

**LOCAL, STATE,  
FEDERAL  
LEGISLATIVE UPDATE**

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# ISSUES

## Federal

- Debt Ceiling
- Bidden Mortgage Interest Proposal

## State

Budget

State LIHTC

Income Tax

Property Tax

Owners Agent

August Election

State Bill Tacking

## Columbus City Council Announces Housing Strategy for 2023

At this time there are few details on what the referenced ordinances will contain. CAA is most concerned with the provisions that go beyond Ohio Landlord Tenant law. The provision include:

1. Rental Registry with a fee
2. Pay to Stay
3. Third Party Pay
4. Requirement that tenants receive notice of rent increase 180 days prior to the end of the current lease period.
5. Retaliatory eviction

### STAKEHOLDER PREVIEW

**Strategy Priorities:** Investment, Preservation, and Inclusion

**Timeline:** Expect all initiatives will be legislated over the next 9-16 months

**Next Steps:** Feedback on proposed initiatives and continued stakeholder dialogue through the legislative process

### INVESTMENT

#### Homeownership Opportunities

Creating generational wealth for communities that have been disenfranchised or redlined. Partner with providers focusing on housing assistance to create a suite of options that make homeownership opportunities attainable.

*Team Lead: Councilmember Barroso de Padilla*

#### Accessory Dwelling Unit Pilot

Focus on the creation of affordable accessory dwelling units on lots that currently house one single unit doubles the amount of housing units at a low cost to the primary landowner.

*Team Lead: Councilmember Emmanuel Remy*

#### Citywide Community Reinvestment Area

Community Reinvestment Areas are areas of land in which property owners can receive tax incentives for investing in real property improvements. Taxes on newly constructed affordable homes are abated. The City Council and the mayor's administration will be leading a comprehensive citywide CRA study with results and next steps expected in Q4 of 2023.

*Team Lead: Council President Shannon Hardin*

### PRESERVATION

#### Vacant and Foreclosure Registry

Will serve as two registries, both housed within the City Attorney's office. The City would require participation in registering your properties and paying a fee based on the number of parcels.

*Team Lead: Councilmember Rob Dorans*

#### Owner/Occupied Initiative Program

Home repair grants to homeowners facing code enforcement violations or housing insecurity. Add internal roof repairs to the allowable uses as this is a significant hurdle for seniors to be able to age in place.

*Team Lead: Councilmember Mitchell Brown*

#### Wholesaler Regulation

Regulate a growing industry of freelance residential property wholesalers. The practice tends to be predatory with

wholesalers identifying low income or struggling families who need immediate income. Legislation establishes a license to practice residential property wholesaling.

*Team Lead: Councilmember Shayla Favor*

## **INCLUSION**

### **Columbus Rental Registry**

As the city of Columbus continues to grow so do the number of rental units. The purpose of the Rental Registration is to protect and promote the public health of its citizens. The collection of a rental registration fee will generate millions of dollars that can be used for rental assistance and other housing uses.

*Team Lead: Councilmember Nick Bankston*

### **Office of Fair Housing**

Through Councilmember Favor's Housing for All campaign, many initiatives focusing on tenant protections have been legislated. To enhance these protections, City Council will consider the costs of creating an Office of Fair Housing and lead the enforcement of these protections.

*Team Lead: Councilmember Shayla Favor*

### **Legal Representation at Eviction Court**

Demand for representation exceeds the supply of legal aid attorneys and every morning many tenant families are told that they will not get an attorney and must navigate the eviction court landscape on their own. In 2022, the City Council legislated \$1.5 million to create a more robust legal representation team at eviction court. This initiative will add an additional year of funding for the work to continue.

*Team Lead: Councilmember Shayla Favor*

### **Pay to Stay**

Requires owner to accept full past due rent and fees at any time during the eviction process and the eviction would be dismissed.

*Team Lead: Councilmember Shalya Favor*

### **Third Party Pay**

Requires the property owner to accept past due rent and fees from any third-party payor on behalf of the tenant.

