

As Introduced

**136th General Assembly
Regular Session
2025-2026**

S. B. No. 83

**Senators Reynolds, Craig
Cosponsors: Senators Smith, Ingram, Weinstein**

A BILL

To amend sections 319.20, 1923.06, 1923.08, 1
1923.09, 3781.10, and 5321.17 and to enact 2
sections 120.522, 120.531, 319.204, 1923.111, 3
1923.16, and 3781.181 of the Revised Code to 4
revise the law governing eviction, residential 5
building code enforcement, and real property 6
transfers. 7

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

Section 1. That sections 319.20, 1923.06, 1923.08, 8
1923.09, 3781.10, and 5321.17 be amended and sections 120.522, 9
120.531, 319.204, 1923.111, 1923.16, and 3781.181 of the Revised 10
Code be enacted to read as follows: 11

Sec. 120.522. The legal services housing defense fund is 12
created in the state treasury to provide civil legal services to 13
stabilize and preserve housing for low-income Ohioans. The fund 14
shall consist of money appropriated to it by the general 15
assembly. 16

The treasurer of state may invest money contained in the 17
fund in any manner authorized by the Revised Code for the 18

investment of state money. However, no such investment shall 19
interfere with the use of such money as required by this section 20
and section 120.531 of the Revised Code. All investment earnings 21
of the fund shall be credited to the fund. 22

The state public defender, through the Ohio access to 23
justice foundation established in section 120.521 of the Revised 24
Code, shall administer the payment of money out of the fund for 25
the charitable public purpose of funding housing defense legal 26
services. Four and one-half per cent of the money in the fund 27
shall be reserved for the actual, reasonable costs of 28
administering this section and section 120.531 of the Revised 29
Code. 30

Sec. 120.531. (A) As used in this section: 31

(1) "Federal poverty line" means the official poverty line 32
defined by the United States office of management and budget, 33
based on the most recent data available from the United States 34
bureau of the census, and revised by the United States secretary 35
of health and human services pursuant to 42 U.S.C. 9902. 36

(2) "Eligible household" means a household with an 37
established annual gross income of not more than three hundred 38
per cent of the federal poverty line, adjusted for the size of 39
the household. 40

(3) "Available balance" means the total amount of 41
unencumbered money in the legal services housing defense fund 42
created under section 120.522 of the Revised Code as of the last 43
day of September, excluding the amount reserved for the actual, 44
reasonable expenses of administering the fund and this section. 45

(4) "Eligible organization" means an entity that received 46
financial assistance pursuant to section 120.52 of the Revised 47

Code prior to July 1, 1993, but that, on and after July 1, 1993, 48
no longer qualifies as a legal aid society. 49

(B) The Ohio access to justice foundation shall use 50
amounts appropriated to the legal services housing defense fund 51
created under section 120.522 of the Revised Code to fund 52
housing defense legal services for eligible households. 53

(C) A legal aid society or eligible organization that 54
operates within this state may apply to the Ohio access to 55
justice foundation for financial assistance from the legal 56
services housing defense fund to be used for the provision of 57
housing defense legal services to eligible households. The 58
financial assistance awarded shall not exceed the following 59
amounts: 60

(1) In the case of a legal aid society, the available 61
balance of the fund multiplied by a fraction, the numerator of 62
which is the number of eligible households in the service area 63
of the legal aid society, and the denominator of which is the 64
number of eligible households in this state; 65

(2) In the case of an eligible organization, one and 66
three-fourths per cent of the available balance of the fund. 67

(D) If the total amount of financial assistance awarded 68
under division (C) of this section is less than the available 69
balance of the fund, the Ohio access to justice foundation may 70
award financial assistance to other nonprofit organizations to 71
be used to provide housing defense legal services to eligible 72
households. 73

(E) If the total amount of financial assistance awarded 74
pursuant to divisions (C) and (D) of this section is less than 75
the available balance of the fund, the Ohio access to justice 76

foundation may fund private counsel to provide housing defense 77
legal services to eligible households in the legal aid service 78
areas for which housing defense funds remain unawarded. 79

(F) The Ohio access to justice foundation shall accept 80
applications for financial assistance on an annual basis. 81
Financial assistance awarded under this section shall either be 82
used to provide housing defense legal services to eligible 83
households or returned to the fund before the last day of the 84
following calendar year. 85

(G) A legal aid society, eligible organization, other 86
nonprofit organization, or private counsel that receives 87
financial assistance under this section shall file an annual 88
report with the Ohio access to justice foundation detailing the 89
number and types of cases handled and other service provided by 90
means of the financial assistance received pursuant to this 91
section. No information contained in the reports shall identify 92
or enable the identification of any person served by the legal 93
aid society, eligible organization, other nonprofit 94
organization, or private counsel, or in any way breach client 95
confidentiality. 96

(H) The Ohio access to justice foundation shall make an 97
annual report to the governor, the general assembly, and the 98
supreme court on the distribution and use of the legal services 99
housing defense fund. No information contained in the report 100
shall identify or enable the identification of any person served 101
or in any way breach client confidentiality. 102

