

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 569

Representatives Hoops, Daniels

To amend sections 319.54, 1923.01, 1923.02, 1
1923.04, 1923.06, 1923.09, 1923.11, 1923.12, 2
1923.13, 1923.14, and 4503.0611 of the Revised 3
Code related to abandoned manufactured homes. 4

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

Section 1. That sections 319.54, 1923.01, 1923.02, 5
1923.04, 1923.06, 1923.09, 1923.11, 1923.12, 1923.13, 1923.14, 6
and 4503.0611 of the Revised Code be amended to read as follows: 7

Sec. 319.54. (A) On all moneys collected by the county 8
treasurer on any tax duplicate of the county, other than estate 9
tax duplicates, on all property tax relief reimbursements paid 10
to the county under sections 323.156 and 4503.068 and divisions 11
(F) and (I) of section 321.24 of the Revised Code, and on all 12
moneys received as advance payments of personal property and 13
classified property taxes, the county auditor, on settlement 14
with the treasurer and tax commissioner, on or before the date 15
prescribed by law for such settlement or any lawful extension of 16
such date, shall be allowed as compensation for the county 17
auditor's services the following percentages: 18

(1) On the first one hundred thousand dollars, two and 19
one-half per cent; 20

(2) On the next two million dollars, eight thousand three 21
hundred eighteen ten-thousandths of one per cent; 22

(3) On the next two million dollars, six thousand six 23
hundred fifty-five ten-thousandths of one per cent; 24

(4) On all further sums, one thousand six hundred sixty- 25
three ten-thousandths of one per cent. 26

If any settlement is not made on or before the date 27
prescribed by law for such settlement or any lawful extension of 28
such date, the aggregate compensation allowed to the auditor 29
shall be reduced one per cent for each day such settlement is 30
delayed after the prescribed date. No penalty shall apply if the 31
auditor and treasurer grant all requests for advances up to 32
ninety per cent of the settlement pursuant to section 321.34 of 33
the Revised Code. The compensation allowed in accordance with 34
this section on settlements made before the dates prescribed by 35
law, or the reduced compensation allowed in accordance with this 36
section on settlements made after the date prescribed by law or 37
any lawful extension of such date, shall be apportioned ratably 38
by the auditor and deducted from the shares or portions of the 39
revenue payable to the state as well as to the county, 40
townships, municipal corporations, and school districts. 41

(B) For the purpose of reimbursing county auditors for the 42
expenses associated with the increased number of applications 43
for reductions in real property taxes under sections 323.152 and 44
4503.065 of the Revised Code that result from the amendment of 45
those sections by Am. Sub. H.B. 119 of the 127th general 46
assembly, there shall be paid from the state's general revenue 47
fund to the county treasury, to the credit of the real estate 48
assessment fund created by section 325.31 of the Revised Code, 49
an amount equal to one per cent of the total annual amount of 50

property tax relief reimbursement paid to that county under 51
sections 323.156 and 4503.068 of the Revised Code for the 52
preceding tax year. Payments made under this division shall be 53
made at the same times and in the same manner as payments made 54
under section 323.156 of the Revised Code. 55

(C) From all moneys collected by the county treasurer on 56
any tax duplicate of the county, other than estate tax 57
duplicates, on all property tax relief reimbursements paid to 58
the county under sections 323.156 and 4503.068 and divisions (F) 59
and (I) of section 321.24 of the Revised Code, and on all moneys 60
received as advance payments of personal property and classified 61
property taxes, there shall be paid into the county treasury to 62
the credit of the real estate assessment fund created by section 63
325.31 of the Revised Code, an amount to be determined by the 64
county auditor, which shall not exceed the percentages 65
prescribed in divisions (C) (1) and (2) of this section. 66

(1) For payments made after June 30, 2007, and before 67
2011, the following percentages: 68

(a) On the first five hundred thousand dollars, four per 69
cent; 70

(b) On the next five million dollars, two per cent; 71

(c) On the next five million dollars, one per cent; 72

(d) On all further sums not exceeding one hundred fifty 73
million dollars, three-quarters of one per cent; 74

(e) On amounts exceeding one hundred fifty million 75
dollars, five hundred eighty-five thousandths of one per cent. 76

(2) For payments made in or after 2011, the following 77
percentages: 78

(a) On the first five hundred thousand dollars, four per cent;	79 80
(b) On the next ten million dollars, two per cent;	81
(c) On amounts exceeding ten million five hundred thousand dollars, three-fourths of one per cent.	82 83
Such compensation shall be apportioned ratably by the auditor and deducted from the shares or portions of the revenue payable to the state as well as to the county, townships, municipal corporations, and school districts.	84 85 86 87
(D) Each county auditor shall receive four per cent of the amount of tax collected and paid into the county treasury, on property omitted and placed by the county auditor on the tax duplicate.	88 89 90 91
(E) On all estate tax moneys collected by the county treasurer, the county auditor, on settlement annually with the tax commissioner, shall be allowed, as compensation for the auditor's services under Chapter 5731. of the Revised Code, two per cent of the amount collected and reported that year in excess of refunds distributed, for the use of the general fund of the county.	92 93 94 95 96 97 98
(F) On all cigarette license moneys collected by the county treasurer, the county auditor, on settlement semiannually with the treasurer, shall be allowed as compensation for the auditor's services in the issuing of such licenses one-half of one per cent of such moneys, to be apportioned ratably and deducted from the shares of the revenue payable to the county and subdivisions, for the use of the general fund of the county.	99 100 101 102 103 104 105
(G) The county auditor shall charge and receive fees as follows:	106 107

(1) For deeds of land sold for taxes to be paid by the purchaser, five dollars;

(2) For the transfer or entry of land, lot, or part of lot, or the transfer or entry on or after January 1, 2000, of a used manufactured home or mobile home as defined in section 5739.0210 of the Revised Code, fifty cents for each transfer or entry, to be paid by the person requiring it;

(3) For receiving statements of value and administering section 319.202 of the Revised Code, one dollar, or ten cents for each one hundred dollars or fraction of one hundred dollars, whichever is greater, of the value of the real property transferred or, for sales occurring on or after January 1, 2000, the value of the used manufactured home or used mobile home, as defined in section 5739.0210 of the Revised Code, transferred, except no fee shall be charged when the transfer is made:

(a) To or from the United States, this state, or any instrumentality, agency, or political subdivision of the United States or this state;

(b) Solely in order to provide or release security for a debt or obligation;

(c) To confirm or correct a deed previously executed and recorded, or when a current owner is changing the current owner name listed on any record made available to the general public on the internet, or a publicly accessible database, and the general tax list of real and public utility property, and the general duplicate of real and public utility property, to the initials of the current owner as prescribed in division (C) (1) of section 319.28 of the Revised Code;

(d) To evidence a gift, in trust or otherwise and whether

revocable or irrevocable, between husband and wife, or parent 137
and child or the spouse of either; 138

(e) On sale for delinquent taxes or assessments; 139

(f) Pursuant to court order, to the extent that such 140
transfer is not the result of a sale effected or completed 141
pursuant to such order; 142

(g) Pursuant to a reorganization of corporations or 143
unincorporated associations or pursuant to the dissolution of a 144
corporation, to the extent that the corporation conveys the 145
property to a stockholder as a distribution in kind of the 146
corporation's assets in exchange for the stockholder's shares in 147
the dissolved corporation; 148

(h) By a subsidiary corporation to its parent corporation 149
for no consideration, nominal consideration, or in sole 150
consideration of the cancellation or surrender of the 151
subsidiary's stock; 152

(i) By lease, whether or not it extends to mineral or 153
mineral rights, unless the lease is for a term of years 154
renewable forever; 155

(j) When the value of the real property or the 156
manufactured or mobile home or the value of the interest that is 157
conveyed does not exceed one hundred dollars; 158

(k) Of an occupied residential property, including a 159
manufactured or mobile home, being transferred to the builder of 160
a new residence or to the dealer of a new manufactured or mobile 161
home when the former residence is traded as part of the 162
consideration for the new residence or new manufactured or 163
mobile home; 164

(l) To a grantee other than a dealer in real property or 165
in manufactured or mobile homes, solely for the purpose of, and 166
as a step in, the prompt sale of the real property or 167
manufactured or mobile home to others; 168

(m) To or from a person when no money or other valuable 169
and tangible consideration readily convertible into money is 170
paid or to be paid for the real estate or manufactured or mobile 171
home and the transaction is not a gift; 172

(n) Pursuant to division (B) of section 317.22 of the 173
Revised Code, or section 2113.61 of the Revised Code, between 174
spouses or to a surviving spouse pursuant to section 5302.17 of 175
the Revised Code as it existed prior to April 4, 1985, between 176
persons pursuant to section 5302.17 or 5302.18 of the Revised 177
Code on or after April 4, 1985, to a person who is a surviving, 178
survivorship tenant pursuant to section 5302.17 of the Revised 179
Code on or after April 4, 1985, or pursuant to section 5309.45 180
of the Revised Code; 181

(o) To a trustee acting on behalf of minor children of the 182
deceased; 183

(p) Of an easement or right-of-way when the value of the 184
interest conveyed does not exceed one thousand dollars; 185

(q) Of property sold to a surviving spouse pursuant to 186
section 2106.16 of the Revised Code; 187

(r) To or from an organization exempt from federal income 188
taxation under section 501(c)(3) of the "Internal Revenue Code 189
of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended, provided 190
such transfer is without consideration and is in furtherance of 191
the charitable or public purposes of such organization; 192

(s) Among the heirs at law or devisees, including a 193

surviving spouse, of a common decedent, when no consideration in 194
money is paid or to be paid for the real property or 195
manufactured or mobile home; 196

(t) To a trustee of a trust, when the grantor of the trust 197
has reserved an unlimited power to revoke the trust; 198

(u) To the grantor of a trust by a trustee of the trust, 199
when the transfer is made to the grantor pursuant to the 200
exercise of the grantor's power to revoke the trust or to 201
withdraw trust assets; 202

(v) To the beneficiaries of a trust if the fee was paid on 203
the transfer from the grantor of the trust to the trustee or if 204
the transfer is made pursuant to trust provisions which became 205
irrevocable at the death of the grantor; 206

(w) To a corporation for incorporation into a sports 207
facility constructed pursuant to section 307.696 of the Revised 208
Code; 209

(x) Between persons pursuant to section 5302.18 of the 210
Revised Code; 211

(y) From a county land reutilization corporation organized 212
under Chapter 1724. of the Revised Code, or its wholly owned 213
subsidiary, to a third party; 214

(z) To a mobile park operator under section 1923.12, 215
1923.13, or 1923.14 of the Revised Code. 216

(4) For the cost of publishing the delinquent manufactured 217
home tax list, the delinquent tax list, and the delinquent 218
vacant land tax list, a flat fee, as determined by the county 219
auditor, to be charged to the owner of a home on the delinquent 220
manufactured home tax list or the property owner of land on the 221

delinquent tax list or the delinquent vacant land tax list. 222

The auditor shall compute and collect the fee. The auditor 223
shall maintain a numbered receipt system, as prescribed by the 224
tax commissioner, and use such receipt system to provide a 225
receipt to each person paying a fee. The auditor shall deposit 226
the receipts of the fees on conveyances in the county treasury 227
daily to the credit of the general fund of the county, except 228
that fees charged and received under division (G) (3) of this 229
section for a transfer of real property to a county land 230
reutilization corporation shall be credited to the county land 231
reutilization corporation fund established under section 321.263 232
of the Revised Code. 233

The real property transfer fee provided for in division 234
(G) (3) of this section shall be applicable to any conveyance of 235
real property presented to the auditor on or after January 1, 236
1968, regardless of its time of execution or delivery. 237

