

**As Introduced**

**130th General Assembly  
Regular Session  
2013-2014**

**S. B. No. 375**

**Senator Jones**

**Cosponsor: Senator Seitz**

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**A B I L L**

To amend section 5321.05 of the Revised Code to 1  
include the duty to pay utility bills to the list 2  
of duties of a tenant who is party to a rental 3  
agreement. 4

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

**Section 1.** That section 5321.05 of the Revised Code be 5  
amended to read as follows: 6

**Sec. 5321.05.** (A) A tenant who is a party to a rental 7  
agreement shall do all of the following: 8

(1) Keep that part of the premises that ~~he~~ the tenant 9  
occupies and uses safe and sanitary; 10

(2) Dispose of all rubbish, garbage, and other waste in a 11  
clean, safe, and sanitary manner; 12

(3) Keep all plumbing fixtures in the dwelling unit or used 13  
by ~~him~~ the tenant as clean as their condition permits; 14

(4) Use and operate all electrical and plumbing fixtures 15  
properly; 16

(5) Comply with the requirements imposed on tenants by all 17  
applicable state and local housing, health, and safety codes; 18

(6) Personally refrain and forbid any other person who is on 19  
the premises with ~~his~~ the tenant's permission from intentionally 20  
or negligently destroying, defacing, damaging, or removing any 21  
fixture, appliance, or other part of the premises; 22

(7) Maintain in good working order and condition any range, 23  
~~refrigerator~~ refrigerator, washer, dryer, dishwasher, or other 24  
appliances supplied by the landlord and required to be maintained 25  
by the tenant under the terms and conditions of a written rental 26  
agreement; 27

(8) Conduct ~~himself~~ self and require other persons on the 28  
premises with ~~his~~ the tenant's consent to conduct themselves in a 29  
manner that will not disturb ~~his~~ the tenant's neighbors' peaceful 30  
enjoyment of the premises; 31

(9) Conduct ~~himself~~ self, and require persons in ~~his~~ the 32  
tenant's household and persons on the premises with ~~his~~ the 33  
tenant's consent to conduct themselves, in connection with the 34  
premises so as not to violate the prohibitions contained in 35  
Chapters 2925. and 3719. of the Revised Code, or in municipal 36  
ordinances that are substantially similar to any section in either 37  
of those chapters, which relate to controlled substances; 38

(10) Pay all utility rents and utility charges the tenant 39  
incurred in connection with the premises. 40

(B) The tenant shall not unreasonably withhold consent for 41  
the landlord to enter into the dwelling unit in order to inspect 42  
the premises, make ordinary, necessary, or agreed repairs, 43  
decorations, alterations, or improvements, deliver parcels that 44  
are too large for the tenant's mail facilities, supply necessary 45  
or agreed services, or exhibit the dwelling unit to prospective or 46  
actual purchasers, mortgagees, tenants, ~~workmen~~ workers, or 47  
contractors. 48

(C)(1) If the tenant violates any provision of this section, 49

other than division (A)(9) of this section, the landlord may 50  
recover any actual damages that result from the violation together 51  
with reasonable attorney's fees. This remedy is in addition to any 52  
right of the landlord to terminate the rental agreement, to 53  
maintain an action for the possession of the premises, or to 54  
obtain injunctive relief to compel access under division (B) of 55  
this section. 56

(2) If the tenant violates division (A)(9) of this section 57  
and if the landlord has actual knowledge of or has reasonable 58  
cause to believe that the tenant, any person in the tenant's 59  
household, or any person on the premises with the consent of the 60  
tenant previously has or presently is engaged in a violation as 61  
described in division (A)(6)(a)(i) of section 1923.02 of the 62  
Revised Code, whether or not the tenant or other person has been 63  
charged with, has pleaded guilty to or been convicted of, or has 64  
been determined to be a delinquent child for an act that, if 65  
committed by an adult, would be a violation as described in that 66  
division, then the landlord promptly shall give the notice 67  
required by division (C) of section 5321.17 of the Revised Code. 68  
If the tenant fails to vacate the premises within three days after 69  
the giving of that notice, then the landlord promptly shall comply 70  
with division (A)(9) of section 5321.04 of the Revised Code. For 71  
purposes of this division, actual knowledge or reasonable cause to 72  
believe as described in this division shall be determined in 73  
accordance with division (A)(6)(a)(i) of section 1923.02 of the 74  
Revised Code. 75

**Section 2.** That existing section 5321.05 of the Revised Code 76  
is hereby repealed. 77