupancy from either of the following: 1168

(1) The building department having jurisdiction; 1169

(2) The board of building standards. 1170

**Sec. 4735.55.** (A) ~~Each~~ No licensee shall provide services 1171  
that require a license under this chapter to, or on behalf of, a 1172  
seller or purchaser without first entering into a written agency 1173  
agreement ~~shall contain that contains~~ all of the following: 1174

(1) An expiration date; 1175

(2) A statement that it is illegal, pursuant to the Ohio 1176  
fair housing law, division (H) of section 4112.02 of the Revised 1177  
Code, and the federal fair housing law, 42 U.S.C.A. 3601, as 1178  
amended, to refuse to sell, transfer, assign, rent, lease, 1179  
sublease, or finance housing accommodations, refuse to negotiate 1180  
for the sale or rental of housing accommodations, or otherwise 1181  
deny or make unavailable housing accommodations because of race, 1182  
color, religion, sex, familial status as defined in section 1183  
4112.01 of the Revised Code, ancestry, military status as 1184

defined in that section, disability as defined in that section, 1185  
or national origin or to so discriminate in advertising the sale 1186  
or rental of housing, in the financing of housing, or in the 1187  
provision of real estate brokerage services; 1188

(3) A statement defining the practice known as 1189  
"blockbusting" and stating that it is illegal; 1190

(4) A copy of the United States department of housing and 1191  
urban development equal housing opportunity logotype, as set 1192  
forth in 24 C.F.R. 109.30, as amended; 1193

(5) A statement that the licensee is appointed as an agent 1194  
of the client, and an indication of whether the agency 1195  
relationship is exclusive or nonexclusive; 1196

(6) The terms by which the real estate broker is to be 1197  
compensated. 1198

(B) Each written agency agreement shall contain a place 1199  
for the licensee and the client to sign and date the agreement. 1200

(C) A licensee shall furnish a copy of any written agency 1201  
agreement to a client in a timely manner after the licensee and 1202  
the client have signed and dated it. 1203

**Sec. 4735.56.** (A) Each brokerage shall develop a written 1204  
brokerage policy on agency to be given to prospective sellers 1205  
and purchasers in accordance with divisions (C) and (D) of this 1206  
section. 1207

(B) The brokerage policy on agency described in division 1208  
(A) of this section shall include all of the following 1209  
information: 1210

(1) An explanation of the permissible agency relationships 1211  
available under section 4735.53 of the Revised Code and the 1212

duties that the agent owes the agent's client;	1213
(2) The brokerage's policy on representation of purchasers or sellers;	1214 1215
(3) Whether at some time during the agency relationship the brokerage and its licensee may act as a dual agent, and the options and consequences for the client if a dual agency situation arises including the right of the client to terminate the agency relationship and seek representation from another source;	1216 1217 1218 1219 1220 1221
(4) Whether at some time during the agency relationship, another licensee affiliated with the same brokerage as the licensee may become the exclusive agent for the other party in the transaction and whether each licensee will represent only the interests of that licensee's client;	1222 1223 1224 1225 1226
(5) The brokerage's policy on cooperation with other brokerages, including whether the brokerage offers compensation to other brokerages or will seek compensation from other brokerages;	1227 1228 1229 1230
(6) That a brokerage that has a purchaser as a client represents the purchaser's interests even though the seller's agent or the seller may compensate that purchaser's brokerage;	1231 1232 1233
(7) That the signature of the purchaser or the seller indicates acknowledgement of receipt of the brokerage policy on agency.	1234 1235 1236
(C) <u>A licensee acting as a seller's agent working directly with a seller in a real estate transaction shall provide the seller with the brokerage policy on agency described in this section prior to marketing or showing the seller's real estate at the time the licensee and seller enter into an agency</u>	1237 1238 1239 1240 1241

agreement, as required by section 4735.55 of the Revised Code, 1242  
and shall obtain a signature from the seller acknowledging 1243  
receipt unless the seller refuses to provide a signature. If the 1244  
seller refuses to provide a signature, the licensee shall note 1245  
this on the policy. 1246

