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2014 OHBA YEAR IN REVIEW

Homebuilder Member Elected Vice-Chair of RCAC

At the first meeting of 2014, the RCAC elected its new Chair and Vice-Chair for the upcoming year. Ric Johnson, one of the homebuilder members of the Committee, has served as the Committee's Vice-Chair for 2014.

OHBA Requested Formal Interpretation of Energy Code

OHBA sent a letter to the Residential Construction Advisory Committee (RCAC) requesting a formal interpretation responding to concerns surrounding the applicability of Ch. 11 Energy Efficiency testing requirements to remodeling. As a result, the RCAC cleared up practical impacts of such testing requirements.

OHBA Raised Concerns On Wall Bracing and Ensured Simplified Version Became Part of RCO

OHBA Codes Chairman, Jim Zengel, brought forth concerns raised around the state resulting from the wall bracing provisions adopted in the 2013 RCO. In addition, as Jim explained and Regina Hanshaw confirmed, the simplified version of the wall bracing standards was inadvertently left out when the RCAC adopted the 2013 RCO. Thus, beginning July 1st, the simplified version became part of the 2013 RCO.

OHBA Facilitated Meeting With Developer and EPA To Question Mitigation Authority

OHBA interceded and set up a meeting with the OEPA when a developer from the Canton area requested explanation on potential mitigation requirements from the OEPA. After being told by the US Corp a section of the property was non-jurisdictional and classified as an agricultural ditch, the OEPA attempted to take jurisdiction to require mitigation under the state's own classification of the 'stream'. OHBA explained the situation further and asked for more details on where OEPA was getting its authority to require certain amounts of mitigation. As a result, a



In This Issue ...

OHBA 2014 Year In Review

Legislative News – The New Year & What's Next

Financial Forecast 2015 – January 15 – Don't Miss It!

OHBA ... One Year Ends and Another Begins

Membership Updates

(Article continued on page 3)



Kenneth Cleveland	1,052.5*
Calvin Smith, Life Dir.	594
Bob Knight	92
Bill Post	66.5*
John Sumodi	34.5
Russ Sturgess	29
Doug Leohr	21
Mark Zollinger	8.5
Ed Belair	3.0
Mike Hudak	2
Greg Thomas	1.5
Todd Scott	1
Ted Curran	1

Above list has been updated via the most current NAHB Spike Club Roster Report
 *Current Life Spike status

50% Down Construction Loan*

- ✓ Construction permanent mortgages (*one-close loan*)
- ✓ End Loan
- ✓ Conventional financing
- ✓ FHA / VA / USDA

Stephanie Doult | 330.813.4000 | NMLS #439979
Jacki Hudnall | 330.472.4030 | NMLS #1170008
David Pelz | 440.829.7986 | NMLS #403766

HOME SAVINGSSM

Equal Housing Lender MEMBER FDIC
 Payment example as of 4/15/14. Note rate 4.75% Annual Percentage Rate of 5.61%. Interest rate based on a \$237,500 loan with 5% down. 30-year mortgage would be paid in 360 monthly principal and interest installments of \$1,238.91 each. The payment example does not include amounts for taxes, homeowner's and mortgage insurance. Rates subject to change without notice. Other rates and terms available. Additional terms and conditions apply. Property insurance required. Must be a single-family, owner-occupied residence. All offers of credit are subject to credit approval.

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determination was made it did not appear that the ephemeral stream/isolated ditch in question would require any type of mitigation from the state. This was a real life example OHBA was able to bring to the attention of the agency where the agency was attempting to act outside its scope of authority under the rule. Hundreds of thousands of dollars were potentially saved and the development may have a more viable chance of moving ahead.

EPA Water Chief Attended and Spoke At OHBA Government Affairs Meeting

Karl Gebhart, the newly appointed deputy director of water resources, attended OHBA's government affairs meeting and provided valuable insight into his role at the EPA. His attendance served as an excellent opportunity for all developers and builders to meet with him and get answers to questions regarding permitting from the EPA.

OHBA Continued To Meet With OPEA On 10 State Standards For Waterworks and Submitted Official Comments On Draft Guidance Issued

In numerous meetings throughout the year, OHBA elaborated on OHBA's concerns with the recent enforcement of provisions of the 10 State Waterworks Standards referenced in OEPA's rules. Attendees were able to explain where compliance with a 10 foot separation requirement for sewer pipes would be impossible and/or unreasonable. Although new rules were not filed in 2014, OHBA took the opportunity to submit official comments on a draft guidance document released by OEPA in response to concerns raised by OHBA.

