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Representatives Grossman, Curtin

**Cosponsors: Representatives Stinziano, Becker, Roegner, Lundy, Duffey,
Mallory, Fedor, Hackett, Williams, Antonio, Beck, Driehaus, Adams, R.,
Anielski, Barborak, Bishoff, Boyce, Brown, Buchy, Budish, Carney,
Celebrezze, Clyde, Conditt, Damschroder, Foley, Gerberry, Hagan, R., Heard,
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Reece, Rogers, Sheehy, Slaby, Stebelton, Strahorn, Winburn**

Speaker Batchelder

—

A B I L L

To amend sections 323.47, 1901.18, 1901.185, 2303.26, 1
2329.01, 2329.02, 2329.20, 2329.21, 2329.23, 2
2329.26, 2329.30, 2329.31, 2329.33, 2329.52, and 3
2909.07 and to enact sections 2308.01 to 2308.04, 4
2329.211, 2329.311, and 3767.51 to 3767.56 of the 5
Revised Code to establish summary actions to 6
foreclose mortgages on vacant and abandoned 7
residential properties, to expedite the 8
foreclosure and transfer of unoccupied, blighted 9
parcels, to make other changes relative to 10
residential foreclosure actions, and to terminate 11
certain provisions of this act on December 31, 12
2019, by repealing sections 3767.51, 3767.52, 13
3767.53, 3767.54, 3767.55, and 3767.56 of the 14
Revised Code on that date. 15

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

Section 1. That sections 323.47, 1901.18, 1901.185, 2303.26, 16
2329.01, 2329.02, 2329.20, 2329.21, 2329.23, 2329.26, 2329.30, 17
2329.31, 2329.33, 2329.52, and 2909.07 be amended and sections 18
2308.01, 2308.02, 2308.03, 2308.04, 2329.211, 2329.311, 3767.51, 19
3767.52, 3767.53, 3767.54, 3767.55, and 3767.56 of the Revised 20
Code be enacted to read as follows: 21

Sec. 323.47. (A) If land held by tenants in common is sold 22
upon proceedings in partition, or taken by the election of any of 23
the parties to such proceedings, or real estate is sold by 24
administrators, executors, guardians, or trustees, the court shall 25
order that the taxes, penalties, and assessments then due and 26
payable, and interest on those taxes, penalties, and assessments, 27
that are or will be a lien on such land or real estate at the time 28
the deed is transferred following the sale, be discharged out of 29
the proceeds of such sale or election. For purposes of determining 30
such amount, the county treasurer shall estimate the amount of 31
taxes, assessments, interest, and penalties that will be payable 32
at the time the deed of the property is transferred to the 33
purchaser. If the county treasurer's estimate exceeds the amount 34
of taxes, assessments, interest, and penalties actually payable 35
when the deed is transferred to the purchaser, the officer who 36
conducted the sale shall refund to the purchaser the difference 37
between the estimate and the amount actually payable. If the 38
amount of taxes, assessments, interest, and penalties actually 39
payable when the deed is transferred to the purchaser exceeds the 40
county treasurer's estimate, the officer shall certify the amount 41
of the excess to the treasurer, who shall enter that amount on the 42
real and public utility property tax duplicate opposite the 43
property; the amount of the excess shall be payable at the next 44
succeeding date prescribed for payment of taxes in section 323.12 45
of the Revised Code. 46

(B)(1) If real estate is sold at judicial sale, the court shall order that the total of the following amounts shall be discharged out of the proceeds of the sale but only to the extent of such proceeds:

(a) Taxes and assessments the lien for which attaches before the confirmation of sale but that are not yet determined, assessed, and levied for the year in which confirmation occurs, apportioned pro rata to the part of that year that precedes confirmation, and any penalties and interest on those taxes and assessments;

(b) All other taxes, assessments, penalties, and interest the lien for which attached for a prior tax year but that have not been paid on or before the date of confirmation.

~~(2) Upon the request of the officer who conducted the sale, the county treasurer shall estimate the amount in division (B)(1)(a) of this section. If the county treasurer's estimate exceeds that amount, the officer who conducted the sale shall refund to the purchaser the difference between the estimate and the actual amount. If the actual amount exceeds the county treasurer's estimate, the officer shall certify the amount of the excess to the treasurer, who shall enter that amount on the real and public utility property tax duplicate opposite the property; the amount of the excess shall be payable at the next succeeding date prescribed for payment of taxes in section 323.12 of the Revised Code. The purchaser of real estate at a judicial sale is responsible for payment of any and all taxes and assessments, and any penalties and interest on those taxes and assessments, that attach as of the day following the date of the sale, including taxes and assessments levied for the year in which the sale occurred, apportioned pro rata after the date of the judicial sale, and any penalties and interest on those taxes and assessments.~~

Sec. 1901.18. (A) Except as otherwise provided in this	79
division or section 1901.181 of the Revised Code, subject to the	80
monetary jurisdiction of municipal courts as set forth in section	81
1901.17 of the Revised Code, a municipal court has original	82
jurisdiction within its territory in all of the following actions	83
or proceedings and to perform all of the following functions:	84
(1) In any civil action, of whatever nature or remedy, of	85
which judges of county courts have jurisdiction;	86
(2) In any action or proceeding at law for the recovery of	87
money or personal property of which the court of common pleas has	88
jurisdiction;	89
(3) In any action at law based on contract, to determine,	90
preserve, and enforce all legal and equitable rights involved in	91
the contract, to decree an accounting, reformation, or	92
cancellation of the contract, and to hear and determine all legal	93
and equitable remedies necessary or proper for a complete	94
determination of the rights of the parties to the contract;	95
(4) In any action or proceeding for the sale of personal	96
property under chattel mortgage, lien, encumbrance, or other	97
charge, for the foreclosure and marshalling of liens on personal	98
property of that nature, and for the rendering of personal	99
judgment in the action or proceeding;	100
(5) In any action or proceeding to enforce the collection of	101
its own judgments or the judgments rendered by any court within	102
the territory to which the municipal court has succeeded, and to	103
subject the interest of a judgment debtor in personal property to	104
satisfy judgments enforceable by the municipal court;	105
(6) In any action or proceeding in the nature of	106
interpleader;	107
(7) In any action of replevin;	108

