CTA
COUNTY TREASURERS
ASSOCIATION OF OHIO

# County Treasurer Reference Manual

# 2020

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# CHAPTER 1: INTRODUCTION AND BASICS

## THE MANUAL

Welcome to the County Treasurers Association of Ohio (CTAO)'s County Treasurer Reference Manual. This informal publication is intended to provide you with the resources, documents and contacts you will need to navigate the duties and responsibilities of a county treasurer. In the General Information section of each chapter, you will also find relevant sections of the Ohio Revised Code for each topic area. The Manual is not intended to be comprehensive or replace any formal training or continuing education requirements, but rather it is intended to serve as a resource for treasurers as they familiarize themselves with their new role.

The State Auditor's office also produces a County Treasurer Manual, which is a compilation of all sections of the Ohio Revised Code that apply to treasurer duties. You can find the most recent version of this document at this link:
http://www.ohioauditor.gov/publications/FinalVersion%2010-24-18.pdf.

## COUNTY TREASURERS ASSOCIATION OF OHIO (CTAO)

The County Treasurers Association of Ohio was established in 1924 to facilitate the exchange of experiences and ideas among all county treasurers in the state of Ohio. The organization strives to promote and assist in the enactment of legislation to improve the administration of treasurer offices in this state; cultivate friendship among treasurers and their deputies; and elevate and improve the intellectual, social and economic conditions of all treasurer office employees throughout Ohio.

The Association's goals are to:

- Promote and protect the interest of taxpayers
- Introduce and promote legislation that benefits all Ohio residents
- Assist in and advocate for the enactment of legislation that improves the administration of treasurer offices in this state
- Provide and promote professional education for our members
- Share solutions to problems through networking

The most recent version of CTAO's bylaws can be found on our website: http://www.ohiocountytreasurers.org/.

## ESSENTIAL CONTACTS

The CTAO website has the most up-to-date contact information for all of the following:

- State agency contacts
    - Treasurer of State contacts
    - Auditor of State contacts
    - Ohio Pooled Collateral System contacts
    - Ohio Department of Taxation website link
    - And more
- Ohio General Assembly
    - Ohio House and Senate websites
- Related State Organizations
    - County Commissioners Association
    - County Auditors Association
    - Ohio Council of County Officials
    - Ohio Government Finance Officers Association
- Related National/International Organizations
    - National Association of County Collectors, Treasurers and Finance Officers
    - International Association of Government Officials

## MAIN ORC SECTIONS APPLICABLE TO COUNTY TREASURERS

| | |
|---|---|
| Collection of Taxes | Chapter 323 |
| Treasurer | Chapter 321 |
| Personal Property Tax Collection | Chapter 5719 |

CALENDAR OF DUTIES

# JANUARY

| | |
|---|---|
| ORC 323.08 | Publish notice of real estate tax due dates to avoid penalty and interest (publish once a week for two consecutive weeks prior to the due date) |
| ORC 323.08 | Publish tax rates immediately upon delivery of rates from Auditor |
| ORC 319.302 | Certify full year 10% reduction to Dept of Taxation after delivery of duplicate (form 107) |
| ORC 323.13 | Mail first half real estate tax bills at least twenty days before the due date (general commonly accepted practice is 30 days) |
| ORC 135.341 | Investment Advisory Board Meeting (must meet quarterly) |
| ORC 5715.09 2nd Monday | Board of Revision organizational meeting |
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| | Audit compensated balance of employees sick and vacation leave. Send copy to Auditor if required |
| | Audit inventory report and forward copy to Auditor |
| | Pay association dues to CTAO |
| | Verify receipt of CEU credits from State Treasurer and State Auditor |
| | Apply for extension of real estate due date if necessary |

# FEBRUARY

| | |
|---|---|
| ORC 5705.27<br>1st Monday | Budget Commission to meet in County Auditor's office |
| ORC 323.121(A)(1) | Real estate tax - 10% penalty assessed on day after due date-verify accuracy |
| ORC 323.121(C) | 5% of this penalty is waived if tax is paid within 10 days after due date |
| ORC 321.24(A)<br>Feb 15 | Last day to certify settlement of real estate tax collection to Auditor (unless due date was extended) |
| ORC 321.24(F) | Mail real estate tax rollback certifications to Dept of Taxation 30 days after certification of settlement to the Auditor (10%, 2 ½% and homestead) |
| ORC 5731.46<br>Feb 25 | Settle Estate Tax with Auditor |
| | Mail first half manufactured home tax bills at least 20 days prior to due date of March 1st |
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |

# MARCH

| | |
|---|---|
| ORC 4503.06(G)(1)(a)<br>Mar 1 | Last day to pay first half manufactured home tax (unless due date was extended) |
| ORC 4503.06(G)(1)(a)<br>Mar 2 | Manufactured home tax - 10% penalty assessed-verify accuracy |
| ORC 4503.06(G)(3) | 5% of this is waived if tax is paid within 10 days after due date |
| ORC 5715.19(1)<br>Mar 31 | Last day for Board of Revision complaints to be filed (unless 1st half due date is after Mar 31) |
| Ohio Admin Code 5703-25-46(E) | Certify composite tax reduction factor publication of tax rates to the Department of Taxation |
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |

# APRIL

| | |
|---|---|
| | Check tax bill and envelope inventory for next collection |
| ORC 321.24(H)(1)<br>April 15 | Last day to certify settlement of manufactured home tax collection to Auditor (unless due date was extended past Mar 1) |
| April 15 | Last day to file Financial Disclosure Statement (unless it is your election year) |
| ORC 321.24(I) | Mail manufactured home tax rollback certifications to Dept of Taxation 30 days after certification of settlement to the Auditor (10%, 2 ½% and homestead) |
| ORC 5711.04<br>April 30 | Last day to file personal property tax return or file for extension of time to file |
| ORC 135.341 | Investment Advisory Board Meeting (must meet quarterly) |
| | Request copies of BOR complaints to review for future hearings |
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |

# May

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| | If applicable, send confirmation list to mortgage companies of all coded parcels |
| | Prepare coupon books for pre-payment accounts |
| | CTAO Spring Conference |
| | Begin process for acquiring Depository Contracts if existing contracts expire this year |
| | Board of Revision hearings |
| | Preliminary or tax budget preparation for General, DTAC and Pre-Pay Interest funds |

# JUNE

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| ORC 323.13 | Print and mail second half real estate tax bills at least 20 days prior to due date (general commonly accepted practice is 30 days) |
| ORC 323.08 | Publish notice of real estate tax due dates to avoid penalty and interest (publish once a week for two consecutive weeks prior to due date) |
| End of Month | Print and mail manufactured home tax bills at least 20 days prior to due date of July 31 |
| ORC 321.24(B)<br>June 30 | Last day to certify settlement of personal property tax collection to Auditor |
| | Board of Revision hearings |

# JULY

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| ORC 323.121(A)(1) | Real estate tax - 10% penalty assessed on day after due date-verify accuracy |
| ORC 323.121(C) | 5% of this penalty is waived if tax is paid within 10 days after due date |
| ORC 4503.06(G)(1)(a) July 31 | Due date for 2nd half manufactured home tax |
| ORC 135.341 | Investment Advisory Board Meeting (must meet quarterly) |

# AUGUST

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| ORC 323.121(B)(1)<br>Aug 1 | Interest assessed to prior years delinquent real estate tax (if due date is in July) |
| ORC 4503.06(G)(2)(a)<br>Aug 1 | Interest assessed to prior years delinquent manufactured home tax (if due date is in July) |
| ORC 4503.06(G)(1)(a)<br>Aug 1 | Manufactured home tax - 10% penalty assessed -verify accuracy (unless due date was extended) |
| ORC 4503.06(G)(3) | 5% of this penalty is waived if tax is paid within 10 days after due date |
| ORC 5705.27<br>1st Monday | Budget commission to meet in County Auditor's office |
| ORC 321.24(C)<br>Aug 10 | Last day to certify settlement of real estate tax collection to Auditor (unless due date extended) |
| ORC 321.24(F) | Mail real estate tax rollback certifications to Dept of Taxation 30 days after certification of settlement to the Auditor (10%, 2 ½% and homestead) |
| | Print and mail concluding personal property tax bills-due Sept 20 |
| ORC 5731.46<br>Aug 20 | Settle Estate Tax with Auditor |
| | Finalize order for next year's tax bills and envelopes |

# SEPTEMBER

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| ORC 4503.068<br>2$^{ND}$ Monday | Mail certification of manufactured home tax homestead reductions to Dept of Taxation – Form MF55 |
| ORC 321.24(H)(2)<br>Sept 15 | Last day to certify settlement of manufactured home tax collection to Auditor (unless due date was extended past July 31) |
| ORC 321.24(I) | Mail manufactured home tax rollback certifications to Dept of Taxation 30 days after certification of settlement to the Auditor (10%, 2 ½% and homestead) |
| ORC 5719.03(B)<br>Sept 20 | Last day to pay personal property tax |
| ORC 5719.03(D)<br>Sept 21 | Personal Property tax - 10% penalty assessed (unless due date was extended)- verify accuracy. 5% of this is waived if tax is paid within 10 days after due date |
| | If applicable, begin preparation of delinquent billing for manufactured home tax and real estate tax |
| | Special assessments are to be certified by subdivisions to County Auditor |

# OCTOBER

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| ORC 135.341 | Investment Advisory Board Meeting (must meet quarterly) |
| | Should receive notice of interest rate charge for next year from tax commissioner (can obtain from Dept of Taxation web site) |
| | Assist in preparation of advertising list for current delinquent real estate taxes and manufactured home taxes |
| | Prepare final office budget for general fund, DTAC fund and pre-pay interest fund |
| ORC 321.24(D)<br>Oct 31 | Last day to certify settlement of personal property tax collection to Auditor (unless due date was extended past Sept 20) |
| ORC 321.24(G)(1) | Mail notice of completion of personal property tax settlement to Dept of Taxation – Form TPR2 within 30 days after certification of settlement with Auditor |

# NOVEMBER

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| | Tax bills and envelopes should be on hand for next year |
| | If applicable, send confirmation list to mortgage companies of all coded parcels |
| | Auditor prints publication of current delinquent real estate tax parcels (depending on second half due date) |
| | Auditor prints publication of current delinquent manufactured home tax accounts (depending on second half due date) |
| | CTAO Fall Conference |
| | Prepare DTAC report for commissioners (due Dec 1st) |

# DECEMBER

| | |
|---|---|
| ORC 135.35(L) | Issue monthly portfolio inventory and activity reports to Commissioners |
| ORC 323.121(B)(2) Dec 1 | Interest charged on all unpaid real estate taxes |
| ORC 4503.06(G)(2)(b) Dec 1 | Interest charged on all unpaid manufactured home taxes |
| ORC 321.261 Dec 1 | File DTAC report with commissioners |
| | Verify calculation of sample real estate tax parcels. Print and prepare first half real estate tax bills for mailing |
| | Prepare tax rate sheet for publication |
| | Decide if any inserts are needed with tax billing. If so, get State approval before ordering |
| | Auditor should supply information for conducting consumable inventory |

# CHAPTER 2: SALARY BONDS

## GENERAL INFORMATION

Before taking office, most county elected officials must give bond for the faithful discharge of their official duties and for the other duties of their offices as specified in law. The bond must be an individual bond for each elected official, not a blanket bond covering a group of elected officials. As of 2019, counties also have the option of adopting a policy allowing for the use of an employee dishonesty and faithful performance of duty insurance policy in lieu of a bond.