OHBA Suggested Changes To OEPA On Wetland Rule Package

Following initial written comments OHBA submitted on draft wetland an-

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130th General Assembly Adjourns—Next One To Begin January 1, 2015

The end of each two year session is the not so celebrated lame duck session. The term relates to the fact that the election is over and those still in office through the remainder of the year have been elected or are not coming back: a recipe for tomfoolery. This lame duck proved no different than others as dozens of bills passed which would not have fared so well the preceding 23 months of the session. Nonetheless, lame duck sessions are part of the culture here and we can assure you another will take place in December of 2016.

The current session and all pending business vanish on Dec 30. A new session with new members and leadership begins January 1, 2015.

OUPS Call Before You Dig Law Will Require Registration and Fees

SB 378, passed over OHBA's objections, sets up an enforcement mechanism for the Call Before You Dig law in Ohio. A date of January 1, 2016 was included in the bill to begin enforcement of the provisions, which includes registration and fee requirements for a broad class to include builders, developers, excavators, designers and utilities who participate in the one call system. Given the definitions used, there is a very good chance, in the next year, the PUCO will be sending you notice of compli-

ance with the new registration and fee requirements. The PUCO still has to adopt rules working out many details surrounding the enforcement program and how registration will be completed, but it is likely to adopt a \$50 annual fee set forth in the bill. OHBA will be following how the PUCO rules play out in the coming months leading up to the Jan. 1, 2016 effective date for enforcement.

Substitute HB 140 Passed Out Of Committee and Is Likely Starting Point Next Year

On the last day of the 130th General Assembly, Chairman Young voted the substitute version of HB 140 out of House Commerce and Labor Committee. The Committee passed out the bill with a vote of 6-2. The sponsor made clear his plans to reintroduce something similar come early next year. The substitute bill and summary document are available on the site ([click here](#)) and will likely serve as the starting point for discussions in the 131st GA.

HB 5 Municipal Income Tax Reform To Become Law

One of the bills to become law following the lame duck session included Municipal Income Tax Reform legislation. After a long battle between stakeholder industries and the Municipalities, HB5 will set up a number of statewide standards that local governments would have to follow, including that:

■ Businesses with an annual income of \$500,000 or less would be charged municipal income tax only in the area where they're located.

■ Workers on a job in a different city wouldn't have to start paying income tax in that municipality during their first 20 days there. Under current law, the threshold is 12 days, after which employees are charged for every day they did work in the city.

■ Under a phase-in plan starting in 2016, companies would also be able to carry forward net operating losses for five years to offset taxes on future profits

(Continued on page 6)



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Jeremy Krahe

Michael Hudak

Greg Thomas

Douglas Krause

Doug Leohr

Katie Williams

Jeff Barnes

David LeHotan

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Katie Williams, Membership

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2830 Erie: .75 acre lot on dead end street in Fairlawn. Minutes to shopping/dining. Copley-Fairlawn CSD. \$59,900. **Ryan Shaffer 330-329-6904.**

294 Corunna Ave: Rare corner lot in Fairlawn. Quiet street. Walk to park. Public utilities. Copley-Fairlawn CSD. \$44,900. **Ryan Shaffer 330-329-6904.**

GRANGER

Millers Meadow: 6 beautiful lots remaining, 3.5 to over 10 acres. Public water. Bring your own builder & create the home of your dreams. Highland LSD. Starting at \$75,000. **Gary Stouffer 330-835-4900.**

2+ acre lots in Granger Meadows starting at \$39,900. Also 42.6 ac in Granger Twp \$275,000. **Bill Nice 330-571-4516.**

Western Reserve Homestead:

S/L 7 Windfall Rd. 2 acres \$69,000.

S/L 9 Granger Rd. 2.85 acres \$49,900. **Gary Stouffer 330-835-4900.**

HINCKLEY

River Rd: Over 7 acre wooded lot. Pick a spot on your own private park w/ravines, creek and waterfall. Borders Hinckley Hills Golf Course to East. Highland LSD. \$194,900. **Ryan Shaffer 330-329-6904.**

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Dover Highlands: .3 ac lots available. Bring your builder or use preferred builder to affordably build the home of your dreams. Water/sewer. \$49,500. **Kathy Mansfield-Kimble 330-813-3072.**

