



Ohio Administrative Code

Rule 117-7-03 Filing affidavit of failure of performance of township fiscal officer.

Effective: July 16, 2021

(A) The sworn affidavit and evidence submitted to the office of the auditor of state pursuant to division (A)(1) of section 507.13 of the Revised Code shall be in the following form and manner:

"AFFIDAVIT (Type or print full name)

The undersigned, being _____ a resident or residents of _____
Township, _____ County, Ohio, after being duly cautioned and sworn,
hereby state as follows:

That _____, the fiscal officer of said township has purposely,
knowingly, or recklessly failed to perform a fiscal duty expressly imposed by law, with respect to
the fiscal duties of the office of township fiscal officer, or has purposely, knowingly, or recklessly
committed any act expressly prohibited by law, with respect to the fiscal duties of the office of
township fiscal officer.

The terms "fiscal duty expressly imposed by law" and "act expressly prohibited by law" may include
a duty imposed by or an act prohibited by any statute contained within the Ohio Revised Code, as
well as any Resolution adopted by the board of township trustees.

That the fiscal duty which, _____, the fiscal officer of said
township, has purposely, knowingly, or recklessly failed to perform, is expressly imposed by the
following law(s): _____.

or

That the act(s) which said aforementioned fiscal officer has purposely, knowingly, or recklessly
committed is expressly prohibited by the following laws:



The facts constituting the purposeful, knowing, or reckless failure of the said township fiscal officer to perform a fiscal duty expressly imposed by law, with respect to the fiscal duties of the office of township fiscal officer, or of the said township fiscal officers purposeful, knowing, or reckless commission of any act expressly prohibited by law, with respect to the fiscal duties of the office of township fiscal officer, is set forth herein below are as follows:

_____ Add additional pages as may be necessary.

Evidence supporting the foregoing allegations is as follows:

_____ Add additional pages as may be necessary.

BY SIGNING BELOW, YOU ARE SWEARING TO THE TRUTH OF THE ALLEGATION(S) AND THE AUTHENTICITY OF ALL DOCUMENTS AND EXHIBITS WHICH ARE DEEMED INCORPORATED HEREIN. ANY PERSON WHO KNOWINGLY MAKES A FALSE STATEMENT IN SUCH AN AFFIDAVIT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, A FELONY OF THE THIRD DEGREE.

_____ SIGNATURE
OF AFFIANT

_____ ADDRESS OF
AFFIANT

_____ EMAIL
ADDRESS OF AFFIANT

_____ PHONE
NUMBER OF AFFIANT

_____ SIGNATURE
OF AFFIANT



ADDRESS OF
AFFIANT

EMAIL
ADDRESS OF AFFIANT

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PHONE
NUMBER OF AFFIANT



Date: _____

TO CONSTITUTE A VALID COMPLAINT, THIS AFFIDAVIT MUST BE SIGNED BEFORE A NOTARY PUBLIC. FAILURE TO SIGN AND TO INCLUDE A PROPERLY COMPLETED JURAT (BELOW) WILL RESULT IN THE IMMEDIATE DISMISSAL OF THE COMPLAINT.

STATE OF OHIO)

_____) ss:

_____ COUNTY)

Before me, a Notary Public, in and for said county and state, personally appeared the Affiant identified above who, after having been first duly sworn pursuant to law, executed the foregoing document, and averred that the same was his own free act and deed, and that the content thereof is true to the best of his knowledge, understanding, and belief.

NOTARY PUBLIC

My Commission Expires:"

(B) For purposes of completing the affidavit, the terms "fiscal duty expressly imposed by law" and "act expressly prohibited by law" may include a duty imposed by or an act prohibited by any statute contained within the Ohio Revised Code, as well as any resolution adopted by the board of township trustees.

(C) Any such affidavit, together with any supporting evidence accompanying the same, shall be delivered to the offices of the auditor of state in Columbus, Ohio, or forwarded to the auditor of state at said office, via certified United States mail with return receipt requested, postage prepaid. The effective receipt of any such affidavit and any supporting evidence accompanying the same shall be



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #289309

the date of actual delivery to and receipt by the auditor of state.