



# Judicial Impact Statement

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## HB 50 – Certificate for Qualification for Housing

**HB 50**  
**As Passed by the House**

**Rep. Humphrey**  
**Rep. Seitz**

### **Title Information**

To create a mechanism by which an individual who is subject to a collateral sanction for housing may obtain a certificate of qualification for housing that may provide relief from certain bars on housing.

### **Background**

HB 50 is a bill similar to 129 SB 337, which created a Certificate of Qualification for Employment (CQE), based on an earlier prison-internal program called Certificate of Achievement and Employability. A CQE provides a person with a criminal record a certificate, approved by ODRC and the sentencing court, that states the person is employable. The employer who depends on a CQE to make a hiring decision is shielded from liability in any ensuing lawsuit stemming from such hiring decision (if such a lawsuit arises). HB 50 operates in a similar way; a Certificate for Qualification for Housing authorized by ODRC and the sentencing court will state someone can be leased a property to live in; the landlord who depends on the CQH is shielded from liability if a someone sues based on the rental decision.

It is entirely unclear whether the CQE program has been successful because, although the number of people who have obtained a CQE is available, it is not known how many people obtained *jobs* because they obtained a CQE.

### **Judicial Impact**

HB 50 asks a court to participate in an extrajudicial activity – that is, to determine whether someone is fit to be a tenant. This is outside the normal responsibility of a court, which already works full-time in the administration of justice.

### **Conclusion**

The problem of people re-entering the community and needing to find jobs and housing is a real one. But because the CQH does not require a landlord to rent out a property, the CQH will not likely aid anyone in this endeavor. The OJC opposed this bill.

What is a Judicial Impact Statement?

A Judicial Impact Statement describes as objectively and accurately as possible the probable, practical effects on Ohio's court system of the adoption of the particular bill. The court system includes people who use the courts (parties to suits, witnesses, attorneys and other deputies, probation officials, judges and others). The Ohio Judicial Conference prepares these statements pursuant to R.C. 105.911.