7440 Chippewa: 2 acre wooded lot, babbling brook. Only 10 min. from Downtown Medina. Bring your own builder. Cloverleaf LSD. \$39,900. **Ryan Shaffer 330-329-6904.**

MONTVILLE

Maplewood Farm Development offers 13 beautiful lots, 2+ acres each, Medina Schools and septic approved starting at \$39,000. **Tom Boggs 330-322-7500** or **Gary Stouffer 330-835-4900.**

RICHFIELD

Glencairn Forest: Lots ranging from \$109,900 to \$295,000. Breathtaking views. Scenic waterfalls, babbling brooks, lakes, stunning homes. Water/sewer, tennis courts, playground. Easy access to 77 & 271. **Laura Horning Duryea 330-606-7131** or **Gary Stouffer 330-835-4900.**

3601 W Streetsboro Rd: 10+ acres. 8-stall horse barn w/arena. Scenic rear ravine and rolling fields in the front. Nestled against Summit County Metro Parks. Bring your own builder. **Gary Stouffer 330-835-4900.**

2802 Southern Rd.: 15+ acres. Wooded. Mineral rights. Revere LSD. \$180,000. **Gary Stouffer 330-835-4900.**

4535 Killarney Dr.: 3.62 acres, wooded lot, Revere Schools. \$74,900. **Gary Stouffer 330-835-4900.**

Glencairn Forest 3621 Hamilton Dr. S/L 57: 1.26 acre. \$139,900. **Gary Stouffer 330-835-4900.**

SHARON TOWNSHIP

The Ridge 5840 Spring Ridge Dr.: 2.36 acres. \$85,000. **Gary Stouffer 330-835-4900.**

Sharon Hts Development: 20+ lots remain. Well & septic. 2+ acres. Highland LSD. Many lots w/walkout potential. Scenic views w/privacy. Lots starting at \$62,650. **Gary Stouffer 330-835-4900.**

Blue Ridge Estates: VL 15 Irene Rd. & Osage Trail 2 acres \$69,000.

Blue Ridge Estates S/L 10 Gridle Rd & Irene: 2+ ac lot with scenic views. Well & septic. \$59,900. **Kathy Mansfield-Kimble 330-813-3072.**

STRONGSVILLE

Shenandoah Ridge: Don't miss your last chance to build in beautiful Shenandoah Ridge in Strongsville. Across from Strongsville HS. Close to shopping, dining & I-71, this .34 acre partially wooded lot affords privacy and a wonderful location. Public utilities. Strongsville Schools. \$47,000. **Enrique Arnedo Rojas 330-322-1528.**

WADSWORTH

1973 Greenwich Rd.: 58 acres in prime location. Water & sewer close. House, bank barn & other detached structures located on 6.5 ac parcel. Additional land possible. \$1,200,000. **Kathy Mansfield-Kimble / Bud Wenger 330-813-3072** or **330-714-4260.**

Email Our Agents:

[Tom Boggs - tomboggs1@gmail.com](mailto:TomBoggs_tomboggs1@gmail.com)

Laura Horning Duryea -
LauraDuryea@stoufferrealty.com

[Regran Leedy - regranleedy@aol.com](mailto:RegranLeedy_regranleedy@aol.com)

Kathy Mansfield -
kathymansfield@msn.com

[Bill Nice - BNiceRealtor@aol.com](mailto:BillNice_BNiceRealtor@aol.com)

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Enrique Arnedo Rojas -
enriquearnedo@stoufferrealty.com

Ryan Shaffer -
ryan@ryantshaffer.com

Gary Stouffer -
gstouffer@stoufferrealty.com



Member News

New Associate Members

Charter One Bank

14769 Stillbrooke Drive
Strongsville, Ohio 44136

Contact: Rich Roskoph

Phone: 440-227-1108

Email:

rich.roskoph@charteronebank.com

Sponsor: John Sumodi

Business: Home loans

EZ Sales Team of Keller Williams

30400 Detroit Road

Westlake, Ohio 44145

Contact: Sam Livingston

Phone: 216-659-1540

Email: sam@ezsalesteam.com

Sponsor: John Sumodi

Business: Real estate sales & purchase

New Associates (cont'd)

Kent's Excavating Services, Inc.

260 Ryan Road

Seville, Ohio 44273

Contact: W. Kent Phillips

Phone: 330-769-3161

Email: office@kentsexcavating.com

Sponsor: John Sumodi

Business: Excavating & related services

Renewed Associates

First Federal of Lakewood –
Lakewood

Dropped Members

Pella Window & Door – Hinckley

2015 Dates To Remember

January 15, 2015

Annual Financial Forecast

– This is a 'must attend' event. See all the details on page 9 and be sure to RSVP your attendance no later than January 9. Happy New Year!