Sec. 319.20. After complying with sections 315.251, 103
319.202, 315.251, and 319.203, and 319.204 of the Revised Code, 104
and on application and presentation of title, with the 105
affidavits required by law, or the proper order of a court or 106

the county board of revision, bearing the last known address of 107
the grantee, or of any one of the grantees named in the title_ 108
and, if the grantee is not a natural person, the name and 109
address of the owner identified or agent designated under 110
section 319.204 of the Revised Code, and a reference to the 111
volume and page of the recording, or other means of identifying 112
the recording, of the next preceding recorded instrument by or 113
through which the grantor claims title, the county auditor shall 114
transfer any land or town lot or part thereof, minerals therein, 115
or mineral rights thereto, charged with taxes on the tax list, 116
from the name in which it stands into the name of the owner, 117
when rendered necessary by a conveyance, partition, devise, 118
descent, or otherwise. If by reason of the conveyance or 119
otherwise, a part only of a tract or lot, minerals therein, or 120
mineral rights thereto, as charged in the tax list, is to be 121
transferred, the auditor shall determine the tax value of the 122
part of a tract or lot of real estate, minerals therein, or 123
mineral rights thereto, so transferred, and the value of the 124
remaining part compared with the value of the whole. 125

Whenever a part only of a tract or lot of real estate has 126
been transferred by the auditor and the tract or lot bears 127
unpaid taxes, penalties, interest, or special assessments, the 128
unpaid taxes, penalties, interest, or special assessments shall 129
immediately be apportioned, upon demand or request by the 130
transferee or remaining owner, in the following manner: 131

(A) The auditor shall allocate to the part so transferred, 132
and to the remaining part, amounts of any current or delinquent 133
taxes, interest, or penalties that have accrued against the 134
parcel as a whole, proportionate to their respective values. 135

(B) The lien of taxes, penalties, interest, and special 136

assessments, as levied against the original tract, shall extend 137
to the part so transferred and the part remaining only to the 138
extent of the amounts so allocated to the respective parts. 139

This section does not change the total amount of taxes, 140
special assessments, or other charges as originally levied, or 141
the total amount of the balance due. The auditor shall certify 142
such apportionments to the county treasurer. 143

Whenever the state acquires an entire parcel or a part 144
only of a parcel of real property in fee simple, the county 145
auditor, upon application of the grantor or property owner or 146
the state, which application shall contain a description of the 147
property as it appears on the tax list and the date of transfer 148
of ownership, shall prepare an estimate of the taxes that are a 149
lien on the property, but have not been determined, assessed, 150
and levied for the year in which the property was acquired. The 151
county auditor shall thereupon apportion the estimated taxes 152
proportionately between the grantor and the state for the period 153
of the lien year that each had or shall have had ownership or 154
possession of the property, whichever is earlier. The county 155
treasurer shall accept payment from the state for estimated 156
taxes at the time that the real property is acquired. If the 157
state has paid in full in the year in which the property is 158
acquired that proportion of the estimated taxes that the tax 159
commissioner determines are not subject to remission by the 160
county auditor for such year under division (D) of section 161
5713.08 of the Revised Code, the estimated taxes paid shall be 162
considered the tax liability on the exempted property for that 163
year. 164

Section 319.42 of the Revised Code applies to the 165
apportionment of special assessments. 166

Complaint against such values as determined by the auditor 167
or the allocation of assessments by the certifying authority may 168
be filed by the transferee or the remaining owner, and if filed, 169
proceedings including appeals shall be had in the manner and 170
within the time provided by sections 5717.01 to 5717.06 and 171
5715.19 to 5715.22 of the Revised Code, for complaints against 172
valuation or assessment of real property. 173

The auditor shall endorse on the deed or other evidences 174
of title presented to the auditor that the proper transfer of 175
the real estate described in the deed has been made in the 176
auditor's office or that it is not entered for taxation, and 177
sign the auditor's name to the deed. The address of the grantee, 178
or any one of the grantees, set forth in the deed or other 179
evidences of title shall be entered by the auditor on the 180
transfer sheets and on the general tax list of real property 181
prepared pursuant to section 319.28 of the Revised Code. 182

Sec. 319.204. (A) For the purposes of this section: 183

(1) "Control" means the authority, by contract or by law, 184
to direct the affairs and day-to-day operations of a grantee 185
without the consent of any other person. 186

(2) "Own" means possession of more than fifty per cent of 187
the stock, equity, or other ownership interest of a grantee. 188

(B) Before the county auditor indorses any real property 189
conveyance or manufactured or mobile home conveyance presented 190
to the auditor pursuant to section 319.20 of the Revised Code or 191
registers any manufactured or mobile home conveyance pursuant to 192
section 4503.061 of the Revised Code, the grantee or the 193
grantee's representative shall submit, either electronically or 194
by three written copies of, a statement that does one of the 195

<u>following:</u>	196
<u>(1) Affirms that the grantee is a natural person;</u>	197
<u>(2) If the grantee is not a natural person, identifies a</u> <u>natural person and who owns or controls the grantee;</u>	198 199
<u>(3) If the grantee is not a natural person, and no natural</u> <u>person owns or controls the grantee, designates an agent who is</u> <u>a natural person.</u>	200 201 202
<u>(C) If the grantee is not a natural person, the statement</u> <u>shall vest the owner identified under division (B) (2) of this</u> <u>section, or the agent designated under division (B) (3) of this</u> <u>section, as applicable, with the authority to make binding</u> <u>decisions on behalf of the grantee respecting the real property</u> <u>or manufactured or mobile home that is the subject of the</u> <u>conveyance.</u>	203 204 205 206 207 208 209
<u>(D) The grantee may change the owner identified or the</u> <u>agent designated under division (B) of this section by filing a</u> <u>petition in the court of common pleas, in the same manner</u> <u>permitted for correcting an error, omission, or defect in an</u> <u>instrument or writing under Chapter 2719. of the Revised Code.</u>	210 211 212 213 214
Sec. 1923.06. (A) Any summons in an action, including a claim for possession, pursuant to this chapter shall be issued, be in the form specified, and be served and returned as provided in this section. Such service shall be at least seven days before the day set for trial.	215 216 217 218 219
(B) Every summons issued under this section to recover residential premises shall contain <u>both of the following:</u>	220 221
<u>(1) The following language printed in a conspicuous</u> manner: "A complaint to evict you has been filed with this	222 223

