



**Written Only Proponent Testimony on House Bill 53
Ohio House Civil Justice Committee**

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Good afternoon, Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski, and members of the House Civil Justice Committee. On behalf of Unifund CCR, LLC and Receivables Management Association International, we appear before you today in support of House Bill 53. We believe that the bill represents a fair and reasonable compromise which provides a statute of limitations that aligns more closely with other states and clarifies the application of Ohio's borrowing statute to contract and similar actions. We respectfully urge this Committee and the House to pass this bill as written.

Our employer, Unifund CCR, LLC, is an Ohio business that employs approximately 100 people, all but a few of whom reside within the Greater Cincinnati area. Since Unifund's founding in 1986, it has been a leader in the acquisition and management of defaulted consumer debt throughout the United States, including Ohio.

House Bill 53 aims to shorten the statute of limitations on written and oral contracts from eight and six years, respectively, to a six-year statute of limitations for written contracts and a four-year statute of limitations for oral contracts.

Unifund supports this bill, which includes:

- 1) Language explicitly stating that credit card accounts and claims for an account stated fall under a six-year statute of limitations;
- 2) Language clearly defining when a claim accrues for purposes of starting the limitations period, based on events entirely within a consumer's own control, and not the control of the entity seeking to collect the account;

- 3) Clarification that the borrowing statute set forth in Ohio Revised Code 2305.03(B) does not apply to contract actions, whether written or oral, consistent with legislative history;
- 4) A prohibition against consumer collectors seeking the benefit of both a longer Ohio statute of limitations and a post-charge-off or post-default interest rate permitted under the laws of another state that would exceed Ohio's usury limit.

These changes to current law will simplify questions relating to the statute of limitations greatly. The changes provide a fair, clear, and definitive time in which to bring suit on a consumer debt, eliminating significant uncertainty for consumers and those seeking to collect valid debts. The changes should eliminate much unnecessary litigation caused by current uncertainty, as reflected by the Ohio Supreme Court's plurality decision in *Taylor v. First Resolution Invest. Corp.*

Unifund appreciates the opportunity to address you today. We also offer our appreciation to Chairman Hillyer for sponsoring the bill and to Chairman Hillyer and Representative Seitz for working with us to create what we believe is an excellent compromise for all parties. We respectfully ask that you and the members of the House Civil Justice Committee adopt HB 53 in its current form. Thank you for your time and consideration.