



# Ohio Legislative Service Commission

## Bill Analysis

Wendy H. Gridley

### **S.B. 108**

131st General Assembly  
(As Introduced)

**Sens.** Tavares, Yuko, Williams

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## **BILL SUMMARY**

- Authorizes a board of township trustees to require owners of residential rental property located within certain townships to register specified information with the board of township trustees.
- Requires the board of township trustees to notify owners of residential rental property of the requirements to file and update the required information.
- Requires owners of residential real property to file and update the required information within 60 days after receipt of the notice to file or within 60 days after any change in the information occurs.
- Specifies that the information must be provided to a township notwithstanding current law's provision stating that the provision of this information under Chapter 5323. satisfies any request by another political subdivision to supply identical information.
- Authorizes a board of township trustees to impose a special assessment on the property of an owner who fails to comply with the information filing or updating requirement.
- Requires the county board of revision to hear appeals relating to special assessments imposed by a township.
- Provides that all information filed with a board of township trustees is a public record.

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## CONTENT AND OPERATION

### Residential rental property information

The bill authorizes townships located within a county<sup>1</sup> that has a population of 200,000 or fewer to request that residential rental property information identical to that currently collected by counties with a population of over 200,000 may be collected by the board of township trustees of such a township at the election of the board.<sup>2</sup> A township that elects to require owners of residential rental property to register information must give those owners notice of the requirements to provide the information within 60 days after receipt of notice, in the case of original filing, and within 60 days after a change occurs, in the case of changes to the information filed.

The information that must be registered includes the name, address, and telephone number of the owner. This includes information about a trustee of a trust or business trust, an executor or administrator of an estate, a general partner of a partnership or a limited partnership, a member, manager, or officer of a limited liability company, an associate of an association, an officer of a corporation, or a member, manager, or officer of any other business entity that is the property owner. The street address and permanent parcel number of the residential rental property also must be registered.<sup>3</sup>

"Residential rental property" is defined as real property located in a township within a county having a population of 200,000 or fewer according to the most recent decennial census and on which is located one or more dwelling units leased or otherwise rented to tenants solely for residential purposes, or a mobile home park or other permanent or semipermanent site at which lots are leased or otherwise rented to tenants for the parking of a manufactured home, mobile home, or recreational vehicle that is used solely for residential purposes. "Residential rental property" does not include a hotel or a college or university dormitory.<sup>4</sup>

An owner of residential rental property who designates an agent for the acceptance of service of process must file with the board of township trustees a certified

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<sup>1</sup> It is not clear whether the township must be wholly or only partly located within such a county. Presumably, the bill contemplates a township that is wholly located in such a county because the language does not address a township that may exist in more than one county.

<sup>2</sup> R.C. 525.02 and R.C. 5323.01 and 5323.02, not in the bill.

<sup>3</sup> R.C. 525.02(B).

<sup>4</sup> R.C. 525.01(D).



copy of the document filed with the county auditor or secretary of state containing that designation.<sup>5</sup>

All information filed with the board is a public record.<sup>6</sup>

## Enforcement

The bill authorizes a board of township trustees to impose a special assessment on the property of a person who violates the filing and updating requirements for an owner; the assessment may be not less than \$50 nor more than \$150. The special assessment may be appealed to the county board of revision.<sup>7</sup>

## Exception from county provision deeming compliance

Under the current county provision that applies to political subdivisions located in a county with a population of *more than* 200,000, an owner who complies with the filing requirements pertaining to such a county is deemed to be in full compliance with any request by the state or any political subdivision to that owner for information that is identical to the information filed with the county auditor under those requirements.<sup>8</sup> The bill makes an exception for the requirements under the bill for townships located in counties with a population of 200,000 *or less*. The requirements under the bill are in addition to any requirements to register that pertain to counties having a population of 200,000 or more.<sup>9</sup>

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## HISTORY

ACTION	DATE
Introduced	03-03-15

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<sup>5</sup> R.C. 525.03.

<sup>6</sup> R.C. 525.04.

<sup>7</sup> R.C. 525.99 and 5715.111.

<sup>8</sup> R.C. Chapter 5323.

<sup>9</sup> R.C. 5323.04 and 525.02(G). It does not appear that identical filings could be required under both the township provision in the bill and the current county provision under Chapter 5323. because each applies to property located in a county with different and nonoverlapping population requirements.