court. No person shall be evicted unless the person's right to 224
possession has ended and no person shall be evicted in 225
retaliation for the exercise of the person's lawful rights. If 226
you are depositing rent with the clerk of this court you shall 227
continue to deposit such rent until the time of the court 228
hearing. The failure to continue to deposit such rent may result 229
in your eviction. You may request a trial by jury or nonbinding 230
mediation. You have the right to seek legal assistance. ~~If you~~ 231
~~cannot afford a lawyer, you may contact your local legal aid or~~ 232
~~legal service office. If none is available, you may contact your~~ 233
~~local bar association~~ and may qualify for free legal 234
representation based on your income. It is recommended that you 235
inquire with legal aid at www.ohiolegalhelp.org or (866) 529- 236
6446 to see if you are eligible." 237

(2) A statement in bold-faced type notifying the defendant 238
of both of the following: 239

(a) Any records associated with the action are suppressed 240
and not accessible to the public until an order is entered 241
granting the plaintiff possession of the premises. 242

(b) If the plaintiff is granted possession of the 243
premises, the court records may remain private if both parties 244
agree to suppress the records. (C) The clerk of the court in 245
which a complaint to evict is filed shall mail any summons by 246
ordinary mail, along with a copy of the complaint, document, or 247
other process to be served, to the defendant at the address set 248
forth in the caption of the summons and to any address set forth 249
in any written instructions furnished to the clerk. The mailing 250
shall be evidenced by a certificate of mailing which the clerk 251
shall complete and file. 252

In addition to this ordinary mail service, the clerk also 253

shall cause service of that process to be completed under either	254
of the following:	255
(1) Division (D) or (E) of this section or both, depending	256
upon which of those two methods of service is requested by the	257
plaintiff upon filing the complaint to evict;	258
(2) Division (F) of this section if the action relates to	259
a deceased manufactured home park resident.	260
(D) (1) If requested, the clerk shall deliver sufficient	261
copies of the summons, complaint, document, or other process to	262
be served to, and service shall be made by, one of the following	263
persons:	264
(a) The sheriff of the county in which the premises are	265
located when the process issues from a court of common pleas or	266
county court;	267
(b) The bailiff of the court for service when process	268
issues from a municipal court;	269
(c) Any person who is eighteen years of age or older, who	270
is not a party, and who has been designated by order of the	271
court to make service of process when process issues from any of	272
the courts referred to in divisions (D) (1) (a) and (b) of this	273
section.	274
(2) The person serving process shall effect service at the	275
premises that are the subject of the forcible entry and detainer	276
action by one of the following means:	277
(a) By locating the person to be served at the premises to	278
tender a copy of the process and accompanying documents to that	279
person;	280
(b) By leaving a copy of the summons, complaint, document,	281

or other process with a person of suitable age and discretion 282
found at the premises if the person to be served cannot be found 283
at the time the person making service attempts to serve the 284
summons pursuant to division (D) (2) (a) of this section; 285

(c) By posting a copy in a conspicuous place on the 286
subject premises if service cannot be made pursuant to divisions 287
(D) (2) (a) and (b) of this section. 288

(3) Within five days after receiving the summons, 289
complaint, document, or other process from the clerk for 290
service, the person making service shall return the process to 291
the clerk. The person shall indicate on the process which method 292
described in division (D) (2) of this section was used to serve 293
the summons. The clerk shall make the appropriate entry on the 294
appearance docket. 295

(E) If requested, the clerk shall mail by certified mail, 296
return receipt requested, a copy of the summons, complaint, 297
document, or other process to be served to the address set forth 298
in the caption of the summons and to any address set forth in 299
any written instructions furnished to the clerk. 300

(F) (1) If the person to be evicted in an action pursuant 301
to this chapter is a deceased manufactured home park resident, 302
the plaintiff shall provide to the clerk the following 303
information: 304

(a) If the plaintiff knows that a probate court has 305
granted letters testamentary or of administration for the estate 306
of the deceased resident, the name and address of the probate 307
court, the case number of the estate, and the name and address 308
of the executor or administrator appointed by the probate court; 309

(b) If the plaintiff knows that a probate court has not 310

granted letters testamentary or of administration for the estate 311
of the deceased resident or does not know whether or not a 312
probate court has granted letters testamentary or of 313
administration for the estate, the names and addresses of the 314
deceased resident's spouse and any other members of the deceased 315
resident's immediate family that are known to the plaintiff; 316

(c) If the plaintiff does not possess the information set 317
forth in division (F) (1) (a) or (b) of this section, an affidavit 318
from the plaintiff stating that the plaintiff does not possess 319
the information. 320

(2) (a) Upon receipt from the plaintiff of the information 321
set forth in division (F) (1) (a) of this section, the clerk shall 322
mail by certified mail, return receipt requested, a copy of the 323
summons, complaint, document, or other process to be served to 324
the address of the executor or administrator appointed by the 325
probate court. 326

(b) Upon receipt from the plaintiff of the information set 327
forth in division (F) (1) (b) or (c) of this section, the clerk 328
shall do both of the following: 329

(i) Mail by ordinary mail and by certified mail, return 330
receipt requested, a copy of the summons, complaint, document, 331
or other process to be served to the persons and addresses 332
provided by the plaintiff, if any. The ordinary mail mailing 333
shall be evidenced by a certificate of mailing that the clerk 334
shall complete and file. 335

