

As Introduced

131st General Assembly

Regular Session

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H. B. No. 134

Representatives Grossman, Curtin

**Cosponsors: Representatives Becker, Antonio, Fedor, Lepore-Hagan, Blessing,
Hambley, Sheehy, Schuring**

A BILL

To amend sections 323.47, 1901.18, 1901.185, 1
2303.26, 2329.01, 2329.02, 2329.20, 2329.21, 2
2329.23, 2329.26, 2329.30, 2329.31, 2329.33, 3
2329.52, and 2909.07 and to enact sections 4
2308.01 to 2308.04, 2329.211, 2329.311, and 5
3767.51 to 3767.56 of the Revised Code to 6
establish summary actions to foreclose mortgages 7
on vacant and abandoned residential properties, 8
to expedite the foreclosure and transfer of 9
unoccupied, blighted parcels, to make other 10
changes relative to residential foreclosure 11
actions, and to terminate certain provisions of 12
this act on December 31, 2019, by repealing 13
sections 3767.51, 3767.52, 3767.53, 3767.54, 14
3767.55, and 3767.56 of the Revised Code on that 15
date. 16

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 323.47, 1901.18, 1901.185, 17
2303.26, 2329.01, 2329.02, 2329.20, 2329.21, 2329.23, 2329.26, 18

2329.30, 2329.31, 2329.33, 2329.52, and 2909.07 be amended and 19
sections 2308.01, 2308.02, 2308.03, 2308.04, 2329.211, 2329.311, 20
3767.51, 3767.52, 3767.53, 3767.54, 3767.55, and 3767.56 of the 21
Revised Code be enacted to read as follows: 22

Sec. 323.47. (A) If land held by tenants in common is sold 23
upon proceedings in partition, or taken by the election of any 24
of the parties to such proceedings, or real estate is sold by 25
administrators, executors, guardians, or trustees, the court 26
shall order that the taxes, penalties, and assessments then due 27
and payable, and interest on those taxes, penalties, and 28
assessments, that are or will be a lien on such land or real 29
estate at the time the deed is transferred following the sale, 30
be discharged out of the proceeds of such sale or election. For 31
purposes of determining such amount, the county treasurer shall 32
estimate the amount of taxes, assessments, interest, and 33
penalties that will be payable at the time the deed of the 34
property is transferred to the purchaser. If the county 35
treasurer's estimate exceeds the amount of taxes, assessments, 36
interest, and penalties actually payable when the deed is 37
transferred to the purchaser, the officer who conducted the sale 38
shall refund to the purchaser the difference between the 39
estimate and the amount actually payable. If the amount of 40
taxes, assessments, interest, and penalties actually payable 41
when the deed is transferred to the purchaser exceeds the county 42
treasurer's estimate, the officer shall certify the amount of 43
the excess to the treasurer, who shall enter that amount on the 44
real and public utility property tax duplicate opposite the 45
property; the amount of the excess shall be payable at the next 46
succeeding date prescribed for payment of taxes in section 47
323.12 of the Revised Code. 48

(B) (1) Except as provided in division (B) (3) of this 49

section, if real estate is sold at judicial sale, the court shall order that the total of the following amounts shall be discharged out of the proceeds of the sale but only to the extent of such proceeds:

(a) Taxes and assessments the lien for which attaches before the confirmation of sale but that are not yet determined, assessed, and levied for the year in which confirmation occurs, apportioned pro rata to the part of that year that precedes confirmation, and any penalties and interest on those taxes and assessments;

(b) All other taxes, assessments, penalties, and interest the lien for which attached for a prior tax year but that have not been paid on or before the date of confirmation.

~~(2) Upon the request of the officer who conducted the sale, the county treasurer shall estimate the amount in division (B)(1)(a) of this section. If the county treasurer's estimate exceeds that amount, the officer who conducted the sale shall refund to the purchaser the difference between the estimate and the actual amount. If the actual amount exceeds the county treasurer's estimate, the officer shall certify the amount of the excess to the treasurer, who shall enter that amount on the real and public utility property tax duplicate opposite the property; the amount of the excess shall be payable at the next succeeding date prescribed for payment of taxes in section 323.12 of the Revised Code.~~
The purchaser of real estate at a judicial sale is responsible for payment of any and all taxes and assessments, and any penalties and interest on those taxes and assessments, that attach as of the day following the date of the sale, including taxes and assessments levied for the year in which the sale occurred, apportioned pro rata after the date of

the judicial sale, and any penalties and interest on those taxes 80
and assessments. 81

(3) The amounts described in division (B)(1) of this 82
section shall not be discharged out of the proceeds of a 83
judicial sale, but shall instead be deemed to be satisfied and 84
extinguished upon confirmation of sale, if both of the following 85
conditions apply: 86

(a) The real estate is sold pursuant to a foreclosure 87
proceeding other than a tax foreclosure proceeding initiated by 88
the county treasurer under section 323.25, sections 323.65 to 89
323.79, or Chapter 5721. of the Revised Code. 90

(b) A county land reutilization corporation organized 91
under Chapter 1724. of the Revised Code is both the purchaser of 92
the real estate and the judgment creditor or assignee of all 93
rights, title, and interest in the judgment arising from the 94
foreclosure proceeding. 95

Sec. 1901.18. (A) Except as otherwise provided in this 96
division or section 1901.181 of the Revised Code, subject to the 97
monetary jurisdiction of municipal courts as set forth in 98
section 1901.17 of the Revised Code, a municipal court has 99
original jurisdiction within its territory in all of the 100
following actions or proceedings and to perform all of the 101
following functions: 102

(1) In any civil action, of whatever nature or remedy, of 103
which judges of county courts have jurisdiction; 104

(2) In any action or proceeding at law for the recovery of 105
money or personal property of which the court of common pleas 106
has jurisdiction; 107

(3) In any action at law based on contract, to determine, 108

preserve, and enforce all legal and equitable rights involved in 109
the contract, to decree an accounting, reformation, or 110
cancellation of the contract, and to hear and determine all 111
legal and equitable remedies necessary or proper for a complete 112
determination of the rights of the parties to the contract; 113

(4) In any action or proceeding for the sale of personal 114
property under chattel mortgage, lien, encumbrance, or other 115
charge, for the foreclosure and marshalling of liens on personal 116
property of that nature, and for the rendering of personal 117
judgment in the action or proceeding; 118

(5) In any action or proceeding to enforce the collection 119
of its own judgments or the judgments rendered by any court 120
within the territory to which the municipal court has succeeded, 121
and to subject the interest of a judgment debtor in personal 122
property to satisfy judgments enforceable by the municipal 123
court; 124

(6) In any action or proceeding in the nature of 125
interpleader; 126

(7) In any action of replevin; 127

(8) In any action of forcible entry and detainer; 128

(9) In any action concerning the issuance and enforcement 129
of temporary protection orders pursuant to section 2919.26 of 130
the Revised Code or protection orders pursuant to section 131
2903.213 of the Revised Code or the enforcement of protection 132
orders issued by courts of another state, as defined in section 133
2919.27 of the Revised Code; 134

