



COUNTY TREASURERS
ASSOCIATION OF OHIO

County Treasurers:101

Brad Cromes – Cuyahoga County Treasurer

Kathy Kelich – Belmont County Treasurer

Ric Wasserman – Athens County Treasurer

Alex Zumbar, CPFA – Stark County Treasurer

County Treasurers have an important Role.

- A county treasurer is elected to a four year term and serves as the Chief Investment Officer and is the safe guardian of all monies collected and invested.

A treasurer responsibility includes:

- Collection of all taxes such as real estate property taxes and personal property taxes on behalf of all taxing districts within the county.
- Safe keeper of real estate taxes collected in tax districts for schools, municipalities, townships and villages.
- Chief Investment Officer who oversees the county's investment portfolio and reports to the county's investment advisory board.
- Prepares daily and monthly statements of deposits to the county treasury
- Hears complaints of property owners who challenge their property value as a member of the Board of Revision.
- Certifies the amount of revenue available for the county and its subdivisions as a member of the Budget Commission.
- Serves as a member of the county data and microfilm boards.
- Serves as a member of the County Land Bank.

Ohio Revised Code Sections

- Ohio Revised Code 321 – Oath, Bonding, Duties & Responsibilities
- Ohio Revised Code 323 – Collection of Taxes
- Ohio Revised Code 4503, 4505, & 5709 – Manufactured Homes
- Ohio Revised Code 5721 – Tax Liens
- Ohio Revised Code 1724 & 5722 – Community Improvement Corporation & Land Reutilization Program

Educational Requirements O.R.C. 321.46

- **321.46 Education programs for new treasurers and continuing education programs.**
- (A) To enhance the background and working knowledge of county treasurers in governmental accounting, portfolio reporting and compliance, investments, cybersecurity, and cash management, the auditor of state and the treasurer of state shall conduct education programs for persons elected for the first time to the office of county treasurer and shall hold biennial continuing education courses for persons who continue to hold the office of county treasurer.
- Initial education programs for newly elected county treasurers shall be held between the first day of December and the first Monday of September next following that person's election to the office of county treasurer. Similar initial education programs may also be provided to any county treasurer who is appointed to fill a vacancy or who is elected at a special election.
- (B)
 - (1) The ***auditor of state*** shall determine the manner and content of the initial education programs in the subject areas of governmental accounting and portfolio reporting and compliance. In those areas, ***newly elected county treasurers shall take at least thirteen hours of education before taking office.***
 - (2) The ***treasurer of state*** shall determine the manner and content of the initial education programs in the subject areas of investments and cash management. In those areas, ***newly elected county treasurers shall take at least thirteen hours of education before taking office.***

Educational Requirements (Continued) – 321.46

- (3) (a) ***After completing one year in office, a county treasurer shall take not less than twenty-four hours of continuing education during each biennial cycle.*** For purposes of division (B)(3)(a) of this section, a biennial cycle for continuing education shall be every two calendar years after the treasurer's first year in office. The treasurer of state shall determine the manner and content of the continuing education courses in the subject areas of investments, cash management, the collection of taxes, ethics, and any other subject area that the treasurer of state determines is reasonably related to the duties of the office of the county treasurer. The auditor of state shall determine the manner and content of the continuing education courses in the subject areas of governmental accounting, portfolio reporting and compliance, office management, cybersecurity, and any other subject area that the auditor of state determines is reasonably related to the duties of the office of the county treasurer.
- (b) A county treasurer who accumulates more than twenty-four hours of continuing education in a biennial cycle described in division (B)(3)(a) of this section may credit the hours in excess of twenty-four hours to the next biennial cycle. However, regardless of the total number of hours earned, no more than six hours in continuing education determined by the treasurer of state pursuant to division (B)(3)(a) of this section and six hours in continuing education determined by the auditor of state pursuant to that division shall be carried over to the next biennial cycle.
- (c) A county treasurer who participates in a training program or seminar established under section [109.43](#) of the Revised Code may apply the three hours of training to the twenty-four hours of continuing education required in a biennial cycle under division (B)(3)(a) of this section.

Auditor of State

Educational Requirements - 321.46

- Certified Public Records & Sunshine Law training – 3 Hours every term
- Commercial Paper & Bankers' Acceptances – (Investment Advisor)
- Municipal Securities
- Ethics
- Auditor of State Continuing Education
- 12 hours of approved Auditor of State courses every biennial.

