

## DIVISION OF UNCLAIMED FUNDS

### General information (COM)

#### Duties

A registered finder is authorized to recover a fee, not to exceed 10% of the amount recovered by a claimant, to locate, deliver, recover or assist in the recovery of unclaimed funds reported to the Director of Commerce.

#### Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

#### Workload *(Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)*

Two Researcher II staff members average cumulatively 60-65 hours/week on finder-related work responsibilities. Increased significantly over the past six years.

**Staffing** *(How many staff are currently employed by the Director? What are their roles? Are staffing levels proportionate to the Director's current and anticipated workload?)*

Two full-time research and outreach Researcher II staff members review finder applications and finder claims and agreements to verify compliance with the law.

**Administrative hearings and public complaints** *(Describe the Director's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

Registered finders may request an administrative hearing pursuant to Chapter 119 of the Revised Code if their application for the issuance of a certificate of registration is denied or their registration is suspended, or its renewal denied.

## Professional finder

### Survey responses (COM)

Description
Individual who wishes to engage in activity for the purpose of locating, delivering, recovering, or assisting in the recovery of unclaimed funds or the contents of a safe deposit box reported to the Director of Commerce as unclaimed funds and receive a fee, compensation, commission, or other remuneration for such activity must first register with the Division of Unclaimed Funds.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
Certificate of registration required to engage in finder activity in Ohio.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	FY2021 16 new finder registrations; FY2022 19 new finder registrations
Number renewed annually	FY2021 23 finder renewal registrations; FY2022 28 finder renewal registrations

If the regulation is a registration, certification, or license requirement, please complete the following:	
<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	Steady increase in finder registrations since 2019
<b>Education or training requirements</b>	Applicant certification read and will abide by the requirements of Ohio's Unclaimed Funds Law codified in Chapter 169 of the Revised Code.
<b>Experience requirements</b>	None.
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Director receive any proceeds of those fees? If so, how are the proceeds used?</i> )	None.
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	None.
<b>Initial fee</b>	None.
<b>Duration</b>	One year registration period
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	None.

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Does the Director recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>No reciprocity.</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</b></p>	<p>No national registrations available.</p>
<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Director?</b></p>	<p>No.</p>
<p><b>Is the Director permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>No.</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>Must provide criminal background check. Applicants pay fee to vendor providing reporting to Division of approximately \$25.00.</p>

**Oversight and disciplinary authority of the Director respecting individuals engaged in the occupation.**

R.C. 1639.16 requires a finder obtain a certificate of registration from the director.

R.C. 169.17 authorizes the director to investigate applicants and deny registration or registration renewal.

R.C. 19.13(C) states a finder cannot receive a fee pursuant to an agreement that it is not compliant with R.C. 169.13.

R.C. 169.99 states a violation of R.C. 169.13(C) (attempting to recover a fee pursuant to a non-compliant finder agreement) or R.C. 169.16(A) (engaging in finder activity without a certificate of registration) is a misdemeanor of the first degree on a first offense and felony of the fifth degree for any subsequent offense.

**How much revenue is derived from fees charged by the Director to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

\$0.00

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

No, registered finders are a product of state law.

**What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

Abuse to consumers. Deceptive consumer practices resulting in Ohioans paying exorbitant fees to recover their lost and forgotten funds from the Department of Commerce. Finder law caps authorized fees and requires and ensures adequate disclosures are made to prospective claimants.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

Yes, the regulation is effective in ensuring adequate disclosures are provided claimants.

No, there are not less restrictive ways. Arguably it would be in the best interest of consumers if some education and testing was provided to applicants for finder registration to ensure they are knowledgeable about Ohio’s Unclaimed Funds Law and qualified to provide meaningful assistance to prospective claimants.

**Are there any changes the Director would like to see implemented?**

**Surrounding state comparison (LSC)**

Professional Finder						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	Registration ( <i>R.C. 169.16</i> ).	No clear equivalent.	No clear equivalent.	No clear equivalent.	Registration ( <i>72 Pa. Cons. Stat. 1301.11a</i> ).	No clear equivalent.
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A

Professional Finder						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	Not specified.	N/A	N/A	N/A	Not specified.	N/A
License duration	One year ( <i>R.C. 169.16</i> ).	N/A	N/A	N/A	Two years ( <i>72 Pa. Cons. Stat. 1301.11a</i> ).	N/A
Renewal fee	Not specified.	N/A	N/A	N/A	Not specified.	N/A

# OHIO BOARD OF MOTOR VEHICLE REPAIR

## General information (CRB)

### Duties

The Motor Vehicle Repair Board is charged with registering Ohio collision repair shops, auto glass repair and replacement businesses, airbag repair and replacement companies, paintless dent repairers and window tint installers.

### Membership *(Current members, chairperson and other officers, and selection process.)*

The Board is made up of seven members, 5 collision repair members, 1 mechanical member and 1 public member. Board members are appointed by the Governor and approved by the Senate. Each Board serves two, three terms. Current Board Members are Keenan McKee, Chairperson, Chis Speck, Vice-Chair, Randall Blanchard, Michael Giarrizzo, Bruce Hale, and William Graf, Mechanical Member. The Public Member position is currently vacant.

### Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

Our current budget is \$656,915. Our budget is submitted through OBM and approved by the House and Senate. Our only source of funding is registration fees collected from licensees. There are no plans for any changes in our budget amount at this time.

**Workload** *(Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)*

We average approximately 2000 licensees annually. This number has not significantly changed in several years. We average 300 to 500 complaints a year. I do not anticipate a significant change in our workload in the years ahead.