(10) If the municipal court has a housing or environmental 135
division, in any action over which the division is given 136
jurisdiction by section 1901.181 of the Revised Code, provided 137

that, except as specified in division (B) of that section, no 138
judge of the court other than the judge of the division shall 139
hear or determine any action over which the division has 140
jurisdiction; 141

(11) In any action brought pursuant to division (I) of 142
section 4781.40 of the Revised Code, if the residential premises 143
that are the subject of the action are located within the 144
territorial jurisdiction of the court; 145

(12) In any civil action as described in division (B)(1) 146
of section 3767.41 of the Revised Code that relates to a public 147
nuisance, and, to the extent any provision of this chapter 148
conflicts or is inconsistent with a provision of that section, 149
the provision of that section shall control in the civil action; 150

(13) In a proceeding brought pursuant to section 955.222 151
of the Revised Code by the owner of a dog that has been 152
designated as a nuisance dog, dangerous dog, or vicious dog. 153

(B) The Cleveland and Toledo municipal ~~court~~ courts also 154
shall have jurisdiction within ~~its~~ their territory in all of the 155
following actions or proceedings and to perform all of the 156
following functions: 157

(1) In all actions and proceedings for the sale of real 158
property under lien of a judgment of the municipal court or a 159
lien for machinery, material, or fuel furnished or labor 160
performed, irrespective of amount, and, in those actions and 161
proceedings, the court may proceed to foreclose and marshal all 162
liens and all vested or contingent rights, to appoint a 163
receiver, and to render personal judgment irrespective of amount 164
in favor of any party. 165

(2) In all actions for the foreclosure of a mortgage on 166

real property given to secure the payment of money or the 167
enforcement of a specific lien for money or other encumbrance or 168
charge on real property, when the amount claimed by the 169
plaintiff does not exceed fifteen thousand dollars and the real 170
property is situated within the territory, and, in those 171
actions, the court may proceed to foreclose all liens and all 172
vested and contingent rights and may proceed to render judgments 173
and make findings and orders between the parties in the same 174
manner and to the same extent as in similar actions in the court 175
of common pleas. 176

(3) In all actions for the recovery of real property 177
situated within the territory to the same extent as courts of 178
common pleas have jurisdiction; 179

(4) In all actions for injunction to prevent or terminate 180
violations of the ordinances and regulations of the city of 181
Cleveland or Toledo enacted or promulgated under the police 182
power of the city of Cleveland or Toledo, pursuant to Section 3 183
of Article XVIII, Ohio Constitution, over which the court of 184
common pleas has or may have jurisdiction, and, in those 185
actions, the court may proceed to render judgments and make 186
findings and orders in the same manner and to the same extent as 187
in similar actions in the court of common pleas. 188

Sec. 1901.185. (A) In addition to jurisdiction otherwise 189
granted in this chapter, the environmental division, where 190
established, of the municipal court shall have jurisdiction 191
within its territory in all of the following actions or 192
proceedings and to perform all of the following functions: 193

~~(A)~~ (1) To exercise exclusive original jurisdiction to hear 194
actions arising under section 3767.50 of the Revised Code and in 195
those actions to make findings and orders pertaining to blighted 196

parcels; 197

~~(B)~~ (2) When in aid of execution of a judgment of the 198
environmental division of the municipal court rendered pursuant 199
to section 3767.50 of the Revised Code, in actions for the 200
foreclosure of a mortgage on real property given to secure the 201
payment of money, or the enforcement of a specific lien for 202
money or other encumbrance or charge on real property, when the 203
real property is situated within the territory, to foreclose all 204
liens and all vested and contingent rights, render judgments, 205
and make findings and orders, between the parties, in the same 206
manner and to the same extent as in similar cases in the court 207
of common pleas. 208

(B) In addition to jurisdiction otherwise granted in this 209
chapter, the housing or environmental division, where 210
established, of the municipal court shall have jurisdiction 211
within its territory to exercise exclusive original jurisdiction 212
to hear actions arising under section 2308.02 of the Revised 213
Code and in those actions to make findings and orders pertaining 214
to vacant and abandoned properties pursuant to section 2308.02 215
of the Revised Code. 216

(C) For the time period beginning on the effective date of 217
this amendment and ending December 31, 2019, in addition to 218
jurisdiction otherwise granted in this chapter, the housing or 219
environmental division, where established, of the municipal 220
court shall have jurisdiction within its territory to exercise 221
exclusive original jurisdiction to hear actions arising under 222
section 3767.52 of the Revised Code and in those actions to make 223
findings and orders pertaining to unoccupied, blighted parcels 224
pursuant to sections 3767.52 and 3767.53 of the Revised Code. 225

Sec. 2303.26. The clerk of the court of common pleas shall 226

exercise the powers conferred and perform the duties enjoined 227
upon ~~him~~ the clerk by statute and by the common law; and in the 228
performance of ~~his official~~ duties ~~he~~ the clerk shall be under 229
the direction of ~~his~~ such court. The clerk shall not restrict, 230
prohibit, or otherwise modify the rights of parties to seek 231
service on party defendants allowed by the Rules of Civil 232
Procedure, either singularly or concurrently. 233

Sec. 2308.01. As used in this chapter: 234

(A) "Residential mortgage loan" means a loan or agreement 235
to extend credit, including the renewal, refinancing, or 236
modification of such a loan or agreement, that is made to a 237
person and that is primarily secured by a mortgage, deed of 238
trust, or other lien upon any interest in residential property 239
or any certification of stock or other evidence of ownership in, 240
and a proprietary lease from, a corporation or partnership 241
formed for the purpose of cooperative ownership of residential 242
property. 243

(B) "Residential property" means real property located 244
within this state consisting of land and a structure on that 245
land containing four or fewer dwelling units, each of which is 246
intended for occupancy by a separate household. "Residential 247
property" includes a residential condominium unit owned by an 248
individual, notwithstanding the number of units in the 249
structure, but does not include a manufactured or mobile home 250
that is not taxed as real property. 251

Sec. 2308.02. (A) For purposes of this section, a 252
residential property shall be considered vacant and abandoned if 253
both of the following apply: 254

(1) The owner of the residential property is in default on 255

the residential mortgage loan secured by the residential 256
property. 257

(2) Two or more of the following circumstances apply: 258

(a) At the time of the inspection of the land by the 259
appropriate official of a county, municipal corporation, or 260
township in which the land is located or by the holder of the 261
mortgage note, or the holder's representative, no person is 262
visibly present from an exterior inspection of the property. 263

(b) No utility connections, including water, sewer, 264
natural gas, or electric connections, service the property, or 265
no such utility connections are actively being billed by any 266
utility provider regarding the property. 267