Auditor of State

- Auditor of State Bulletins 2019-003, 2021-005, 2024-005
- Ohio Sunshine Laws, Public Records, Training, & Acknowledgments
- Certificate of Transition
- Required Fraud Reporting and Training & Acknowledgments

Treasurer of State

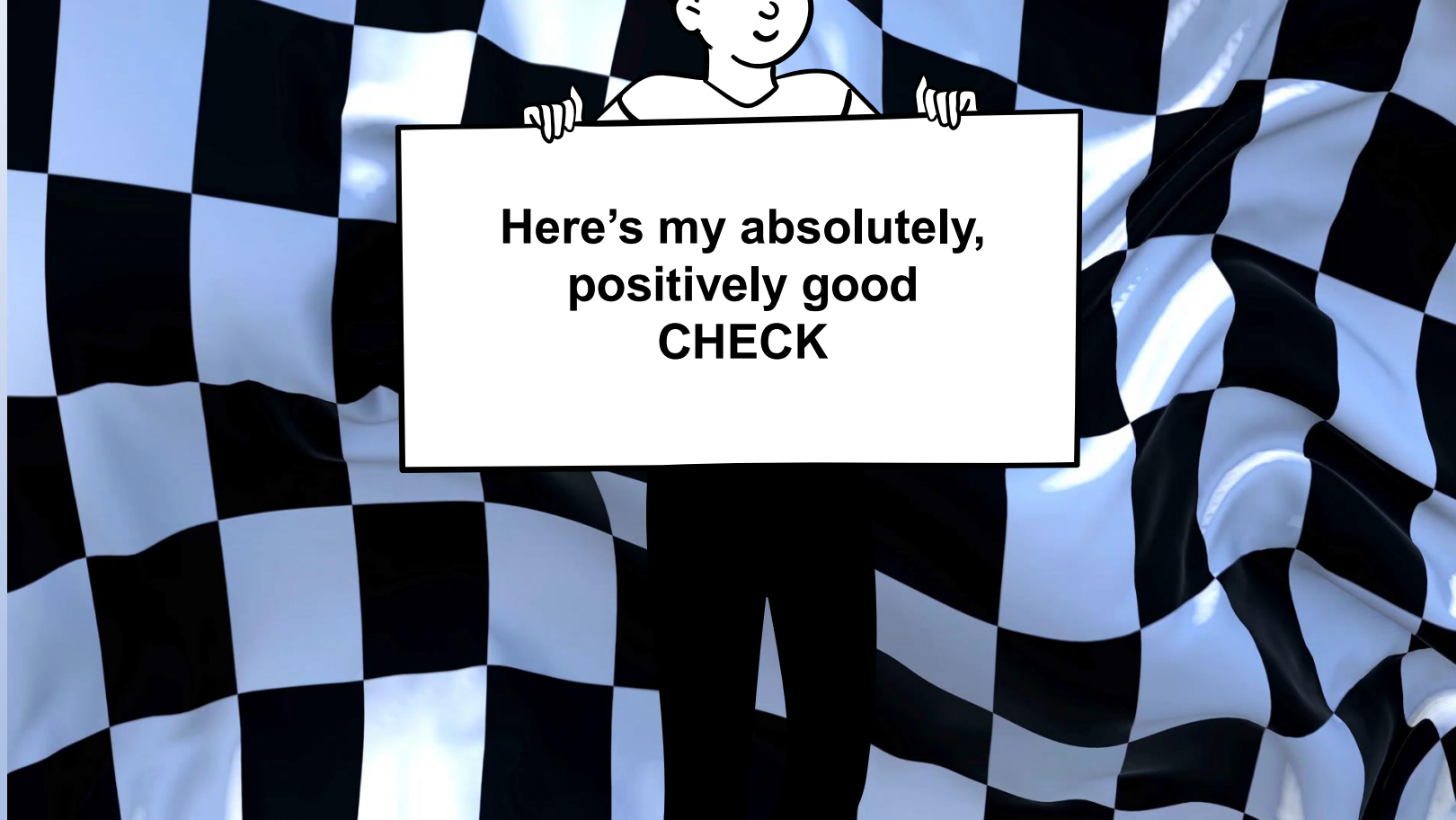
- H.B 225 requires a monthly submission of Investment Portfolio to Treasurer of State. May be submitted via email, uploaded to secure website, by fax or mail.
- Ohio Pooled Collateral System
- Center for Public Investment Management
- 12 hours of approved Treasurer of State courses every biennial

You are the first line of defense.

