

**As Pending in the House Commerce and Labor Committee (L#  
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2009-2010**

**Sub. H. B. No. 362**

**Representative Chandler**

**Cosponsors: Representatives Weddington, Williams, B., Yuko, Domenick,  
Newcomb**

—

**A B I L L**

To amend sections 3781.10 and 5302.30 of the Revised 1  
Code to require fire extinguishers and carbon 2  
monoxide alarms in residential buildings, to 3  
direct the Board of Building Standards to adopt 4  
rules that establish product and installation 5  
standards for fire extinguishers and carbon 6  
monoxide alarms, to require transferors of 7  
residential real property to disclose whether fire 8  
extinguishers and carbon monoxide alarms are 9  
installed in their property, and to prohibit a 10  
transferor of residential real property from 11  
entering into a transfer agreement unless fire 12  
extinguishers and carbon monoxide alarms are 13  
installed as the bill requires. 14

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

**Section 1.** That sections 3781.10 and 5302.30 of the Revised 15  
Code be amended to read as follows: 16

**Sec. 3781.10.** (A)(1) The board of building standards shall 17

formulate and adopt rules governing the erection, construction, 18  
repair, alteration, and maintenance of all buildings or classes of 19  
buildings specified in section 3781.06 of the Revised Code, 20  
including land area incidental to those buildings, the 21  
construction of industrialized units, the installation of 22  
equipment, and the standards or requirements for materials used in 23  
connection with those buildings. The board shall incorporate those 24  
rules into separate residential and nonresidential building codes. 25  
The standards shall relate to the conservation of energy and the 26  
safety and sanitation of those buildings. Portable fire 27  
extinguishers and carbon monoxide alarms shall be installed within 28  
each residential building. The board shall adopt rules specifying 29  
the locations and product and installation standards for portable 30  
fire extinguishers and carbon monoxide alarms installed in 31  
accordance with this division. 32

(2) The rules governing nonresidential buildings are the 33  
lawful minimum requirements specified for those buildings and 34  
industrialized units, except that no rule other than as provided 35  
in division (C) of section 3781.108 of the Revised Code that 36  
specifies a higher requirement than is imposed by any section of 37  
the Revised Code is enforceable. The rules governing residential 38  
buildings are uniform requirements for residential buildings in 39  
any area with a building department certified to enforce the state 40  
residential building code. In no case shall any local code or 41  
regulation differ from the state residential building code unless 42  
that code or regulation addresses subject matter not addressed by 43  
the state residential building code or is adopted pursuant to 44  
section 3781.01 of the Revised Code. 45

(3) The rules adopted pursuant to this section are complete, 46  
lawful alternatives to any requirements specified for buildings or 47  
industrialized units in any section of the Revised Code. Except as 48  
otherwise provided in division (I) of this section, the board 49

shall, on its own motion or on application made under sections 50  
3781.12 and 3781.13 of the Revised Code, formulate, propose, 51  
adopt, modify, amend, or repeal the rules to the extent necessary 52  
or desirable to effectuate the purposes of sections 3781.06 to 53  
3781.18 of the Revised Code. 54

(B) The board shall report to the general assembly proposals 55  
for amendments to existing statutes relating to the purposes 56  
declared in section 3781.06 of the Revised Code that public health 57  
and safety and the development of the arts require and shall 58  
recommend any additional legislation to assist in carrying out 59  
fully, in statutory form, the purposes declared in that section. 60  
The board shall prepare and submit to the general assembly a 61  
summary report of the number, nature, and disposition of the 62  
petitions filed under sections 3781.13 and 3781.14 of the Revised 63  
Code. 64