(8) In any action of forcible entry and detainer;	109
(9) In any action concerning the issuance and enforcement of temporary protection orders pursuant to section 2919.26 of the Revised Code or protection orders pursuant to section 2903.213 of the Revised Code or the enforcement of protection orders issued by courts of another state, as defined in section 2919.27 of the Revised Code;	110 111 112 113 114 115
(10) If the municipal court has a housing or environmental division, in any action over which the division is given jurisdiction by section 1901.181 of the Revised Code, provided that, except as specified in division (B) of that section, no judge of the court other than the judge of the division shall hear or determine any action over which the division has jurisdiction;	116 117 118 119 120 121
(11) In any action brought pursuant to division (I) of section 4781.40 of the Revised Code, if the residential premises that are the subject of the action are located within the territorial jurisdiction of the court;	122 123 124 125
(12) In any civil action as described in division (B)(1) of section 3767.41 of the Revised Code that relates to a public nuisance, and, to the extent any provision of this chapter conflicts or is inconsistent with a provision of that section, the provision of that section shall control in the civil action;	126 127 128 129 130
(13) In a proceeding brought pursuant to section 955.222 of the Revised Code by the owner of a dog that has been designated as a nuisance dog, dangerous dog, or vicious dog.	131 132 133
(B) The Cleveland <u>and Toledo</u> municipal court <u>courts</u> also shall have jurisdiction within its <u>their</u> territory in all of the following actions or proceedings and to perform all of the following functions:	134 135 136 137
(1) In all actions and proceedings for the sale of real property under lien of a judgment of the municipal court or a lien	138 139

for machinery, material, or fuel furnished or labor performed, 140
irrespective of amount, and, in those actions and proceedings, the 141
court may proceed to foreclose and marshal all liens and all 142
vested or contingent rights, to appoint a receiver, and to render 143
personal judgment irrespective of amount in favor of any party. 144

(2) In all actions for the foreclosure of a mortgage on real 145
property given to secure the payment of money or the enforcement 146
of a specific lien for money or other encumbrance or charge on 147
real property, when the amount claimed by the plaintiff does not 148
exceed fifteen thousand dollars and the real property is situated 149
within the territory, and, in those actions, the court may proceed 150
to foreclose all liens and all vested and contingent rights and 151
may proceed to render judgments and make findings and orders 152
between the parties in the same manner and to the same extent as 153
in similar actions in the court of common pleas. 154

(3) In all actions for the recovery of real property situated 155
within the territory to the same extent as courts of common pleas 156
have jurisdiction; 157

(4) In all actions for injunction to prevent or terminate 158
violations of the ordinances and regulations of the city of 159
Cleveland or Toledo enacted or promulgated under the police power 160
of the city of Cleveland or Toledo, pursuant to Section 3 of 161
Article XVIII, Ohio Constitution, over which the court of common 162
pleas has or may have jurisdiction, and, in those actions, the 163
court may proceed to render judgments and make findings and orders 164
in the same manner and to the same extent as in similar actions in 165
the court of common pleas. 166

Sec. 1901.185. (A) In addition to jurisdiction otherwise 167
granted in this chapter, the environmental division, where 168
established, of the municipal court shall have jurisdiction within 169
its territory in all of the following actions or proceedings and 170

to perform all of the following functions: 171

~~(A)(1)~~ To exercise exclusive original jurisdiction to hear 172
actions arising under section 3767.50 of the Revised Code and in 173
those actions to make findings and orders pertaining to blighted 174
parcels; 175

~~(B)(2)~~ When in aid of execution of a judgment of the 176
environmental division of the municipal court rendered pursuant to 177
section 3767.50 of the Revised Code, in actions for the 178
foreclosure of a mortgage on real property given to secure the 179
payment of money, or the enforcement of a specific lien for money 180
or other encumbrance or charge on real property, when the real 181
property is situated within the territory, to foreclose all liens 182
and all vested and contingent rights, render judgments, and make 183
findings and orders, between the parties, in the same manner and 184
to the same extent as in similar cases in the court of common 185
pleas. 186

(B) In addition to jurisdiction otherwise granted in this 187
chapter, the housing or environmental division, where established, 188
of the municipal court shall have jurisdiction within its 189
territory to exercise exclusive original jurisdiction to hear 190
actions arising under section 2308.02 of the Revised Code and in 191
those actions to make findings and orders pertaining to vacant and 192
abandoned properties pursuant to section 2308.02 of the Revised 193
Code. 194

(C) For the time period beginning on the effective date of 195
this amendment and ending December 31, 2019, in addition to 196
jurisdiction otherwise granted in this chapter, the housing or 197
environmental division, where established, of the municipal court 198
shall have jurisdiction within its territory to exercise exclusive 199
original jurisdiction to hear actions arising under section 200
3767.52 of the Revised Code and in those actions to make findings 201

and orders pertaining to unoccupied, blighted parcels pursuant to 202
sections 3767.52 and 3767.53 of the Revised Code. 203

Sec. 2303.26. The clerk of the court of common pleas shall 204
exercise the powers conferred and perform the duties enjoined upon 205
~~him~~ the clerk by statute and by the common law; and in the 206
performance of ~~his~~ official duties ~~he~~ the clerk shall be under the 207
direction of ~~his~~ such court. The clerk shall not restrict, 208
prohibit, or otherwise modify the rights of parties to seek 209
service on party defendants allowed by the Ohio rules of civil 210
procedure, either singularly or concurrently. 211

Sec. 2308.01. As used in this chapter: 212

(A) "Residential mortgage loan" means a loan or agreement to 213
extend credit, including the renewal, refinancing, or modification 214
of such a loan or agreement, that is made to a person and that is 215
primarily secured by a mortgage, deed of trust, or other lien upon 216
any interest in residential property or any certification of stock 217
or other evidence of ownership in, and a proprietary lease from, a 218
corporation or partnership formed for the purpose of cooperative 219
ownership of residential property. 220

(B) "Residential property" means real property located within 221
this state consisting of land and a structure on that land 222
containing four or fewer dwelling units, each of which is intended 223
for occupancy by a separate household. "Residential property" 224
includes a residential condominium unit owned by an individual, 225
notwithstanding the number of units in the structure, but does not 226
include a manufactured or mobile home that is not taxed as real 227
property. 228

Sec. 2308.02. (A) For purposes of this section, a residential 229
property shall be considered vacant and abandoned if both of the 230
following apply: 231

<u>(1) The owner of the residential property is in default on</u>	232
<u>the residential mortgage loan secured by the residential property.</u>	233
<u>(2) Two or more of the following circumstances apply:</u>	234
<u>(a) At the time of the inspection of the land by the</u>	235
<u>appropriate official of a county, municipal corporation, or</u>	236
<u>township in which the land is located or by the holder of the</u>	237
<u>mortgage note, or the holder's representative, no person is</u>	238
<u>visibly present from an exterior inspection of the property.</u>	239
<u>(b) No utility connections, including water, sewer, natural</u>	240
<u>gas, or electric connections, service the property, or no such</u>	241
<u>utility connections are actively being billed by any utility</u>	242
<u>provider regarding the property.</u>	243
<u>(c) The property is sealed because, immediately prior to</u>	244
<u>being sealed, it was considered by the appropriate official to be</u>	245
<u>open, vacant, or vandalized.</u>	246
<u>(d) Junk, litter, trash, debris, or hazardous, noxious, or</u>	247
<u>unhealthy substances or materials have accumulated on the</u>	248
<u>property.</u>	249
<u>(e) Furnishings, window treatments, and personal items are</u>	250
<u>absent from the structure on the land.</u>	251
<u>(f) Neighbors, delivery persons, or government employees</u>	252
<u>provide statements indicating that the structure on the land is</u>	253
<u>vacant and abandoned.</u>	254
<u>(g) A risk to the health and safety or welfare of the public,</u>	255
<u>or any adjoining or adjacent property owners, exists due to acts</u>	256
<u>of vandalism, loitering, criminal conduct, or the physical</u>	257
<u>destruction or deterioration of the property.</u>	258
<u>(h) A mortgagor issues a written statement expressing clear</u>	259
<u>intent of all mortgagors to abandon the property.</u>	260
<u>(i) Any other reasonable indicia of abandonment exists.</u>	261