(D) A licensee working directly with a purchaser in a real 1247  
estate transaction, whether as the purchaser's agent, the 1248  
seller's agent, or the seller's subagent, shall provide the 1249  
purchaser with the brokerage policy on agency described in this 1250  
section and obtain a signature from the purchaser acknowledging 1251  
receipt of the policy unless the purchaser refuses to provide a 1252  
signature. If the purchaser refuses to provide a signature, the 1253  
licensee shall note this on the policy. Except as provided in 1254  
division (E) of this section, the licensee shall provide the 1255  
brokerage policy on agency to a purchaser prior to the earliest 1256  
of the following actions of the licensee: 1257

(1) Initiating a prequalification evaluation to determine 1258  
whether the purchaser has the financial ability to purchase or 1259  
lease a particular real estate property; 1260

(2) Requesting specific financial information from the 1261  
purchaser to determine the purchaser's ability to purchase or 1262  
finance real estate in a particular price range; 1263

(3) Showing the real estate to the purchaser other than at 1264  
an open house; 1265

(4) Discussing, with the purchaser, the making of an offer 1266  
to purchase or lease real estate; 1267

(5) Submitting an offer to purchase or lease real estate 1268  
on behalf of the purchaser; 1269

(6) Entering into an agency agreement with the purchaser 1270

under section 4735.55 of the Revised Code. 1271

(E) If the earliest event described in division (D) of 1272  
this section is by telephone or electronic mail, the licensee 1273  
shall disclose by that same medium the nature of the agency 1274  
relationship that the licensee has with both the seller and the 1275  
purchaser. The licensee shall provide the purchaser with the 1276  
brokerage policy on agency described in this section at the 1277  
first meeting with the purchaser following this disclosure of 1278  
the agency relationship. 1279

(F) A licensee acting as a seller's agent is not required 1280  
to provide a purchaser with the brokerage policy on agency 1281  
described in this section except in the case of an event 1282  
described in division (D) of this section. 1283

(G) The requirements of this section regarding provision 1284  
of a brokerage policy on agency apply only in the following 1285  
situations: 1286

(1) The sale or lease of vacant land; 1287

(2) The sale of a parcel of real estate containing one to 1288  
four residential units; 1289

(3) The leasing of residential premises as defined in 1290  
section 5321.01 of the Revised Code, if the rental or lease 1291  
agreement is for a term of more than eighteen months. 1292

**Sec. 4735.59.** To change the party a licensee represents in 1293  
a real estate transaction after an agency disclosure statement 1294  
has been signed and dated ~~or,~~ following verbal disclosure of 1295  
the agency relationship, or following an agency agreement under 1296  
section 4735.55 of the Revised Code, the licensee shall obtain 1297  
written consent from the party originally represented to 1298  
represent another party in the transaction. The licensee shall 1299

promptly notify all persons who had been notified of the 1300  
original relationship. 1301

The Ohio real estate commission may adopt rules in 1302  
accordance with Chapter 119. of the Revised Code to provide for 1303  
required disclosures when a licensee terminates an agency 1304  
relationship and becomes a principal in the transaction. 1305

**Sec. 5321.17.** (A) Except as provided in division (C) of 1306  
this section, the landlord or the tenant may terminate or fail 1307  
to renew a week-to-week tenancy by notice given the other at 1308  
least seven days prior to the termination date specified in the 1309  
notice. 1310

(B) Except as provided in division (C) of this section, 1311  
the landlord or the tenant may terminate or fail to renew a 1312  
month-to-month tenancy by notice given the other at least thirty 1313  
days prior to the periodic rental date. 1314