(C) On its own motion or on application made under sections 65  
3781.12 and 3781.13 of the Revised Code, and after thorough 66  
testing and evaluation, the board shall determine by rule that any 67  
particular fixture, device, material, process of manufacture, 68  
manufactured unit or component, method of manufacture, system, or 69  
method of construction complies with performance standards adopted 70  
pursuant to section 3781.11 of the Revised Code. The board shall 71  
make its determination with regard to adaptability for safe and 72  
sanitary erection, use, or construction, to that described in any 73  
section of the Revised Code, wherever the use of a fixture, 74  
device, material, method of manufacture, system, or method of 75  
construction described in that section of the Revised Code is 76  
permitted by law. The board shall amend or annul any rule or issue 77  
an authorization for the use of a new material or manufactured 78  
unit on any like application. No department, officer, board, or 79  
commission of the state other than the board of building standards 80  
or the board of building appeals shall permit the use of any 81

fixture, device, material, method of manufacture, newly designed 82  
product, system, or method of construction at variance with what 83  
is described in any rule the board of building standards adopts or 84  
issues or that is authorized by any section of the Revised Code. 85  
Nothing in this section shall be construed as requiring approval, 86  
by rule, of plans for an industrialized unit that conforms with 87  
the rules the board of building standards adopts pursuant to 88  
section 3781.11 of the Revised Code. 89

(D) The board shall recommend rules, codes, and standards to 90  
help carry out the purposes of section 3781.06 of the Revised Code 91  
and to help secure uniformity of state administrative rulings and 92  
local legislation and administrative action to the bureau of 93  
workers' compensation, the director of commerce, any other 94  
department, officer, board, or commission of the state, and to 95  
legislative authorities and building departments of counties, 96  
townships, and municipal corporations, and shall recommend that 97  
they audit those recommended rules, codes, and standards by any 98  
appropriate action that they are allowed pursuant to law or the 99  
constitution. 100

(E)(1) The board shall certify municipal, township, and 101  
county building departments and the personnel of those building 102  
departments, and persons and employees of individuals, firms, or 103  
corporations as described in division (E)(7) of this section to 104  
exercise enforcement authority, to accept and approve plans and 105  
specifications, and to make inspections, pursuant to sections 106  
3781.03, 3791.04, and 4104.43 of the Revised Code. 107

(2) The board shall certify departments, personnel, and 108  
persons to enforce the state residential building code, to enforce 109  
the nonresidential building code, or to enforce both the 110  
residential and the nonresidential building codes. Any department, 111  
personnel, or person may enforce only the type of building code 112  
for which certified. 113

(3) The board shall not require a building department, its personnel, or any persons that it employs to be certified for residential building code enforcement if that building department does not enforce the state residential building code. The board shall specify, in rules adopted pursuant to Chapter 119. of the Revised Code, the requirements for certification for residential and nonresidential building code enforcement, which shall be consistent with this division. The requirements for residential and nonresidential certification may differ. Except as otherwise provided in this division, the requirements shall include, but are not limited to, the satisfactory completion of an initial examination and, to remain certified, the completion of a specified number of hours of continuing building code education within each three-year period following the date of certification which shall be not less than thirty hours. The rules shall provide that continuing education credits and certification issued by the council of American building officials, national model code organizations, and agencies or entities the board recognizes are acceptable for purposes of this division. The rules shall specify requirements that are compatible, to the extent possible, with requirements the council of American building officials and national model code organizations establish.

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

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

(6) This division does not require or authorize the board to certify personnel of municipal, township, and county building

departments, and persons and employees of persons, firms, or 146  
corporations as described in this section, whose responsibilities 147  
do not include the exercise of enforcement authority, the approval 148  
of plans and specifications, or making inspections under the state 149  
residential and nonresidential building codes. 150

(7) Enforcement authority for approval of plans and 151  
specifications and enforcement authority for inspections may be 152  
exercised, and plans and specifications may be approved and 153  
inspections may be made on behalf of a municipal corporation, 154  
township, or county, by any of the following who the board of 155  
building standards certifies: 156

(a) Officers or employees of the municipal corporation, 157  
township, or county; 158

(b) Persons, or employees of persons, firms, or corporations, 159  
pursuant to a contract to furnish architectural, engineering, or 160  
other services to the municipal corporation, township, or county; 161

(c) Officers or employees of, and persons under contract 162  
with, a municipal corporation, township, county, health district, 163  
or other political subdivision, pursuant to a contract to furnish 164  
architectural, engineering, or other services. 165