Link to more detailed information from the Auditor of State on Public Officers' Bonds:
https://www.ohioauditor.gov/references/compliancemanuals/2006/11_Appendix_B

Links to Relevant Ohio Revised Code Sections on Bonds:

- ORC 321.02 Bond of county treasurer; oath
  - http://codes.ohio.gov/orc/321.02v1
- ORC 325.04 Salary of county treasurer
  - http://codes.ohio.gov/orc/325.04v1
- ORC 325.18 Additional annual salary increases for elected county officers
  - http://codes.ohio.gov/orc/325.18v1
- ORC 3.061 Dishonesty and faithful performance of duty policy in lieu of bond
  - http://codes.ohio.gov/orc/gp3.061v1

## WHERE BONDS SHOULD BE FILED

| | Treasurer | Auditor | Commissioner | Sheriff |
|---|---|---|---|---|
| County Auditor | X | | | |
| County Bailiff of Common Pleas Court | | | | X |
| County Building Commissioner | X | | | |
| County Clerk of Common Pleas Court | X | | | |
| County Clerk of Juvenile Court | X | | | |
| County Commissioner | X | | | |
| County Coroner | | X | | |
| County Dept. of Human Services Director | X | | | |
| County Dog Warden | | X | | |
| County Engineer | X | | | |
| County Home Administrator | X | | | |
| County Hospital Trustee | | | X | |
| County Park Commissioner | | X | | |
| County Probate Judge | X | | | |
| County Prosecuting Attorney | X | | | |
| County Recorder | X | | | |
| County Sheriff | | X | | |
| County Sheriff – FOJ | X | | | |
| County Treasurer | | X | | |
| Township Clerks | X | | | |

# CHAPTER 3: CONTINUING EDUCATION REQUIREMENTS

Like most local officials, county treasurers are required to keep up with continuing education. The Ohio Revised Code requires that treasurers get 24 hours of credit every biennium cycle, 12 each from the Treasurer of State (through the Center for Public Investment Management (CPIM)) and the Auditor of State. Newly elected treasurers must take 13 hours of CPIM and 13 hours of AOS credit after they are elected and prior to taking office in September. Appointed treasurers must complete these hours within their first four months in office. Certain courses must be complete in order for the county treasurer to have full investment authority beyond low- or no-interest funds and STAR Ohio. The Helpful Links and Documents section of the CTAO website has active links to the websites of the Treasurer and Auditor of State's offices, where you can find the most up-to-date contact information for continuing education contacts at each office.

Among the biennial continuing education requirements are three hours of public records training, which every local elected official must complete for each term of office. A list of upcoming public records training can be found on the Auditor of State's website.

The biannual CTAO conference, held in May and November of each year, is also a dependable opportunity at which treasurers can acquire their necessary hours.

Links to Relevant Ohio Revised Code Sections on Continuing Education Requirements:

- ORC 321.46 Education programs for new treasurers and continuing education programs
    - http://codes.ohio.gov/orc/321.46
- ORC 321.47 Notice of continuing education of county treasurer
    - http://codes.ohio.gov/orc/321.47
- ORC 135.35 County inactive monies..
    - http://codes.ohio.gov/orc/135.35
- ORC 135.14 Investing interim monies of political subdivisions
    - Lawriter - ORC - 135.14 Investing interim moneys of public subdivisions.
- ORC 135.142 Board of education investment of interim monies
    - http://codes.ohio.gov/orc/135.142

# CHAPTER 4: ADMINISTRATION AND ETHICS

## GENERAL INFORMATION

Many county treasurers use their county commissioners' administrative and personnel policies. However, included below is an example of some supplemental employee policies from a county treasurer's office for reference.

## EXAMPLE EMPLOYEE POLICY

***Belmont County Treasurer's Office***

***Employee Rules in the Office:***

*In addition to the Personnel Policy Manual issued by the Belmont County Commissioners, the following apply to all individuals employed by this office:*

- *Answer phone calls promptly.*
- *Whether on the phone or in person, all employees are to treat others with respect and in a professional manner.*
- *All employees are to assist other employees with their job duties as outlined or as instructed by the Treasurer.*
- *Use of cell phones during business hours is prohibited. Cellular phones are to be put away and turned off except when on lunch hour or upon permission by the Treasurer for a medical emergency.*
- *Dress Code is appropriate business casual attire Monday through Friday. Jeans are acceptable on Fridays except the last two weeks of any collection. No distressed clothing at any time.*
- *During tax collection (from the time that tax bills go out until the due date), a tax lien sale or delinquent billing, there is to be minimal internet usage that is not in direct conjunction with your work duties. Additionally, unless on lunch hour, there are to be no IPads or tablets of any kind on your desk or in use at any time.*
- *When anyone is balancing, all personnel are to be available to answer phones or assist customers.*
- *Especially when instructed, it is expected that all inner-office information is not shared with any other individuals.*
- *Theft of any kind is unacceptable and will be grounds for termination and/or prosecution.*
- *All jobs entail reporting to the Treasurer regarding balancing of accounts and issues pertaining to each job.*

***Cashiers***

- *Every job in this office is customer service related. However, Cashiers are the first people that the public interact with when they come into the office. Hence, when a person walks in, it is expected that one, if not all, cashiers get up from his or her seat to greet a person. Cashiers are not to wait until they ask a question or walk up to their window to greet a person. When the door is open, someone should be getting out of their seat to assist that person.*
- *Missing money: miscalculations happen when dealing with money. However, if there is a discrepancy in the drawer, it is your personal responsibility for any shortage in the drawer and report such a shortage.*
- *If there is an overage, withdraw the cash from the cash drawer and place the overage amount in an envelope. Cashier is to stamp the date and their initials on the envelope. The cashier is to notify the Treasurer, the Head Cashier and the Deputy Treasurer/Bookkeeper. Every attempt to find the overage is to be sought between the cashier and Deputy Treasurer/Bookkeeper. There is no over/under fund. Hence, if the source of the overage is not located, the money is to be paid into the general fund.*
- *When cashing a County check, please be aware of the date. If the date is beyond 90 days, you need to contact the Auditor's Office to ensure that the check is not voided in the system.*
- *The following job descriptions are specific to each job in the office. The Treasurer can change the person who performs each job or the job description at any time that the Treasurer deems fit.*

## *JOB DESCRIPTIONS:*

*Deputy Treasurer/Bookkeeper:*

- *Daily maintenance and balancing of the accounts held by the county and maintained by the Treasurer's Office.*
- *Daily reconciliation of the checking accounts*
- *Daily completion and balancing of the Form 6 and Form 6 Reconciliation*
- *Balancing the Summary of Accounts on a daily basis*
- *Troubleshoot issues in the office*
- *Train and assist all employees*
- *Maintain and balance vault totals*
- *Balance with the Auditor's Office*
- *Maintain and provide information to the appropriate offices for the ACH activity*
- *Maintain and update foreclosure lists and filings.*
- *Maintain contact with the Sheriff's Department, Clerk of Courts, Prosecutor's Office regarding foreclosure sales*

*Deputy Treasurer:*

- *Communicate the due dates to MVP/Thompson Reuters upon the Treasurer determining those dates.*

- *Communication with MVP/Thompson Reuters and American Solutions regarding the set up for the bill.*
- *Responsible for all press releases issued by this office to be accurate and executed in a timely manner.*
- *Recoding Bank changes.  Maintain Excel worksheet of the Bank Codes.  Track all bank coding issues.  Communicate with the Treasurer regarding any issues with the coding so that the Treasurer may determine the correct course of action.*
- *Communicate with the Treasurer to determine what information is to be contained in the information box on the bill.*
- *Communicating with MVP/Thompson Reuters to send the bill to our printing company which at this time is Smart Bill.  That file needs to be sent early enough so that the bills are sent at least 30 days prior to tax collection.*
- *Printing example bills so that the Treasurer or person appointed by the Treasurer can review and check the calculation.  Once the Treasurer has confirmed those bills are to go to print, send confirmation along with the approved bank codes to the printer.*
- *Send out all bills that are coded to be sent out of office, i.e. special circumstance split bills, bills that are sent out of the country, etc.  List is provided in the bank codes.*
- *Send electronic file to the banks.  Process and track all electronic files with the banks.*
- *Once the bills are sent, report the daily totals to the Treasurer.*
- *The Treasurer determines the dates of the penalties.  After the Treasurer determines the penalty dates and the closing date, communicate with MVP/ Thompson Reuters to convey those dates.*
- *Update all contracts in the system after collection.*
- *Process refunds.*
- *Daily reconciling the Real Estate Cash Balancing Report*
- *Filing daily posted real estate payments, as well as, maintaining those records.*
- *Maintain and balance unclaimed foreclosure fund.*

*Assistant Cashier:*

- *Cashier's duties as outlined above*
- *Redemption of daily warrants*
- *Fund increases and decreases as indicated by documents provided by the Auditor's Office*
- *Filing and tracking all bankruptcies and civil cases that the Treasurer is named as a creditor.*
- *Any filings for bankruptcies and civil cases.*
- *Processing Public Record Requests in a timely manner which includes traveling to the location where the records are stored, retrieving the appropriate books and satisfying the request to the best of our capabilities.*
- *Retaining the record retention documents.*

*Head Cashier:*

- *Cashier's duties as outlined above*

- *Help other cashier's balance their drawers*
- *Communicate with the Auditor's Office regarding all issues pertaining to manufactured homes.*
- *Daily reconciliation of the Manufactured Home Cash Balancing Report*
- *When Deputy Treasurer is not available, balance Real Estate Cash Balancing Report*

