

Baldwin's Ohio Handbook Series

OHIO CONSUMER LAW

2025-2026 Edition

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Introduction to the 2025-2026 Edition

This 2025-2026 Edition of *Ohio Consumer Law (Baldwin's Ohio Handbook Series)* is a comprehensive compilation of statutes, cases, and commentary discussing consumer protection laws.

This 2025-2026 Edition of *Ohio Consumer Law (Baldwin's Ohio Handbook Series)* replaces the 2024-2025 Edition of *Ohio Consumer Law (Baldwin's Ohio Handbook Series)* in its entirety.

Highlights

Recent developments in this edition include:

- New Section Incorporation of other statutes into CSPA—Commercial solicitation of public records (R.C. 111.242, § 2:104)
- Coverage—Consumer goods or services—Home improvement contracts (R.C. 4722.01, § 3:6)
- Ohio's Odometer Rollback and Disclosure Act—Remedies and sanctions (R.C. 4549.50, § 6:11)
- Ohio rent-to-own statute—Disclosures by the dealer (R.C. 1351.07, § 12:4)
- Predispute mandatory arbitration contracts (§ 23:34)
- New Chapter Recovering Attorney Fees (§ 31:1 et seq.)

Thank you for subscribing to *Ohio Consumer Law, 2025-2026 ed. (Baldwin's Ohio Handbook Series)*. We hope you find this book an invaluable tool for your practice.

The Publisher

Preface

The importance of consumer law in our society is evidenced by the significant activity that occurs in this legal realm each year. As the marketplace offers an increasing variety of services and financial products and propels more consumers into complex contractual relationships with suppliers and creditors, the state and federal laws governing consumer transactions continue to change and develop.

Ohio Consumer Law has provided comprehensive analysis of Ohio's consumer protection laws since 1985 and continues to be updated annually to capture this ever-evolving field. Like previous editions, this 2025-2026 edition of *Ohio Consumer Law* examines hundreds of statutes, regulations, and court decisions that affect consumer transactions in the marketplace. In addition to detailed analysis, it provides form pleadings, checklists, and other practice-oriented materials that demonstrate application of consumer law principles and facilitate case development.

This publication would not be possible without the tremendous time, research, and expertise that the contributing authors bring to their respective chapters. This edition contains updates and analysis by many authors who have worked on *Ohio Consumer Law* for years, as well as by many new authors who bring fresh insights and expertise to these pages.

The Publisher

About the Contributors

Byron K. Bonar (Chapter 12, Rent-to-Own Transactions) is currently a senior staff attorney with Legal Aid of Western Ohio, Inc. After receiving his law degree from Cleveland-Marshall College of Law in 1979, he joined the Rural Legal Aid Society as a staff attorney, where he became the managing attorney in the Troy office from 1986 until March 1999. From March 1999 until May 2000 he was Acting Executive Director of the Rural Legal Aid Society of West Central Ohio. He joined Legal Aid of Western Ohio, Inc. in 2004. Mr. Bonar also holds an M.A. in economics from The Ohio State University. He also retired as a Lieutenant Colonel in the Judge Advocate General (JAG) Corps of the Army Reserves.

Ronald L. Burdge (Chapter 31, Recovering Attorney Fees) is known nationwide as a leading expert on attorney fee rates and issues and a Faculty Member of the National Association of Legal Fee Analysis, the nation's premier independent organization for fully qualified experts specializing in attorney fees and legal billing. With a decades-long focus on Attorney Fee Issues and Law Office business practices and principles, his work is now limited to that area. His nearly 50 year career as a private attorney included handling matters in almost every field of law at all stages, from administrative actions to jury trials, appeals, and Supreme Court appeals, including all niche areas of Consumer Law, Contract Law, Probate, Criminal, Social Security, Medical and Legal Malpractice, Personal Injury, Fraud, Class Actions, and more. With extensive trial experience, he is one of few attorneys who has actually taken a class action case to trial. He is the founder of Burdge Law Office Co LPA and co-founder of Burdge Wells Law Office Co LPA in Dayton, OH 45459. Admitted to practice in Ohio and Kentucky state courts and over a dozen federal courts nationwide, he is the author of the United States Consumer Law Attorney Fee Survey which has been reporting on attorney fee rates and the business practices of law firms since 1999, covering decades of survey, research, study and published reports on the law office economics of United States attorneys nationwide and has been used by courts, government agencies and private entities nationwide in determining and awarding attorney fees of over \$52M in cases brought under Consumer Law, Longshore Act and Harbor Workers' Compensation Act, EAJA Social Security and Disability Law, Breach of Contract Law, Unjust Enrichment Claims, the Fair Labor Standards Act, the National Vaccine Injury Compensation Program, Civil Rights and Constitutional Law, Unfair and Deceptive Acts and Practices Laws, and federal Whistleblower Law, among others. For over two decades Mr. Burdge has testified and provided evidence as an expert witness on Attorney Fee rates and issues in numerous state and federal courts. A member of several national and international Consumer Law and other professional organizations in Law, he has dozens of published articles and book chapters and has lectured nationally on Attorney Fee topics and issues, the Business of Law, and Trial Practice and

