

**As Passed by the Senate**

**127th General Assembly  
Regular Session  
2007-2008**

**Sub. S. B. No. 306**

**Senator Schuler**

**Cosponsors: Senators Mumper, Seitz, Wagoner, Schaffer, Spada, Cates,  
Amstutz, Austria, Buehrer, Grendell, Harris, Niehaus, Padgett, Schuring,  
Stivers, Jacobson**

—

**A BILL**

To amend sections 135.804, 323.151, 323.153, 323.159, 1  
4503.065, and 4503.066 of the Revised Code to 2  
change the definition of "housing cooperative" for 3  
the purposes of the county homestead tax 4  
exemptions and property tax payment link deposit 5  
programs for low-to-moderate income senior 6  
citizens and permanently disabled citizens, and to 7  
expand the definition of a homestead owner to 8  
include settlors of irrevocable inter vivos 9  
trusts. 10

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

**Section 1.** That sections 135.804, 323.151, 323.153, 323.159, 11  
4503.065, and 4503.066 of the Revised Code be amended to read as 12  
follows: 13

**Sec. 135.804.** As used in sections 135.804 to 135.807 of the 14  
Revised Code: 15

(A) "Taxes" has the same meaning as in section 323.01 of the 16  
Revised Code. 17

(B) "Eligible borrower" means a person meeting all of the 18  
following: 19

(1) The person is the owner of a homestead that is not 20  
charged with more than two years' worth of certified delinquent 21  
taxes. 22

(2) The person had total income in the year prior to 23  
submitting an application for a reduced rate loan under a property 24  
tax payment linked deposit program of the lesser of fifty thousand 25  
dollars or the total income limit established pursuant to section 26  
135.805 of the Revised Code by the board of county commissioners 27  
as an eligibility requirement for participation in a property tax 28  
payment linked deposit program. 29

(3) The person meets all other eligibility requirements 30  
established pursuant to section 135.805 of the Revised Code by the 31  
board of county commissioners for participation in a property tax 32  
payment linked deposit program. 33

(C) "Eligible lending institution" means a financial 34  
institution that meets all of the following: 35

(1) The financial institution is eligible to make loans to 36  
individuals that are secured by mortgages, including mortgages 37  
commonly known as reverse mortgages. 38

(2) The financial institution has an office located within 39  
the territorial limits of the county. 40

(3) The financial institution is an eligible public 41  
depository described in section 135.32 of the Revised Code into 42  
which the county's investing authority may deposit the public 43  
moneys of the county. 44

(4) The financial institution has entered into an agreement 45  
described in division (B)(4) of section 135.805 of the Revised 46  
Code with the investing authority of the county to participate in 47

the property tax payment linked deposit program. 48

(D)(1) "Homestead" means either of the following: 49

~~(1)~~(a) A dwelling, including a unit in a multiple-unit 50  
dwelling and a manufactured home or mobile home taxed as real 51  
property pursuant to division (B) of section 4503.06 of the 52  
Revised Code, owned and occupied as a home by an individual whose 53  
domicile is in this state and who has not acquired ownership from 54  
a person, other than the individual's spouse, related by 55  
consanguinity or affinity for the purpose of qualifying for a 56  
property tax payment linked deposit program. 57

~~(2)~~(b) A unit in a housing cooperative that is occupied as a 58  
home, but not owned, by an individual whose domicile is in this 59  
state. 60

(2) The homestead shall include so much of the land 61  
surrounding it, not exceeding one acre, as is reasonably necessary 62  
for the use of the dwelling or unit as a home. An owner includes a 63  
holder of one of the several estates in fee, a vendee in 64  
possession under a purchase agreement or a land contract, a 65  
mortgagor, a life tenant, one or more tenants with a right of 66  
survivorship, tenants in common, and a settlor of a revocable or 67  
irrevocable inter vivos trust holding the title to a homestead 68  
occupied by the settlor as of right under the trust. 69

(E) "Housing cooperative" means a housing complex of at least 70  
two ~~hundred fifty~~ units that is owned and operated by a nonprofit 71  
corporation that issues a share of the corporation's stock to an 72  
individual, entitling the individual to live in a unit of the 73  
complex, and collects a monthly maintenance fee from the 74  
individual to maintain, operate, and pay the taxes of the complex. 75

(F) "Investing authority" and "public moneys" have the same 76  
meanings as in section 135.31 of the Revised Code. 77

(G) "Lien certificate" means the certificate described in 78

section 135.807 of the Revised Code. 79

(H) "Old age and survivors benefits received pursuant to the 80  
'Social Security Act'" or "tier I railroad retirement benefits 81  
received pursuant to the 'Railroad Retirement Act'" means: 82

