

LEGISLATIVE REVIEW
MAY 22, 2014 – REPORT #12

HOUSE COMMERCE AND LABOR COMMITTEE HEARS TESTIMONY ON HB 140

The House Commerce and Labor Committee had its second hearing for proponents on HB 140 Residential Contractor Licensing. Among the witnesses there to testify were two consumer investigative reporters from Columbus and Cleveland, and a victim whose home was destroyed by a wind "microburst" resulting in him hiring an unscrupulous crew that he said did not complete the rehab job and prompted a lengthy legal battle. All agreed the current bill would not have prevented these unfortunate situations, but saw the bill as 'a good start'.

Throughout the hearing, the Committee members raised numerous issues: the need for consumer education focusing on buyer beware and choosing a reputable contractor to do business with, ways to focus efforts on the otherwise untraceable 'fly by night' contractors usually doing work under \$25,000, the inability to ever collect from these fraudulent contractors, and how to make a license meaningful.

It appears the House is interested in working on HB 140, and has asked OHBA to provide feedback on ways to improve the current draft. The Chair also asked legislative staff to review licensing statutes from nearby states to see if similar accommodations may be needed in Ohio.

The Chair is very interested in our position and will try to accommodate our concerns with the bill's chief sponsor, Rep. Bill Patmon.

The hearing raised some unsettling issues, as well. One legislator asked if recent amendments to the CSPA eliminating treble damages were wise and suggested perhaps should be revisited. Another member asked if a recovery fund should be created to help reimburse victims of unscrupulous contractors.

There was only one mention of whole home construction coming from the bill sponsor who feels a license would add value to those who call themselves contractors.

While the lead sponsor is from the minority party, he is well respected by the majority party members on the committee, as well as by House leadership. As such, he will be accorded courtesies not always given minority party members. We await contact from the sponsor as to his plans for further hearings.

You can access submitted testimony to the committee at the following link under the May 21, hearing.

<http://www.ohiohouse.gov/committee/commerce-labor-and-technology>

***RECENT DELAYS IN OEPA CENTRAL OFFICE PROCESSING SANITARY SEWER
PTI FURTHER EXPLAINED***

OHBA was recently contacted by two engineers from different parts of the state on delays experienced in getting approval of sanitary sewer PTI from the OEPA Central Office. Discussions with the OEPA indicate the delay is a result of administration changes and more specifically signature authority or lack thereof after the chief of the division left the agency. Additionally, shortly thereafter, the OEPA director also left. The OEPA has assured OHBA the agency was working to get the approval process back on track now that both positions have been filled again. However, they did mention that although they were in the process of remedying the longer turn around, she could not guarantee what the turnaround would be in the near future. Hopefully, if you have experienced such delays, you should see some improvement. However, if you continue to experience delays, please let us know.