(C) If a tenant violates division (A) (9) of section 1315  
5321.05 of the Revised Code and if the landlord has actual 1316  
knowledge of or has reasonable cause to believe that the tenant, 1317  
any person in the tenant's household, or any person on the 1318  
residential premises with the consent of the tenant previously 1319  
has or presently is engaged in a violation as described in 1320  
division (A) (6) (a) (i) of section 1923.02 of the Revised Code, 1321  
the landlord shall terminate the week-to-week tenancy, month-to- 1322  
month tenancy, or other rental agreement with the tenant by 1323  
giving a notice of termination to the tenant in accordance with 1324  
this division. The notice shall specify that the tenancy or 1325  
other rental agreement is terminated three days after the giving 1326  
of the notice, and the shall state that the tenant may qualify 1327  
for free legal representation based on income and recommend that 1328  
the tenant inquire about eligibility with legal aid at 1329

www.ohiolegalhelp.org or (866) 529-6446. The landlord may give 1330  
the notice whether or not the tenant or other person has been 1331  
charged with, has pleaded guilty to or been convicted of, or has 1332  
been determined to be a delinquent child for an act that, if 1333  
committed by an adult, would be a violation as described in 1334  
division (A) (6) (a) (i) of section 1923.02 of the Revised Code. If 1335  
the tenant fails to vacate the premises within three days after 1336  
the giving of that notice, then the landlord promptly shall 1337  
comply with division (A) (9) of section 5321.04 of the Revised 1338  
Code. For purposes of this division, actual knowledge or 1339  
reasonable cause to believe as described in this division shall 1340  
be determined in accordance with division (A) (6) (a) (i) of 1341  
section 1923.02 of the Revised Code. 1342

(D) This section does not apply to a termination based on 1343  
the breach of a condition of a rental agreement or the breach of 1344  
a duty and obligation imposed by law, except that it does apply 1345  
to a breach of the obligation imposed upon a tenant by division 1346  
(A) (9) of section 5321.05 of the Revised Code. 1347

**Section 2.** That existing sections 120.521, 120.53, 319.20, 1348  
1923.06, 1923.08, 1923.09, 3735.41, 3781.10, 4735.55, 4735.56, 1349  
4735.59, and 5321.17 of the Revised Code are hereby repealed. 1350

**Section 3.** That the version of section 3781.10 of the 1351  
Revised Code that is scheduled to take effect January 1, 2025, 1352  
be amended to read as follows: 1353

**Sec. 3781.10.** (A) (1) The board of building standards shall 1354  
formulate and adopt rules governing the erection, construction, 1355  
repair, alteration, and maintenance of all buildings or classes 1356  
of buildings specified in section 3781.06 of the Revised Code, 1357  
including land area incidental to those buildings, the 1358  
construction of industrialized units, the installation of 1359

equipment, and the standards or requirements for materials used 1360  
in connection with those buildings. The board shall incorporate 1361  
those rules into separate residential and nonresidential 1362  
building codes. The standards shall relate to the conservation 1363  
of energy and the safety and sanitation of those buildings. 1364

(2) The rules governing nonresidential buildings are the 1365  
lawful minimum requirements specified for those buildings and 1366  
industrialized units, except that no rule other than as provided 1367  
in division (C) of section 3781.108 of the Revised Code that 1368  
specifies a higher requirement than is imposed by any section of 1369  
the Revised Code is enforceable. The rules governing residential 1370  
buildings are uniform requirements for residential buildings in 1371  
any area with a building department certified to enforce the 1372  
state residential building code. In no case shall any local code 1373  
or regulation differ from the state residential building code 1374  
unless that code or regulation addresses subject matter not 1375  
addressed by the state residential building code or is adopted 1376  
pursuant to section 3781.01 of the Revised Code. 1377