(1) Old age benefits payable under the social security or 83  
railroad retirement laws in effect on the last day of the calendar 84  
year prior to the year for which a reduced rate loan under a 85  
property tax payment linked deposit program is applied for, or, if 86  
no such benefits are payable that year, old age benefits payable 87  
the first succeeding year in which old age benefits under the 88  
social security or railroad retirement laws are payable, except in 89  
those cases where a change in social security or railroad 90  
retirement benefits results in a reduction in income. 91

(2) The lesser of: 92

(a) Survivors benefits payable under the social security or 93  
railroad retirement laws in effect on the last day of the calendar 94  
year prior to the year for which a reduced rate loan under a 95  
property tax payment linked deposit program is applied for, or, if 96  
no such benefits are payable that year, survivors benefits payable 97  
the first succeeding year in which survivors benefits are payable; 98  
or 99

(b) Old age benefits of the deceased spouse, as determined 100  
under division (H)(1) of this section, upon which the surviving 101  
spouse's survivors benefits are based under the social security or 102  
railroad retirement laws, except in those cases where a change in 103  
benefits would cause a reduction in income. 104

Survivors benefits are those described in division (H)(2)(b) 105  
of this section only if the deceased spouse received old age 106  
benefits in the year in which the deceased spouse died. If the 107  
deceased spouse did not receive old age benefits in the year in 108  
which the deceased spouse died, then survivors benefits are those 109

described in division (H)(2)(a) of this section. 110

(I) "Permanently and totally disabled" means a person who, on 111  
the first day of January of the year that a reduced rate loan 112  
under a property tax payment linked deposit program is applied 113  
for, has some impairment in body or mind that makes the person 114  
unable to work at any substantially remunerative employment that 115  
the person reasonably is able to perform and that will, with 116  
reasonable probability, continue for an indefinite period of at 117  
least twelve months without any present indication of recovery 118  
therefrom or has been certified as permanently and totally 119  
disabled by a state or federal agency having the function of so 120  
classifying persons. 121

(J) "Property tax payment linked deposit program" means a 122  
~~county-wide~~ countywide program authorized under section 135.805 of 123  
the Revised Code and established by the board of county 124  
commissioners of a county pursuant to that section. 125

(K) "Sixty-five years of age or older" means a person who has 126  
attained age sixty-four prior to the first day of January of the 127  
year of application for a reduced rate loan under a property tax 128  
payment linked deposit program. 129

(L) "Total income" means the adjusted gross income of the 130  
owner and the owner's spouse for the year preceding the year in 131  
which application for a reduced rate loan under a property tax 132  
payment linked deposit program is made, as determined under the 133  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as 134  
amended, adjusted as follows: 135

(1) Subtract the amount of disability benefits included in 136  
adjusted gross income, but not to exceed fifty-two hundred 137  
dollars; 138

(2) Add old age and survivors benefits received pursuant to 139  
the "Social Security Act" that are not included in adjusted gross 140

income;	141
(3) Add retirement, pension, annuity, or other retirement payments or benefits not included in adjusted gross income;	142 143
(4) Add tier I and tier II railroad retirement benefits received pursuant to the "Railroad Retirement Act," 50 Stat. 307, 45 U.S.C.A. 228;	144 145 146
(5) Add interest on federal, state, and local government obligations;	147 148
(6) For a person who received a reduced rate loan under a property tax payment linked deposit program for a prior year on the basis of being permanently and totally disabled and whose current application for a reduced rate loan is made on the basis of age, subtract the following amount:	149 150 151 152 153
(a) If the person received disability benefits that were not included in adjusted gross income in the year preceding the first year in which the person applied for a reduced rate loan on the basis of age, subtract an amount equal to the disability benefits the person received in that preceding year, to the extent included in total income in the current year and not subtracted under division (L)(1) of this section in the current year;	154 155 156 157 158 159 160
(b) If the person received disability benefits that were included in adjusted gross income in the year preceding the first year in which the person applied for a reduced rate loan on the basis of age, subtract an amount equal to the amount of disability benefits that were subtracted pursuant to division (L)(1) of this section in that preceding year, to the extent included in total income in the current year and not subtracted under division (L)(1) of this section in the current year.	161 162 163 164 165 166 167 168
Disability benefits that are paid by the department of veterans affairs or a branch of the armed forces of the United States on account of an injury or disability shall not be included	169 170 171

in total income. 172

**Sec. 323.151.** As used in sections 323.151 to 323.159 of the 173  
Revised Code: 174

(A)(1) "Homestead" means either of the following: 175

~~(1)~~(a) A dwelling, including a unit in a multiple-unit 176  
dwelling and a manufactured home or mobile home taxed as real 177  
property pursuant to division (B) of section 4503.06 of the 178  
Revised Code, owned and occupied as a home by an individual whose 179  
domicile is in this state and who has not acquired ownership from 180  
a person, other than the individual's spouse, related by 181  
consanguinity or affinity for the purpose of qualifying for the 182  
real property tax reduction provided in section 323.152 of the 183  
Revised Code. 184

