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**Written Testimony on House Bill 33  
Senate Finance Committee  
May 30, 2023**

**Amy Milam, Associate State Director, Outreach & Advocacy  
AARP Ohio**

Good afternoon, Chairman Dolan, Vice Chair Cirino, Ranking Member Sykes and distinguished members of the Senate Finance Committee.

My name is Amy Milam, and I serve as an Associate State Director for AARP, Ohio. AARP, with 1.5 million members in Ohio, is a nonpartisan, nonprofit, nationwide organization that helps empower people to choose how they live as they age, strengthens communities, and fights for the issues that matter most to families, such as healthcare, employment and income security, retirement planning, affordable utilities, livable communities, and protection from financial abuse.

**AARP is here today to request that the Senate Finance Committee:**

- 1) maintain the provisions in the budget bill that would authorize low-income housing tax credits for affordable housing projects;**
- 2) maintain the provisions in the budget bill that would prohibit unfair “right-to-list” real estate service agreements; and**
- 3) keep out any provisions that would weaken the Superintendent of Insurance’s authority to regulate Medicare supplement policy solicitation.**

**Low-income Housing Tax Credits**

AARP supports the provisions in the budget that would authorize low-income housing tax credits for affordable housing projects. According to AARP’s 2021 Home and Community Preferences survey, more than three-quarters of adults ages 50 plus want to stay in their homes (77%) and communities (79%). However, households with low- and fixed incomes find that paying for shelter can be challenging. Affordable housing is critical to allowing older adults to live in their homes as they age, helping them maintain their independence. According to the National Low-Income Housing Coalition’s March 2023 housing gap report, there is a shortage of affordable, available rental homes for extremely low-income households (ELI) in Ohio. ELI households are those whose incomes are at or below the poverty guideline or 30% of their area median income (AMI).



Many of these households are severely cost burdened, spending more than half of their income on housing. Severely cost burdened, poor households are more likely than other renters to experience unstable housing situations like evictions and sacrifice necessities like healthy food and healthcare to pay the rent. Twenty-three percent of the extremely low-income households have seniors living in the home. According to the Statista/AARP analysis of United States Census Bureau (USCB) data, more than 5,000 older adults (aged 55+) were evicted, and nearly 7,000 experienced homelessness during 2021. Unfortunately, if the status quo is maintained, more than 20,000 older adults (55+) are expected to be evicted, and more than 9,500 are expected to experience homelessness.

Ohio's 50+ population wants to live in vibrant communities, and housing affordability is a crucial building block for strong communities. Designing affordable housing with community building in mind means it meets the needs of people of all ages. For example, young adults beginning their careers need low-maintenance, affordable housing options, as do seniors on fixed incomes as well as people with disabilities. The proposed low-income housing tax credits in the budget bill would increase opportunities for much-needed economical housing developments. The jobs created from these projects will have a ripple effect in our communities and drive social and economic activity.

### **Right-to-List Real Estate Service Agreements**

AARP supports the provisions in the budget that would prohibit real estate brokers from engaging in unfair "right-to-list" service agreements. Such agreements involve homeowners entering into exclusive agreements, in exchange for money, to allow another person or company to list the real estate for sale at a future date, with the added burden of the agreement running with the land to bind future owners or otherwise purporting to be a lien or other encumbrance.

AARP Ohio has endeavored to warn homeowners in Ohio of this alarming practice in real estate involving companies offering homeowners upfront money to sign a long-term agreement – sometimes up to 40 years – to exclusively use that real estate company in the future when the homeowner wants to sell their home. Documentation of these agreements is then recorded in the county property records to hold future owners of the property to that exclusive agreement. This can subject homeowners to steep fees that the company will seek to recover if the homeowner transfers the property without paying that company a commission. The encumbrance on the property created when these documents are recorded can also cause unnecessary complexity when refinancing and add extra costs and barriers to property transfers. AARP Ohio is dedicated to protecting consumers, particularly older Ohioans, from practices that may cause them serious problems in the future. In March, AARP held a tele-forum Town Hall reaching 9,402 participants to inform our members of the pitfalls of such agreements.

The prohibition of these types of agreements will prevent additional homeowners from being confused or tricked into signing right-to-list agreements that can cloud the public records and add unnecessary cost and complexity to future property transfers.

## **Superintendent of Insurance's authority to regulate Medicare supplement policy solicitations**

AARP opposes the inclusion in the budget of any provisions that would remove the Superintendent of Insurance's authority to prohibit certain forms of solicitation of Medicare supplement policies. The Superintendent of Insurance has the existing ability to prohibit unsolicited marketing of such policies via (1) Print solicitation such as leaflets, flyers, or door hangers left at residences or on motor vehicles; (2) In-person solicitations of individuals at the individual's residence or in public or common areas such as parking lots, hallways, lobbies, or sidewalks; and (3) Telephonic or electronic solicitation such as electronic voicemail messages, text messages, or direct social media messages. We believe the Superintendent's current authority to limit or regulate such solicitations is appropriate, necessary, and in the best interest of older Ohioans. We do not want to see that crucial oversight weakened.

AARP supports strong consumer protection policies that safeguard all of Ohio's 50+ population, including those that protect Ohioans 65 and older from unwanted and bothersome solicitation of Medicare supplemental policies. AARP opposes any eroding of the existing protections against unwanted marketing.

I appreciate the opportunity to provide testimony on behalf of AARP and encourage the Senate Finance Committee to: 1) maintain the provisions in the budget bill that would authorize low-income housing tax credits for affordable housing projects; 2) maintain the provisions in the budget bill that would prohibit unfair "right-to-list" real estate service agreements; and 3) keep out any provisions that would weaken the Superintendent of Insurance's authority to regulate Medicare supplement policy solicitation.

Thank you for your time, and please feel free to direct any questions to me at [amilam@aarp.org](mailto:amilam@aarp.org).