Tim Williams, Executive Director
Ohio Manufactured Homes Association
House Local Government Committee
Sub. House Bill 92 Proponent Testimony
November 19, 2025

Chair King, Vice Chair Kishman, Ranking Member Sims, and members of the House Local Government Committee.

Since 1947 the Ohio Manufactured Homes Association (OMHA) has represented all segments of the manufactured housing industry providing affordable housing to over 900,000 Ohioans living in manufactured homes. On behalf of the Ohio Manufactured Homes Association, I believe that Substitute House Bill 92 would be an improvement over existing law for owners of manufactured home communities.

If water or other service charges from a municipality accrues through a direct contract with a tenant of a home or the homeowner who rents the lot and are left owed or unpaid, local water providers are taking the quick and easy route of having the county auditor place a lien on the real property (manufactured home community) even though the manufactured home community bears no responsibility for the tenant's unpaid utilities. As clearly stated by LSC this is Illegal! Therefore, the practice by municipalities of illegally attaching a lien to landlords and manufactured homes communities for a tenant's unpaid utilities should be clearly prohibited when the unpaid services are provided via a direct contract to tenants, not the landlord, in this case a manufactured home community. Such situations obviously can arise when a manufactured home community owns the land and rents the lot, but the resident owns the home.

With the passage of Substitute House Bill 92, it will be absolutely clear in law that the homeowner is responsible for unpaid service fees only if the water was provided via a service contract with the municipality made directly with the owner who occupies the home. **However, under current law the municipal water provider may seek unpaid water rents and charges by actions at law in the name of an owner, tenant, or other person to pay the rents or charges.** For example, under current law if a water bill is unpaid by a tenant who rents the home including in a manufactured home community, a city may sue the property owner, the tenant or

another to make the payment for the tenant's unpaid utilities. It would be patently unfair to sue a manufactured home community for services for which there was no direct benefit received from the manufactured home community.

Manufactured home communities are unique due to the ownership of the land and the ownership of the home. In many circumstances, the manufactured home community owns the land, but does not own the home, only renting the lot to the homeowner. And the other situation is when the community owns the land and rents the home. The law should be changed for manufactured home communities when a tenant who rents a home or a resident who owns the home and rents the lot and directly contracts with the municipality for utility services to be the responsible party. OMHA respectfully requests that Substitute House Bill 92 be amended to allow such actions. It makes no sense that it is illegal for a municipality to place a lien against the landlord or manufactured home community in such circumstances but allows suits against the landlord or manufactured home community for the tenant's unpaid utilities.

OMHA feels that this legislation increases protection against the liability of manufactured home community owners for non-payment of water and trash services by homeowners (who rent the lot) and tenants renting the home/lot as compared to current law. However, the legislation should be strengthened to clarify charges by municipalities for tenants' and homeowners' unpaid utilities in all circumstances should be prohibited from being charged to the manufactured home community, from being able to place a lien or sue the manufactured community for a tenant or homeowner's unpaid utilities. Reason and ethics would suggest that charging anyone for another's delinquent utility charges in which they bear no responsibility is a "taking of property" and usurpation of constitutionally protected property rights.

Thank you, Madam Chair and members of the Committee, for the opportunity to provide comments on Substitute House Bill 92.