(B) In addition to the procedures set forth in sections 323.65 to 323.79 and 3767.50 of the Revised Code, if a residential mortgage loan is secured by residential property that appears to be vacant and abandoned pursuant to division (A)(2) of this section, and the owner of the residential property is in default on the loan, the holder of the mortgage note for that residential mortgage loan may bring a summary action in a court of competent jurisdiction to foreclose that residential mortgage loan. The holder of the mortgage note, at the time of filing a foreclosure action or any time thereafter, may file with the court a motion to proceed in a summary manner if the residential property that is the subject of the foreclosure action is believed to be vacant and abandoned. 262
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(C) If, at the time that a holder of a mortgage note brings an action to foreclose on a residential mortgage loan, the holder files a motion for summary foreclosure under this section, the court shall hear the motion for summary foreclosure not earlier than before the period to answer the foreclosure complaint has expired and not later than fifteen days after the period to answer the foreclosure complaint has expired. If the holder of the mortgage note files the motion for summary foreclosure after the period to answer the foreclosure complaint has expired, the court shall hear the motion not later than fifteen days after the motion is filed. 275
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(D) The hearing on a motion for summary foreclosure shall be given priority by the court and shall be scheduled to be heard within the applicable time period set forth in division (C) of this section. 286
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(E) In addition to the service of process required by the Rules of Civil Procedure, to obtain an entry of judgment in a residential mortgage loan foreclosure action under this section, a holder of a mortgage note shall establish that a process server or 290
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sheriff has made two unsuccessful attempts to serve the mortgagor 294
or occupant at the residential property. To satisfy the 295
requirement specified in this division, the holder of the mortgage 296
note shall demonstrate that the attempts were at least forty-eight 297
hours apart and during different times of the day. 298

(F) In addition to any notices required to be served by law 299
or the Rules of Civil Procedure, a holder of a mortgage note shall 300
serve a notice that the holder is seeking, on the date fixed by 301
the court, to proceed summarily for entry of judgment in a 302
residential mortgage loan foreclosure action under this section 303
because the property is believed to be vacant and abandoned. This 304
notice shall be served by ordinary mail to the mortgagor's last 305
known address, and the sender shall obtain a certificate of 306
mailing. The notice shall be sent at least seven days before the 307
hearing described in division (C) of this section occurs. Service 308
by ordinary mail is complete when the certificate of mailing is 309
obtained, unless the notice is returned showing failure of 310
delivery. 311

(G) At the hearing held pursuant to division (C) of this 312
section, the court shall determine whether a property is vacant 313
and abandoned pursuant to the standards described in division (A) 314
of this section. The owner of the property may make an appearance 315
at this hearing and submit evidence that the property is not 316
vacant and abandoned. At the end of the hearing, the court shall 317
make a finding on whether the property owner is in default on the 318
residential mortgage loan secured by the residential property and 319
whether two or more of the circumstances listed in division (A)(2) 320
of this section apply to the residential property. 321

(1) Not earlier than the expiration of the period of time to 322
answer the foreclosure complaint or the period of time to respond 323
to a motion for judgment under the Rules of Civil Procedure, 324
whichever period expires later, the court shall enter a final 325

judgment of foreclosure and order the sheriff to sell the property 326
in accordance with division (I) of this section if the court finds 327
by clear and convincing evidence that both of the following apply: 328

(a) The property owner is in default on the residential 329
mortgage loan secured by the residential property; 330

(b) Two or more of the circumstances listed in division 331
(A)(2) of this section apply to the residential property and those 332
circumstances are not outweighed by the evidence submitted by the 333
property owner. 334

(2) A court shall not enter a final judgment in a residential 335
mortgage loan foreclosure action under this section if a court 336
finds that any of the following apply: 337

(a) The residential property is not vacant or abandoned 338
because either less than two of the circumstances listed in 339
division (A)(2) of this section apply or because the evidence 340
submitted by the property owner outweighs the circumstances 341
established. 342

(b) The mortgagor or any other defendant has filed an answer, 343
appearance, or other written objection that is not withdrawn and 344
the defenses or objection asserted provide cause to preclude the 345
entry of a final judgment. 346

(c) The property owner is not in default on the residential 347
mortgage loan secured by the residential property. 348

(H) Nothing in this section shall supersede or limit other 349
procedures adopted by the court to resolve residential mortgage 350
loan foreclosure actions, including foreclosure mediation. 351

(I) If the court enters a judgment on a residential mortgage 352
loan foreclosure action and orders a sale of the property under 353
division (G) of this section, the sheriff shall sell the property 354
within seventy-five days after the sheriff's receipt of any writ 355

of execution issued by the court in accordance with the procedures 356
specified in this chapter and Chapter 2329. of the Revised Code. 357

(J) If a residential property becomes vacant and abandoned 358
after a decree of foreclosure has been entered, upon good cause 359
shown, the plaintiff may file a motion that the court determine 360
the property to be vacant and abandoned as described in division 361
(A) of this section and order the sheriff to sell it pursuant to 362
division (I) of this section. If a court finds that the 363
residential property is vacant and abandoned, the court shall 364
enter a judgment on the residential mortgage loan foreclosure 365
action under this section and the sheriff shall sell the property 366
in accordance with division (I) of this section. 367

Sec. 2308.03. (A) Except as otherwise provided in division 368
(B) of this section, if a residential property is found to be 369
vacant and abandoned under section 2308.02 of the Revised Code, a 370
holder of a mortgage note on the residential property may enter 371
that property to secure and protect it from damage. 372

(B) A holder of a mortgage note who has not filed a 373
residential mortgage loan foreclosure action on a property for 374
which the holder holds a mortgage may enter and secure that 375
property only if the mortgage contract or other documents provide 376
for such an entry. 377

(C)The equitable and statutory rights to redemption of a 378
mortgage on a property found to be vacant and abandoned pursuant 379
to section 2308.02 of the Revised Code expire upon the 380
confirmation of sale of the property. 381