~~(2)~~(b) A unit in a housing cooperative that is occupied as a 185  
home, but not owned, by an individual whose domicile is in this 186  
state. 187

(2) The homestead shall include so much of the land 188  
surrounding it, not exceeding one acre, as is reasonably necessary 189  
for the use of the dwelling or unit as a home. An owner includes a 190  
holder of one of the several estates in fee, a vendee in 191  
possession under a purchase agreement or a land contract, a 192  
mortgagor, a life tenant, one or more tenants with a right of 193  
survivorship, tenants in common, and a settlor of a revocable or 194  
irrevocable inter vivos trust holding the title to a homestead 195  
occupied by the settlor as of right under the trust. The tax 196  
commissioner shall adopt rules for the uniform classification and 197  
valuation of real property or portions of real property as 198  
homesteads. 199

(B) "Sixty-five years of age or older" means a person who has 200  
attained age sixty-four prior to the first day of January of the 201

year of application for reduction in real estate taxes. 202

(C) "Permanently and totally disabled" means a person who 203  
has, on the first day of January of the year of application for 204  
reduction in real estate taxes, some impairment in body or mind 205  
that makes the person unable to work at any substantially 206  
remunerative employment that the person is reasonably able to 207  
perform and that will, with reasonable probability, continue for 208  
an indefinite period of at least twelve months without any present 209  
indication of recovery therefrom or has been certified as 210  
permanently and totally disabled by a state or federal agency 211  
having the function of so classifying persons. 212

(D) "Housing cooperative" means a housing complex of at least 213  
two ~~hundred fifty~~ units that is owned and operated by a nonprofit 214  
corporation that issues a share of the corporation's stock to an 215  
individual, entitling the individual to live in a unit of the 216  
complex, and collects a monthly maintenance fee from the 217  
individual to maintain, operate, and pay the taxes of the complex. 218

**Sec. 323.153.** (A) To obtain a reduction in real property 219  
taxes under division (A) or (B) of section 323.152 of the Revised 220  
Code or in manufactured home taxes under division (B) of section 221  
323.152 of the Revised Code, the owner shall file an application 222  
with the county auditor of the county in which the owner's 223  
homestead is located. 224

To obtain a reduction in real property taxes under division 225  
(A) of section 323.152 of the Revised Code, the occupant of a 226  
homestead in a housing cooperative shall file an application with 227  
the nonprofit corporation that owns and operates the housing 228  
cooperative, in accordance with this paragraph. Not later than the 229  
first day of March each year, the corporation shall obtain 230  
applications from the county auditor's office and provide one to 231  
each new occupant. Not later than the first day of May, any 232



occupant who may be eligible for a reduction in taxes under 233  
division (A) of section 323.152 of the Revised Code shall submit 234  
the completed application to the corporation. Not later than the 235  
fifteenth day of May, the corporation shall file all completed 236  
applications, and the information required by division (B) of 237  
section 323.159 of the Revised Code, with the county auditor of 238  
the county in which the occupants' homesteads are located. 239  
Continuing applications shall be furnished to an occupant in the 240  
manner provided in division (C)(4) of this section. 241

(1) An application for reduction based upon a physical 242  
disability shall be accompanied by a certificate signed by a 243  
physician, and an application for reduction based upon a mental 244  
disability shall be accompanied by a certificate signed by a 245  
physician or psychologist licensed to practice in this state, 246  
attesting to the fact that the applicant is permanently and 247  
totally disabled. The certificate shall be in a form that the tax 248  
commissioner requires and shall include the definition of 249  
permanently and totally disabled as set forth in section 323.151 250  
of the Revised Code. An application for reduction based upon a 251  
disability certified as permanent and total by a state or federal 252  
agency having the function of so classifying persons shall be 253  
accompanied by a certificate from that agency. 254

An application for a reduction under division (A) of section 255  
323.152 of the Revised Code constitutes a continuing application 256  
for a reduction in taxes for each year in which the dwelling is 257  
the applicant's homestead. 258