(ii) Cause service of notice to be made by publication in 336
a newspaper of general circulation in the county in which the 337
complaint is filed. The publication shall set forth the name and 338
address of the court, the case number, the name and address of 339

the plaintiff or the plaintiff's attorney, and the name and 340
address of the deceased manufactured home park resident. The 341
publication shall describe the premises entered upon and 342
detained, shall contain a summary statement of the object of the 343
eviction complaint against the deceased resident, and shall 344
state that the claim for restitution of the premises shall be 345
scheduled for a hearing in accordance with local court rules, 346
but in no event sooner than the seventh day from the date 347
service is complete. The clerk shall cause the publication to be 348
published at least once a week for two weeks. 349

(G) Service of process shall be deemed complete on the 350
date that any of the following has occurred: 351

(1) Service is made pursuant to division (D) (2) (a) or (b) 352
of this section. 353

(2) Both ordinary mail service under division (C) and 354
service by posting pursuant to division (D) (2) (c) of this 355
section have been made. 356

(3) For service performed pursuant to division (E) or (F) 357
(2) (a) of this section, on the date of mailing, if on the date 358
of the hearing either of the following applies: 359

(a) The certified mail has not been returned for any 360
reason other than refused or unclaimed. 361

(b) The certified mail has not been endorsed, and the 362
ordinary mail has not been returned. 363

(4) For service performed under division (F) (2) (b) of this 364
section, on the date of mailing under division (F) (2) (b) (i) of 365
this section or on the date of the last publication under 366
division (F) (2) (b) (ii) of this section, whichever is later, if 367
on the date of the hearing, either of the following applies: 368

(a) The certified mail has not been returned for any 369
reason other than refused or unclaimed. 370

(b) The certified mail has not been endorsed, and the 371
ordinary mail has not been returned. 372

(H) (1) The claim for restitution of the premises shall be 373
scheduled for hearing in accordance with local court rules, but 374
in no event sooner than the seventh day from the date service is 375
complete. 376

(2) Answer day for any other claims filed with the claim 377
for possession shall be twenty-eight days from the date service 378
is deemed complete under this section. 379

(I) As used in this section, "immediate family" means a 380
person's spouse, brothers and sisters of the whole or half 381
blood, children, including adopted children and stepchildren, 382
parents, and grandparents. 383

Sec. 1923.08. No continuance in an action under this 384
chapter shall be granted for a period longer than eight days, 385
unless ~~the~~ any of the following apply: 386

(A) The plaintiff applies for the continuance and the 387
defendant consents to it, ~~or unless the~~ . 388

(B) The defendant applies for the continuance and gives a 389
bond to the plaintiff, with good and sufficient surety, that is 390
approved by the court and conditioned for the payment of rent 391
that may accrue, if judgment is rendered against the defendant. 392

(C) Either the plaintiff or the defendant demand 393
nonbinding mediation under section 1923.16 of the Revised Code, 394
in which case the judge shall enter a stay for fifty days, which 395
may be extended in accordance with that section. 396

Sec. 1923.09. (A) If an action under this chapter is not 397
continued, the place of trial is not changed, and neither party 398
demands a jury or nonbinding mediation on the return day of the 399
summons, a judge of the court shall try the cause. After hearing 400
the evidence, if the judge concludes that the complaint is not 401
true, the judge shall enter judgment against the plaintiff for 402
costs. If the judge finds the complaint to be true, the judge 403
shall render a general judgment against the defendant, in favor 404
of the plaintiff, for restitution of the premises and costs of 405
suit. If the judge finds the complaint true in part, the judge 406
shall render a judgment for restitution of that part only, and 407
the costs shall be taxed as the judge considers just. 408

(B) If a judgment is entered under this section in favor 409
of a plaintiff who is a park operator, the judge shall include 410
in the judgment entry authority for the plaintiff to permit, in 411
accordance with section 1923.12 and division (B) of section 412
1923.13 and division (B) of section 1923.14 of the Revised Code, 413
the removal from the manufactured home park and potential sale, 414
destruction, or transfer of ownership of the defendant's 415
manufactured home, mobile home, or recreational vehicle. 416

Sec. 1923.111. (A) For purposes of this section, 417
"suppressed court record" means a court record that is 418
accessible only to the following: 419

(1) Judges; 420

(2) Court staff; 421

(3) A party to the case; 422

(4) A party's attorney, if applicable; 423

(5) Authorized judicial department staff; 424

<u>(6) A person with a valid court order authorizing access</u>	425
<u>to the court record.</u>	426
<u>(B) Upon the commencement of an action under this chapter,</u>	427
<u>a court shall make any court record of the action a suppressed</u>	428
<u>court record.</u>	429
<u>(C) If a plaintiff prevails on the merits in the action,</u>	430
<u>the record under division (B) of this section is no longer a</u>	431
<u>suppressed court record, and the court shall make the record</u>	432
<u>available to the public unless the parties to the action agree</u>	433
<u>that the record shall remain suppressed. If the parties agree</u>	434
<u>that the record shall remain suppressed, the record remains a</u>	435
<u>suppressed court record.</u>	436
<u>(D) Any court record of the action under division (B) of</u>	437
<u>this section shall remain a suppressed court record when either</u>	438
<u>of the following applies:</u>	439
<u>(1) The action was dismissed.</u>	440
<u>(2) Judgment was granted for the defendant in the action.</u>	441
<u>(E) Nothing in this section prevents the names of the</u>	442
<u>parties included in a court record that is suppressed pursuant</u>	443
<u>to this section from being used by the court for administrative</u>	444
<u>purposes. The court shall not publish the names of the parties</u>	445
<u>online.</u>	446
<u>Sec. 1923.16. Any time after a complaint is filed under</u>	447
<u>section 1923.05 of the Revised Code, and before trial</u>	448
<u>proceedings are commenced, either the plaintiff or defendant may</u>	449
<u>demand nonbinding mediation. Upon such a demand, the court shall</u>	450
<u>appoint a mediator, and the mediation shall be conducted and</u>	451
<u>concluded within fifty days after the complaint was filed. Only</u>	452
<u>a judge may extend the time for concluding the mediation. If the</u>	453

mediation is not timely concluded, or does not resolve the 454
dispute, the cause of action shall proceed to trial under 455
section 1923.09 or 1923.10 of the Revised Code. The judge shall 456
determine which party or parties shall pay the cost of the 457
mediation. 458