(c) The property is sealed because, immediately prior to 268
being sealed, it was considered by the appropriate official to 269
be open, vacant, or vandalized. 270

(d) Junk, litter, trash, debris, or hazardous, noxious, or 271
unhealthy substances or materials have accumulated on the 272
property. 273

(e) Furnishings, window treatments, and personal items are 274
absent from the structure on the land. 275

(f) Neighbors, delivery persons, or government employees 276
provide statements indicating that the structure on the land is 277
vacant and abandoned. 278

(g) A risk to the health and safety or welfare of the 279
public, or any adjoining or adjacent property owners, exists due 280
to acts of vandalism, loitering, criminal conduct, or the 281
physical destruction or deterioration of the property. 282

(h) A mortgagor issues a written statement expressing 283

clear intent of all mortgagors to abandon the property. 284

(i) Any other reasonable indicia of abandonment exists. 285

(B) In addition to the procedures set forth in sections 286
323.65 to 323.79 and 3767.50 of the Revised Code, if a 287
residential mortgage loan is secured by residential property 288
that appears to be vacant and abandoned pursuant to division (A) 289
(2) of this section, and the owner of the residential property 290
is in default on the loan, the holder of the mortgage note for 291
that residential mortgage loan may bring a summary action in a 292
court of competent jurisdiction to foreclose that residential 293
mortgage loan. The holder of the mortgage note, at the time of 294
filing a foreclosure action or any time thereafter, may file 295
with the court a motion to proceed in a summary manner if the 296
residential property that is the subject of the foreclosure 297
action is believed to be vacant and abandoned. 298

(C) If, at the time that a holder of a mortgage note 299
brings an action to foreclose on a residential mortgage loan, 300
the holder files a motion for summary foreclosure under this 301
section, the court shall hear the motion for summary foreclosure 302
not earlier than before the period to answer the foreclosure 303
complaint has expired and not later than fifteen days after the 304
period to answer the foreclosure complaint has expired. If the 305
holder of the mortgage note files the motion for summary 306
foreclosure after the period to answer the foreclosure complaint 307
has expired, the court shall hear the motion not later than 308
fifteen days after the motion is filed. 309

(D) The hearing on a motion for summary foreclosure shall 310
be given priority by the court and shall be scheduled to be 311
heard within the applicable time period set forth in division 312
(C) of this section. 313

(E) In addition to the service of process required by the 314
Rules of Civil Procedure, to obtain an entry of judgment in a 315
residential mortgage loan foreclosure action under this section, 316
a holder of a mortgage note shall establish that a process 317
server or sheriff has made two unsuccessful attempts to serve 318
the mortgagor or occupant at the residential property. To 319
satisfy the requirement specified in this division, the holder 320
of the mortgage note shall demonstrate that the attempts were at 321
least forty-eight hours apart and during different times of the 322
day. 323

(F) In addition to any notices required to be served by 324
law or the Rules of Civil Procedure, a holder of a mortgage note 325
shall serve a notice that the holder is seeking, on the date 326
fixed by the court, to proceed summarily for entry of judgment 327
in a residential mortgage loan foreclosure action under this 328
section because the property is believed to be vacant and 329
abandoned. This notice shall be served by ordinary mail to the 330
mortgagor's last known address, and the sender shall obtain a 331
certificate of mailing. The notice shall be sent at least seven 332
days before the hearing described in division (C) of this 333
section occurs. Service by ordinary mail is complete when the 334
certificate of mailing is obtained, unless the notice is 335
returned showing failure of delivery. 336

(G) At the hearing held pursuant to division (C) of this 337
section, the court shall determine whether a property is vacant 338
and abandoned pursuant to the standards described in division 339
(A) of this section. The owner of the property may make an 340
appearance at this hearing and submit evidence that the property 341
is not vacant and abandoned. At the end of the hearing, the 342
court shall make a finding on whether the property owner is in 343
default on the residential mortgage loan secured by the 344

residential property and whether two or more of the 345
circumstances listed in division (A) (2) of this section apply to 346
the residential property. 347

(1) Not earlier than the expiration of the period of time 348
to answer the foreclosure complaint or the period of time to 349
respond to a motion for judgment under the Rules of Civil 350
Procedure, whichever period expires later, the court shall enter 351
a final judgment of foreclosure and order the sheriff to sell 352
the property in accordance with division (I) of this section if 353
the court finds by clear and convincing evidence that both of 354
the following apply: 355

(a) The property owner is in default on the residential 356
mortgage loan secured by the residential property. 357

(b) Two or more of the circumstances listed in division 358
(A) (2) of this section apply to the residential property and 359
those circumstances are not outweighed by the evidence submitted 360
by the property owner. 361

(2) A court shall not enter a final judgment in a 362
residential mortgage loan foreclosure action under this section 363
if a court finds that any of the following apply: 364

(a) The residential property is not vacant or abandoned 365
because either less than two of the circumstances listed in 366
division (A) (2) of this section apply or because the evidence 367
submitted by the property owner outweighs the circumstances 368
established. 369

(b) The mortgagor or any other defendant has filed an 370
answer, appearance, or other written objection that is not 371
withdrawn and the defenses or objection asserted provide cause 372
to preclude the entry of a final judgment. 373

(c) The property owner is not in default on the residential mortgage loan secured by the residential property. 374
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(H) Nothing in this section shall supersede or limit other procedures adopted by the court to resolve residential mortgage loan foreclosure actions, including foreclosure mediation. 376
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(I) If the court enters a judgment on a residential mortgage loan foreclosure action and orders a sale of the property under division (G) of this section, the sheriff shall sell the property within seventy-five days after the sheriff's receipt of any writ of execution issued by the court in accordance with the procedures specified in this chapter and Chapter 2329. of the Revised Code. 379
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(J) If a residential property becomes vacant and abandoned after a decree of foreclosure has been entered, upon good cause shown, the plaintiff may file a motion that the court determine the property to be vacant and abandoned as described in division (A) of this section and order the sheriff to sell it pursuant to division (I) of this section. If a court finds that the residential property is vacant and abandoned, the court shall enter a judgment on the residential mortgage loan foreclosure action under this section and the sheriff shall sell the property in accordance with division (I) of this section. 386
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Sec. 2308.03. (A) Except as otherwise provided in division (B) of this section, if a residential property is found to be vacant and abandoned under section 2308.02 of the Revised Code, a holder of a mortgage note on the residential property may enter that property to secure and protect it from damage. 396
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(B) A holder of a mortgage note who has not filed a residential mortgage loan foreclosure action on a property for 401
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which the holder holds a mortgage may enter and secure that 403
property only if the mortgage contract or other documents 404
provide for such an entry. 405

(C) The equitable and statutory rights to redemption of a 406
mortgage on a property found to be vacant and abandoned pursuant 407
to section 2308.02 of the Revised Code expire upon the 408
confirmation of sale of the property. 409

