

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **H.B. 56** DATE: **March 28, 2007**
STATUS: **As Introduced** SPONSOR: **Rep. Uecker**
LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**
CONTENTS: **Forcible entry**

State Fiscal Highlights

- The bill's eviction provisions do not appear to have any direct and readily discernible effect on state revenues and expenditures.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2007	FY 2008	FUTURE YEARS
Counties and Municipalities			
Revenues	Potential gain in appraisal and advertisement fees related to sale of a manufactured home	Potential gain in appraisal and advertisement fees related to sale of a manufactured home	Potential gain in appraisal and advertisement fees related to sale of a manufactured home
Expenditures	Potential one-time, at most minimal, increase to implement fee schedule	- 0 -	- 0 -

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Appraisal and advertisement fees.** The bill authorizes the clerk of a municipal court, county court, or court of common pleas to establish and charge manufactured home park operators a reasonable fee to cover the cost of the appraisal and the advertisement of the sale of a manufactured home. This provision essentially codifies current practice in some local jurisdictions, and will increase revenues in other local jurisdictions to offset appraisal and advertising expenses. It appears that any one-time cost associated with the establishment of a new fee by a clerk of court would be minimal at most in any given local jurisdiction, and will be offset by the new revenue generation.



Detailed Fiscal Analysis

Overview

Forcible entry and detainer

In December of 2002, the General Assembly enacted Sub. H.B. 520, which amended Ohio's forcible entry and detainer statutes by creating new procedures for the removal of an abandoned manufactured home from a manufactured home community. Since these provisions have been in practice, certain unforeseen issues have emerged that create the need for some adjustments and corrections to the forcible entry and detainer laws regarding manufactured homes.

Manufactured homes

Local fiscal effects

The bill essentially makes several administrative adjustments in order to facilitate greater efficiency in the operation of the forcible entry and detainer law as it pertains to abandoned manufactured homes. It appears that any additional administrative workload and related costs directly resulting from these essentially corrective adjustments would not exceed minimal in any given local jurisdiction.

The current forcible entry and detainer law provides a procedure through which an operator of a manufactured home park may effectuate the removal of an abandoned manufactured home or similar structure. In current practice, some clerks of courts are paying the costs associated with having an abandoned manufactured home or similar structure appraised, and the cost of advertising an impending sale, while other clerks of courts, on their own initiative, have already utilized local rules to begin charging manufactured home park operators a security deposit to pay for these services. The bill authorizes the clerk of a municipal court, county court, or court of common pleas to establish and charge manufactured home park operators a reasonable fee to cover the cost of the appraisal and the advertisement of the sale of the manufactured home.

This provision of the bill essentially codifies current practice in some local jurisdictions, and will increase revenues in other local jurisdictions to offset appraisal and advertising expenses. It would appear that any one-time cost associated with the establishment of a new fee by a clerk of court would not likely exceed minimal in any given local jurisdiction, and will be offset by the new revenue generation.

State fiscal effects

The bill's eviction provisions do not appear to have any direct and readily discernible effect on state revenues and expenditures.

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