The transfer fee for a used manufactured home or used 238
mobile home shall be computed by and paid to the county auditor 239
of the county in which the home is located immediately prior to 240
the transfer. 241

Sec. 1923.01. (A) As provided in this chapter, any judge 242
of a county or municipal court or a court of common pleas, 243
within the judge's proper area of jurisdiction, may inquire 244
about persons who make unlawful and forcible entry into lands or 245
tenements and detain them, and about persons who make a lawful 246
and peaceable entry into lands or tenements and hold them 247
unlawfully and by force. If, upon the inquiry, it is found that 248
an unlawful and forcible entry has been made and the lands or 249
tenements are detained, or that, after a lawful entry, lands or 250
tenements are held unlawfully and by force, a judge shall cause 251

the plaintiff in an action under this chapter to have 252
restitution of the lands or tenements. 253

(B) An action shall be brought under this chapter within 254
two years after the cause of action accrues. 255

(C) As used in this chapter: 256

(1) "Tenant" means a person who is entitled under a rental 257
agreement to the use or occupancy of premises, other than 258
premises located in a manufactured home park, to the exclusion 259
of others, except that as used in division (A) (6) of section 260
1923.02 and section 1923.051 of the Revised Code, "tenant" 261
includes a manufactured home park resident. 262

(2) "Landlord" means the owner, lessor, or sublessor of 263
premises, or the agent or person the landlord authorizes to 264
manage premises or to receive rent from a tenant under a rental 265
agreement, except, if required by the facts of the action to 266
which the term is applied, "landlord" means a park operator. 267

(3) "Resident" has the same meaning as in section 4781.01 268
of the Revised Code. 269

(4) "Residential premises" has the same meaning as in 270
section 5321.01 of the Revised Code, except, if required by the 271
facts of the action to which the term is applied, "residential 272
premises" has the same meaning as in section 4781.01 of the 273
Revised Code. 274

(5) "Rental agreement" means any agreement or lease, 275
written or oral, that establishes or modifies the terms, 276
conditions, rules, or other provisions concerning the use or 277
occupancy of premises by one of the parties to the agreement or 278
lease, except that "rental agreement," as used in division (A) 279
(13) of section 1923.02 of the Revised Code and where the 280

context requires as used in this chapter, means a rental 281
agreement as defined in division (D) of section 5322.01 of the 282
Revised Code. 283

(6) "Controlled substance" has the same meaning as in 284
section 3719.01 of the Revised Code. 285

(7) "School premises" has the same meaning as in section 286
2925.01 of the Revised Code. 287

(8) "Sexually oriented offense" and "child-victim oriented 288
offense" have the same meanings as in section 2950.01 of the 289
Revised Code. 290

(9) ~~"Recreational vehicle" and "mobile home" have the same 291
meanings as in section 4501.01 of the Revised Code.~~ 292

~~(10)~~ "Manufactured home" has the same meaning as in 293
section 3781.06 of the Revised Code. 294

~~(11)~~ (10) "Manufactured home park" has the same meaning as 295
in section 4781.01 of the Revised Code and also means any tract 296
of land upon which one or two manufactured or mobile homes used 297
for habitation are parked, either free of charge or for revenue 298
purposes, pursuant to rental agreements between the owners of 299
the manufactured or mobile homes and the owner of the tract of 300
land. 301

~~(12)~~ (11) "Park operator" has the same meaning as in 302
section 4781.01 of the Revised Code and also means a landlord of 303
premises upon which one or two manufactured or mobile homes used 304
for habitation are parked, either free of charge or for revenue 305
purposes, pursuant to rental agreements between the owners of 306
the manufactured or mobile homes and a landlord who is not 307
licensed as a manufactured home park operator pursuant to 308
Chapter 4781. of the Revised Code. 309

~~(13)~~ (12) "Personal property" means tangible personal 310
property other than a manufactured home, or mobile home, ~~or~~ 311
~~recreational vehicle~~ that is the subject of an action under this 312
chapter. 313

~~(14)~~ (13) "Preschool or child care center premises" has the 314
same meaning as in section 2950.034 of the Revised Code. 315

~~(15)~~ (14) "Minor tenant" means a tenant under eighteen 316
years of age who is not emancipated. 317

(15) "Titled owner" means a person or estate that owns a 318
manufactured or mobile home located in a manufactured home park, 319
regardless of whether the person or estate is entitled to occupy 320
the lot under the rental agreement with the park operator. 321

Sec. 1923.02. (A) Proceedings under this chapter may be 322
had as follows: 323

(1) Against tenants or manufactured home park residents 324
holding over their terms; 325

(2) Against tenants or manufactured home park residents in 326
possession under an oral tenancy, who are in default in the 327
payment of rent as provided in division (B) of this section; 328

(3) In sales of real estate, on executions, orders, or 329
other judicial process, when the judgment debtor was in 330
possession at the time of the rendition of the judgment or 331
decree, by virtue of which the sale was made; 332

(4) In sales by executors, administrators, or guardians, 333
and on partition, when any of the parties to the complaint were 334
in possession at the commencement of the action, after the 335
sales, so made on execution or otherwise, have been examined by 336
the proper court and adjudged legal; 337

(5) When the defendant is an occupier of lands or 338
tenements, without color of title, and the complainant has the 339
right of possession to them; 340

(6) In any other case of the unlawful and forcible 341
detention of lands or tenements. For purposes of this division, 342
in addition to any other type of unlawful and forcible detention 343
of lands or tenements, such a detention may be determined to 344
exist when both of the following apply: 345

(a) A tenant fails to vacate residential premises within 346
three days after both of the following occur: 347

(i) The tenant's landlord has actual knowledge of or has 348
reasonable cause to believe that the tenant, any person in the 349
tenant's household, or any person on the premises with the 350
consent of the tenant previously has or presently is engaged in 351
a violation of Chapter 2925. or 3719. of the Revised Code, or of 352
a municipal ordinance that is substantially similar to any 353
section in either of those chapters, which involves a controlled 354
substance and which occurred in, is occurring in, or otherwise 355
was or is connected with the premises, whether or not the tenant 356
or other person has been charged with, has pleaded guilty to or 357
been convicted of, or has been determined to be a delinquent 358
child for an act that, if committed by an adult, would be a 359
violation as described in this division. For purposes of this 360
division, a landlord has "actual knowledge of or has reasonable 361
cause to believe" that a tenant, any person in the tenant's 362
household, or any person on the premises with the consent of the 363
tenant previously has or presently is engaged in a violation as 364
described in this division if a search warrant was issued 365
pursuant to Criminal Rule 41 or Chapter 2933. of the Revised 366
Code; the affidavit presented to obtain the warrant named or 367

described the tenant or person as the individual to be searched 368
and particularly described the tenant's premises as the place to 369
be searched, named or described one or more controlled 370
substances to be searched for and seized, stated substantially 371
the offense under Chapter 2925. or 3719. of the Revised Code or 372
the substantially similar municipal ordinance that occurred in, 373
is occurring in, or otherwise was or is connected with the 374
tenant's premises, and states the factual basis for the 375
affiant's belief that the controlled substances are located on 376
the tenant's premises; the warrant was properly executed by a 377
law enforcement officer and any controlled substance described 378
in the affidavit was found by that officer during the search and 379
seizure; and, subsequent to the search and seizure, the landlord 380
was informed by that or another law enforcement officer of the 381
fact that the tenant or person has or presently is engaged in a 382
violation as described in this division and it occurred in, is 383
occurring in, or otherwise was or is connected with the tenant's 384
premises. 385

(ii) The landlord gives the tenant the notice required by 386
division (C) of section 5321.17 of the Revised Code. 387

(b) The court determines, by a preponderance of the 388
evidence, that the tenant, any person in the tenant's household, 389
or any person on the premises with the consent of the tenant 390
previously has or presently is engaged in a violation as 391
described in division (A) (6) (a) (i) of this section. 392

(7) In cases arising out of Chapter 5313. of the Revised 393
Code. In those cases, the court has the authority to declare a 394
forfeiture of the vendee's rights under a land installment 395
contract and to grant any other claims arising out of the 396
contract. 397

(8) Against tenants who have breached an obligation that 398
is imposed by section 5321.05 of the Revised Code, other than 399
the obligation specified in division (A) (9) of that section, and 400
that materially affects health and safety. Prior to the 401
commencement of an action under this division, notice shall be 402
given to the tenant and compliance secured with section 5321.11 403
of the Revised Code. 404

(9) Against tenants who have breached an obligation 405
imposed upon them by a written rental agreement; 406

(10) Against manufactured home park residents who have 407
defaulted in the payment of rent or breached the terms of a 408
rental agreement with a park operator. Nothing in this division 409
precludes the commencement of an action under division (A) (12) 410
of this section when the additional circumstances described in 411
that division apply. 412

(11) Against manufactured home park residents who have 413
committed two material violations of the rules of the 414
manufactured home park, of the division of industrial compliance 415
of the department of commerce, or of applicable state and local 416
health and safety codes and who have been notified of the 417
violations in compliance with section 4781.45 of the Revised 418
Code; 419

(12) Against a manufactured home park resident, or the 420
estate of a manufactured home park resident, who as a result of 421
death or otherwise has been absent from the manufactured home 422
park for a period of thirty consecutive days prior to the 423
commencement of an action under this division and whose 424
manufactured home or mobile home, ~~or recreational vehicle that~~ 425
~~is parked in the manufactured home park,~~ has been left 426
unoccupied for that thirty-day period, without notice to the 427

park operator and without payment of rent due under the rental 428
agreement with the park operator; 429

(13) Against occupants of self-service storage facilities, 430
as defined in division (A) of section 5322.01 of the Revised 431
Code, who have breached the terms of a rental agreement or 432
violated section 5322.04 of the Revised Code; 433

(14) Against any resident or occupant who, pursuant to a 434
rental agreement, resides in or occupies residential premises 435
located within one thousand feet of any school premises, 436
preschool or child care center premises, children's crisis care 437
facility premises, or residential infant care center premises 438
and to whom both of the following apply: 439

(a) The resident's or occupant's name appears on the state 440
registry of sex offenders and child-victim offenders maintained 441
under section 2950.13 of the Revised Code. 442

(b) The state registry of sex offenders and child-victim 443
offenders indicates that the resident or occupant was convicted 444
of or pleaded guilty to a sexually oriented offense or a child- 445
victim oriented offense in a criminal prosecution and was not 446
sentenced to a serious youthful offender dispositional sentence 447
for that offense. 448

(15) Against any tenant who permits any person to occupy 449
residential premises located within one thousand feet of any 450
school premises, preschool or child care center premises, 451
children's crisis care facility premises, or residential infant 452
care center premises if both of the following apply to the 453
person: 454

(a) The person's name appears on the state registry of sex 455
offenders and child-victim offenders maintained under section 456

2950.13 of the Revised Code. 457

(b) The state registry of sex offenders and child-victim 458
offenders indicates that the person was convicted of or pleaded 459
guilty to a sexually oriented offense or a child-victim oriented 460
offense in a criminal prosecution and was not sentenced to a 461
serious youthful offender dispositional sentence for that 462
offense. 463

(B) If a tenant or manufactured home park resident holding 464
under an oral tenancy is in default in the payment of rent, the 465
tenant or resident forfeits the right of occupancy, and the 466
landlord may, at the landlord's option, terminate the tenancy by 467
notifying the tenant or resident, as provided in section 1923.04 468
of the Revised Code, to leave the premises, for the restitution 469
of which an action may then be brought under this chapter. 470