Sec. 2308.04. A person who is an owner of residential 410
property who knowingly causes physical harm to that property 411
after the person has been personally served with a summons and 412
complaint in a residential mortgage loan foreclosure action 413
relating to that property is guilty of criminal mischief in 414
violation of section 2909.07 of the Revised Code. 415

Sec. 2329.01. (A) Lands and tenements, including vested 416
legal interests therein, permanent leasehold estates renewable 417
forever, and goods and chattels, not exempt by law, shall be 418
subject to the payment of debts, and liable to be taken on 419
execution and sold as provided in sections 2329.02 to 2329.61— 420
inclusive, of the Revised Code. 421

(B) As used in sections 2329.02 to 2329.61 of the Revised 422
Code, "residential mortgage loan" and "residential property" 423
have the same meanings as in section 2308.01 of the Revised 424
Code. 425

Sec. 2329.02. (A) Any judgment or decree rendered by any 426
court of general jurisdiction, including district courts of the 427
United States, within this state shall be a lien upon lands and 428
tenements of each judgment debtor within any county of this 429
state from the time there is filed in the office of the clerk of 430
the court of common pleas of such county a certificate of such 431

judgment, setting forth the court in which the same was 432
rendered, the title and number of the action, the names of the 433
judgment creditors and judgment debtors, the amount of the 434
judgment and costs, the rate of interest, if the judgment 435
provides for interest, and the date from which such interest 436
accrues, the date of rendition of the judgment, and the volume 437
and page of the journal entry thereof. 438

(B) No such judgment or decree shall be a lien upon any 439
lands, whether or not situated within the county in which such 440
judgment is rendered, registered under sections 5309.02 to 441
5309.98, ~~inclusive,~~ and 5310.01 to 5310.21, ~~inclusive,~~ of the 442
Revised Code, until a certificate under the hand and official 443
seal of the clerk of the court in which the same is entered or 444
of record, stating the date and purport of the judgment, giving 445
the number of the case, the full names of the parties, plaintiff 446
and defendant, and the volume and page of the journal or record 447
in which it is entered, or a certified copy of such judgment, 448
stating such facts, is filed and noted in the office of the 449
county recorder of the county in which the land is situated, and 450
a memorial of the same is entered upon the register of the last 451
certificate of title to the land to be affected. 452

Such certificate shall be made by the clerk of the court 453
in which the judgment was rendered, under the seal of said 454
court, upon the order of any person in whose favor such judgment 455
was rendered or upon the order of any person claiming under ~~him~~ 456
a person in whose favor such judgment was rendered, and shall be 457
delivered to the party so ordering the same; and the fee 458
therefor shall be taxed in the costs of the action. 459

(C) When any such certificate is delivered to the clerk of 460
the court of common pleas of any county in this state, the same 461

shall be filed by such clerk, and ~~he~~ the clerk shall docket and 462
index it under the names of the judgment creditors and the 463
judgment debtors in a judgment docket, which shall show as to 464
each judgment all of the matters set forth in such certificate 465
as required by this section. The fee for such filing, docketing, 466
and indexing shall be taxed as increased costs of such judgment 467
upon such judgment docket and shall be included in the lien of 468
the judgment. 469

(D) When the clerk of any court, other than that rendering 470
the judgment, in whose office any such certificate is filed, has 471
docketed and indexed the same, ~~he~~ the clerk shall indorse upon 472
such certificate the fact of such filing with the date thereof 473
and the volume and page of the docket entry of such certificate 474
and shall return the same so indorsed to the clerk of the court 475
in which the judgment was rendered, who shall note upon the 476
original docket the fact of the filing of said certificate, 477
showing the county in which the same was filed and the date of 478
such filing. When such certificate is filed, docketed, and 479
indexed in the office of the clerk of the court which rendered 480
the judgment, such clerk shall likewise indorse the certificate 481
and make like notation upon the original docket. 482

Each such judgment shall be deemed to have been rendered 483
in the county in which is kept the journal of the court 484
rendering the same, in which journal such judgment is entered. 485

(E) Certificates or certified copies of judgments or 486
decrees of any courts of general jurisdiction, including 487
district courts of the United States, within this state, may be 488
filed, registered, noted, and memorials thereof entered, in the 489
office of the recorder of any county in which is situated land 490
registered under sections 5309.02 to 5309.98, ~~inclusive~~, and 491

5310.01 to 5310.21, ~~inclusive,~~ of the Revised Code, for the 492
purpose of making such judgments liens upon such registered 493
land. 494

(F) Notwithstanding any other provision of the Revised 495
Code, any judgment issued in a court of record may be 496
transferred to any other court of record. Any proceedings for 497
collection may be had on such judgment the same as if it had 498
been issued by the transferee court. 499

(G) When a clerk files a judgment of foreclosure in a 500
residential mortgage loan foreclosure action, the clerk shall 501
provide notice of that filing to the judgment debtor, the 502
judgment creditor, and any lienholder who has appeared in the 503
action. 504

Sec. 2329.20. ~~No~~ Except as otherwise provided in this 505
section or sections 2329.51 and 2329.52 of the Revised Code, no 506
tract of land shall be sold for less than two-thirds of the 507
value returned in the inquest required by section 2329.17 of the 508
Revised Code; ~~except that in~~. In all cases where in which a 509
junior mortgage or other junior lien is sought to be enforced 510
against real estate by an order, judgment, or decree of court, 511
subject to a prior lien thereon, and such prior lien, and the 512
claims or obligations secured thereby, are unaffected by such 513
order, judgment, or decree, the court making such order, 514
judgment, or decree, may determine the minimum amount for which 515
such real estate may be sold, such minimum amount to be not less 516
than two-thirds of the difference between the value of the real 517
estate appraised as provided in such section, and the amount 518
remaining unpaid on the claims or obligations secured by such 519
prior lien. The price at which a foreclosed residential property 520
sells at a sheriff's auction shall not be used as a basis for 521

establishing the market value of any other property. 522

Sec. 2329.21. If the sum bid by the purchaser for the real 523
estate sold under section 2329.20 of the Revised Code relating 524
to the enforcement of junior liens is insufficient to pay the 525
costs and allowance which the court has determined prior to such 526
sale should be paid out of the proceeds thereof, pursuant to the 527
terms of the mortgage or lien sought to be enforced, then the 528
purchaser, in addition to the amount of ~~his~~ the purchaser's bid, 529
must pay a sum which with the amount so bid will be sufficient 530
to pay the costs and allowances. The court may fix the amount 531
remaining unpaid on such claims or obligations for the purpose 532
of the sale, and to that end require the parties to the suit to 533
furnish to it satisfactory evidence of such unpaid amount. The 534
advertisement for the sale of real estate sold under section 535
2329.20 of the Revised Code shall state that the purchaser shall 536
be responsible for those costs and allowances that the proceeds 537
of the sale are insufficient to cover. 538

