

Am. S. B. No. 101

As Passed by the Senate

_____ moved to amend the amendment labeled AM1317 as follows:

In line 347 of the amendment, delete "a creditor" and insert "any
other individual or entity that may obtain an interest in the residential
real estate"

In line 367 of the amendment, delete "(B) (1)" and insert "(B)"

In line 370 of the amendment, delete "the clerk of the court shall
enter upon the record of"

Delete lines 371 through 373 of the amendment

In line 374 of the amendment, delete "recorded" and insert "any
party with an interest in the residential real estate may obtain a
certified copy of the judgment declaring the service agreement, notice, or
memorandum to be unenforceable and present the certified copy of the
judgment to the county recorder's office for recording within the chain of
title to the property"

Delete lines 375 through 380 of the amendment



The motion was _____ agreed to.

SYNOPSIS

Unfair service agreement notice

R.C. 5301.77(C)

Provides that a recording of an unfair service agreement
or a notice or memorandum of an unfair service agreement in
violation of the bill does not provide actual or constructive
notice to any other individual or entity that may obtain an
interest in the residential real estate, rather than a creditor
under the current amendment.

Action following unfair service agreement order

R.C. 5301.78(B)

Modifies the actions that may be taken following a
judicial declaration that an unfair service agreement or notice
or memorandum of an unfair service agreement is unenforceable
by:

- Removing the requirement that the clerk of the court
must enter a memorandum of the character of the proceedings upon
the record of the service agreement, and allowing the clerk to
tax associated fees in the bill of costs;

- Adding that any party with an interest in the
residential real estate may obtain a certified copy of the
judgment and present the certified copy to the county recorder's
office for recording within the chain of title to the property.