

**As Introduced**

**128th General Assembly  
Regular Session  
2009-2010**

**S. B. No. 46**

**Senator Kearney**

—

**A B I L L**

To enact section 5321.20 of the Revised Code to 1  
prohibit requiring a tenant to vacate a foreclosed 2  
residential property any earlier than ninety days 3  
following a court's confirmation of the sale of 4  
the property. 5

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

**Section 1.** That section 5321.20 of the Revised Code be 6  
enacted to read as follows: 7

**Sec. 5321.20.** (A) Except as otherwise provided in this 8  
section, when a residential property is subject to a foreclosure 9  
action, no person shall require a tenant of that property to 10  
vacate any earlier than ninety days following the court's 11  
confirmation of the sale pursuant to section 2329.31 of the 12  
Revised Code. Any tenant who remains in a property following the 13  
confirmation of the sale shall pay rent to the property's 14  
successor in interest at the rate specified in the tenant's rental 15  
agreement. 16

(B) Nothing in this section shall be construed to reduce the 17  
term of any rental agreement. If a rental agreement survives a 18  
foreclosure action and remains in effect for more than ninety days 19  
following the sale of a foreclosed property, the tenant of that 20  
property shall have all rights and obligations as set forth in 21

that agreement until the agreement expires in accordance with its 22  
own terms or is terminated for cause. 23

(C) If a rental agreement expires pursuant to its own terms 24  
during the ninety days following a court's confirmation of the 25  
sale of a foreclosed property, the tenant of that property may be 26  
required to vacate the property on the expiration date of that 27  
rental agreement. 28