

As Introduced

135th General Assembly

Regular Session

2023-2024

S. B. No. 245

Senators Reynolds, Craig

A BILL

To amend sections 120.521, 120.53, 319.20, 1923.06, 1
1923.08, 1923.09, 3735.41, 3781.10, 4735.55, 2
4735.56, 4735.59, and 5321.17 and to enact 3
sections 120.531, 120.532, 319.204, 1923.111, 4
1923.16, and 3781.181 of the Revised Code to 5
revise the law governing eviction, real estate 6
representation agreements, residential building 7
code enforcement, and real property transfers, 8
and to amend the version of section 3781.10 of 9
the Revised Code that is scheduled to take 10
effect January 1, 2025, to continue the changes 11
after that date. 12

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

Section 1. That sections 120.521, 120.53, 319.20, 1923.06, 13
1923.08, 1923.09, 3735.41, 3781.10, 4735.55, 4735.56, 4735.59, 14
and 5321.17 be amended and sections 120.531, 120.532, 319.204, 15
1923.111, 1923.16, and 3781.181 of the Revised Code be enacted 16
to read as follows: 17

Sec. 120.521. (A) The state public defender shall 18
establish a charitable, tax exempt foundation, named the Ohio 19

access to justice foundation, to actively solicit and accept 20
gifts, bequests, donations, and contributions for use in 21
providing financial assistance to legal aid societies, enhancing 22
or improving the delivery of civil legal services to indigents, 23
and operating the foundation. The Ohio access to justice 24
foundation shall deposit all gifts, bequests, donations, and 25
contributions accepted by it into the access to justice 26
foundation fund established under this section or the eviction 27
defense fund established pursuant to section 120.531 of the 28
Revised Code. If the state public defender, pursuant to section 29
120.52 of the Revised Code as it existed prior to June 30, 1995, 30
established a charitable, tax exempt foundation named the Ohio 31
access to justice foundation and if that foundation is in 32
existence on the day before June 30, 1995, that foundation shall 33
continue in existence and shall serve as the Ohio access to 34
justice foundation described in this section. 35

There is hereby established the access to justice 36
foundation fund, which shall be under the custody and control of 37
the Ohio access to justice foundation. The fund shall contain 38
all moneys distributed to the Ohio access to justice foundation 39
pursuant to section 120.53 of the Revised Code and all gifts, 40
bequests, donations, and contributions accepted by the Ohio 41
access to justice foundation under this section that are not 42
directed to the eviction defense fund. 43

The Ohio access to justice foundation shall distribute or 44
use all moneys in the access to justice foundation fund for the 45
charitable public purpose of providing financial assistance to 46
legal aid societies that provide civil legal services to 47
indigents, enhancing or improving the delivery of civil legal 48
services to indigents, and operating the foundation. The Ohio 49
access to justice foundation shall establish rules governing the 50

administration of the access to justice foundation fund. 51

The Ohio access to justice foundation shall include, in 52
the annual report it is required to make to the governor, the 53
general assembly, and the supreme court pursuant to division (G) 54
(2) of section 120.53 of the Revised Code, an audited financial 55
statement on the distribution and use of the access to justice 56
foundation fund. No information contained in the statement shall 57
identify or enable the identification of any person served by a 58
legal aid society or in any way breach confidentiality. 59

Membership on the board of the Ohio access to justice 60
foundation does not constitute holding another public office and 61
does not constitute grounds for resignation from the senate or 62
house of representatives under section 101.26 of the Revised 63
Code. 64

The Ohio access to justice foundation shall assist the 65
chancellor of higher education by determining the ratio, for 66
each county in the state, of attorneys to total population for 67
the purpose described in section 3333.132 of the Revised Code. 68

(B) A foundation is tax exempt for purposes of this 69
section if the foundation is exempt from federal income taxation 70
under subsection 501(a) of the "Internal Revenue Code of 1986," 71
100 Stat. 2085, 26 U.S.C. 501(a), as amended, and if the 72
foundation has received from the internal revenue service a 73
determination letter that is in effect stating that the 74
foundation is exempt from federal income taxation under that 75
subsection. 76

Sec. 120.53. (A) A legal aid society that operates within 77
the state may apply to the Ohio access to justice foundation for 78
financial assistance from the legal aid fund established by 79

section 120.52 of the Revised Code to be used for the funding of 80
the society during the calendar year following the calendar year 81
in which application is made. 82

(B) An application for financial assistance made under 83
division (A) of this section shall be submitted by the first day 84
of November of the calendar year preceding the calendar year for 85
which financial assistance is desired and shall include all of 86
the following: 87

(1) Evidence that the applicant is incorporated in this 88
state as a nonprofit corporation; 89

(2) A list of the trustees of the applicant; 90

(3) The proposed budget of the applicant for these funds 91
for the following calendar year; 92

(4) A summary of the services to be offered by the 93
applicant in the following calendar year; 94

(5) A specific description of the territory or 95
constituency served by the applicant; 96

(6) An estimate of the number of persons to be served by 97
the applicant during the following calendar year; 98

(7) A general description of the additional sources of the 99
applicant's funding; 100

(8) The amount of the applicant's total budget for the 101
calendar year in which the application is filed that it will 102
expend in that calendar year for legal services in each of the 103
counties it serves; 104

(9) A specific description of any services, programs, 105
training, and legal technical assistance to be delivered by the 106

applicant or by another person pursuant to a contract with the 107
applicant, including, but not limited to, by private attorneys 108
or through reduced fee plans, judicare panels, organized pro 109
bono programs, and mediation programs. 110

(C) The Ohio access to justice foundation shall determine 111
whether each applicant that filed an application for financial 112
assistance under division (A) of this section in a calendar year 113
is eligible for financial assistance under this section. To be 114
eligible for such financial assistance, an applicant shall 115
satisfy the criteria for being a legal aid society and shall be 116
in compliance with the provisions of sections 120.51 to 120.55 117
of the Revised Code and with the rules and requirements the 118
foundation establishes pursuant to section 120.52 of the Revised 119
Code. The Ohio access to justice foundation then, on or before 120
the fifteenth day of December of the calendar year in which the 121
application is filed, shall notify each such applicant, in 122
writing, whether it is eligible for financial assistance under 123
this section, and if it is eligible, estimate the amount that 124
will be available for that applicant for each six-month 125
distribution period, as determined under division (D) of this 126
section. 127

(D) The Ohio access to justice foundation shall allocate 128
moneys contained in the legal aid fund monthly for distribution 129
to applicants that filed their applications in the previous 130
calendar year and are determined to be eligible applicants. 131

All moneys contained in the fund on the first day of each 132
month shall be allocated, after deduction of the costs of 133
administering sections 120.51 to 120.55 and sections 1901.26, 134
1907.24, 2303.201, 3953.231, 4705.09, and 4705.10 of the Revised 135
Code that are authorized by section 120.52 of the Revised Code, 136

according to this section and shall be distributed accordingly 137
not later than the last day of the month following the month the 138
moneys were received. In making the allocations under this 139
section, the moneys in the fund that were generated pursuant to 140
sections 1901.26, 1907.24, 2303.201, 3953.231, 4705.09, and 141
4705.10 of the Revised Code shall be apportioned as follows: 142

(1) After deduction of the amount authorized and used for 143
actual, reasonable administrative costs under section 120.52 of 144
the Revised Code: 145

(a) Five per cent of the moneys remaining in the fund 146
shall be reserved for use in the manner described in division 147
(A) of section 120.521 of the Revised Code or for distribution 148
to legal aid societies that provide assistance to special 149
population groups of their eligible clients, engage in special 150
projects that have a substantial impact on their local service 151
area or on significant segments of the state's poverty 152
population, or provide legal training or support to other legal 153
aid societies in the state; 154

(b) After deduction of the amount described in division 155
(D) (1) (a) of this section, one and three-quarters per cent of 156
the moneys remaining in the fund shall be apportioned among 157
entities that received financial assistance from the legal aid 158
fund prior to July 1, 1993, but that, on and after July 1, 1993, 159
no longer qualify as a legal aid society that is eligible for 160
financial assistance under this section. 161

(c) After deduction of the amounts described in divisions 162
(D) (1) (a) and (b) of this section, fifteen per cent of the 163
moneys remaining in the fund shall be placed in the access to 164
justice foundation fund for use in the manner described in 165
division (A) of section 120.521 of the Revised Code. 166

(2) After deduction of the actual, reasonable 167
administrative costs under section 120.52 of the Revised Code 168
and after deduction of the amounts identified in divisions (D) 169
(1) (a), (b), and (c) of this section, the remaining moneys shall 170
be apportioned among the counties that are served by eligible 171
legal aid societies that have applied for financial assistance 172
under this section so that each such county is apportioned a 173
portion of those moneys, based upon the ratio of the number of 174
indigents who reside in that county to the total number of 175
indigents who reside in all counties of this state that are 176
served by eligible legal aid societies that have applied for 177
financial assistance under this section. Subject to division (E) 178
of this section, the moneys apportioned to a county under this 179
division then shall be allocated to the eligible legal aid 180
society that serves the county and that has applied for 181
financial assistance under this section. For purposes of this 182
division, the source of data identifying the number of indigent 183
persons who reside in a county shall be selected by the Ohio 184
access to justice foundation from the best available figures 185
maintained by the United States census bureau. 186

(E) If the Ohio access to justice foundation, in 187
attempting to make an allocation of moneys under division (D) (2) 188
of this section, determines that a county that has been 189
apportioned money under that division is served by more than one 190
eligible legal aid society that has applied for financial 191
assistance under this section, the Ohio access to justice 192
foundation shall allocate the moneys that have been apportioned 193
to that county under division (D) (2) of this section among all 194
eligible legal aid societies that serve that county and that 195
have applied for financial assistance under this section on a 196
pro rata basis, so that each such eligible society is allocated 197

a portion based upon the amount of its total budget expended in 198
the prior calendar year for legal services in that county as 199
compared to the total amount expended in the prior calendar year 200
for legal services in that county by all eligible legal aid 201
societies that serve that county and that have applied for 202
financial assistance under this section. 203

(F) Moneys allocated to eligible applicants under this 204
section shall be paid monthly beginning the calendar year 205
following the calendar year in which the application is filed. 206

