

H. B. No. 50  
As Introduced

\_\_\_\_\_ moved to amend as follows:

After line 38, insert:

"(7) "Tort action" means a civil action for injury, death,  
or loss to person or property."

In line 312, delete "(F)" and insert "(F)(1)"; delete "judicial  
proceeding alleging negligence or other"

In line 313, delete "fault, a" and insert "tort action, a"

In line 315, delete "or otherwise transacting"

In line 316, delete "business with"

After line 319, insert:

"(2) In a tort action against a decision-maker for  
negligent leasing, a certificate of qualification for housing  
issued to an individual under this section provides immunity for  
the decision-maker as to the claim if the decision-maker knew of  
the certificate at the time of the alleged negligence.

(3) If a decision-maker leases to an individual who has



been issued a certificate of qualification for housing under 16  
this section, if the individual, after being leased to, 17  
subsequently demonstrates dangerousness or is convicted of or 18  
pleads guilty to a felony or a misdemeanor offense of violence, 19  
and if the decision-maker retains the individual as a lessee 20  
after the demonstration of dangerousness or the conviction or 21  
guilty plea, the decision-maker may be held liable in a tort 22  
action that is based on or relates to the retention of the 23  
individual as a lessee only if it is proved by a preponderance 24  
of the evidence that both of the following apply: 25

(a) The decision-maker had actual knowledge that the 26  
lessee was dangerous or had been convicted of or pleaded guilty 27  
to the felony or the misdemeanor offense of violence. 28

(b) The decision-maker was willful in retaining the 29  
individual as a lessee after the demonstration of dangerousness 30  
or the conviction or guilty plea of which the decision-maker has 31  
actual knowledge." 32

In line 323, after "felony" insert "or a misdemeanor"; after 33  
"offense" insert "of violence" 34

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS 35

**Tort action; revocation** 36

**R.C. 2953.26** 37

Provides that in a tort action against a decision-maker 38  
for negligent leasing, a certificate of qualification for 39

housing (CQH) issued to an individual provides immunity for the 40  
decision-maker as to the claim if the decision-maker knew of the 41  
CQH at the time of the alleged negligence. 42

Specifies that if a decision-maker leases to an individual 43  
who has been issued a CQH, and the individual subsequently 44  
demonstrates dangerousness or is convicted of or pleads guilty 45  
to a felony or a misdemeanor offense of violence and the 46  
decision-maker retains the individual as a lessee, the decision- 47  
maker may be held liable in a civil action that is based on or 48  
related to the retention of the individual as a lessee if both 49  
of the following apply: 50

- The decision-maker had actual knowledge that the lessee 51  
was dangerous or had been convicted of or pleaded guilty to the 52  
felony or the misdemeanor offense of violence. 53

- The decision-maker was willful in retaining the 54  
individual as a lessee after the demonstration of dangerousness 55  
or the conviction or guilty plea of which the decision-maker has 56  
actual knowledge. 57

Requires that a CQH be revoked if the individual to whom 58  
the CQH was issued is convicted of or pleads guilty to a felony 59  
or a misdemeanor offense of violence subsequent to the issuance 60  
of the CQH. 61