



Ohio Revised Code

Section 323.78 Invocation of alternative redemption period.

Effective: April 3, 2025

Legislation: House Bill 315 - 135th General Assembly

(A) Notwithstanding anything in Chapters 323., 5721., and 5723. of the Revised Code, a county treasurer may elect to invoke the alternative redemption period in any petition for foreclosure of abandoned lands under section 323.25, sections 323.65 to 323.79, or section 5721.18 of the Revised Code.

(B) If a county treasurer invokes the alternative redemption period pursuant to this section, and if a municipal corporation, township, county, school district, community development organization, or county land reutilization corporation has requested title to the parcel, then upon adjudication of foreclosure of the parcel, the court or board of revision shall order, in the decree of foreclosure or by separate order, that the equity of redemption and any statutory or common law right of redemption in the parcel by its owner shall be forever terminated after the expiration of the alternative redemption period and that the parcel shall be transferred by deed directly to the requesting municipal corporation, township, county, school district, community development organization, or county land reutilization corporation without appraisal and without a sale, free and clear of all impositions and any other liens on the property, which shall be deemed forever satisfied and discharged. The court or board of revision shall order such a transfer regardless of whether the value of the taxes, assessments, penalties, interest, and other charges due on the parcel, and the costs of the action, exceed the fair market value of the parcel. No further act of confirmation or other order shall be required for such a transfer, or for the extinguishment of any statutory or common law right of redemption.

(C) If a county treasurer invokes the alternative redemption period pursuant to this section and if no community development organization, county land reutilization corporation, municipal corporation, county, township, or school district has requested title to the parcel, then upon adjudication of foreclosure of the parcel, the court or board of revision shall order the property sold as otherwise provided in Chapters 323. and 5721. of the Revised Code, and, failing any bid at any such sale, the parcel shall be forfeited to the state and otherwise disposed of pursuant to Chapter 5723. of the Revised Code.



(D)(1) A municipal corporation, township, county, school district, community development organization, or county land reutilization corporation to which property is transferred pursuant to division (B) of this section shall cause the property to be sold through either of the following means:

(a) At a public auction conducted by the sheriff of the county in which the property is located or a designee of the sheriff in the manner provided by law for the sale of real property on execution. The auction shall be advertised in the same manner required in division (A) of section 323.73 of the Revised Code.

(b) By the solicitation of sealed bids. The political subdivision, community development organization, or county land reutilization corporation shall advertise the sale in a newspaper of general circulation that meets the requirements of section 7.12 of the Revised Code in the county in which the property is located, prescribe the form of bids, and accept bids over a period of at least three weeks.

(2) Upon a sale of property pursuant to division (D)(1) of this section, the municipal corporation, township, county, school district, community development organization, or county land reutilization corporation that sold the property shall calculate the sum of the taxes, assessments, penalties, interest, and other charges due on the property at the time the property was transferred under division (B) of this section; the costs of the foreclosure action that resulted in the property's transfer under that division; and any costs incurred by the political subdivision, community development organization, or county land reutilization corporation in connection with the property. If the sale price exceeds that sum, the excess proceeds shall be delivered to the county treasurer of the county in which the property is located not later than forty-five days after its sale. Thereafter, the excess proceeds shall be treated in the same manner as surplus funds under section 5721.20 of the Revised Code.

The political subdivision, community development organization, or county land reutilization corporation shall maintain a record of the amounts calculated under this division, and the property's sale price, for three years after its sale date. The record is a public record subject to section 149.43 of the Revised Code.