

As Introduced

**125th General Assembly
Regular Session
2003-2004**

S. B. No. 18

Senator Coughlin

A BILL

To amend section 3735.27 of the Revised Code to 1
change the composition of certain metropolitan 2
housing authorities. 3

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

Section 1. That section 3735.27 of the Revised Code be 4
amended to read as follows: 5

Sec. 3735.27. (A) Whenever the director of development has 6
determined that there is need for a housing authority in any 7
portion of any county that comprises two or more political 8
subdivisions or portions ~~thereof~~ of two or more political 9
subdivisions but is less than all the territory within the county, 10
a metropolitan housing authority shall be declared to exist, and 11
the territorial limits ~~thereof~~ of the authority shall be defined, 12
by a letter from the director. The director shall issue a 13
determination from the department of development declaring that 14
there is need for a housing authority within ~~such~~ those 15
territorial limits after finding either of the following: 16

(1) Unsanitary or unsafe inhabited housing accommodations 17
exist in ~~such~~ that area; 18

(2) There is a shortage of safe and sanitary housing 19
accommodations in ~~such~~ that area available to persons who lack the 20

amount of income ~~which~~ that is necessary, as determined by the 21
director, to enable them, without financial assistance, to live in 22
decent, safe, and sanitary dwellings without congestion. 23

In determining whether dwelling accommodations are unsafe or 24
unsanitary, the director may take into consideration the degree of 25
congestion, the percentage of land coverage, the light, air, 26
space, and access available to the inhabitants of ~~such~~ the 27
dwelling accommodations, the size and arrangement of ~~the~~ rooms, 28
the sanitary facilities, and the extent to which conditions exist 29
in ~~such buildings which~~ the dwelling accomodations that endanger 30
life or property by fire or other causes. 31

The territorial limits of a metropolitan housing authority, 32
as defined by the director, under this division shall be fixed for 33
~~such~~ the authority upon proof of a letter from the director 34
declaring the need for ~~such~~ the authority to function in those 35
territorial limits. Any such letter from the director, any 36
certificate of determination issued by the director, and any 37
certificate of appointment of members of the authority shall be 38
admissible in evidence in any suit, action, or proceeding. 39

A certified copy of the letter from the director, declaring 40
the existence of a metropolitan housing authority and ~~boundaries~~ 41
the territorial limits of a its metropolitan housing authority 42
district, shall be immediately forwarded to each appointing 43
authority. A metropolitan housing authority shall consist of five 44
members, who shall be residents of the territory embraced in ~~such~~ 45
~~metropolitan housing authority~~ its district. 46

(B) Except as otherwise provided in division (C) of this 47
section, one member of a metropolitan housing authority shall be 48
appointed by the probate court, one member shall be appointed by 49
the court of common pleas, one member shall be appointed by the 50
board of county commissioners, ~~and two members~~ one member shall be 51
appointed by the chief executive officer of the most populous city 52

in the ~~territory included in the~~ metropolitan housing authority 53
district, ~~in accordance with~~ according to the last preceding 54
federal census, and one member shall be appointed by the chief 55
executive officer of the city in the district that has the largest 56
ratio of public housing in that city to population according to 57
the last preceding federal census. At the time of the initial 58
appointment of the authority, the member appointed by the probate 59
court shall be appointed for a period of four years, the ~~appointee~~ 60
~~of member appointed by~~ the court of common pleas shall be 61
appointed for three years, the ~~appointee of member appointed by~~ 62
the board of county commissioners shall be appointed for two 63
years, ~~one appointee of the member appointed by the~~ chief 64
executive officer of the most populous city in the district shall 65
be appointed for one year, and ~~one appointee of the member~~ 66
appointed by the chief executive officer of the city in the 67
district with such public housing ratio shall be appointed for 68
five years. ~~Thereafter~~ After the initial appointment, all members 69
of the authority shall be appointed for five-year terms, and 70
~~vacancies due to expired terms~~ any vacancy occurring upon the 71
expiration of a term shall be filled by the ~~same~~ appointing ~~powers~~ 72
authority that made the initial appointment. 73

(C) For any metropolitan housing authority district that 74
contained, as of the 1990 federal census, a population of at least 75
one million, two members of the authority shall be appointed by 76
the ~~municipal~~ legislative authority of the most populous city in 77
the ~~territory included in the~~ district, two members shall be 78
appointed by the chief executive officer of the most populous city 79
in the ~~territory included in the~~ district, and one member shall be 80
appointed by the chief executive officer, with the approval of the 81
~~municipal~~ legislative authority, of the city in the district ~~which~~ 82
that has the second highest number of housing units owned or 83
managed by the authority. 84

