



Sub. S.B. 198

124th General Assembly
(As Passed by the Senate)

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BILL SUMMARY

- Creates a six-member metropolitan housing authority in districts where the most populous city does not have the largest ratio of authority housing units to population.
- Directs the chief executive officer of the city with the largest ratio of authority housing units to population to appoint the sixth member in affected districts.
- Provides that for an authority in a county with specified population criteria, the board of county commissioners makes two appointments instead of one, and the chief executive officer of the most populous city makes one appointment instead of two.

CONTENT AND OPERATION

Background

Metropolitan housing authorities

Metropolitan housing authorities are established and operated pursuant to sections 3735.27 to 3735.50 of the Revised Code. The Director of Development may declare a metropolitan housing authority district in any part of a county that includes two or more political subdivisions, or parts of subdivisions, if there is a shortage of affordable housing or substandard housing. A housing authority is governed by five members who are appointed pursuant to section 3735.27 of the Revised Code.

State statutes are the primary authority governing metropolitan housing authorities. Federal control by the Department of Housing and Urban Development (HUD) is primarily through contracts for specific programs and not

by federal statutes. However, to qualify as a "Public Housing Agency" and be eligible to participate in HUD programs and receive federal money, a housing authority must have legal authority to own and develop housing and must have an agreement of cooperation with the local government (24 CFR 941.201). Further, for authorities with 300 or more units, at least one member of the governing body must be a direct recipient of assistance from the authority (42 USC 1437).

Current law governing housing authority membership

Under current Ohio law, all housing authorities must have five members who are residents of the district in which they serve. The Revised Code provides different membership requirements and different methods of appointment for districts with a population of at least one million persons (which currently includes only Cincinnati) and districts with populations of less than one million.

In housing authority districts with a population of less than one million persons, one of the five members is appointed by the probate court, one by the court of common pleas, one by the board of county commissioners, and two by the chief executive officer of the most populous city in the district. After initial staggered appointments, all members serve for five-year terms. (Sec. 3735.27(B).)

Changes made by the bill

Composition and appointing authorities

The bill makes changes related to the membership of two types of metropolitan housing authority districts, both with populations of less than one million persons. The bill changes the composition of a housing authority and appointing authority in one type of district and changes the appointing authority in another type of district. The bill does not make changes in districts with a population of at least one million persons (sec. 3735.27(C)).

Under the bill, in districts where the most populous city is *not* the city with the largest ratio of housing units owned or managed by the metropolitan housing authority to population, the membership of the housing authority is increased to six. In that case, the chief executive officer of the city with the largest ratio of authority units to population appoints the sixth member. The other five members of the authority continue to be appointed as under existing law. (Sec. 3735.27(B) and (D).)

For a district located in a county with a population of at least 400,000 and with no city having a population that is more than 30% of the total population of the county, the bill reverses the existing appointing authorities of the chief executive officer of the most populous city and the board of county

commissioners. Thus, under the bill, a board of county commissioners appoints two members instead of one and the chief executive officer of the most populous city appoints one member instead of two. The bill directs a board of county commissioners to make an appointment to fill the next vacancy that occurs due to the expiration of the term of a member appointed by the chief executive officer of the most populous city in the district. (Sec. 3735.27(D); Section 3 of the bill.)

Votes and action

The bill provides that a majority affirmative vote of a metropolitan housing authority is required to pass any measure; a tie vote will defeat any measure receiving equal numbers of votes for and against it. The bill also requires that the members of a metropolitan housing authority act in the best interest of the district and prohibits them from acting solely as representatives of their respective appointing authorities. (Sec. 3735.27(F).)

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	12-05-01	p. 1240
Reported, S. State & Local Gov't & Veterans Affairs	05-23-02	p. 1811
Passed Senate (21-12)	05-28-02	p. 1832