(2) An application for a reduction in taxes under division 259  
(B) of section 323.152 of the Revised Code shall be filed only if 260  
the homestead or manufactured or mobile home was transferred in 261  
the preceding year or did not qualify for and receive the 262  
reduction in taxes under that division for the preceding tax year. 263  
The application for homesteads transferred in the preceding year 264

shall be incorporated into any form used by the county auditor to 265  
administer the tax law in respect to the conveyance of real 266  
property pursuant to section 319.20 of the Revised Code or of used 267  
manufactured homes or used mobile homes as defined in section 268  
5739.0210 of the Revised Code. The owner of a manufactured or 269  
mobile home who has elected under division (D)(4) of section 270  
4503.06 of the Revised Code to be taxed under division (D)(2) of 271  
that section for the ensuing year may file the application at the 272  
time of making that election. The application shall contain a 273  
statement that failure by the applicant to affirm on the 274  
application that the dwelling on the property conveyed is the 275  
applicant's homestead prohibits the owner from receiving the 276  
reduction in taxes until a proper application is filed within the 277  
period prescribed by division (A)(3) of this section. Such an 278  
application constitutes a continuing application for a reduction 279  
in taxes for each year in which the dwelling is the applicant's 280  
homestead. 281

(3) Failure to receive a new application filed under division 282  
(A)(1) or (2) or notification under division (C) of this section 283  
after a certificate of reduction has been issued under section 284  
323.154 of the Revised Code, or failure to receive a new 285  
application filed under division (A)(1) or notification under 286  
division (C) of this section after a certificate of reduction has 287  
been issued under section 323.159 of the Revised Code, is 288  
prima-facie evidence that the original applicant is entitled to 289  
the reduction in taxes calculated on the basis of the information 290  
contained in the original application. The original application 291  
and any subsequent application, including any late application, 292  
shall be in the form of a signed statement and shall be filed 293  
after the first Monday in January and not later than the first 294  
Monday in June. The original application and any subsequent 295  
application for a reduction in real property taxes shall be filed 296  
in the year for which the reduction is sought. The original 297

application and any subsequent application for a reduction in 298  
manufactured home taxes shall be filed in the year preceding the 299  
year for which the reduction is sought. The statement shall be on 300  
a form, devised and supplied by the tax commissioner, which shall 301  
require no more information than is necessary to establish the 302  
applicant's eligibility for the reduction in taxes and the amount 303  
of the reduction, and, for a certificate of reduction issued under 304  
section 323.154 of the Revised Code, shall include an affirmation 305  
by the applicant that ownership of the homestead was not acquired 306  
from a person, other than the applicant's spouse, related to the 307  
owner by consanguinity or affinity for the purpose of qualifying 308  
for the real property or manufactured home tax reduction provided 309  
for in division (A) or (B) of section 323.152 of the Revised Code. 310  
The form shall contain a statement that conviction of willfully 311  
falsifying information to obtain a reduction in taxes or failing 312  
to comply with division (C) of this section results in the 313  
revocation of the right to the reduction for a period of three 314  
years. 315

(B) A late application for a tax reduction for the year 316  
preceding the year in which an original application is filed, or 317  
for a reduction in manufactured home taxes for the year in which 318  
an original application is filed, may be filed with the original 319  
application. If the county auditor determines the information 320  
contained in the late application is correct, the auditor shall 321  
determine the amount of the reduction in taxes to which the 322  
applicant would have been entitled for the preceding tax year had 323  
the applicant's application been timely filed and approved in that 324  
year. 325

The amount of such reduction shall be treated by the auditor 326  
as an overpayment of taxes by the applicant and shall be refunded 327  
in the manner prescribed in section 5715.22 of the Revised Code 328  
for making refunds of overpayments. On the first day of July of 329

each year, the county auditor shall certify the total amount of 330  
the reductions in taxes made in the current year under this 331  
division to the tax commissioner, who shall treat the full amount 332  
thereof as a reduction in taxes for the preceding tax year and 333  
shall make reimbursement to the county therefor in the manner 334  
prescribed by section 323.156 of the Revised Code, from money 335  
appropriated for that purpose. 336

(C)(1) If, in any year after an application has been filed 337  
under division (A)(1) or (2) of this section, the owner does not 338  
qualify for a reduction in taxes on the homestead or on the 339  
manufactured or mobile home set forth on such application, the 340  
owner shall notify the county auditor that the owner is not 341  
qualified for a reduction in taxes. 342

(2) If, in any year after an application has been filed under 343  
division (A) of this section, the occupant of a homestead in a 344  
housing cooperative does not qualify for a reduction in taxes on 345  
the homestead, the occupant shall notify the county auditor that 346  
the occupant is not qualified for a reduction in taxes or file a 347  
new application under division (A) of this section. 348