(8) Municipal, township, and county building departments have 166  
jurisdiction within the meaning of sections 3781.03, 3791.04, and 167  
4104.43 of the Revised Code, only with respect to the types of 168  
buildings and subject matters for which they are certified under 169  
this section. 170

(9) Certification shall be granted upon application by the 171  
municipal corporation, the board of township trustees, or the 172  
board of county commissioners and approval of that application by 173  
the board of building standards. The application shall set forth: 174

(a) Whether the certification is requested for residential or 175  
nonresidential buildings, or both; 176

(b) The number and qualifications of the staff composing the building department;	177 178
(c) The names, addresses, and qualifications of persons, firms, or corporations contracting to furnish work or services pursuant to division (E)(7)(b) of this section;	179 180 181
(d) The names of any other municipal corporation, township, county, health district, or political subdivision under contract to furnish work or services pursuant to division (E)(7) of this section;	182 183 184 185
(e) The proposed budget for the operation of the building department.	186 187
(10) The board of building standards shall adopt rules governing all of the following:	188 189
(a) The certification of building department personnel and persons and employees of persons, firms, or corporations exercising authority pursuant to division (E)(7) of this section. The rules shall disqualify any employee of the department or person who contracts for services with the department from performing services for the department when that employee or person would have to pass upon, inspect, or otherwise exercise authority over any labor, material, or equipment the employee or person furnishes for the construction, alteration, or maintenance of a building or the preparation of working drawings or specifications for work within the jurisdictional area of the department. The department shall provide other similarly qualified personnel to enforce the residential and nonresidential building codes as they pertain to that work.	190 191 192 193 194 195 196 197 198 199 200 201 202 203
(b) The minimum services to be provided by a certified building department.	204 205
(11) The board of building standards may revoke or suspend certification to enforce the residential and nonresidential	206 207

building codes, on petition to the board by any person affected by 208  
that enforcement or approval of plans, or by the board on its own 209  
motion. Hearings shall be held and appeals permitted on any 210  
proceedings for certification or revocation or suspension of 211  
certification in the same manner as provided in section 3781.101 212  
of the Revised Code for other proceedings of the board of building 213  
standards. 214

(12) Upon certification, and until that authority is revoked, 215  
any county or township building department shall enforce the 216  
residential and nonresidential building codes for which it is 217  
certified without regard to limitation upon the authority of 218  
boards of county commissioners under Chapter 307. of the Revised 219  
Code or boards of township trustees under Chapter 505. of the 220  
Revised Code. 221

(F) In addition to hearings sections 3781.06 to 3781.18 and 222  
3791.04 of the Revised Code require, the board of building 223  
standards shall make investigations and tests, and require from 224  
other state departments, officers, boards, and commissions 225  
information the board considers necessary or desirable to assist 226  
it in the discharge of any duty or the exercise of any power 227  
mentioned in this section or in sections 3781.06 to 3781.18, 228  
3791.04, and 4104.43 of the Revised Code. 229

(G) The board shall adopt rules and establish reasonable fees 230  
for the review of all applications submitted where the applicant 231  
applies for authority to use a new material, assembly, or product 232  
of a manufacturing process. The fee shall bear some reasonable 233  
relationship to the cost of the review or testing of the 234  
materials, assembly, or products and for the notification of 235  
approval or disapproval as provided in section 3781.12 of the 236  
Revised Code. 237

(H) The residential construction advisory committee shall 238  
provide the board with a proposal for a state residential building 239



code that the committee recommends pursuant to division (D)(1) of 240  
section 4740.14 of the Revised Code. Upon receiving a 241  
recommendation from the committee that is acceptable to the board, 242  
the board shall adopt rules establishing that code as the state 243  
residential building code. 244

(I)(1) The committee may provide the board with proposed 245  
rules to update or amend the state residential building code that 246  
the committee recommends pursuant to division (E) of section 247  
4740.14 of the Revised Code. 248