(C) (1) If a tenant or any other person with the tenant's 471
permission resides in or occupies residential premises that are 472
located within one thousand feet of any school premises, 473
children's crisis care facility premises, or residential infant 474
care center premises and is a resident or occupant of the type 475
described in division (A) (14) of this section or a person of the 476
type described in division (A) (15) of this section, the landlord 477
for those residential premises, upon discovery that the tenant 478
or other person is a resident, occupant, or person of that 479
nature, may terminate the rental agreement or tenancy for those 480
residential premises by notifying the tenant and all other 481
occupants, as provided in section 1923.04 of the Revised Code, 482
to leave the premises. 483

(2) If a landlord is authorized to terminate a rental 484
agreement or tenancy pursuant to division (C) (1) of this section 485
but does not so terminate the rental agreement or tenancy, the 486

landlord is not liable in a tort or other civil action in 487
damages for any injury, death, or loss to person or property 488
that allegedly result from that decision. 489

(D) This chapter does not apply to a student tenant as 490
defined by division (H) of section 5321.01 of the Revised Code 491
when the college or university proceeds to terminate a rental 492
agreement pursuant to section 5321.031 of the Revised Code. 493

(E) The titled owner of the manufactured or mobile home 494
shall be joined as a defendant in any proceeding under this 495
chapter against a manufactured home park resident who is not the 496
titled owner of the manufactured or mobile home. 497

(F) As used in this section, "children's crisis care 498
facility premises" and "residential infant care center premises" 499
have the same meanings as in section 2950.034 of the Revised 500
Code. 501

Sec. 1923.04. (A) Except as provided in division (B) ~~or~~, 502
(C), or (D) of this section, a party desiring to commence an 503
action under this chapter shall notify the adverse party to 504
leave the premises, for the possession of which the action is 505
about to be brought, three or more days before beginning the 506
action, by certified mail, return receipt requested, or by 507
handing a written copy of the notice to the defendant in person, 508
or by leaving it at the defendant's usual place of abode or at 509
the premises from which the defendant is sought to be evicted. 510

Every notice given under this section by a landlord to 511
recover residential premises shall contain the following 512
language printed or written in a conspicuous manner: "You are 513
being asked to leave the premises. If you do not leave, an 514
eviction action may be initiated against you. If you are in 515

doubt regarding your legal rights and obligations as a tenant, 516
it is recommended that you seek legal assistance." 517

(B) The service of notice pursuant to section 5313.06 of 518
the Revised Code constitutes compliance with the notice 519
requirement of division (A) of this section. The service of the 520
notice required by division (C) of section 5321.17 of the 521
Revised Code constitutes compliance with the notice requirement 522
of division (A) of this section. 523

(C) If the adverse party in an action under this chapter 524
is a deceased resident of a manufactured home park, the notice 525
required by division (A) of this section shall be left at the 526
premises from which the defendant is sought to be evicted and 527
also shall be sent by ordinary mail to the following persons if 528
their names and addresses are known to the park operator: 529

(1) If a probate court has granted letters testamentary or 530
of administration for the estate of the adverse party in 531
accordance with Title XXI of the Revised Code, the executor or 532
administrator appointed by the probate court; 533

(2) The deceased resident's spouse and any other members 534
of the deceased resident's immediate family. 535

(D) If the adverse party in an action under this chapter 536
is a titled owner, the notice required by division (A) of this 537
section shall be left at the premises from which the defendant 538
is sought to be evicted and also shall be sent by ordinary mail 539
to the titled owner if the titled owner's name and address is 540
known to the park operator. 541

Sec. 1923.06. (A) Any summons in an action, including a 542
claim for possession, pursuant to this chapter shall be issued, 543
be in the form specified, and be served and returned as provided 544

in this section. Such service shall be at least seven days 545
before the day set for trial. 546

(B) Every summons issued under this section to recover 547
residential premises shall contain the following language 548
printed in a conspicuous manner: "A complaint to evict you or 549
the resident of your manufactured or mobile home has been filed 550
with this court. No person shall be evicted unless the person's 551
right to possession has ended and no person shall be evicted in 552
retaliation for the exercise of the person's lawful rights. If 553
you are depositing rent with the clerk of this court you shall 554
continue to deposit such rent until the time of the court 555
hearing. The failure to continue to deposit such rent may result 556
in your eviction. You may request a trial by jury. You have the 557
right to seek legal assistance. If you cannot afford a lawyer, 558
you may contact your local legal aid or legal service office. If 559
none is available, you may contact your local bar association." 560

(C) The clerk of the court in which a complaint to evict 561
is filed shall mail any summons by ordinary mail, along with a 562
copy of the complaint, document, or other process to be served, 563
to the defendant at the address set forth in the caption of the 564
summons and to any address set forth in any written instructions 565
furnished to the clerk. The mailing shall be evidenced by a 566
certificate of mailing which the clerk shall complete and file. 567

In addition to this ordinary mail service, the clerk also 568
shall cause service of that process to be completed under either 569
of the following: 570

(1) Division (D) or (E) of this section or both, depending 571
upon which of those two methods of service is requested by the 572
plaintiff upon filing the complaint to evict; 573

(2) Division (F) of this section if the action relates to 574
a deceased manufactured home park resident. 575

(D) (1) If requested, the clerk shall deliver sufficient 576
copies of the summons, complaint, document, or other process to 577
be served to, and service shall be made by, one of the following 578
persons: 579

(a) The sheriff of the county in which the premises are 580
located when the process issues from a court of common pleas or 581
county court; 582

(b) The bailiff of the court for service when process 583
issues from a municipal court; 584

(c) Any person who is eighteen years of age or older, who 585
is not a party, and who has been designated by order of the 586
court to make service of process when process issues from any of 587
the courts referred to in divisions (D) (1) (a) and (b) of this 588
section. 589

(2) The person serving process shall effect service at the 590
premises that are the subject of the forcible entry and detainer 591
action by one of the following means: 592

(a) By locating the person to be served at the premises to 593
tender a copy of the process and accompanying documents to that 594
person; 595

(b) By leaving a copy of the summons, complaint, document, 596
or other process with a person of suitable age and discretion 597
found at the premises if the person to be served cannot be found 598
at the time the person making service attempts to serve the 599
summons pursuant to division (D) (2) (a) of this section; 600

(c) By posting a copy in a conspicuous place on the 601

subject premises if service cannot be made pursuant to divisions 602
(D) (2) (a) and (b) of this section. 603

(3) Within five days after receiving the summons, 604
complaint, document, or other process from the clerk for 605
service, the person making service shall return the process to 606
the clerk. The person shall indicate on the process which method 607
described in division (D) (2) of this section was used to serve 608
the summons. The clerk shall make the appropriate entry on the 609
appearance docket. 610

(E) If requested, the clerk shall mail by certified mail, 611
return receipt requested, a copy of the summons, complaint, 612
document, or other process to be served to the address set forth 613
in the caption of the summons and to any address set forth in 614
any written instructions furnished to the clerk. 615

(F) (1) If the person to be evicted in an action pursuant 616
to this chapter is a deceased manufactured home park resident, 617
the plaintiff shall provide to the clerk the following 618
information: 619

(a) If the plaintiff knows that a probate court has 620
granted letters testamentary or of administration for the estate 621
of the deceased resident, the name and address of the probate 622
court, the case number of the estate, and the name and address 623
of the executor or administrator appointed by the probate court; 624

(b) If the plaintiff knows that a probate court has not 625
granted letters testamentary or of administration for the estate 626
of the deceased resident or does not know whether or not a 627
probate court has granted letters testamentary or of 628
administration for the estate, the names and addresses of the 629
deceased resident's spouse and any other members of the deceased 630

resident's immediate family that are known to the plaintiff; 631

(c) If the plaintiff does not possess the information set 632
forth in division (F)(1)(a) or (b) of this section, an affidavit 633
from the plaintiff stating that the plaintiff does not possess 634
the information. 635

(2)(a) Upon receipt from the plaintiff of the information 636
set forth in division (F)(1)(a) of this section, the clerk shall 637
mail by certified mail, return receipt requested, a copy of the 638
summons, complaint, document, or other process to be served to 639
the address of the executor or administrator appointed by the 640
probate court. 641

(b) Upon receipt from the plaintiff of the information set 642
forth in division (F)(1)(b) or (c) of this section, the clerk 643
shall do both of the following: 644

(i) Mail by ordinary mail and by certified mail, return 645
receipt requested, a copy of the summons, complaint, document, 646
or other process to be served to the persons and addresses 647
provided by the plaintiff, if any. The ordinary mail mailing 648
shall be evidenced by a certificate of mailing that the clerk 649
shall complete and file. 650

(ii) Cause service of notice to be made by publication in 651
a newspaper of general circulation in the county in which the 652
complaint is filed. The publication shall set forth the name and 653
address of the court, the case number, the name and address of 654
the plaintiff or the plaintiff's attorney, and the name and 655
address of the deceased manufactured home park resident. The 656
publication shall describe the premises entered upon and 657
detained, shall contain a summary statement of the object of the 658
eviction complaint against the deceased resident, and shall 659

state that the claim for restitution of the premises shall be 660
scheduled for a hearing in accordance with local court rules, 661
but in no event sooner than the seventh day from the date 662
service is complete. The clerk shall cause the publication to be 663
published at least once a week for two weeks. 664

(G) Service of process shall be deemed complete on the 665
date that any of the following has occurred: 666

(1) Service is made pursuant to division (D) (2) (a) or (b) 667
of this section. 668

(2) Both ordinary mail service under division (C) and 669
service by posting pursuant to division (D) (2) (c) of this 670
section have been made. 671

(3) For service performed pursuant to division (E) or (F) 672
(2) (a) of this section, on the date of mailing, if on the date 673
of the hearing either of the following applies: 674

(a) The certified mail has not been returned for any 675
reason other than refused or unclaimed. 676

(b) The certified mail has not been endorsed, and the 677
ordinary mail has not been returned. 678

(4) For service performed under division (F) (2) (b) of this 679
section, on the date of mailing under division (F) (2) (b) (i) of 680
this section or on the date of the last publication under 681
division (F) (2) (b) (ii) of this section, whichever is later, if 682
on the date of the hearing, either of the following applies: 683

(a) The certified mail has not been returned for any 684
reason other than refused or unclaimed. 685

(b) The certified mail has not been endorsed, and the 686
ordinary mail has not been returned. 687

(H) (1) The claim for restitution of the premises shall be 688
scheduled for hearing in accordance with local court rules, but 689
in no event sooner than the seventh day from the date service is 690
complete. 691

(2) Answer day for any other claims filed with the claim 692
for possession shall be twenty-eight days from the date service 693
is deemed complete under this section. 694

(I) As used in this section, "immediate family" means a 695
person's spouse, brothers and sisters of the whole or half 696
blood, children, including adopted children and stepchildren, 697
parents, and grandparents. 698

Sec. 1923.09. (A) If an action under this chapter is not 699
continued, the place of trial is not changed, and neither party 700
demands a jury on the return day of the summons, a judge of the 701
court shall try the cause. After hearing the evidence, if the 702
judge concludes that the complaint is not true, the judge shall 703
enter judgment against the plaintiff for costs. If the judge 704
finds the complaint to be true, the judge shall render a general 705
judgment against the defendant, in favor of the plaintiff, for 706
restitution of the premises and costs of suit. If the judge 707
finds the complaint true in part, the judge shall render a 708
judgment for restitution of that part only, and the costs shall 709
be taxed as the judge considers just. 710

(B) If a judgment is entered under this section in favor 711
of a plaintiff who is a park operator, and upon a subsequent 712
entry for disposition of a manufactured home or mobile home, the 713
judge shall include in the judgment entry authority for the 714
plaintiff to permit, in accordance with section 1923.12 and 715
division (B) of section 1923.13 and division (B) of section 716
1923.14 of the Revised Code, the removal from the manufactured 717

home park and potential sale, destruction, or transfer of 718
ownership of the defendant's manufactured home, mobile home, or 719
recreational vehicle. 720

