



Ohio Revised Code

Section 5301.94 Right-to-list home sale agreements.

Effective: October 3, 2023

Legislation: House Bill 33 - 135th General Assembly

(A) As used in this section, "right-to-list home sale agreement" has the same meaning as in section 4735.01 of the Revised Code.

(B) A right-to-list home sale agreement executed, modified, or extended after the effective date of this section is void ab initio and unenforceable.

(C) A right-to-list home sale agreement described in division (B) of this section is an unfair or deceptive act or practice in violation of section 1345.02 of the Revised Code. A residential real estate owner that enters into such a right-to-list home sale agreement has a cause of action against any other party to that agreement and is entitled to the same relief available to a consumer under section 1345.09 of the Revised Code. All powers and remedies available to the attorney general to enforce sections 1345.01 to 1345.13 of the Revised Code are available to the attorney general to enforce this section.

(D) No person shall present for recording, or cause to be presented for recording, by the county recorder in the official records under section 317.08 of the Revised Code a right-to-list home sale agreement described in division (B) of this section.

(E) An owner of residential real estate for which a right-to-list home sale agreement is recorded in violation of division (D) of this section may petition the court of common pleas of the county in which the right-to-list home sale agreement is recorded to declare the agreement void ab initio and unenforceable. If the court determines that the agreement is a right-to-list home sale agreement, a certified copy of the court order, with a complete legal description of the parcel, declaring the agreement void ab initio and unenforceable shall be recorded in the office of the county recorder. The county recorder shall record the order and charge and collect from the person filing the order the fees prescribed in section 317.32 of the Revised Code for the recorder's services. If the court grants the order, the owner may recover actual damages, costs, and attorney's fees from the person that recorded, or caused to be recorded, the right-to-list home sale agreement.