Rule 4901:1-18-08

APPENDIX B

NOTICE OF YOUR RIGHTS AS A TENANT TO AVOID DISCONNECTION OF UTILITY SERVICE AND WHAT YOU MAY DO TO HAVE SERVICE RECONNECTED IF DISCONNECTION HAS ALREADY TAKEN PLACE

Because your landlord failed to pay the bill, your (Gas/electric) service provided by (Name of utility company) will be disconnected shortly or has already been disconnected. If you want to retain or reconnect service, you must within 10 business days of notice or within 14 calendar days after disconnection, do one of the following:

A. Act as a representative or have another tenant act as a representative and collect from the tenants the amount of the landlord's current bill. Contact (Name of utility company) to find out the amount of the current bill. In order to keep service, you must also continue to pay the current bill as long as the landlord remains in default. Please note: If you choose this option, you must also continue to pay your rent to your landlord.

-OR-

B. Notify your landlord that you intend to pay your rent to the appropriate court (escrow your rent). Your rent must be current and you must continue to pay your rent to the landlord as usual until the appropriate court accepts your rent in escrow. Please check with your local court for the proper escrow procedures. The utility company must provide service for at least 30 days, if Steps 1, 2, and 3 (as described on page 2 of this appendix) are completed properly. Please note: If you do not escrow your rent properly, you will likely not have a valid defense should your landlord file an eviction for nonpayment of rent. This option is not available if your landlord gave you written notice when you moved in that he/she owns less than four dwelling units.

The following forms shall be made available by the utility company and will also be available on the commission's website at http://www.puco.ohio.gov/documents-and-rules/resources/Rules.

*** Form A is a notice to your landlord that he or she must pay the utility bill or you will apply to the appropriate court to escrow your rent. Form A is also used to notify the utility company that you plan to escrow your rent.

*** Form B is your Application to the appropriate court to escrow your rent. In some counties, the court must approve this application before you may place your rent in escrow. You may want to contact your local clerk of courts.

*** Form C is your Application to the appropriate court to request an order for payment of the landlord's utility bill.

THE ABOVE REFERENCED FORMS ARE NOT A COMPLETE LIST OF YOUR LEGAL RIGHTS AND ARE NOT INTENDED TO BE SO. THEY ARE REQUIRED BY THE PUBLIC UTILITIES COMMISSION OF OHIO AND HAVE BEEN PROVIDED FOR YOUR CONVENIENCE. FOR FURTHER INFORMATION AND/OR ASSISTANCE, YOU MAY WISH TO CONTACT YOUR OWN ATTORNEY, LOCAL TENANT ORGANIZATIONS AT (Phone no.), LOCAL BAR ASSOCIATIONS AT (Phone no.), OHIO STATE LEGAL SERVICES ASSOCIATION AT 1-800-589-5888, THE PUBLIC UTILITIES COMMISSION OF OHIO AT 1-800-686-7826 OR THE OFFICE OF CONSUMERS' COUNSEL AT 1-877-742-5622. FOR RESIDENTS OF (City, State, Zip Code), YOU MAY WANT TO CONTACT (Local legal services program) AT (Phone no.).

Should you choose to begin the escrow procedure, take all of the following actions:

Step 1 Complete Form A. Have tenants from at least 50% of the occupied apartments in a multi-unit dwelling, or the tenant in a single-occupancy dwelling, sign it; and

Step 2 Keep a copy of Form A. Have a witness with you when you give it to the landlord or send it "certified mail - return receipt requested" to the place you usually pay your rent; and

Step 3 Mail or fax a copy of Form A to the utility company's office as soon as possible; and

Step 4 Continue to pay your rent to the landlord as usual until 30 days after you send Form A to the landlord. After that, but no later than the next date the rent is due, each tenant who signed Form A will have to file Forms B and C with the appropriate local court. If this is not done, utility service may be disconnected. If there is/are a fee(s) to file Forms B and C and you cannot afford the fee(s), ask the clerk of courts how to file a request that the fee(s) not be charged; and

Step 5 Remember to keep copies of all forms for your records. For additional forms, contact the utility company or the Public Utilities Commission of Ohio at 1-800-686-7826.

NOTE

* TAKE THE COMPLETED FORMS TO THE LOCAL CLERK OF COURTS. ASK THE CLERK IF EACH FORM IS REQUIRED. IF NOT, ASK THE CLERK TO GIVE YOU THE APPROPRIATE FORMS.