Sec. 1923.11. (A) The court shall enter the verdict 721
rendered by a jury under section 1923.10 of the Revised Code 722
upon the docket, and render judgment in the action as if the 723
facts, authorizing the finding of the verdict, had been found by 724
the court itself. 725

(B) If a judgment is entered under this section in favor 726
of a plaintiff who is a park operator, the judge shall include 727
in the judgment entry authority for the plaintiff to permit, in 728
accordance with section 1923.12 and division (B) of section 729
1923.13 and division (B) of section 1923.14 of the Revised Code, 730
the removal from the manufactured home park and potential sale, 731
destruction, or transfer of ownership of the defendant's 732
manufactured home, or mobile home, ~~or recreational vehicle.~~ 733

Sec. 1923.12. (A) ~~If a resident or a resident's estate the~~ 734
~~titled owner of a manufactured home or mobile home has been~~ 735
evicted from a manufactured home park pursuant to a judgment 736
entered under section 1923.09 or 1923.11 of the Revised Code and 737
if the ~~resident~~ titled owner or the titled owner's estate has 738
abandoned or otherwise left unoccupied the ~~resident's titled~~ 739
owner's manufactured home, or mobile home, ~~or recreational~~ 740
~~vehicle~~ on the residential premises of the manufactured home 741
park for a period of three days following the entry of the 742
judgment, the ~~operator of the~~ manufactured home park operator 743
may provide to the titled owner ~~of the home or vehicle~~ a written 744
notice to remove the manufactured home or vehicle or mobile home 745
from the manufactured home park within fourteen days ~~from~~ after 746
the date of the delivery of the notice. The park operator shall 747

deliver or cause the delivery of the notice by ~~personal delivery~~ 748
~~to~~ posting it to the door of the manufactured home or mobile 749
home that is the subject of the ~~owner~~ notice or by ordinary mail 750
sent to the last known address of the titled owner. Except as 751
provided in ~~divisions~~ division (D) ~~and (E)~~ of this section, if 752
the titled owner of the manufactured home, or mobile home, ~~or~~ 753
~~recreational vehicle~~ does not remove it or cause it to be 754
removed from the manufactured home park within fourteen days 755
~~from~~ after the date of the delivery of the notice, the park 756
operator may follow the procedures of division (B) of section 757
1923.13 and division (B) of section 1923.14 of the Revised Code 758
to permit the removal of the home ~~or vehicle~~ from the 759
manufactured home park, and the potential sale, destruction, or 760
transfer of ownership of the home ~~or vehicle~~, at the discretion 761
of the manufactured home park operator. 762

(B) Every notice provided to the titled owner of a 763
manufactured home, or mobile home, ~~or recreational vehicle~~ under 764
this section shall contain the following language printed in a 765
conspicuous manner: "You are being asked to remove your 766
manufactured home, or mobile home, ~~or recreational vehicle~~ from 767
the residential premises of _____, a manufactured home 768
park, in accordance with a judgment of eviction entered in 769
_____ court on _____ against _____. If the 770
manufactured home, or mobile home, ~~or recreational vehicle~~ is 771
not removed from the manufactured home park within fourteen days 772
~~from~~ after the date of delivery of this notice, the home ~~or~~ 773
~~vehicle~~ may be sold or destroyed, or its title may be 774
transferred to _____, pursuant to division (B) of both 775
sections 1923.13 and 1923.14 of the Revised Code. If you are in 776
doubt regarding your legal rights, it is recommended that you 777
seek legal assistance." 778

(C) (1) Before requesting ~~a writ of execution~~ an order of 779
the court under division (B) of section 1923.13 of the Revised 780
Code, the park operator shall conduct or cause to be conducted a 781
search of the appropriate public records that relate to the 782
manufactured home, or mobile home, ~~or recreational vehicle,~~ and 783
make or cause to be made reasonably diligent inquiries, for the 784
purpose of identifying any persons other than the titled owner 785
who have an outstanding right, title, or interest in the home ~~or~~ 786
~~vehicle.~~ The clerk of courts shall provide the title information 787
upon a request made pursuant to this section. 788

(2) If the search or inquiries pursuant to division (C) (1) 789
of this section reveal any person other than the titled owner 790
who has an outstanding right, title, or interest in the 791
manufactured home, or mobile home, ~~or recreational vehicle,~~ the 792
park operator shall provide by ordinary mail to the last known 793
address of the person a written notice ~~to remove the home or~~ 794
~~vehicle from the manufactured home park or arrange for the sale~~ 795
~~of the home or vehicle within~~ that the person has twenty-one 796
days ~~from~~ after the date of the delivery of the notice to 797
preserve the person's ownership interest in the home by paying 798
to the park owner any outstanding rent and storage fees. Such a 799
person forfeits any further action on the title to the home 800
following the twenty-first day after delivery of the notice 801
unless rent and storage fees are paid to the manufactured home 802
park operator. The notice shall also specify the amount of fees 803
owed, the method by which to pay the fees, and information on 804
how to contact the titled owner for the sale or removal of the 805
home. 806

The notice shall contain the following language printed in 807
a conspicuous manner: "You are being asked to ~~remove~~ pay 808
outstanding fees in the amount of _____ for the manufactured 809

home, or mobile home, ~~or recreational vehicle~~ that you have an 810
outstanding right, title, or interest in from the residential 811
premises of _____, a manufactured home park, in accordance 812
with a judgment of eviction entered in _____ court on 813
_____ against _____. If outstanding fees related to 814
the manufactured home, or mobile home, ~~or recreational vehicle~~ 815
~~is are~~ not removed from the manufactured home park paid within 816
twenty-one days from the date of delivery of this notice, the 817
home ~~or vehicle~~ may be sold or destroyed, or its title may be 818
transferred to _____, pursuant to division (B) of both 819
sections 1923.13 and 1923.14 of the Revised Code. Outstanding 820
fees may be paid to _____. The titled owner may be contacted 821
at _____. If you are in doubt regarding your legal rights, 822
it is recommended that you seek legal assistance." 823

~~The park operator shall deliver or cause the delivery of~~ 824
~~the notice by personal delivery to the person or by ordinary~~ 825
~~mail sent to the last known address of the person. If a sale of~~ 826
the home ~~or vehicle~~ is arranged by the person having an interest 827
in the home other than the titled owner of the home, the ~~person~~ 828
seller shall pay any rent due to the park operator during the 829
pendency of the sale. If the person having an interest in the 830
home does not remove the home ~~or vehicle~~ or arrange for its sale 831
within twenty-one days from the date of the delivery of the 832
notice, the park operator may follow the procedures of division 833
(B) of section 1923.13 and division (B) of section 1923.14 of 834
the Revised Code to permit the removal of the home ~~or vehicle~~ 835
from the manufactured home park, and the potential sale, 836
destruction, or transfer of ownership of the home ~~or vehicle~~. 837

(3) If the search or inquiries reveal no person who has an 838
outstanding right, title, or interest in the manufactured home, or 839
or mobile home, ~~or recreational vehicle~~, the park operator may 840

follow the procedures of division (B) of section 1923.13 and 841
division (B) of section 1923.14 of the Revised Code to permit 842
the removal of the home ~~or vehicle~~ from the manufactured home 843
park, and the potential sale, destruction, or transfer of 844
ownership of the home ~~or vehicle~~ at the discretion of the park 845
operator without limitation by the court. 846

~~(D)~~ (D) (1) If a probate court grants administration with 847
respect to the titled owner's estate, and the executor or 848
administrator does not pay rent or storage fees before the 849
manufactured or mobile home is removed from the manufactured 850
home park or sold by a person having an interest in the home in 851
accordance with this section, the titled owner's estate forfeits 852
its interest in the home. When a ~~deceased resident~~ titled owner 853
or a ~~resident's~~ titled owner's estate has been evicted from a 854
manufactured home park pursuant to a judgment entered under 855
section 1923.09 or 1923.11 of the Revised Code, the removal from 856
the park and potential sale, destruction, or transfer of 857
ownership of the resident's manufactured home, or mobile home, 858
~~or recreational vehicle~~ and any personal property abandoned on 859
the residential premises shall be conducted in the manner 860
prescribed by the probate court in which letters testamentary or 861
of administration have been granted for the estate in accordance 862
with Title XXI of the Revised Code. The park operator may store 863
the resident's manufactured home, or mobile home, ~~or~~ 864
~~recreational vehicle~~ at a storage facility or at another 865
location within the manufactured home park during the 866
administration of the estate. The park operator shall notify the 867
executor or administrator of the ~~resident's~~ titled owner's 868
estate where the manufactured home, or mobile home, ~~or~~ 869
~~recreational vehicle~~ will be stored during the administration of 870
the estate and of rent that continues to accrue. The costs for 871

the removal and storage of the manufactured home, or mobile 872
home, ~~or recreational vehicle~~ shall be a claim against the 873
~~resident's~~ titled owner's estate without further presentation of 874
the claim to the executor or administrator. 875

~~(E) (1) When the resident who has been evicted from a~~ 876
~~manufactured home park pursuant to a judgment entered under~~ 877
~~section 1923.09 or 1923.11 of the Revised Code is the titled~~ 878
~~owner of a manufactured home, mobile home, or recreational~~ 879
~~vehicle and is or becomes deceased prior to the removal of the~~ 880
~~home or vehicle from the manufactured home park, and~~ (2) If no 881
probate court has granted administration with respect to the 882
~~resident's~~ titled owner's estate within ~~ninety~~ twenty-one days 883
~~of after the deceased's death~~ notification to remove the home is 884
provided pursuant to division (A) of this section, the park 885
operator may ~~store the home or vehicle at a storage facility or~~ 886
~~at another location within the manufactured home park before and~~ 887
~~after a probate court grants letters testamentary or of~~ 888
~~administration with respect to the resident's estate pursuant to~~ 889
~~Title XXI of the Revised Code~~ file a request for an order of the 890
court for title to the home. 891

~~(2) If a probate court grants administration with respect~~ 892
~~to the resident's estate within ninety days of the date of the~~ 893
~~eviction of the resident from the park, the removal of the~~ 894
~~manufactured home, mobile home, or recreational vehicle from the~~ 895
~~park and potential sale, destruction, or transfer of ownership~~ 896
~~of the home or vehicle shall be conducted pursuant to division~~ 897
~~(D) of this section.~~ 898

~~(3) If no probate court grants administration with respect~~ 899
~~to the resident's estate within ninety days of the date of the~~ 900
~~eviction of the resident from the manufactured home park~~ 901

~~pursuant to a judgment entered under section 1923.09 or 1923.11~~
~~of the Revised Code, the park operator shall conduct or cause to~~
~~be conducted a search of the appropriate public records that~~
~~relate to the manufactured home, mobile home, or recreational~~
~~vehicle, and make or cause to be made reasonably diligent~~
~~inquiries, for the purpose of identifying any persons who have~~
~~an outstanding right, title, or interest in the home or vehicle.~~