(G) (1) A legal aid society that receives financial 207
assistance in any calendar year under this section shall file an 208
annual report with the Ohio access to justice foundation 209
detailing the number and types of cases handled, and the amount 210
and types of legal training, legal technical assistance, and 211
other service provided, by means of that financial assistance. 212
No information contained in the report shall identify or enable 213
the identification of any person served by the legal aid society 214
or in any way breach client confidentiality. 215

(2) The Ohio access to justice foundation shall make an 216
annual report to the governor, the general assembly, and the 217
supreme court~~on~~. No information contained in the report shall 218
identify or enable the identification of any person served by a 219
legal aid society, or in any way breach confidentiality. The 220
report shall include all of the following: 221

(a) A report on the distribution and use of the legal aid 222
fund. The foundation also shall include in the annual report an; 223

(b) An audited financial statement of all gifts, bequests, 224
donations, contributions, and other moneys the foundation 225
receives; 226

(c) The information described in section 120.521 of the 227
Revised Code; 228

(d) The information described in division (E) of section 229
120.532 of the Revised Code. No information contained in the 230
report shall identify or enable the identification of any person 231
served by a legal aid society, or in any way breach 232
confidentiality. 233

(H) A legal aid society may enter into agreements for the 234
provision of services, programs, training, or legal technical 235
assistance for the legal aid society or to indigent persons. 236

Sec. 120.531. (A) There is hereby created in the state 237
treasury the eviction defense fund. The fund shall consist of 238
moneys appropriated to it by the general assembly and moneys 239
directed to it through gifts, bequests, donations, and 240
contributions to the Ohio access to justice foundation. 241

(B) The treasurer of state may invest moneys contained in 242
the eviction defense fund in any manner authorized by the 243
Revised Code for the investment of state moneys. However, no 244
such investment shall interfere with the use of such moneys as 245
required by this section and section 120.532 of the Revised 246
Code. 247

(C) The state public defender, through the Ohio access to 248
justice foundation, shall administer the payment of moneys out 249
of the fund for the charitable public purpose of funding legal 250
representation for indigent defendants in eviction proceedings 251
pursuant to section 120.532 of the Revised Code. 252

Sec. 120.532. (A) As used in this section: 253

(1) "Brief legal assistance" means individualized legal 254
assistance provided in a single consultation by a designated 255

organization to a covered individual in connection with a 256
covered proceeding. 257

(2) "Covered individual" means any person who occupies a 258
dwelling with at least one child under a claim of legal right, 259
other than the dwelling's owner, and whose annual gross income 260
is not more than two hundred fifty per cent of the federal 261
poverty line for the size of the individual's family. 262

(3) "Covered proceeding" means a forcible entry and 263
detainer action filed under Chapter 1923. of the Revised Code 264
and an informal hearing that a metropolitan housing authority is 265
required to provide an opportunity for under 24 C.F.R. 982.555, 266
and any appeals from such proceedings. 267

(4) "Designated organization" means a legal aid society or 268
other organization that has entered into an agreement with the 269
Ohio access to justice foundation pursuant to division (B) of 270
this section. 271

(5) "Federal poverty line" means the official poverty line 272
defined by the United States office of management and budget, 273
based on the most recent data available from the United States 274
bureau of the census, and revised by the United States secretary 275
of health and human services pursuant to 42 U.S.C. 9902. 276

(6) "Full legal representation" means ongoing legal 277
representation provided by a designated organization to a 278
covered individual, and all legal advice, advocacy, and 279
assistance associated with that representation. 280

(7) "Legal services" means brief legal assistance provided 281
to a covered individual or full legal representation provided to 282
a covered individual. 283

(B) Except as provided in division (D) of this section, 284

the Ohio access to justice foundation shall contract with 285
designated organizations to provide full legal representation to 286
defendants in covered proceedings in all areas of the state. 287
Each contract shall require all of the following: 288

(1) That funds distributed to the designated organization 289
from the eviction defense fund, created pursuant to section 290
120.531 of the Revised Code, are to be used only to provide 291
legal services to covered individuals in covered proceedings and 292
to educate tenants of their rights and available resources; 293

(2) That, so long as funding remains available, the 294
designated organization shall seek to provide full legal 295
representation to covered individuals in covered proceedings as 296
soon as possible after the proceedings are initiated and the 297
covered individuals contact the designated organization; 298

(3) That, if the designated organization is unable to 299
provide full legal representation to a covered individual due to 300
an irreconcilable conflict of interest, or because another 301
circumstance makes full legal representation infeasible, the 302
designated organization shall attempt to provide brief legal 303
assistance if the Ohio rules of professional conduct permit it; 304

(4) That the designated organization shall work with the 305
Ohio access to justice foundation and community partners to 306
engage and educate tenants on their rights and available 307
resources; 308

(5) That the designated organization shall meet and report 309
on performance metrics set in the contract, report those metrics 310
to the Ohio access to justice foundation on a quarterly basis, 311
and adhere to quality assurance standards set in the contract as 312
a condition of continuing eligibility for funds from the 313

eviction defense fund. No information contained in the reports 314
shall identify or enable the identification of any person served 315
by a covered organization or in any way breach confidentiality. 316

(6) That information provided pursuant to division (B) (5) 317
of this section shall be provided in such a way as to prevent 318
the identification of any particular individual who received 319
legal services pursuant to the contract; 320

(7) That legal services performed pursuant to the contract 321
shall not supplant, replace, or satisfy any obligations or 322
responsibilities of the designated organization under any other 323
program agreement or contract; 324

(8) Any other terms the Ohio access to justice foundation 325
considers necessary for delivery of competent and efficient 326
legal services in covered proceedings. 327

(C) (1) When seeking to contract with designated 328
organizations to provide legal services in a given area of the 329
state pursuant to division (B) of this section, the Ohio access 330
to justice foundation shall first attempt to contract with a 331
legal aid society that already provides legal representation in 332
that area and receives funds pursuant to divisions (D) (2) and 333
(E) of section 120.53 of the Revised Code for that purpose. 334

(2) If a legal aid society that is already providing legal 335
services in an area of the state, and receives funds pursuant to 336
divisions (D) (2) and (E) of section 120.53 of the Revised Code 337
for that purpose, is unable or unwilling to contract with the 338
Ohio access to justice foundation pursuant to division (B) of 339
this section, the foundation may contract with one or more other 340
nonprofit organizations the foundation determines are able to 341
provide legal services to covered persons in covered proceedings 342

in that area of the state. 343

(3) The Ohio access to justice foundation shall apportion 344
funds from the eviction defense fund to designated organizations 345
with which the foundation contracts, pursuant to division (B) of 346
this section, based on the area of the state the contract 347
concerns and in the same proportion that funds are distributed 348
to legal aid societies servicing that area of the state pursuant 349
to divisions (D)(2) and (E) of section 120.53 of the Revised 350
Code. 351

(D) The Ohio access to justice foundation shall only be 352
required to contract with designated organizations pursuant to 353
division (B) of this section when funds appropriated by the 354
general assembly are available to fund legal services under such 355
contracts. 356

(E)(1) The Ohio access to justice foundation shall 357
include, in the annual report it is required to make to the 358
governor, the general assembly, and the supreme court pursuant 359
to division (G)(2) of section 120.53 of the Revised Code, all of 360
the following: 361

(a) Information about the number of covered individuals 362
served since the last report was submitted; 363

(b) The extent of legal services performed; 364

(c) Information regarding the outcomes achieved through 365
legal services; 366

(d) Projected budgeting needs for full legal 367
representation to all covered individuals; 368

(e) A summary of the engagement and education of tenants. 369

(2) No information contained in the report shall identify 370

or enable the identification of any person served by a covered 371
organization or in any way breach confidentiality. 372

(F) Nothing in this section, or the administration or 373
application of this section, shall be construed to create a 374
private right of action against the state or any state agency, 375
state official, or state employee. 376

Sec. 319.20. After complying with sections 315.251, 377
319.202, 315.251, and 319.203, and 319.204 of the Revised Code, 378
and on application and presentation of title, with the 379
affidavits required by law, or the proper order of a court or 380
the county board of revision, bearing the last known address of 381
the grantee, or of any one of the grantees named in the title 382
and, if the grantee is not a natural person, the name and 383
address of the owner identified or agent designated under 384
section 319.204 of the Revised Code, and a reference to the 385
volume and page of the recording, or other means of identifying 386
the recording, of the next preceding recorded instrument by or 387
through which the grantor claims title, the county auditor shall 388
transfer any land or town lot or part thereof, minerals therein, 389
or mineral rights thereto, charged with taxes on the tax list, 390
from the name in which it stands into the name of the owner, 391
when rendered necessary by a conveyance, partition, devise, 392
descent, or otherwise. If by reason of the conveyance or 393
otherwise, a part only of a tract or lot, minerals therein, or 394
mineral rights thereto, as charged in the tax list, is to be 395
transferred, the auditor shall determine the tax value of the 396
part of a tract or lot of real estate, minerals therein, or 397
mineral rights thereto, so transferred, and the value of the 398
remaining part compared with the value of the whole. 399

Whenever a part only of a tract or lot of real estate has 400

been transferred by the auditor and the tract or lot bears 401
unpaid taxes, penalties, interest, or special assessments, the 402
unpaid taxes, penalties, interest, or special assessments shall 403
immediately be apportioned, upon demand or request by the 404
transferee or remaining owner, in the following manner: 405

(A) The auditor shall allocate to the part so transferred, 406
and to the remaining part, amounts of any current or delinquent 407
taxes, interest, or penalties that have accrued against the 408
parcel as a whole, proportionate to their respective values. 409

(B) The lien of taxes, penalties, interest, and special 410
assessments, as levied against the original tract, shall extend 411
to the part so transferred and the part remaining only to the 412
extent of the amounts so allocated to the respective parts. 413

This section does not change the total amount of taxes, 414
special assessments, or other charges as originally levied, or 415
the total amount of the balance due. The auditor shall certify 416
such apportionments to the county treasurer. 417