Strategy topics. He is the only Consumer Law attorney in Ohio to be repeatedly named to Ohio Super Lawyer status between 2005 and 2025 and in 2004 was named Trial Lawyer of the Year by the National Association of Consumer Advocates and has served on the National Association of Consumer Advocates' Board of Directors.

Ronald Frederick (updates to Chapter 28, Ohio's Telephone Solicitation Sales Act) is the managing partner of Frederick & Berler, LLC, a boutique Consumer Law Firm in Cleveland, Ohio. Ronald Frederick is a leading consumer law attorney in Ohio and has been in private practice since 1997. Ronald Fredick is a 1994 graduate of The University of Akron School of Law and holds a B.S. in Accounting from Miami University. Virtually all of his practice has involved litigation on behalf of consumers, representing individuals and classes injured by predatory lending, abusive debt collection, repossessions, robocalls, junk faxes, and other unfair and deceptive business practices including other automobile related issues. Ronald Frederick has been named an Ohio Super Lawyer numerous times and is a frequent lecturer at Consumer Law seminars and conferences in Ohio and across the country. Ron has litigated over 1,000 automobile cases involving the Consumer Sales Practices Act and had been involved in over 75 class action lawsuits, where he was appointed class counsel in over 45 of them. Ron is a member of the National Association of Consumer Advocates, the National Consumer Law Center, and a member of Law Zebra which is a nationwide consumer protection attorney group. Ron is admitted to practice law in Ohio, the Northern and Southern District Federal Courts of Ohio, the Eastern District of Michigan, the Northern District of Illinois, and the Sixth Circuit.

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Stanley A. Hirtle (Chapter 23, Payday Loans and Other Short Term, High Cost Loans) is a retired senior attorney from the Dayton Ohio office of Advocates for Basic Legal Equality (ABLE). He graduated from Northwestern University School of Law in 1973. He was managing attorney of the consumer law unit at the Legal Aid Society of Dayton, Legal Aid Society of Cincinnati, and in private practice, representing clients in mortgage lending and foreclosure, payday lending, trade school fraud, and other consumer protection issues.

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ABOUT THE CONTRIBUTORS

he was a VISTA and legal services attorney with the Cincinnati Legal Aid Society and Southeastern Ohio Legal Services (SEOLS). He previously served as a Board member (and President of the Board) of the Legal Aid Society of Cleveland (LASC), the Federal Bar Association, Northern District of Ohio, and the Cuyahoga County Bar Association. He has handled numerous individual and class action cases in both state and federal courts. In 1986 and 1997, Mr. Icove received awards from SEOLS and LASC for outstanding pro bono services. In 2009, he received the Spotlight Volunteer Award from the United Way for pro bono work at LASC. He has lectured at various consumer conferences. He is a member of the National Association of Consumer Advocates, Ohio State Bar Association, and the Cleveland Metropolitan Bar Association.

Peggy P. Lee (Chapter 15, Credit Card Law; Chapter 20, Garnishment and Attachment) is a Senior Staff Attorney with Legal Aid of Southeast and Central Ohio (formerly Southeastern Ohio Legal Services) in the Athens office. Ms. Lee received the Ohio State Legal Services Association/Southeastern Ohio Legal Services Leadership Award in 2009 and received NACA's Consumer Advocate of the Year award in 2013 for her foreclosure-related work. Ms. Lee holds a B.A. (1992) from Wellesley College and a J.D. (1996) from Cornell Law School, who recognized her with a 2012 Cornell Law School Alumni Exemplary Public Service Award.