Sec. 2308.04. A person who is an owner of residential 382
property who knowingly causes physical harm to that property after 383
the person has been personally served with a summons and complaint 384
in a residential mortgage loan foreclosure action relating to that 385

property is guilty of criminal mischief in violation of section 2909.07 of the Revised Code. 386
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Sec. 2329.01. (A) Lands and tenements, including vested legal interests therein, permanent leasehold estates renewable forever, and goods and chattels, not exempt by law, shall be subject to the payment of debts, and liable to be taken on execution and sold as provided in sections 2329.02 to 2329.61, ~~inclusive~~, of the Revised Code. 388
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(B) As used in sections 2329.02 to 2329.61 of the Revised Code, "residential mortgage loan" and "residential property" have the same meanings as in section 2308.01 of the Revised Code. 394
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Sec. 2329.02. (A) Any judgment or decree rendered by any court of general jurisdiction, including district courts of the United States, within this state shall be a lien upon lands and tenements of each judgment debtor within any county of this state from the time there is filed in the office of the clerk of the court of common pleas of such county a certificate of such judgment, setting forth the court in which the same was rendered, the title and number of the action, the names of the judgment creditors and judgment debtors, the amount of the judgment and costs, the rate of interest, if the judgment provides for interest, and the date from which such interest accrues, the date of rendition of the judgment, and the volume and page of the journal entry thereof. 397
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(B) No such judgment or decree shall be a lien upon any lands, whether or not situated within the county in which such judgment is rendered, registered under sections 5309.02 to 5309.98, ~~inclusive~~, and 5310.01 to 5310.21, ~~inclusive~~, of the Revised Code, until a certificate under the hand and official seal of the clerk of the court in which the same is entered or of 410
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record, stating the date and purport of the judgment, giving the 416
number of the case, the full names of the parties, plaintiff and 417
defendant, and the volume and page of the journal or record in 418
which it is entered, or a certified copy of such judgment, stating 419
such facts, is filed and noted in the office of the county 420
recorder of the county in which the land is situated, and a 421
memorial of the same is entered upon the register of the last 422
certificate of title to the land to be affected. 423

Such certificate shall be made by the clerk of the court in 424
which the judgment was rendered, under the seal of said court, 425
upon the order of any person in whose favor such judgment was 426
rendered or upon the order of any person claiming under ~~him~~ a 427
person in whose favor such judgment was rendered, and shall be 428
delivered to the party so ordering the same; and the fee therefor 429
shall be taxed in the costs of the action. 430

(C) When any such certificate is delivered to the clerk of 431
the court of common pleas of any county in this state, the same 432
shall be filed by such clerk, and ~~he~~ the clerk shall docket and 433
index it under the names of the judgment creditors and the 434
judgment debtors in a judgment docket, which shall show as to each 435
judgment all of the matters set forth in such certificate as 436
required by this section. The fee for such filing, docketing, and 437
indexing shall be taxed as increased costs of such judgment upon 438
such judgment docket and shall be included in the lien of the 439
judgment. 440

(D) When the clerk of any court, other than that rendering 441
the judgment, in whose office any such certificate is filed, has 442
docketed and indexed the same, ~~he~~ the clerk shall indorse upon 443
such certificate the fact of such filing with the date thereof and 444
the volume and page of the docket entry of such certificate and 445
shall return the same so indorsed to the clerk of the court in 446
which the judgment was rendered, who shall note upon the original 447

docket the fact of the filing of said certificate, showing the 448
county in which the same was filed and the date of such filing. 449
When such certificate is filed, docketed, and indexed in the 450
office of the clerk of the court which rendered the judgment, such 451
clerk shall likewise indorse the certificate and make like 452
notation upon the original docket. 453

Each such judgment shall be deemed to have been rendered in 454
the county in which is kept the journal of the court rendering the 455
same, in which journal such judgment is entered. 456

(E) Certificates or certified copies of judgments or decrees 457
of any courts of general jurisdiction, including district courts 458
of the United States, within this state, may be filed, registered, 459
noted, and memorials thereof entered, in the office of the 460
recorder of any county in which is situated land registered under 461
sections 5309.02 to 5309.98, ~~inclusive~~, and 5310.01 to 5310.21, 462
~~inclusive~~, of the Revised Code, for the purpose of making such 463
judgments liens upon such registered land. 464

(F) Notwithstanding any other provision of the Revised Code, 465
any judgment issued in a court of record may be transferred to any 466
other court of record. Any proceedings for collection may be had 467
on such judgment the same as if it had been issued by the 468
transferee court. 469

(G) When a clerk files a judgment of foreclosure in a 470
residential mortgage loan foreclosure action, the clerk shall 471
provide notice of that filing to the judgment debtor, the judgment 472
creditor, and any lienholder who has appeared in the action. 473

Sec. 2329.20. ~~No~~ Except as otherwise provided in this section 474
or sections 2329.51 and 2329.52 of the Revised Code, no tract of 475
land shall be sold for less than two-thirds of the value returned 476
in the inquest required by section 2329.17 of the Revised Code 477
~~except that in.~~ In all cases where in which a junior mortgage or 478

other junior lien is sought to be enforced against real estate by 479
an order, judgment, or decree of court, subject to a prior lien 480
thereon, and such prior lien, and the claims or obligations 481
secured thereby, are unaffected by such order, judgment, or 482
decree, the court making such order, judgment, or decree, may 483
determine the minimum amount for which such real estate may be 484
sold, such minimum amount to be not less than two-thirds of the 485
difference between the value of the real estate appraised as 486
provided in such section, and the amount remaining unpaid on the 487
claims or obligations secured by such prior lien. The price at 488
which a foreclosed residential property sells at a sheriff's 489
auction shall not be used as a basis for establishing the market 490
value of any other property. 491

Sec. 2329.21. If the sum bid by the purchaser for the real 492
estate sold under section 2329.20 of the Revised Code relating to 493
the enforcement of junior liens is insufficient to pay the costs 494
and allowance which the court has determined prior to such sale 495
should be paid out of the proceeds thereof, pursuant to the terms 496
of the mortgage or lien sought to be enforced, then the purchaser, 497
in addition to the amount of ~~his~~ the purchaser's bid, must pay a 498
sum which with the amount so bid will be sufficient to pay the 499
costs and allowances. The court may fix the amount remaining 500
unpaid on such claims or obligations for the purpose of the sale, 501
and to that end require the parties to the suit to furnish to it 502
satisfactory evidence of such unpaid amount. The advertisement for 503
the sale of real estate sold under section 2329.20 of the Revised 504
Code shall state that the purchaser shall be responsible for those 505
costs and allowances that the proceeds of the sale are 506
insufficient to cover. 507