Whenever the state acquires an entire parcel or a part 418
only of a parcel of real property in fee simple, the county 419
auditor, upon application of the grantor or property owner or 420
the state, which application shall contain a description of the 421
property as it appears on the tax list and the date of transfer 422
of ownership, shall prepare an estimate of the taxes that are a 423
lien on the property, but have not been determined, assessed, 424
and levied for the year in which the property was acquired. The 425
county auditor shall thereupon apportion the estimated taxes 426
proportionately between the grantor and the state for the period 427
of the lien year that each had or shall have had ownership or 428
possession of the property, whichever is earlier. The county 429
treasurer shall accept payment from the state for estimated 430

taxes at the time that the real property is acquired. If the 431
state has paid in full in the year in which the property is 432
acquired that proportion of the estimated taxes that the tax 433
commissioner determines are not subject to remission by the 434
county auditor for such year under division (D) of section 435
5713.08 of the Revised Code, the estimated taxes paid shall be 436
considered the tax liability on the exempted property for that 437
year. 438

Section 319.42 of the Revised Code applies to the 439
apportionment of special assessments. 440

Complaint against such values as determined by the auditor 441
or the allocation of assessments by the certifying authority may 442
be filed by the transferee or the remaining owner, and if filed, 443
proceedings including appeals shall be had in the manner and 444
within the time provided by sections 5717.01 to 5717.06 and 445
5715.19 to 5715.22 of the Revised Code, for complaints against 446
valuation or assessment of real property. 447

The auditor shall endorse on the deed or other evidences 448
of title presented to the auditor that the proper transfer of 449
the real estate described in the deed has been made in the 450
auditor's office or that it is not entered for taxation, and 451
sign the auditor's name to the deed. The address of the grantee, 452
or any one of the grantees, set forth in the deed or other 453
evidences of title shall be entered by the auditor on the 454
transfer sheets and on the general tax list of real property 455
prepared pursuant to section 319.28 of the Revised Code. 456

Sec. 319.204. (A) For the purposes of this section: 457

(1) "Control" means the authority, by contract or by law, 458
to direct the affairs and day-to-day operations of a grantee 459

without the consent of any other person. 460

(2) "Own" means possession of more than fifty per cent of 461
the stock, equity, or other ownership interest of a grantee. 462

(B) Before the county auditor indorses any real property 463
conveyance or manufactured or mobile home conveyance presented 464
to the auditor pursuant to section 319.20 of the Revised Code or 465
registers any manufactured or mobile home conveyance pursuant to 466
section 4503.061 of the Revised Code, the grantee or the 467
grantee's representative shall submit, either electronically or 468
by three written copies of, a statement that does one of the 469
following: 470

(1) Affirms that the grantee is a natural person; 471

(2) If the grantee is not a natural person, identifies a 472
natural person and who owns or controls the grantee; 473

(3) If the grantee is not a natural person, and no natural 474
person owns or controls the grantee, designates an agent who is 475
a natural person. 476

(C) If the grantee is not a natural person, the statement 477
shall vest the owner identified under division (B)(2) of this 478
section, or the agent designated under division (B)(3) of this 479
section, as applicable, with the authority to make binding 480
decisions on behalf of the grantee respecting the real property 481
or manufactured or mobile home that is the subject of the 482
conveyance. 483

(D) The grantee may change the owner identified or the 484
agent designated under division (B) of this section by filing a 485
petition in the court of common pleas, in the same manner 486
permitted for correcting an error, omission, or defect in an 487
instrument or writing under Chapter 2719. of the Revised Code. 488

Sec. 1923.06. (A) Any summons in an action, including a 489
claim for possession, pursuant to this chapter shall be issued, 490
be in the form specified, and be served and returned as provided 491
in this section. Such service shall be at least seven days 492
before the day set for trial. 493

(B) Every summons issued under this section to recover 494
residential premises shall contain the following language 495
printed in a conspicuous manner: "A complaint to evict you has 496
been filed with this court. No person shall be evicted unless 497
the person's right to possession has ended and no person shall 498
be evicted in retaliation for the exercise of the person's 499
lawful rights. If you are depositing rent with the clerk of this 500
court you shall continue to deposit such rent until the time of 501
the court hearing. The failure to continue to deposit such rent 502
may result in your eviction. You may request a trial by jury or 503
nonbinding mediation. You have the right to seek legal 504
assistance. ~~If you cannot afford a lawyer, you may contact your~~ 505
~~local legal aid or legal service office. If none is available,~~ 506
~~you may contact your local bar association and may qualify for~~ 507
free legal representation based on your income. It is 508
recommended that you inquire with legal aid at 509
www.ohiolegalhelp.org or (866) 529-6446 to see if you are 510
eligible." 511

(C) The clerk of the court in which a complaint to evict 512
is filed shall mail any summons by ordinary mail, along with a 513
copy of the complaint, document, or other process to be served, 514
to the defendant at the address set forth in the caption of the 515
summons and to any address set forth in any written instructions 516
furnished to the clerk. The mailing shall be evidenced by a 517
certificate of mailing which the clerk shall complete and file. 518

In addition to this ordinary mail service, the clerk also 519
shall cause service of that process to be completed under either 520
of the following: 521

(1) Division (D) or (E) of this section or both, depending 522
upon which of those two methods of service is requested by the 523
plaintiff upon filing the complaint to evict; 524

(2) Division (F) of this section if the action relates to 525
a deceased manufactured home park resident. 526

(D) (1) If requested, the clerk shall deliver sufficient 527
copies of the summons, complaint, document, or other process to 528
be served to, and service shall be made by, one of the following 529
persons: 530

(a) The sheriff of the county in which the premises are 531
located when the process issues from a court of common pleas or 532
county court; 533

(b) The bailiff of the court for service when process 534
issues from a municipal court; 535

(c) Any person who is eighteen years of age or older, who 536
is not a party, and who has been designated by order of the 537
court to make service of process when process issues from any of 538
the courts referred to in divisions (D) (1) (a) and (b) of this 539
section. 540

(2) The person serving process shall effect service at the 541
premises that are the subject of the forcible entry and detainer 542
action by one of the following means: 543

(a) By locating the person to be served at the premises to 544
tender a copy of the process and accompanying documents to that 545
person; 546

(b) By leaving a copy of the summons, complaint, document, 547
or other process with a person of suitable age and discretion 548
found at the premises if the person to be served cannot be found 549
at the time the person making service attempts to serve the 550
summons pursuant to division (D) (2) (a) of this section; 551

(c) By posting a copy in a conspicuous place on the 552
subject premises if service cannot be made pursuant to divisions 553
(D) (2) (a) and (b) of this section. 554

(3) Within five days after receiving the summons, 555
complaint, document, or other process from the clerk for 556
service, the person making service shall return the process to 557
the clerk. The person shall indicate on the process which method 558
described in division (D) (2) of this section was used to serve 559
the summons. The clerk shall make the appropriate entry on the 560
appearance docket. 561

(E) If requested, the clerk shall mail by certified mail, 562
return receipt requested, a copy of the summons, complaint, 563
document, or other process to be served to the address set forth 564
in the caption of the summons and to any address set forth in 565
any written instructions furnished to the clerk. 566

(F) (1) If the person to be evicted in an action pursuant 567
to this chapter is a deceased manufactured home park resident, 568
the plaintiff shall provide to the clerk the following 569
information: 570

(a) If the plaintiff knows that a probate court has 571
granted letters testamentary or of administration for the estate 572
of the deceased resident, the name and address of the probate 573
court, the case number of the estate, and the name and address 574
of the executor or administrator appointed by the probate court; 575

(b) If the plaintiff knows that a probate court has not 576
granted letters testamentary or of administration for the estate 577
of the deceased resident or does not know whether or not a 578
probate court has granted letters testamentary or of 579
administration for the estate, the names and addresses of the 580
deceased resident's spouse and any other members of the deceased 581
resident's immediate family that are known to the plaintiff; 582

(c) If the plaintiff does not possess the information set 583
forth in division (F)(1)(a) or (b) of this section, an affidavit 584
from the plaintiff stating that the plaintiff does not possess 585
the information. 586

(2)(a) Upon receipt from the plaintiff of the information 587
set forth in division (F)(1)(a) of this section, the clerk shall 588
mail by certified mail, return receipt requested, a copy of the 589
summons, complaint, document, or other process to be served to 590
the address of the executor or administrator appointed by the 591
probate court. 592

(b) Upon receipt from the plaintiff of the information set 593
forth in division (F)(1)(b) or (c) of this section, the clerk 594
shall do both of the following: 595

(i) Mail by ordinary mail and by certified mail, return 596
receipt requested, a copy of the summons, complaint, document, 597
or other process to be served to the persons and addresses 598
provided by the plaintiff, if any. The ordinary mail mailing 599
shall be evidenced by a certificate of mailing that the clerk 600
shall complete and file. 601

(ii) Cause service of notice to be made by publication in 602
a newspaper of general circulation in the county in which the 603
complaint is filed. The publication shall set forth the name and 604

address of the court, the case number, the name and address of 605
the plaintiff or the plaintiff's attorney, and the name and 606
address of the deceased manufactured home park resident. The 607
publication shall describe the premises entered upon and 608
detained, shall contain a summary statement of the object of the 609
eviction complaint against the deceased resident, and shall 610
state that the claim for restitution of the premises shall be 611
scheduled for a hearing in accordance with local court rules, 612
but in no event sooner than the seventh day from the date 613
service is complete. The clerk shall cause the publication to be 614
published at least once a week for two weeks. 615

(G) Service of process shall be deemed complete on the 616
date that any of the following has occurred: 617

(1) Service is made pursuant to division (D) (2) (a) or (b) 618
of this section. 619

(2) Both ordinary mail service under division (C) and 620
service by posting pursuant to division (D) (2) (c) of this 621
section have been made. 622

(3) For service performed pursuant to division (E) or (F) 623
(2) (a) of this section, on the date of mailing, if on the date 624
of the hearing either of the following applies: 625

(a) The certified mail has not been returned for any 626
reason other than refused or unclaimed. 627

(b) The certified mail has not been endorsed, and the 628
ordinary mail has not been returned. 629

(4) For service performed under division (F) (2) (b) of this 630
section, on the date of mailing under division (F) (2) (b) (i) of 631
this section or on the date of the last publication under 632
division (F) (2) (b) (ii) of this section, whichever is later, if 633

on the date of the hearing, either of the following applies: 634

(a) The certified mail has not been returned for any 635
reason other than refused or unclaimed. 636