*Assistant Cashier:*

- *Cashier's duties as outlined as above*
- *Accounts receivable*
- *Accounts payable*
- *Balancing all line items*

*Administrative Assistant*

- *Assisting all office personnel with their duties within the office*
- *Maintaining the calendar for any leave of absence whether it is vacation, sick or FMLA*
- *All Clerical work, including but not limited to, organizing, filing, maintaining equipment.*

***ACKNOWLEDGMENT OF RECEIPT OF***

***OFFICE RULES FOR EMPLOYEES OF THE BELMONT COUNTY TREASURER'S OFFICE***

*By signing this paper, I acknowledge that I have received, read, and understand the rules as presented in this document. Furthermore, I understand that by signing this document, I shall comply with the terms and conditions of this document which could result in discipline including termination of my employment.*

*Signature of Employee* *Date*

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## ***COMPUTER USE POLICY***

### *A. General.*

*County computers and information systems are County property. They may be used only for explicitly authorized purposes. The County reserves the right to examine all data stored in or transmitted by their computers and systems. Without notice, the County and* *authorized County supervisors may enter, search, monitor, track, copy, and retrieve any type of electronic file of any employee or contractor. These actions may be taken for business-purpose inquiries including but not limited to theft investigation, unauthorized disclosure of confidential business or proprietary information, excessive personal use of the system, or monitoring work flow and employee productivity.*

*Employees have no right to privacy with regard to the Internet and email on County systems, especially if the server, computer or file has been corrupted. Personal email and/or Instant Messenger is not subject to any public records request. Authorized designees (as referenced above) may access any files stored on, accessed via, or deleted from computers and information systems. When necessary, Internet, email, and Instant Messenger (IM) usage patterns may be examined for work-related purposes, including situations where there is a need to investigate possible misconduct and to assure that these resources are devoted to maintaining the highest levels of productivity. All software installed on any County computer must be licensed to the County. No County employee may install, uninstall, or reconfigure any software or hardware owned by the county without prior authorization from the County. The use of privately-owned (i.e., PDAs, smart phones, and laptops) for official county business must be authorized in advance by the County.*

***B. Allowable Uses of Computer and Information Systems for Business Purposes.***

1. *Facilitating job function performance.*
2. *Facilitating and communicating business information within the County network.*
3. *Coordinating meeting locations and resources for the County.*
4. *Communicating with outside organizations as required in the performance of employee job functions.*

***C. Prohibited Uses of Computers and Information Systems, Including But Not Limited To E-mail, Instant Messaging, and the Internet.***

1. *Violating local, state, and/or federal law.*
2. *Harassing or disparaging others based on age, race, color, national origin, sex, sexual orientation, disability, religion, military status or political beliefs. Harassment and disparagement include but are not limited to slurs, obscene messages, or sexually explicit images, cartoons, or messages.*
3. *Threatening others.*
4. *Soliciting or recruiting others for commercial ventures, religious or political causes, or other matters which are not job related.*

5. *Using computers or information systems in association with the operation of any activities for personal gain.*
6. *Sabotage, e.g. intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus.*
7. *Vandalizing the data of another user.*
8. *Forging electronic mail and instant messenger messages.*
9. *Sending chain letters.*
10. *Sending rude or obscene messages (anything that would embarrass or discredit the County).*
11. *Disseminating unauthorized confidential or proprietary County documents or information or data restricted by government laws or regulations.*
12. *Browsing or inquiring upon confidential records maintained by the County without substantial business purpose.*
13. *Disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws.*
14. *Accessing the Internet in any manner that may be disruptive, offensive to others, or harmful to morale.*
15. *Transmitting materials (visual, textual, or auditory) containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs.*
16. *Sending or soliciting sexually-oriented messages or images.*
17. *Using the Internet or instant messenger for political activity.*
18. *Using the Internet to sell goods or services not job-related or specifically authorized in writing by an approving authority.*
19. *Downloading and viewing non-work-related streaming audio or video (i.e. YOUTUBE, Vimeo, etc) due to the limited bandwidth of the system.*
20. *Intentionally using Internet facilities to disable, impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user.*
21. *Speaking to the media or to the public within any news group or chat room on behalf of the County if not expressly authorized to represent the County.*
22. *Uploading or downloading games, viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.*

***NOTE: Whether on working time or not, these prohibitions apply at all times to county-owned computers and information systems. Personnel cannot expect that the information they***

***convey, create, file, or store in County computers and information systems will be confidential or private regardless of the employee's intent.***

*Please remember that there is no expectation of privacy for anything sent by email or IM, and that others can view this information at any time.*

***D. Guidelines for Incidental/Occasional Personal Internet Usage.***

*Generally, the Internet is to be used for work-related purposes. The County will permit personal use of the Internet with reasonable restrictions as to the amount of time devoted to personal usage and sites visited provided such use does not adversely affect business or productivity. Incidental/occasional use is comparable to time authorized for meals and reasonable breaks during the workday and those times only should be used to attend to personal matters. Agency Internet resources must be devoted to maintaining the highest degree of productivity. Personal Internet usage is a privilege, not a right. As such, the privilege may be revoked at any time and for any reason or for no reason. Employees are prohibited from engaging in personal use during tax collection.*

***E. Securing Computer Equipment and Electronic Data.***

*County employees who are responsible for or are assigned portable computer equipment and electronic media (i.e., laptops, flash memory devices, external hard drives, DVDs, CDs, etc.) shall secure those items when not in the office as these items may contain confidential and/or HIPAA information, which could be compromised if lost or stolen. If an employee loses a piece of equipment or it is stolen, they are required to immediately notify their supervisor. Failure to properly secure portable computer equipment and electronic data is subject to disciplinary action.*

***F. Protocol For A Corrupted or Compromised Computer***

*At the time the employee realizes that a file or computer has been compromised, the employee is to notify the supervisor immediately. The supervisor will:*

1. *Contact the appropriate authority, i.e. Sheriff's Department or www.ic3.gov for investigation and further instruction;*
2. *Advise the person in charge of the server of the issue so that he or she can help;*
3. *Contact IT tech to fix the problem once approved by the investigating authority.*

<u>OHIO ETHICS LAW</u>

Updated contact information for the Ohio Ethics Commission can be found on the CTAO website.

Links to Relevant Ohio Revised Code Sections on Public Official Ethics:

- ORC 102 Public officers - ethics
  - http://codes.ohio.gov/orc/102
- ORC 2921 Offenses against justice and public administration
  - http://codes.ohio.gov/orc/2921

# CHAPTER 5: BOARDS

County treasurers play an important role on the following county boards: Board of Revision, Budget Commission, Data Processing Board, Investment Advisory Board and Microfilming Board.

Links to Relevant Ohio Revised Code Sections on County Boards:

- ORC 5715 Boards of revision; equalization of assessments
  - http://codes.ohio.gov/orc/5715
- ORC 5705 Tax levy law *(budget commission)*
  - http://codes.ohio.gov/orc/5705
- ORC 307.84 Establishing automatic data processing board
  - http://codes.ohio.gov/orc/307.84
- ORC 135.341 County investment advisory committee
  - http://codes.ohio.gov/orc/135.341
- ORC 307.80 Establishing county microfilming board
  - http://codes.ohio.gov/orc/307.80

# CHAPTER 6: DAILY ACCOUNTING

County treasurers are required to keep accurate, up-to-date records of all money that flows through their offices. As a part of that responsibility, they have a statutory duty to make a daily statement to the county auditor showing the movement of funds and payments and the balances on all accounts.

Links to Relevant Ohio Revised Code Sections on Daily Accounting:

- ORC 321.07 Contents of accounts
  - http://codes.ohio.gov/orc/321.07
- ORC 321.09 Statement to county auditor
  - https://codes.ohio.gov/ohio-revised-code/section-321.09

# CHAPTER 7: INVESTMENTS

County treasurers are the primary investment authority and banker for their counties. In this role, they recommend to the county commissioners which financial institution(s) will be tasked with holding county monies, as specified in depository contracts. [ORC 135.33] lays out the responsibilities of the county treasurer with respect to finalizing resolutions designating public depositories.

To ensure compliance with law and promote accountability, county treasurers are tasked with writing investment policies to guide their investment decisions. Below are two examples of such policies from different counties of varying sizes.

EXAMPLE OF MID-SIZE COUNTY INVESTMENT POLICY

***Ashtabula County Investment Policy***
***Approved ___________***
***Effective September 1, 2017***

### *I. Introduction*

*The purpose of this investment policy is to establish priorities and guidelines regarding the investment management of the County's operating funds [hereinafter referred to as the "Portfolio"]. Such priorities and guidelines are based upon Ohio Revised Code (ORC) Chapter 135 and prudent money management. The effective date of this policy is September 1, 2017. This policy includes [totally or partially] sections of the statute in order to describe eligible investments. In some sections, the policy places further limits upon eligible investments or investment transactions.*

*The Ashtabula County Treasurer is referred to as the "Investing Authority".*

### *II. Investment Objectives*

*The investment objectives of the County are:*

***A. Compliance with all Federal and State laws***

***B. Safety of principal***

*Safety of principal is the most important objective of the County. The investment of County funds shall be conducted in a manner that seeks to ensure the preservation of capital within the context of the following criteria:*

*Credit Risk: Credit risk is the risk of loss due to the failure of a security issuer to pay principal or interest, or the failure of the issuer to make timely payments of principal or interest. All eligible investments, pursuant to ORC §135.35, are affected by credit risk. Credit risk will be minimized by (1) diversifying assets by issuer; (2) ensuring that required, minimum credit quality ratings exist prior to the purchase of commercial paper and bankers acceptances; and (3) maintaining adequate collateralization of certificates of deposit or other bank deposit accounts, pursuant to the method as determined by the Investing Authority.*

*Market Risk: The market value of securities in the County's portfolio will increase or decrease based upon changes in the general level of interest rates. The effects of market value fluctuations will be minimized by (1) maintaining adequate liquidity so that current obligations can be met without a sale of securities; (2) diversification of maturities; and (3) diversification of assets.*

***C. Liquidity***

*The portfolio shall remain sufficiently liquid to meet all current obligations of the County. Minimum liquidity levels [as a percentage of average investable funds] may be established in order to meet all current obligations. The portfolio may also be structured so that securities mature concurrent with cash needs.*

***D. Yield***

*The portfolio shall be managed to consistently attain a market rate of return throughout budgetary and economic cycles. Whenever possible, and consistent with risk limitation and prudent investment management, the County shall seek to augment returns above the market average rate of return through the implementation of active portfolio management strategies.*