(3) If the county auditor or county treasurer discovers that 349  
the owner of property not entitled to the reduction in taxes under 350  
division (B) of section 323.152 of the Revised Code failed to 351  
notify the county auditor as required by division (C)(1) of this 352  
section, a charge shall be imposed against the property in the 353  
amount by which taxes were reduced under that division for each 354  
tax year the county auditor ascertains that the property was not 355  
entitled to the reduction and was owned by the current owner. 356  
Interest shall accrue in the manner prescribed by division (B) of 357  
section 323.121 or division (G)(2) of section 4503.06 of the 358  
Revised Code on the amount by which taxes were reduced for each 359  
such tax year as if the reduction became delinquent taxes at the 360  
close of the last day the second installment of taxes for that tax 361

year could be paid without penalty. The county auditor shall 362  
notify the owner, by ordinary mail, of the charge, of the owner's 363  
right to appeal the charge, and of the manner in which the owner 364  
may appeal. The owner may appeal the imposition of the charge and 365  
interest by filing an appeal with the county board of revision not 366  
later than the last day prescribed for payment of real and public 367  
utility property taxes under section 323.12 of the Revised Code 368  
following receipt of the notice and occurring at least ninety days 369  
after receipt of the notice. The appeal shall be treated in the 370  
same manner as a complaint relating to the valuation or assessment 371  
of real property under Chapter 5715. of the Revised Code. The 372  
charge and any interest shall be collected as other delinquent 373  
taxes. 374

(4) Each year during January, the county auditor shall 375  
furnish by ordinary mail a continuing application to each person 376  
issued a certificate of reduction under section 323.154 or 323.159 377  
of the Revised Code with respect to a reduction in taxes under 378  
division (A) of section 323.152 of the Revised Code. The 379  
continuing application shall be used to report changes in 380  
ownership or occupancy of the homestead, including ~~changes in or~~ 381  
~~revocation of a revocable inter vivos trust,~~ changes in 382  
disability, and other changes in the information earlier furnished 383  
the auditor relative to the reduction in taxes on the property. 384  
The continuing application shall be returned to the auditor not 385  
later than the first Monday in June; provided, that if such 386  
changes do not affect the status of the homestead exemption or the 387  
amount of the reduction to which the owner is entitled under 388  
division (A) of section 323.152 of the Revised Code or to which 389  
the occupant is entitled under section 323.159 of the Revised 390  
Code, the application does not need to be returned. 391

(5) Each year during February, the county auditor, except as 392  
otherwise provided in this paragraph, shall furnish by ordinary 393

mail an original application to the owner, as of the first day of 394  
January of that year, of a homestead or a manufactured or mobile 395  
home that transferred during the preceding calendar year and that 396  
qualified for and received a reduction in taxes under division (B) 397  
of section 323.152 of the Revised Code for the preceding tax year. 398  
In order to receive the reduction under that division, the owner 399  
shall file the application with the county auditor not later than 400  
the first Monday in June. If the application is not timely filed, 401  
the auditor shall not grant a reduction in taxes for the homestead 402  
for the current year, and shall notify the owner that the 403  
reduction in taxes has not been granted, in the same manner 404  
prescribed under section 323.154 of the Revised Code for 405  
notification of denial of an application. Failure of an owner to 406  
receive an application does not excuse the failure of the owner to 407  
file an original application. The county auditor is not required 408  
to furnish an application under this paragraph for any homestead 409  
for which application has previously been made on a form 410  
incorporated into any form used by the county auditor to 411  
administer the tax law in respect to the conveyance of real 412  
property or of used manufactured homes or used mobile homes, and 413  
an owner who previously has applied on such a form is not required 414  
to return an application furnished under this paragraph. 415

(D) No person shall knowingly make a false statement for the 416  
purpose of obtaining a reduction in the person's real property or 417  
manufactured home taxes under section 323.152 of the Revised Code. 418

(E) No person shall knowingly fail to notify the county 419  
auditor of changes required by division (C) of this section that 420  
have the effect of maintaining or securing a reduction in taxes 421  
under section 323.152 of the Revised Code. 422

(F) No person shall knowingly make a false statement or 423  
certification attesting to any person's physical or mental 424  
condition for purposes of qualifying such person for tax relief 425

pursuant to sections 323.151 to 323.159 of the Revised Code. 426

**Sec. 323.159.** (A) As used in this section: 427

(1) "Applicant" means the person who occupies a homestead in 428  
a housing cooperative. 429

(2) "Homestead" has the same meaning as in division (A)~~(2)~~(1) 430  
of section 323.151 of the Revised Code. 431