(b) The certified mail has not been endorsed, and the 637
ordinary mail has not been returned. 638

(H) (1) The claim for restitution of the premises shall be 639
scheduled for hearing in accordance with local court rules, but 640
in no event sooner than the seventh day from the date service is 641
complete. 642

(2) Answer day for any other claims filed with the claim 643
for possession shall be twenty-eight days from the date service 644
is deemed complete under this section. 645

(I) As used in this section, "immediate family" means a 646
person's spouse, brothers and sisters of the whole or half 647
blood, children, including adopted children and stepchildren, 648
parents, and grandparents. 649

Sec. 1923.08. No continuance in an action under this 650
chapter shall be granted for a period longer than eight days, 651
unless ~~the~~ any of the following apply: 652

(A) The plaintiff applies for the continuance and the 653
defendant consents to it, ~~or unless the~~ . 654

(B) The defendant applies for the continuance and gives a 655
bond to the plaintiff, with good and sufficient surety, that is 656
approved by the court and conditioned for the payment of rent 657
that may accrue, if judgment is rendered against the defendant. 658

(C) The defendant is entitled to legal representation 659
under section 120.532 of the Revised Code and has not yet 660
entered into an attorney-client relationship with an attorney 661

providing services pursuant to that section. A stay entered 662
pursuant to this division shall be for fourteen days. 663

(D) Either the plaintiff or the defendant demand 664
nonbinding mediation under section 1923.16 of the Revised Code, 665
in which case the judge shall enter a stay for fifty days, which 666
may be extended in accordance with that section. 667

Sec. 1923.09. (A) If an action under this chapter is not 668
continued, the place of trial is not changed, and neither party 669
demands a jury or nonbinding mediation on the return day of the 670
summons, a judge of the court shall try the cause. After hearing 671
the evidence, if the judge concludes that the complaint is not 672
true, the judge shall enter judgment against the plaintiff for 673
costs. If the judge finds the complaint to be true, the judge 674
shall render a general judgment against the defendant, in favor 675
of the plaintiff, for restitution of the premises and costs of 676
suit. If the judge finds the complaint true in part, the judge 677
shall render a judgment for restitution of that part only, and 678
the costs shall be taxed as the judge considers just. 679

(B) If a judgment is entered under this section in favor 680
of a plaintiff who is a park operator, the judge shall include 681
in the judgment entry authority for the plaintiff to permit, in 682
accordance with section 1923.12 and division (B) of section 683
1923.13 and division (B) of section 1923.14 of the Revised Code, 684
the removal from the manufactured home park and potential sale, 685
destruction, or transfer of ownership of the defendant's 686
manufactured home, mobile home, or recreational vehicle. 687

Sec. 1923.111. (A) Upon the motion of a tenant or 688
manufactured home park resident, or upon the court's own motion, 689
a court in which an action under this chapter was commenced may 690
order the court file in the action to be sealed if any of the 691

following applies: 692

(1) The action was dismissed. 693

(2) Judgment was granted for the defendant in the action. 694

(3) The plaintiff prevailed on the merits in the action 695
and all of the following apply: 696

(a) At least five years have passed since judgment was 697
entered. 698

(b) At least five years have passed since any judgment was 699
entered against the defendant in that court. 700

(c) If the plaintiff prevailed on an action for past due 701
rent or other damages under a rental agreement, the defendant 702
has satisfied the judgment. 703

(4) The plaintiff consents to sealing the court file. 704

(5) The judgment was granted improperly. 705

(6) The judge decides that restricting public access to 706
the court file is appropriate under Rule 45 of the Rules of 707
Superintendence for the Courts of Ohio. 708

(B) (1) If the defendant in an action under this chapter 709
files a motion to seal under this section, the defendant shall 710
serve the plaintiff with a copy of the motion. 711

(2) The plaintiff may file a response to the motion to 712
seal within seventeen days of the filing. 713

(3) Either party may request an oral hearing on a motion 714
to seal. 715

(C) The court may consider any of the following when 716
considering a motion to seal: 717

<u>(1) Whether any unusual or exceptional circumstances</u>	718
<u>apply;</u>	719
<u>(2) The disposition of the action, including which party</u>	720
<u>prevailed or whether the matter was voluntarily dismissed;</u>	721
<u>(3) Whether the plaintiff has filed a memorandum opposing</u>	722
<u>the motion to seal;</u>	723
<u>(4) The legitimate need of the government to maintain a</u>	724
<u>public record of the case;</u>	725
<u>(5) Any other relevant information.</u>	726
<u>(D) If the court grants a motion to seal under this</u>	727
<u>section, the clerk shall cause the tenant's or manufactured home</u>	728
<u>park resident's name to be redacted from all public records the</u>	729
<u>clerk maintains, including the electronic case index system, to</u>	730
<u>the same extent the clerk would for the sealing of the record of</u>	731
<u>a criminal conviction.</u>	732
<u>(E) A court shall not consider sealing more than five</u>	733
<u>cases per individual.</u>	734
<u>Sec. 1923.16. Any time after a complaint is filed under</u>	735
<u>section 1923.05 of the Revised Code, and before trial</u>	736
<u>proceedings are commenced, either the plaintiff or defendant may</u>	737
<u>demand nonbinding mediation. Upon such a demand, the court shall</u>	738
<u>appoint a mediator, and the mediation shall be conducted and</u>	739
<u>concluded within fifty days after the complaint was filed. Only</u>	740
<u>a judge may extend the time for concluding the mediation. If the</u>	741
<u>mediation is not timely concluded, or does not resolve the</u>	742
<u>dispute, the cause of action shall proceed to trial under</u>	743
<u>section 1923.09 or 1923.10 of the Revised Code. The judge shall</u>	744
<u>determine which party or parties shall pay the cost of the</u>	745
<u>mediation.</u>	746

Sec. 3735.41. Except as otherwise provided in section 747
3735.43 of the Revised Code, in the operation or management of 748
housing projects a metropolitan housing authority shall observe 749
the following with respect to rentals and tenant selection: 750

(A) (1) It shall not provide a federally derived rent 751
subsidy to any tenant for any dwelling in a housing project if 752
the persons who would occupy the dwelling have an aggregate 753
annual net income that equals or exceeds the amount that the 754
authority determines to be necessary to enable such persons to 755
do both of the following: 756

(a) Secure safe, sanitary, and uncongested dwelling 757
accommodations within the area of operation of the authority; 758

(b) Provide an adequate standard of living for themselves. 759

(2) As used in this division, "aggregate annual net 760
income" means the aggregate annual income less the deductions 761
and exemptions from that income authorized by law or regulations 762
established by the United States department of housing and urban 763
development. 764

(B) (1) Except as provided in division (B) (2) of this 765
section, it may rent or lease the dwelling accommodations 766
therein only at rentals within the financial reach of persons 767
who lack the amount of income which it determines, pursuant to 768
division (A) of this section, to be necessary in order to obtain 769
safe, sanitary, and uncongested dwelling accommodations within 770
the area of operation of the authority and to provide an 771
adequate standard of living. 772

(2) It may rent or lease to nonresidential tenants and 773
persons of varying incomes within a project, mixed-use 774
development, or mixed-income development. 775

(C) It may use a federally derived rent subsidy to rent or 776
lease to a tenant a dwelling consisting of the number of rooms, 777
but no greater number, which it considers necessary to provide 778
safe and sanitary accommodations to the proposed occupants 779
thereof, without overcrowding. 780

(D) It shall include a notice of a tenant's potential 781
right to legal representation pursuant to section 120.532 of the 782
Revised Code in every notice sent pursuant to 24 C.F.R. 982.555. 783

Sections 3735.27 to 3735.50 of the Revised Code do not 784
limit the power of an authority to vest in a bondholder the 785
right, in the event of a default by such authority, to take 786
possession of a housing project or cause the appointment of a 787
receiver thereof or acquire title thereto through foreclosure 788
proceedings, free from all the restrictions imposed by such 789
sections. 790

Sec. 3781.10. (A) (1) The board of building standards shall 791
formulate and adopt rules governing the erection, construction, 792
repair, alteration, and maintenance of all buildings or classes 793
of buildings specified in section 3781.06 of the Revised Code, 794
including land area incidental to those buildings, the 795
construction of industrialized units, the installation of 796
equipment, and the standards or requirements for materials used 797
in connection with those buildings. The board shall incorporate 798
those rules into separate residential and nonresidential 799
building codes. The standards shall relate to the conservation 800
of energy and the safety and sanitation of those buildings. 801

(2) The rules governing nonresidential buildings are the 802
lawful minimum requirements specified for those buildings and 803
industrialized units, except that no rule other than as provided 804
in division (C) of section 3781.108 of the Revised Code that 805

specifies a higher requirement than is imposed by any section of 806
the Revised Code is enforceable. The rules governing residential 807
buildings are uniform requirements for residential buildings in 808
any area with a building department certified to enforce the 809
state residential building code. In no case shall any local code 810
or regulation differ from the state residential building code 811
unless that code or regulation addresses subject matter not 812
addressed by the state residential building code or is adopted 813
pursuant to section 3781.01 of the Revised Code. 814

(3) The rules adopted pursuant to this section are 815
complete, lawful alternatives to any requirements specified for 816
buildings or industrialized units in any section of the Revised 817
Code. Except as otherwise provided in division (I) of this 818
section, the board shall, on its own motion or on application 819
made under sections 3781.12 and 3781.13 of the Revised Code, 820
formulate, propose, adopt, modify, amend, or repeal the rules to 821
the extent necessary or desirable to effectuate the purposes of 822
sections 3781.06 to 3781.18 of the Revised Code. 823

(B) The board shall report to the general assembly 824
proposals for amendments to existing statutes relating to the 825
purposes declared in section 3781.06 of the Revised Code that 826
public health and safety and the development of the arts require 827
and shall recommend any additional legislation to assist in 828
carrying out fully, in statutory form, the purposes declared in 829
that section. The board shall prepare and submit to the general 830
assembly a summary report of the number, nature, and disposition 831
of the petitions filed under sections 3781.13 and 3781.14 of the 832
Revised Code. 833

