

ORDINANCE NO. 244-2024(HB), *Fourth
Reading (as amended 01/16/2025)*

By Councilmember Petras

An Ordinance enacting Section 1351.35 of the Codified Ordinances of Cleveland Heights, Ohio, entitled "Tenants' rights and responsibilities."

WHEREAS, according to date from the U.S. Census Bureau's 2022 American Community Survey 5-Year Estimates, 41.4 percent of occupied housing units in the City of Cleveland Heights are renter-occupied compared to 33.2 percent statewide and 35.2 percent nationally;

WHEREAS, the City seeks to ensure that both tenants and landlords receive important information needed concerning their respective rights, obligations, and remedies and to promote fairness in the rental housing market, including access to safe, quality, accessible, and affordable housing; housing discrimination prevention; housing market stability; community integration, clear and fair rental or lease agreements; education, enforcement, and enhancement of renter rights; and eviction prevention;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Council hereby enacts Section 1351.35 of the Codified Ordinances of Cleveland Heights, entitled "Tenants' rights and responsibilities," in the form set forth in Exhibit A, copies of which are attached hereto and which are incorporated herein by reference as if fully rewritten.

SECTION 2. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City of Cleveland Heights website.

SECTION 3. This Ordinance shall take effect and be in force at the earliest time permitted by law.



TONY CUDA
President of Council

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ADDIE BALESTER
Clerk of Council

PASSED: January 21, 2025

Presented to Mayor: 01/23/2025

Approved: 01/31/2025



KAHLIL SEREN
Mayor

EXHIBIT A

CHAPTER 1351

Basic Standards for Residential Occupancy

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1351.35 TENANTS' RIGHTS AND RESPONSIBILITIES.

(a) Findings and Purpose. To ensure that both tenants and landlords receive important information needed concerning their respective rights, obligations, and remedies and to promote fairness in the rental housing market, including access to safe, quality, accessible, and affordable housing; housing discrimination prevention; housing market stability; community integration, clear and fair rental or lease agreements; education, enforcement, and enhancement of renter rights; and eviction prevention.

(b) Duties of the Building Commissioner.

(1) The Building Commissioner shall, as soon as practicable and on or before April 1, 2025, prepare or adopt a pamphlet containing a summary of applicable federal, state, and local laws and regulations describing the respective rights, obligations, and remedies of tenants and landlords.

(2) The Building Commissioner shall make the information under subsection (b)(1) available to the public at no cost.

(3) The pamphlet prepared or adopted by the Building Commissioner under subsection (b)(1) shall contain purely factual information and nothing contained therein shall be construed as binding on or affecting any judicial determination of the rights and responsibilities of landlords or tenants nor as legal advice. The City is not liable for any misstatement or misinterpretation of the applicable laws and regulations.

(c) Duties of Owners, Operators, and Agents Leasing or Renting Dwelling Units.

(1) An owner, operator, or agent leasing or renting any dwelling units, dwelling structures, or any parts thereof shall provide a copy of the pamphlet described under subsection (b)(1) to any tenant or prospective tenant when a rental agreement is offered whether such agreement is for a new rental or lease agreement or a renewal of a rental or lease agreement. If the rental agreement is offered in paper form or another tangible medium, the pamphlet must be provided in the same form or medium.

(2) If there is an oral rental agreement, an owner, operator, or agent leasing or renting any dwelling units, dwelling structures, or any parts thereof shall provide the tenant copies of the pamphlet described in subsection (b)(1) either before entering into the oral agreement or within one month after entering into the oral agreement.

(3) An owner, operator, or agent leasing or renting any dwelling units, dwelling structures, or any parts thereof shall, as soon as practicable and on or before July 1, 2025,

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provide a printed or electronic copy of the pamphlet described in subsection (b)(1) to existing tenants.

(d) Penalty. An owner, operator, or agent leasing or renting any dwelling units, dwelling structures, or any parts thereof who fails to comply with any provision of this Section shall be guilty of a minor misdemeanor. (See Section 501.99 for penalties applicable to any misdemeanor classification). Each day such violation occurs or continues shall constitute a separate offense.