



## Ohio Revised Code

### Section 1345.032 Suppliers soliciting fees for copies of deeds.

Effective: May 11, 2018

Legislation: House Bill 52 - 132nd General Assembly

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(A) As used in this section:

(1) "Deed" means a written instrument entitled to be recorded in the office of the county recorder of the county in which the subject property is situated that purports to convey or transfer title in fee simple of real property in this state. "Deed" includes a leasehold interest for ninety-nine years or more. "Deed" does not include instruments providing for any of the following:

(a) Common driveways ;

(b) Exchanges of easements or rights-of-way ;

(c) Revocable licenses to use, adjust, or clear defects of or clouds on title ;

(d) Utility service lines such as drainage, sewerage, water, electric, telephone, or other such service lines ;

(e) Quitclaim of possible outstanding interests.

(2) "Public body" means any township, county, municipal corporation, commission, district, authority, other subdivision, or public body of this state.

(3) "Solicit" means to advertise or market to a person with whom the solicitor has no pre-existing business relationship.

(B)(1) A supplier soliciting a fee for providing a copy of a deed or a free copy of a deed in connection with the solicitation for any other service or product shall state on the top of the document used for the solicitation, in at least twenty-four-point type, all of the following:



- (a) That the solicitation is not from a public body;
  - (b) That no action is legally required by the person being solicited;
  - (c) The statutory fee for, or the cost of, obtaining a copy of the deed from the county recorder who has custody of the deed ;
  - (d) The information necessary to contact that county recorder ;
  - (e) The name and physical address of the person soliciting the fee.
- (2) The document used for a solicitation under this section shall not be in a form or use deadline dates or other language that makes the document appear to be a document issued by a public body or that appears to impose a legal duty on the person being solicited.
- (3) A supplier soliciting a fee for providing a copy of a deed shall not charge a fee of more than four times the fee charged by the county recorder for a copy of that deed pursuant to section 317.32 of the Revised Code.
- (C) A supplier soliciting a fee for providing a copy of a deed shall furnish to the office of the county recorder of each county where the solicitations are to be distributed a copy of the document that will be used for those solicitations not less than fifteen days before distributing the solicitations.
- (D) This section shall not apply to any of the following:
- (1) A title insurance company authorized to do business in this state or its authorized agent ;
  - (2) A mortgage loan originator, mortgage broker, lender, or servicer or a depository financial institution authorized under state and federal law to originate or service mortgage loans ;
  - (3) A real estate broker or salesperson licensed under Chapter 4735. of the Revised Code.
- (E) The attorney general may adopt rules in accordance with Chapter 119. of the Revised Code



specifying the contents and form of the solicitation document.

(F) A violation of division (B) or (C) of this section shall be considered an unconscionable consumer sales act or practice under section 1345.03 of the Revised Code.