



Representative Mark Fraizer
71st House District

Representative Thomas West
49th House District

Sponsor Testimony: House Bill 422

Chair Wiggam, Vice Chair John, Ranking Member Kelly, and members of the House State and Local Government Committee, thank you for inviting us to testify on House Bill 422. As my joint sponsor alluded to, HB 422 would limit the amount municipalities can recover in unpaid utility bills from property owners of non-owner occupied properties, and it would create an appeals process through the Ohio EPA for individuals who believe they were improperly billed. The scope of our bill is limited to disposal services and water services.

Essentially, my joint sponsor and I are trying to ensure that property owners are not stuck with excessive sewer and water bills racked up by a tenant who is delinquent in paying those bills. HB 422 addresses that issue by generally providing that the property owner is not charged in excess of the "termination amount," or the amount that, when unpaid, would result in the municipal services provider (aka MSP) terminating that service.

Mr. Chairman, I became aware of the issue as a city councilman in 2011 when the State of Ohio had to mediate a dispute between property owners and the City of Canton building department, then in 2018 as a

State Rep at the Stark County Real Estate Investors Association workshop with their legislator. The main topic that night was the abuse of government as it relates to water and sewer bills. I heard that evening of instances in which these property owners were stuck holding the bag, so to speak, for some pretty expensive utility bills through no fault of their own.

When individuals who believe they were improperly billed file a complaint with the MSP, the MSP is required to resolve the complaint within ten business days. If the MSP is not able to meet that deadline, it must provide the individual with a status report every five business days. The goal here is to ensure an efficient complaint process that makes whole individuals who were improperly billed.

If the complaint is not resolved to the individual's satisfaction, they may appeal the matter to the EPA's billing appeals board created by HB 422. This appeals board would hear appeals from property owners in cases where the tenant is financially responsible for unpaid services, and the property owner was held responsible as a result. HB 422 sets out the parameters for this new board, including its authority, membership, hearing procedures, and standards for resolving complaints.

Rep. Fraizer and I believe HB 422 sets forth a balanced approach that helps keep property owners and MSPs whole while also providing folks with an avenue to contest improper billing.

Thank you again for this opportunity, and we welcome any additions to improve this legislation. At this time, we would be happy to answer any questions.