

**House Commerce and Labor Committee**  
**March 29, 2022**  
**Opponent Testimony – HB 372**  
**Christopher Randles, Chief Building Official**  
**Summit County Building Standards**

Chair Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan and members of the House Commerce and Labor Committee, thank you for the opportunity to submit written testimony in opposition to House Bill 372.

I represent Summit County Executive, Ilene Shapiro and am the Chief Building Official for the Summit County Department of Building Standards. My office performs building code enforcement for 22 separate political jurisdictions within Summit County including the Cities of Akron and Cuyahoga Falls. While we don't oppose the intent of the proposed legislation, the remedies, as currently drafted, will likely not achieve their intended purpose and may have the opposite effect.

Our understanding of the issue which is being addressed by HB 372 is that inspectors in the field do not always grant approval for construction to proceed at certain points of construction. Please understand that an inspector has no authority to grant approvals and stop construction in the field. An inspector's only authority granted by the Ohio building codes is to audit construction at certain intervals and report findings back to the owner's representative and the appropriate Building Official. If a Building Official finds that corrections must be made, they must issue an adjudication order, which can then be appealed to the local Appeals Board. In the instances recited in proponent testimony, it is apparent that these procedures are not being followed. In these instances, the Ohio Board of Building Standards should have stepped in to correct the improper enforcement of the codes. The remedies for the problems cited, already exist. While expediting appeals procedures may be beneficial, there are practical limits to the degree to which they can be sped up. In practice, Summit County tries to schedule a hearing as soon as we receive an appeal request. In many instances we can do this within 14 calendar days, but we have not historically been able to schedule a hearing in the time period specified in the proposed legislation. The members of the Summit County Appeals Board are volunteer professionals with full time jobs, in most cases. To schedule a hearing, we must follow public meetings laws and must ensure we can convene a quorum of the members to proceed. The legislation, as proposed, simply does not give us enough time to do this. The only tool provided by the legislation that truly helps to expedite our process is the ability to hold the meeting virtually, the additional fee does nothing to help expedite an appeal as our Board members are not paid.

In order for HB 372 to be effective, an amendment to allow more time to schedule and hold hearings is necessary. Without additional time, it is unlikely we can schedule and hold a hearing in the time frame specified. We would likely be forced to decertify our local appeals board and send everything to Columbus to manage. This would actually lengthen the time necessary to resolve disputes, particularly as the State begins to hear more and more of these cases from across the state.

In conclusion, HB 372, as proposed, will not be likely to provide the improvements to the appeals process contemplated by its sponsors. Solutions to the types of incidents which led to its drafting, already exist in State law. The idea of creating a more expedited timeline for local appeals boards to provide hearings does have merit. That timeline needs to work within the realities necessary to maintain a professional appeals board which operates as a public body.

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