(2) If the board receives a proposed rule to update or amend 249  
the state residential building code as provided in division (I)(1) 250  
of this section, the board either may accept or reject the 251  
proposed rule for incorporation into the residential building 252  
code. If the board does not act to either accept or reject the 253  
proposed rule within ninety days after receiving the proposed rule 254  
from the committee as described in division (I)(1) of this 255  
section, the proposed rule shall become part of the residential 256  
building code. 257

(J) The board shall cooperate with the director of job and 258  
family services when the director promulgates rules pursuant to 259  
section 5104.05 of the Revised Code regarding safety and 260  
sanitation in type A family day-care homes. 261

(K) The board shall adopt rules to implement the requirements 262  
of section 3781.108 of the Revised Code. 263

**Sec. 5302.30.** (A) As used in this section: 264

(1) "Good faith" means honesty in fact in a transaction 265  
involving the transfer of residential real property. 266

(2) "Land installment contract" has the same meaning as in 267  
section 5313.01 of the Revised Code. 268

(3) "Political subdivision" and "state" have the same 269

meanings as in section 2744.01 of the Revised Code. 270

(4) "Residential real property" means real property that is 271  
improved by a building or other structure that has one to four 272  
dwelling units. 273

(B)(1) Except as provided in division (B)(2) of this section, 274  
this section applies to any transfer of residential real property 275  
that occurs on or after July 1, 1993, by sale, land installment 276  
contract, lease with option to purchase, exchange, or lease for a 277  
term of ninety-nine years and renewable forever. For purposes of 278  
this section, a transfer occurs when the initial contract for 279  
transfer is executed, regardless of when legal title is 280  
transferred, and references in this section to transfer offers and 281  
transfer agreements refer to offers and agreements in respect of 282  
the initial contract for transfer. 283

(2) This section does not apply to any transfer of 284  
residential real property that is any of the following: 285

(a) A transfer pursuant to court order, including, but not 286  
limited to, a transfer ordered by a probate court during the 287  
administration of a decedent's estate, a transfer pursuant to a 288  
writ of execution, a transfer by a trustee in bankruptcy, a 289  
transfer as a result of the exercise of the power of eminent 290  
domain, and a transfer that results from a decree for specific 291  
performance of a contract or other agreement between persons; 292

(b) A transfer to a mortgagee by a mortgagor by deed in lieu 293  
of foreclosure or in satisfaction of the mortgage debt; 294

(c) A transfer to a beneficiary of a deed of trust by a 295  
trustor in default; 296

(d) A transfer by a foreclosure sale that follows a default 297  
in the satisfaction of an obligation secured by a mortgage; 298

(e) A transfer by a sale under a power of sale following a 299

default in the satisfaction of an obligation that is secured by a	300
deed of trust or another instrument containing a power of sale;	301
(f) A transfer by a mortgagee, or a beneficiary under a deed	302
of trust, who has acquired the residential real property at a sale	303
conducted pursuant to a power of sale under a mortgage or a deed	304
of trust or who has acquired the residential real property by a	305
deed in lieu of foreclosure;	306
(g) A transfer by a fiduciary in the course of the	307
administration of a decedent's estate, a guardianship, a	308
conservatorship, or a trust;	309
(h) A transfer from one co-owner to one or more other	310
co-owners;	311
(i) A transfer made to the transferor's spouse or to one or	312
more persons in the lineal line of consanguinity of one or more of	313
the transferors;	314
(j) A transfer between spouses or former spouses as a result	315
of a decree of divorce, dissolution of marriage, annulment, or	316
legal separation or as a result of a property settlement agreement	317
incidental to a decree of divorce, dissolution of marriage,	318
annulment, or legal separation;	319
(k) A transfer to or from the state, a political subdivision	320
of the state, or another governmental entity;	321
(l) A transfer that involves newly constructed residential	322
real property that previously has not been inhabited;	323
(m) A transfer to a transferee who has occupied the property	324
as a personal residence for one or more years immediately prior to	325
the transfer;	326
(n) A transfer from a transferor who both has not occupied	327
the property as a personal residence within one year immediately	328
prior to the transfer and has acquired the property through	329

