

**LEGISLATIVE REVIEW**  
**FEBRUARY 13, 2014 – REPORT #4**

**CONDO REVISIONS BRING STORM OF OPPONENTS**

HB 371 CONDOMINIUM LAW (Grossman, C.) was introduced to impose requirements for condominium association managers. According to the bill sponsor, abuses brought to her attention included purchasing trucks and removing trees to the detriment of the unit owners. Frustrated owners felt they had little power to protect them from runaway condo boards and felt powerless to influence board actions. As a result, HB 371 would require association managers to be licensed real estate brokers and impose criminal penalties on condo boards who break the law.

Condo owners associations, condo managers associations, as well as, lawyers who represent both developers and owners associations, appeared and testified in opposition to the bill. In short, the bill was suggested to be overkill for problems for which adequate remedies already exist to deal with the apparent problems. The criminal penalties would serve as a strong disincentive to serve on an owners association and promote less effective condo boards. The testimony was very convincing and seemed to cast a dark cloud over future prospects for the bill.

OHBA and the BIA of Central Ohio have met with and discussed the bill with the sponsor, Cheryl Grossman, of Grove City. The sponsor informed us the bill, as written, did not express her clear intent which was to address issues with condo association managers who act irresponsibly. She realized the language contained in the bill was a problem for many interested parties and has no intention of seeking passage of the bill as written. She asked us to help her seek a rewrite which would address her concerns, but at the same time be acceptable to us.

Further action on the bill is unclear at this time.

**ADDITIONAL LEGISLATIVE HEARINGS OF INTEREST**

**SB 172 LAND USE PROGRAMS** (Patton, T.) To modify the laws governing land reutilization programs and property tax foreclosures. SB 172 received its third hearing in the House Committee for opponent testimony.

**HB 201 MORTGAGE SUBROGATION** ([Butler, J.](#)) To make changes relative to mortgage subrogation and entries of satisfaction. HB 201 received its fifth hearing for all testimony in the House Committee Wednesday.

***APPLICATION OF ENERGY TESTING REQUIREMENTS FOR REMODELING TO BE  
DISCUSSED BY RCAC***

The Committee received a letter requesting a formal interpretation or change, if necessary, from OHBA to respond to concerns surrounding the applicability of Ch. 11 Energy Efficiency testing requirements to remodeling. The RCAC appeared anxious to discuss, and clear up practical impacts of such requirements. The Committee and Staff asked to be given until the next meeting at the end of this month to thoroughly review the questions posed in the request. During some brief discussion on concerns raised at today's meeting, the RCAC and Staff made very clear the date the permit was submitted to the approving jurisdiction locks in the code and all its provisions that apply to the project. For example, if plans were submitted for approval on December 31, 2013, the blower door testing requirements (OHBA Alternative Path) which became effective January 1, 2014 would not apply to this particular project. The RCAC will be reviewing the remodeling issues and working toward a solution at its February 26<sup>th</sup> meeting.