(3) The rules adopted pursuant to this section are 1378  
complete, lawful alternatives to any requirements specified for 1379  
buildings or industrialized units in any section of the Revised 1380  
Code. Except as otherwise provided in division (I) of this 1381  
section, the board shall, on its own motion or on application 1382  
made under sections 3781.12 and 3781.13 of the Revised Code, 1383  
formulate, propose, adopt, modify, amend, or repeal the rules to 1384  
the extent necessary or desirable to effectuate the purposes of 1385  
sections 3781.06 to 3781.18 of the Revised Code. 1386

(B) The board shall report to the general assembly 1387  
proposals for amendments to existing statutes relating to the 1388  
purposes declared in section 3781.06 of the Revised Code that 1389



public health and safety and the development of the arts require 1390  
and shall recommend any additional legislation to assist in 1391  
carrying out fully, in statutory form, the purposes declared in 1392  
that section. The board shall prepare and submit to the general 1393  
assembly a summary report of the number, nature, and disposition 1394  
of the petitions filed under sections 3781.13 and 3781.14 of the 1395  
Revised Code. 1396

(C) On its own motion or on application made under 1397  
sections 3781.12 and 3781.13 of the Revised Code, and after 1398  
thorough testing and evaluation, the board shall determine by 1399  
rule that any particular fixture, device, material, process of 1400  
manufacture, manufactured unit or component, method of 1401  
manufacture, system, or method of construction complies with 1402  
performance standards adopted pursuant to section 3781.11 of the 1403  
Revised Code. The board shall make its determination with regard 1404  
to adaptability for safe and sanitary erection, use, or 1405  
construction, to that described in any section of the Revised 1406  
Code, wherever the use of a fixture, device, material, method of 1407  
manufacture, system, or method of construction described in that 1408  
section of the Revised Code is permitted by law. The board shall 1409  
amend or annul any rule or issue an authorization for the use of 1410  
a new material or manufactured unit on any like application. No 1411  
department, officer, board, or commission of the state other 1412  
than the board of building standards or the board of building 1413  
appeals shall permit the use of any fixture, device, material, 1414  
method of manufacture, newly designed product, system, or method 1415  
of construction at variance with what is described in any rule 1416  
the board of building standards adopts or issues or that is 1417  
authorized by any section of the Revised Code. Nothing in this 1418  
section shall be construed as requiring approval, by rule, of 1419  
plans for an industrialized unit that conforms with the rules 1420

the board of building standards adopts pursuant to section 1421  
3781.11 of the Revised Code. 1422

(D) The board shall recommend rules, codes, and standards 1423  
to help carry out the purposes of section 3781.06 of the Revised 1424  
Code and to help secure uniformity of state administrative 1425  
rulings and local legislation and administrative action to the 1426  
bureau of workers' compensation, the director of commerce, any 1427  
other department, officer, board, or commission of the state, 1428  
and to legislative authorities and building departments of 1429  
counties, townships, and municipal corporations, and shall 1430  
recommend that they audit those recommended rules, codes, and 1431  
standards by any appropriate action that they are allowed 1432  
pursuant to law or the constitution. 1433

(E) (1) The board shall certify municipal, township, and 1434  
county building departments, the personnel of those building 1435  
departments, persons described in division (E) (7) of this 1436  
section, and employees of individuals, firms, the state, or 1437  
corporations described in division (E) (7) of this section to 1438  
exercise enforcement authority, to accept and approve plans and 1439  
specifications, and to make inspections, pursuant to sections 1440  
3781.03, 3791.04, and 4104.43 of the Revised Code. 1441

(2) The board shall certify departments, personnel, and 1442  
persons to enforce the state residential building code, to 1443  
enforce the nonresidential building code, or to enforce both the 1444  
residential and the nonresidential building codes. Any 1445  
department, personnel, or person may enforce only the type of 1446  
building code for which certified. 1447

~~(3)~~ (3) (a) The board shall not require a building 1448  
department, its personnel, or any persons that it employs to be 1449  
certified for residential building code enforcement if that 1450

building department does not enforce the state residential 1451  
building code. 1452