Sec. 3781.10. (A) (1) The board of building standards shall 459
formulate and adopt rules governing the erection, construction, 460
repair, alteration, and maintenance of all buildings or classes 461
of buildings specified in section 3781.06 of the Revised Code, 462
including land area incidental to those buildings, the 463
construction of industrialized units, the installation of 464
equipment, and the standards or requirements for materials used 465
in connection with those buildings. The board shall incorporate 466
those rules into separate residential and nonresidential 467
building codes. The standards shall relate to the conservation 468
of energy and the safety and sanitation of those buildings. 469

(2) The rules governing nonresidential buildings are the 470
lawful minimum requirements specified for those buildings and 471
industrialized units, except that no rule other than as provided 472
in division (C) of section 3781.108 of the Revised Code that 473
specifies a higher requirement than is imposed by any section of 474
the Revised Code is enforceable. The rules governing residential 475
buildings are uniform requirements for residential buildings in 476
any area with a building department certified to enforce the 477
state residential building code. In no case shall any local code 478
or regulation differ from the state residential building code 479
unless that code or regulation addresses subject matter not 480
addressed by the state residential building code or is adopted 481
pursuant to section 3781.01 of the Revised Code. 482

(3) The rules adopted pursuant to this section are 483

complete, lawful alternatives to any requirements specified for 484
buildings or industrialized units in any section of the Revised 485
Code. Except as otherwise provided in division (I) of this 486
section, the board shall, on its own motion or on application 487
made under sections 3781.12 and 3781.13 of the Revised Code, 488
formulate, propose, adopt, modify, amend, or repeal the rules to 489
the extent necessary or desirable to effectuate the purposes of 490
sections 3781.06 to 3781.18 of the Revised Code. 491

(B) The board shall report to the general assembly 492
proposals for amendments to existing statutes relating to the 493
purposes declared in section 3781.06 of the Revised Code that 494
public health and safety and the development of the arts require 495
and shall recommend any additional legislation to assist in 496
carrying out fully, in statutory form, the purposes declared in 497
that section. The board shall prepare and submit to the general 498
assembly a summary report of the number, nature, and disposition 499
of the petitions filed under sections 3781.13 and 3781.14 of the 500
Revised Code. 501

(C) On its own motion or on application made under 502
sections 3781.12 and 3781.13 of the Revised Code, and after 503
thorough testing and evaluation, the board shall determine by 504
rule that any particular fixture, device, material, process of 505
manufacture, manufactured unit or component, method of 506
manufacture, system, or method of construction complies with 507
performance standards adopted pursuant to section 3781.11 of the 508
Revised Code. The board shall make its determination with regard 509
to adaptability for safe and sanitary erection, use, or 510
construction, to that described in any section of the Revised 511
Code, wherever the use of a fixture, device, material, method of 512
manufacture, system, or method of construction described in that 513
section of the Revised Code is permitted by law. The board shall 514

amend or annul any rule or issue an authorization for the use of 515
a new material or manufactured unit on any like application. No 516
department, officer, board, or commission of the state other 517
than the board of building standards or the board of building 518
appeals shall permit the use of any fixture, device, material, 519
method of manufacture, newly designed product, system, or method 520
of construction at variance with what is described in any rule 521
the board of building standards adopts or issues or that is 522
authorized by any section of the Revised Code. Nothing in this 523
section shall be construed as requiring approval, by rule, of 524
plans for an industrialized unit that conforms with the rules 525
the board of building standards adopts pursuant to section 526
3781.11 of the Revised Code. 527

(D) The board shall recommend rules, codes, and standards 528
to help carry out the purposes of section 3781.06 of the Revised 529
Code and to help secure uniformity of state administrative 530
rulings and local legislation and administrative action to the 531
bureau of workers' compensation, the director of commerce, any 532
other department, officer, board, or commission of the state, 533
and to legislative authorities and building departments of 534
counties, townships, and municipal corporations, and shall 535
recommend that they audit those recommended rules, codes, and 536
standards by any appropriate action that they are allowed 537
pursuant to law or the constitution. 538

(E) (1) The board shall certify municipal, township, and 539
county building departments, the personnel of those building 540
departments, persons described in division (E) (7) of this 541
section, and employees of individuals, firms, the state, or 542
corporations described in division (E) (7) of this section to 543
exercise enforcement authority, to accept and approve plans and 544
specifications, and to make inspections, pursuant to sections 545

3781.03, 3791.04, and 4104.43 of the Revised Code. 546

(2) The board shall certify departments, personnel, and 547
persons to enforce the state residential building code, to 548
enforce the nonresidential building code, or to enforce both the 549
residential and the nonresidential building codes. Any 550
department, personnel, or person may enforce only the type of 551
building code for which certified. 552

~~(3)~~(3) (a) The board shall not require a building 553
department, its personnel, or any persons that it employs to be 554
certified for residential building code enforcement if that 555
building department does not enforce the state residential 556
building code. 557

(b) The board shall specify, in rules adopted pursuant to 558
Chapter 119. of the Revised Code, the requirements for 559
certification for residential and nonresidential building code 560
enforcement, which shall be consistent with ~~this division~~ (E) (3) 561
of this section. 562