(C) On its own motion or on application made under 834
sections 3781.12 and 3781.13 of the Revised Code, and after 835

thorough testing and evaluation, the board shall determine by 836
rule that any particular fixture, device, material, process of 837
manufacture, manufactured unit or component, method of 838
manufacture, system, or method of construction complies with 839
performance standards adopted pursuant to section 3781.11 of the 840
Revised Code. The board shall make its determination with regard 841
to adaptability for safe and sanitary erection, use, or 842
construction, to that described in any section of the Revised 843
Code, wherever the use of a fixture, device, material, method of 844
manufacture, system, or method of construction described in that 845
section of the Revised Code is permitted by law. The board shall 846
amend or annul any rule or issue an authorization for the use of 847
a new material or manufactured unit on any like application. No 848
department, officer, board, or commission of the state other 849
than the board of building standards or the board of building 850
appeals shall permit the use of any fixture, device, material, 851
method of manufacture, newly designed product, system, or method 852
of construction at variance with what is described in any rule 853
the board of building standards adopts or issues or that is 854
authorized by any section of the Revised Code. Nothing in this 855
section shall be construed as requiring approval, by rule, of 856
plans for an industrialized unit that conforms with the rules 857
the board of building standards adopts pursuant to section 858
3781.11 of the Revised Code. 859

(D) The board shall recommend rules, codes, and standards 860
to help carry out the purposes of section 3781.06 of the Revised 861
Code and to help secure uniformity of state administrative 862
rulings and local legislation and administrative action to the 863
bureau of workers' compensation, the director of commerce, any 864
other department, officer, board, or commission of the state, 865
and to legislative authorities and building departments of 866

counties, townships, and municipal corporations, and shall 867
recommend that they audit those recommended rules, codes, and 868
standards by any appropriate action that they are allowed 869
pursuant to law or the constitution. 870

(E) (1) The board shall certify municipal, township, and 871
county building departments, the personnel of those building 872
departments, persons described in division (E) (7) of this 873
section, and employees of individuals, firms, the state, or 874
corporations described in division (E) (7) of this section to 875
exercise enforcement authority, to accept and approve plans and 876
specifications, and to make inspections, pursuant to sections 877
3781.03, 3791.04, and 4104.43 of the Revised Code. 878

(2) The board shall certify departments, personnel, and 879
persons to enforce the state residential building code, to 880
enforce the nonresidential building code, or to enforce both the 881
residential and the nonresidential building codes. Any 882
department, personnel, or person may enforce only the type of 883
building code for which certified. 884

~~(3)~~ (3) (a) The board shall not require a building 885
department, its personnel, or any persons that it employs to be 886
certified for residential building code enforcement if that 887
building department does not enforce the state residential 888
building code. 889

(b) The board shall specify, in rules adopted pursuant to 890
Chapter 119. of the Revised Code, the requirements for 891
certification for residential and nonresidential building code 892
enforcement, which shall be consistent with ~~this division~~ (E) (3) 893
of this section. 894

(c) Rules adopted under division (E) (3) (b) of this section 895

related to residential building code enforcement shall make the 896
certification process as accessible as possible, while still 897
ensuring that certificate holders are adequately qualified to 898
enforce compliance with the state's residential building 899
standards. 900

(d) The requirements for residential and nonresidential 901
certification may differ. 902

(e) Except as otherwise provided in this division, the 903
requirements shall include, but are not limited to, the 904
satisfactory completion of an initial examination and, to remain 905
certified, the completion of a specified number of hours of 906
continuing building code education within each three-year period 907
following the date of certification which shall be not less than 908
thirty hours. 909

(f) The rules shall provide that continuing education 910
credits and certification issued by the council of American 911
building officials, national model code organizations, and 912
agencies or entities the board recognizes are acceptable for 913
purposes of ~~this division~~ (E) (3) of this section. 914

(g) The rules shall specify requirements that are 915
consistent with the provisions of section 5903.12 of the Revised 916
Code relating to active duty military service and are 917
compatible, to the extent possible, with requirements the 918
council of American building officials and national model code 919
organizations establish. 920

(4) The board shall establish and collect a certification 921
and renewal fee for building department personnel, and persons 922
and employees of persons, firms, or corporations as described in 923
this section, who are certified pursuant to this division. 924

(5) Any individual certified pursuant to this division 925
shall complete the number of hours of continuing building code 926
education that the board requires or, for failure to do so, 927
forfeit certification. 928

(6) This division does not require or authorize the board 929
to certify personnel of municipal, township, and county building 930
departments, and persons and employees of persons, firms, or 931
corporations as described in this section, whose 932
responsibilities do not include the exercise of enforcement 933
authority, the approval of plans and specifications, or making 934
inspections under the state residential and nonresidential 935
building codes. 936

(7) Enforcement authority for approval of plans and 937
specifications and enforcement authority for inspections may be 938
exercised, and plans and specifications may be approved and 939
inspections may be made on behalf of a municipal corporation, 940
township, or county, by any of the following who the board of 941
building standards certifies: 942

(a) Officers or employees of the municipal corporation, 943
township, or county; 944

(b) Persons, or employees of persons, firms, or 945
corporations, pursuant to a contract to furnish architectural, 946
engineering, or other services to the municipal corporation, 947
township, or county; 948

(c) Officers or employees of, and persons under contract 949
with, a municipal corporation, township, county, health 950
district, or other political subdivision, pursuant to a contract 951
to furnish architectural, engineering, or other services; 952

(d) Officers or employees of the division of industrial 953

compliance in the department of commerce pursuant to a contract 954
authorized by division (B) of section 121.083 of the Revised 955
Code; 956

(e) Persons, or employees of persons, firms, or 957
corporations, or officers or employees of other municipal 958
corporations, townships, or counties certified by the board of 959
building standards to make inspections under conditions 960
established in rules adopted under division (E) (11) (c) of this 961
section. 962

(8) Municipal, township, and county building departments 963
have jurisdiction within the meaning of sections 3781.03, 964
3791.04, and 4104.43 of the Revised Code, only with respect to 965
the types of buildings and subject matters for which they are 966
certified under this section. 967

(9) A certified municipal, township, or county building 968
department may exercise enforcement authority, accept and 969
approve plans and specifications, and make inspections pursuant 970
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 971
for a park district created pursuant to Chapter 1545. of the 972
Revised Code upon the approval, by resolution, of the board of 973
park commissioners of the park district requesting the 974
department to exercise that authority and conduct those 975
activities, as applicable. 976

(10) Certification shall be granted upon application by 977
the municipal corporation, the board of township trustees, or 978
the board of county commissioners and approval of that 979
application by the board of building standards. The application 980
shall set forth: 981

(a) Whether the certification is requested for residential 982

or nonresidential buildings, or both; 983

(b) The number and qualifications of the staff composing 984
the building department; 985

(c) The names, addresses, and qualifications of persons, 986
firms, or corporations contracting to furnish work or services 987
pursuant to division (E) (7) (b) of this section; 988

(d) The names of any other municipal corporation, 989
township, county, health district, or political subdivision 990
under contract to furnish work or services pursuant to division 991
(E) (7) of this section; 992

(e) The proposed budget for the operation of the building 993
department. 994

(11) The board of building standards shall adopt rules 995
governing all of the following: 996

(a) The certification of building department personnel and 997
persons and employees of persons, firms, or corporations 998
exercising authority pursuant to division (E) (7) of this 999
section. The rules shall disqualify any employee of the 1000
department or person who contracts for services with the 1001
department or a general contractor or owner under section 1002
3781.181 of the Revised Code from performing services for the 1003
department or the general contractor or owner when that employee 1004
or person would have to pass upon, inspect, or otherwise 1005
exercise authority over any labor, material, or equipment the 1006
employee or person furnishes for the construction, alteration, 1007
or maintenance of a building or the preparation of working 1008
drawings or specifications for work within the jurisdictional 1009
area of the department. ~~The~~ Except in the case of a contract 1010
under section 3781.181 of the Revised Code, the department shall 1011

provide other similarly qualified personnel to enforce the 1012
residential and nonresidential building codes as they pertain to 1013
that work. 1014

(b) The minimum services to be provided by a certified 1015
building department; 1016

(c) Rules necessary to implement section 3781.181 of the 1017
Revised Code. 1018

(12) The board of building standards may revoke or suspend 1019
certification to enforce the residential and nonresidential 1020
building codes, on petition to the board by any person affected 1021
by that enforcement or approval of plans, or by the board on its 1022
own motion. Hearings shall be held and appeals permitted on any 1023
proceedings for certification or revocation or suspension of 1024
certification in the same manner as provided in section 3781.101 1025
of the Revised Code for other proceedings of the board of 1026
building standards. 1027

(13) Upon certification, and until that authority is 1028
revoked, any county or township building department shall 1029
enforce the residential and nonresidential building codes for 1030
which it is certified without regard to limitation upon the 1031
authority of boards of county commissioners under Chapter 307. 1032
of the Revised Code or boards of township trustees under Chapter 1033
505. of the Revised Code. 1034

(14) The board shall certify a person to exercise 1035
enforcement authority, to accept and approve plans and 1036
specifications, or to make inspections in this state in 1037
accordance with Chapter 4796. of the Revised Code if either of 1038
the following applies: 1039

(a) The person holds a license or certificate in another 1040

state. 1041

(b) The person has satisfactory work experience, a 1042
government certification, or a private certification as 1043
described in that chapter in the same profession, occupation, or 1044
occupational activity as the profession, occupation, or 1045
occupational activity for which the certificate is required in 1046
this state in a state that does not issue that license or 1047
certificate. 1048

(F) In addition to hearings sections 3781.06 to 3781.18 1049
and 3791.04 of the Revised Code require, the board of building 1050
standards shall make investigations and tests, and require from 1051
other state departments, officers, boards, and commissions 1052
information the board considers necessary or desirable to assist 1053
it in the discharge of any duty or the exercise of any power 1054
mentioned in this section or in sections 3781.06 to 3781.18, 1055
3791.04, and 4104.43 of the Revised Code. 1056

(G) The board shall adopt rules and establish reasonable 1057
fees for the review of all applications submitted where the 1058
applicant applies for authority to use a new material, assembly, 1059
or product of a manufacturing process. The fee shall bear some 1060
reasonable relationship to the cost of the review or testing of 1061
the materials, assembly, or products and for the notification of 1062
approval or disapproval as provided in section 3781.12 of the 1063
Revised Code. 1064

