



Ohio Legislative Service Commission

Synopsis of House Committee Amendments*

Aida S. Montano

Sub. S.B. 187

128th General Assembly
(H. Civil and Commercial Law)

The Committee made the following changes to the Senate-passed version of the bill:

(1) It required the board of directors of the owners association of a planned community in existence on the bill's original effective date to file and record with the county recorder within specified periods of time the bylaws in effect on that effective date or the bylaws adopted on or after that effective date, and states that nothing in these provisions requires the board of directors or owners association of any planned community in existence on the bill's original effective date to adopt bylaws of that planned community.

(2) It required the board of directors of the owners association of *any* planned community that adopts an amendment to the bylaws to file and record the amendment with the county recorder within 60 days after the date of adoption of the amendment.

(3) It prohibited the board of directors of the owners association of a planned community in existence on the bill's original effective date from pursuing any civil action against any person based upon any provision of the bylaws or any amendments to the bylaws until the bylaws or amendments are filed and recorded as described above in (1) or (2).

(4) In an action by a lot owner for the discharge of the owners association lien on the owner's interest for an unpaid assessment or charge, it permitted a court that determines that the assessment or charge was improperly charged to award attorney's fees to the owner.

(5) It specifically required an owners association to comply with any covenant, condition, and restrictions in a recorded document to which it is subject and with the association's bylaws and rules.

* This synopsis does not address amendments that may have been adopted on the House Floor.

(6) It made conforming terminology changes in the provisions pertaining to an owners association lien for unpaid assessments or charges and other technical changes.

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04/19/10