

NOTICE OF PUBLIC HEARING

On **April 24, 2019**, the Ohio Department of Commerce, Division of Real Estate and Professional Licensing will hold a public hearing on proposed changes to Chapter 1301:13 of the Ohio Administrative Code. The hearing will be held at 9:30 a.m. at 77 South High Street, 22nd Floor, Columbus, Ohio 43215.

PROPOSED RULE CHANGES

1301:13-1-03 – Division staff recommends that this rule be amended.

Definitions

The proposed change updates the definition of “complaint” based upon new statutory language from Sub. HB 168.

1301:13-3-01 – Division staff recommends that this rule be amended.

Complaint procedure

The proposed changes update to reflect the Division’s process when receiving a complaint against a cemetery that is not registered but should be registered.

1301:13-5-01 – Division staff recommends that this rule be amended.

Sale or transfer of cemetery assets

The proposed change clarifies the registration process when a registered cemetery is sold to a new operator based on Sub. HB 168.

1301:13-5-03 – Division staff recommends that this rule be amended.

Compliance

The proposed changes update the division’s procedure when conducting routine compliance audits every five years and to update the record keeping requirements based on HB 168.

1301:13-7-01 – Division staff recommends this rule be adopted.

Criteria for eligibility

The rule provides the eligibility requirements for the cemetery grant program.

1301:13-7-02 – Division staff recommends this rule be adopted.

General provisions

The rule provides the basic policies and procedures for the grant program.

1301:13-7-03 – Division staff recommends this rule be adopted.

Grant applications

The rule provides the basic grant application requirements for the grant program.

1301:13-7-04 – Division staff recommends this rule be adopted.

Grant restrictions and requirements

The rule provides the restrictions and requirements for when a cemetery receives a grant, including how funds may be expended and a final report.

1301:13-7-05 – Division staff recommends this rule be adopted.

Cemetery grant advisory committee

The rule provides that the Ohio Cemetery Dispute Resolution Commission may appoint a seven voting member grant advisory committee to assist in the administration of the cemetery grant fund.

1301:13-7-06 – Division staff recommends this rule be adopted.

Distribution of grant funds

The rule provides for the process of granting an award and distributing the funds.

The proposed rules are available by contacting the Ohio Department of Commerce, Division of Real Estate and Professional Licensing, 77 S. High Street, 20th Fl., Columbus, OH 43215 by calling (614) 466-5384. The proposed rules are also available at the following website: www.registerofohio.state.oh.us.

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

Any person who wishes to present his or her position, arguments or contentions in writing may do so by mailing his or her written comments to the Ohio Department of Commerce, Division of Real Estate and Professional Licensing, 77 S. High Street 20th Fl., Columbus, OH 43215. Written comments may also be submitted at the hearing. All written comments must be submitted to the Department no later than 5:00 p.m. on April 23, 2019. Written comments submitted after this date may be considered as time and circumstances permit.

The Ohio Department of Commerce is an equal opportunity service provider.