



## Ohio Administrative Code

### Rule 1501:21-7-03 Forfeiture of the surety bond.

Effective: [May 18, 2023](#)

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(A) If the chief determines during the construction or during the period between approval of construction (rule 1501:21-17-03 of the Administrative Code) and the final inspection (rule 1501:21-17-04 of the Administrative Code) that the construction was not performed in accordance with the terms of the bond as approved, the chief will so notify the owner and the surety in writing of these findings. The owner and the surety shall immediately correct the construction to comply with the terms of the bond. If the owner or the surety fails to immediately correct the construction to comply with the terms of the bond, the chief shall declare the bond forfeited and certify the forfeiture to the attorney general for collection in accordance with section 1521.061 of the Revised Code.

(B) The amount of forfeiture shall be set by the chief in an amount sufficient to correct the construction to comply with the terms of the bond, or in an amount sufficient to render the dam or levee non-hazardous. Any balance of the bond not forfeited shall be returned to the surety upon correction of the construction or after rendering the dam or levee non-hazardous.

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