(H) The residential construction advisory committee shall 1065
provide the board with a proposal for a state residential 1066
building code that the committee recommends pursuant to division 1067
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 1068
recommendation from the committee that is acceptable to the 1069
board, the board shall adopt rules establishing that code as the 1070

state residential building code. 1071

(I) (1) The committee may provide the board with proposed 1072
rules to update or amend the state residential building code 1073
that the committee recommends pursuant to division (E) of 1074
section 4740.14 of the Revised Code. 1075

(2) If the board receives a proposed rule to update or 1076
amend the state residential building code as provided in 1077
division (I) (1) of this section, the board either may accept or 1078
reject the proposed rule for incorporation into the residential 1079
building code. If the board does not act to either accept or 1080
reject the proposed rule within ninety days after receiving the 1081
proposed rule from the committee as described in division (I) (1) 1082
of this section, the proposed rule shall become part of the 1083
residential building code. 1084

(J) The board shall cooperate with the director of job and 1085
family services when the director promulgates rules pursuant to 1086
section 5104.05 of the Revised Code regarding safety and 1087
sanitation in type A family child care homes. 1088

(K) The board shall adopt rules to implement the 1089
requirements of section 3781.108 of the Revised Code. 1090

Sec. 3781.181. (A) As used in this section: 1091

(1) "Nonresidential building" and "residential building" 1092
have the same meanings as in section 3781.06 of the Revised 1093
Code. 1094

(2) "Owner" means the fee owner of any building or 1095
structure. 1096

(3) "Third-party private inspector" means an inspector 1097
that is certified under section 3781.10 of the Revised Code to 1098

to accept and approve plans and specifications, and to make 1099
inspections of residential or nonresidential building 1100
construction projects but who is not directly employed by a 1101
governmental entity. 1102

(B) A building department having jurisdiction with respect 1103
to a residential or nonresidential building shall review plans 1104
and perform inspections of residential and nonresidential 1105
building construction projects within thirty days after 1106
receiving a plan review or inspection request. 1107

(C) The board of building standards shall do all of the 1108
following: 1109

(1) Maintain a list of third-party private inspectors and 1110
building departments that are certified by the board to conduct 1111
plan review or to provide inspections for residential and 1112
nonresidential buildings; 1113

(2) Include on the list for each third-party private 1114
inspector all of the following: 1115

(a) Whether the third-party private inspector is certified 1116
to conduct plan review, provide inspections, or both; 1117

(b) Whether the third-party private inspector is certified 1118
to provide services for residential buildings, nonresidential 1119
buildings, or both; 1120

(c) Any other limitations on the third-party private 1121
inspector's authority to provide services under this section. 1122

(3) Publish the list to a publicly accessible web site 1123
maintained by the board. 1124

(D) (1) If the building department having jurisdiction does 1125
not timely conduct the plan review or inspection in accordance 1126

with division (B) of this section, the general contractor or 1127
owner of the residential or nonresidential building construction 1128
project may notify the board of building standards and the 1129
building department having jurisdiction that the general 1130
contractor or owner intends to contract for an independent plan 1131
review or inspection. 1132

(2) After sending notice, the general contractor or owner 1133
may enter into a contract with a qualified third-party private 1134
inspector or a building department included on the list 1135
maintained by the board under division (C) of this section to 1136
conduct the plan review or inspection of the residential or 1137
nonresidential building construction project. 1138

(3) The general contractor or owner is responsible for 1139
payment of both of the following: 1140

(a) Any fee contracted for by the third-party private 1141
inspector or certified building department for the independent 1142
plan review or inspection under division (D) (2) of this section; 1143

(b) Any fee charged by the building department having 1144
jurisdiction that is customary for the approval of a plan review 1145
or inspection, including an administrative or filing fee, but 1146
excluding any fee related to the actual plan review or 1147
inspection. 1148

(4) A third-party private inspector or an inspector 1149
employed by a certified building department shall send the 1150
results to the building department having jurisdiction within 1151
twenty-four hours after completing an independent plan review or 1152
inspection. 1153

(5) The rules adopted by the board of building standards 1154
under section 3781.10 of the Revised Code shall prescribe 1155

procedures for the review and processing of plan review and 1156
inspection reports by the building official of the building 1157
department having jurisdiction. 1158

(E) A building department having jurisdiction with respect 1159
to a residential or nonresidential building inspection may 1160
contract for an independent plan review or inspection in the 1161
same manner prescribed by division (C) of this section, except 1162
that the building department having jurisdiction shall pay any 1163
fee contracted for by the third-party private inspector or 1164
certified building department. 1165

(F) A general contractor or owner of a residential or 1166
nonresidential construction project may request a certificate of 1167
occupancy from either of the following: 1168

(1) The building department having jurisdiction; 1169

(2) The board of building standards. 1170

Sec. 4735.55. (A) ~~Each~~ No licensee shall provide services 1171
that require a license under this chapter to, or on behalf of, a 1172
seller or purchaser without first entering into a written agency 1173
agreement ~~shall contain that contains~~ all of the following: 1174

(1) An expiration date; 1175

(2) A statement that it is illegal, pursuant to the Ohio 1176
fair housing law, division (H) of section 4112.02 of the Revised 1177
Code, and the federal fair housing law, 42 U.S.C.A. 3601, as 1178
amended, to refuse to sell, transfer, assign, rent, lease, 1179
sublease, or finance housing accommodations, refuse to negotiate 1180
for the sale or rental of housing accommodations, or otherwise 1181
deny or make unavailable housing accommodations because of race, 1182
color, religion, sex, familial status as defined in section 1183
4112.01 of the Revised Code, ancestry, military status as 1184

defined in that section, disability as defined in that section, 1185
or national origin or to so discriminate in advertising the sale 1186
or rental of housing, in the financing of housing, or in the 1187
provision of real estate brokerage services; 1188

(3) A statement defining the practice known as 1189
"blockbusting" and stating that it is illegal; 1190

(4) A copy of the United States department of housing and 1191
urban development equal housing opportunity logotype, as set 1192
forth in 24 C.F.R. 109.30, as amended; 1193

(5) A statement that the licensee is appointed as an agent 1194
of the client, and an indication of whether the agency 1195
relationship is exclusive or nonexclusive; 1196

(6) The terms by which the real estate broker is to be 1197
compensated. 1198

(B) Each written agency agreement shall contain a place 1199
for the licensee and the client to sign and date the agreement. 1200

(C) A licensee shall furnish a copy of any written agency 1201
agreement to a client in a timely manner after the licensee and 1202
the client have signed and dated it. 1203

Sec. 4735.56. (A) Each brokerage shall develop a written 1204
brokerage policy on agency to be given to prospective sellers 1205
and purchasers in accordance with divisions (C) and (D) of this 1206
section. 1207

(B) The brokerage policy on agency described in division 1208
(A) of this section shall include all of the following 1209
information: 1210

(1) An explanation of the permissible agency relationships 1211
available under section 4735.53 of the Revised Code and the 1212

duties that the agent owes the agent's client; 1213

(2) The brokerage's policy on representation of purchasers 1214
or sellers; 1215

(3) Whether at some time during the agency relationship 1216
the brokerage and its licensee may act as a dual agent, and the 1217
options and consequences for the client if a dual agency 1218
situation arises including the right of the client to terminate 1219
the agency relationship and seek representation from another 1220
source; 1221

(4) Whether at some time during the agency relationship, 1222
another licensee affiliated with the same brokerage as the 1223
licensee may become the exclusive agent for the other party in 1224
the transaction and whether each licensee will represent only 1225
the interests of that licensee's client; 1226

(5) The brokerage's policy on cooperation with other 1227
brokerages, including whether the brokerage offers compensation 1228
to other brokerages or will seek compensation from other 1229
brokerages; 1230

(6) That a brokerage that has a purchaser as a client 1231
represents the purchaser's interests even though the seller's 1232
agent or the seller may compensate that purchaser's brokerage; 1233

(7) That the signature of the purchaser or the seller 1234
indicates acknowledgement of receipt of the brokerage policy on 1235
agency. 1236

(C) A licensee ~~acting as a seller's agent working directly~~ 1237
with a seller in a real estate transaction shall provide the 1238
seller with the brokerage policy on agency described in this 1239
section ~~prior to marketing or showing the seller's real estate~~ 1240
at the time the licensee and seller enter into an agency 1241

agreement, as required by section 4735.55 of the Revised Code, 1242
and shall obtain a signature from the seller acknowledging 1243
receipt unless the seller refuses to provide a signature. If the 1244
seller refuses to provide a signature, the licensee shall note 1245
this on the policy. 1246

(D) A licensee working directly with a purchaser in a real 1247
estate transaction, whether as the purchaser's agent, the 1248
seller's agent, or the seller's subagent, shall provide the 1249
purchaser with the brokerage policy on agency described in this 1250
section and obtain a signature from the purchaser acknowledging 1251
receipt of the policy unless the purchaser refuses to provide a 1252
signature. If the purchaser refuses to provide a signature, the 1253
licensee shall note this on the policy. Except as provided in 1254
division (E) of this section, the licensee shall provide the 1255
brokerage policy on agency to a purchaser prior to the earliest 1256
of the following actions of the licensee: 1257

(1) Initiating a prequalification evaluation to determine 1258
whether the purchaser has the financial ability to purchase or 1259
lease a particular real estate property; 1260

(2) Requesting specific financial information from the 1261
purchaser to determine the purchaser's ability to purchase or 1262
finance real estate in a particular price range; 1263

(3) Showing the real estate to the purchaser other than at 1264
an open house; 1265

(4) Discussing, with the purchaser, the making of an offer 1266
to purchase or lease real estate; 1267

(5) Submitting an offer to purchase or lease real estate 1268
on behalf of the purchaser; 1269

(6) Entering into an agency agreement with the purchaser 1270

under section 4735.55 of the Revised Code. 1271

(E) If the earliest event described in division (D) of 1272
this section is by telephone or electronic mail, the licensee 1273
shall disclose by that same medium the nature of the agency 1274
relationship that the licensee has with both the seller and the 1275
purchaser. The licensee shall provide the purchaser with the 1276
brokerage policy on agency described in this section at the 1277
first meeting with the purchaser following this disclosure of 1278
the agency relationship. 1279

