

**2023 ohba year IN revieW**

***OHBA PETITION FOR CHANGES TO OHIO PLUMBING CODE APPROVED BY BOARD OF BUILDING STANDARDS***

After working with the Central Ohio BIA and concerned builders and plumbers, OHBA submitted an official petition to the BBS urging a change to the Ohio Plumbing Code requirements currently mandating disinfection by chlorination in every new 1,2,3 family dwelling. While the provisions had been in the OPC for years, only recently, local health departments indicated the provisions would be mandated for both commercial and residential construction. As a result, OHBA petitioned the BBS to modify the OPC requirements as applied to 1, 2, 3. The Residential Construction Advisory Committee gave the petition unanimous support, and the BBS voted to approve the changes. The approval of the OHBA petition will prevent jurisdictions from enforcing the OPC 610 provisions in residential dwellings.

***OHBA OFFICERS PARTICIPATED ON STATEHOUSE HOUSING PANEL***

OHBA partnered with the Ohio Chamber, Ohio Apartment Association, and Ohio REALTORS to host a Statehouse Housing Panel at the beginning of 2023. Legislators in attendance were able to hear first hand many of the challenges Ohio faces in increasing its housing supply.

***OHBA SUPPORTED VARIOUS APPROACHES TO ADDRESS HOUSING SHORTAGE***

As the budget process included some much-needed focus on housing, several approaches were being presented and discussed in the House and Senate as the response to the housing need. OHBA continued to urge those involved to look at the impact of regulation and land development costs. OHBA strongly supported the provisions addressing the increased property taxes on subdivided residential property and changes to referenda signature requirements added to the budget (HB 33). Additionally, OHBA recognized the importance of two other proposals: State Low Income Housing Tax Credit and Single-Family Housing Development Tax Credit.

***OHBA SUCCESSFUL IN GETTING PASSAGE OF PROPERTY TAX RELIEF FOR RESIDENTIAL DEVELOPMENT LAND***

After being vetoed in the last budget attempt, OHBA successfully got the new provisions included in the recent budget and enacted into law. The new law exempts from property tax the value of unimproved land subdivided for residential development in excess of the purchase price of the property from which that land was subdivided for up to eight years, or until construction begins or land is sold.

***REFERENDA SIGNATURE REQUIREMENT INCREASED***

OHBA was key in making statutory changes modifying ORC 519.12, 519.25 to increase the number of signatures required to place a question of whether to repeal a township zoning plan on the ballot for electors to vote on from not less than 8% to 15%.

***OHBA ASKED TO TESTIFY AT INTIAL HEARING OF THE OHIO SENATE SELECT COMMITTEE ON HOUSING***

The Senate invited the Ohio Home Builders Association (OHBA) to participate in the initial hearing of its Select Committee on Housing. Executive Vice President, Vince Squillace, presented the state of housing in Ohio, having been underbuilt for decades. After further illustrating the challenges faced by home builders and land developers, he continued to explain the areas needing attention and review: zoning, density and development standards.

***OHBA PUSHED FOR MORE DETAILS ON IMPLEMENTATION OF RESIDENTIAL DEVELOPMENT PROPERTY TAX ASSESSMENT CHANGES***

OHBA met with legislators and the Ohio Department of Taxation to discuss updates on the status of the application process established in HB 33 making changes to Ohio Revised Code 5709.56. The new provisions exempt from property tax the value of unimproved land subdivided for residential development in excess of the most recent sale price from which that land was subdivided.

***U.S EPA AND ARMY CORP ISSUE REVISED WOTUS RULE***

As a result of the U.S. Supreme Court’s *Sackett* decision, the Environmental Protection Agency and U.S. Army Corps of Engineers issued a revised, final waters of the United States (WOTUS) rule under the federal Clean Water. OHBA provided information to members on the impact of the rule on permitting in Ohio.

***OHBA JOINED IN EFFORTS TO ADDRESS ISSUES WITH BUFFALO DISTRICT***

OHBA joined efforts urging action to address issues with the Army Corp of Engineers Buffalo District. Industry groups and numerous members of the Ohio Congressional Delegation signed on in support of consolidating Ohio under one district to combat ongoing issues.

***COMMENTS SUBMITTED ON OHIO HOUSING FINANCE AGENCY’S SINGLE-FAMILY PROGRAM***

Even before the new single-family tax program was enacted into law, OHFA and Governor DeWine’s staff reached out to OHBA for feedback on the proposed tax credit program. Following the passage of the proposal, OHBA continued to engage in providing comments and information on the costs of construction.

***ANNUAL MEETING WITH BUREAU OF WORKERS COMPENSATION ASSOCIATION REPRESENTATIVE***

OHBA held its required meeting with the BWC Association representative on its group rating program, as well as, all other products and services offered by the Bureau.