inheritance or devise. 330

(C) Except as provided in division (B)(2) of this section and 331  
subject to divisions (E) and (F) of this section, every person who 332  
intends to transfer any residential real property ~~on or after July~~ 333  
~~1, 1993,~~ by sale, land installment contract, lease with option to 334  
purchase, exchange, or lease for a term of ninety-nine years and 335  
renewable forever shall complete all applicable items in a 336  
property disclosure form prescribed under division (D) of this 337  
section and shall deliver in accordance with division (I) of this 338  
section a signed and dated copy of the completed form to each 339  
prospective transferee or prospective transferee's agent as soon 340  
as is practicable. 341

(D)(1) ~~Prior to July 1, 1993,~~ the The director of commerce, 342  
by rule adopted in accordance with Chapter 119. of the Revised 343  
Code, shall prescribe the disclosure form to be completed by 344  
transferors. The form prescribed by the director shall be designed 345  
to permit the transferor to disclose material matters relating to 346  
the physical condition of the property to be transferred, 347  
including, but not limited to, the source of water supply to the 348  
property; the nature of the sewer system serving the property; the 349  
condition of the structure of the property, including the roof, 350  
foundation, walls, and floors; the presence of hazardous materials 351  
or substances, including lead-based paint, asbestos, 352  
urea-formaldehyde foam insulation, and radon gas; whether the 353  
property contains fire extinguishers and carbon monoxide alarms 354  
that comply with the standards the director prescribes pursuant to 355  
division (M)(2) of this section; and any material defects in the 356  
property that are within the actual knowledge of the transferor. 357

The form also shall set forth a statement of the purpose of 358  
the form, including statements substantially similar to the 359  
following: that the form constitutes a statement of the conditions 360  
of the property and of information concerning the property 361

actually known by the transferor; that, unless the transferee is 362  
otherwise advised in writing, the transferor, other than having 363  
lived at or owning the property, possesses no greater knowledge 364  
than that which could be obtained by a careful inspection of the 365  
property by a potential transferee; that the statement is not a 366  
warranty of any kind by the transferor or by any agent or subagent 367  
representing the transferor in this transaction; that the 368  
statement is not a substitute for any inspections; that the 369  
transferee is encouraged to obtain the transferee's own 370  
professional inspection; that the representations are made by the 371  
transferor and are not the representations of the transferor's 372  
agent or subagent; and that the form and the representations 373  
contained therein are provided by the transferor exclusively to 374  
potential transferees in a transfer made by the transferor, and 375  
are not made to transferees in any subsequent transfers. 376

The form shall include instructions to the transferor for 377  
completing the form, space in which the transferor or transferors 378  
shall sign and date the form, and space in which the transferee or 379  
transferees shall sign and date the form acknowledging receipt of 380  
a copy of the form and stating that the transferee or transferees 381  
understand the purpose of the form as stated thereon. 382

(2) ~~Not later than January 1, 2006, the director shall revise~~ 383  
~~the~~ The disclosure form ~~to~~ shall include a statement that 384  
information on the operation and maintenance of the type of sewage 385  
treatment system serving the property is available from the 386  
department of health or the board of health of the health district 387  
in which the property is located. 388

As used in this section, "sewage treatment system" has the 389  
same meaning as in section 3718.01 of the Revised Code. 390

(E)(1) Each disclosure of an item of information that is 391  
required to be made in the property disclosure form prescribed 392  
under division (D) of this section in connection with particular 393

residential real property and each act that may be performed in 394  
making any disclosure of an item of information shall be made or 395  
performed in good faith. 396

(2) If an item of information is unknown to the transferor of 397  
residential real property at the time the item is required to be 398  
disclosed in the property disclosure form and if the approximation 399  
is not used for the purpose of circumventing or otherwise evading 400  
divisions (C) and (D) of this section, the transferor may make a 401  
good faith approximation of the item of information. 402

(F)(1) A transferor of residential real property is not 403  
liable in damages in a civil action for injury, death, or loss to 404  
person or property that allegedly arises from any error in, 405  
inaccuracy of, or omission of any item of information required to 406  
be disclosed in the property disclosure form if the error, 407  
inaccuracy, or omission was not within the transferor's actual 408  
knowledge. 409