## ***III. Authorized Investments (itemized)***

- *U.S. Treasury Bills, Notes, and Bonds; various federal agency securities including issues of Federal National Mortgage Assn. (FNMA), Federal Home Loan Mortgage Corp. (FHLMC), Federal Home Loan Bank (FHLB), Federal Farm Credit Bank (FFCB), Student Loan Marketing Assn. (SLMA), Government National Mortgage Association (GNMA), and other agencies or instrumentalities of the United States. Eligible investments include securities that may be "called" [by the issuer] prior the final maturity date. Any eligible investment may be purchased at a premium or a discount. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.*
- *Certificates of deposit or savings or deposit accounts from any eligible institution mentioned in ORC §135.32.*
- *Bonds and other obligations of the State of Ohio as identified in ORC §135.34(A)(4), various issuances of the agencies of the State of Ohio, and*

*obligations or debt issuances of any Ohio political subdivision, including Ashtabula County. All such debt issuances, except for obligations of Ashtabula County, will have a minimum credit rating in one of the two highest categories, or the equivalent, by a nationally recognized rating agency, at the time of purchase. The highest rating category of a nationally recognized rating agency may include a numeric or arithmetic symbol denoting a subcategory. The Investing Authority may purchase obligations of Ashtabula County, if unrated and if purchased as private placements, if additionally approved for investment by the Committee prior to purchase. State of Ohio and other Ohio political subdivision debt shall be limited to 15% of the total average portfolio, calculated at the time of purchase.*

- *No-load money market mutual funds rated in the highest category by at least one national recognized rating agency, investing exclusively in the same types of eligible securities as defined in ORC §135.35 A (1) or (2), or (6) and repurchase agreements secured by such obligations. Eligible money market funds shall comply with ORC §135.01 regarding limitations and restrictions.*
- *The state treasurer's investment pool [STAR OHIO], pursuant to ORC §135.45, and any other eligible investment alternative sponsored by the Treasurer of the State of Ohio, including STAR PLUS.*
- *Securities lending agreements with any eligible institution mentioned in ORC §135.32. Specific limitations apply as defined under ORC §135.35(A)(7).*
- *Up to 25% of the County's total average portfolio in either of the following investments:*
    - *Commercial paper notes of companies incorporated under the laws of the United States. Specific limitations apply as defined under ORC §135.35(A)(8);*
    - *Bankers acceptances insured by the federal deposit insurance corporation. Specific limitations apply as defined under ORC §135.35(A)(8).*
- *Corporate notes with a maximum security of two years; specific limitations apply as defined under ORC §135.35(A)(9). The Investing Authority shall approve the method of calculation when ascertaining the maximum limit of fifteen per cent of the County's total average portfolio.*
- *Repurchase agreements limited to eligible institutions mentioned in section ORC §135.32 or eligible securities dealer pursuant to ORC 135.35(J). The market value of securities subject to a repurchase agreement must exceed the principal value by an amount as defined under the Ohio Revised Code. Investing Authority reserves the right to require an additional percentage of collateral securing such repurchase agreements. Specific limitations apply as defined under ORC §135.35(D).*

## *IV. Prohibited Investments and Other Limitations*

- *The final maturity of all eligible investments is five years unless specifically defined in this Policy or under ORC §135.35.*
- *The use of derivative securities as defined in ORC §135.35(B) is expressly prohibited.*

- *Investment Authority shall determine the method of calculating the average portfolio when percentage limitations must be determined for investing in certain investments such as commercial paper and bankers acceptances.*

## *V. Safekeeping and Custody*

*The investing authority shall be responsible for the safekeeping of investment assets of the County. Securities purchased for the County will be held in safekeeping by a qualified trustee [hereinafter referred to as the "Custodian"], as provided in ORC §135.37 Securities held in safekeeping by the custodian will be evidenced by a monthly statement describing such securities. The custodian may safekeep the County's securities in (1) Federal Reserve Bank book entry form; (2) Depository Trust Company (DTC) book entry form in the account of the custodian or the custodian's correspondent bank; or (3) Non-book entry (physical) securities held by the custodian or the custodian's correspondent bank.*

*All securities transactions shall be transacted on a Delivery Versus Payment (DVP) basis. The records of the custodian shall identify such securities in the name of the investing authority.*

## *VI. The County Investment Advisory Committee*

*Pursuant to ORC §135.341(A), a County Investment Advisory Committee [referred to in this policy as the "Committee"] shall meet at least quarterly to review or revise the investment policy and to advise the investing authority. Any member of the Committee, upon giving five days' notice, may call a meeting of the Committee.*

*Any amended policy that has been approved by the Investment Advisory Committee shall be filed with the Auditor of State, pursuant to ORC §135.35(K)(1).*

## *VII. Reporting [parentheses defines statutory terms]*

*The investing authority [County Treasurer] shall maintain an inventory of all obligations and securities. A description of each security included type [issue/issuer], cost [original purchase cost or current book value], par value [maturity value], maturity date [receipt date of par value], settlement date [delivery versus payment date of purchased or sold security purchase and sales. The investing authority will maintain a monthly portfolio report to be filed with the Committee, detailing current inventory of all securities, all monthly transactions, any income received [maturities, interest payments, and sales], and any expenses paid. The report shall also include the yield and maturity date of each security.*

*The portfolio report shall state the name(s) of any persons or entity effecting transactions on behalf of the investing authority. The monthly portfolio report shall also be filed with the Board of County Commissioners. The investing authority shall also file the monthly portfolio report with the treasurer of state pursuant to ORC 135.35(L)(5).*

*The method of report filings required under this section may be by physical delivery or electronic transmission.*

## *VIII. Investment Advisors, Qualified Dealers And Financial Institutions*

*The Committee is authorized to retain the services of an investment advisor, pursuant to ORC §135.341(D). The investment advisor may be required to attend all such meetings and to be prepared to discuss all aspects of the County's portfolio, including bond market conditions affecting the County's investments. The investment advisor shall make recommendations regarding the investment of County funds and/or manage the portfolio of the County [including the execution of investment transactions], in accordance with the authorization of the County Treasurer. All trades must be executed on a "best price and execution" basis. Under no circumstances will brokers or broker/dealer firms act as an investment advisor or in a similar capacity as an investment advisor, either directly or indirectly, if such broker/dealer participates in transaction business (purchase and sales of securities) with the Investment Authority or the Committee's investment advisor.*

*The County may transact business (execute the purchase and/or sale of securities) with eligible Ohio financial institutions, primary securities dealers regularly reporting to the New York Federal Reserve Bank, and regional securities firms or broker dealers licensed with the Ohio Department of Commerce, Division of Securities, to transact business in the State of Ohio, consistent with ORC §135.35(J)(1).*

*All persons or entities transacting investment business with the County are required to sign the approved investment policy as an acknowledgment and understanding of the contents of said policy.*

## *IX. Sale of Securities Prior to Maturity*

*Pursuant to ORC §135.35(E), securities may be "redeemed or sold" prior to maturity under one or more of the following conditions:*

1. *To meet additional liquidity needs;*
2. *To purchase another security to increase yield or current income;*
3. *To purchase another security to lengthen or shorten maturity;*
4. *To realize any capital gains and/or income;*
5. *To increase investment quality; or*
6. *To adjust the portfolio's asset allocation.*

*Such transactions may be referred to as a "sale and purchase" or a "swap". For purpose of this section, redeemed shall also mean "called" in the case of a callable security.*

## *X. Procedures For The Purchase And Sale Of Securities*

*All investment decisions and portfolio strategies will be authorized by the Investing Authority. Upon verbal or written authorization of the Investing Authority, the investment* *transaction(s) will be executed by the Investing Authority or an authorized representative, designated by the Investing Authority, followed by investment advice(s) acknowledging and describing such purchases or sales. A facsimile or other electronic transmission will be sent to the County's designated bank/custodian in order to provide the necessary information to effect the investment transaction. The Investing Authority, or designated representative, will authorize the bank to settle the transaction.*

*Confirmation advices, representing the purchase and/or sale of securities [including price], will be issued by the eligible broker/dealer or financial institution and sent to the investing authority. Copies of such advices will be sent to the County's investment advisor, if any.*

## ***XI. Collateral Requirements***

*All deposits shall be collateralized pursuant to ORC §135.37. For any institution that elects to secure public moneys under ORC §135.37(A)(2) and 135.181 Optional Pledging using Ohio Pooled Collateral Program as set forth in ORC §135.182 the total market value of the pooled securities pledged by the institution toward Ashtabula County public moneys deposits must be no less than 102% of the total amount of all uninsured public deposits, notwithstanding any alternative amount authorized by the Treasurer of State. Any institution that chooses to secure Ashtabula County's public moneys separately must pledge eligible securities with an aggregate market value equal to at least 105% of the total amount of Ashtabula County's uninsured public deposits.*

*Quarterly verification of pooled collateral is required to be supplied to the Investing Authority as of the close of business on the last banking day of March, June, September and December each year. The verification of the pooled collateral will be a photocopy(s) of the pooled collateral statement(s) as provided by the Federal Reserve or trustee bank. No bank may verify its own pooled collateral.*

## ***XII. Statements of Compliance***

*This investment policy has been approved by the investing authority and filed with the Auditor of State, pursuant to ORC §135.35(K)(1). The Committee has additionally approved the investment policy.*

*All brokers, dealers, and financial institutions executing transactions initiated by the investment authority have signed the approved investment policy. Investment policies [signed by such brokers, dealers, and financial institutions] are filed with the investing authority.*

*Any amendments to this policy will be filed with the Auditor of State within fifteen days of the effective date of the amendment. The policy and any amendments thereof will be filed at the following address:*

*Auditor of State*
*Attention: Clerk of the Bureau*
*P.O. Box 1140*

*Columbus, OH 43216-1140*

## ***XIII. <u>Immunity from Liability</u>***

*The Investing Authority, authorized representatives, Deputy Treasurers, the members of the Committee, and their designees, when acting in accordance with this Policy and the requirements of Ohio law and during the exercise of due diligence, shall be relieved of personal liability for an individual security/investment credit risk or market risk or other loss of public monies deposited or invested by them, provided that deviations from expectations are reported in a timely manner and appropriate action is taken to respond to adverse developments.*

***Approved by:*** ***Ashtabula County Investment Advisory Committee***

*By:*________________________________________
*Dawn M. Cragon, County Treasurer* *Date*

*By:*________________________________________
*Casey Kozlowski, County Commissioner* *Date*

*By:*________________________________________
*Kathryn Whittington, County Commissioner* *Date*

***Approval to legal form and correctness only:***

*By:*________________________________________
*Nicholas A. Iarocci, Ashtabula County Prosecutor* *Date*