Sec. 2329.211. A successful purchaser at a sale of lands and 508
tenements taken in execution shall make a deposit in the amount of 509

five per cent of the appraised value of the property, but not less 510
than five thousand dollars or more than ten thousand dollars, to 511
the officer conducting the sale. The deposit is due at the time of 512
sale, unless the purchaser is the plaintiff in the action or the 513
judgment creditor. In that case, the deposit shall be tendered to 514
the officer by the close of business the day of the sale. Failure 515
of the purchaser to timely make its deposit shall invalidate the 516
sale. 517

Sec. 2329.23. All notices and advertisements for the sale of 518
lands and tenements located in a municipal corporation, made by 519
virtue of the proceedings in a court of record, in addition to a 520
description of the lands and tenements, shall contain the street 521
number of the buildings erected on the lands, or the street number 522
of the lots offered for sale. If no such number exists, then the 523
notice or advertisement shall contain the name of the street or 524
road upon which the lands and tenements are located together with 525
the names of the streets or roads immediately north and south or 526
east and west of the lands and tenements that cross or intersect 527
the street or road upon which they are located. The notice or 528
advertisement shall, if applicable, include the web site address 529
of the officer who makes the sale that allows a person to obtain a 530
complete legal description of the lands and tenements. 531

All notices and advertisements for the sale of residential 532
property located in a municipal corporation, made by virtue of the 533
proceeding in a court of record pursuant to a mortgage loan 534
foreclosure action, shall include the provisional date for a 535
second sale of the property, should the property not sell for the 536
minimum bid established pursuant to section 2329.20 of the Revised 537
Code. 538

Sec. 2329.26. (A) Lands and tenements taken in execution 539

shall not be sold until all of the following occur: 540

(1)(a) Except as otherwise provided in division (A)(1)(b) of 541
this section, the judgment creditor who seeks the sale of the 542
lands and tenements or the judgment creditor's attorney does both 543
of the following: 544

(i) Causes a written notice of the date, time, and place of 545
the sale, and of the provisional second sale described in division 546
(B) of section 2329.52 of the Revised Code, if applicable, to be 547
served in accordance with divisions (A) and (B) of Civil Rule 5 548
upon the judgment debtor and upon each other party to the action 549
in which the judgment giving rise to the execution was rendered; 550

(ii) At least seven calendar days prior to the date of the 551
sale, files with the clerk of the court that rendered the judgment 552
giving rise to the execution a copy of the written notice 553
described in division (A)(1)(a)(i) of this section with proof of 554
service endorsed on the copy in the form described in division (D) 555
of Civil Rule 5. 556

(b) Service of the written notice described in division 557
(A)(1)(a)(i) of this section is not required to be made upon any 558
party who is in default for failure to appear in the action in 559
which the judgment giving rise to the execution was rendered. 560

(2) The officer taking the lands and tenements gives public 561
notice of the date, time, and place of the sale, and of the 562
provisional second sale described in division (B) of section 563
2329.52 of the Revised Code, if applicable, once a week for at 564
least three consecutive weeks before the day of sale by 565
advertisement in a newspaper of general circulation in the county. 566
The newspaper shall meet the requirements of section 7.12 of the 567
Revised Code. The court ordering the sale may designate in the 568
order of sale the newspaper in which this public notice shall be 569
published. 570

(3) The officer taking the lands and tenements shall collect 571
the purchaser's information required by section 2329.271 of the 572
Revised Code. 573

(B) A sale of lands and tenements taken in execution may be 574
set aside in accordance with division (A) or (B) of section 575
2329.27 of the Revised Code. 576

Sec. 2329.30. The court from which an execution or order of 577
sale issues, upon notice and motion of the officer who makes the 578
sale or of an interested party, may punish any purchaser of lands 579
and tenements who fails to pay within thirty days of the 580
confirmation of the sale the balance due on the purchase price of 581
the lands and tenements by forfeiting the sale of the lands and 582
tenements and returning any deposit paid in connection with the 583
sale of the lands and tenements, by forfeiting any deposit paid in 584
connection with the sale of the lands and tenements, as for 585
contempt, or in any other manner the court considers appropriate. 586
Upon motion, the court shall order the return of any remaining 587
portion of the deposit of the purchaser, less the costs of a 588
subsequent sale and any other remedy the court considers 589
appropriate. The effect of an order for contempt for failure of 590
the purchaser to pay shall be considered an order to void the 591
confirmation of sale and transfer. 592

Sec. 2329.31. (A) Upon the return of any writ of execution 593
for the satisfaction of which lands and tenements have been sold, 594
on careful examination of the proceedings of the officer making 595
the sale, if the court of common pleas finds that the sale was 596
made, in all respects, in conformity with sections 2329.01 to 597
2329.61 of the Revised Code, it shall, within thirty days of the 598
return of the writ, direct the clerk of the court of common pleas 599
to make an entry on the journal that the court is satisfied of the 600
legality of such sale ~~and that the attorney who filed the writ of~~ 601

~~execution make to the purchaser a deed for the lands and 602
tenements. Nothing in this section prevents the court of common 603
pleas from staying the confirmation of the sale to permit a 604
property owner time to redeem the property or for any other reason 605
that it determines is appropriate. In those instances, the sale 606
shall be confirmed within thirty days after the termination of any 607
stay of confirmation. 608~~

(B) The officer making the sale shall require the purchaser, 609
including a lienholder, to pay within thirty days of the 610
confirmation of the sale the balance due on the purchase price of 611
the lands and tenements. 612

(C) The officer making the sale shall record the prepared 613
deed required by section 2329.36 of the Revised Code within 614
fourteen days after the confirmation of sale or payment of the 615
balance due, whichever is later. If the deed is not prepared or 616
recorded within the fourteen-day period, the recording of the 617
order of confirmation of sale by the purchaser shall serve to 618
transfer the title of the property to the purchaser as described 619
in division (D) of this section. The confirmation of sale shall 620
include a statement that it serves to transfer title if the deed 621
is not transferred within fourteen days after the confirmation of 622
sale or payment of the balance due. 623

(D) The order of confirmation shall, upon the expiration of 624
the fourteen-day period described in division (C) of this section 625
and unless stayed by the court pending timely appeal along with 626
the posting of an adequate supersedeas bond, serve to transfer the 627
title of the property to the purchaser. The plaintiff, or the 628
plaintiff's attorney, shall cause a certified copy of the order of 629
confirmation to be recorded in the office of the county recorder. 630
The clerk shall issue a copy of the order to the county auditor to 631
transfer record ownership of the property for the purpose of real 632
estate taxes. Real estate taxes coming due after the date of the 633

confirmation of sale shall not prohibit the auditor from 634
transferring ownership of the property on its records or cause the 635
recorder to deny recording. The real estate taxes shall become the 636
responsibility of the new title holder of the property. The 637
sheriff shall not require the confirmation of sale to be amended 638
for taxes not due and payable as of the date of the sale. 639