(B) Not later than the first day of May each year, any 432  
nonprofit corporation that owns and operates a housing cooperative 433  
shall determine the amount of property taxes it paid for the 434  
housing cooperative for the preceding tax year and shall attribute 435  
to each homestead in the housing cooperative a portion of the 436  
total property taxes as if the homestead's occupant paid the 437  
taxes. The taxes attributed to each homestead shall be based on 438  
the percentage that the square footage of the homestead is of the 439  
total square footage of the housing cooperative and on other 440  
reasonable factors that reflect the value of the homestead. Not 441  
later than the fifteenth day of May each year, the corporation 442  
shall file this information with the county auditor, along with 443  
any applications submitted to it under division (A) of section 444  
323.153 of the Revised Code. No nonprofit corporation that owns 445  
and operates a housing cooperative shall fail to file with the 446  
county auditor the information required by this division and 447  
division (A) of section 323.153 of the Revised Code. 448

(C) On or before the day the county auditor has completed the 449  
duties imposed by sections 319.30 to 319.302 of the Revised Code, 450  
the auditor shall issue a certificate of reduction in taxes for 451  
each applicant who has complied with section 323.153 of the 452  
Revised Code and whose homestead the auditor finds is entitled to 453  
a reduction in real property taxes for that year under division 454  
(A) of section 323.152 of the Revised Code. The county auditor 455  
shall calculate the taxable value of each applicant's homestead as 456

if the homestead was owned by the applicant and shall use the 457  
information provided by the nonprofit corporation under division 458  
(B) of this section to determine the reduction in taxable value to 459  
be attributed to the homestead. 460

The certificate shall state the taxable value, on the first 461  
day of January of that year, attributed to each homestead in the 462  
housing cooperative; the reduction in taxable value and reduction 463  
in taxes attributed to the homestead; the total amount of the 464  
reduction in taxable value for the housing cooperative based on 465  
all certificates issued under this section for homesteads in the 466  
housing cooperative; the nonprofit corporation's total reduction 467  
in taxes for that year under division (A) of section 323.152 of 468  
the Revised Code; the tax rate that is applicable against the 469  
housing cooperative for that year; and any other information the 470  
tax commissioner requires. The county auditor shall prepare three 471  
copies of the original certificate. Upon the issuance of such a 472  
certificate, the county auditor shall forward two copies and the 473  
original to the county treasurer and retain one copy. The county 474  
auditor also shall record the amount of reduction in taxes in the 475  
appropriate column on the general tax list and duplicate of real 476  
and public utility property. 477

(D) On receipt of the notice from the county auditor under 478  
division (C) of this section, the nonprofit corporation that owns 479  
and operates the housing cooperative shall reduce the monthly 480  
maintenance fee for each homestead for which an applicant received 481  
a certificate of reduction under this section for the year 482  
following the year for which the certificate was issued. The 483  
reduction in the monthly maintenance fee shall equal one-twelfth 484  
of the reduction in taxes attributed to the homestead by the 485  
county auditor under division (C) of this section. 486

(E) If an application, late application, or continuing 487  
application is not approved, or if the county auditor otherwise 488



determines that a homestead does not qualify for a reduction in 489  
taxes under division (A) of section 323.152 of the Revised Code, 490  
the auditor shall notify the applicant, and the nonprofit 491  
corporation that owns and operates the housing cooperative, of the 492  
reasons for denial not later than the first Monday in October. If 493  
the applicant believes that the application for reduction has been 494  
improperly denied, or the nonprofit corporation that owns and 495  
operates the housing cooperative believes that the reduction is 496  
for less than that to which the housing cooperative is entitled, 497  
the applicant or housing cooperative, respectively, may file an 498  
appeal with the county board of revision not later than the date 499  
of closing of the collection for the first half of real and public 500  
utility property taxes. The appeal shall be treated in the same 501  
manner as a complaint relating to the valuation or assessment of 502  
real property under Chapter 5715. of the Revised Code. 503

**Sec. 4503.065.** (A) This section applies to any of the 504  
following: 505

(1) An individual who is permanently and totally disabled; 506

(2) An individual who is sixty-five years of age or older; 507

(3) An individual who is the surviving spouse of a deceased 508  
person who was permanently and totally disabled or sixty-five 509  
years of age or older and who applied and qualified for a 510  
reduction in assessable value under this section in the year of 511  
death, provided the surviving spouse is at least fifty-nine but 512  
not sixty-five or more years of age on the date the deceased 513  
spouse dies. 514

(B) The manufactured home tax on a manufactured or mobile 515  
home that is paid pursuant to division (C) of section 4503.06 of 516  
the Revised Code and that is owned and occupied as a home by an 517  
individual whose domicile is in this state and to whom this 518  
section applies, shall be reduced for any tax year for which the 519

owner obtains a certificate of reduction from the county auditor 520  
under section 4503.067 of the Revised Code, provided the 521  
individual did not acquire ownership from a person, other than the 522  
individual's spouse, related by consanguinity or affinity for the 523  
purpose of qualifying for the reduction. An owner includes a 524  
settlor of a revocable or irrevocable inter vivos trust holding 525  
the title to a manufactured or mobile home occupied by the settlor 526  
as of right under the trust. 527