(F) A licensee acting as a seller's agent is not required 1280
to provide a purchaser with the brokerage policy on agency 1281
described in this section except in the case of an event 1282
described in division (D) of this section. 1283

(G) The requirements of this section regarding provision 1284
of a brokerage policy on agency apply only in the following 1285
situations: 1286

(1) The sale or lease of vacant land; 1287

(2) The sale of a parcel of real estate containing one to 1288
four residential units; 1289

(3) The leasing of residential premises as defined in 1290
section 5321.01 of the Revised Code, if the rental or lease 1291
agreement is for a term of more than eighteen months. 1292

Sec. 4735.59. To change the party a licensee represents in 1293
a real estate transaction after an agency disclosure statement 1294
has been signed and dated ~~or,~~ following verbal disclosure of 1295
the agency relationship, or following an agency agreement under 1296
section 4735.55 of the Revised Code, the licensee shall obtain 1297
written consent from the party originally represented to 1298
represent another party in the transaction. The licensee shall 1299

promptly notify all persons who had been notified of the 1300
original relationship. 1301

The Ohio real estate commission may adopt rules in 1302
accordance with Chapter 119. of the Revised Code to provide for 1303
required disclosures when a licensee terminates an agency 1304
relationship and becomes a principal in the transaction. 1305

Sec. 5321.17. (A) Except as provided in division (C) of 1306
this section, the landlord or the tenant may terminate or fail 1307
to renew a week-to-week tenancy by notice given the other at 1308
least seven days prior to the termination date specified in the 1309
notice. 1310

(B) Except as provided in division (C) of this section, 1311
the landlord or the tenant may terminate or fail to renew a 1312
month-to-month tenancy by notice given the other at least thirty 1313
days prior to the periodic rental date. 1314

(C) If a tenant violates division (A) (9) of section 1315
5321.05 of the Revised Code and if the landlord has actual 1316
knowledge of or has reasonable cause to believe that the tenant, 1317
any person in the tenant's household, or any person on the 1318
residential premises with the consent of the tenant previously 1319
has or presently is engaged in a violation as described in 1320
division (A) (6) (a) (i) of section 1923.02 of the Revised Code, 1321
the landlord shall terminate the week-to-week tenancy, month-to- 1322
month tenancy, or other rental agreement with the tenant by 1323
giving a notice of termination to the tenant in accordance with 1324
this division. The notice shall specify that the tenancy or 1325
other rental agreement is terminated three days after the giving 1326
of the notice, and the shall state that the tenant may qualify 1327
for free legal representation based on income and recommend that 1328
the tenant inquire about eligibility with legal aid at 1329

www.ohiolegalhelp.org or (866) 529-6446. The landlord may give 1330
the notice whether or not the tenant or other person has been 1331
charged with, has pleaded guilty to or been convicted of, or has 1332
been determined to be a delinquent child for an act that, if 1333
committed by an adult, would be a violation as described in 1334
division (A) (6) (a) (i) of section 1923.02 of the Revised Code. If 1335
the tenant fails to vacate the premises within three days after 1336
the giving of that notice, then the landlord promptly shall 1337
comply with division (A) (9) of section 5321.04 of the Revised 1338
Code. For purposes of this division, actual knowledge or 1339
reasonable cause to believe as described in this division shall 1340
be determined in accordance with division (A) (6) (a) (i) of 1341
section 1923.02 of the Revised Code. 1342

(D) This section does not apply to a termination based on 1343
the breach of a condition of a rental agreement or the breach of 1344
a duty and obligation imposed by law, except that it does apply 1345
to a breach of the obligation imposed upon a tenant by division 1346
(A) (9) of section 5321.05 of the Revised Code. 1347

Section 2. That existing sections 120.521, 120.53, 319.20, 1348
1923.06, 1923.08, 1923.09, 3735.41, 3781.10, 4735.55, 4735.56, 1349
4735.59, and 5321.17 of the Revised Code are hereby repealed. 1350

Section 3. That the version of section 3781.10 of the 1351
Revised Code that is scheduled to take effect January 1, 2025, 1352
be amended to read as follows: 1353

Sec. 3781.10. (A) (1) The board of building standards shall 1354
formulate and adopt rules governing the erection, construction, 1355
repair, alteration, and maintenance of all buildings or classes 1356
of buildings specified in section 3781.06 of the Revised Code, 1357
including land area incidental to those buildings, the 1358
construction of industrialized units, the installation of 1359

equipment, and the standards or requirements for materials used 1360
in connection with those buildings. The board shall incorporate 1361
those rules into separate residential and nonresidential 1362
building codes. The standards shall relate to the conservation 1363
of energy and the safety and sanitation of those buildings. 1364

(2) The rules governing nonresidential buildings are the 1365
lawful minimum requirements specified for those buildings and 1366
industrialized units, except that no rule other than as provided 1367
in division (C) of section 3781.108 of the Revised Code that 1368
specifies a higher requirement than is imposed by any section of 1369
the Revised Code is enforceable. The rules governing residential 1370
buildings are uniform requirements for residential buildings in 1371
any area with a building department certified to enforce the 1372
state residential building code. In no case shall any local code 1373
or regulation differ from the state residential building code 1374
unless that code or regulation addresses subject matter not 1375
addressed by the state residential building code or is adopted 1376
pursuant to section 3781.01 of the Revised Code. 1377

(3) The rules adopted pursuant to this section are 1378
complete, lawful alternatives to any requirements specified for 1379
buildings or industrialized units in any section of the Revised 1380
Code. Except as otherwise provided in division (I) of this 1381
section, the board shall, on its own motion or on application 1382
made under sections 3781.12 and 3781.13 of the Revised Code, 1383
formulate, propose, adopt, modify, amend, or repeal the rules to 1384
the extent necessary or desirable to effectuate the purposes of 1385
sections 3781.06 to 3781.18 of the Revised Code. 1386

(B) The board shall report to the general assembly 1387
proposals for amendments to existing statutes relating to the 1388
purposes declared in section 3781.06 of the Revised Code that 1389

public health and safety and the development of the arts require 1390
and shall recommend any additional legislation to assist in 1391
carrying out fully, in statutory form, the purposes declared in 1392
that section. The board shall prepare and submit to the general 1393
assembly a summary report of the number, nature, and disposition 1394
of the petitions filed under sections 3781.13 and 3781.14 of the 1395
Revised Code. 1396

(C) On its own motion or on application made under 1397
sections 3781.12 and 3781.13 of the Revised Code, and after 1398
thorough testing and evaluation, the board shall determine by 1399
rule that any particular fixture, device, material, process of 1400
manufacture, manufactured unit or component, method of 1401
manufacture, system, or method of construction complies with 1402
performance standards adopted pursuant to section 3781.11 of the 1403
Revised Code. The board shall make its determination with regard 1404
to adaptability for safe and sanitary erection, use, or 1405
construction, to that described in any section of the Revised 1406
Code, wherever the use of a fixture, device, material, method of 1407
manufacture, system, or method of construction described in that 1408
section of the Revised Code is permitted by law. The board shall 1409
amend or annul any rule or issue an authorization for the use of 1410
a new material or manufactured unit on any like application. No 1411
department, officer, board, or commission of the state other 1412
than the board of building standards or the board of building 1413
appeals shall permit the use of any fixture, device, material, 1414
method of manufacture, newly designed product, system, or method 1415
of construction at variance with what is described in any rule 1416
the board of building standards adopts or issues or that is 1417
authorized by any section of the Revised Code. Nothing in this 1418
section shall be construed as requiring approval, by rule, of 1419
plans for an industrialized unit that conforms with the rules 1420

the board of building standards adopts pursuant to section 1421
3781.11 of the Revised Code. 1422

(D) The board shall recommend rules, codes, and standards 1423
to help carry out the purposes of section 3781.06 of the Revised 1424
Code and to help secure uniformity of state administrative 1425
rulings and local legislation and administrative action to the 1426
bureau of workers' compensation, the director of commerce, any 1427
other department, officer, board, or commission of the state, 1428
and to legislative authorities and building departments of 1429
counties, townships, and municipal corporations, and shall 1430
recommend that they audit those recommended rules, codes, and 1431
standards by any appropriate action that they are allowed 1432
pursuant to law or the constitution. 1433

(E) (1) The board shall certify municipal, township, and 1434
county building departments, the personnel of those building 1435
departments, persons described in division (E) (7) of this 1436
section, and employees of individuals, firms, the state, or 1437
corporations described in division (E) (7) of this section to 1438
exercise enforcement authority, to accept and approve plans and 1439
specifications, and to make inspections, pursuant to sections 1440
3781.03, 3791.04, and 4104.43 of the Revised Code. 1441

(2) The board shall certify departments, personnel, and 1442
persons to enforce the state residential building code, to 1443
enforce the nonresidential building code, or to enforce both the 1444
residential and the nonresidential building codes. Any 1445
department, personnel, or person may enforce only the type of 1446
building code for which certified. 1447

~~(3)~~ (3) (a) The board shall not require a building 1448
department, its personnel, or any persons that it employs to be 1449
certified for residential building code enforcement if that 1450

building department does not enforce the state residential 1451
building code. 1452

(b) The board shall specify, in rules adopted pursuant to 1453
Chapter 119. of the Revised Code, the requirements for 1454
certification for residential and nonresidential building code 1455
enforcement, which shall be consistent with ~~this division~~ (E) (3) 1456
of this section. 1457

(c) Rules adopted under division (E) (3) (b) of this section 1458
related to residential building code enforcement shall make the 1459
certification process as accessible as possible, while still 1460
ensuring that certificate holders are adequately qualified to 1461
enforce compliance with the state's residential building 1462
standards. 1463

(d) The requirements for residential and nonresidential 1464
certification may differ. 1465

(e) Except as otherwise provided in this division, the 1466
requirements shall include, but are not limited to, the 1467
satisfactory completion of an initial examination and, to remain 1468
certified, the completion of a specified number of hours of 1469
continuing building code education within each three-year period 1470
following the date of certification which shall be not less than 1471
thirty hours. 1472