Kelly Lipinski (Co-author, Chapter 30) is a Member (Partner) at McGlinchey Stafford. She advises clients throughout the United States on regulatory compliance matters involving the consumer financial industry. She counsels a full range of financial institutions including depository institutions and their affiliates, mortgage companies, sales finance companies, and lenders partnering with FinTech companies, with a special focus serving entities in the motor vehicle finance and private education lending industries. Kelly's experience includes providing advice to clients on the development of new credit programs and products, negotiation of service contracts and purchase and sale agreements, as well as drafting consumer credit and lease agreements. She holds both a law degree, a B.A. and B.S. from Case Western Reserve University.

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Magdalena E. Myers (Chapter 10, Ohio's Condominium and Planned Community Acts/Consumer Protection Provisions) is a partner in the law firm of Kaman and Cusimano, LLC. Magdalena earned her law degree from Capital University Law School in 2011 after graduating from Miami University in Oxford, Ohio in 2008 with a degree in Accounting. Through her last year of law school and upon graduation, Magdalena worked for a law firm representing lenders in foreclosure actions. At Kaman & Cusimano, she uses her experience to focus her practice on Ohio and Kentucky community association as-

assessment recovery, foreclosure litigation, bankruptcy, and general covenant enforcement as well as general operational issues. She has spoken at local and national seminars and conferences on Community Association Law, including collections, foreclosure, bankruptcy, and covenant enforcement. Her practice includes counseling community associations and their boards of directors on various legal issues including rule and covenant enforcement, collections, bankruptcy, and board governance. She is a member of the Community Associations Institute, Ohio State Bar Association, Kentucky State Bar Association, and the Cincinnati Bar Association. In addition, Magdalena was named as an Ohio Rising Star by Super Lawyers Magazine for 2021. Ms. Myers is also on the CAI Ohio Valley Chapter Board of Directors and is the 2024 Past President.

Andrew D. Neuhauser (Chapter 18, Holder-in-Due-Course Status and Assertion of Consumer Claims Against Creditors) is a managing attorney at Community Legal Aid Services (CLAS) in Akron. He joined CLAS in 2018. He manages CLAS's Tenant Assistance Project, which involves representing tenants in eviction, suing landlords, and advocating for safe and affordable housing options.

Mr. Neuhauser was a staff attorney with Southeastern Ohio Legal Services (SEOLS) in its New Philadelphia office from 2015 to 2018. While at SEOLS, he was the chair of its Administrative Law Team. From 2005 to 2015, Mr. Neuhauser worked at Advocates for Basic Legal Equality, Inc., (ABLE) in its Toledo office. While at ABLE, he was the recipient of two Equal Justice Works fellowships, and he supervised ABLE's Homeownership Preservation Project. He has presented at local, state, and national trainings for attorneys who represent homeowners in foreclosure. He is a 2003 graduate of Purdue University and a 2007 graduate of The University of Toledo College of Law.

Rachel K. Robinson (Chapter 4, Prepaid Entertainment Contract Act) is a staff attorney with the law firm of Doucet Co., L.P.A where she represents clients in real property disputes. From 2011 to 2024, she was a solo practitioner Columbus, Ohio enforcing her clients under the Consumer Sales Practices Act, Home Solicitation Sales Act, Landlord-Tenant Act, Fair Housing Act, and the Americans with Disabilities. She earned her law degree from the University of Pittsburgh-School of Law in 1996, then joined Southeastern Ohio Legal Services-Steubenville office as a staff attorney. In 1999, she became a State Support Attorney for the Ohio State Legal Services Association. From 2002 to 2011, Ms. Robinson worked for the Equal Justice Foundation (EJF), a now-defunct, non-LSC-funded, not-for-profit provider of legal services in individual and class actions. Working within a coalition, she advocated for laws to protect Ohioans from predatory mortgage lenders. In 2006, Ohio's Homebuyer Protection Act was signed into law.