May 2-17, 2015

Spring Parade of Homes –

Attention All Builders - if you are building homes in Medina County, you can't afford to miss being in this event. More information to come, but mark these dates on your calendar and plan to participate!

(Legislative – Continued from page 4)

— a policy that most Northeast Ohio municipalities already have but is less common elsewhere in the state. The bill would also allow individual taxpayers to carry forward net operating losses.

■ Local governments would no longer be able to tax supplemental retirement benefits given to company executives.

Annexation And Utility Sub Metering Legislation Failed To Pass But Likely To Come Back Next Session

Two issues OHBA followed until the very end included changes to the Type II Annexation process and the utility sub metering process. Although, both ultimately died in the lame duck session, it is very likely we will see them back again next year.

Please feel free to contact OHBA with any questions or comments.



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tidereg rules as part of the Common Sense Initiative Process (CSI), the OEPA requested a follow up meeting with OHBA to discuss the draft language. OHBA met with the Deputy Director, and numerous OEPA Staff. OHBA was able to provide valuable expertise on a variety of issues and requested several changes to make the draft rule clearer and more predictable. Additionally, OHBA pointed out areas where no federal mandate exists and questioned the need to adopt a more stringent standard for Ohio. OHBA worked to ensure similar meetings take place even earlier in the rule making process.

Comments Submitted On Several OEPA Rule Packages

In addition to modifications suggested for Wetland Antideg Rules, OHBA also submitted comments and early stakeholder outreach on rule packages proposing changes to NWP and NPDES permits.

OHBA Served As Valuable Resource For State Fire Marshall On Residential Fire Sprinklers

At the request of both the Director of Commerce, and the Ohio State Fire Marshall, OHBA brought in builders to sit down and provide practical insight into the difficulties of offering residential sprinklers as an option for new home construction plans.

OHBA Filed Amicus Briefs With Ohio Supreme Court To Preserve Development

OHBA filed an amicus regarding an ordinance by initiative petition in Powell, Ohio which imposed, essentially, a moratorium on all development in the city until a group can be seated to review all development, as well as, recently adopted projects. Further, after ruling in favor of the developer, the Supreme Court of Ohio changed its ruling on reconsidering, for which OHBA had agreed to submit a second Amicus opposing reconsideration.

(Continued on page 11)

From the Executive Director

Members and Friends:

Happy New Year! It feels good to say that to our members as the prospects for our industry are the best they have been in a long time. I hope you and your organization are enjoying these more prosperous times.

To make sure you are prepared for what 2015 has in store for our industry, be sure to attend our annual Financial Forecast which will be held January 15, at Pat O'Brien Chevrolet, in their 2nd floor meeting room, from 12:00 Noon to 1:30 p.m.

This important meeting, sponsored by Westfield Bank, will feature presentations by Bob Giacomo with Westfield Bank and Russell Holmes with Third Federal Savings. We will also feature Tim Hullinger and Katy Davis from North Ohio Media Group on how best to reach your precisely targeted market online. Be sure to RSVP to Sharon at 330-725-2371 as soon as possible.

Respectfully:

Dave LeHotan
Volunteer Executive Director



MOEN

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**Thank you
Ken Cleveland For
Continuing to Make
a Difference on
Behalf of the Medina
County Home Builders
Association!**

Ken Cleveland recently made a second very generous donation to the Medina County Home Builders Association.

Ken is a charter member of our association and one of the founding fathers which helped create the Medina County HBA back in 1973 - 40 years ago. Ken Cleveland is our top spike member and has shown unending support for our association and all it stands for. Without his support over the years, the organization may not have survived - for which we are grateful!

We congratulate Ken Cleveland for his support of our Association and sincerely thank him for his generous donations.



Members ...
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2015 Financial Forecast

Unfortunately, guesswork or good old fashioned luck isn't going to cut it for financial planning to survive and thrive in 2015. You need to know what to expect economically from the financial experts, how to sell more homes, and how best to reach the potential buyers of those homes to really be successful going forward! We're going to share it all so don't miss it and potentially miss your opportunity for stellar success!



WHEN: January 15, 2015 – Noon to 1:30 p.m.