***The following institution acknowledges having read and understood the investment policy of Ashtabula County and agrees to abide by its contents***

___________________________ ________________________________
*Bank Name* *Authorized Signature* *Title* *Date*

<u>EXAMPLE OF LARGE COUNTY INVESTMENT POLICY</u>

*Medina County Administration Building*
*144 North Broadway Street*
*Medina, Ohio 44256*
*330-725-9748 General office or 330-725-9745 Direct Line or 330-416-7620 mobile*
*Fax: 330-725-9174 E-mail: jburke@medinaco.org*

# ***Medina County Investment Policy***

*This document in conjunction with the Ohio Revised Code, as amended will govern the investments and the investment activities of Medina County.*

*It will be reviewed annually by the Investment Advisory Committee for compliance and to assure the flexibility necessary to effectively manage the investment portfolio.*

*The purpose of the investment policy, in order of priority is to provide for the complete safety of the portfolio's principle value, assure adequate liquidity, and earn a market rate of return. Investments will be made with judgment and care, under circumstances then prevailing with persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.*

*The Treasurer, deputies or member of the Advisory Committee acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk of market price changes provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.*

*All investment activities will be undertaken by the County Treasurer or other person(s) authorized herein to engage in investment activities. A current list of authorized individuals will be maintained with this policy.*

*All investment activity procedures will be conducted as specified in the Ohio Revised Code including, but not limited to, the collateralization of deposits and repurchase agreements.*

*The County Treasurer of designated person(s) will be permitted to invest in any security specifically authorized by the Ohio Revised Code, section 135.35 or other relevant sections as amended. The maximum maturity of any investment will be 5 years from the date of purchase. This authorization includes investments in Certificates of Deposit for the purpose of funding the Medina County Linked Deposit Program.*

*No derivative securities or investment "pools" will be permitted with the exception of Star Ohio or other state operated pools which are permitted under specific sections of the ORC.*

*To maintain the portfolio's current characteristics and/or to enhance its yield, swapping (i.e. the simultaneous sale of one security and the purchase of another) will be permitted provided that the loss, if any, on the sale is recovered by the maturity date of the security being sold.*

*Securities may be redeemed or sold prior to maturity to enhance the yield of the portfolio, to re-structure the portfolio, for diversification purposes, or to raise cash.*

*All transactions will be done on a competitive basis, whenever possible. Bids and offerings will be solicited from three dealers and recorded. In the event that two or more dealers are tied with the lowest price, the transaction will be awarded at the discretion of the County Treasurer or designated person(s).*

*A current portfolio report providing details of each investment will be maintained by the Treasurer's office.*

*A list of approved securities dealers will be maintained by the Treasurer's office. Investments may be safe-kept at any of the approved dealers.*

*A copy of this policy must be forwarded to each broker of dealer doing business with the county. Their signature will be required indication they have received, read, understand, and will abide by its contents when recommending or selling investments to the county.*

# CHAPTER 8: MANUFACTURED HOMES TAX

The Ohio Revised Code establishes a tax on manufactured homes property (mobile homes or house trailers). The Ohio Department of Taxation's website has additional resources explaining the various tax treatments for these properties.

Previously under the oversight of the Ohio Manufactured Homes Commission, the Ohio Manufactured Homes Program became a part of the Ohio Department of Commerce on January 21, 2018 in a provision of the biennial budget bill, House Bill 49. The Department's Division of Industrial Compliance oversees manufactured home park licensing, inspections, investigations and dispute resolution.

Links to Relevant Ohio Revised Code Sections on Manufactured Homes Tax:

- ORC 4503.06 Manufactured or mobile home tax
  - http://codes.ohio.gov/orc/4503.06
- ORC 321.24 Settlement by county treasurer with county auditor – allowance of fees
  - http://codes.ohio.gov/orc/321.24
- ORC 323.156 Payment of homestead exemption to county's undivided income tax fund from state general fund
  - http://codes.ohio.gov/orc/323.156
- ORC 323.152 Reductions in taxable value
  - http://codes.ohio.gov/orc/323.152
- ORC 323.31 Delinquent tax contract with treasurer
  - http://codes.ohio.gov/orc/323.31

# CHAPTER 9: REAL ESTATE (REAL PROPERTY) TAX

## GENERAL INFORMATION

Real estate tax is assessed on real property in Ohio and calculated based on the value of land as appraised by county auditors every six years. Property values are updated every third year after each appraisal.

Links to Relevant Ohio Revised Code Sections on Real Estate Tax:

- ORC 323.01 Collection of taxes definitions
  - http://codes.ohio.gov/orc/323.01
- ORC 323.08 Publishing schedule of tax rates and effective rates
  - http://codes.ohio.gov/orc/323.08
- ORC 323.12 Payment of taxes
  - http://codes.ohio.gov/orc/323.12
- ORC 323.121 Penalty and interest for failure to pay real estate taxes and installments when due
  - http://codes.ohio.gov/orc/323.121
- ORC 323.122 Extension for payment of real property tax for members of armed forces
  - http://codes.ohio.gov/orc/323.122
- ORC 323.13 Tax bill mailed or delivered – failure to receive bill
  - http://codes.ohio.gov/orc/323.13
- ORC 323.29 Partial payment of delinquent taxes
  - http://codes.ohio.gov/orc/323.29
- ORC 323.30 Receipt for installment payment – contents – entry by county treasurer
  - http://codes.ohio.gov/orc/323.30
- ORC 323.31 Delinquent tax contract with treasurer
  - http://codes.ohio.gov/orc/323.31
- ORC 321.45 Agreements for payment of current taxes
  - http://codes.ohio.gov/orc/321.45
- ORC 5703.47 Lien on land to be discharged out of proceeds of sale
- http://codes.ohio.gov/orc/323.47
- ORC 5715.39 Remittance of illegally assessed taxes or late payment penalty
  - http://codes.ohio.gov/orc/5715.39
- ORC 323.131 Form and contents of tax bill
  - http://codes.ohio.gov/orc/323.131v2

- ORC 323.132 Paying delinquent taxes
    - http://codes.ohio.gov/orc/323.132
- ORC 323.14 Receipt for payment of taxes – form
    - http://codes.ohio.gov/orc/323.14
- ORC 323.15 Payment of less than full amount due – payment by owner of undivided interest
    - http://codes.ohio.gov/orc/323.15
- ORC 323.151 Valuation of homestead property definitions
    - http://codes.ohio.gov/orc/323.151
- ORC 323.152 Reductions in taxable value
    - http://codes.ohio.gov/orc/323.152
- ORC 323.153 Application for reduction in real property taxes
    - http://codes.ohio.gov/orc/323.153
- ORC 323.49 Power of county treasurer to become receiver of land – procedure – exception
    - http://codes.ohio.gov/orc/323.49

## FORECLOSURES AND DELINQUENT LANDS

Given their role in tax collection and payment, county treasurers have responsibilities with respect to foreclosures and other processes related to delinquent lands.

Links to Relevant Ohio Revised Code Sections on Foreclosure:

- ORC 5721.14 Foreclosure and forfeiture proceedings against vacant lands
    - http://codes.ohio.gov/orc/5721.14v1
- ORC 5721.15 Form of notices
    - http://codes.ohio.gov/orc/5721.15v1
- ORC 5721.17 Foreclosure proceeding against property that includes building constituting a public nuisance
    - http://codes.ohio.gov/orc/5721.17v1
- ORC 5721.18 Foreclosure proceedings on lien of state
    - http://codes.ohio.gov/orc/5721.18v1
- ORC 5721.24 Entry marked redeemed made upon tax duplicate and delinquent tax list
    - http://codes.ohio.gov/orc/5721.24v1
- ORC 5721.25 Redemption of delinquent land
    - http://codes.ohio.gov/orc/5721.25

- ORC 5721.31 Selecting parcels for tax certificate sales
    - http://codes.ohio.gov/orc/5721.31v1
- ORC 5721.32 Sale of tax certificates by public auction
    - http://codes.ohio.gov/orc/5721.32v1
- ORC 5721.33 Negotiating sale of number of tax certificates
    - http://codes.ohio.gov/orc/5721.33v1
- ORC 5721.34 Void certificate where delinquency previously satisfied
    - http://codes.ohio.gov/orc/5721.34v1
- ORC 5721.37 Filing request for foreclosure
    - http://codes.ohio.gov/orc/5721.37v1
- ORC 5721.38 Right to redeem
    - http://codes.ohio.gov/orc/5721.38v1
- ORC 5721.381 Payment of certificate redemption price before foreclosure
    - http://codes.ohio.gov/orc/5721.381v1
- ORC 5721.40 Forfeiture of parcel remaining unsold after two sales
    - http://codes.ohio.gov/orc/5721.40v1
- ORC 5721.43 Prohibiting demand for payment of tax certificate during year following purchase
    - http://codes.ohio.gov/orc/5721.43v1
- ORC 323.25 Enforcing tax lien
    - http://codes.ohio.gov/orc/323.25

# CHAPTER 10: DTAC and Land Banks

## GENERAL INFORMATION: DTAC

The Delinquent Tax and Assessment Collection (DTAC) Fund is responsible for collecting 5% of all the delinquent tax revenue that comes into the county from real property, personal property and manufactured and mobile homes. This portion of funds is split evenly between the county treasurer and county prosecutor for purposes related to the collection of delinquent taxes and foreclosure actions. If the county so chooses, it can direct an additional 5% of all delinquent taxes to the DTAC Fund for use by the county land reutilization corporation, or land bank.

Links to Relevant Ohio Revised Code Sections on DTAC:

- ORC 321.261 Treasurer's delinquent tax and assessment collection fund; prosecuting attorney's delinquent tax and assessment collection fund
    - http://codes.ohio.gov/orc/321.261

## GENERAL INFORMATION: LAND BANKS

County land banks are nonprofit entities established via county resolution for the purpose of managing and ultimately rehabilitating or reusing vacant, abandoned or tax-foreclosed property. Land banks in their current form were authorized under a state law passed in 2009, and currently exist in 54 of Ohio's counties *(as of 2020)*.

Funding for land banks comes primarily from DTAC monies. As noted above, if a county so chooses, it can direct an additional 5% of all delinquent taxes to the DTAC Fund for use by its land bank. In addition, the county treasurer can use a portion of his or her 2.5% DTAC allocation to fund land bank efforts.

The County Commissioners Association of Ohio has a handbook on land banks with more detailed information on history, governance and local government considerations: https://www.ccao.org/wp-content/uploads/HBKCHAP081%207-16-15.pdf.