(c) Rules adopted under division (E) (3) (b) of this section 563
related to residential building code enforcement shall make the 564
certification process as accessible as possible, while still 565
ensuring that certificate holders are adequately qualified to 566
enforce compliance with the state's residential building 567
standards. 568

(d) The requirements for residential and nonresidential 569
certification may differ. 570

(e) Except as otherwise provided in this division, the 571
requirements shall include, but are not limited to, the 572
satisfactory completion of an initial examination and, to remain 573
certified, the completion of a specified number of hours of 574

continuing building code education within each three-year period 575
following the date of certification which shall be not less than 576
thirty hours. 577

(f) The rules shall provide that continuing education 578
credits and certification issued by the council of American 579
building officials, national model code organizations, and 580
agencies or entities the board recognizes are acceptable for 581
purposes of ~~this division~~ (E) (3) of this section. 582

(g) The rules shall specify requirements that are 583
consistent with the provisions of section 5903.12 of the Revised 584
Code relating to active duty military service and are 585
compatible, to the extent possible, with requirements the 586
council of American building officials and national model code 587
organizations establish. 588

(4) The board shall establish and collect a certification 589
and renewal fee for building department personnel, and persons 590
and employees of persons, firms, or corporations as described in 591
this section, who are certified pursuant to this division. 592

(5) Any individual certified pursuant to this division 593
shall complete the number of hours of continuing building code 594
education that the board requires or, for failure to do so, 595
forfeit certification. 596

(6) This division does not require or authorize the board 597
to certify personnel of municipal, township, and county building 598
departments, and persons and employees of persons, firms, or 599
corporations as described in this section, whose 600
responsibilities do not include the exercise of enforcement 601
authority, the approval of plans and specifications, or making 602
inspections under the state residential and nonresidential 603

building codes. 604

(7) Enforcement authority for approval of plans and 605
specifications and enforcement authority for inspections may be 606
exercised, and plans and specifications may be approved and 607
inspections may be made on behalf of a municipal corporation, 608
township, or county, by any of the following who the board of 609
building standards certifies: 610

(a) Officers or employees of the municipal corporation, 611
township, or county; 612

(b) Persons, or employees of persons, firms, or 613
corporations, pursuant to a contract to furnish architectural, 614
engineering, or other services to the municipal corporation, 615
township, or county; 616

(c) Officers or employees of, and persons under contract 617
with, a municipal corporation, township, county, health 618
district, or other political subdivision, pursuant to a contract 619
to furnish architectural, engineering, or other services; 620

(d) Officers or employees of the division of industrial 621
compliance in the department of commerce pursuant to a contract 622
authorized by division (B) of section 121.083 of the Revised 623
Code; 624

(e) Persons, or employees of persons, firms, or 625
corporations, or officers or employees of other municipal 626
corporations, townships, or counties certified by the board of 627
building standards to make inspections under the conditions 628
established in rules adopted under division (E) (11) (c) of this 629
section. 630

(8) Municipal, township, and county building departments 631
have jurisdiction within the meaning of sections 3781.03, 632

3791.04, and 4104.43 of the Revised Code, only with respect to 633
the types of buildings and subject matters for which they are 634
certified under this section. 635

(9) A certified municipal, township, or county building 636
department may exercise enforcement authority, accept and 637
approve plans and specifications, and make inspections pursuant 638
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 639
for a park district created pursuant to Chapter 1545. of the 640
Revised Code upon the approval, by resolution, of the board of 641
park commissioners of the park district requesting the 642
department to exercise that authority and conduct those 643
activities, as applicable. 644

(10) Certification shall be granted upon application by 645
the municipal corporation, the board of township trustees, or 646
the board of county commissioners and approval of that 647
application by the board of building standards. The application 648
shall set forth: 649

(a) Whether the certification is requested for residential 650
or nonresidential buildings, or both; 651

(b) The number and qualifications of the staff composing 652
the building department; 653

(c) The names, addresses, and qualifications of persons, 654
firms, or corporations contracting to furnish work or services 655
pursuant to division (E) (7) (b) of this section; 656

(d) The names of any other municipal corporation, 657
township, county, health district, or political subdivision 658
under contract to furnish work or services pursuant to division 659
(E) (7) of this section; 660

(e) The proposed budget for the operation of the building 661

department. 662

(11) The board of building standards shall adopt rules 663
governing all of the following: 664

(a) The certification of building department personnel and 665
persons and employees of persons, firms, or corporations 666
exercising authority pursuant to division (E) (7) of this 667
section. The rules shall disqualify any employee of the 668
department or person who contracts for services with the 669
department or general contractor or owner under section 3781.181 670
of the Revised Code from performing services for the department 671
or the general contractor or owner when that employee or person 672
would have to pass upon, inspect, or otherwise exercise 673
authority over any labor, material, or equipment the employee or 674
person furnishes for the construction, alteration, or 675
maintenance of a building or the preparation of working drawings 676
or specifications for work within the jurisdictional area of the 677
department. ~~The~~ Except in the case of a contract under section 678
3781.181 of the Revised Code, the department shall provide other 679
similarly qualified personnel to enforce the residential and 680
nonresidential building codes as they pertain to that work. 681

(b) The minimum services to be provided by a certified 682
building department; 683

(c) Rules necessary to implement section 3781.181 of the 684
Revised Code. 685

(12) The board of building standards may revoke or suspend 686
certification to enforce the residential and nonresidential 687
building codes, on petition to the board by any person affected 688
by that enforcement or approval of plans, or by the board on its 689
own motion. Hearings shall be held and appeals permitted on any 690

proceedings for certification or revocation or suspension of 691
certification in the same manner as provided in section 3781.101 692
of the Revised Code for other proceedings of the board of 693
building standards. 694