Sec. 2329.311. In sales of residential properties taken in 640
execution or order of sale that are sold at an auction with no set 641
minimum bid pursuant to division (B) of section 2329.52 of the 642
Revised Code, the judgment creditor and the first lienholder each 643
have the right to redeem the property within fourteen days after 644
the sale by paying the purchase price. The redeeming party shall 645
pay the purchase price to the clerk of the court in which the 646
judgment was rendered or the order of sale was made. Upon timely 647
payment, the court shall proceed as described in section 2329.31 648
of the Revised Code, with the redeeming party considered the 649
successful purchaser at sale. 650

Sec. 2329.33. ~~In~~ Except as provided in division (C) of 651
section 2308.03 or any other section of the Revised Code, in sales 652
of real estate on execution or order of sale, at any time before 653
the confirmation thereof, the debtor may redeem it from sale by 654
depositing in the hands of the clerk of the court of common pleas 655
to which such execution or order is returnable, the amount of the 656
judgment or decree upon which such lands were sold, with all 657
costs, including poundage, and interest at the rate of eight per 658
cent per annum on the purchase money from the day of sale to the 659
time of such deposit, except where the judgment creditor is the 660
purchaser, the interest at such rate on the excess above ~~his~~ the 661
judgment creditor's claim. ~~The~~ Redemption of the debtor is a 662
satisfaction of the judgment against the debtor only and shall not 663
serve to discharge the judgment debtor of the judgment creditor's 664

advancements for real estate taxes, insurance premium, and 665
property protection if such a requirement was included in the 666
judgment. Upon successful redemption, the judgment debtor may 667
petition the court to require the judgment creditor to provide an 668
itemization of those advances within a reasonable amount of time 669
for payment by the judgment debtor. Should the judgment debtor pay 670
all sums required by this section, the court of common pleas 671
thereupon shall make an order setting aside such sale, and apply 672
the deposit to the payment of such judgment or decree and costs, 673
and award such interest to the purchaser, who shall receive from 674
the officer making the sale the purchase money paid by ~~him~~ the 675
purchaser, and the interest from the clerk. This section does not 676
take away the power of the court to set aside such sale for any 677
reason for which it might have been set aside prior to April 16, 678
1888. 679

Sec. 2329.52. When (A) Except as otherwise provided in 680
division (B) of this section, when premises are ordered to be 681
sold, if said premises, or a part thereof, remain unsold for want 682
of bidders after having been once appraised, advertised, and 683
offered for sale, the court from which the order of sale issued 684
may, on motion of the plaintiff or defendant and from time to time 685
until said premises are disposed of, order a new appraisalment and 686
sale or direct the amount for which said premises, or a part 687
thereof, may be sold. 688

The court may order that the premises be sold as follows: One 689
third cash in hand, one third in nine months from the day of sale, 690
and the remaining one third in eighteen months from the day of 691
sale, the deferred payments to draw interest at six per cent and 692
be secured by a mortgage on the premises. 693

(B) When a residential property is ordered to be sold 694
pursuant to a residential mortgage loan foreclosure action, if the 695

property remains unsold after the first auction with a minimum bid 696
of two-thirds of the appraised value as established pursuant to 697
section 2329.17 of the Revised Code, a second auction shall be 698
held with no set minimum bid, and the residential property shall 699
be sold to the highest bidder. This second auction shall be held 700
not earlier than seven days and not later than thirty days after 701
the first auction. As a condition of the second auction, the 702
purchaser shall pay, in addition to the amount bid, a deposit to 703
the sheriff to be used to pay the costs and allowances of the 704
sale. This deposit shall be not less than five thousand dollars 705
and not more than ten thousand dollars, as determined by the 706
sheriff. The sheriff shall return the deposit, less the amount 707
used for costs and allowances, to the purchaser within fourteen 708
days after the transfer of sale. A residential property that 709
remains unsold after two auctions may be subsequently offered for 710
sale from time to time with no set minimum bid or disposed of in 711
any other manner pursuant to this chapter or any other provision 712
of the Revised Code. 713

Sec. 2909.07. (A) No person shall: 714

(1) Without privilege to do so, knowingly move, deface, 715
damage, destroy, or otherwise improperly tamper with the property 716
of another or one's own property after a foreclosure complaint is 717
filed against that property; 718

(2) With purpose to interfere with the use or enjoyment of 719
property of another, employ a tear gas device, stink bomb, smoke 720
generator, or other device releasing a substance that is harmful 721
or offensive to persons exposed or that tends to cause public 722
alarm; 723

(3) Without privilege to do so, knowingly move, deface, 724
damage, destroy, or otherwise improperly tamper with a bench mark, 725
triangulation station, boundary marker, or other survey station, 726

monument, or marker; 727

(4) Without privilege to do so, knowingly move, deface, 728
damage, destroy, or otherwise improperly tamper with any safety 729
device, the property of another, or the property of the offender 730
when required or placed for the safety of others, so as to destroy 731
or diminish its effectiveness or availability for its intended 732
purpose; 733

(5) With purpose to interfere with the use or enjoyment of 734
the property of another, set a fire on the land of another or 735
place personal property that has been set on fire on the land of 736
another, which fire or personal property is outside and apart from 737
any building, other structure, or personal property that is on 738
that land; 739

(6) Without privilege to do so, and with intent to impair the 740
functioning of any computer, computer system, computer network, 741
computer software, or computer program, knowingly do any of the 742
following: 743

(a) In any manner or by any means, including, but not limited 744
to, computer hacking, alter, damage, destroy, or modify a 745
computer, computer system, computer network, computer software, or 746
computer program or data contained in a computer, computer system, 747
computer network, computer software, or computer program; 748

(b) Introduce a computer contaminant into a computer, 749
computer system, computer network, computer software, or computer 750
program. 751

(B) As used in this section, "safety device" means any fire 752
extinguisher, fire hose, or fire axe, or any fire escape, 753
emergency exit, or emergency escape equipment, or any life line, 754
life-saving ring, life preserver, or life boat or raft, or any 755
alarm, light, flare, signal, sign, or notice intended to warn of 756
danger or emergency, or intended for other safety purposes, or any 757

guard railing or safety barricade, or any traffic sign or signal, 758
or any railroad grade crossing sign, signal, or gate, or any first 759
aid or survival equipment, or any other device, apparatus, or 760
equipment intended for protecting or preserving the safety of 761
persons or property. 762

(C)(1) Whoever violates this section is guilty of criminal 763
mischief, and shall be punished as provided in division (C)(2) or 764
(3) of this section. 765