(f) The rules shall provide that continuing education 1473
credits and certification issued by the council of American 1474
building officials, national model code organizations, and 1475
agencies or entities the board recognizes are acceptable for 1476
purposes of ~~this division~~ (E) (3) of this section. 1477

(g) The rules shall specify requirements that are 1478
consistent with the provisions of section 5903.12 of the Revised 1479

Code relating to active duty military service and are 1480
compatible, to the extent possible, with requirements the 1481
council of American building officials and national model code 1482
organizations establish. 1483

(4) The board shall establish and collect a certification 1484
and renewal fee for building department personnel, and persons 1485
and employees of persons, firms, or corporations as described in 1486
this section, who are certified pursuant to this division. 1487

(5) Any individual certified pursuant to this division 1488
shall complete the number of hours of continuing building code 1489
education that the board requires or, for failure to do so, 1490
forfeit certification. 1491

(6) This division does not require or authorize the board 1492
to certify personnel of municipal, township, and county building 1493
departments, and persons and employees of persons, firms, or 1494
corporations as described in this section, whose 1495
responsibilities do not include the exercise of enforcement 1496
authority, the approval of plans and specifications, or making 1497
inspections under the state residential and nonresidential 1498
building codes. 1499

(7) Enforcement authority for approval of plans and 1500
specifications and enforcement authority for inspections may be 1501
exercised, and plans and specifications may be approved and 1502
inspections may be made on behalf of a municipal corporation, 1503
township, or county, by any of the following who the board of 1504
building standards certifies: 1505

(a) Officers or employees of the municipal corporation, 1506
township, or county; 1507

(b) Persons, or employees of persons, firms, or 1508

corporations, pursuant to a contract to furnish architectural, 1509
engineering, or other services to the municipal corporation, 1510
township, or county; 1511

(c) Officers or employees of, and persons under contract 1512
with, a municipal corporation, township, county, health 1513
district, or other political subdivision, pursuant to a contract 1514
to furnish architectural, engineering, or other services; 1515

(d) Officers or employees of the division of industrial 1516
compliance in the department of commerce pursuant to a contract 1517
authorized by division (B) of section 121.083 of the Revised 1518
Code; 1519

(e) Persons, or employees of persons, firms, or 1520
corporations, or officers or employees of other municipal 1521
corporations, townships, or counties certified by the board of 1522
building standards to make inspections under the conditions 1523
established in rules adopted under division (E)(11)(c) of this 1524
section. 1525

(8) Municipal, township, and county building departments 1526
have jurisdiction within the meaning of sections 3781.03, 1527
3791.04, and 4104.43 of the Revised Code, only with respect to 1528
the types of buildings and subject matters for which they are 1529
certified under this section. 1530

(9) A certified municipal, township, or county building 1531
department may exercise enforcement authority, accept and 1532
approve plans and specifications, and make inspections pursuant 1533
to sections 3781.03, 3791.04, and 4104.43 of the Revised Code 1534
for a park district created pursuant to Chapter 1545. of the 1535
Revised Code upon the approval, by resolution, of the board of 1536
park commissioners of the park district requesting the 1537

department to exercise that authority and conduct those 1538
activities, as applicable. 1539

(10) Certification shall be granted upon application by 1540
the municipal corporation, the board of township trustees, or 1541
the board of county commissioners and approval of that 1542
application by the board of building standards. The application 1543
shall set forth: 1544

(a) Whether the certification is requested for residential 1545
or nonresidential buildings, or both; 1546

(b) The number and qualifications of the staff composing 1547
the building department; 1548

(c) The names, addresses, and qualifications of persons, 1549
firms, or corporations contracting to furnish work or services 1550
pursuant to division (E) (7) (b) of this section; 1551

(d) The names of any other municipal corporation, 1552
township, county, health district, or political subdivision 1553
under contract to furnish work or services pursuant to division 1554
(E) (7) of this section; 1555

(e) The proposed budget for the operation of the building 1556
department. 1557

(11) The board of building standards shall adopt rules 1558
governing all of the following: 1559

(a) The certification of building department personnel and 1560
persons and employees of persons, firms, or corporations 1561
exercising authority pursuant to division (E) (7) of this 1562
section. The rules shall disqualify any employee of the 1563
department or person who contracts for services with the 1564
department or general contractor or owner under section 3781.181 1565

of the Revised Code from performing services for the department 1566
or the general contractor or owner when that employee or person 1567
would have to pass upon, inspect, or otherwise exercise 1568
authority over any labor, material, or equipment the employee or 1569
person furnishes for the construction, alteration, or 1570
maintenance of a building or the preparation of working drawings 1571
or specifications for work within the jurisdictional area of the 1572
department. ~~The~~ Except in the case of a contract under section 1573
3781.181 of the Revised Code, the department shall provide other 1574
similarly qualified personnel to enforce the residential and 1575
nonresidential building codes as they pertain to that work. 1576

(b) The minimum services to be provided by a certified 1577
building department; 1578

(c) Rules necessary to implement section 3781.181 of the 1579
Revised Code. 1580

(12) The board of building standards may revoke or suspend 1581
certification to enforce the residential and nonresidential 1582
building codes, on petition to the board by any person affected 1583
by that enforcement or approval of plans, or by the board on its 1584
own motion. Hearings shall be held and appeals permitted on any 1585
proceedings for certification or revocation or suspension of 1586
certification in the same manner as provided in section 3781.101 1587
of the Revised Code for other proceedings of the board of 1588
building standards. 1589

(13) Upon certification, and until that authority is 1590
revoked, any county or township building department shall 1591
enforce the residential and nonresidential building codes for 1592
which it is certified without regard to limitation upon the 1593
authority of boards of county commissioners under Chapter 307. 1594
of the Revised Code or boards of township trustees under Chapter 1595

505. of the Revised Code. 1596

(14) The board shall certify a person to exercise 1597
enforcement authority, to accept and approve plans and 1598
specifications, or to make inspections in this state in 1599
accordance with Chapter 4796. of the Revised Code if either of 1600
the following applies: 1601

(a) The person holds a license or certificate in another 1602
state. 1603

(b) The person has satisfactory work experience, a 1604
government certification, or a private certification as 1605
described in that chapter in the same profession, occupation, or 1606
occupational activity as the profession, occupation, or 1607
occupational activity for which the certificate is required in 1608
this state in a state that does not issue that license or 1609
certificate. 1610

(F) In addition to hearings sections 3781.06 to 3781.18 1611
and 3791.04 of the Revised Code require, the board of building 1612
standards shall make investigations and tests, and require from 1613
other state departments, officers, boards, and commissions 1614
information the board considers necessary or desirable to assist 1615
it in the discharge of any duty or the exercise of any power 1616
mentioned in this section or in sections 3781.06 to 3781.18, 1617
3791.04, and 4104.43 of the Revised Code. 1618

(G) The board shall adopt rules and establish reasonable 1619
fees for the review of all applications submitted where the 1620
applicant applies for authority to use a new material, assembly, 1621
or product of a manufacturing process. The fee shall bear some 1622
reasonable relationship to the cost of the review or testing of 1623
the materials, assembly, or products and for the notification of 1624

approval or disapproval as provided in section 3781.12 of the 1625
Revised Code. 1626

(H) The residential construction advisory committee shall 1627
provide the board with a proposal for a state residential 1628
building code that the committee recommends pursuant to division 1629
(D) (1) of section 4740.14 of the Revised Code. Upon receiving a 1630
recommendation from the committee that is acceptable to the 1631
board, the board shall adopt rules establishing that code as the 1632
state residential building code. 1633

(I) (1) The committee may provide the board with proposed 1634
rules to update or amend the state residential building code 1635
that the committee recommends pursuant to division (E) of 1636
section 4740.14 of the Revised Code. 1637

(2) If the board receives a proposed rule to update or 1638
amend the state residential building code as provided in 1639
division (I) (1) of this section, the board either may accept or 1640
reject the proposed rule for incorporation into the residential 1641
building code. If the board does not act to either accept or 1642
reject the proposed rule within ninety days after receiving the 1643
proposed rule from the committee as described in division (I) (1) 1644
of this section, the proposed rule shall become part of the 1645
residential building code. 1646

(J) The board shall cooperate with the director of 1647
children and youth when the director promulgates rules pursuant 1648
to section 5104.05 of the Revised Code regarding safety and 1649
sanitation in type A family child care homes. 1650

(K) The board shall adopt rules to implement the 1651
requirements of section 3781.108 of the Revised Code. 1652

Section 4. That the existing version of section 3781.10 of 1653

the Revised Code that is scheduled to take effect on January 1, 1654
2025, is hereby repealed. 1655

Section 5. Sections 3 and 4 of this act take effect 1656
January 1, 2025. 1657

Section 6. (A) Within one hundred and eighty days after 1658
the effective date of this section, the Board of Building 1659
Standards shall complete a review of those rules pertaining to 1660
the certification of persons to enforce the residential building 1661
code adopted by the Board in accordance with section 3781.10 of 1662
the Revised Code, as amended by this act, including those rules 1663
pertaining to the following certification types: 1664

(1) Residential building official; 1665

(2) Interim residential building official; 1666

(3) Residential plans examiner; 1667

(4) Interim residential plans examiner; 1668

(5) Residential plans examiner trainee; 1669

(6) Residential building inspector; 1670

(7) Interim residential building inspector; 1671

(8) Residential building inspector trainee; 1672

(9) Residential mechanical inspector; 1673

(10) Interim residential mechanical inspector; 1674

(11) Residential mechanical inspector trainee. 1675

(B) The Board shall conduct the review required by this 1676
section and amend its rules with the goal of accomplishing all 1677
of the following: 1678

- (1) Making the certification process more accessible and 1679
appealing without compromising the integrity and quality of 1680
enforcement of the residential building code; 1681
- (2) Simplifying the certification process, reducing 1682
bureaucratic hurdles, and increasing transparency to make the 1683
process less daunting and more appealing to potential 1684
candidates; 1685
- (3) Modifying the trainee program to allow for a broader 1686
range of supervisory relationships and experiences to provide 1687
more pathways for individuals to gain access to the necessary 1688
qualifications; 1689
- (4) Revising supervisory ratios to allow supervisors to 1690
oversee more trainees to increase the efficiency of the training 1691
process and the number of candidates moving through it. 1692