**Staffing** *(How many staff are currently employed by the Board? What are their roles? Are staffing levels proportionate to the Board's current and anticipated workload?)*

There is currently one Executive Director, one Program Administrator, two Field Investigators, and one Investigator Assistant. All the administrative duties are carried out by the Executive Director and Program Administrator. All complaints and eLicensing updates are done by the Investigators, with the exception of renewals which are done by the Program Administrator. Staff levels are proportionate with current and anticipated work loads.

**Administrative hearings and public complaints** *(Describe the Board's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

Complaints are investigated and logged in the eLicensing system by the Investigators as they are received. Administrative hearings are held as required by law and are supervised by the Attorney General's Office. Once an administrative hearing is complete, the Board determines the disciplinary action to be taken depending mainly on the record of the business that's non-compliant. The process is as efficient as the law allows.

## Motor vehicle repair operator

### Survey responses (CRB)

Description
<p>“Motor vehicle collision repair operator” means any person, sole proprietorship, foreign or domestic partnership, limited liability corporation, or other legal entity that is not an employee or agent of a principal and performs five or more motor vehicle collision repairs in a calendar year. “Motor vehicle window tint operator” means any person, sole proprietorship, foreign or domestic partnership, limited liability corporation, or other legal entity that is not an employee or agent of a principal and installs tinted glass, or transparent, nontransparent, translucent, and reflectorized material in or on five or more motor vehicle windshields, side windows, sidewings, and rear windows in a calendar year.</p>

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
<p>Our Board registers businesses, it does not license individuals. We have only one type of registration, a Motor Vehicle Repair Registration, which covers collision repair, auto glass, airbags, paintless dent repair and window tint installation.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	In FY22, there were 97 new registrations issued by the Board.
Number renewed annually	1900

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<b>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</b>	No.
<b>Education or training requirements</b>	N/A
<b>Experience requirements</b>	N/A
<b>Examination requirements</b> ( <i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i> )	N/A
<b>Continuing education requirements</b> ( <i>Including a description of the curriculum and the process of setting it.</i> )	N/A
<b>Initial fee</b>	\$225.00
<b>Duration</b>	1 year
<b>Renewal fee</b> ( <i>If different from initial fee, please explain why.</i> )	Same

**If the regulation is a registration, certification, or license requirement, please complete the following:**

<p><b>Does the Board recognize uniform licensure requirements or allow for reciprocity?</b></p>	<p>No</p>
<p><b>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation? No.</b></p>	<p>Yes. Several States have similar regulations and requirements.</p>
<p><b>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Board?</b></p>	<p>Yes. They can perform under 5 jobs a year without registration.</p>
<p><b>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</b></p>	<p>Yes.</p>
<p><b>Other information</b> (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

ORC 4775.99 - (A) Whoever violates section [4775.02](#) of the Revised Code shall be fined not more than one thousand dollars on a first offense. On each subsequent offense, the offender shall be fined not less than one thousand nor more than five thousand dollars.

(B) After conducting an investigation and upon establishing that a violation of section [4775.02](#) of the Revised Code has occurred, the motor vehicle repair board, in addition to any other action it may take or any other penalty imposed pursuant to this chapter, may impose an administrative fine on the person or entity that committed the violation in an amount of not more than one thousand dollars on a first offense. On each subsequent offense, the board may impose an administrative fine of not less than one thousand dollars nor more than five

**Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.**

thousand dollars. If the administrative fine is not paid, the attorney general, upon the board's request, shall commence a civil action to collect the administrative fine.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?**

FY22 revenue was \$615,808. These fees are used solely to operate the Board.

**Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?**

None.

**What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)**

The regulation is intended to protect the consumer from inadequate repairs that could cause injury or death in a secondary collision.

**Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?**

The regulation requires licensees to maintain garage-keeper liability insurance covering the consumers vehicles. It appears to be very effective. There is no other restrictive ways to prevent harm.

**Are there any changes the Board would like to see implemented?**

The Board would like to see mechanical shops added to ORC 4775 for the same reasons collision shops are regulated.

## Surrounding state comparison (LSC)

Motor Vehicle Repair Operator						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	Registration ( <i>R.C. 4775.02</i> ).	No clear equivalent.	No clear equivalent.	No occupational equivalent, but there is a business license for motor vehicle repair facilities ( <i>Mich. Comp. Laws 257.1306 and 257.1314</i> ).	No clear equivalent.	No clear equivalent.
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$228.50 plus \$3.50 administrative filing fee. Statute and rule state \$150 or fee "determined by board of motor vehicle repairs,	N/A	N/A	N/A	N/A	N/A

Motor Vehicle Repair Operator						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	office of budget and management, and Ohio controlling board.” (R.C. 4775.08; O.A.C. 4775:2-02(B).) <sup>73</sup>					
License duration	One year (R.C. 4775.07(C)).	N/A	N/A	N/A	N/A	N/A
Renewal fee	\$228.50 plus \$3.50 administrative filing fee (R.C. 4775.08; O.A.C. 4775:2-02(B)). <sup>74</sup>	N/A	N/A	N/A	N/A	N/A

<sup>73</sup> See also [Program Registration & Requirements](#), which is available on the Ohio Board of Motor Vehicle Repair’s website: [mvrboard.ohio.gov](http://mvrboard.ohio.gov) by clicking “Registration,” then “Registration Information.”

<sup>74</sup> See also [Program Registration & Requirements](#), which is available on the Ohio Board of Motor Vehicle Repair’s website: [mvrboard.ohio.gov](http://mvrboard.ohio.gov) by clicking “Registration,” then “Registration Information.”