(2) Except as otherwise provided in this division, criminal 766
mischief committed in violation of division (A)(1), (2), (3), (4), 767
or (5) of this section is a misdemeanor of the third degree. 768
Except as otherwise provided in this division, if the violation of 769
division (A)(1), (2), (3), (4), or (5) of this section creates a 770
risk of physical harm to any person, criminal mischief committed 771
in violation of division (A)(1), (2), (3), (4), or (5) of this 772
section is a misdemeanor of the first degree. If the property 773
involved in the violation of division (A)(1), (2), (3), (4), or 774
(5) of this section is an aircraft, an aircraft engine, propeller, 775
appliance, spare part, fuel, lubricant, hydraulic fluid, any other 776
equipment, implement, or material used or intended to be used in 777
the operation of an aircraft, or any cargo carried or intended to 778
be carried in an aircraft, criminal mischief committed in 779
violation of division (A)(1), (2), (3), (4), or (5) of this 780
section is one of the following: 781

(a) If the violation creates a risk of physical harm to any 782
person, except as otherwise provided in division (C)(2)(b) of this 783
section, criminal mischief committed in violation of division 784
(A)(1), (2), (3), (4), or (5) of this section is a felony of the 785
fifth degree. 786

(b) If the violation creates a substantial risk of physical 787
harm to any person or if the property involved in a violation of 788
this section is an occupied aircraft, criminal mischief committed 789

in violation of division (A)(1), (2), (3), (4), or (5) of this 790
section is a felony of the fourth degree. 791

(3) Except as otherwise provided in this division, criminal 792
mischief committed in violation of division (A)(6) of this section 793
is a misdemeanor of the first degree. Except as otherwise provided 794
in this division, if the value of the computer, computer system, 795
computer network, computer software, computer program, or data 796
involved in the violation of division (A)(6) of this section or 797
the loss to the victim resulting from the violation is one 798
thousand dollars or more and less than ten thousand dollars, or if 799
the computer, computer system, computer network, computer 800
software, computer program, or data involved in the violation of 801
division (A)(6) of this section is used or intended to be used in 802
the operation of an aircraft and the violation creates a risk of 803
physical harm to any person, criminal mischief committed in 804
violation of division (A)(6) of this section is a felony of the 805
fifth degree. If the value of the computer, computer system, 806
computer network, computer software, computer program, or data 807
involved in the violation of division (A)(6) of this section or 808
the loss to the victim resulting from the violation is ten 809
thousand dollars or more, or if the computer, computer system, 810
computer network, computer software, computer program, or data 811
involved in the violation of division (A)(6) of this section is 812
used or intended to be used in the operation of an aircraft and 813
the violation creates a substantial risk of physical harm to any 814
person or the aircraft in question is an occupied aircraft, 815
criminal mischief committed in violation of division (A)(6) of 816
this section is a felony of the fourth degree. 817

Sec. 3767.51. As used in sections 3767.52 to 3767.56 of the 818
Revised Code: 819

(A) "Blighted parcel" has the same meaning as in section 1.08 820

of the Revised Code, except it does not include a manufactured or 821
mobile home that is subject to real property taxes under section 822
4503.06 of the Revised Code. 823

(B) "Unoccupied" means any of the following: 824

(1) Property that is not physically inhabited or used as a 825
dwelling; 826

(2) Property on which no trade or business is actively being 827
conducted by the owner or another party occupying the parcel 828
pursuant to a lease or other legal authority; 829

(3) Property that is uninhabited with no signs or active 830
indications that it is undergoing improvements. 831

Sec. 3767.52. (A) A municipal corporation may commence a 832
cause of action by filing a complaint in the housing or 833
environmental division of a municipal court against the owner of 834
property that is an unoccupied, blighted parcel located in that 835
municipal corporation. The complaint shall seek an order that the 836
owner remediate the conditions of the property constituting 837
blight. 838

(B) Upon commencing an action pursuant to division (A) of 839
this section, a municipal corporation shall do both of the 840
following: 841

(1) In addition to service required under the Rules of Civil 842
Procedure, cause service of the complaint to all entities that 843
hold a lien or other interest in the property, as indicated in the 844
public record; 845

(2) Cause service of a notice to all entities that hold a 846
lien or other interest in the property, as indicated in the public 847
record, which states both of the following: 848

(a) The lienholder or interested person may remediate the 849
conditions of the property constituting blight within a period of 850

time determined by the municipal corporation. 851

(b) If the blight is not remediated, the housing or 852
environmental division of the municipal court in which the 853
complaint was filed shall order the blighted parcel to be sold 854
free and clear of all liens and interests in the property other 855
than federal tax liens. 856

(C)(1) A person who receives the complaint and notice 857
described in division (B) of this section shall have sixty days 858
after the service to certify to the court that the person will 859
remediate the conditions of the property constituting blight. A 860
person wishing to certify remediation shall propose to the court a 861
period of time within which the person will remediate the 862
conditions constituting blight. The court may approve or 863
disapprove a certification of remediation. If the court approves 864
the certification, the court shall stay the action until the 865
period of time for remediation has elapsed. If the court 866
disapproves the certification due to a proposal of an unreasonable 867
period of time for remediation, the court shall establish a 868
reasonable period of time within which the person shall remediate 869
the conditions constituting blight. The person shall accept or 870
reject the court's proposed period of time for remediation. If the 871
person accepts the court's proposed period of time for 872
remediation, the person shall certify that it will remediate the 873
conditions constituting blight, and the court shall approve the 874
certification. If the person rejects the court's proposed period 875
of time for remediation, the court shall proceed as if no 876
certification was made. 877

More than one lienholder or interested person may make a 878
certification for remediation. If more than one person makes a 879
certification, the court shall approve the certification of the 880
lienholder or person who proposes to remediate the conditions 881
constituting blight within the shortest period of time. 882

(2) If a lienholder or interested person certifies that it will remediate the conditions constituting blight but does not do so within the accepted period of time established pursuant to division (C)(1) of this section, or if no person makes a certification within the period of time stated in the notice described in division (B)(2) of this section, the lien or other interest of the persons in the property shall be extinguished but may be paid pursuant to division (D) of section 3767.54 of the Revised Code. The lienholder may still pursue payment of the debt represented by the lien, and a person may still seek recourse for the loss of other interest against the owner of the property if otherwise permitted by law. 883
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(3) If the lienholder or other interested person remediates the blight, the court shall grant the lienholder or other interested person a lien in the amount expended to remediate the conditions constituting blight. 895
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(D) If the court finds that the property was unoccupied at the time the complaint was filed and is a blighted parcel, and if no lienholder or other interested person has certified in accordance with division (C)(1) of this section that it will remediate the conditions constituting blight or if such a person certifies that it will remediate the blight but fails to timely do so, the court shall order the owner to remediate the conditions constituting blight within a specified period of time. If the blight is not remediated within this period of time, the court shall order the property sold pursuant to sections 3767.53 and 3767.54 of the Revised Code. If the blight is remediated, the court shall dismiss the action. 899
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Sec. 3767.53. (A) A housing or environmental division of a municipal court shall order the sale of an unoccupied, blighted parcel pursuant to section 3767.54 of the Revised Code by the 911
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sheriff of the county where the property is located, if all of the 914
following apply: 915

