



## Ohio Administrative Code

### Rule 1301:5-5-09 Trust account records to be maintained.

Effective: February 10, 2019

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(A) Every brokerage shall keep a record of all trust funds received, including escrow funds, security deposits, and other monies received by the brokerage in a fiduciary capacity. This record shall include, but not be limited to, the following information :

- (1) Date funds received;
- (2) Method of receipt including:
  - (a) Cash and associated receipt number;
  - (b) Negotiable instrument number;
  - (c) Money order number;
  - (d) Electronic funds transfer number;
  - (e) Funds transfer number;
  - (f) Automated clearing house (ACH) number;
  - (g) Credit or debit card transaction number;
- (3) Party from whom funds are received and the purpose of the funds;
- (4) Amount received;
- (5) Date funds are deposited in special or trust bank account and account number;



- (6) Date funds are disbursed;
  - (7) Method of disbursement including:
    - (a) Cash and associated receipt number;
    - (b) Negotiable instrument number;
    - (c) Money order number;
    - (d) Electronic funds transfer number;
    - (e) Funds transfer number;
    - (f) Automated clearing house (ACH) number;
    - (g) Credit or debit card transaction number;
  - (8) Amount of disbursement;
  - (9) Party, and if applicable, account to whom funds are disbursed and purpose of disbursement;
  - (10) Any other documents necessary and sufficient to verify and explain record entries and identify the current balance in the special or trust bank account.
- (B) Evidence of a licensee's failure to maintain records in accordance with this rule shall constitute a violation of division (A)(24) of section 4735.18 of the Revised Code.