(13) Upon certification, and until that authority is 695
revoked, any county or township building department shall 696
enforce the residential and nonresidential building codes for 697
which it is certified without regard to limitation upon the 698
authority of boards of county commissioners under Chapter 307. 699
of the Revised Code or boards of township trustees under Chapter 700
505. of the Revised Code. 701

(14) The board shall certify a person to exercise 702
enforcement authority, to accept and approve plans and 703
specifications, or to make inspections in this state in 704
accordance with Chapter 4796. of the Revised Code if either of 705
the following applies: 706

(a) The person holds a license or certificate in another 707
state. 708

(b) The person has satisfactory work experience, a 709
government certification, or a private certification as 710
described in that chapter in the same profession, occupation, or 711
occupational activity as the profession, occupation, or 712
occupational activity for which the certificate is required in 713
this state in a state that does not issue that license or 714
certificate. 715

(F) In addition to hearings sections 3781.06 to 3781.18 716
and 3791.04 of the Revised Code require, the board of building 717
standards shall make investigations and tests, and require from 718
other state departments, officers, boards, and commissions 719

information the board considers necessary or desirable to assist 720
it in the discharge of any duty or the exercise of any power 721
mentioned in this section or in sections 3781.06 to 3781.18, 722
3791.04, and 4104.43 of the Revised Code. 723

(G) The board shall adopt rules and establish reasonable 724
fees for the review of all applications submitted where the 725
applicant applies for authority to use a new material, assembly, 726
or product of a manufacturing process. The fee shall bear some 727
reasonable relationship to the cost of the review or testing of 728
the materials, assembly, or products and for the notification of 729
approval or disapproval as provided in section 3781.12 of the 730
Revised Code. 731

(H) The residential construction advisory committee shall 732
provide the board with a proposal for a state residential 733
building code that the committee recommends pursuant to division 734
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 735
recommendation from the committee that is acceptable to the 736
board, the board shall adopt rules establishing that code as the 737
state residential building code. 738

(I) (1) The committee may provide the board with proposed 739
rules to update or amend the state residential building code 740
that the committee recommends pursuant to division (E) of 741
section 4740.14 of the Revised Code. 742

(2) If the board receives a proposed rule to update or 743
amend the state residential building code as provided in 744
division (I) (1) of this section, the board either may accept or 745
reject the proposed rule for incorporation into the residential 746
building code. If the board does not act to either accept or 747
reject the proposed rule within ninety days after receiving the 748
proposed rule from the committee as described in division (I) (1) 749

of this section, the proposed rule shall become part of the 750
residential building code. 751

(J) The board shall cooperate with the director of 752
children and youth when the director promulgates rules pursuant 753
to section 5104.05 of the Revised Code regarding safety and 754
sanitation in type A family child care homes. 755

(K) The board shall adopt rules to implement the 756
requirements of section 3781.108 of the Revised Code. 757

Sec. 3781.181. (A) As used in this section: 758

(1) "Nonresidential building" and "residential building" 759
have the same meanings as in section 3781.06 of the Revised 760
Code. 761

(2) "Owner" means the fee owner of any building or 762
structure. 763

(3) "Third-party private inspector" means an inspector 764
that is certified under section 3781.10 of the Revised Code to 765
to accept and approve plans and specifications, and to make 766
inspections of residential or nonresidential building 767
construction projects but who is not directly employed by a 768
governmental entity. 769

(B) A building department having jurisdiction with respect 770
to a residential or nonresidential building shall review plans 771
and perform inspections of residential and nonresidential 772
building construction projects within thirty days after 773
receiving a plan review or inspection request. 774

(C) The board of building standards shall do all of the 775
following: 776

(1) Maintain a list of third-party private inspectors and 777

<u>building departments that are certified by the board to conduct</u>	778
<u>plan review or to provide inspections for residential and</u>	779
<u>nonresidential buildings;</u>	780
<u>(2) Include on the list for each third-party private</u>	781
<u>inspector all of the following:</u>	782
<u>(a) Whether the third-party private inspector is certified</u>	783
<u>to conduct plan review, provide inspections, or both;</u>	784
<u>(b) Whether the third-party private inspector is certified</u>	785
<u>to provide services for residential buildings, nonresidential</u>	786
<u>buildings, or both;</u>	787
<u>(c) Any other limitations on the third-party private</u>	788
<u>inspector's authority to provide services under this section.</u>	789
<u>(3) Publish the list to a publicly accessible web site</u>	790
<u>maintained by the board.</u>	791
<u>(D) (1) If the building department having jurisdiction does</u>	792
<u>not timely conduct the plan review or inspection in accordance</u>	793
<u>with division (B) of this section, the general contractor or</u>	794
<u>owner of the residential or nonresidential building construction</u>	795
<u>project may notify the board of building standards and the</u>	796
<u>building department having jurisdiction that the general</u>	797
<u>contractor or owner intends to contract for an independent plan</u>	798
<u>review or inspection.</u>	799
<u>(2) After sending notice, the general contractor or owner</u>	800
<u>may enter into a contract with a qualified third-party private</u>	801
<u>inspector or a building department included on the list</u>	802
<u>maintained by the board under division (C) of this section to</u>	803
<u>conduct the plan review or inspection of the residential or</u>	804
<u>nonresidential building construction project.</u>	805

