As Introduced

136th General Assembly

Regular Session 2025-2026

H. B. No. 553

Representatives Mohamed, Upchurch

Cosponsors: Representatives Brennan, Lett, Brownlee, Piccolantonio, Rader, Sigrist

То	amend section 5321.04 and to enact sections	1
	5321.041 and 5321.042 of the Revised Code to	2
	require landlords to notify tenants of rent	3
	defaults prior to commencing evictions.	4

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

Section 1. That section 5321.04 be amended and sections	5
5321.041 and 5321.042 of the Revised Code be enacted to read as	6
follows:	7
Sec. 5321.04. (A) A landlord who is a party to a rental	8
agreement shall do all of the following:	9
(1) Comply with the requirements of all applicable	10
building, housing, health, and safety codes that materially	11
affect health and safety;	12
(2) Make all repairs and do whatever is reasonably	13
necessary to put and keep the premises in a fit and habitable	14
condition;	15
(3) Keep all common areas of the premises in a safe and	16
sanitary condition;	17

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(4) Maintain in good and safe working order and condition	18
all electrical, plumbing, sanitary, heating, ventilating, and	19
air conditioning fixtures and appliances, and elevators,	20
supplied or required to be supplied by the landlord;	21
(5) When the landlord is a party to any rental agreements	22
that cover four or more dwelling units in the same structure,	23
provide and maintain appropriate receptacles for the removal of	24
ashes, garbage, rubbish, and other waste incidental to the	25
occupancy of a dwelling unit, and arrange for their removal;	26
(6) Supply running water, reasonable amounts of hot water,	27
and reasonable heat at all times, except where the building that	28
includes the dwelling unit is not required by law to be equipped	29
for that purpose, or the dwelling unit is so constructed that	30
heat or hot water is generated by an installation within the	31
exclusive control of the tenant and supplied by a direct public	32
utility connection;	33
(7) Not abuse the right of access conferred by division	34
(B) of section 5321.05 of the Revised Code;	35
(8) Except in the case of emergency or if it is	36
impracticable to do so, give the tenant reasonable notice of the	37
landlord's intent to enter and enter only at reasonable times.	38
Twenty-four hours is presumed to be a reasonable notice in the	39
absence of evidence to the contrary.	40
(9) Promptly commence an action under Chapter 1923. of the	41
Revised Code, after complying with division (C) of section	42
5321.17 of the Revised Code, to remove a tenant from particular	43
residential premises, if the tenant fails to vacate the premises	44
within three days after the giving of the notice required by	45
that division and if the landlord has actual knowledge of or has	46

reasonable cause to believe that the tenant, any person in the	47
tenant's household, or any person on the premises with the	48
consent of the tenant previously has or presently is engaged in	49
a violation as described in division (A)(6)(a)(i) of section	50
1923.02 of the Revised Code, whether or not the tenant or other	51
person has been charged with, has pleaded guilty to or been	52
convicted of, or has been determined to be a delinquent child	53
for an act that, if committed by an adult, would be a violation	54
as described in that division. Such actual knowledge or	55
reasonable cause to believe shall be determined in accordance	56
with that division.	57
(10) Comply with the rights of tenants under the	58
Servicemembers Civil Relief Act, 117 Stat. 2835, 50 U.S.C. App.	59
501.	60
(11) Notify the tenant of a default in the payment of	61
rent, and the amount the tenant is in default, not later than	
sixty days after the default occurs.	63
(B) If the landlord makes an entry in violation of	64
division (A)(8) of this section, makes a lawful entry in an	65
unreasonable manner, or makes repeated demands for entry	66
otherwise lawful that have the effect of harassing the tenant,	67
the tenant may recover actual damages resulting from the entry	68
or demands, obtain injunctive relief to prevent the recurrence	69
of the conduct, and obtain a judgment for reasonable attorney's	70
fees, or may terminate the rental agreement.	71
Sec. 5321.041. If the landlord fails to provide timely	72
notice under division (A)(11) of section 5321.04 of the Revised	73
Code, the landlord shall not commence an action under Chapter	74
1923. of the Revised Code to remove the tenant from the	75
residential premises until all of the following occur:	76

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(A) The landlord notifies the tenant in writing of a	77	
default in the payment of rent, and the amount the tenant is in	78	
default;	79	
(B) At least ninety days have elapsed since the landlord	80	
provided notice under division (A) of this section;		
(C) The landlord has offered to negotiate a payment plan	82	
with the tenant to recover the amount the tenant is in default.	83	
Sec. 5321.042. (A) If a landlord and tenant agree upon a	84	
payment plan pursuant to division (C) of section 5321.041 of the	85	
Revised Code, the landlord shall not commence an action under	86	
Chapter 1923. of the Revised Code to remove the tenant from the	87	
residential premises unless the tenant fails to comply with the	88	
terms of the agreement.	89	
(B) If a landlord and tenant do not agree upon a payment	90	
plan pursuant to division (C) of section 5321.041 of the Revised	91	
Code, the landlord may commence an action under Chapter 1923. of	92	
the Revised Code to remove the tenant from the residential	93	
premises if more than ninety days have elapsed from the date the	94	
notice was sent under division (A) of section 5321.041 of the	95	
Revised Code.		
Section 2. That existing section 5321.04 of the Revised	97	
Code is hereby repealed.		