- Know your currency – Counterfeit bills
- Balance Daily & Reconcile Monthly
- Positive Pay
- Cash Handling Policy/Segregation of Duties/Deposit Bag
- Warrant Account/Payroll Account
- Federal/State Account (Workers Comp., IRS, One time amount, etc.)
- ACH Limits (Auditor approved Initiators/approved authorizers)
- Wires (Treasurer Only - Creator(s)/Authorizer)
- Debit Blocker
- Cyber-Security (Anti-virus, Ransomware, Phishing, Electronic Debit, Stale Warrant, etc.)
- Bond & Employee Crime/Clerical Error & Omission Insurance Policy

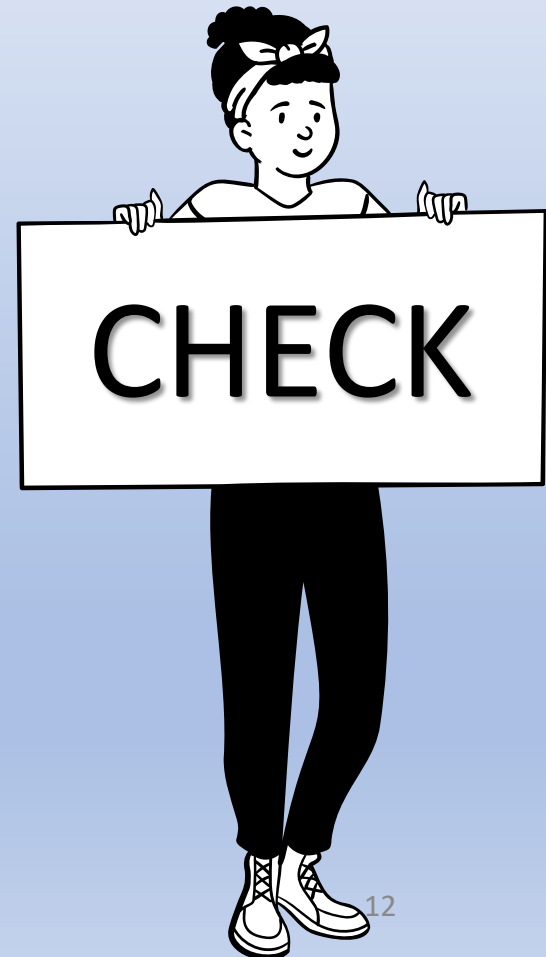
POSITIVE PAY:

Preventing Fraud



POSITIVE PAY: Preventing Fraud

- As the banker, the Treasurer enrolls in the program.
 - Options – pay all or return all
- The Auditor provides a list of checks to the bank.
 - Checks are matched with the list provided
 - The check is either validated or flagged as fraudulent
- Reverse Positive Pay vs Positive Pay



Chief Investment Officer

- Investment Policy
- Investment Advisory Committee
- Star Ohio
- Investment Advisor
- Monthly Investment Report is to be filed with Treasurer of State

Financial Institutions and Depository Contract

- Letter certifying amount to Commissioners
- Application for Depository
- Request for Proposals (4 year agreements or as needed)
- Commissioners adopt resolutions and approve agreements based on financial institution completed application and amounts requested.
- Collateralization (OPCS, Securities, Surety Bond)

Funds

- General Fund
- Delinquent Tax & Assessment Fund
- Tax Lien Fund

ENFORCEMENT TOOLS

Penalties and Interest

10% penalty must be charged in accordance with the Ohio Revised Code 323.08, 323.12, 323.121, & 323.13. In addition interest is charged twice yearly (August 1st and December 1st) on certified unpaid balances.

Delinquent Bills Usually sent out by end of September and due by end of October.

Publish delinquent taxpayer name in the newspaper twice

Delinquent Real Estate Contracts – Authorized under Ohio Revised Code 323.31

Tax Lien – Ohio Revised Codes 5721.31, 5721.32, and 5721.33 permits a County Treasurer to collect certified delinquent taxes by selling Tax Lien Certificates. Selling Tax Lien Certificates transfers the State's first lien to a purchaser and the county receives full payment of all taxes, penalties, interest, and assessments which are due. Typically, held in October can help boost collections annually.

Foreclosure – Cases are sent to prosecutor annually

Delinquent Tax Enforcement

- ORC 321.08 designates the Treasurer as the collector of property (among other) taxes. Treasurers have a statutory responsibility to attempt to collect all property taxes owed including delinquent taxes.