Sec. 2329.211. A successful purchaser at a sale of lands 539
and tenements taken in execution shall make a deposit in the 540
amount of five per cent of the appraised value of the property, 541
but not less than five thousand dollars or more than ten 542
thousand dollars, to the officer conducting the sale. The 543
deposit is due at the time of sale, unless the purchaser is the 544
plaintiff in the action or the judgment creditor. In that case, 545
the deposit shall be tendered to the officer by the close of 546
business the day of the sale. Failure of the purchaser to timely 547
make its deposit shall invalidate the sale. 548

Sec. 2329.23. All notices and advertisements for the sale 549
of lands and tenements located in a municipal corporation, made 550
by virtue of the proceedings in a court of record, in addition 551

to a description of the lands and tenements, shall contain the 552
street number of the buildings erected on the lands, or the 553
street number of the lots offered for sale. If no such number 554
exists, then the notice or advertisement shall contain the name 555
of the street or road upon which the lands and tenements are 556
located together with the names of the streets or roads 557
immediately north and south or east and west of the lands and 558
tenements that cross or intersect the street or road upon which 559
they are located. The notice or advertisement shall, if 560
applicable, include the web site address of the officer who 561
makes the sale that allows a person to obtain a complete legal 562
description of the lands and tenements. 563

All notices and advertisements for the sale of residential 564
property located in a municipal corporation, made by virtue of 565
the proceeding in a court of record pursuant to a mortgage loan 566
foreclosure action, shall include the provisional date for a 567
second sale of the property, should the property not sell for 568
the minimum bid established pursuant to section 2329.20 of the 569
Revised Code. 570

Sec. 2329.26. (A) Lands and tenements taken in execution 571
shall not be sold until all of the following occur: 572

(1) (a) Except as otherwise provided in division (A) (1) (b) 573
of this section, the judgment creditor who seeks the sale of the 574
lands and tenements or the judgment creditor's attorney does 575
both of the following: 576

(i) Causes a written notice of the date, time, and place 577
of the sale, and of the provisional second sale described in 578
division (B) of section 2329.52 of the Revised Code, if 579
applicable, to be served in accordance with divisions (A) and 580
(B) of Civil Rule 5 upon the judgment debtor and upon each other 581

party to the action in which the judgment giving rise to the 582
execution was rendered; 583

(ii) At least seven calendar days prior to the date of the 584
sale, files with the clerk of the court that rendered the 585
judgment giving rise to the execution a copy of the written 586
notice described in division (A) (1) (a) (i) of this section with 587
proof of service endorsed on the copy in the form described in 588
division (D) of Civil Rule 5. 589

(b) Service of the written notice described in division 590
(A) (1) (a) (i) of this section is not required to be made upon any 591
party who is in default for failure to appear in the action in 592
which the judgment giving rise to the execution was rendered. 593

(2) The officer taking the lands and tenements gives 594
public notice of the date, time, and place of the sale, and of 595
the provisional second sale described in division (B) of section 596
2329.52 of the Revised Code, if applicable, once a week for at 597
least three consecutive weeks before the day of sale by 598
advertisement in a newspaper of general circulation in the 599
county. The newspaper shall meet the requirements of section 600
7.12 of the Revised Code. The court ordering the sale may 601
designate in the order of sale the newspaper in which this 602
public notice shall be published. 603

(3) The officer taking the lands and tenements shall 604
collect the purchaser's information required by section 2329.271 605
of the Revised Code. 606

(B) A sale of lands and tenements taken in execution may 607
be set aside in accordance with division (A) or (B) of section 608
2329.27 of the Revised Code. 609

Sec. 2329.30. The court from which an execution or order 610

of sale issues, upon notice and motion of the officer who makes 611
the sale or of an interested party, may punish any purchaser of 612
lands and tenements who fails to pay within thirty days of the 613
confirmation of the sale the balance due on the purchase price 614
of the lands and tenements by forfeiting the sale of the lands 615
and tenements and returning any deposit paid in connection with 616
the sale of the lands and tenements, by forfeiting any deposit 617
paid in connection with the sale of the lands and tenements, as 618
for contempt, or in any other manner the court considers 619
appropriate. Upon motion, the court shall order the return of 620
any remaining portion of the deposit of the purchaser, less the 621
costs of a subsequent sale and any other remedy the court 622
considers appropriate. The effect of an order for contempt for 623
failure of the purchaser to pay shall be considered an order to 624
void the confirmation of sale and transfer. 625

Sec. 2329.31. (A) Upon the return of any writ of execution 626
for the satisfaction of which lands and tenements have been 627
sold, on careful examination of the proceedings of the officer 628
making the sale, if the court of common pleas finds that the 629
sale was made, in all respects, in conformity with sections 630
2329.01 to 2329.61 of the Revised Code, it shall, within thirty 631
days of the return of the writ, direct the clerk of the court of 632
common pleas to make an entry on the journal that the court is 633
satisfied of the legality of such sale ~~and that the attorney who~~ 634
~~filed the writ of execution make to the purchaser a deed for the~~ 635
~~lands and tenements. Nothing in this section prevents the court~~ 636
~~of common pleas from staying the confirmation of the sale to~~ 637
~~permit a property owner time to redeem the property or for any~~ 638
~~other reason that it determines is appropriate. In those~~ 639
~~instances, the sale shall be confirmed within thirty days after~~ 640
~~the termination of any stay of confirmation.~~ 641

(B) The officer making the sale shall require the purchaser, including a lienholder, to pay within thirty days of the confirmation of the sale the balance due on the purchase price of the lands and tenements.

(C) The officer making the sale shall record the prepared deed required by section 2329.36 of the Revised Code within fourteen days after the confirmation of sale or payment of the balance due, whichever is later. If the deed is not prepared or recorded within the fourteen-day period, the recording of the order of confirmation of sale by the purchaser shall serve to transfer the title of the property to the purchaser as described in division (D) of this section. The confirmation of sale shall include a statement that it serves to transfer title if the deed is not transferred within fourteen days after the confirmation of sale or payment of the balance due.