At the time of the initial appointment of the authority, one 85
member appointed by the ~~municipal~~ legislative authority of the 86
most populous city in the ~~territory included in the~~ district shall 87
be appointed for three years, and one such member shall be 88
appointed for one year; the ~~appointee of member appointed by~~ the 89
chief executive officer of the city with the second highest number 90
of housing units owned or managed by the authority shall be 91
appointed, with the approval of the ~~municipal~~ legislative 92
authority, for three years; and one appointee of member appointed 93
by the chief executive officer of the most populous city in the 94
district shall be appointed for three years, and one such member 95
shall be appointed for one year. Thereafter, all members of the 96
authority shall be appointed for three-year terms, and any vacancy 97
shall be filled by the ~~same~~ appointing ~~power~~ authority that made 98
the initial appointment. At the expiration of the term of any 99
member appointed by the chief executive officer of the most 100
populous city in the ~~territory included in the~~ district ~~prior to~~ 101
before March 15, 1983, the chief executive officer of the most 102
populous city in the district shall fill the vacancy by 103
appointment for a three-year term. At the expiration of the term 104
of any member appointed by the board of county commissioners ~~prior~~ 105
~~to~~ before March 15, 1983, the chief executive officer of the city 106
in the district with the second highest number of housing units 107
owned or managed by the authority shall, with the approval of the 108
municipal legislative authority, fill the vacancy by appointment 109
for a three-year term. At the expiration of the term of any member 110
appointed ~~prior to~~ before March 15, 1983, by the court of common 111
pleas or the probate court, the legislative authority of the most 112
populous city in the ~~territory included in the~~ district shall fill 113
the vacancy by appointment for a three-year term. 114

After March 15, 1983, at least one of the members appointed 115
by the chief executive officer of the most populous city shall be 116

a resident of a dwelling unit owned or managed by the ~~housing~~ 117
authority. At least one of the initial appointments by the chief 118
executive officer of the most populous city, after March 15, 1983, 119
shall be a resident of a dwelling unit owned or managed by the 120
~~housing~~ authority. Thereafter, any member appointed by the chief 121
executive officer of the most populous city for the term 122
established by this initial appointment, or for any succeeding 123
term thereof, shall be a person who resides in a dwelling unit 124
owned or managed by the ~~housing~~ authority. If there is an elected, 125
representative body of all residents of the ~~housing~~ authority, 126
~~then~~ the chief executive officer of the most populous city shall, 127
whenever there is a vacancy in this resident term, provide written 128
notice of the vacancy to the representative body. If the 129
representative body submits to the chief executive officer of the 130
most populous city, in writing and within sixty days after the 131
date on which it was notified of the vacancy, the names of at 132
least five residents of the ~~housing~~ authority who are willing and 133
qualified to serve as a member, ~~then~~ the chief executive officer 134
of the most populous city shall appoint to the resident term one 135
of the residents recommended by the representative body. At no 136
time shall residents constitute a majority of the members of the 137
authority. 138

(D) Public officials, other than the officers having the 139
appointing ~~power~~ authority under this section, shall be eligible 140
to serve as members, officers, or employees of ~~the~~ a metropolitan 141
housing authority notwithstanding any statute, charter, or law to 142
the contrary. Not more than two such public officials shall be 143
members of the authority at any one time. 144

All members of ~~such housing an~~ an authority shall serve without 145
compensation but shall be entitled to be reimbursed for all 146
necessary expenses incurred. ~~After such~~ 147

After a metropolitan housing authority district has been is 148

formed, the director may enlarge the territory within ~~such~~ the 149
district to include other political subdivisions, or portions 150
~~thereof~~ of other political subdivisions, but the territorial 151
limits of ~~which~~ the district shall be less than that of the 152
county. 153

Section 2. That existing section 3735.27 of the Revised Code 154
is hereby repealed. 155

Section 3. Notwithstanding anything to the contrary in 156
section 3735.27 of the Revised Code, the membership of any 157
metropolitan housing authority organized under division (B) of 158
that section that is in existence on the effective date of this 159
act shall change as follows: the first time after the effective 160
date of this act that the term of office of a member appointed by 161
the chief executive officer of the most populous city in the 162
district is to expire, the successor to that member, then and 163
thereafter, shall be appointed by the chief executive officer of 164
the city in the district that has the largest ratio of public 165
housing in that city to population according to the last preceding 166
federal census. 167