She is admitted to the Ohio bar, the U.S. District Courts for both the Southern and Northern Districts of Ohio, and the U.S. Court of Appeals for the Sixth Circuit.

Robert W. Savoie (Co-author, Chapter 30) is a Member (Partner) at McGlinchey Stafford. Robert Savoie helps financial technology companies (FinTechs) and other financial institutions attain and maintain regulatory compliance with the ever-changing laws and rules governing consumer financial services so they can avoid pitfalls and expand operations. Robert has built a nationally recognized reputation among clients and peers alike for his deep knowledge and skillful representation of companies in the FinTech space. Robert's status as a preeminent legal voice in this specialized industry is substantiated by his Band 1 ranking in the Chambers FinTech guide, the highest ranking available, which includes only 6 attorneys nationwide. He is a graduate of Notre Dame Law School and University of Mississippi.

Patrick Skilliter (Chapter 3, Home Solicitation Sales Act) is the Director of Litigation and Managing Attorney of the Economic Justice Team at Legal Aid of Southeast and Central Ohio. Pat focuses on consumer litigation and foreclosure defense. Before working at LASCO, Pat worked at a law firm and represented clients in a variety of federal court matters, including class actions and appeals. Pat was also a staff attorney in the Franklin County Common Pleas Court. He is the co-chair of the Ohio Consumer Task Force. He also serves on the Ohio State Bar Association's Certified Grievance Committee and Unauthorized Practice of Law Committee. He attended Ohio State for undergrad (2002) and law school (2005).

Michael R. Sliwinski (Chapter 26, Credit Services Organization Act; Chapter 27, Debt Adjuster Act) is a Judge in the Cleveland Municipal Court. He previously served as Assistant Legal Counsel for the Ohio Lottery Commission and spent seven years as an Assistant Attorney General in the Consumer Protection Division of the Ohio Attorney General's Office. Prior to joining the Attorney General's office in 2007, he was a solo practitioner, where he concentrated his practice on consumer litigation. He graduated *cum laude* from the University of Dayton School of Law and was admitted to practice law in 2003. His undergraduate work was completed at Chaminade University in Honolulu, Hawaii, while serving honorably in the United States Marine Corps for four years. He is a member of the Ohio Bar Association and served as a trustee on the Cuyahoga County Soldiers and Sailors Monument Commission.

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ing partner at the Burdge & Wells Law Office in Dayton, Ohio. She graduated from the University of Toledo College of law, cum laude, joined the firm in 2004, and took over management of the firm in 2025. She concentrates her practice on breach of warranty cases for RVs, and oversees the firm's lemon law, and breach of warranty cases for cars, motorcycles, and boats, and consumer protection auto fraud cases against used car dealers. Beth has represented RV consumers in Federal Court mediations in Indiana, Ohio, and Kentucky, in Federal Court jury trials in Ohio, Indiana, Iowa, and Pennsylvania, in State Court jury trials in Ohio, Kentucky, and Iowa, and before the Seventh Circuit Court of Appeals, and has represented Ohio and Kentucky new and used car, motorcycle, and boat consumers in state court mediations, jury trials, and arbitration hearings, and before multiple Ohio Courts of Appeal. Beth was selected by Super Lawyers Magazine as a Rising Star, in the practice area of Consumer Law, in 2013, 2014, 2015, 2016, and again in 2017, and was selected as a Super Lawyer in 2025. Beth is a member of the National Association of Consumer Advocates and has spoken as a guest lecturer on Consumer Law topics at national seminars and conferences, and at the University of Toledo College of Law. Beth is admitted to practice law in Ohio, Kentucky, Indiana, and Iowa, in the U.S. District Courts for the Northern District of Ohio, Southern District of Ohio, Eastern District of Kentucky, Western District of Kentucky, Northern District of Indiana, and Southern District of Indiana, Western District of Pennsylvania, Northern District of Iowa, Southern District of Iowa, Southern District of Texas, Northern District of Texas, Eastern District of Texas, Eastern District of Michigan, Northern District of New York, the U.S. Court of Appeals for the Seventh Circuit, and the U.S. Court of Appeals for the Second Circuit.