(D) The order of confirmation shall, upon the expiration of the fourteen-day period described in division (C) of this section and unless stayed by the court pending timely appeal along with the posting of an adequate supersedeas bond, serve to transfer the title of the property to the purchaser. The plaintiff, or the plaintiff's attorney, shall cause a certified copy of the order of confirmation to be recorded in the office of the county recorder. The clerk shall issue a copy of the order to the county auditor to transfer record ownership of the property for the purpose of real estate taxes. Real estate taxes coming due after the date of the confirmation of sale shall not prohibit the auditor from transferring ownership of the property on its records or cause the recorder to deny recording. The real estate taxes shall become the responsibility of the new title holder of the property. The sheriff shall not require the confirmation of sale to be amended for taxes not due and payable

as of the date of the sale. 673

Sec. 2329.311. In sales of residential properties taken in 674
execution or order of sale that are sold at an auction with no 675
set minimum bid pursuant to division (B) of section 2329.52 of 676
the Revised Code, the judgment creditor and the first lienholder 677
each have the right to redeem the property within fourteen days 678
after the sale by paying the purchase price. The redeeming party 679
shall pay the purchase price to the clerk of the court in which 680
the judgment was rendered or the order of sale was made. Upon 681
timely payment, the court shall proceed as described in section 682
2329.31 of the Revised Code, with the redeeming party considered 683
the successful purchaser at sale. 684

Sec. 2329.33. ~~In~~ Except as provided in division (C) of 685
section 2308.03 or any other section of the Revised Code, in 686
sales of real estate on execution or order of sale, at any time 687
before the confirmation thereof, the debtor may redeem it from 688
sale by depositing in the hands of the clerk of the court of 689
common pleas to which such execution or order is returnable, the 690
amount of the judgment or decree upon which such lands were 691
sold, with all costs, including poundage, and interest at the 692
rate of eight per cent per annum on the purchase money from the 693
day of sale to the time of such deposit, except where the 694
judgment creditor is the purchaser, the interest at such rate on 695
the excess above ~~his~~ the judgment creditor's claim. ~~The~~ 696
Redemption of the debtor is a satisfaction of the judgment 697
against the debtor only and shall not serve to discharge the 698
judgment debtor of the judgment creditor's advancements for real 699
estate taxes, insurance premium, and property protection if such 700
a requirement was included in the judgment. Upon successful 701
redemption, the judgment debtor may petition the court to 702
require the judgment creditor to provide an itemization of those 703

advances within a reasonable amount of time for payment by the 704
judgment debtor. Should the judgment debtor pay all sums 705
required by this section, the court of common pleas thereupon 706
shall make an order setting aside such sale, and apply the 707
deposit to the payment of such judgment or decree and costs, and 708
award such interest to the purchaser, who shall receive from the 709
officer making the sale the purchase money paid by ~~him~~ the 710
purchaser, and the interest from the clerk. This section does 711
not take away the power of the court to set aside such sale for 712
any reason for which it might have been set aside prior to April 713
16, 1888. 714

Sec. 2329.52. ~~When~~ (A) Except as otherwise provided in 715
division (B) of this section, when premises are ordered to be 716
sold, if said premises, or a part thereof, remain unsold for 717
want of bidders after having been once appraised, advertised, 718
and offered for sale, the court from which the order of sale 719
issued may, on motion of the plaintiff or defendant and from 720
time to time until said premises are disposed of, order a new 721
appraisement and sale or direct the amount for which said 722
premises, or a part thereof, may be sold. 723

The court may order that the premises be sold as follows: 724
One third cash in hand, one third in nine months from the day of 725
sale, and the remaining one third in eighteen months from the 726
day of sale, the deferred payments to draw interest at six per 727
cent and be secured by a mortgage on the premises. 728

(B) When a residential property is ordered to be sold 729
pursuant to a residential mortgage loan foreclosure action, if 730
the property remains unsold after the first auction with a 731
minimum bid of two-thirds of the appraised value as established 732
pursuant to section 2329.17 of the Revised Code, a second 733

auction shall be held with no set minimum bid, and the 734
residential property shall be sold to the highest bidder. This 735
second auction shall be held not earlier than seven days and not 736
later than thirty days after the first auction. As a condition 737
of the second auction, the purchaser shall pay, in addition to 738
the amount bid, a deposit to the sheriff to be used to pay the 739
costs and allowances of the sale. This deposit shall be not less 740
than five thousand dollars and not more than ten thousand 741
dollars, as determined by the sheriff. The sheriff shall return 742
the deposit, less the amount used for costs and allowances, to 743
the purchaser within fourteen days after the transfer of sale. A 744
residential property that remains unsold after two auctions may 745
be subsequently offered for sale from time to time with no set 746
minimum bid or disposed of in any other manner pursuant to this 747
chapter or any other provision of the Revised Code. 748

Sec. 2909.07. (A) No person shall: 749

(1) Without privilege to do so, knowingly move, deface, 750
damage, destroy, or otherwise improperly tamper with the 751
property of another or one's own property after a foreclosure 752
complaint is filed against that property; 753

(2) With purpose to interfere with the use or enjoyment of 754
property of another, employ a tear gas device, stink bomb, smoke 755
generator, or other device releasing a substance that is harmful 756
or offensive to persons exposed or that tends to cause public 757
alarm; 758

(3) Without privilege to do so, knowingly move, deface, 759
damage, destroy, or otherwise improperly tamper with a bench 760
mark, triangulation station, boundary marker, or other survey 761
station, monument, or marker; 762

(4) Without privilege to do so, knowingly move, deface, 763
damage, destroy, or otherwise improperly tamper with any safety 764
device, the property of another, or the property of the offender 765
when required or placed for the safety of others, so as to 766
destroy or diminish its effectiveness or availability for its 767
intended purpose; 768

(5) With purpose to interfere with the use or enjoyment of 769
the property of another, set a fire on the land of another or 770
place personal property that has been set on fire on the land of 771
another, which fire or personal property is outside and apart 772
from any building, other structure, or personal property that is 773
on that land; 774

(6) Without privilege to do so, and with intent to impair 775
the functioning of any computer, computer system, computer 776
network, computer software, or computer program, knowingly do 777
any of the following: 778

(a) In any manner or by any means, including, but not 779
limited to, computer hacking, alter, damage, destroy, or modify 780
a computer, computer system, computer network, computer 781
software, or computer program or data contained in a computer, 782
computer system, computer network, computer software, or 783
computer program; 784

(b) Introduce a computer contaminant into a computer, 785
computer system, computer network, computer software, or 786
computer program. 787

(B) As used in this section, "safety device" means any 788
fire extinguisher, fire hose, or fire axe, or any fire escape, 789
emergency exit, or emergency escape equipment, or any life line, 790
life-saving ring, life preserver, or life boat or raft, or any 791

alarm, light, flare, signal, sign, or notice intended to warn of 792
danger or emergency, or intended for other safety purposes, or 793
any guard railing or safety barricade, or any traffic sign or 794
signal, or any railroad grade crossing sign, signal, or gate, or 795
any first aid or survival equipment, or any other device, 796
apparatus, or equipment intended for protecting or preserving 797
the safety of persons or property. 798

(C) (1) Whoever violates this section is guilty of criminal 799
mischief, and shall be punished as provided in division (C) (2) 800
or (3) of this section. 801

