



Ohio Revised Code

Section 1322.42 Conflict of interest disclosure regarding referrals.

Effective: March 23, 2018

Legislation: House Bill 199 - 132nd General Assembly

(A)(1) No registrant or licensee or person required to be registered or licensed under this chapter shall refer a buyer to any settlement service provider, including any title insurance company, that has an affiliated business arrangement with the registrant, licensee, or person without providing the buyer with written notice as required by rule adopted by the superintendent.

(2) As used in division (A)(1) of this section, "affiliated business arrangement" has the same meaning as in 12 U.S.C. 2602.

(B) No registrant or licensee shall refer a buyer to an appraisal company, if the registrant or licensee, a member of the immediate family of an owner of the registrant, or a member of the licensee's immediate family, has either of the following financial relationships with the appraisal company:

(1) An ownership or investment interest in the company, whether through debt, equity, or other means;

(2) Any compensation arrangement involving any remuneration, directly or indirectly, overtly or covertly, in cash or in kind.

(C) No registrant or licensee shall knowingly enter into an arrangement or scheme, including a cross-referral arrangement, that has a principal purpose of assuring referrals by a registrant or licensee to a particular appraisal company that would violate division (B) of this section.

(D) The registrant, licensee, and entity holding a valid letter of exemption under division (B)(1) of section 1322.05 of the Revised Code, or person required to be registered or licensed under this chapter shall retain proof that the buyer received the written disclosures required by division (A) of this section for four years.



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