(2) If any item of information that is disclosed in the 410  
property disclosure form is rendered inaccurate after the delivery 411  
of the form to the transferee of residential real property or the 412  
transferee's agent as a result of any act, occurrence, or 413  
agreement, the subsequent inaccuracy does not cause, and shall not 414  
be construed as causing, the transferor of the residential real 415  
property to be in noncompliance with the requirements of divisions 416  
(C) and (D) of this section. 417

(G) Any disclosure of an item of information in the property 418  
disclosure form prescribed under division (D) of this section may 419  
be amended in writing by the transferor of residential real 420  
property at any time following the delivery of the form in 421  
accordance with divisions (C) and (I) of this section. The 422  
amendment shall be subject to this section. 423

(H) Except as provided in division (B)(2) of this section, 424

every prospective transferee of residential real property who 425  
receives in accordance with division (C) of this section a signed 426  
and dated copy of a completed property disclosure form as 427  
prescribed under division (D) of this section shall acknowledge 428  
receipt of the form by doing both of the following: 429

(1) Signing and dating a copy of the form; 430

(2) Delivering a signed and dated copy of the form to the 431  
transferor or the transferor's agent or subagent. 432

(I) The transferor's delivery under division (C) of this 433  
section of a property disclosure form as prescribed under division 434  
(D) of this section and the prospective transferee's delivery 435  
under division (H) of this section of an acknowledgment of receipt 436  
of that form shall be made by personal delivery to the other party 437  
or the other party's agent or subagent, by ordinary mail or 438  
certified mail, return receipt requested, or by facsimile 439  
transmission. For the purposes of the delivery requirements of 440  
this section, the delivery of a property disclosure form to a 441  
prospective co-transferee of residential real property or a 442  
prospective co-transferee's agent shall be considered delivery to 443  
the other prospective transferees unless otherwise provided by 444  
contract. 445

(J) The specification of items of information that must be 446  
disclosed in the property disclosure form as prescribed under 447  
division (D)(1) of this section does not limit or abridge, and 448  
shall not be construed as limiting or abridging, any obligation to 449  
disclose an item of information that is created by any other 450  
provision of the Revised Code or the common law of this state or 451  
that may exist in order to preclude fraud, either by 452  
misrepresentation, concealment, or nondisclosure in a transaction 453  
involving the transfer of residential real property. The 454  
disclosure requirements of this section do not bar, and shall not 455  
be construed as barring, the application of any legal or equitable 456

defense that a transferor of residential real property may assert 457  
in a civil action commenced against the transferor by a 458  
prospective or actual transferee of that property. 459

(K)(1) Except as provided in division (K)(2) of this section, 460  
but subject to divisions (J) and (L) of this section, a transfer 461  
of residential real property that is subject to this section shall 462  
not be invalidated because of the failure of the transferor to 463  
provide to the transferee in accordance with division (C) of this 464  
section a completed property disclosure form as prescribed under 465  
division (D) of this section. 466

(2) Subject to division (K)(3)(c) of this section, if a 467  
transferee of residential real property that is subject to this 468  
section receives a property disclosure form or an amendment of 469  
that form as described in division (G) of this section after the 470  
transferee has entered into a transfer agreement with respect to 471  
the property, the transferee, after receipt of the form or 472  
amendment, may rescind the transfer agreement in a written, 473  
signed, and dated document that is delivered to the transferor or 474  
the transferor's agent or subagent in accordance with divisions 475  
(K)(3)(a) and (b) of this section, without incurring any legal 476  
liability to the transferor because of the rescission, including, 477  
but not limited to, a civil action for specific performance of the 478  
transfer agreement. Upon the rescission of the transfer agreement, 479  
the transferee is entitled to the return of, and the transferor 480  
shall return, any deposits made by the transferee in connection 481  
with the proposed transfer of the residential real property. 482