(b) The board shall specify, in rules adopted pursuant to 1453  
Chapter 119. of the Revised Code, the requirements for 1454  
certification for residential and nonresidential building code 1455  
enforcement, which shall be consistent with ~~this~~ division (E) (3) 1456  
of this section. 1457

(c) Rules adopted under division (E) (3) (b) of this section 1458  
related to residential building code enforcement shall make the 1459  
certification process as accessible as possible, while still 1460  
ensuring that certificate holders are adequately qualified to 1461  
enforce compliance with the state's residential building 1462  
standards. 1463

(d) The requirements for residential and nonresidential 1464  
certification may differ. 1465

(e) Except as otherwise provided in this division, the 1466  
requirements shall include, but are not limited to, the 1467  
satisfactory completion of an initial examination and, to remain 1468  
certified, the completion of a specified number of hours of 1469  
continuing building code education within each three-year period 1470  
following the date of certification which shall be not less than 1471  
thirty hours. 1472

(f) The rules shall provide that continuing education 1473  
credits and certification issued by the council of American 1474  
building officials, national model code organizations, and 1475  
agencies or entities the board recognizes are acceptable for 1476  
purposes of ~~this~~ division (E) (3) of this section. 1477

(g) The rules shall specify requirements that are 1478  
consistent with the provisions of section 5903.12 of the Revised 1479

Code relating to active duty military service and are 1480  
compatible, to the extent possible, with requirements the 1481  
council of American building officials and national model code 1482  
organizations establish. 1483

(4) The board shall establish and collect a certification 1484  
and renewal fee for building department personnel, and persons 1485  
and employees of persons, firms, or corporations as described in 1486  
this section, who are certified pursuant to this division. 1487

(5) Any individual certified pursuant to this division 1488  
shall complete the number of hours of continuing building code 1489  
education that the board requires or, for failure to do so, 1490  
forfeit certification. 1491

(6) This division does not require or authorize the board 1492  
to certify personnel of municipal, township, and county building 1493  
departments, and persons and employees of persons, firms, or 1494  
corporations as described in this section, whose 1495  
responsibilities do not include the exercise of enforcement 1496  
authority, the approval of plans and specifications, or making 1497  
inspections under the state residential and nonresidential 1498  
building codes. 1499

(7) Enforcement authority for approval of plans and 1500  
specifications and enforcement authority for inspections may be 1501  
exercised, and plans and specifications may be approved and 1502  
inspections may be made on behalf of a municipal corporation, 1503  
township, or county, by any of the following who the board of 1504  
building standards certifies: 1505

(a) Officers or employees of the municipal corporation, 1506  
township, or county; 1507

(b) Persons, or employees of persons, firms, or 1508

corporations, pursuant to a contract to furnish architectural, 1509  
engineering, or other services to the municipal corporation, 1510  
township, or county; 1511

(c) Officers or employees of, and persons under contract 1512  
with, a municipal corporation, township, county, health 1513  
district, or other political subdivision, pursuant to a contract 1514  
to furnish architectural, engineering, or other services; 1515

(d) Officers or employees of the division of industrial 1516  
compliance in the department of commerce pursuant to a contract 1517  
authorized by division (B) of section 121.083 of the Revised 1518  
Code; 1519

(e) Persons, or employees of persons, firms, or 1520  
corporations, or officers or employees of other municipal 1521  
corporations, townships, or counties certified by the board of 1522  
building standards to make inspections under the conditions 1523  
established in rules adopted under division (E)(11)(c) of this 1524  
section. 1525

(8) Municipal, township, and county building departments 1526  
have jurisdiction within the meaning of sections 3781.03, 1527  
3791.04, and 4104.43 of the Revised Code, only with respect to 1528  
the types of buildings and subject matters for which they are 1529  
certified under this section. 1530