(1) The municipal corporation commenced a cause of action by 916
filing a complaint for the owner of the blighted parcel to 917
remediate the conditions of the property constituting blight in 918
accordance with division (A) of section 3767.52 of the Revised 919
Code. 920

(2) The municipal corporation caused service of the complaint 921
and notice in accordance with division (B) of section 3767.52 of 922
the Revised Code. 923

(3) One of the following applies: 924

(a) No lienholder or other interested person certified that 925
it would remediate the conditions constituting blight pursuant to 926
division (C) of section 3767.52 of the Revised Code. 927

(b) A lienholder or other interested person certified that it 928
would remediate the conditions constituting blight, but does not 929
do so within the accepted period of time established pursuant to 930
division (C) of section 3767.52 of the Revised Code. 931

(4) The court has entered a finding that the property was 932
unoccupied at the time the complaint described in division (A)(1) 933
of this section was filed and is a blighted parcel pursuant to 934
division (D) of section 3767.52 of the Revised Code. 935

(5) The court ordered the owner of the property to remediate 936
the conditions constituting blight pursuant to division (D) of 937
section 3767.52 of the Revised Code and the owner failed to do so. 938

(B) If a property that a housing or environmental division of 939
a municipal court orders sold under this section remains unsold 940
for want of qualified bidders, as defined in section 3767.54 of 941
the Revised Code, after having been advertised and offered for 942
sale in accordance with that section, the court may, on motion of 943

the municipal corporation and from time to time until the property 944
is sold, order a new sale. 945

(C) The housing or environmental division of a municipal 946
court has exclusive original jurisdiction of an action under 947
sections 3767.52 to 3767.54 of the Revised Code. 948

Sec. 3767.54. (A) If the housing or environmental division of 949
a municipal court orders an unoccupied, blighted parcel to be sold 950
pursuant to section 3767.53 of the Revised Code, the sheriff of 951
the county where the property is located shall do all of the 952
following: 953

(1) Cause notice of the sale and notice that only qualified 954
bidders are eligible to purchase the unoccupied, blighted parcel 955
to be sent to both of the following: 956

(a) The owner of the property in the same manner as provided 957
in section 2329.091 of the Revised Code; 958

(b) The public in the same manner as provided in division 959
(A)(2) of section 2329.26 of the Revised Code, except the date, 960
time, and place of the sale need only be published once at least 961
one week before the day of sale by advertisement in a newspaper of 962
general circulation in the county. 963

(2) Verify that each bidder who intends to bid at the sale is 964
included in the list of qualified bidders provided to the sheriff 965
in accordance with section 3767.55 of the Revised Code and is in 966
possession of proof that the bidder is a qualified bidder; 967

(3) Conduct the sale of the property; 968

(4) Provide a deed to the purchaser; 969

(5) Distribute the proceeds of the sale in accordance with 970
division (D) of this section; 971

(6) Collect fees pursuant to section 311.17 of the Revised 972

<u>Code.</u>	973
<u>(B) A property sold pursuant to this section shall be sold</u>	974
<u>free and clear of all liens, including all taxes and assessments</u>	975
<u>other than federal taxes, to the highest qualified bidder.</u>	976
<u>(C) No appraisal of or minimum bid for the property shall be</u>	977
<u>required as a condition of a sale conducted pursuant to this</u>	978
<u>section.</u>	979
<u>(D) The proceeds of the sale conducted pursuant to this</u>	980
<u>section shall first be paid to satisfy the costs of the municipal</u>	981
<u>corporation for bringing the action under section 3767.52 of the</u>	982
<u>Revised Code and then shall be distributed according to the</u>	983
<u>priorities otherwise established by law, including to lienholders</u>	984
<u>whose liens are extinguished by the sale.</u>	985
<u>(E)(1) After a sale conducted pursuant to this section, the</u>	986
<u>housing or environmental division of the municipal court shall</u>	987
<u>make an entry on the journal that the court is satisfied of the</u>	988
<u>legality of the sale.</u>	989
<u>(2) Notwithstanding section 2329.36 of the Revised Code, the</u>	990
<u>municipal corporation who filed the complaint pursuant to division</u>	991
<u>(A) of section 3767.52 of the Revised Code shall file and record</u>	992
<u>the deed of the property in accordance with that section.</u>	993
<u>(F) As used in sections 3767.53 to 3767.56 of the Revised</u>	994
<u>Code, "qualified bidder" means one of the following:</u>	995
<u>(1) A lienholder of the property;</u>	996
<u>(2) A person who satisfies all of the following criteria:</u>	997
<u>(a) Has been prequalified, in accordance with section 3767.55</u>	998
<u>of the Revised Code;</u>	999
<u>(b) Has the capacity to remediate the conditions that</u>	1000
<u>constitute blight of the blighted parcel;</u>	1001
<u>(c) Has agreed, as a condition of the sale, to remediate the</u>	1002

conditions constituting blight within the time period the bidder owns the property or within twelve months after the date of the sale, whichever period of time is less, to the satisfaction of the municipal corporation that commenced the action under section 3767.52 of the Revised Code in relation to the property. 1003
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Sec. 3767.55. A municipal corporation that commences a cause of action under section 3767.52 of the Revised Code shall do the following: 1008
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(A) Establish qualifications to allow a person to bid at a sheriff's sale conducted pursuant to section 3767.54 of the Revised Code, which shall include a requirement that the person be a lienholder or be able and willing to remediate the conditions that constitute blight of the unoccupied, blighted parcel and agree to remediate the conditions within twelve months after the date of the sale; 1011
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(B) Issue proof of qualification to a qualified bidder in a form determined by the municipal corporation; 1018
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(C) Compile a list of qualified bidders for each sale; 1020

(D) Provide the list of qualified bidders to the sheriff conducting the sale at least one day prior to the sale. 1021
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Sec. 3767.56. If the successful qualified bidder of a property sold under section 3767.54 of the Revised Code fails to remediate the conditions constituting blight of the property within the time period specified in that section, the municipal corporation that commenced the cause of action under section 3767.52 of the Revised Code in relation to that property may remediate the conditions constituting blight of the property, and may take a judgment against the successful qualified bidder for the costs of the remediation. 1023
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Section 2. That existing sections 323.47, 1901.18, 1901.185, 1032
2303.26, 2329.01, 2329.02, 2329.20, 2329.21, 2329.23, 2329.26, 1033
2329.30, 2329.31, 2329.33, 2329.52, and 2909.07 of the Revised 1034
Code are hereby repealed. 1035

Section 3. Sections 3767.51, 3767.52, 3767.53, 3767.54, 1036
3767.55, and 3767.56 of the Revised Code are hereby repealed, 1037
effective December 31, 2019. 1038