*Team Lead: Councilmember Shalya Favor*

### **Retaliatory eviction**

Creates a local ordinance prohibiting retaliatory evictions and creates local penalties. This ordinance would be a revision of the ordinance passed in 2021 that was ruled unconstitutional.

*Team Lead: Councilmember Shalya Favor*

### **Notice of rent Increase**

Would require the owner to provide to the tenant notice of rent increases 180 days prior to the end of the lease term

## **SUMMARY**

The Council Housing Strategy will direct dollars and city resources to ensure more equitable outcomes in housing through three strategies: **Investment, Preservation, and Inclusion**. Through robust tenant protections, homeownership opportunities and home repair programs for low-income homeowners, the city will work to preserve existing affordable housing and protect residents from evictions and displacement. Council will support investment in housing for residents of every neighborhood and every income level. The strategy will be inclusive by addressing racial and economic disparities and fostering economically diverse neighborhoods. This will be achieved through inclusive housing policies, tenant protections and homeownership opportunities that align housing with transportation plans to ensure long-term connectivity.

## State of Ohio Proposed Legislation

After a slow start in the General Assembly created by divisiveness within the Republican members of the Ohio House, The Ohio General Assembly has now started introducing legislation. The major bill that is now before the General Assembly is HB 33, the State Operating Budget. HB 33 contains provisions that directly relate to Housing. A State Low Income Tax Credit is being proposed that could be awarded in combination with the Federal Low Income Tax Credit. If passed, affordable multifamily projects will be much easier to work financially.

Also included in HB 33 is a single-family homeowner tax credit aimed at increasing first time home ownership.

### House Bill 1

The proposed bill would significantly alter Ohio Income Tax and Property tax. Multifamily properties are not included in the real estate provisions but the change in how income and real estate taxes are calculated will have economic consequences to local government and schools. [This link](#) will take you to a detailed analysis that the Legislative Budget Office. A fiscal analysis can be [found here](#).

## Federal Government

The Biden Administration has issued a Blueprint for a Renters Bill of Rights. National Apartment Association had been engaged in discussions with other stakeholders and was optimistic that the blueprint would be more limited than what was recently announced.

### Blueprint for a Renters Bill of Rights

- Blueprint principles are nonbinding and do not constitute any change to government policy.
  - 20+ agency actions announced, some new and some initiatives that were already in process, including:
    - **Rent Setting:** DOJ workshop on the impact of modern methods of information-sharing in consumer-facing markets to inform potential guidance relating to anti-competitive practices.
    - **Rent Control:** FHFA, Fannie and Freddie process to conduct stakeholder outreach and engagement on renter protections including policies that limit egregious rent increases at federally backed props going forward.
    - **Fair Housing – Source of Income:** HUD exploring opportunities SOI protections through guidance, which could mandate housing provider participation in Section 8 HCV Program.
    - **Resident Screening:**
      - HUD will release guidance on ways resident screening algorithms may violate the Fair Housing Act.
      - FTC will explore ways to act against unfair practices that prevent consumers from obtaining & retaining housing, incl. a Req. for Information (RFI) w/CFPB to identify practices/advise on policymaking & enforcement.
      - CFPB will work w/HUD, FHFA, FTC & USDA to release best practices on the use of resident screening reports.
- **White House, USDA, Treasury, and HUD commit to quarterly conversations with renters and their advocates to learn “lived experience” and expertise to inform policymaking & enforcement.**



**Date:** May 12, 2023  
**To:** Ohio Apartment Association  
**From:** Leah Pappas Porner and Maryellen Corbett  
**Re:** 135th General Assembly Legislative Tracking Report

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Outlined below are bills that are following for the Ohio Apartment Association in the 135th General Assembly. Status in red indicates action since the last report on April 14, 2023.

## Full Tracking List

### House

HB 1 PROPERTY, INCOME TAX CHANGES (MATHEWS A) To modify the law regarding property taxation and income tax rates.

**Current Status: 4/25/2023 - House Ways and Means, (Seventh Hearing)**

HB 3 LEGISLATIVE INTENT-AFFORDABLE HOUSING (PAVLIGA G, MCNALLY L) To formally state the General Assembly's intention to authorize an affordable housing tax credit.

