

Ronald J.H. O’Leary, Judge
 Cleveland Housing Court
 1200 Ontario Street—Courtroom 13B
 Cleveland, OH 44113

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Cleveland Housing Court

Ronald J.H. O’Leary, Judge

Summer 2019 Issue

A Message from Judge O’Leary



**Housing Court Judge
 Ronald J.H. O’Leary**

“We Buy Homes!” “No Money Down!” “Retire Early!”



The signs are nailed to utility poles. The infomercials are on late-night TV. And the weekend seminars are at any hotel near airports or busy highway exits. All promise to make you rich quick with no risk and no work.

What these schemes fail to explain is that many people who fall for this bad advice will come to see me in Housing Court. . I want to help people avoid this pitfall.

Property investing is good for Cleveland. The foreclosure crisis left thousands of homes vacant in the past dozen years. Many of those houses already suffered years of neglect and lack of maintenance. As these properties lost value, so did the properties near them.

We need homeowners and investors to invest their money into Cleveland’s homes. Some of our neighborhoods are booming with renovation and new construction. They are drawing people back into some areas of the city in numbers that we have not seen in decades. But there are many other neighborhoods where home values remain at record lows.

I don’t want to see wave after wave of people who want to invest falling for bad advice from people who do not care about Cleveland. I also don’t want to frighten off investors who want to invest in Cleveland, but are unsure how to go about it.

As a way to encourage responsible investment in Cleveland, Housing Court is introducing a property investor clinic this August, called What Every Investor Should Know. Our clinic will not pitch any get-rich-quick schemes. It will inform people about the real money—and real work—it takes to be a successful property investor.

The clinic will be a presentation for investors so that they know the basic legal requirements for buying, selling, and owning real property in Cleveland. In addition, we’ll discuss necessary business practices like budgeting, preparing a maintenance schedule, having contractors available for renovation and repairs, rental marketing, screening tenants, and selecting a good property manager, if you choose to do so.

The Housing Court staff and I are developing this clinic working with government and non-profit property experts, investors, and attorneys who represent investors. Our goal is to welcome and encourage property investment in Cleveland so that our neighborhoods that are still struggling get the resources they need to be safe and stable.

The way we meet this goal is to provide legal and practical information so that investors know the law and build responsible, profitable businesses. As with all Housing Court’s clinics, What Every Investor Should Know is free and open to the public.

Ronald J.H. O’Leary



Housing Court Contact Information

Housing Court Judge
216-664-4989

Housing Specialists
216-664-4295

Evictions/Bailiffs
216-664-4765

Justice Center
 Courtroom 13B
 1200 Ontario Street
 Cleveland, OH 44113

Neighborhood Housing Clinic

Bring Your Housing Issues...

- Landlord rights
- Tenant rights
- Eviction procedures
- Assistance for homeowners
- Purchasing lots/vacant houses
- Unsafe illegal/utilities
- Aging programs
- Bed bugs
- Lead issues
- Legal questions
- Home repairs
- Problem landlords
- Nuisance neighbors
- Health conditions
- Foreclosures
- Voter registration
- Financial counseling
- Utility questions

Participants May Include:

- City of Cleveland:
 - Community Dev.
 - Building & Housing
 - Dept. of Aging
 - Public Health
 - Energy Services Dept.
 - Water Pollution Control
- CHN Housing Partners
- Legal Aid Society
- Pest Control Expert
- Neighborhood Housing Svcs.
- Volunteer Attorneys
- Cleveland Restoration Society
- Cleveland Housing Network
- Greater Cleveland Food Bank
- Habitat for Humanity
- ESOP
- County Land Bank
- Housing Research Advocacy
- Court Community Service
- Home Repair Resource Ctr.

JUNE 26, 2019
 6:00 p.m. to 8:00 p.m.

Glenville High School
 650 East 113th St.
 Cleveland, Ohio 44108

JULY 31, 2019
 6:00 p.m. to 8:00 p.m.

Our Lady of Mt. Carmel School
 1355 W. 70th St.
 Cleveland, Ohio 44102

AUG. 28, 2019
 6:00 p.m. to 8:00 p.m.

St. Patrick Catholic Church (West Park)
 4427 Rocky River Dr.
 Cleveland, Ohio 44135

Housing Court Seals First Eviction Record Under New Rule

On April 5, 2019, Judge O’Leary granted the first Motion to Seal Eviction Record pursuant to a new Housing Court Local Rule. The Court set eight motions to seal for hearing on that day. Landlords in each case were notified of the hearing. None of the cases involved unpaid judgments for back rent owed. No landlords appeared to oppose or contest the motions.

The reasons for filing the motions varied. One person was reeling from a death in the family when he was evicted. A second tenant lost her job and fell behind in her rent, but was able to get statements in support of granting the motion from both the landlord who evicted her and her current landlord. Another tenant’s attorney negotiated a settlement in the eviction case that allowed for the sealing of the eviction record in that case, if the tenant abided by the terms of the agreement.