~~(a) If the search or inquiries pursuant to division (E) (3)~~
~~of this section reveal any person who has an outstanding right,~~
~~title, or interest in the manufactured home, mobile home, or~~
~~recreational vehicle, the park operator shall provide to the~~
~~person a written notice to remove the home or vehicle from the~~
~~manufactured home park or arrange for the sale of the home or~~
~~vehicle within twenty-one days from the date of the delivery of~~
~~the notice. The notice shall be in the form described in~~
~~division (C) (2) of this section. The park operator shall deliver~~
~~or cause the delivery of the notice by personal delivery to the~~
~~person or by ordinary mail sent to the last known address of the~~
~~person. If a sale of the home or vehicle is arranged, the person~~
~~shall pay any rent due to the park operator during the pendency~~
~~of the sale. If the person does not remove the home or vehicle~~
~~or arrange for its sale within twenty-one days from the date of~~
~~the delivery of the notice, the park operator may follow the~~
~~procedures of division (B) of section 1923.13 and division (B)~~
~~of section 1923.14 of the Revised Code to permit the removal of~~
~~the home or vehicle from the manufactured home park, and the~~
~~potential sale, destruction, or transfer of ownership of the~~
~~home or vehicle.~~

~~(b) If the search or inquiries reveal no person who has an~~
~~outstanding right, title, or interest in the manufactured home,~~
~~mobile home, or recreational vehicle~~that the titled owner is

deceased, the park operator shall publish notice of a petition 933
for a ~~writ of execution court order~~ in a newspaper of general 934
circulation in the county where the home ~~or vehicle~~ has been 935
abandoned. The publication shall contain the name of the 936
deceased and the last known address of the home ~~or vehicle~~ and 937
shall run once a week for two consecutive weeks. The park 938
operator shall provide to the clerk of the court written 939
certification by the newspaper of the dates of the publication 940
and an affidavit signed by the operator attesting to the 941
publication. The park operator may then follow the procedures of 942
division (B) of section 1923.13 and division (B) of section 943
1923.14 of the Revised Code to permit the removal of the home ~~or~~ 944
~~vehicle~~ from the manufactured home park, and the potential sale, 945
destruction, or transfer of ownership of the home ~~or vehicle~~ at 946
the discretion of the park operator without limitation by the 947
court. 948

(E) (1) A park operator that seeks to acquire title to an 949
abandoned manufactured or mobile home under this section shall 950
submit to the county auditor an affidavit stating that the home 951
is abandoned, whether the home is valued at ten thousand dollars 952
or less, the date of the eviction judgment, and all persons with 953
an outstanding interest in the home other than the titled owner. 954

(2) If the county auditor agrees with the stated value on 955
the affidavit, the county auditor shall sign a certification of 956
the original affidavit attesting to the agreement of the value 957
of the manufactured home or mobile home and return the affidavit 958
to the park operator within thirty days after receipt. 959
Electronic submission to the county auditor by the park operator 960
of the affidavit and certification is satisfactory for the 961
purposes of this section. 962

(3) If the county auditor disagrees with the stated value 963
on the affidavit, the county auditor shall notify the park 964
operator of the disagreement within thirty days after receipt of 965
the affidavit. The park operator may submit additional materials 966
in support of the stated value on the affidavit consistent with 967
industry valuation standards within ten days after receipt of 968
the notice of the disagreement. If the park operator submits 969
additional materials in support of the stated value on the 970
affidavit, then after reviewing the additional materials 971
submitted, the county auditor shall do one of the following: 972

(a) If the county auditor agrees with the stated value on 973
the affidavit, the county auditor shall sign a certification 974
attesting to the agreement of the value of the manufactured home 975
or mobile home and return the original affidavit to the park 976
operator within ten days after receipt of the additional 977
materials. 978

(b) If the county auditor continues to disagree with the 979
stated value on the affidavit, the county auditor shall notify 980
the park operator of the continued disagreement within ten days 981
of receipt of the additional materials. The park operator may 982
appeal to the court for a ruling on the disagreement pursuant to 983
court rule. A hearing on the value of the manufactured or mobile 984
home shall not require a certified appraiser. 985

(4) A certification under this section by the county 986
auditor respecting the value of a mobile home or manufactured 987
home shall not be construed as an official appraisal of the home 988
for tax purposes and is not admissible in any proceeding before 989
a board of revision or board of tax appeals. 990

(F) If the county auditor does not timely certify or 991
respond to an affidavit of a park operator as required by this 992

section, the park operator may submit the affidavit to the court 993
with verification by the park operator that the county auditor 994
has failed to respond to requests for certification, and the 995
court shall proceed upon the sworn affidavit of the park 996
operator without certification. 997

(G) A park operator that knowingly falsifies information 998
on the affidavit under this section is guilty of falsification 999
under section 2921.13 of the Revised Code. 1000

Sec. 1923.13. (A) When a judgment of restitution is 1001
entered by a court in an action under this chapter, unless the 1002
plaintiff or the plaintiff's agent or attorney proceeds under 1003
division (B) of this section, at the request of the plaintiff or 1004
the plaintiff's agent or attorney, that court shall issue a ~~writ~~ 1005
~~of execution~~ restitution on the judgment, in the following form, 1006
as near as practicable: 1007

"The state of Ohio, _____ county: To 1008
any constable or police officer of _____ township, 1009
city, or village; or To the sheriff of 1010
_____ county; or To any authorized 1011
bailiff of the _____ (name of court): 1012

Whereas, in a certain action for the forcible entry and 1013
detention (or the forcible detention, as the case may be), of 1014
the following described premises, to wit: _____, lately 1015
tried before this court, wherein _____ was plaintiff, 1016
and _____ was defendant, _____ judgment was 1017
rendered on the _____ day of _____, _____, that 1018
the plaintiff have restitution of those premises; and also that 1019
the plaintiff recover costs in the sum of _____ You 1020
therefore are hereby commanded to cause the defendant to be 1021
forthwith removed from those premises, and the plaintiff to have 1022

restitution of them; also, that you levy of the goods and 1023
chattels of the defendant, and make the costs previously 1024
mentioned and all accruing costs, and of this writ make legal 1025
service and due return. 1026

Witness my hand, this _____ day of _____, _____ 1027
_____, Judge, _____ (Name of court)" 1028

~~(B)~~ (B) (1) When a judgment of restitution is entered by a 1029
court in any action under this chapter against a titled owner of 1030
an abandoned manufactured or mobile home park resident or the 1031
estate of a titled owner of an abandoned manufactured or mobile 1032
home park resident, at the request of the plaintiff or the 1033
plaintiff's agent or attorney if the manufactured or mobile home 1034
has a value of less than ten thousand dollars as determined by 1035
affidavit of the park operator and affirmed by certification of 1036
the county auditor, and if the park operator has met all notice 1037
requirements under section 1923.12 of the Revised Code, that 1038
court shall issue a writ of execution ~~an order~~ on the judgment, 1039
in the following form, as near as practicable: 1040

~~"The state of Ohio, _____ county; To any constable or~~ 1041
~~police officer of _____ township, city, or village; or To~~ 1042
~~the sheriff of _____ county; or To any authorized bailiff~~ 1043
~~of the _____ (name of court):~~ 1044

"To the clerk of courts, title division: 1045

Whereas, in a certain action for eviction of a ~~resident~~ 1046
titled owner or a ~~resident's~~ titled owner's estate from the 1047
following described residential premises of a manufactured home 1048
park on which the following described manufactured home, or 1049
mobile home, ~~or recreational vehicle~~ is located, to wit: 1050
_____, lately tried before this court, wherein _____ 1051

was plaintiff, and _____ was defendant, _____ judgment 1052
in forcible entry and detention was rendered on the _____ 1053
day of _____, _____, that the plaintiff have 1054
restitution of the premises ~~and also that the plaintiff recover~~ 1055
~~costs in the sum of _____ You therefore are hereby~~ 1056
~~authorized to cause the defendant to be removed and set out from~~ 1057
~~the residential premises, if the defendant holds over on the~~ 1058
~~premises subsequent to an eviction judgment against the~~ 1059
~~defendant. In accordance with division (A) of section 1923.12 of~~ 1060
~~the Revised Code, three days after the eviction judgment, the~~ 1061
~~plaintiff is hereby commanded to post a fourteen-day notice to~~ 1062
~~the defendant to sell or remove the manufactured home, mobile~~ 1063
~~home, or recreational vehicle from the premises, at the~~ 1064
~~defendant's costs. If the manufactured home, mobile home, or~~ 1065
~~recreational vehicle is not sold or removed by the defendant at~~ 1066
~~the expiration of the fourteen-day notice, it is hereby ordered~~ 1067
~~that the defendant forfeits the right to the manufactured home,~~ 1068
~~mobile home, or recreational vehicle and the plaintiff is hereby~~ 1069
~~authorized to exercise the rights set forth herein. Also, you~~ 1070
~~are to levy of the goods and chattels of the defendant, and make~~ 1071
~~the costs previously mentioned and all accruing costs, and of~~ 1072
~~this writ make legal service and due return.~~ 1073

~~Further, you are authorized to cause the manufactured~~ 1074
~~home, mobile home, or recreational vehicle, and all personal~~ 1075
~~property on the residential premises, to be retained at their~~ 1076
~~current location on the residential premises, until they are~~ 1077
~~disposed of in a manner authorized by this writ or the law of~~ 1078
~~this state.~~ 1079

~~If the manufactured home, mobile home, or recreational~~ 1080
~~vehicle has been abandoned by the defendant, the park operator~~ 1081
~~is hereby commanded to submit a notarized affidavit to the~~ 1082

~~county auditor of the county where the park is located listing~~ 1083
~~the titled owner, address, serial number, and the value of the~~ 1084
~~manufactured home, mobile home, or recreational vehicle. Within~~ 1085
~~fifteen days after receipt of the affidavit, the county auditor~~ 1086
~~is hereby commanded to confirm whether the county auditor agrees~~ 1087
~~or disagrees with the stated value on the affidavit. Either of~~ 1088
~~the following shall apply:~~ 1089

~~(1) If the county auditor agrees with the stated value on~~ 1090
~~the affidavit, the county auditor is hereby commanded to sign~~ 1091
~~the original affidavit attesting to the agreement of the value~~ 1092
~~of the manufactured home, mobile home, or recreational vehicle~~ 1093
~~and return the original affidavit to the park operator within~~ 1094
~~fifteen days after receipt of the affidavit from the park~~ 1095
~~operator.~~ 1096

~~(2) If the county auditor disagrees with the stated value~~ 1097
~~on the affidavit, the county auditor is hereby commanded to~~ 1098
~~notify the park operator of the disagreement within fifteen days~~ 1099
~~after receipt of the affidavit. The park operator is hereby~~ 1100
~~authorized to submit additional materials in support of the~~ 1101
~~stated value on the affidavit consistent with industry valuation~~ 1102
~~standards within ten days after receipt of the notice of the~~ 1103
~~disagreement. If the park operator submits additional materials~~ 1104
~~in support of the stated value on the affidavit, then after~~ 1105
~~reviewing the additional materials submitted, either of the~~ 1106
~~following shall apply:~~ 1107

~~(a) If the county auditor agrees with the stated value on~~ 1108
~~the affidavit, the county auditor is hereby commanded to sign~~ 1109
~~the original affidavit attesting to the agreement of the value~~ 1110
~~of the manufactured home, mobile home, or recreational vehicle~~ 1111
~~and return the original affidavit to the park operator within~~ 1112

~~ten days after receipt of the additional materials.~~

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~~(b) If the county auditor continues to disagree with the
stated value on the affidavit, the county auditor is hereby
commanded to notify the park operator of the continued
disagreement within ten days of receipt of the additional
material and return the original affidavit to the park operator.
The park operator is hereby authorized to appeal to this court
for a ruling on the disagreement pursuant to court rule.~~

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~~The park operator is hereby commanded to submit to this
court the affidavit signed by the county auditor stating the
value of the manufactured home, mobile home, or recreational
vehicle, which shall be deemed to be the park operator's sworn
testimony. If the park operator knowingly falsifies information
on the affidavit the park operator shall be guilty of
falsification under divisions (A) (1), (3), and (6) of section
2921.13 of the Revised Code.~~