Delinquent Payment Plans:

- -Delinquent Payment Plans are authorized under ORC 323.31
- -Any taxpayer who has never had a payment plan on a parcel is entitled to enter into a plan one-time.
- -Subsequent plans on that parcel with the same owner are at the discretion of the Treasurer.
- -Plans will typically involve a down payment of at least 10% and monthly payments thereafter.
- -Plans can run for a maximum of five (5) years.
- -Best practice is to require payments to be made via ACH which significantly increases compliance.
- -Payment plan participants are exempt from penalties and interest on future taxes as long as the plan is in-force.
- -Plan participants are excluded from lien certificate sales and foreclosure as well.
- -If the plan participant does not adhere to the rules of the plan the Treasurer may elect to “void” the plan which places the parcels in play for additional enforcement action such as tax lien sales and foreclosure.
- -If the property which is the subject of the payment plan is the owners principal residence the Treasurer must allow a plan of no fewer than two (2) years if requested by the owner.

Delinquent Tax Enforcement (Continued)

- When tax bills, delinquent bills, reminder letters and delinquent payment contracts fail, Treasurers have two primary methods of collecting the taxes owed:

-Tax Lien Certificates and Tax Foreclosure

Delinquent Tax Enforcement (Continued)

Tax Lien Certificates:

- -Lien Certificates – Authorized under 5721.33, can be sold via auction or “negotiated” sales.
- -Lien Certificates have a maximum life of six (6) years, after which they are void.
- -Lien Certificates can be sold at face value, at a premium or at a discount to the actual taxes owed “**without limitation**” at the discretion of the Treasurer.
- -Certificate sales require 30-day “pre-sale” notification via certified mail as well as “post-sale” notification that the lien has been sold and who purchased it.
- -A tax lien sale will typically pay a parcel current.
- -A tax lien sale will typically include a “treasurer’s fee” paid by the lien purchaser and later billed to the taxpayer. This fee must be credited to the “lien administration fund” and is intended to cover costs associated with mailings and the recording of the tax lien and possibly the subsequent release when the lien is paid off.
- -The delinquent taxes are then owed to the lien purchaser not the county. The Treasurer may NOT collect those delinquent taxes.
- -Future or “new” taxes will be billed as normal and will be owed to the county.
- -Lien purchasers typically have the right to buy “subsequent” liens if the “new” taxes are not paid.

Delinquent Tax Enforcement (Continued)

Tax Foreclosure:

- -If all of the above fails then the Treasurer may elect to initiate a “Tax foreclosure” with the help of the County Prosecutor.
- -Taxes must be “certified delinquent” for at least one full calendar year for a parcel to be eligible for foreclosure.
- -Foreclosure is a slow process often involving months of notification and publication in the local “paper of record”.
- -The outcome of a tax foreclosure is a public or “sheriff” sale where the minimum bid will be the total of all taxes, assessments and costs to foreclose.
- -The owner can pay off the taxes or “redeem” the property until any sale is confirmed.
- -A property can be sold privately during a foreclosure and if the taxes are paid the foreclosure will be dismissed. Prosecutors should be encouraged to help recover any costs of the foreclosure.

Ways to Pay

Option #1: By U.S. Mail:

Option #2: Pay at the County Treasurer's Office

Option #3: Deposit Your Payment in the Drop Box

Option #4: By Phone Using Credit Card *

- **Note:** To avoid any confusion on application of payments and for proper credit, each parcel must be paid as a separate transaction. You may pay by phone by calling 1-877-690-3729 and use the jurisdiction code 4518.

* **Remember** - you will be charged a convenience fee for this service.

** All payments are time-stamped to insure on-time payments. Please write down the confirmation number for your records. **

Ways to Pay (Continued)

Option #5: Online Using Credit Card *

VISIT THE COUNTY TREASURER WEBSITE TO PAY YOUR TAXES ONLINE

* **Remember** - you will be charged a convenience fee for this service.

**All payments are time-stamped to insure on-time payments **

Option #6: Online Bill Pay

- Pay your property taxes through your bank via online bill pay. Contact your bank to schedule a payment. Your payment should be made payable to the County Treasurer and mailed to 110 Central Plaza South, Suite 250, Canton OH 44702. Please use your Parcel Number as your account number. Each Parcel Number must be paid as a separate transaction to ensure proper credit.