Links to Relevant Ohio Revised Code Sections on Land Banks:

- ORC 1724 Community improvement corporations
  - http://codes.ohio.gov/orc/1724
- ORC 5722 Land reutilization program
  - http://codes.ohio.gov/orc/5722
- ORC 307.01 County buildings, offices, equipment
  - http://codes.ohio.gov/orc/307.01v1
- ORC 307.07 Office of economic development
  - http://codes.ohio.gov/orc/307.07v1
- ORC 307.10 Procedure for sale, lease, transfer or granting of rights in real property
  - http://codes.ohio.gov/orc/307.10v1
- ORC 307.12 Resolution for disposal of unneeded, obsolete or unfit personal property
  - http://codes.ohio.gov/orc/307.12v1
- ORC 307.64 Appropriating monies from tax levies for economic development
  - http://codes.ohio.gov/orc/307.64v1
- ORC 307.698 Moneys spent for housing purposes
  - http://codes.ohio.gov/orc/307.698v1
- ORC 321.36 Unpaid or delinquent tax line of credit
  - http://codes.ohio.gov/orc/321.36
- ORC 133.082 Securities issued in anticipation of taxes collected
  - http://codes.ohio.gov/orc/133.082

# CHAPTER 11: PAYMENT PROGRAMS

## GENERAL INFORMATION: PREPAYMENT/ ESCROW PLANS

Real estate taxes, based on the appraised value of property, are typically collected twice a year: in January and June. However, some taxpayers may prefer to request a partial payment option that allows them to submit prepayments of taxes on a more regular basis. The Ohio Revised Code requires county treasurers to accept these types of payments, established through Prepayment Agreements or Escrow Plans. Prepayment programs allow taxpayers to make monthly payments into a tax escrow fund in order to allow for easier budgeting, especially for those on a limited or fixed income.

In order to be eligible for a prepayment or escrow plan, all current taxes must be paid in full. The treasurer must approve the plan, signed by the taxpayer, and will mail the materials necessary to make payments. As a reminder, all tax mailing materials must be approved by the Tax Commissioner prior to mailing. Regular tax statements mailed in January and June will show the prepay amount that has already been paid and the balance that is due.

Links to Relevant Ohio Revised Code Sections on Prepayment/Escrow Plans:

- ORC 321.45 Agreements for payment of current taxes
  - http://codes.ohio.gov/orc/321.45

## EXAMPLE OF SMALL COUNTY ESCROW PLAN

***Robin K. Edwards***
*1512 S. US Highway 68*
***Champaign County Treasurer***
*Suite B400*

*Urbana, Ohio 43078*
*Telephone (937) 484-1640*
*Fax (937) 484-1627*
*Email:*
*redwards@co.champaign.oh.us*

*May 4, 2020*

*«FIRSTNAME» «LASTNAME»*
*«ADDRESS»*
*«CITY», «STATE»  «ZIPCODE»*

*RE: ESCROW PREPAYMENT ACCOUNT*

*Dear «TITLE» «LASTNAME»:*

*Thank you for your inquiry into the real estate escrow account, which permits our office to accept pre-payments towards your current real estate tax obligation.*

*Your payments will be calculated based on your current half tax amount and divide it by six (number of months between collection due dates). Our office will provide monthly coupons for your convenience. Each January and June you will receive a tax bill which will reflect your unpaid balance.*

*You may set up an escrow account in any month. However, if you sign up mid-collection you may pay extra towards your monthly payments, or pay the unpaid balance when you receive your tax bill, payable by the due date each February and July.*

*To initiate your escrow account, please sign and return the enclosed Real Estate Escrow Fund agreement. Contact our office at 937-484-1640 with any questions you may have and we will be happy to assist you.*

*Respectfully,*

*Robin K. Edwards*
*Champaign County Treasurer*

*Enclosures:*

---

***Robin K. Edwards***
*1512 S. US Highway 68*
***Champaign County Treasurer***
*Suite B400*
*Urbana, Ohio  43078*
*Telephone (937) 484-1640*

*Fax (937) 484-1627*
*Email:*
*[redwards@co.champaign.oh.us](mailto:redwards@co.champaign.oh.us)*

***REAL ESTATE ESCROW FUND AGREEMENT***
***Section 321.45 Ohio Revised Code***

*The taxpayer hereby requests the Champaign County Treasurer to accept prepayments towards the estimated real estate taxes, next due after the date of signing this agreement. Said funds will be retained in an escrow account until the next current tax collection is open and all prepayments can be applied toward the payment of taxes then due.*

*The taxpayer understands that the pre-payments must be sufficient to pay the current taxes in full by the due date. Furthermore, the taxpayer understands that if the funds in the escrow account are not sufficient to pay the current taxes in full by the due date, a penalty will be assessed against any tax amount remaining (ORC 323.21).*

*The taxpayer authorizes the Champaign County Treasurer to act as agent for the purpose of receiving the tax bill(s) and applying the escrowed funds to real estate taxes then due.*

*The treasurer agrees to furnish a tax bill that shows the total amount of prepayments made and the balance due, at least twenty days prior to the closing date of the collection then in progress.*

*The taxpayer understands that monies received as payment into the escrow fund will not be released for other than payment of taxes, except for reasons pertaining to transfer of ownership, death of taxpayer, or as required by law. Excesses remaining in an escrow account after the payment of real estate taxes will (1) remain and be applied toward future real estate taxes, or (2) be returned to the taxpayer upon application to the County Treasurer. Application for refund automatically terminates the existing agreement. This agreement is subject to termination if the taxpayer fails to utilize the escrow agreement.*

*The taxpayer understands that for the purpose of this agreement, the County Auditor's conveyance of real property transfer record shall control in matters of ownership and transfer. In all other matters, Section 321.45 of the Ohio Revised code shall apply.*

_______________________________ _______________________________
*Date* *Taxpayer Signature*

*Taxpayer Mailing Address: «ADDRESS», «CITY», «STATE» «ZIPCODE»*

*Taxpayer Phone Number: «TELEPHONE»*

*Parcel Number(s): «PARCEL_1» «PARCEL_2» «PARCEL_3» «PARCEL_4» «PARCEL_5»*

**If the amount to be paid is not indicated on each prepay coupon(s), then each payment will be apportioned amongst the parcels(s).*

*Date*

*Robin K. Edwards*
*Champaign County Treasurer*

## EXAMPLE OF MID-SIZE COUNTY ESCROW PLAN

***DAWN M. CRAGON, MBA***
***Ashtabula County Treasurer***
*25 W Jefferson St*
*Jefferson OH 44047*
*(440) 576-3727*

*For Treasurer Office Use: MCo*

*Esc #*

$

### *TAX PREPAYMENT PROGRAM*

*The taxpayer hereby requests the Ashtabula County Treasurer to accept prepayments towards their estimated real estate property taxes next due after the date of signing this agreement, and that prepayment will be retained in an escrow account until the next current tax collection is open. All prepayments will be applied toward the payment of real estate property taxes then due.*

***THIS AGREEMENT WILL REMAIN IN EFFECT ON A PERPETUAL BASIS UNTIL THE TREASURER IS NOTIFIED IN WRITING THAT THE TAXPAYER WISHES TO DISCONTINUE PREPAYING THEIR TAXES. IT IS THE RESPONSIBILITY OF THE TAXPAYER TO NOTIFY THE TREASURER'S OFFICE IN WRITING IF THE PROPERTY IS SOLD AND NO LONGER TO BE INCLUDED IN ESCROW PROGRAM.***

***Initial to Acknowledge Reading Above***

*The Taxpayer understands that prepayments made must be equal to or exceed the full amount of taxes due for that collection. The taxpayer also understands that if full prepayment has not been received the taxes cannot be paid and penalties will be applied on the basis of the tax installment then due.*

*The Taxpayer authorizes the Ashtabula County Treasurer to act as their agent for the purposes of receiving his tax bill(s) and applying prepayments to the real estate taxes then due. Taxpayer is encouraged to access a copy of the current tax bill online by using the Tax Search function at www.AshtabulaCountyTreasurer.org.*

*The Treasurer agrees to retain all prepayments in an escrow account, receive and pay the bill(s), and provide the taxpayer with amounts of all prepayments, tax payments, and the balance in the escrow account upon request. Payments received under this agreement will be applied to the parcels in the order chosen by The Treasurer.*

*The Treasurer agrees to furnish a tax bill stating the balance due at least twenty days prior to the closing date of the collection then in progress, unless The Taxpayer does not have a balance due for that tax collection period. Monies received as prepayments in the escrow account will not be released for other than the payment of taxes, except for reasons pertaining to transfer of ownership, death of Taxpayer, or as required by law. Excesses remaining in the escrow account after the payment of real estate taxes will remain and be applied toward future real estate taxes.*

*For the purposes of the agreement, the County Auditor's conveyance of Real Property Transfer Record shall be proof in the matter of ownership and transfer. In the event of death, a death certificate shall be required. In all other matters, Section 321.45 of the Ohio Revised Code shall apply.*

| | |
|---|---|
| ______________________________ | __________________________________ |
| ***Date Signed*** | ***Signature of Taxpayer*** |
| ***Parcel Numbers:*** | ***Taxpayer Name & Mailing Address:*** |
| *1.* ___________________________ | __________________________________ |
| *2.* ___________________________ | __________________________________ |
| *3.* ___________________________ | ___________________________________ |
| *4.* ___________________________ | ___________________________________ |
| *5.* __________________________ | |
| *6.* ___________________________ | ***Telephone Number***________________ |

## EXAMPLE OF LARGE COUNTY ESCROW PLAN

JOHN A. BURKE

MEDINA COUNTY TREASURER

Medina County Administration Building
144 North Broadway Street

Medina, Ohio 44256
330-725-9748 General office or 330-725-9745 Direct Line or 330-416-7620 mobile
Fax: 330-725-9174 E-mail: jburke@medinaco.org

____________________________________ Taxpayer Signature ___________________date

PARCEL NUMBER(S) _______________________________________

_______________________________________

_______________________________________

______________________________________ Taxpayer Name (PRINT)

______________________________Mailing Address

________________City________________ State_________________Zip

_________________________________________Phone Number

_________________________________________ Email

______________________________________________________________
FOR TREASURER'S OFFICE USE ONLY

________________________________Deputy Treasurer Signature __________________ Date

---

*Dear Taxpayer,*

*Thank you for participating in the Monthly Coupon Prepayment Tax Program. Five monthly Coupons (Aug.-Dec.) and labels are provided to pay the first half taxes for the next tax year. In January five coupons and labels will be provided (Jan.-May) to pay the second half taxes. You may mail your monthly payment with a coupon or come to our office and pay in person.*

