The Structure and Government of County-Wide Land Banks in Ohio: Legal Description, Issues and Discussion

Kermit J. Lind, J.D.
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1. Introduction
   1.1. Land banking
   1.2. Land banking in Ohio
   1.3. County-wide land banking
   1.4. Land Reutilization Corporation

2. Statutes and Official Forms
   2.1. O.R.C. Ch. 1724 [http://codes.ohio.gov/orc/1724]
   2.2. O.R.C. Ch.1702 [http://codes.ohio.gov/orc/1702]
   2.3. O.R.C. §§ 5722.02 - .15 [http://codes.ohio.gov/orc/5722]
   2.4. Initial Articles of Incorporation [http://www.sos.state.oh.us/sos/upload/business/filingformsfeeschedule.aspx?page=251#domNon]

3. Organization and Incorporation
   3.1. [http://codes.ohio.gov/orc/5722.02]
       3.1.1. a city, county or township may elect to facilitate reutilization of nonproductive land situated within its boundaries
       3.1.2. a county may decide that a corporation be organized under Ch. 1724
       3.1.3. Examples:
           3.1.3.1. Cuyahoga Incorporation of CCLRC (091413)
           3.1.3.2. Hamilton [http://www.hamiltoncountylandbank.org/organizational_documents.html]
           3.1.3.3. Lucas [http://www.co.lucas.oh.us/index.aspx?NID=2111]
           3.1.3.4. Trumbull [http://trumbullcountylandbank.org/index.html]
   3.2. [http://codes.ohio.gov/orc/1724.04]
       3.2.1. eligibility limited to population of more than sixty thousand
       3.2.2. county treasurer shall be incorporator
       3.2.3. incorporation shall be approved by county commissioners
       3.2.4. further subject to review and approval by state attorney general
       3.2.5. secretary of state files and records approved articles of incorporation
   3.3. Examples
       3.3.1. Cuyahoga Articles of Incorporation as Filed and Recorded
3.3.2. Hamilton  
http://www.hamiltoncountylandbank.org/organizational_documents.html
3.3.3. Lucas http://www.co.lucas.oh.us/index.aspx?NID=2111
3.3.4. Trumbull http://trumbullcountylandbank.org/index.html


4.1. Directors http://codes.ohio.gov/orc/1724.03
4.1.1. composed of five, seven, or nine members
4.1.2. treasurer and at least two county commissioners, or appointed representatives
   4.1.2.1. Cuyahoga: Exec & Exec’s treasurer, plus council member
4.1.3. one representative of most populous municipality
4.1.4. one representative from most populous township if county has more than one township and two have at least 10,000 population each
4.1.5. any remaining members selected by the treasurer and the county commissioners who are members of the corporation’s board
   4.1.5.1. one with experience in rehabilitation or real estate acquisitions
4.1.6. without compensation, unless lawfully provided for in Code of Regulations
4.1.7. Board exercise all authority of the corporation

4.2.1. consistent with statutory law and the articles of incorporation
4.2.2. officers, terms of office and delegation of authority
4.2.3. standing committees, voting procedures . . .

4.3. Examples
4.3.2. Hamilton http://www.hamiltoncountylandbank.org/organizational_documents.html
4.3.3. Lucas http://www.co.lucas.oh.us/index.aspx?NID=2111
4.3.4. Trumbull http://trumbullcountylandbank.org/index.html

5. Procedural Sequence for Establishment
5.1. Ready, AIM, Shoot – i.e. plan the entire government before starting
   5.1.1. Cuyahoga Agreement and Plan

5.2. Land Bank Playbook  
http://www.thrivingcommunitiesinstitute.org/playbook_section_III.php

6. Policies and Operations
6.1. Key Policies
6.1.1. Ethical standards and requirements for Directors and Staff
6.1.2. Fiscal management and reporting
6.1.3. Property acquisition, uses and disposition
6.1.4. Personnel
6.2. Key Agreements
   6.2.1. Municipal agency authorized http://codes.ohio.gov/orc/5722.02 and http://codes.ohio.gov/orc/1724
   6.2.1.1. LRC as agent subject to municipal land use control of principal

6.3. Examples
   6.3.1. Land Bank Playbook
       http://www.thrivingcommunitiesinstitute.org/playbook_section_XVI.php
   6.3.2. Hamilton – management agreement
       http://www.hamiltoncountylandbank.org/leadership.html
   6.3.3. Trumbull http://trumbullcountylandbank.org/index.html
   6.3.5.
   6.3.6. Cuyahoga Agreement and Plan
   6.3.7. Cuyahoga Public Records Policy
   6.3.8. Cuyahoga State of Ohio Regular Audit, For the Year ending December, 31 2011 (State Auditor’s Award)

6.4. Ancillary Features in SB 353
       http://www.thrivingcommunitiesinstitute.org/playbook_section_XVIII.php

7. Publications