The Court found good cause to seal the eviction record in each case that was set for hearing, and Judge O’Leary ordered the tenants’ names to be redacted from the Court’s electronic case index system, to the same extent that it would for a criminal sealing of records. As a result of the filing, and granting, of these motions, tenants in eight different cases were able to get a “fresh start” on their eviction history.

The Court has scheduled monthly dockets through July 2019 to evaluate this new program. Housing Court is believed to be the first court in the State of Ohio with a procedure in place to seal eviction records.



Take the Lead—on Lead

Summer in Cleveland is home-repair season. For many of us, that means painting. Cleveland has many classic, older homes, most of which were painted with lead-based paint in the past. Our severe winter weather leads to peeling paint, increasing the risk of exposure to lead, both paint chips and dust. Before you pick up the brush, observe lead-safe practices in your preparation, to reduce your exposure to lead.

1. Protect yourself and your family

- Children and pregnant women should avoid exposure to lead. Consider moving them until the work is done.
- Wear appropriate protective clothing such as coveralls, goggles, gloves, and a U.S. National Institute of Occupational Safety and Health (NIOSH) approved respirator to reduce the intake of lead dust.
- Do not eat, drink, or smoke in an area where paint is being removed.

2. Prepare the area

- To prevent spreading paint chips and dust, seal the area and all heating vents. Turn off forced-air heating and air conditioning.
- Remove all drapes, rugs, furniture, and household items from the area. Cover objects that cannot be moved, and the floor, with heavy plastic and seal with tape.
- Fill a spray bottle with water and a little detergent to wet all surfaces and contain any dust during renovations or clean-up.
- Protect the entrance to the working area with plastic to contain dust. Keep pets and people out of the work area.
- If working outdoors, use drop cloths to catch any paint scrapings, avoid windy days, and cover the windows and doors with plastic to keep scrapings and dust out of the house.

3. Use safe stripping techniques

- Use techniques that do not spread lead dust or fumes. Chemical stripping produces the least amount of lead dust, but those chemicals can be harmful, and so must be used carefully. Mechanical removal through sanding or grinding produces more lead dust than hand-scraping.

4. Don’t spread the dust around

- Remove protective clothing and footwear when you leave the work area. Wash work clothes separately from other laundry or discard them when you are finished.

5. Do a daily clean-up

- At the end of each day, wet-wiping prevents dust from spreading. Put all waste into a secure container or sealed plastic bag. Vacuum with a HEPA vacuum cleaner. Wash your hands, face, tools and your personal protective equipment once your work is done, before you enter a clean area.

6. Do a final clean-up

- Wait at least 1 day after finishing the work to let any dust settle before doing a final clean-up. Wet wipe all surfaces and put the plastic used to contain the area in a sealed plastic bag for disposal.

These helpful suggestions are from HealthLinkBC (<https://www.healthlinkbc.ca>).

The U.S. Environmental Protection Agency also offers a guide to lead-safe renovation: (<https://www.epa.gov/sites/production/files/documents/renovaterightbrochure.pdf>).

What Every *Tenant* Should Know

Wed., Aug. 14, 2019
3:00 P.M.—6:00 P.M.
Rice Branch—Cleveland
Public Library
11535 Shaker Blvd.,
Cleveland, OH 44104

Housing Court staff will provide tenants with information about their rights, and responsibilities, under state and local laws. Additionally, the Court will provide information about circumstances under which a tenant may be able to seal eviction records.

To register, call: 216-664-6927 or email: gonzalezj@cmcoh.org

What Every *Investor* Should Know

Wed., Aug. 21, 2019
3:00 P.M.—6:00 P.M.
Justice Center—12th Floor
Training Room
1200 Ontario Street
Cleveland, OH 44113

Housing Court staff will provide information to investors and those considering buying investment property by explaining the legal requirements for buying, selling, maintaining and managing real property in Cleveland.

To register, call: 216-664-6927 or email: gonzalezj@cmcoh.org

What Every *Landlord* Should Know

Wed., Sept. 11, 2019
3:00 P.M.—6:00 P.M.
Carnegie West Branch—
Cleveland Public Library
1900 Fulton Road
Cleveland, OH 44113

This free seminar will provide landlords with information and techniques to help them manage properties efficiently, create positive landlord-tenant relationships, and navigate the legal system effectively should an eviction action become necessary.

To register, call: 216-664-6927 or email: gonzalezj@cmcoh.org

Housing Court and Cleveland Public Library: *Working Together to Provide Services to Residents*

Judge O’Leary and Housing Court staff recently met with officials from the Cleveland Public Library to discuss ways the two organizations can partner to provide services to Cleveland residents. The Library will host a series of the Court’s “What Every Tenant Should Know” seminars in its branches—in fact, there are seven presentations scheduled from June through August! Check with your local branch to see when the Housing Court will be in your neighborhood. Also, since each branch has publicly-accessible computers and internet, Library Staff will be trained to assist people who are searching for new housing.