Option #7: Monthly Prepayment Program

Sign up for our Monthly Prepayment of Property Taxes by Automatic Withdrawal. Our Monthly Prepayment program is for taxpayers who wish to pay their property taxes in installments rather than a large lump sum twice a year. Your Half Year Property Taxes are divided into five installments, and we will automatically withdraw the monthly prepayment amount directly from your checking or savings account. To sign up for our Monthly Prepayment plan, contact Rick at 330-451-7814 Ext. 7824 or (rlreigle@starkcountyohio.gov)

Option #8: Semi-Annual Automatic Withdrawal

Sign up for our Semi-Annual Automatic Withdrawal Payment of your Property Taxes. Property tax bills are due in February and July, and this plan allows the Treasurer to withdraw your property tax payment from your checking or savings account. To sign up for our Semiannual Automatic Withdrawal Payment plan, contact Richard at 330-451-7814 Ext. 7819 or (rcwillaman@starkcountyohio.gov).

Option #9: Pay at Three Convenient Kiosk Locations

Unclaimed Funds

- Unclaimed funds are accounts that become unclaimed when, over a specified period of time, there has been no activity and the holder of the funds cannot locate the owner. The time frame varies depending on the property but in most cases it is three to five years. One exception is payroll checks, which are only held for one year. The funds are then turned over to the State, which acts as custodian of the funds until they can be returned to the rightful owner.
- A bank account, rent or utility deposit, uncashed check, undelivered stock certificate or uncashed insurance policy are some of the unclaimed funds can come to the Ohio Department of Commerce Division of Unclaimed Funds. If there is no activity in the account for a period of time and the company cannot reach the account owner, the funds are reported to the Division for safekeeping. The Division works aggressively to track down the rightful owner and reunite that Ohioan with their hard-earned, but forgotten money.
- To claim the Unclaimed Funds a person can visit the Treasurer website to check to see if they have any amounts being held in their name by either the County or by the State of Ohio Department of Commerce. If held by the County please complete and submit the unclaimed funds request form to the County Treasurer. The State of Ohio has their own form and database which can be searched online.

BANKRUPTCY

- As County Treasurer you are willing to work with all taxpayers who make a good faith effort to remain current with taxes they have incurred since filing for bankruptcy. Understanding your property tax liability is vital to succeeding in your bankruptcy case. If you are involved in an active bankruptcy case, you as Treasurer will want to relay to the owner so that they understand and know the following:
- As the owner of the property they are responsible for all taxes not included in their bankruptcy case. In most cases, this means that they are responsible for all taxes that have incurred since the date filed for bankruptcy.
- Unlike many other debts, taxes covered in a bankruptcy case will continue to accrue late penalties and interest. If the Treasurer's office has filed a proof of claim for delinquent taxes in the bankruptcy case, the owner is responsible for paying off any late penalties or interest that accrues on the taxes included in the case.
- If the owner has surrendered their property as part of a Chapter 7 bankruptcy case, the owner will continue to receive all tax bills and statements in their name until a new owner assumes legal ownership of the former property. This is because Ohio law requires the Treasurer to mail semi-annual tax bills to the owner of record for all parcels located within the County. The owner's name continues as the owner name of record until someone else assumes legal ownership of the property.

Safe at Home - O.R.C. 111.42

Real Property Confidentiality Notice

Once the Auditor receives the Real Property Confidentiality Notice from the Recorder, they/we have 5 days to change the confidential information in the system specifically:

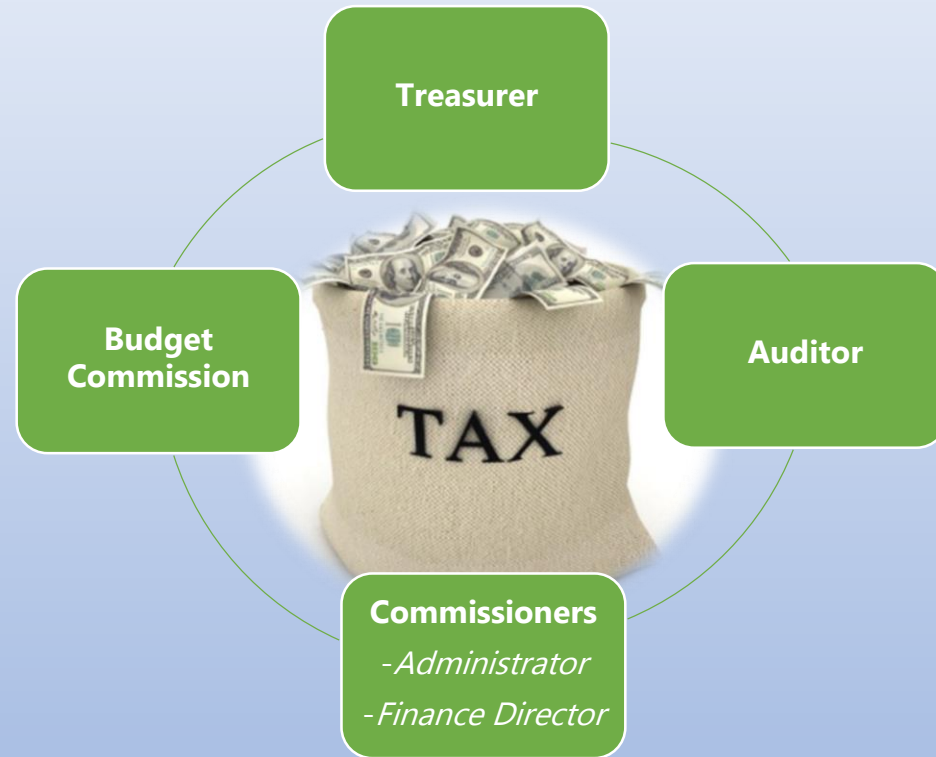
- The Participant's Name in any/all fields (use) -> Safe Name from Confidentiality Notice
- Mailing Address (use) -> PO Box listed from Confidentiality Notice