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~~If the manufactured home, mobile home, or recreational
vehicle has been so abandoned and has a value of more than three
thousand dollars, and the requirements of section 1923.12 of the
Revised Code have been satisfied, you are hereby authorized to
cause the sale of the home or vehicle and personal property in
the home or vehicle in accordance with division (B) (3) of
section 1923.14 of the Revised Code. If you are unable to sell
the manufactured home, mobile home, or recreational vehicle due
to a want of bidders, after it is offered for sale on two
occasions, you are hereby commanded to cause the presentation of
this writ to a clerk of the court of common pleas title division
for the issuance of a certificate of title transferring the
title of the home or vehicle to the plaintiff, free and clear of
all security interests, liens, and encumbrances, in accordance~~

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~~with division (B) (3) of section 1923.14 of the Revised Code.~~

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~~If the manufactured home, mobile home, or recreational
vehicle has been so abandoned and has a value of three thousand
dollars or less and if the requirements of section 1923.12 of
the Revised Code have been satisfied, you are hereby authorized
to cause the presentation of this writ to a clerk of the court
of common pleas title division for the issuance of a certificate
of title transferring the title of the home or vehicle to the
plaintiff, free and clear of all security interests, liens, and
encumbrances in accordance with division (B) (4) of section
1923.14 of the Revised Code.~~

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~~Upon this writ's presentation by the levying officer to a
clerk of the court of common pleas title division under the
circumstances described in either of the two preceding
paragraphs and in accordance with division (B) (3) or (4) of
section 1923.14 of the Revised Code, as applicable, the clerk is
hereby commanded to issue a certificate of title transferring
the title of the manufactured home, mobile home, or recreational
vehicle to the plaintiff, free and clear of all security
interests, liens, and encumbrances, in the manner prescribed in
section 4505.10 of the Revised Code. Plaintiff has established
by sworn affidavit that all requirements of section 1923.12 of
the Revised Code have been met. The search for all parties of
interest has been reasonably completed and all notices given as
required by that section. Plaintiff has established just grounds
for the value of the manufactured or mobile home to be less than
ten thousand dollars, the value of which is affirmed by
certification of the county auditor. Plaintiff is authorized to
cause the manufactured or mobile home, and all personal property
and vehicles of the defendant on the residential premises, to
be, at the option of the plaintiff: (1) destroyed or removed~~

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from the manufactured home park, (2) retained at its current 1174
location on the residential premises, or (3) sold by the 1175
plaintiff. If the manufactured or mobile home is destroyed by 1176
the plaintiff, the plaintiff shall submit to the county auditor 1177
a destroyed manufactured or mobile home form detailing the date 1178
of destruction and location of the manufactured or mobile home 1179
destroyed. If the manufactured or mobile home is retained at its 1180
current location or sold by the plaintiff, the plaintiff shall 1181
notify the county auditor and the clerk of courts, title 1182
division. 1183

To the clerk of courts, _____ county: 1184

You are hereby commanded to issue a certificate of title 1185
transferring the title of the manufactured or mobile home to 1186
plaintiff, free and clear of all liens, encumbrances, taxes, 1187
security interests, and other interests in the manner prescribed 1188
by section 4505.10 of the Revised Code. The manufactured or 1189
mobile home is described as a _____ (year, model) with a serial 1190
number of _____, title number _____. 1191

Witness my hand, this _____ day of _____, 1192
_____, _____ Judge, _____ (Name of court)." 1193

(2) When a judgment of restitution is entered by a court 1194
in any action under this chapter against a titled owner of an 1195
abandoned manufactured or mobile home or the estate of a titled 1196
owner of an abandoned manufactured or mobile home and if the 1197
manufactured or mobile home has a value exceeding ten thousand 1198
dollars, the manufactured or mobile home shall be sold at a 1199
public auction in the following manner: 1200

(a) The court shall use the services of a licensed 1201
auctioneer, a bailiff of the municipal court, or the county 1202

sheriff, the expense to be assessed as costs to be reimbursed 1203
out of the proceeds of any sale in accordance with division (G) 1204
of section 1923.14 of the Revised Code. 1205

(b) Plaintiff shall coordinate with the bailiff of the 1206
court, county sheriff, or court-appointed licensed auctioneer to 1207
schedule the sale. A bailiff of the court shall be present at 1208
auction to supervise and ensure proper procedures are followed 1209
and to receive any purchase money. Any purchase money received 1210
by the bailiff, sheriff, or court-appointed auctioneer shall be 1211
deposited with the clerk of courts, along with filing a return 1212
for the sale, as soon as practicable. 1213

(c) The plaintiff shall issue notice of the sale to any 1214
lienholders or persons with an outstanding interest in the 1215
abandoned manufactured or mobile home by certified mail, return 1216
receipt requested. The plaintiff shall file copy of the notice 1217
with clerk of the municipal court at least three days prior to 1218
sale. 1219

(d) In addition to the notices required by section 1923.12 1220
of the Revised Code, where the titled owner of the manufactured 1221
or mobile home is deceased, notice shall be published in a 1222
newspaper of general circulation in the county once a week for 1223
two weeks. The clerk of the municipal court is not required to 1224
send notice to the defendant regarding the defendant's right to 1225
an exemptions hearing in accordance with division (B) (3) of 1226
section 1923.14 of the Revised Code. 1227

(e) The manufactured or mobile home may be sold without an 1228
appraisal. The value of the manufactured or mobile home shall be 1229
determined based on an affidavit submitted by the plaintiff and 1230
certified by the county auditor. 1231

(f) If there are no bidders at the date of auction 1232
advertised, the bailiff shall file a return to the court 1233
reflecting that information. The court shall issue an order for 1234
the transfer of the certificate title of manufactured or mobile 1235
home to plaintiff. All further proceedings terminate when 1236
plaintiff accepts transfer of title. 1237

(g) The issuance of an order pursuant to this section for 1238
transfer of title shall be in the following form, as near as 1239
practicable: 1240

"To the clerk of courts, title division: 1241

Whereas, in a certain action for the eviction of a titled 1242
owner or a titled owner's estate from the following described 1243
premises of a manufactured home park on which the above- 1244
described manufactured or mobile home, is located, to wit: 1245

. Lately tried before this court, wherein 1246
was the plaintiff, and was the defendant. Judgment in 1247
forcible entry and detainer was rendered on that the 1248
plaintiff has restitution of the premises. Just grounds for the 1249
value of the manufactured or mobile home to be greater than ten 1250
thousand dollars, the value of which was established by 1251
affidavit of the plaintiff and certification by the county 1252
auditor, required the public auction of the manufactured or 1253
mobile home. All requirements for the sale of the abandoned 1254
manufactured or mobile home have been confirmed and, with no 1255
bidders, certificate of title is transferred to the plaintiff. 1256
Plaintiff is authorized to cause the manufactured or mobile 1257
home, and all personal property and vehicles of the defendant on 1258
the residential premises, to be, at the option of the plaintiff, 1259
either (1) destroyed or removed from the manufactured home park, 1260
or (2) retained at its current location on the residential 1261

premises or sold by plaintiff. If the manufactured or mobile 1262
home is retained at its current location by the plaintiff, the 1263
plaintiff shall notify the county auditor and the clerk of 1264
courts, title division, and the plaintiff is responsible for 1265
taxes that accrue after receiving title. 1266

To the clerk of courts, _____ county: 1267

You are hereby commanded to issue a certificate of title 1268
transferring the title of the manufactured or mobile home to the 1269
plaintiff, free and clear of all liens, encumbrances, taxes, 1270
security interests, and other interests in the manner prescribed 1271
by section 4505.10 of the Revised Code. The manufactured or 1272
mobile home is described as a _____ (year, model) with a 1273
serial number of _____, title number _____. 1274

Witness my hand, this _____ day of _____, _____ 1275
Judge _____ (name of court)." 1276

(3) If the manufactured or mobile home is sold to the 1277
highest bidder at the date of auction, the bailiff shall collect 1278
the purchase money from the highest bidder and deposit the money 1279
with the municipal clerk of courts as soon as practicable. The 1280
clerk of courts shall hold the funds on deposit until the court 1281
examines the proceedings in accordance with section 2329.32 of 1282
the Revised Code. The bailiff of the court shall file a return 1283
reflecting completion of the sale with the name of the 1284
purchaser, the purchase amount, and the sale date. 1285

(4) (a) The plaintiff shall file with the court a motion 1286
for order confirming sale and a proposed order for transfer of 1287
title in accordance with this section, which shall be supported 1288
with an itemization of amounts to be distributed in accordance 1289
with division (G) of section 1923.14 of the Revised Code. 1290

(b) Upon such motion, the court shall issue an order 1291
confirming the sale, ordering distribution of proceeds, and 1292
transferring title to the manufactured or mobile home, which may 1293
be presented to the common pleas title division. The clerk of 1294
courts shall distribute the sale proceeds in accordance with the 1295
order confirming the sale. 1296

(c) The issuance of an order for transfer of title to the 1297
successful bidder shall be in the following form, as near as 1298
practicable: 1299

"To the clerk of courts, title division: 1300

Whereas, in a certain action for eviction of a titled 1301
owner or titled owner's estate from the following described 1302
premises of a manufactured home park on which the above- 1303
described manufactured or mobile home is located, to wit: 1304

. Lately tried before this court, wherein 1305
was the plaintiff, and was the defendant. Judgment in 1306
forcible entry and detainer was rendered on that the 1307
plaintiff has restitution of the premises. Just grounds for the 1308
value of the manufactured or mobile home to be greater than ten 1309
thousand dollars, the value of which was established by 1310
affidavit of the plaintiff and certification by the county 1311
auditor, required the public auction of the manufactured or 1312
mobile home. All requirements for the sale of the abandoned 1313
manufactured or mobile home have been met and the certificate of 1314
title is transferred to , the successful bidder. If 1315
the manufactured home is retained at its current location by the 1316
successful bidder, the bidder shall notify the county auditor 1317
and the clerk of courts, title division. Proceeds of the sale 1318
shall be disbursed in accordance with division (G) of section 1319
1923.14 of the Revised Code. 1320

To the clerk of courts, _____ county: 1321

You are hereby commanded to issue a certificate of title 1322
transferring the title of the manufactured or mobile home to 1323
_____, free and clear of all liens, encumbrances, taxes, 1324
security interests, and other interests in the manner prescribed 1325
by section 4505.10 of the Revised Code. The manufactured or 1326
mobile home is described as a _____ (year, model) with a 1327
serial number of _____, title number _____. 1328

Witness my hand, this _____ day of _____, _____ 1329
Judge _____ (name of court). 1330

Sec. 1923.14. ~~(A)~~ (A) (1) Except as otherwise provided in 1331
this section, within ten days after receiving a writ of 1332
~~execution court order~~ described in division (A) or (B) of 1333
section 1923.13 of the Revised Code, the sheriff, police 1334
officer, constable, or bailiff shall execute it by restoring the 1335
plaintiff to the possession of the premises, and shall levy and 1336
collect reasonable costs, not to exceed the standard motion fee, 1337
and make return, as upon other executions. If an appeal from the 1338
judgment of restitution is filed and if, following the filing of 1339
the appeal, a stay of execution is obtained and any required 1340
bond is filed with the court of common pleas, municipal court, 1341
or county court, the judge of that court immediately shall issue 1342
an order to the sheriff, police officer, constable, or bailiff 1343
commanding the delay of all further proceedings upon the 1344
execution until the court's disposition. If the premises have 1345
been restored to the plaintiff, the sheriff, police officer, 1346
constable, or bailiff shall forthwith place the defendant in 1347
possession of them, and return the writ with the sheriff's, 1348
police officer's, constable's, or bailiff's proceedings and the 1349
costs taxed on it. 1350