*Using coupons provides some flexibility in payment. If you do not make a monthly payment or wish to pay another amount, you may do so. There are no penalties or fees. At the end of the 5 month period if you have a remaining balance due, you will receive a tax bill showing the remaining balance to be paid by the due date indicated on the bill. Of course if you have paid all five monthly payments in full you will not have any balance due and not get a tax bill.*

*If you have any further questions please contact our office at 330-764-8020 between the hours of 8:00 am and 4:30 pm, Monday through Friday.*

*Trachel Kelly*
*Deputy Treasurer*

---

*Monthly Prepayment Coupon*

*Taxpayer Name and Address* ________________________________________________
*Property Parcel Number* _____________________________________________________
*Property Escrow Account Number* __________________________________________

*Month Due Date* _______________________________________________________________
*Monthly Escrow Amount $*___________________________________________________

*Make check payable to John Burke, Medina county Treasurer*

*Actual Amount Paid $*_______________________________________________________

---

*Dear Taxpayer,*

*Thank you for participating in the Monthly Automatic Prepayment Tax Program. This program permits your bank or financial institution to deduct a pre-authorized payment each month from your checking or savings account. The funds are then deposited with Medina County Treasurer to be held in escrow until your next real estate property tax bill comes due. At that time your prepayments are applied against your property taxes.*

*Below is the schedule for your automatic payments for the* ________ *half tax cycle.*
*Property Parcel number:* __________________________
*Monthly prepayment amount $*__________________

*Withdrawal date 1:*___________________

*Withdrawal date 2:__________________*
*Withdrawal date 3:__________________*
*Withdrawal date 4:__________________*
*Withdrawal date 5:__________________*

*Should you wish to continue the automatic withdrawal of payments from your bank account, please notify our office in writing at least 7 days before a scheduled withdrawal.*

*If you have any further questions please contact our office at 330-764-8020 between the hours of 8:00 am and 4:30 pm, Monday through Friday.*

*Trachel Kelly*
*Deputy Treasurer*

## GENERAL INFORMATION: DELINQUENT PAYMENT PLANS

Ohio law requires that, before commencing foreclosure proceedings on delinquent land, county treasurers allow taxpayers the opportunity to set up a delinquent payment plan to pay off their unpaid taxes in installments over a period of years. Below are examples of delinquent payment plans and the necessary affiliated documents and agreements from counties of various sizes. As a reminder, all tax mailing materials must be approved by the Tax Commissioner prior to mailing. It is important to note that each county is unique with respect to how it handles payments, and so these examples should serve as general models only. In addition, some county treasurers limit the number of contracts each taxpayer is allowed to have, while others allow more.

Links to Relevant Ohio Revised Code Sections on Delinquent Payment Plans:

- ORC 323.31 Delinquent tax contract with treasurer
    - http://codes.ohio.gov/orc/323.31
- ORC 323.29 Partial payment of delinquent taxes
    - http://codes.ohio.gov/orc/323.29
- ORC 323.132 Paying delinquent taxes
    - http://codes.ohio.gov/orc/323.132
- ORC 4503.06 Manufactured or mobile home tax
    - http://codes.ohio.gov/orc/4503.06
- ORC 5719.05 Collection of taxes
    - http://codes.ohio.gov/orc/5719.05

- ORC 5721.02 Collection of delinquent taxes
  - http://codes.ohio.gov/orc/5721.02
- ORC 323.121 Penalty and interest for failure to pay real estate taxes and installments when due
  - http://codes.ohio.gov/orc/323.121
- ORC 323.25 Enforcing tax lien
  - http://codes.ohio.gov/orc/323.25
- ORC 5719.041 Interest charge for late payment
  - http://codes.ohio.gov/orc/5719.041

## EXAMPLE OF SMALL COUNTY DELINQUENT PAYMENT PLAN

| | | | | |
|---|---|---|---|---|
| Robin K. Edwards | | | | 1512 S. US Highway 68, Suite B400 |
| Champaign County Treasurer | | | | Urbana, Ohio 43078 |
| | | | | 937-484-1640 |
| | | | | treasurer@co.champaign.oh.us |

**PAY PLAN**

| | | | | | | |
|---|---|---|---|---|---|---|
| Name | | Phone | | | | |
| Address | | City/Zip | | | | |
| | | | Delinquent Amount | Down Payment | Contract Amount | Parcel Payment |
| Parcel Number | | | | $0.00 | $0.00 | #DIV/0! |
| Parcel Number | | | | $0.00 | $0.00 | #DIV/0! |
| Parcel Number | | | | $0.00 | $0.00 | #DIV/0! |
| Parcel Number | | | | $0.00 | $0.00 | #DIV/0! |
| Parcel Number | | | | $0.00 | $0.00 | #DIV/0! |
| Parcel Number | | | | $0.00 | $0.00 | #DIV/0! |
| | | Total | $0.00 | $0.00 | $0.00 | #DIV/0! |

*The taxpayer hereby agrees to pay the full amount of delinquent and unpaid current tax, which now total the sum of* ___$___ *on certain real property or on a manufactured or mobile home located in Champaign County, Ohio as described above.*

*Upon entering into this contact, you are required a down payment of* ___$___. *The remaining delinquent amount of* ___$___ *is divided into installments of* ____ *each, due February and July for the next* ___ *years along with the full amount of current taxes then due and payable.*

*An owner of agricultural real property, or an owner-occupier of residential real property or a manufactured or mobile home, must be given an initial, installment contract, upon request. Other owners may enter into an installment contract only at the discretion of the county treasurer. No contract shall provide for the payment of delinquent and unpaid current taxes in installments over a period of time exceeding five years. However, an owner-occupier of residential real property must be* *given an initial contract with installment payments over a period of time of at least two years, upon request.*

*If an installment under this contract is not made when due, as provided herein, if the property is transferred without full payment of taxes and assessments due or if any payment of current taxes charged against the property is not made when due, the contract becomes VOID with all previously accrued interest being immediately charged while subjecting the property to foreclosure, unless the county treasurer permits, at the treasurer's sole discretion, a new contract pursuant to R.C. section 323.31.*

*Note: Any contract entered into after the 1st half collection in February of each year will incur a 10% penalty which will be reflected in the final payment.*

DELINQUENT PAYMENT SCHEDULE

| | | | | |
|---|---|---|---|---|
| Total Delinquent Amount | | | $0.00 | |
| (-) less | 20% | down payment | $0.00 | |
| (=) balance o | delinquency | (contract amount) | $0.00 | |
| divided by | 0 | payments | #DIV/0! | **Due each Feb. & July** |
| | | | | **in addition to current tax** |

I have read this contract and agree to pay #DIV/0! towards the delinquent taxes, by the due date each February and July in 0 installments, beginning February 25, 2020 .

Applicant Signature          Date          Deputy Approval          Date

Signature of interested party acknowledging contract, if different than taxpayer.

Address ____________

Phone ____________

***Payment Plan Requirements***

*A down payment is required at the time the contract is signed. Should you default on your pay plan, it is at the treasurer's discretion as to whether an additional contract will be permitted. A larger down payment will be required.*

*Delinquent payments are to be in the Treasurer's Office by the due date each February and July. Minimum payment amount ______.*

*Current year taxes that are due in February and July of each year must also be paid in full by the set due date as the payment plan continues for the delinquent amount until paid in full.*

*If either the delinquent payment or the current taxes charged against the property become delinquent or the property is transferred without full payment of all taxes and assessments due, the payment plan contract becomes VOID with all previously accrued interest and penalties being immediately charged while subjecting the property to foreclosure. (ORC 323.31)*

*If tax foreclosure has been filed prior to signing this agreement, the taxpayer understands and agrees that all court costs shall be paid prior to dismissal of the case. Taxpayer also understands and agrees that payment of costs does not result in the dismissal of the case; dismissal will be done at the sole discretion of the County Treasurer or upon full payment of all delinquent amounts owed to the County.*

*The deputy has reviewed the requirements and I have received a copy of the Delinquent Payment Plan Contract and payment schedule.*

**Initials** **Date**

CHAMPAIGN COUNTY
DELINQUENT TAX CONTRACT
TO PAY DELINQUENT AND UNPAID CURRENT TAXES IN INSTALLMENTS

| Date of Payment | | Delinquent Real Estate Tax | Delinquent Assessments | Totals | Initials |
|---|---|---|---|---|---|
| | Totals | $0.00 | | $0.00 | |
| Down Payment | | $0.00 | | $0.00 | |
| Contract Amount | | **$0.00** | | **$0.00** | |
| | 1st ins | | | | |
| | Bal due | | | | |
| | 2nd ins | | | | |
| | Bal due | | | | |
| | 3rd ins | | | | |
| | Bal due | | | | |
| | 4th ins | | | | |
| | Bal due | | | | |
| | 5th ins | | | | |
| | Bal due | | | | |
| | 6th ins | | | | |
| | Bal due | | | | |
| | 7th ins | | | | |
| | Bal due | | | | |
| | 8th ins | | | | |
| | Bal due | | | | |
| | 9th ins | | | | |
| | Bal due | | | | |
| | 10th ins | | | | |
| | Bal due | | | | |

EXAMPLE OF MID-SIZE COUNTY DELINQUENT PAYMENT PLAN



25 West Jefferson Street
Jefferson, Ohio 44047
treasurer@ashtabulacounty.us
Phone: (440) 576-3727
Fax: (440) 576-3221

***DAWN M. CRAGON***
*Ashtabula County Treasurer*

***AUTOMATIC WITHDRAWAL GUIDELINES***
***for Delinquent Tax Payment Plans***

*Thank you for your interest in the Automatic Withdrawal program (aka ACH). The Ashtabula County Treasurer's office uses this payment option to ensure regular payment of delinquent payment plans. The ACH program allows Ashtabula County Treasurer to make automatic payment deductions from your checking or savings account on a monthly basis to pay your real estate or manufactured home taxes.*

*Important information regarding the automatic withdrawal procedure:*

- *There is no fee for this service.*
- *You will need to complete and sign the Automatic Withdrawal Agreement.*
- *You must provide a* ***voided check*** *(or deposit slip for savings accounts).*
- ***DEADLINE*** *for submitting the agreement for the automatic withdrawal is 10 days before withdrawal date. Example: Withdrawal date February 5th agreement must be received by Treasurer's office January 24th.*
- *The ACH is entered for specific property - if the status of your property ownership changes, i.e.* ***sale, transfer****, you must notify the Treasurer's office in writing.*
- *The bank account information is retained until the ACH agreement has been terminated. You must notify the Treasurer's office in writing if your bank account information has changed (name, account number, bank, routing number).*
- *You may discontinue this service at any time after the tax delinquency has been paid in full by sending a notice in writing to our office. We will need at least five business days to process a cancelation request. Otherwise, the prepay portion of your plan will continue on the ACH Withdrawal Agreement.*
- *The Ashtabula County Treasurer has the right to cancel your application should the account show insufficient funds. It is at the discretion of the Treasurer whether the application is terminated.*

