



Ohio Revised Code

Section 5321.131 Display of certain flags.

Effective: March 21, 2017

Legislation: House Bill 18 - 131st General Assembly

(A) No landlord shall include any restriction in a rental agreement against, or otherwise prohibit on a tenant's rental property, any of the following:

(1) The display of the flag of the United States or the national league of families POW/MIA flag if the flag is displayed in accordance with any of the following:

(a) The patriotic customs set forth in 4 U.S.C. 5-10, and 36 U.S.C. 902, governing the display and use of the flag;

(b) Federal law, state law, or any local ordinance or resolution;

(c) A proclamation of the president of the United States or the governor of the state.

(2) The display of the state flag as defined in section 5.01 of the Revised Code if the flag is displayed in accordance with state law, any local ordinance or resolution, or proclamation by the governor of the state;

(3) The display of a service flag approved by the United States secretary of defense for display in a window of the residence of a member of the immediate family of an individual serving in the armed forces of the United States. A service flag includes a blue star banner, a gold star banner, and any other flag the secretary of defense designates as a service flag.

(B)(1) A tenant who requests to display the flag of the United States or the national league of families POW/MIA flag at the rental property as provided in division (A)(1) of this section through the use of a flag pole shall contact the landlord with reasonable notice before installation of the flag pole to discuss the following:

(a) Placement in compliance with any local zoning restrictions and the required underground utility



service requests (OUPS);

(b) Cost of the materials and installation;

(c) Installation in a workerlike manner if installed at the tenant's request and expense;

(d) Any lighting required to comply with division (A)(1)(a) of this section;

(e) The appropriate size of the flag and flag pole, which shall be consistent with the size and character of the building.

(2) A tenant who requests to display the flag of the United States or the national league of families POW/MIA flag at the rental property as provided in division (A)(1) of this section through the use of a bracket to be permanently affixed to the unit, shall contact the landlord with reasonable notice before installation of the bracket to discuss the following:

(a) Placement in compliance with any local zoning restrictions;

(b) Cost of the materials and installation;

(c) Preferred location of the bracket with installation to be performed in a workerlike manner if installed at the tenant's request and expense;

(d) Any lighting required to comply with division (A)(1)(a) of this section;

(e) The appropriate size of the flag and flag pole, which shall be consistent with the size and character of the building.

(C) A landlord who does not receive the notifications required under division (B) of this section is not liable for any damages, fines, or costs associated with any issues arising from the placement of the flag pole or the bracket by the tenant.

(D) Any violation of this section is against public policy and unenforceable. Any provision of a



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rental agreement that violates this section is an unconscionable term under section 5321.14 of the Revised Code.

(E) Nothing in division (B) of this section exempts a tenant from a provision in a lease agreement that requires a tenant, at the termination of a lease, to return the premises in the same condition as they were in when the tenant took possession.