



Ohio Administrative Code Rule 5122-30-06 Unlicensed facilities.

Effective: January 1, 2018

(A) Any facility that is subject to licensure as a residential facility, as specified in section 5119.34 of the Revised Code, is required to apply for and receive a valid license in accordance with the requirements of this chapter.

(B) In accordance with division (K) of section 5119.34 of the Revised Code, the department may investigate any facility that has been reported to the department or that the department has reason to believe is operating as a residential facility without a valid license. In conducting such an investigation, the department shall have full access to all areas of the facility, as well as to all persons, records, documents, as is necessary and appropriate, to determine if the facility is a residential facility subject to licensure.

(C) The director may petition the court of common pleas of the county in which a residential facility is located for an order enjoining any person from operating a residential facility without a license or from operating a licensed facility when, in the director's judgment, there is a real and present danger to the health or safety of any of the residents of the facility. The court shall have jurisdiction to grant such injunctive relief upon a showing that the respondent named in the petition is operating a facility without a license or there is a real and present danger to the health and safety of any residents of the facility.