- *If the account shows insufficient funds or the payment is otherwise not honored by the due date, the appropriate bank fees, late charges and interest will be assessed and you may be removed from the payment plan.*

*Should you have any questions about this program or its guidelines, please contact our office between 8 a.m. and 4:30 p.m. at (440) 576-3728.*

---

***DAWN M. CRAGON, MBA***
*Ashtabula County Treasurer*
*25 W Jefferson St*
*Jefferson OH 44047*
*(440) 576-3727*

For Treasurer Office Use: MCo __
Esc # ___________$___________

Delq # __________$___________

## ***AUTOMATIC WITHDRAWAL AGREEMENT***

*By signing this agreement, Taxpayer hereby authorizes Dawn M. Cragon, Ashtabula County Treasurer, to initiate automatic payment of the real estate/manufactured home taxes by debiting the bank account listed below.*

*Taxpayer NEED NOT request withdrawal each month or year, as this agreement is perpetual. The Treasurer will continue to deduct payments from the bank account until the Treasurer has received written notice terminating the ACH Agreement with at least five (5) business days advance notice. In the event the ACH payment is not honored by the financial institution, the appropriate bank fees, late charges and interest will be assessed and this contract may terminate at Treasurer's discretion*

*The tax or payment plan amounts marked below will be deducted from the account on the due date(s) or monthly as marked below:*

______***Semi-annually***
*Deduct Half Year in February & July*

______***Annually***
*Deduct Full Year in February*

______***Monthly (Prepay/escrow payment plan)***
*Must include Prepayment Application with this form*
Deduct on ____ of each
*(Enter 5th or 15th)*

______**Monthly (Delinquent payment plan)**
Includes delinquent & prepay amounts
*Must be on Treasurer payment plan*
*Deduct on ____ of each month*
*(Enter 5th or 15th)*

*Name* ______________________________________ *Parcel No* ___________________

*Address* ____________________________________ *Parcel No* ___________________

*City* ________________________________________ *Parcel No* __________________

*State & Zip* __________________________________ *Parcel No* __________________

*Phone* __________________/__________________ *Parcel No* ____________________

*Day* *Evening*

***Bank Account Information (Please enclose a voided check or certified bank letter)***

*Name and Address of Bank* ____________________________________________

____________________________________________

***(Circle one)*** *Checking -or- Savings Account*

*Account Number* ____________________ *Routing Number* ________________

*(9 digits)*

*I accept responsibility for all information provided above, and understand if the ACH debit is rejected because of incorrect information, account closure or changes, then bank fees, penalties and/or interest may accrue. I have read and agree to the terms listed above.*

_____________________________________________ __________________

*Taxpayer Signature* *Date*

***Return completed form and a voided check or bank letter to Treasurer's office at address above.***

EXAMPLE OF LARGE COUNTY DELINQUENT PAYMENT PLAN

**Nancy Nix, CPA**
Butler County Treasurer

Butler County Government Services Center
315 High Street, 10th Floor
Hamilton, OH 45011
Phone: (513) 785-6759
Fax: (513) 785-5717
www.butlercountytreasurer.org

April 9, 2020

Butler County Taxpayer
315 High Street, 10th Floor
Hamilton, Ohio 45011

PARCEL/ACCOUNT NO.: P6441-010-000-080
Contract ID: 47373

**Delinquent Tax Contract**

The taxpayer hereby agrees to pay the full amount of delinquent and unpaid current taxes which now total the sum of **$1,234.56** against the property referenced above in 12 monthly installments as follows:

First Installment Due (Due with Signed Contract): $102.88
**10** Equal Installments: $102.88
Last Installment Due (**MAR/2021**): $102.88

In addition, the taxpayer hereby agrees to pay the full amount of current taxes charged against the property when due.

**In order for this Delinquent Tax Contract to be in effect, this signed contract and first installment must be returned within 14 days of the date listed above.**

**Failure to pay any monthly installment or current taxes and special assessments when due will render this contract null and void.** Any applicable penalty and interest will be added to the unpaid balance, and the property will be subject to foreclosure. Subsequent opportunities to enter into a Delinquent Tax Contract shall be at the County Treasurer's sole discretion.

In the event that a foreclosure has already been filed, the Ohio Revised Code states that "The execution of a delinquent contract shall not stop the prosecution of a proceeding to judgment." The taxpayer is responsible for all court costs related to the foreclosure action.
The terms and conditions set forth above are pursuant to sections 323.31 and 5721.25 of the Ohio Revised Code.

I have read and unders
tand the contract as outlined above, and agree to its conditions.

________________________________________ ____________________
Signature Date

Phone Number: ____________________________

__________________________
Signature – County Treasurer

# CHAPTER 12: RECORDS RETENTION

The Ohio History Connection maintains a list of record retention schedules for all local government entities and offices. The schedules are created based on statutory requirements as well as general best practices.

The county treasurer schedule is available here *(Learn>Archives & Library>State Archives>Local Government Records Program>Suggested Retention Periods and RC Forms)*: https://www.ohiohistory.org/OHC/media/OHC-Media/Learn/Archives-Library%20Documents/Treasurer-Draft.pdf.

The Ohio History Connection also has a Local Government Records Manual with additional information available on their website: https://www.ohiohistory.org/OHC/media/OHC-Media/Learn/Archives-Library%20Documents/LGRManual.pdf.

# CHAPTER 13: CERTIFICATE OF TRANSITION

As a result of the passage of HB 450 of the 133rd General Assembly, all county treasurers and local government fiscal officers are required to prepare a certificate of transition prior to leaving office. This certificate is to be presented to the succeeding officeholder and contain an inventory of items accounted for to be delivered to the incoming treasurer. Under ORC 117.171, the law which governs this certificate, the Auditor of State will prescribe the items to be listed on the inventory, with the input of the CTAO and other local fiscal officer associations. The inventory must include all the items listed in ORC 321.06 (transfer of property to successor). The Auditor of State is allowed under the law to test the accuracy of these certificates.

CTAO urges treasurers to begin to prepare the items on the certificate of transition as early as possible just in case of an unexpectedly early departure from office for any reason.

Links to Relevant Ohio Revised Code Sections on Certificate of Transition:

- ORC 117.171 Delinquent tax contract with treasurer
    - https://codes.ohio.gov/ohio-revised-code/section-117.171

# CHAPTER 14: MISCELLANEOUS ITEMS

## PERSONAL PROPERTY TAX

The personal property tax has generally been phased out in Ohio as a result of tax reforms enacted in 2005 by the State Legislature. The tax applied to property used for business in Ohio. For several years, the state supplied direct payments to schools and local governments to offset the loss of revenue due to the phase out of this tax; those payments have diminished over the years and will eventually be phased out.

Links to Relevant Ohio Revised Code Sections on Personal Property Tax:

- ORC 5719 Personal property tax collection
    - http://codes.ohio.gov/orc/5719
- ORC 5711.33 Tax bills issued for deficiency assessment
    - http://codes.ohio.gov/orc/5711.33
- ORC 5719.041 Interest charge for late payment
    - http://codes.ohio.gov/orc/5719.041
- ORC 5719.04 Tax list and duplicate of delinquent personal and classified property taxes – publication – notice of lien – certificate of jeopardy – stay of collection
    - http://codes.ohio.gov/orc/5719.04v1
- ORC 5711.01 Listing personal property definitions
    - http://codes.ohio.gov/orc/5711.01
- ORC 5709.01 Taxable property entered on general tax list and duplicate
    - http://codes.ohio.gov/orc/5709.01

## ESTATE TAX

The estate tax has been repealed in Ohio effective January 1, 2013. No tax needs to be paid on the estates or transfer of assets of individuals who die on or after January 1, 2013.

Links to Relevant Ohio Revised Code Sections on Estate Tax:

- ORC 5731 Estate tax
    - http://codes.ohio.gov/orc/5731

- ORC 321.342 Notifying township or municipality of estate tax receipts
    - http://codes.ohio.gov/orc/321.342
- ORC 5731.46 Fees of sheriff and other officers
    - http://codes.ohio.gov/orc/5731.46

## VENDOR LICENSES

Businesses selling taxable services or property in Ohio must obtain a vendor license and submit an application to the county auditor to this effect, along with a license fee. The county treasurer must provide a receipt for the fee payment.

Links to Relevant Ohio Revised Code Sections on Vendor Licenses:

- ORC 5739.17 Vendor's license
    - http://codes.ohio.gov/orc/5739.17v1

## CIGARETTE TAX

Businesses selling, manufacturing or importing cigarettes in Ohio must obtain a license to do so and submit an application to the county auditor to this effect, along with a fee. The county treasurer must provide a receipt for the fee payment.

Links to Relevant Ohio Revised Code Sections on Cigarette Tax:

- ORC 5743.15 Cigarette license required – application – cigarette tax enforcement fund
    - http://codes.ohio.gov/orc/5743.15v1

## PUBLIC RECORDS REQUESTS / SUNSHINE LAWS

Ohio law allows any person to make a request to inspect or obtain copies of public records from public entities. County treasurer offices, like all other public offices, must comply with these requests promptly and "with reasonable speed." Offices must also adopt a policy for responding to such requests, and post that policy in a "conspicuous location." If an individual believes an office has failed to comply with public records laws, they can file a lawsuit to enforce compliance and sanctions.

In addition, the Ohio Open Meetings Act requires that all public entities conduct all business and discussions about official business in open meetings where the public may attend and observe. Advance notice to the public is required before all meetings and minutes must be recorded.

The Ohio Attorney General's office has a comprehensive overview of Ohio Sunshine Laws at the following link: http://www.ohioauditor.gov/publications/2019_Sunshine_Laws_Manual_final_(with%20covers_WEB)_(Faber).PDF.

Links to Relevant Ohio Revised Code Sections on Public Records/Sunshine Laws:

- ORC 149.43 Availability of public records for inspection and copying
    - http://codes.ohio.gov/orc/149.43
- ORC 121.22 Public meetings – exceptions
    - http://codes.ohio.gov/orc/121.22
- ORC 109.43 Public records training programs – model public records policy
    - http://codes.ohio.gov/orc/109.43