(3)(a) Subject to division (K)(3)(b) of this section, a 483  
rescission of a transfer agreement under division (K)(2) of this 484  
section only may occur if the transferee's written, signed, and 485  
dated document of rescission is delivered to the transferor or the 486  
transferor's agent or subagent within three business days 487  
following the date on which the transferee or the transferee's 488



agent receives the property disclosure form prescribed under 489  
division (D) of this section or the amendment of that form as 490  
described in division (G) of this section. 491

(b) A transferee may not rescind a transfer agreement under 492  
division (K)(2) of this section unless the transferee rescinds the 493  
transfer agreement by the earlier of the date that is thirty days 494  
after the date upon which the transferor accepted the transferee's 495  
transfer offer or the date of the closing of the transfer of the 496  
residential real property. 497

(c) A transferee of residential real property may waive the 498  
right of rescission of a transfer agreement described in division 499  
(K)(2) of this section. 500

(d) A rescission of a transfer agreement is not permissible 501  
under division (K)(2) of this section if a transferee of 502  
residential real property that is subject to this section receives 503  
a property disclosure form as prescribed under division (D) of 504  
this section or an amendment of that form as described in division 505  
(G) of this section prior to the transferee's submission to the 506  
transferor or the transferor's agent or subagent of a transfer 507  
offer and the transferee's entry into a transfer agreement with 508  
respect to the property. 509

(4) If a transferee of residential real property subject to 510  
this section does not receive a property disclosure form from the 511  
transferor after the transferee has submitted to the transferor or 512  
the transferor's agent or subagent a transfer offer and has 513  
entered into a transfer agreement with respect to the property, 514  
the transferee may rescind the transfer agreement in a written, 515  
signed, and dated document that is delivered to the transferor or 516  
the transferor's agent or subagent in accordance with division 517  
(K)(4) of this section without incurring any legal liability to 518  
the transferor because of the rescission, including, but not 519  
limited to, a civil action for specific performance of the 520

transfer agreement. Upon the rescission of the transfer agreement, 521  
the transferee is entitled to the return of, and the transferor 522  
shall return, any deposits made by the transferee in connection 523  
with the proposed transfer of the residential real property. A 524  
transferee may not rescind a transfer agreement under division 525  
(K)(4) of this section unless the transferee rescinds the transfer 526  
agreement by the earlier of the date that is thirty days after the 527  
date upon which the transferor accepted the transferee's transfer 528  
offer or the date of the closing of the transfer of the 529  
residential real property. 530

(L) The right of rescission of a transfer agreement described 531  
in division (K)(2) of this section or the absence of that right 532  
does not affect, and shall not be construed as affecting, any 533  
other legal causes of action or other remedies that a transferee 534  
or prospective transferee of residential real property may possess 535  
against the transferor of that property. 536

(M)(1) No transferor shall enter into an agreement to 537  
transfer residential real property unless that property has 538  
installed and operative fire extinguishers and carbon monoxide 539  
alarms that comply with the standards the director of commerce 540  
establishes pursuant to division (M)(2) of this section. A 541  
transferee may rescind a transfer agreement pursuant to the 542  
procedures described in division (K)(3)(a) of this section if the 543  
transferee receives a form that indicates that the property does 544  
not contain functioning fire extinguishers and carbon monoxide 545  
alarms required under this division. 546

(2) The director shall prescribe product and installation 547  
standards for fire extinguishers and carbon monoxide alarms that 548  
are consistent with the standards the board of building standards 549  
adopts by rule pursuant to division (A)(1) of section 3781.10 of 550  
the Revised Code. 551

**Section 2.** That existing sections 3781.10 and 5302.30 of the Revised Code are hereby repealed.

**Section 3.** One hundred eighty days after the board of building standards adopts the rules establishing the requirements for fire extinguishers and carbon monoxide alarms pursuant to division (A)(1) of section 3781.10 of the Revised Code, as amended by this act, all residential buildings shall have installed and in operation fire extinguishers and carbon monoxide alarms that satisfy the standards the board establishes. As used in this section, "residential building" has the same meaning as in section 3781.06 of the Revised Code.