

Proponent Testimony on SB 135

Before the

Senate Judiciary Committee

October 15, 2025

Chairman Manning, Vice Chair Reynolds, Ranking member Hicks-Hudson and members of the Senate Judiciary Committee. Thank you for the opportunity to provide proponent testimony on **SB 135** and the amendment we have been working on with interested parties for several months.

My name is Tony Fiore and I'm an attorney/lobbyist at the full-service law firm of Kegler Brown Hill + Ritter LPA here in downtown Columbus. I also serve as legislative counsel to Auction.com. Auction.com is the nation's largest online auction marketplace for distressed properties.

SB 135 is the culmination of years of work with interested parties.

Every county in Ohio is plagued with foreclosed property. Several programs exist to help keep that individual or family in the home, but those financial resources are limited. Land banks can help, but any taxes due for schools and local governments are wiped out with such a transfer in addition to the cost to raze the property and redevelop. The best alternative for the defendant homeowner and community surrounding the foreclosure is an inexpensive and effective process that results in a third-party purchasing the property for as high a value as possible. These are the goals of **SB 135**.

The bill does four primary things. It:

- 1) **limits judicial discretion in uncontested claims** allowing appointments of PSOs to be used in every county. The Ohio Judicial Conference helped craft the language in **SB 135** and states that it is fair. This provides a substantial solution to further unlock the benefits and effectiveness of the PSO construct the legislature desired when passing the original legislation in 2016.
- 2) **keeps all residential mortgage foreclosure appraisals with the county sheriff**, allowing the sheriff to engage "freeholders" to conduct the appraisal (even though no other state in the nation authorizes sheriffs to outsource this task to such freeholders). It does maintain the requirements, however, for the sheriff to select individuals who are: 1) a freeholder (owner of land in the county), and 2) a licensed real estate professional, or a licensed appraiser. It also requires the appraisal to be submitted to the court within 14 days (instead of 21) and electronically to the PSO if they are conducting the sale. We worked with the Ohio Association of Realtors and Ohio Auctioneer's Association on these provisions.

- 3) **maintains 3 weeks of advertising but only requires one, instead of three weeks in the newspaper.** Like how the legislature changed the requirement for tax foreclosure advertising, **SB 135** requires the 1st week of advertising in the newspaper and the cost must be reasonable, but the 2nd and 3rd week of advertising can be done at no cost to the case on the sheriff, county or PSO websites.
- 4) **cleans up the previous legislation** and clarifies certain aspects of the current law that caused confusion or were unclear.

The amendment:

- 1) addresses the **conflict-of-interest language** in the bill regarding PSOs to ensure independent selling officer is used to achieve the best outcome at the sale
- 2) **Provides mechanism for other lienholders to object to PSO appointment** and require either the county sheriff or an alternate PSO sell the property which was an amendment raised by the Ohio Auctioneer's Association.
- 3) **addresses the advertising of foreclosures in newspapers by permitting digital versus print only** to modernize the way people are searching for properties and an issue raised by the Ohio News Media Association.

In conclusion, the use of PSOs in all 88 counties - lower costs - fewer days – and shorter online sale periods – are all positive changes to Ohio's foreclosure process and real estate market health. These changes will result in more 3rd party buyers, more surplus sales (to help defendants increase their takeaway from the sale) and higher community values around Ohio.

I urge the committee as well as the full Senate to pass **SB 135** as amended as soon as possible so we can finalize the bill with the House and put it on the Governor's desk before the end of the year.

Mr. Chairman and members of the committee, thank you for the opportunity to provide proponent testimony on **SB 135**. I would be happy to try and answer any questions.