(2) Except as otherwise provided in this division, 802
criminal mischief committed in violation of division (A) (1), 803
(2), (3), (4), or (5) of this section is a misdemeanor of the 804
third degree. Except as otherwise provided in this division, if 805
the violation of division (A) (1), (2), (3), (4), or (5) of this 806
section creates a risk of physical harm to any person, criminal 807
mischief committed in violation of division (A) (1), (2), (3), 808
(4), or (5) of this section is a misdemeanor of the first 809
degree. If the property involved in the violation of division 810
(A) (1), (2), (3), (4), or (5) of this section is an aircraft, an 811
aircraft engine, propeller, appliance, spare part, fuel, 812
lubricant, hydraulic fluid, any other equipment, implement, or 813
material used or intended to be used in the operation of an 814
aircraft, or any cargo carried or intended to be carried in an 815
aircraft, criminal mischief committed in violation of division 816
(A) (1), (2), (3), (4), or (5) of this section is one of the 817
following: 818

(a) If the violation creates a risk of physical harm to 819
any person, except as otherwise provided in division (C) (2) (b) 820
of this section, criminal mischief committed in violation of 821

division (A) (1), (2), (3), (4), or (5) of this section is a 822
felony of the fifth degree. 823

(b) If the violation creates a substantial risk of 824
physical harm to any person or if the property involved in a 825
violation of this section is an occupied aircraft, criminal 826
mischief committed in violation of division (A) (1), (2), (3), 827
(4), or (5) of this section is a felony of the fourth degree. 828

(3) Except as otherwise provided in this division, 829
criminal mischief committed in violation of division (A) (6) of 830
this section is a misdemeanor of the first degree. Except as 831
otherwise provided in this division, if the value of the 832
computer, computer system, computer network, computer software, 833
computer program, or data involved in the violation of division 834
(A) (6) of this section or the loss to the victim resulting from 835
the violation is one thousand dollars or more and less than ten 836
thousand dollars, or if the computer, computer system, computer 837
network, computer software, computer program, or data involved 838
in the violation of division (A) (6) of this section is used or 839
intended to be used in the operation of an aircraft and the 840
violation creates a risk of physical harm to any person, 841
criminal mischief committed in violation of division (A) (6) of 842
this section is a felony of the fifth degree. If the value of 843
the computer, computer system, computer network, computer 844
software, computer program, or data involved in the violation of 845
division (A) (6) of this section or the loss to the victim 846
resulting from the violation is ten thousand dollars or more, or 847
if the computer, computer system, computer network, computer 848
software, computer program, or data involved in the violation of 849
division (A) (6) of this section is used or intended to be used 850
in the operation of an aircraft and the violation creates a 851
substantial risk of physical harm to any person or the aircraft 852

in question is an occupied aircraft, criminal mischief committed 853
in violation of division (A) (6) of this section is a felony of 854
the fourth degree. 855

Sec. 3767.51. As used in sections 3767.52 to 3767.56 of 856
the Revised Code: 857

(A) "Blighted parcel" has the same meaning as in section 858
1.08 of the Revised Code, except it does not include a 859
manufactured or mobile home that is subject to real property 860
taxes under section 4503.06 of the Revised Code. 861

(B) "Unoccupied" means any of the following: 862

(1) Property that is not physically inhabited or used as a 863
dwelling; 864

(2) Property on which no trade or business is actively 865
being conducted by the owner or another party occupying the 866
parcel pursuant to a lease or other legal authority; 867

(3) Property that is uninhabited with no signs or active 868
indications that it is undergoing improvements. 869

Sec. 3767.52. (A) A municipal corporation may commence a 870
cause of action by filing a complaint in the housing or 871
environmental division of a municipal court against the owner of 872
property that is an unoccupied, blighted parcel located in that 873
municipal corporation. The complaint shall seek an order that 874
the owner remediate the conditions of the property constituting 875
blight. 876

(B) Upon commencing an action pursuant to division (A) of 877
this section, a municipal corporation shall do both of the 878
following: 879

(1) In addition to service required under the Rules of 880

Civil Procedure, cause service of the complaint to all entities 881
that hold a lien or other interest in the property, as indicated 882
in the public record; 883

(2) Cause service of a notice to all entities that hold a 884
lien or other interest in the property, as indicated in the 885
public record, which states both of the following: 886

(a) The lienholder or interested person may remediate the 887
conditions of the property constituting blight within a period 888
of time determined by the municipal corporation. 889

(b) If the blight is not remediated, the housing or 890
environmental division of the municipal court in which the 891
complaint was filed shall order the blighted parcel to be sold 892
free and clear of all liens and interests in the property other 893
than federal tax liens. 894

(C) (1) A person who receives the complaint and notice 895
described in division (B) of this section shall have sixty days 896
after the service to certify to the court that the person will 897
remediate the conditions of the property constituting blight. A 898
person wishing to certify remediation shall propose to the court 899
a period of time within which the person will remediate the 900
conditions constituting blight. The court may approve or 901
disapprove a certification of remediation. If the court approves 902
the certification, the court shall stay the action until the 903
period of time for remediation has elapsed. If the court 904
disapproves the certification due to a proposal of an 905
unreasonable period of time for remediation, the court shall 906
establish a reasonable period of time within which the person 907
shall remediate the conditions constituting blight. The person 908
shall accept or reject the court's proposed period of time for 909
remediation. If the person accepts the court's proposed period 910

of time for remediation, the person shall certify that it will 911
remediate the conditions constituting blight, and the court 912
shall approve the certification. If the person rejects the 913
court's proposed period of time for remediation, the court shall 914
proceed as if no certification was made. 915

More than one lienholder or interested person may make a 916
certification for remediation. If more than one person makes a 917
certification, the court shall approve the certification of the 918
lienholder or person who proposes to remediate the conditions 919
constituting blight within the shortest period of time. 920

(2) If a lienholder or interested person certifies that it 921
will remediate the conditions constituting blight but does not 922
do so within the accepted period of time established pursuant to 923
division (C)(1) of this section, or if no person makes a 924
certification within the period of time stated in the notice 925
described in division (B)(2) of this section, the lien or other 926
interest of the persons in the property shall be extinguished 927
but may be paid pursuant to division (D) of section 3767.54 of 928
the Revised Code. The lienholder may still pursue payment of the 929
debt represented by the lien, and a person may still seek 930
recourse for the loss of other interest against the owner of the 931
property if otherwise permitted by law. 932

(3) If the lienholder or other interested person 933
remediates the blight, the court shall grant the lienholder or 934
other interested person a lien in the amount expended to 935
remediate the conditions constituting blight. 936

(D) If the court finds that the property was unoccupied at 937
the time the complaint was filed and is a blighted parcel, and 938
if no lienholder or other interested person has certified in 939
accordance with division (C)(1) of this section that it will 940

remediate the conditions constituting blight or if such a person 941
certifies that it will remediate the blight but fails to timely 942
do so, the court shall order the owner to remediate the 943
conditions constituting blight within a specified period of 944
time. If the blight is not remediated within this period of 945
time, the court shall order the property sold pursuant to 946
sections 3767.53 and 3767.54 of the Revised Code. If the blight 947
is remediated, the court shall dismiss the action. 948