(9) A certified municipal, township, or county building 1531  
department may exercise enforcement authority, accept and 1532  
approve plans and specifications, and make inspections pursuant 1533  
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 1534  
for a park district created pursuant to Chapter 1545. of the 1535  
Revised Code upon the approval, by resolution, of the board of 1536  
park commissioners of the park district requesting the 1537

department to exercise that authority and conduct those 1538  
activities, as applicable. 1539

(10) Certification shall be granted upon application by 1540  
the municipal corporation, the board of township trustees, or 1541  
the board of county commissioners and approval of that 1542  
application by the board of building standards. The application 1543  
shall set forth: 1544

(a) Whether the certification is requested for residential 1545  
or nonresidential buildings, or both; 1546

(b) The number and qualifications of the staff composing 1547  
the building department; 1548

(c) The names, addresses, and qualifications of persons, 1549  
firms, or corporations contracting to furnish work or services 1550  
pursuant to division (E) (7) (b) of this section; 1551

(d) The names of any other municipal corporation, 1552  
township, county, health district, or political subdivision 1553  
under contract to furnish work or services pursuant to division 1554  
(E) (7) of this section; 1555

(e) The proposed budget for the operation of the building 1556  
department. 1557

(11) The board of building standards shall adopt rules 1558  
governing all of the following: 1559

(a) The certification of building department personnel and 1560  
persons and employees of persons, firms, or corporations 1561  
exercising authority pursuant to division (E) (7) of this 1562  
section. The rules shall disqualify any employee of the 1563  
department or person who contracts for services with the 1564  
department or general contractor or owner under section 3781.181 1565

of the Revised Code from performing services for the department 1566  
or the general contractor or owner when that employee or person 1567  
would have to pass upon, inspect, or otherwise exercise 1568  
authority over any labor, material, or equipment the employee or 1569  
person furnishes for the construction, alteration, or 1570  
maintenance of a building or the preparation of working drawings 1571  
or specifications for work within the jurisdictional area of the 1572  
department. ~~The~~ Except in the case of a contract under section 1573  
3781.181 of the Revised Code, the department shall provide other 1574  
similarly qualified personnel to enforce the residential and 1575  
nonresidential building codes as they pertain to that work. 1576

(b) The minimum services to be provided by a certified 1577  
building department; 1578

(c) Rules necessary to implement section 3781.181 of the 1579  
Revised Code. 1580

(12) The board of building standards may revoke or suspend 1581  
certification to enforce the residential and nonresidential 1582  
building codes, on petition to the board by any person affected 1583  
by that enforcement or approval of plans, or by the board on its 1584  
own motion. Hearings shall be held and appeals permitted on any 1585  
proceedings for certification or revocation or suspension of 1586  
certification in the same manner as provided in section 3781.101 1587  
of the Revised Code for other proceedings of the board of 1588  
building standards. 1589

(13) Upon certification, and until that authority is 1590  
revoked, any county or township building department shall 1591  
enforce the residential and nonresidential building codes for 1592  
which it is certified without regard to limitation upon the 1593  
authority of boards of county commissioners under Chapter 307. 1594  
of the Revised Code or boards of township trustees under Chapter 1595

505. of the Revised Code. 1596

(14) The board shall certify a person to exercise 1597  
enforcement authority, to accept and approve plans and 1598  
specifications, or to make inspections in this state in 1599  
accordance with Chapter 4796. of the Revised Code if either of 1600  
the following applies: 1601

(a) The person holds a license or certificate in another 1602  
state. 1603

(b) The person has satisfactory work experience, a 1604  
government certification, or a private certification as 1605  
described in that chapter in the same profession, occupation, or 1606  
occupational activity as the profession, occupation, or 1607  
occupational activity for which the certificate is required in 1608  
this state in a state that does not issue that license or 1609  
certificate. 1610