<u>(3) The general contractor or owner is responsible for</u>	806
<u>payment of both of the following:</u>	807
<u>(a) Any fee contracted for by the third-party private</u>	808
<u>inspector or certified building department for the independent</u>	809
<u>plan review or inspection under division (D) (2) of this section;</u>	810
<u>(b) Any fee charged by the building department having</u>	811
<u>jurisdiction that is customary for the approval of a plan review</u>	812
<u>or inspection, including an administrative or filing fee, but</u>	813
<u>excluding any fee related to the actual plan review or</u>	814
<u>inspection.</u>	815
<u>(4) A third-party private inspector or an inspector</u>	816
<u>employed by a certified building department shall send the</u>	817
<u>results to the building department having jurisdiction within</u>	818
<u>twenty-four hours after completing an independent plan review or</u>	819
<u>inspection.</u>	820
<u>(5) The rules adopted by the board of building standards</u>	821
<u>under section 3781.10 of the Revised Code shall prescribe</u>	822
<u>procedures for the review and processing of plan review and</u>	823
<u>inspection reports by the building official of the building</u>	824
<u>department having jurisdiction.</u>	825
<u>(E) A building department having jurisdiction with respect</u>	826
<u>to a residential or nonresidential building inspection may</u>	827
<u>contract for an independent plan review or inspection in the</u>	828
<u>same manner prescribed by division (C) of this section, except</u>	829
<u>that the building department having jurisdiction shall pay any</u>	830
<u>fee contracted for by the third-party private inspector or</u>	831
<u>certified building department.</u>	832
<u>(F) A general contractor or owner of a residential or</u>	833
<u>nonresidential construction project may request a certificate of</u>	834

<u>occupancy from either of the following:</u>	835
<u>(1) The building department having jurisdiction;</u>	836
<u>(2) The board of building standards.</u>	837
Sec. 5321.17. (A) Except as provided in division (C) of	838
this section, the landlord or the tenant may terminate or fail	839
to renew a week-to-week tenancy by notice given the other at	840
least seven days prior to the termination date specified in the	841
notice.	842
(B) Except as provided in division (C) of this section,	843
the landlord or the tenant may terminate or fail to renew a	844
month-to-month tenancy by notice given the other at least thirty	845
days prior to the periodic rental date.	846
(C) If a tenant violates division (A) (9) of section	847
5321.05 of the Revised Code and if the landlord has actual	848
knowledge of or has reasonable cause to believe that the tenant,	849
any person in the tenant's household, or any person on the	850
residential premises with the consent of the tenant previously	851
has or presently is engaged in a violation as described in	852
division (A) (6) (a) (i) of section 1923.02 of the Revised Code,	853
the landlord shall terminate the week-to-week tenancy, month-to-	854
month tenancy, or other rental agreement with the tenant by	855
giving a notice of termination to the tenant in accordance with	856
this division. The notice shall specify that the tenancy or	857
other rental agreement is terminated three days after the giving	858
of the notice, and the <u>shall state that the tenant may qualify</u>	859
<u>for free legal representation based on income and recommend that</u>	860
<u>the tenant inquire about eligibility with legal aid at</u>	861
<u>www.ohiolegalhelp.org or (866) 529-6446. The</u> landlord may give	862
the notice whether or not the tenant or other person has been	863

charged with, has pleaded guilty to or been convicted of, or has 864
been determined to be a delinquent child for an act that, if 865
committed by an adult, would be a violation as described in 866
division (A) (6) (a) (i) of section 1923.02 of the Revised Code. If 867
the tenant fails to vacate the premises within three days after 868
the giving of that notice, then the landlord promptly shall 869
comply with division (A) (9) of section 5321.04 of the Revised 870
Code. For purposes of this division, actual knowledge or 871
reasonable cause to believe as described in this division shall 872
be determined in accordance with division (A) (6) (a) (i) of 873
section 1923.02 of the Revised Code. 874

(D) This section does not apply to a termination based on 875
the breach of a condition of a rental agreement or the breach of 876
a duty and obligation imposed by law, except that it does apply 877
to a breach of the obligation imposed upon a tenant by division 878
(A) (9) of section 5321.05 of the Revised Code. 879

Section 2. That existing sections 319.20, 1923.06, 880
1923.08, 1923.09, 3781.10, and 5321.17 of the Revised Code are 881
hereby repealed. 882

Section 3. (A) Within one hundred and eighty days after 883
the effective date of this section, the Board of Building 884
Standards shall complete a review of those rules pertaining to 885
the certification of persons to enforce the residential building 886
code adopted by the Board in accordance with section 3781.10 of 887
the Revised Code, as amended by this act, including those rules 888
pertaining to the following certification types: 889

- (1) Residential building official; 890
- (2) Interim residential building official; 891
- (3) Residential plans examiner; 892

(4) Interim residential plans examiner;	893
(5) Residential plans examiner trainee;	894
(6) Residential building inspector;	895
(7) Interim residential building inspector;	896
(8) Residential building inspector trainee;	897
(9) Residential mechanical inspector;	898
(10) Interim residential mechanical inspector;	899
(11) Residential mechanical inspector trainee.	900
(B) The Board shall conduct the review required by this	901
section and amend its rules with the goal of accomplishing all	902
of the following:	903
(1) Making the certification process more accessible and	904
appealing without compromising the integrity and quality of	905
enforcement of the residential building code;	906
(2) Simplifying the certification process, reducing	907
bureaucratic hurdles, and increasing transparency to make the	908
process less daunting and more appealing to potential	909
candidates;	910
(3) Modifying the trainee program to allow for a broader	911
range of supervisory relationships and experiences to provide	912
more pathways for individuals to gain access to the necessary	913
qualifications;	914
(4) Revising supervisory ratios to allow supervisors to	915
oversee more trainees to increase the efficiency of the training	916
process and the number of candidates moving through it.	917