(2) The filing fee for a court order for title upon an 1351
abandoned manufactured or mobile home with the clerk of courts 1352
shall not exceed the court's standard motion fee. 1353

(B) (1) After a municipal court or county court issues a 1354
~~writ of execution~~ court order described in division (B) of 1355
section 1923.13 of the Revised Code, the clerk of the court 1356
shall send by regular mail, to the last known address of each 1357
person other than the titled owner of the manufactured home, or 1358
~~mobile home, or recreational vehicle~~ that is the subject of the 1359
~~writ~~ court order who is listed on the ~~writ~~ court order as having 1360
any outstanding right, title, or interest in the home, ~~vehicle,~~ 1361
or personal property and to the auditor and treasurer of the 1362
county in which the court is located, a written notice that the 1363
home ~~or vehicle~~ potentially may be sold, destroyed, or have its 1364
title transferred under the circumstances described in division 1365
(B) (3) ~~or (4)~~ of this section. A person having any outstanding 1366
right, title, or interest in the home, ~~vehicle,~~ or personal 1367
property is not required to consent to the notice required under 1368
this division in order for the ~~writ~~ court order to be executed. 1369

(2) Except as otherwise provided in this division, after 1370
causing the defendant to be removed from the residential 1371
premises of the manufactured home park, if necessary, by writ of 1372
restitution, and receiving a writ of execution described in 1373
division (B) of section 1923.13 of the Revised Code, in 1374
accordance with the writ, the sheriff, police officer, 1375
constable, or bailiff may cause the manufactured home, or mobile 1376
~~home, or recreational vehicle~~ that is the subject of the 1377
~~writ~~ court order, and all personal property on the residential 1378
premises, to be retained at their current location on the 1379
residential premises, until they are claimed by the defendant or 1380
they are disposed of in a manner authorized by division (B) (3) ~~—~~ 1381

~~(4), or (6)~~ (G) (3) of this section or by another section of 1382
the Revised Code. 1383

The park operator shall not be liable for any damage 1384
caused by the park operator's removal of the manufactured home~~,~~ 1385
or mobile home~~, or recreational vehicle~~ or the removal of the 1386
personal property from the residential premises, or for any 1387
damage to the home~~, vehicle,~~ or personal property during the 1388
time the home~~, vehicle,~~ or property remains abandoned or stored 1389
in the manufactured home park, unless the damage is the result 1390
of acts that the park operator or the park operator's agents or 1391
employees performed with malicious purpose, in bad faith, or in 1392
a wanton or reckless manner. The reasonable costs for a removal 1393
of the manufactured home~~,~~ or mobile home~~, or recreational~~ 1394
~~vehicle~~ and personal property and, as applicable, the reasonable 1395
costs for its storage shall constitute a lien upon the home ~~or~~ 1396
~~vehicle~~ payable by the titled owner of the home ~~or vehicle~~ or 1397
payable pursuant to division ~~(B) (3)~~ (G) (1) of this section to 1398
the park operator. 1399

The sheriff, police officer, constable, ~~or bailiff, or~~ 1400
park operator shall not be liable for any damage caused by the 1401
park operator's removal of the manufactured home~~,~~ or mobile 1402
home, ~~or recreational vehicle~~ or the removal of the personal 1403
property from the residential premises, or for any damage to the 1404
home~~, vehicle,~~ or personal property during the time the home~~,~~ 1405
~~vehicle,~~ or property remains abandoned or stored in the 1406
manufactured home park. 1407

(3) Except as provided in ~~divisions (B) (4), (5), and (6)~~ 1408
~~of this section and~~ division (D) of section 1923.12 of the 1409
Revised Code, within sixty days after receiving a ~~writ of~~ 1410
~~execution~~ court order described in division (B) of section 1411

1923.13 of the Revised Code for a manufactured home, or mobile 1412
home, ~~or recreational vehicle~~, determined to have a value of 1413
more than ~~three~~ ten thousand dollars, the sheriff, police 1414
officer, constable, or bailiff shall commence proceedings for 1415
the sale of the manufactured home, or mobile home, ~~or~~ 1416
~~recreational vehicle~~ that is the subject of the writ, and the 1417
abandoned personal property on the residential premises, if the 1418
home ~~or vehicle~~ is determined to be abandoned in accordance with 1419
the procedures for the sale of goods on execution under Chapter 1420
2329. of the Revised Code. In addition to all notices required 1421
to be given under section 2329.13 of the Revised Code, the 1422
sheriff, police officer, constable, or bailiff shall serve at 1423
their respective last known addresses a written notice of the 1424
date, time, and place of the sale upon all persons who are 1425
listed on the writ of execution as having any outstanding right, 1426
title, or interest in the abandoned manufactured home, or mobile 1427
home, ~~or recreational vehicle~~ and the personal property and 1428
shall provide written notice to the auditor and the treasurer of 1429
the county in which the court issuing the writ is located. 1430

~~Unless the proceedings are governed by division (D) of~~ 1431
~~section 1923.12 of the Revised Code, notwithstanding~~ 1432
Notwithstanding any statutory provision to the contrary, 1433
~~including, but not limited to,~~ section 2329.66 of the Revised 1434
Code, there shall be no stay of execution or exemption from levy 1435
or sale on execution available to the titled owner of the 1436
abandoned manufactured home, or mobile home, ~~or recreational~~ 1437
~~vehicle~~ in relation to a sale under this division. Except as 1438
otherwise provided in sections 2113.031, 2117.25, and 5162.21 of 1439
the Revised Code in a case involving a deceased ~~resident~~ titled 1440
owner or resident's titled owner's estate, the sheriff, police 1441
officer, constable, or bailiff shall distribute the proceeds 1442

from the sale of an abandoned manufactured home, or mobile home, 1443
or recreational vehicle and any personal property under this 1444
division in the following manner prescribed in division (G) of 1445
this section. 1446

(C) Upon the agreement of the county auditor and the park 1447
operator that the value of the abandoned home is greater than 1448
ten thousand dollars, the park operator shall file with the 1449
clerk of court a praecipe for the sale of the manufactured home 1450
or mobile home setting forth the description and location of the 1451
home. The clerk of court shall deliver the praecipe to the 1452
bailiff, sheriff, or officer conducting the sale to determine 1453
the date for the sale. In addition to all notices required to be 1454
given under section 2329.13 of the Revised Code, the sheriff, 1455
police officer, constable, or bailiff shall serve at the last 1456
known address of the titled owner a written notice of the date, 1457
time, and place of the sale and upon all persons who are listed 1458
on the writ of execution as having any outstanding right, title, 1459
or interest in the abandoned manufactured home or mobile home 1460
and the personal property and shall provide written notice to 1461
the auditor and the treasurer of the county in which the court 1462
issuing the writ is located. 1463

(D) All bidders who intend to reside in the park after the 1464
sale shall apply for residency with the park and be approved for 1465
residency at least seven days prior to the date of the sale. Any 1466
successful bidder intending to remove the manufactured home or 1467
mobile home after the sale shall remove the home within ten days 1468
after the sale and is liable to the park operator for any damage 1469
to the lot as a result of the removal of the home. 1470

(E) The successful bidder shall register title with the 1471
clerk of courts, title division, not later than ten days after 1472

the receipt of the court order to transfer title to the 1473
successful bidder. 1474

(F) After the sale of the manufactured home or mobile 1475
home, the park operator shall file with the clerk of courts a 1476
motion confirming the sale of the home, setting forth the date 1477
of the sale, the amount of the sale, the purchaser of the home, 1478
and the distribution of proceeds in accordance with division (G) 1479
of this section. If there is no purchaser after the sale has 1480
been conducted, the park operator shall file for a court order 1481
in conformance with division (B) (2) of section 1923.13 of the 1482
Revised Code. 1483

(G) (1) The court, upon motion to confirm the sale and the 1484
issuance of an order confirming the sale, shall order the 1485
proceeds be distributed as follows: 1486

(a) The sheriff, police officer, constable, or bailiff 1487
shall first pay the costs for any moving of and any storage 1488
outside the manufactured home park of the home ~~or vehicle~~ and 1489
any personal property pursuant to division (B) (2) of this 1490
section, the costs of the sale, any advertising expenses paid by 1491
the park operator for the sale of the manufactured home, or 1492
mobile home, ~~or recreational vehicle~~ under division (B) (3) of 1493
this section, and any unpaid court costs assessed against the 1494
defendant in the underlying action. 1495

(b) Following the payment required by division ~~(B) (3) (a)~~ 1496
(G) (1) (a) of this section, the sheriff, police officer, 1497
constable, or bailiff shall pay all outstanding tax liens on the 1498
home ~~or vehicle~~. 1499

(c) Following the payment required by division ~~(B) (3) (b)~~ 1500
(G) (1) (b) of this section, the sheriff, police officer, 1501

constable, or bailiff shall pay all other outstanding security 1502
interests, liens, or encumbrances on the home ~~or vehicle~~ by 1503
priority of filing or other priority. 1504

(d) Following the payment required by division ~~(B) (3) (e)~~ 1505
(G) (1) (c) of this section, the sheriff, police officer, 1506
constable, or bailiff shall pay any outstanding monetary 1507
judgment rendered under section 1923.09 or 1923.11 of the 1508
Revised Code in favor of the plaintiff and any costs associated 1509
with retaining the home ~~or vehicle~~ prior to the sale at its 1510
location on the residential premises within the manufactured 1511
home park pursuant to division (B) (2) of this section. 1512

(e) After complying with divisions ~~(B) (3) (a)~~ (G) (1) (a) to 1513
(d) of this section, the sheriff, police officer, constable, or 1514
bailiff shall report any remaining money as unclaimed funds 1515
pursuant to Chapter 169. of the Revised Code. 1516

~~Upon the return of any writ of execution for the~~ 1517
~~satisfaction of which an abandoned manufactured home, mobile~~ 1518
~~home, or recreational vehicle has been sold under this division,~~ 1519
~~on careful examination of the proceedings of the sheriff, police~~ 1520
~~officer, constable, or bailiff conducting the sale, if the court~~ 1521
~~that issued the writ finds that the sale was made, in all~~ 1522
~~respects, in conformity with this division, the court shall~~ 1523
~~direct the clerk of the court to make an entry on the journal~~ 1524
~~that the court is satisfied with the legality of the sale and~~ 1525
~~order the clerk of the court of common pleas title division to~~ 1526
~~issue a certificate of title, free and clear of all security~~ 1527
~~interests, liens, and encumbrances, to the purchaser of the home~~ 1528
~~or vehicle. If the manufactured home, mobile home, or~~ 1529
~~recreational vehicle sold under this division is located in a~~ 1530
~~manufactured home park, the purchaser of the home or vehicle~~ 1531

~~shall have no right to maintain the home or vehicle in the~~ 1532
~~manufactured home park without the park operator's consent and~~ 1533
~~the sheriff, police officer, constable, or bailiff conducting~~ 1534
~~the sale shall notify all prospective purchasers of this fact~~ 1535
~~prior to the commencement of the sale.~~ 1536