***SPONSORS OF LEAD RENOVATION, REPAIR AND PAINTING RULE PROPOSAL LOOK TO OHBA FOR INSIGHT***

Legislators set to sponsor a bill authorizing the ODH Director to enter into agreements with the U.S. Environmental Protection Agency (USEPA) for the administration and enforcement of the federal Renovation, Repair, and Painting (RRP) Rule reached out to OHBA for insight into the proposal. Under the RRP Rule, firms performing renovation, repair, and painting projects that disturb lead-based paint in homes, child care facilities, and pre-schools built before 1978 must be certified by USEPA (or a USEPA-authorized state), use certified renovators who are trained by USEPA-approved training providers, and follow lead-safe work practices.

***OHBA*** ***SIGNED ON TO LETTER IN OPPOSITION OF DESIGNATION FOR BIG DARBY***

OEPA officially considered stopping future Darby Watershed development with a potential new designation of the Darby watershed as "Outstanding National Resource Waters". OHBA engaged the Common Sense Initiative (CSI) anticipating the OEPA’s action, and signed on to a letter in opposition to such designation stopping development in the watershed.

***OHBA FILED MULTIPLE AMICUS BRIEFS IN REMODELING CSPA CASES***

OHBA defended the intent of the Home Construction Service Suppliers Act (HCSSA) in two amicus briefs filed with the Ohio Supreme Court in *Ilia Beder, et al., v. Cerha Kitchen and Bath Design Studio, LLC et al*. and *Estate of Tomlinson v. Mega Pool Warehouse, Inc., 2023-Ohio-229.*  Along with potential legislative fixes, OHBA participated in the legal process asking the Ohio Supreme Court to take jurisdiction of the cases to clarify remodeling is covered under the HCSSA if over $25,000.

***OHBA CONTINUED STRONG REPRESENTATION ON BUILDING CODE BOARDS***

Both the Residential Construction Advisory Committee (RCAC) and Board of Building Standards (BBS) include active members of OHBA engaging in the code review and adoption process.

***OHBA REPRESENTED INDUSTRY IN ONGOING STREAM MITIGATION RULES PROCESS***

With the passage of HB 175 removing ephemeral streams from waters of the state, the legislation also instructed the OEPA to adopt rules for stream mitigation. OHBA was involved in the beginning stakeholder process and continued to work with stakeholders in providing feedback on the proposed rule including the assessment tool proposal.

***CONTINUED ENGAGEMENT WITH UTILITY PARTNERS***

Throughout the year, OHBA met with numerous utilities, both gas and electric, to engage the groups on potential development standards or ways to provide more consistent expectations. Additionally, OHBA worked with the Public Utility Commission (PUCO) to explore what comes under its authority.

***OHBA FACILITATED COMMUNICATION WITH UTILITIES ON TRANSFORMER SHORTAGE AND CONDUIT REQUIREMENTS***

Responding to member concerns with transformer availability, OHBA connected builders with contacts at the utilities to help address timing issues and development plans. Further, several members help regular meetings with the utility to work through onerous conduit requirements.

***BOARD OF BUILDING STANDARDS ASKED OHBA FOR FEEDBACK ON BUILDING DEPARMENT RULES***

The Chairman and members of the Ohio Board of Building Standards (BBS) took a fresh look at the rules and procedures governing Ohio’s building officials and building codes. The BBS reached out to OHBA to hear comments/suggestions on addressing building department staffing shortages and the ability of departments to provide code enforcement services.

The BBS reached out to OHBA to help the Board obtain valuable feedback/suggestions from entities such as, private developers, and contractors as they are impacted by the same issues facing building departments.

***OHBA AIDS IN PRESERVING AMENDMENTS TO NATIONAL ELECTRIC CODE***

OHBA and its members on the RCAC, insisted on the proper review and analysis of the petition to update to the 2023 NEC. The committee, after review and analysis based on statutory considerations, sent its recommendations to the Board of Building Standards with amendments. Even after being challenged by proponents of the NEC, the members of the RCAC all agreed proper review and analysis had been done based on cost, technical feasibility and safety considerations. After a heated discussion with the electrical industry, the RCAC remained firm in its decision and sent the 2023 NEC with Ohio amendments back to the BBS.

***SKILLSUSA OHIO TEAMWORKS SPONSORSHIP AND PARTICIPATION***

OHBA continued to be the main sponsor for the SkillsUSA Teamworks competition which brought an impressive turnout of young men and women competing in the various construction trades. Several OHBA past presidents served as judges and volunteered throughout the competition.

***REVIEW AND ADOPTION OF MINIMUM QUANTIFIABLE STANDARDS UPDATES***

As the adopting body of the workmanlike standards for the industry, OHBA reviewed and adopted the Sixth Edition of the Minimum Quantifiable Standards.

***CONTINUING AGENCY AND LEGISLATIVE FOLLOW UP***

While agency issues are always ongoing, many of the legislative issues from 2023 will likely continue into the new year. Throughout the year, OHBA received questions from around the state on enforcement of multiple regulations, including, but not limited to utility, environmental and plumbing issues. OHBA provided valuable insight and contacts to help mitigate issues brought to OHBA’s attention.

***MONITORED LEGISLATION***

HB 129 Commercial Roofing Contractors, HB 187 Property Taxes, HB 203 Construction Projects, SB 1 Department of Education, SB 41 Building Inspections, SB 76 Landlords, SB 119 Solid Waste and Debris,