(F) In addition to hearings sections 3781.06 to 3781.18 1611  
and 3791.04 of the Revised Code require, the board of building 1612  
standards shall make investigations and tests, and require from 1613  
other state departments, officers, boards, and commissions 1614  
information the board considers necessary or desirable to assist 1615  
it in the discharge of any duty or the exercise of any power 1616  
mentioned in this section or in sections 3781.06 to 3781.18, 1617  
3791.04, and 4104.43 of the Revised Code. 1618

(G) The board shall adopt rules and establish reasonable 1619  
fees for the review of all applications submitted where the 1620  
applicant applies for authority to use a new material, assembly, 1621  
or product of a manufacturing process. The fee shall bear some 1622  
reasonable relationship to the cost of the review or testing of 1623  
the materials, assembly, or products and for the notification of 1624



approval or disapproval as provided in section 3781.12 of the Revised Code. 1625  
1626

(H) The residential construction advisory committee shall 1627  
provide the board with a proposal for a state residential 1628  
building code that the committee recommends pursuant to division 1629  
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 1630  
recommendation from the committee that is acceptable to the 1631  
board, the board shall adopt rules establishing that code as the 1632  
state residential building code. 1633

(I) (1) The committee may provide the board with proposed 1634  
rules to update or amend the state residential building code 1635  
that the committee recommends pursuant to division (E) of 1636  
section 4740.14 of the Revised Code. 1637

(2) If the board receives a proposed rule to update or 1638  
amend the state residential building code as provided in 1639  
division (I) (1) of this section, the board either may accept or 1640  
reject the proposed rule for incorporation into the residential 1641  
building code. If the board does not act to either accept or 1642  
reject the proposed rule within ninety days after receiving the 1643  
proposed rule from the committee as described in division (I) (1) 1644  
of this section, the proposed rule shall become part of the 1645  
residential building code. 1646

(J) The board shall cooperate with the director of 1647  
children and youth when the director promulgates rules pursuant 1648  
to section 5104.05 of the Revised Code regarding safety and 1649  
sanitation in type A family child care homes. 1650

(K) The board shall adopt rules to implement the 1651  
requirements of section 3781.108 of the Revised Code. 1652

**Section 4.** That the existing version of section 3781.10 of 1653

the Revised Code that is scheduled to take effect on January 1, 1654  
2025, is hereby repealed. 1655

**Section 5.** Sections 3 and 4 of this act take effect 1656  
January 1, 2025. 1657

**Section 6.** (A) Within one hundred and eighty days after 1658  
the effective date of this section, the Board of Building 1659  
Standards shall complete a review of those rules pertaining to 1660  
the certification of persons to enforce the residential building 1661  
code adopted by the Board in accordance with section 3781.10 of 1662  
the Revised Code, as amended by this act, including those rules 1663  
pertaining to the following certification types: 1664

(1) Residential building official; 1665

(2) Interim residential building official; 1666

(3) Residential plans examiner; 1667

(4) Interim residential plans examiner; 1668

(5) Residential plans examiner trainee; 1669

(6) Residential building inspector; 1670

(7) Interim residential building inspector; 1671

(8) Residential building inspector trainee; 1672

(9) Residential mechanical inspector; 1673

(10) Interim residential mechanical inspector; 1674

(11) Residential mechanical inspector trainee. 1675

(B) The Board shall conduct the review required by this 1676  
section and amend its rules with the goal of accomplishing all 1677  
of the following: 1678

(1) Making the certification process more accessible and	1679
appealing without compromising the integrity and quality of	1680
enforcement of the residential building code;	1681
(2) Simplifying the certification process, reducing	1682
bureaucratic hurdles, and increasing transparency to make the	1683
process less daunting and more appealing to potential	1684
candidates;	1685
(3) Modifying the trainee program to allow for a broader	1686
range of supervisory relationships and experiences to provide	1687
more pathways for individuals to gain access to the necessary	1688
qualifications;	1689
(4) Revising supervisory ratios to allow supervisors to	1690
oversee more trainees to increase the efficiency of the training	1691
process and the number of candidates moving through it.	1692