(1) For manufactured and mobile homes for which the tax 528  
imposed by section 4503.06 of the Revised Code is computed under 529  
division (D)(2) of that section, the reduction shall equal the 530  
greater of the reduction granted for the tax year preceding the 531  
first tax year to which this section applies pursuant to Section 532  
803.06 of Am. Sub. H.B. 119 of the 127th general assembly, if the 533  
taxpayer received a reduction for that preceding tax year, or the 534  
product of the following: 535

(a) Twenty-five thousand dollars of the true value of the 536  
property in money; 537

(b) The assessment percentage established by the tax 538  
commissioner under division (B) of section 5715.01 of the Revised 539  
Code, not to exceed thirty-five per cent; 540

(c) The effective tax rate used to calculate the taxes 541  
charged against the property for the current year, where 542  
"effective tax rate" is defined as in section 323.08 of the 543  
Revised Code; 544

(d) The quantity equal to one minus the sum of the percentage 545  
reductions in taxes received by the property for the current tax 546  
year under section 319.302 of the Revised Code and division (B) of 547  
section 323.152 of the Revised Code. 548

(2) For manufactured and mobile homes for which the tax 549  
imposed by section 4503.06 of the Revised Code is computed under 550

division (D)(1) of that section, the reduction shall equal the 551  
greater of the reduction granted for the tax year preceding the 552  
first tax year to which this section applies pursuant to Section 553  
803.06 of Am. Sub. H.B. 119 of the 127th general assembly, if the 554  
taxpayer received a reduction for that preceding tax year, or the 555  
product of the following: 556

(a) Twenty-five thousand dollars of the cost to the owner, or 557  
the market value at the time of purchase, whichever is greater, as 558  
those terms are used in division (D)(1) of section 4503.06 of the 559  
Revised Code; 560

(b) The percentage from the appropriate schedule in division 561  
(D)(1)(b) of section 4503.06 of the Revised Code; 562

(c) The assessment percentage of forty per cent used in 563  
division (D)(1)(b) of section 4503.06 of the Revised Code; 564

(d) The tax rate of the taxing district in which the home has 565  
its situs. 566

(C) If the owner or the spouse of the owner of a manufactured 567  
or mobile home is eligible for a homestead exemption on the land 568  
upon which the home is located, the reduction to which the owner 569  
or spouse is entitled under this section shall not exceed the 570  
difference between the reduction to which the owner or spouse is 571  
entitled under division (B) of this section and the amount of the 572  
reduction under the homestead exemption. 573

(D) No reduction shall be made with respect to the home of 574  
any person convicted of violating division (C) or (D) of section 575  
4503.066 of the Revised Code for a period of three years following 576  
the conviction. 577

**Sec. 4503.066.** (A)(1) To obtain a tax reduction under section 578  
4503.065 of the Revised Code, the owner of the home shall file an 579  
application with the county auditor of the county in which the 580

home is located. An application for reduction in taxes based upon 581  
a physical disability shall be accompanied by a certificate signed 582  
by a physician, and an application for reduction in taxes based 583  
upon a mental disability shall be accompanied by a certificate 584  
signed by a physician or psychologist licensed to practice in this 585  
state. The certificate shall attest to the fact that the applicant 586  
is permanently and totally disabled, shall be in a form that the 587  
department of taxation requires, and shall include the definition 588  
of totally and permanently disabled as set forth in section 589  
4503.064 of the Revised Code. An application for reduction in 590  
taxes based upon a disability certified as permanent and total by 591  
a state or federal agency having the function of so classifying 592  
persons shall be accompanied by a certificate from that agency. 593

594

(2) Each application shall constitute a continuing 595  
application for a reduction in taxes for each year in which the 596  
manufactured or mobile home is occupied by the applicant. Failure 597  
to receive a new application or notification under division (B) of 598  
this section after a certificate of reduction has been issued 599  
under section 4503.067 of the Revised Code is prima-facie evidence 600  
that the original applicant is entitled to the reduction 601  
calculated on the basis of the information contained in the 602  
original application. The original application and any subsequent 603  
application shall be in the form of a signed statement and shall 604  
be filed not later than the first Monday in June. The statement 605  
shall be on a form, devised and supplied by the tax commissioner, 606  
that shall require no more information than is necessary to 607  
establish the applicant's eligibility for the reduction in taxes 608  
and the amount of the reduction to which the applicant is 609  
entitled. The form also shall contain a statement that conviction 610  
of willfully falsifying information to obtain a reduction in taxes 611  
or failing to comply with division (B) of this section shall 612  
result in the revocation of the right to the reduction for a 613