Current Status: 3/28/2023 - House Economic and Workforce Development, (Fourth Hearing)

HB 33 FY 2024-2025 STATE OPERATING BUDGET BILL (Edwards, J) - To make operating appropriations for the biennium beginning July 1, 2023, and ending June 30, 2025, to levy taxes, and to provide authorization and conditions for the operation of state programs.

**Current Status: 5/18/2023 - Senate Finance, (Fourth Hearing)**

HB 50 HOUSING QUALIFICATION (Humphrey, Seitz) - To create a mechanism by which an individual who is subject to a collateral sanction for housing may obtain a certificate of qualification for housing that may provide relief from certain bars on housing.

Current Status: 3/21/2023 - REPORTED OUT AS AMENDED, House Criminal Justice, (Fourth Hearing)

HB 59 EVICTION COUNSEL-DESTITUTE DEFENDANTS (GALONSKI T, MILLER J) To provide counsel to destitute defendants facing eviction and to make an appropriation.

Current Status: 2/28/2023 - House Civil Justice, (First Hearing)

HB 93 LIMITATIONS ON RECOVERY, LIEN IMPOSITION (Johnson, McClain) - Regarding limitations on recovery and lien imposition by municipalities against property owners of non-owner-occupied properties for unpaid water, sewer, and disposal services rates and charges.

**Current Status: 5/16/2023 - House State and Local Government, (Second Hearing)**

HB100 PROHIBIT RESTRICTION OF THIN BLUE LINE FLAG (MILLER K) To prohibit manufactured home park operators, condominium associations, neighborhood associations, and landlords from restricting the display of the thin blue line flag and to name this act the Chief Steven DiSario Act.

**Current Status: 5/9/2023 - REPORTED OUT, House Government Oversight, (Fifth Hearing)**

New HB143 RENT AGREEMENT TERMINATIONS FOR CRIME VICTIMS (GRIM M) To allow a tenant to terminate a rental agreement if the tenant is a victim of a specified crime and to authorize an income tax credit for landlords who rented to such tenants and to name this act the Ohio Safe Homes Act.

**Current Status: 4/18/2023 - Referred to Committee House Criminal Justice**

New HB150 PROHIBIT INCOME HOUSING DISCRIMINATION (UPCHURCH T, MILLER A) To prohibit discrimination in rental housing based on lawful source of income.

**Current Status: 5/16/2023 - House Civil Justice, (First Hearing)**

#### Senate

SB 2 LOCAL PROPERTY TAX EXEMPTIONS (SCHURING K) To authorize certain subdivisions to designate areas within which certain residential property is wholly or partially exempted from property taxation.

**Current Status: 1/17/2023 - Referred to Committee Senate Finance**

SB 10 (BLESSING III L) To expressly incorporate changes in the Internal Revenue Code since February 17, 2022, into Ohio law, to make changes to the Emergency Rental Assistance program, to revise an existing earmark, to modify the requirements for a temporary arts economic relief grant program, and to declare an emergency.

**Current Status: 3/15/2023 - SIGNED BY GOVERNOR; eff. immediately**

SB 36 PROPERTY FORECLOSURES-TENANT RIGHTS (BLESSING III L) To grant tenants and certain other eligible bidders rights relating to the purchase of residential property sold at foreclosure.

**Current Status: 3/22/2023 - Senate Community Revitalization, (Third Hearing)**

SB 76 HIGH-VOLUME LANDLORD TAX (BLESSING III L, ANTONIO N) To levy a tax on certain high-volume landlords.

**Current Status: 3/22/2023 - Senate Ways and Means, (Second Hearing)**

**New** SB 118 TAX CREDITS-SINGLE FAMILY HOMES (Schuring, K) - To authorize a nonrefundable, transferable income tax credit for the construction of new, or conversion of rental housing into, owner-occupied single-family homes.

**Current Status: 5/09/2023 - Senate Ways and Means, (First Hearing)**