~~If, after it is offered for sale on two occasions under~~ 1537
~~this division, the abandoned manufactured home, mobile home, or~~ 1538
~~recreational vehicle cannot be sold due to a want of bidders,~~ 1539
~~the sheriff, police officer, constable, or bailiff shall present~~ 1540
~~the writ of execution unsatisfied to the clerk of the court of~~ 1541
~~common pleas title division, of the county in which the writ was~~ 1542
~~issued for the issuance by the clerk in the manner prescribed in~~ 1543
~~section 4505.10 of the Revised Code of a certificate of title~~ 1544
~~transferring the title of the home or vehicle to the plaintiff,~~ 1545
~~free and clear of all security interests, liens, and~~ 1546
~~encumbrances. If any taxes are owed on the home or vehicle at~~ 1547
~~this time, the county auditor shall remove the delinquent taxes~~ 1548
~~from the manufactured home tax list and the delinquent~~ 1549
~~manufactured home tax list and remit any penalties for late~~ 1550
~~payment of manufactured home taxes. Acceptance of the~~ 1551
~~certificate of title by the plaintiff terminates all further~~ 1552
~~proceedings under this section. In accordance with division (E)~~ 1553
~~(3) of section 4503.061 of the Revised Code, the plaintiff shall~~ 1554
~~notify the county auditor of the transfer of title. Pursuant to~~ 1555
~~section 4503.061 of the Revised Code, if the manufactured home,~~ 1556
~~mobile home, or recreational vehicle is destroyed or removed,~~ 1557
~~the plaintiff shall provide the county auditor with notice of~~ 1558
~~removal or destruction of the manufactured home, mobile home, or~~ 1559
~~recreational vehicle.~~ 1560

~~(4) Except as provided in division (B) (5) or (6) of this~~ 1561
~~section and division (D) of section 1923.12 of the Revised Code,~~ 1562

~~within thirty days after receiving a writ of execution described~~ 1563
~~in division (B) of section 1923.13 of the Revised Code, if the~~ 1564
~~manufactured home, mobile home, or recreational vehicle is~~ 1565
~~determined to be abandoned and to have a value of three thousand~~ 1566
~~dollars or less, the sheriff, police officer, constable, or~~ 1567
~~bailiff shall present the writ of execution to the clerk of the~~ 1568
~~court of common pleas title division, of the county in which the~~ 1569
~~writ was issued for the issuance by the clerk in the manner~~ 1570
~~prescribed in section 4505.10 of the Revised Code of a~~ 1571
~~certificate of title transferring the title of the home or~~ 1572
~~vehicle to the plaintiff, free and clear of all security~~ 1573
~~interests, liens, and encumbrances. If any taxes are owed on the~~ 1574
~~home or vehicle at this time, the county auditor shall remove~~ 1575
~~the delinquent taxes from the manufactured home tax list and the~~ 1576
~~delinquent manufactured home tax list and remit any penalties~~ 1577
~~for late payment of manufactured home taxes. Acceptance of the~~ 1578
~~certificate of title by the plaintiff terminates all further~~ 1579
~~proceedings under this section. In accordance with division (E)~~ 1580
~~(3) of section 4503.061 of the Revised Code, the plaintiff shall~~ 1581
~~notify the county auditor of the transfer of title. Pursuant to~~ 1582
~~section 4503.0611 of the Revised Code, if the manufactured home,~~ 1583
~~mobile home, or recreational vehicle is destroyed or removed,~~ 1584
~~the plaintiff shall provide the county auditor with notice of~~ 1585
~~removal or destruction of the manufactured home, mobile home, or~~ 1586
~~recreational vehicle.~~ 1587

~~(5)-(2)~~ At any time prior to the issuance of the ~~writ of~~ 1588
~~execution court order~~ described in division (B) of section 1589
1923.13 of the Revised Code, the titled owner of the 1590
manufactured home, or mobile home, ~~or recreational vehicle~~ that 1591
would be the subject of the ~~writ order~~ may remove the abandoned 1592
home ~~or vehicle~~ from the manufactured home park upon payment to 1593

the county auditor of all outstanding tax liens on the home ~~or~~ 1594
~~vehicle~~ and, unless the titled owner is indigent, payment to the 1595
clerk of court of all unpaid court costs assessed against the 1596
defendant in the underlying action. After the issuance of the 1597
~~writ of execution~~ court order, the titled owner of the home ~~or~~ 1598
~~vehicle~~ may remove the abandoned home ~~or vehicle~~ from the 1599
manufactured home park at any time up to the day before the 1600
scheduled sale, destruction, or transfer of the home ~~or vehicle~~ 1601
pursuant to division (B) (3) ~~or (4)~~ of this section upon payment 1602
of all of the following: 1603

(a) All costs incurred by the sheriff, police officer, 1604
constable, or bailiff; 1605

(b) All outstanding tax liens on the home ~~or vehicle~~; 1606

(c) Unless the titled owner is indigent, all unpaid court 1607
costs assessed against the defendant in the underlying action. 1608

~~(6)~~ (3) At any time after the issuance of the ~~writ of~~ 1609
~~execution~~ court order described in division (B) of section 1610
1923.13 of the Revised Code, the holder of any outstanding lien, 1611
right, title, or interest in the manufactured home, or mobile 1612
home, ~~or recreational vehicle~~, other than the titled owner of 1613
the home ~~or vehicle~~, may stop the sheriff, police officer, 1614
constable, or bailiff from proceeding with the sale under this 1615
division by doing both of the following: 1616

(a) Commencing a proceeding to repossess the home ~~or~~ 1617
~~vehicle~~ pursuant to Chapters 1309. and 1317. of the Revised 1618
Code; 1619

(b) Paying to the park operator all monthly rental 1620
payments for the lot on which the home ~~or vehicle~~ is located 1621
from the time of the issuance of the ~~writ of execution~~ court 1622

order until the time that the home ~~or vehicle~~ is sold pursuant 1623
to Chapters 1309. and 1317. of the Revised Code. 1624

~~(7)(a)~~ (4) (a) At any time prior to the day before the 1625
scheduled sale of the property pursuant to division (B) (3) of 1626
this section, the defendant may remove any personal property of 1627
the defendant from the abandoned home ~~or vehicle~~ or other place 1628
of storage. 1629

(b) If personal property owned by a person other than the 1630
defendant is abandoned on the residential premises and has not 1631
previously been removed, the owner of the personal property may 1632
remove the personal property from the abandoned home ~~or vehicle~~ 1633
or other place of storage up to the day before the scheduled 1634
sale of the property pursuant to division (B) (3) of this section 1635
upon presentation of proof of ownership of the property that is 1636
satisfactory to the sheriff, police officer, constable, or 1637
bailiff conducting the sale. 1638

(5) If the manufactured or mobile home is not sold at the 1639
scheduled sale, the clerk of the court of common pleas shall 1640
issue a certificate of title to the plaintiff. The certificate 1641
of title shall contain a notation that it is issued, free and 1642
clear of all liens and encumbrances, including any liens for 1643
delinquent or current manufactured home taxes, whether or not 1644
such taxes are yet due and payable. The county auditor shall 1645
also remove all such taxes from the manufactured home tax list 1646
and the delinquent manufactured home tax list and shall remit 1647
any tax penalties and interest charged against the property. The 1648
transfer of title to the home is exempt from conveyance fees 1649
imposed under sections 319.54 and 322.06 of the Revised Code. 1650
Acceptance of the certificate of title by the plaintiff 1651
terminates all further proceedings under this section. The 1652

plaintiff shall notify the county auditor of the transfer of 1653
title in accordance with division (E)(3) of section 4503.061 of 1654
the Revised Code, and the county auditor shall notify the county 1655
treasurer of the transfer of title. The plaintiff shall submit 1656
proof of registration with the auditor to the clerk of courts to 1657
effectuate the transfer of title. If the manufactured home or 1658
mobile home is destroyed or removed, the plaintiff shall provide 1659
the county auditor with notice of removal or destruction of the 1660
manufactured home or mobile home. 1661

(H) After the issuance of the order of sale by the court, 1662
the titled owner of the home may remove the abandoned home from 1663
the manufactured home park at any time up to the day before the 1664
scheduled sale, destruction, or transfer of the home pursuant to 1665
this section. 1666

Sec. 4503.0611. Whenever it is made to appear to the 1667
county auditor, based on inspection by the county auditor or 1668
based on notice provided to the county auditor, on a form 1669
prescribed by the department of taxation, by an owner of the 1670
manufactured home or two disinterested persons who are residents 1671
of the township or municipal corporation in which the 1672
manufactured home is or was situated, that the home is subject 1673
to taxation for the current year under section 4503.06 of the 1674
Revised Code and has been destroyed or injured after the first 1675
day of January of the current year, the county auditor shall 1676
investigate the matter, and shall refund or waive the payment of 1677
the current year's taxes on such home as prescribed by divisions 1678
(A) and (B) of this section. If a form has not been filed with 1679
the county auditor by either an owner or two disinterested 1680
persons but it appears to the county auditor, based on an 1681
inspection and investigation, that the owner's manufactured home 1682
is subject to taxation for the current year under section 1683

4503.06 of the Revised Code and has been destroyed or injured 1684
after the first day of January of the current year, the auditor 1685
may complete the form on behalf of an owner. 1686

To obtain a deduction under this section, an owner or two 1687
disinterested persons shall file the form with the county 1688
auditor, or the county auditor shall complete the form on behalf 1689
of an owner, not later than the thirty-first day of January of 1690
the year after the year in which the manufactured home was 1691
injured or destroyed. 1692

(A) If the auditor determines the injury or destruction 1693
occurred during the first half of the calendar year, the auditor 1694
shall deduct from the taxes payable on the manufactured home for 1695
the current year an amount that, in the county auditor's 1696
judgment, bears the same ratio to those taxes as the extent of 1697
the injury or destruction bears to the cost or market value of 1698
the manufactured home. The auditor shall draw a warrant on the 1699
county treasurer to refund that amount. If the taxes have not 1700
been paid at the time of the auditor's determination, the 1701
auditor may waive the payment of the portion of the tax that 1702
would otherwise be refunded under this division. 1703

(B) If the auditor determines the injury or destruction 1704
occurred during the second half of the calendar year, the 1705
auditor shall deduct from the taxes payable on the manufactured 1706
home for the current year one-half of the amount that, in the 1707
county auditor's judgment, bears the same ratio to those taxes 1708
as the extent of the injury or destruction bears to the cost or 1709
market value of the manufactured home. The auditor shall draw a 1710
warrant on the county treasurer to refund that amount. If the 1711
taxes have not been paid at the time of the auditor's 1712
determination, the auditor may waive the payment of the portion 1713

of the tax that would otherwise be refunded under this division. 1714

(C) Taxes refunded under this section shall be paid from 1715
the county undivided general property tax fund. 1716

(D) Notwithstanding divisions (A) and (B) of this section, 1717
if the county auditor determines the destruction of a 1718
manufactured home or mobile home occurred within one calendar 1719
year after the title of the home being transferred to a park 1720
operator pursuant to sections 1923.12, 1923.13, and 1923.14 of 1721
the Revised Code and the current owner providing the oath to the 1722
auditor is the same park operator, then the auditor shall waive 1723
all unpaid manufactured home taxes charged against the home, 1724
including taxes for which a lien has attached, but that are not 1725
yet due and payable. 1726

(E) Upon the destruction of a manufactured home or mobile 1727
home, the owner of the home shall dispose of the certificate of 1728
title to the home in the same manner as described in section 1729
4505.11 of the Revised Code. 1730

Section 2. That existing sections 319.54, 1923.01, 1731
1923.02, 1923.04, 1923.06, 1923.09, 1923.11, 1923.12, 1923.13, 1732
1923.14, and 4503.0611 of the Revised Code are hereby repealed. 1733

Section 3. Section 319.54 of the Revised Code is presented 1734
in this act as a composite of the section as amended by both 1735
H.B. 265 and H.B. 496 of the 135th General Assembly. The General 1736
Assembly, applying the principle stated in division (B) of 1737
section 1.52 of the Revised Code that amendments are to be 1738
harmonized if reasonably capable of simultaneous operation, 1739
finds that the composite is the resulting version of the section 1740
in effect prior to the effective date of the section as 1741
presented in this act. 1742