period of three years. 614

(3) A late application for a reduction in taxes for the year 615  
preceding the year for which an original application is filed may 616  
be filed with an original application. If the auditor determines 617  
that the information contained in the late application is correct, 618  
the auditor shall determine both the amount of the reduction in 619  
taxes to which the applicant would have been entitled for the 620  
current tax year had the application been timely filed and 621  
approved in the preceding year, and the amount the taxes levied 622  
under section 4503.06 of the Revised Code for the current year 623  
would have been reduced as a result of the reduction. When an 624  
applicant is permanently and totally disabled on the first day of 625  
January of the year in which the applicant files a late 626  
application, the auditor, in making the determination of the 627  
amounts of the reduction in taxes under division (A)(3) of this 628  
section, is not required to determine that the applicant was 629  
permanently and totally disabled on the first day of January of 630  
the preceding year. 631

The amount of the reduction in taxes pursuant to a late 632  
application shall be treated as an overpayment of taxes by the 633  
applicant. The auditor shall credit the amount of the overpayment 634  
against the amount of the taxes or penalties then due from the 635  
applicant, and, at the next succeeding settlement, the amount of 636  
the credit shall be deducted from the amount of any taxes or 637  
penalties distributable to the county or any taxing unit in the 638  
county that has received the benefit of the taxes or penalties 639  
previously overpaid, in proportion to the benefits previously 640  
received. If, after the credit has been made, there remains a 641  
balance of the overpayment, or if there are no taxes or penalties 642  
due from the applicant, the auditor shall refund that balance to 643  
the applicant by a warrant drawn on the county treasurer in favor 644  
of the applicant. The treasurer shall pay the warrant from the 645

general fund of the county. If there is insufficient money in the 646  
general fund to make the payment, the treasurer shall pay the 647  
warrant out of any undivided manufactured or mobile home taxes 648  
subsequently received by the treasurer for distribution to the 649  
county or taxing district in the county that received the benefit 650  
of the overpaid taxes, in proportion to the benefits previously 651  
received, and the amount paid from the undivided funds shall be 652  
deducted from the money otherwise distributable to the county or 653  
taxing district in the county at the next or any succeeding 654  
distribution. At the next or any succeeding distribution after 655  
making the refund, the treasurer shall reimburse the general fund 656  
for any payment made from that fund by deducting the amount of 657  
that payment from the money distributable to the county or other 658  
taxing unit in the county that has received the benefit of the 659  
taxes, in proportion to the benefits previously received. On the 660  
second Monday in September of each year, the county auditor shall 661  
certify the total amount of the reductions in taxes made in the 662  
current year under division (A)(3) of this section to the tax 663  
commissioner who shall treat that amount as a reduction in taxes 664  
for the current tax year and shall make reimbursement to the 665  
county of that amount in the manner prescribed in section 4503.068 666  
of the Revised Code, from moneys appropriated for that purpose. 667

(B) If in any year after an application has been filed under 668  
division (A) of this section the owner no longer qualifies for the 669  
reduction in taxes for which the owner was issued a certificate, 670  
the owner shall notify the county auditor that the owner is not 671  
qualified for a reduction in taxes. 672

During January of each year, the county auditor shall furnish 673  
each person issued a certificate of reduction, by ordinary mail, a 674  
form on which to report any changes in ownership of the home, 675  
including ~~changes in or revocation of a revocable inter vivos~~ 676  
~~trust~~ changes in disability, and other changes in the information 677

earlier furnished the auditor relative to the application. 678

(C) No person shall knowingly make a false statement for the 679  
purpose of obtaining a reduction in taxes under section 4503.065 680  
of the Revised Code. 681

(D) No person shall knowingly fail to notify the county 682  
auditor of any change required by division (B) of this section 683  
that has the effect of maintaining or securing a reduction in 684  
taxes under section 4503.065 of the Revised Code. 685

(E) No person shall knowingly make a false statement or 686  
certification attesting to any person's physical or mental 687  
condition for purposes of qualifying such person for tax relief 688  
pursuant to sections 4503.064 to 4503.069 of the Revised Code. 689

(F) Whoever violates division (C), (D), or (E) of this 690  
section is guilty of a misdemeanor of the fourth degree. 691

**Section 2.** That existing sections 135.804, 323.151, 323.153, 692  
323.159, 4503.065, and 4503.066 of the Revised Code are hereby 693  
repealed. 694