We keep a copy of the Acknowledgement of Receipt that we signed along with the Real Property Confidentiality Notice received by the Recorder in a sealed envelope and **in a locked filing cabinet**. The following information is marked on the outside of the envelope:

- Date Received
- Date New Confidential Info is changed/verified
- Parcel No.
- Safe Name
- Envelope sealed and signature over seal to verify that information has not been opened

Where Does the Treasurer Fit?

**Traditional Model
(Ohio Revised Code)**



Where Does the Treasurer Fit?

Charter Model (Cuyahoga County)



Where Does the Treasurer Fit?

Charter Model (Summit County)



Linked Deposit Programs

- ORC 135.80 et seq.
- Examples
 - Housing Enhancement Loan Program (HELP)
 - Heritage Home
 - GrowLink
 - FixIt Funds
- Challenges
 - Difficult in low-rate environment
 - Little participation – banks and borrowers
 - Historical limited reach/scope
- Opportunities
 - Higher rates = larger spreads
 - Innovative Models?



Manufactured Home Taxes



- ORC 4503.06, 4505.11(H), 5709.01(B)(1)
- History
 - 1949 – GA distinguishes “house trailers” from other vehicles, levies \$18 annual license tax (effective 1951).
 - 1961 - \$18 license becomes minimum, taxes change to *ad valorem*.
 - 1980 – GA requires taxes be paid before title transfer.
 - 1984 – “House trailers” changed to “manufactured homes” in ORC.
 - 1986 – Manufactured home owners eligible for Homestead
 - 2000 – Changes effective to tax manufactured homes *like* but not *as* real property.
 - 2003 – Park owners allowed to remove abandoned homes from parks.
 - 2004 – Ohio Manufactured Homes Commission established.

Manufactured Home Taxes (Continued)



- **Taxpayer/Due Dates**
 - Tax applies to all manufactured homes not specifically exempt.
 - Due March 1st and July 31st.
 - Taxed in current year (v. in arrears like property taxes).
- **Tax Base/Rates**
 - Before 1/1/2000 = 40%. After 1/1/2000 = 35%.
 - 40% base = tax rate based on full local tax rate, minimum tax of \$36/year.
 - 35% base = tax rate based on real property credits/effective rates.
- **Major Exemptions**
 - Use as a business, travel trailers <35 ft., licensed outside Ohio and not here >30 days, taxed as real property, otherwise exempt.
- **Collection Challenges/Tools**

“Potpourri” – Other Random Collections

POTPOURRI



- Estate Taxes – ORC 5731
 - Abolished in 2011 Ohio Budget – effective 2013
 - “Zombie” payments still coming in!
- Personal Property Taxes – ORC 5719
 - Still on the books!
 - 0% Rate since 2009
 - Replaced with Commercial Activities Tax (CAT)
 - Big Changes in 2024
- Cigarette Licenses – ORC 5743.15
 - License issued by Auditor, fee paid to Treasurer.
- Vendor Licenses – ORC 5739.17
 - License issued by Auditor, fee paid to Treasurer.

Resources

- County Treasurer Manual
- Ohio Revised Code
- Attorney General Opinions
- State Auditor Bulletins
- State Treasurer
- Prosecutor Opinions
- County Treasurers (CTAO)
- County Treasurer Association Brochure
- Ohio Association of Public Treasurers

Questions?????