Sec. 3767.53. (A) A housing or environmental division of a 949
municipal court shall order the sale of an unoccupied, blighted 950
parcel pursuant to section 3767.54 of the Revised Code by the 951
sheriff of the county where the property is located, if all of 952
the following apply: 953

(1) The municipal corporation commenced a cause of action 954
by filing a complaint for the owner of the blighted parcel to 955
remediate the conditions of the property constituting blight in 956
accordance with division (A) of section 3767.52 of the Revised 957
Code. 958

(2) The municipal corporation caused service of the 959
complaint and notice in accordance with division (B) of section 960
3767.52 of the Revised Code. 961

(3) One of the following applies: 962

(a) No lienholder or other interested person certified 963
that it would remediate the conditions constituting blight 964
pursuant to division (C) of section 3767.52 of the Revised Code. 965

(b) A lienholder or other interested person certified that 966
it would remediate the conditions constituting blight, but does 967
not do so within the accepted period of time established 968
pursuant to division (C) of section 3767.52 of the Revised Code. 969

(4) The court has entered a finding that the property was unoccupied at the time the complaint described in division (A) (1) of this section was filed and is a blighted parcel pursuant to division (D) of section 3767.52 of the Revised Code. 970
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(5) The court ordered the owner of the property to remediate the conditions constituting blight pursuant to division (D) of section 3767.52 of the Revised Code and the owner failed to do so. 974
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(B) If a property that a housing or environmental division of a municipal court orders sold under this section remains unsold for want of qualified bidders, as defined in section 3767.54 of the Revised Code, after having been advertised and offered for sale in accordance with that section, the court may, on motion of the municipal corporation and from time to time until the property is sold, order a new sale. 978
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(C) The housing or environmental division of a municipal court has exclusive original jurisdiction of an action under sections 3767.52 to 3767.54 of the Revised Code. 985
986
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Sec. 3767.54. (A) If the housing or environmental division of a municipal court orders an unoccupied, blighted parcel to be sold pursuant to section 3767.53 of the Revised Code, the sheriff of the county where the property is located shall do all of the following: 988
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990
991
992

(1) Cause notice of the sale and notice that only qualified bidders are eligible to purchase the unoccupied, blighted parcel to be sent to both of the following: 993
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995

(a) The owner of the property in the same manner as provided in section 2329.091 of the Revised Code; 996
997

(b) The public in the same manner as provided in division 998

(A) (2) of section 2329.26 of the Revised Code, except the date, 999
time, and place of the sale need only be published once at least 1000
one week before the day of sale by advertisement in a newspaper 1001
of general circulation in the county. 1002

(2) Verify that each bidder who intends to bid at the sale 1003
is included in the list of qualified bidders provided to the 1004
sheriff in accordance with section 3767.55 of the Revised Code 1005
and is in possession of proof that the bidder is a qualified 1006
bidder; 1007

(3) Conduct the sale of the property; 1008

(4) Provide a deed to the purchaser; 1009

(5) Distribute the proceeds of the sale in accordance with 1010
division (D) of this section; 1011

(6) Collect fees pursuant to section 311.17 of the Revised 1012
Code. 1013

(B) A property sold pursuant to this section shall be sold 1014
free and clear of all liens, including all taxes and assessments 1015
other than federal taxes, to the highest qualified bidder. 1016

(C) No appraisal of or minimum bid for the property shall 1017
be required as a condition of a sale conducted pursuant to this 1018
section. 1019

(D) The proceeds of the sale conducted pursuant to this 1020
section shall first be paid to satisfy the costs of the 1021
municipal corporation for bringing the action under section 1022
3767.52 of the Revised Code and then shall be distributed 1023
according to the priorities otherwise established by law, 1024
including to lienholders whose liens are extinguished by the 1025
sale. 1026

(E) (1) After a sale conducted pursuant to this section, 1027
the housing or environmental division of the municipal court 1028
shall make an entry on the journal that the court is satisfied 1029
of the legality of the sale. 1030

(2) Notwithstanding section 2329.36 of the Revised Code, 1031
the municipal corporation who filed the complaint pursuant to 1032
division (A) of section 3767.52 of the Revised Code shall file 1033
and record the deed of the property in accordance with that 1034
section. 1035

(F) As used in sections 3767.53 to 3767.56 of the Revised 1036
Code, "qualified bidder" means one of the following: 1037

(1) A lienholder of the property; 1038

(2) A person who satisfies all of the following criteria: 1039

(a) Has been prequalified, in accordance with section 1040
3767.55 of the Revised Code; 1041

(b) Has the capacity to remediate the conditions that 1042
constitute blight of the blighted parcel; 1043

(c) Has agreed, as a condition of the sale, to remediate 1044
the conditions constituting blight within the time period the 1045
bidder owns the property or within twelve months after the date 1046
of the sale, whichever period of time is less, to the 1047
satisfaction of the municipal corporation that commenced the 1048
action under section 3767.52 of the Revised Code in relation to 1049
the property. 1050

Sec. 3767.55. A municipal corporation that commences a 1051
cause of action under section 3767.52 of the Revised Code shall 1052
do the following: 1053

(A) Establish qualifications to allow a person to bid at a 1054

sheriff's sale conducted pursuant to section 3767.54 of the 1055
Revised Code, which shall include a requirement that the person 1056
be a lienholder or be able and willing to remediate the 1057
conditions that constitute blight of the unoccupied, blighted 1058
parcel and agree to remediate the conditions within twelve 1059
months after the date of the sale; 1060

(B) Issue proof of qualification to a qualified bidder in 1061
a form determined by the municipal corporation; 1062

(C) Compile a list of qualified bidders for each sale; 1063

(D) Provide the list of qualified bidders to the sheriff 1064
conducting the sale at least one day prior to the sale. 1065

Sec. 3767.56. If the successful qualified bidder of a 1066
property sold under section 3767.54 of the Revised Code fails to 1067
remediate the conditions constituting blight of the property 1068
within the time period specified in that section, the municipal 1069
corporation that commenced the cause of action under section 1070
3767.52 of the Revised Code in relation to that property may 1071
remediate the conditions constituting blight of the property, 1072
and may take a judgment against the successful qualified bidder 1073
for the costs of the remediation. 1074

Section 2. That existing sections 323.47, 1901.18, 1075
1901.185, 2303.26, 2329.01, 2329.02, 2329.20, 2329.21, 2329.23, 1076
2329.26, 2329.30, 2329.31, 2329.33, 2329.52, and 2909.07 of the 1077
Revised Code are hereby repealed. 1078

Section 3. Sections 3767.51, 3767.52, 3767.53, 3767.54, 1079
3767.55, and 3767.56 of the Revised Code are hereby repealed, 1080
effective December 31, 2019. 1081