



Ohio Revised Code Section 5301.78

Effective: June 16, 2026

Legislation: Senate Bill 101

(A)(1) If an unfair service agreement or a notice or memorandum of an unfair service agreement is recorded in this state in violation of section 5301.77 of the Revised Code, any party with an interest in the residential real estate that is the subject of that agreement may commence a civil action in a court of competent jurisdiction in the county in which the agreement, notice, or memorandum is recorded.

(2) If the court determines that the recorded instrument is an unfair service agreement or a notice or memorandum of an unfair service agreement, the court shall do both of the following:

(a) Issue a judgment declaring the service agreement, notice, or memorandum to be unenforceable;

(b) Award to any party with an interest in the residential real estate that is the subject of that agreement all of the following:

(i) Actual economic damages;

(ii) Court costs and fees;

(iii) Reasonable attorney's fees.

(B) When an unfair service agreement or notice or memorandum of an unfair service agreement is declared unenforceable by a judgment under division (A)(2)(a) of this section, any party with an interest in the residential real estate may obtain a certified copy of the judgment declaring the service agreement, notice, or memorandum to be unenforceable and present the certified copy of the judgment to the county recorder's office for recording within the chain of title to the property.