WHERE: Pat O'Brien Chevrolet
3880 Pearl Road (corner Pearl & Fenn)
Banquet Room (upstairs in new bldg)
Medina, OH 44256
330-725-2371 (HBA Office)

SPEAKERS:
Financial speakers to be announced
Northeast Ohio Media Group

REG. FEE: \$20 (includes lunch from
Panera Bread - see details below)

FOOD: Lunch includes turkey and ham
sandwiches with chips and a cookie

MEETING SPONSOR:
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You can register online through Builder Fusion to attend this meeting or you can call the HBA office at **330-725-2371** to RSVP as well.

Don't forget to register no later than **January 9th** to attend and don't miss this important event to help plan your business success for 2015 and beyond)! We look forward to seeing you at the meeting!



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Dept Of Health Staff Spoke At OHBA Meeting On Onsite Septic Rules

Seven years after the General Assembly blocked regulations setting statewide standards for home septic systems, JCARR allowed the Department of Health's revised rules to take effect. A representative from ODH attended an OHBA Board meeting to help clear up misconceptions and answer any questions on the new rules. OHBA continued to track the agency's rules set to take effect January 1, 2015.

Testimony Given In Opposition Of OUPS Call Before You Dig Law

OHBA followed the ongoing discussions leading up to passage of new Call Before You Dig legislation and was the sole group to testify in opposition of SB 378, setting up an enforcement mechanism for the Call Before You Dig law in Ohio. A date of January 1, 2016 was included in the bill to begin enforcement of the provisions, which included registration and fee requirements for a broad class to include builders, developers, excavators, designers and utilities who participate in the one call system.

OHBA Supported New Law On Municipal Tax Reform

OHBA was a member the Municipal Tax Reform Coalition made up of a wide range of industry groups supporting changes found in HB 5 to municipal tax collections. One of the bills to become law at the end of 2014 HB 5 set up a number of statewide standards that local governments will have to follow.

Amendments Offered To Clarify Roadway Issue For Type II Annexations

OHBA was involved in continuous conversations on HB 277 which proposed changes to the Type II Annexation law. In addition to providing valuable expertise on issues with HB 277, OHBA was also able to get amendments offered which would have clarified the roadway issue resulting from a 2003 Supreme Court decision.

Assistance Given For Comments Submitted By Governor and Attorney General On USEPA Proposal To Expand Clean Water Act

OHBA contacted both the Governor's and Attorney General's office to support filing comments raising concerns during the pre-publication stage for new USEPA rule which would expand the definition of a Water of the US, change the process of determining a water of the US, and make changes to exemptions. Additionally, OHBA signed onto a letter to the USEPA expressing industry concerns.

Monitored Legislation

Throughout the year, OHBA tracked

and monitored numerous items receiving attention by the legislature. Some of these included HB 333 Accessibility Violations, HB 371 Condominium Law, SCR 25 Green Buildings, HB 490 Environmental Laws, HB 289 Development Zones, and SB 359 Rental Egress.

Licensing

OHBA agreed to work with both the Senate and House on licensing legislation brought forth by each respective Chamber. Although nothing was introduced by the Senate, HB 140 received numerous hearings, and the House committee voted out a substitute bill focusing on home improvement registration before the end of the year. OHBA remained intimately involved throughout the process, testifying several times and providing those involved with insight from the industry.



Executive Vice President's Column

by Vincent J. Squillace, CAE
Executive Vice President

One Year Ends And Another Begins

First, best wishes to you all from us at OHBA. We had a great year and hope you did too. Now that 2014 has come to a close, we prepare for the New Year.

For us, the New Year brings a new General Assembly. The 130th expired and the 131st begins January 1st. With the legislature, when a session ends, all pending business goes with it. A wholly new session with newly sworn officials begins January 1st. This is the never ending challenge for your state association. The issues never change, but the people who make those decisions do. 99 State Representatives and 33 Senators in constant motion surely present challenges.

This points to a most potent benefit of our association. We, along with our local association partners, have a finely tuned grassroots system. The legislature always considers the statewide impact of their decisions as all laws passed here are applicable in every part of the state. Our unique affiliation provides us with reliable contacts just about everywhere. This is essential with a state as large as Ohio. Oftentimes we must rely on help from legislators who may not be impacted but another area of the state may need consideration. It is not unusual for us to enlist help from legislators in an area of Ohio to assist in other areas of the state.

The simple reality is you must have a statewide presence to be effective in legislative politics. Fortunately, that is the role played by OHBA and thank you all for helping and supporting us through 2014. And remember, it all started anew January 1, 2015. ■



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