

Ohio General Assembly

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Chairman Wiggam, Vice Chair John, and Ranking Member Kelly, thank you for the opportunity today to speak to you about HB 422, dealing with water, wastewater, and disposal liability for municipalities to property owners. HB 422 attempts to correct a longstanding process in the State of Ohio in which individuals who have not contracted for service, are made liable for unpaid debts accrued on their property by their tenants. This occurrence comes in the form of a property tax lien placed on a property by a municipality for a service debt not contracted by that property owner.

The circumstances have been well defined in the legislation to ensure individuals who have contracted for service are held responsible for any unpaid debts, and this legislation will develop a process through the EPA to ensure an avenue for redress for undue fees. We see a single process with no remediation for property owners with municipal water, wastewater, and disposal services with undue payments. This process is designed to mirror the liability expected with electric bills, an individual who contracts for service remains liable for unpaid debts.

The following conditions exist for property owners that are liable for payment:

- (1) The property owner agreed to pay all the unpaid rates and charges, after having been given notice of the delinquent amount.
 - (2) The property owner occupies the residence.
 - (3) The municipal corporation attempted to mitigate any unpaid rates or charges by strictly adhering to its established
 - (4) Any other evidence demonstrating that the municipal corporation mitigated the amount of unpaid rates and charges before proceeding against the property owner.
- (C) This section does not abridge or eliminate any cause of action that the municipal corporation may have against the tenant personally, or other person liable to pay the unpaid rents or charges.

The existing process for property tax liens will remain a tool for municipal services for property owners that contract for services, while if it is structured that the tenant is responsible for utilities, then that arrangement is respected. Establishing a structure or liability of unpaid debts and an appeals process to better protect customers should lead to an improved transparent process for all Ohioans.

Thanks you for your time and I will now turn it over to Rep West.