



Ohio Revised Code Section 5312.01 Definitions.

Effective: September 10, 2010

Legislation: Senate Bill 187 - 128th General Assembly

As used in this chapter:

- (A) "Assessment" means the liability for an expense that is allocated to a lot in a planned community.
- (B) "Bylaws" means an instrument filed with the declaration that provides for the operation of the owners association. "Bylaws" also is referred to as "regulations" pursuant to Chapter 1702. of the Revised Code.
- (C) "Common element" means any property in a planned community that the owners association holds in fee or has use of pursuant to a lease or easement.
- (D) "Common expense" means any expense or financial liability of the owners association, including allocations the association designates for reserves.
- (E) "Declarant" means the owner of property who executes and records a declaration that the property is a planned community.
- (F) "Declarant control" means the period of time in which the declarant controls the owners association by appointing or electing the members of the association's board of directors.
- (G) "Declaration" means an instrument a property owner executes and records to declare that the property is a planned community subject to the provisions of this chapter.
- (H) "Dwelling unit" means a detached building or the portion of a building that is designed and intended for use and occupancy for residential purposes by a single household or family.
- (I) "Limited common element" means a common element that a declaration designates as reserved



for use by a certain lot or lots, to the exclusion of other lots.

(J) "Lot" means a parcel or tract of land that is formed when a larger parcel of land is subdivided pursuant to Chapter 711. of the Revised Code, has a separate parcel number assigned by the county auditor, and is occupied or intended to be occupied by a dwelling unit.

(K) "Owner" means a person who owns a lot in a planned community. "Owner" does not include any person that has an interest in a lot solely as security for an obligation.

(L) "Owners association" means an organization that is comprised of owners of lots in a planned community and that is responsible for the administrative governance, maintenance, and upkeep of the planned community.

(M) "Planned community" means a community comprised of individual lots for which a deed, common plan, or declaration requires any of the following:

- (1) That owners become members of an owners association that governs the community;
- (2) That owners or the owners association holds or leases property or facilities for the benefit of the owners;
- (3) That owners support by membership or fees, property or facilities for all owners to use.

A condominium property as defined in section 5311.01 of the Revised Code is not a "planned community."