Philip D. Zuzolo (Chapter 24) is a consumer protection lawyer in Niles Ohio. A graduate of John Carroll University and the University of Akron Law School, he has spent more than a decade fighting for homeowners in foreclosure defense and mortgage litigation.

Table of Abbreviations

AAA	American Arbitration Association
Abs.	Ohio Law Abstract
Acct.	Account
ADC	Aid to Dependent Children
Adm'r	Administrator
ADR	alternative dispute resolution
Akron L. Rev.	Akron Law Review
Ala.	Alabama Reports
Ala. L. Rev.	Alabama Law Review
A.L.R.2d	American Law Reports, Second Series
A.L.R.3d	American Law Reports, Third Series
Am.	Amended
Am. Bankr. Inst. L.	American Bankruptcy Institute Law Review
Am. Bus. L.J.	American Business Law Journal
Ann.	Annotation
App.	Appellate Court
Appx.	Appendix
APR	Annual Percentage Rate
Ariz.	Arizona
Ark.	Arkansas Reports
Ass'n	Association
Bankr.	Bankruptcy Reporter
B.A.P.	Bankruptcy Appellate Panel
Bd.	Board
Bldg.	Building
B.R.	Bankruptcy Reporter
Cal.	California Reports
Cal. App.2d	California Appellate Reports, Second Series
Case W. Res. L. Rev.	Case Western Reserve Law Review
C.C.	County Court
CCH	Commerce Clearing House
Cf.	Compare
CFPB	Consumer Financial Protection Bureau
C.F.R.	Code of Federal Regulations
Cir.	Circuit Court
Civ. R.	Rules of Civil Procedure (Ohio)
CLA	Consumer Leasing Act
Clearinghouse Rev.	Clearinghouse Review
Clev. St. L. Rev.	Cleveland State Law Review
Colo.	Colorado
Comm'rs	Commissioners
Conn.	Connecticut Reports
Conn. Gen. Stats.	General Statutes of Connecticut

Corp.	Corporation
C.P.	Common Pleas Court
CSOA	Credit Services Organization Act
CSPA	Consumer Sales Practices Act
Ct.	Court
Ctr.	Center
dba	doing business as
D.C.	District Court
Del.	Delaware
Dist. Ct. App.	District Court of Appeals
Div.	Division
DOE	Department of Education
D.R.	Disciplinary Rule
ECOA	Equal Credit Opportunity Act
ed.	edition
E.D.	Eastern District
eff.	effective
e.g.	exempli gratia (for example)
Esq.	Esquire
et al.	et alii (and others)
etc.	et cetera (and others)
et seq.	et sequeates (and the following)
Evid. R.	Rules of Evidence (Ohio)
ex rel.	ex relatione (upon relation)
F.2d	Federal Reporter, Second Series
F.3d	Federal Reporter, Third Series
FAA	Federal Arbitration Act
FCBA	Fair Credit Billing Act
FDCPA	Fair Debt and Collection Practices Act
Fed. Reg.	Federal Register
FFEL	Federal Family Education Loan
FHLBB	Federal Home Loan Bank Board
Fla.	Florida
FmHA	Farmers Home Administration
FRB	Federal Reserve Board
FRD	Federal Rules Decisions
F. Supp.	Federal Supplement
F. Supp. 2d	Federal Supplement, Second Series
FTC	Federal Trade Commission
Ga.	Georgia
Ga. App.	Georgia Appeals Reports
G.C.	General Code (Ohio)
GMAC	General Motors Acceptance Corporation
G.R.	General Relief
H.B.	House Bill
HEA	Higher Education Act
HEAL	Health Education Assistance Loans
HSSA	Home Solicitation Sales Act

TABLE OF ABBREVIATIONS

i.e.	id est (that is)
Ill. App.3d	Illinois Appellate Court Reports, Third Series
Inc.	Incorporated
Ind.	Indiana
Inst.	Institute
J. Mo. B.	Journal of the Missouri Bar
Kan.	Kansas
Ky.	Kentucky
L. Ed. 2d	United States Supreme Court Reports, Lawyers' Edition, Second Series
Ltd.	Limited
Md.	Maryland
Md. App.	Maryland Appellate Reports
Mfg.	Manufacturing
Mich.	Michigan
Minn.	Minnesota
MLA	Mortgage Loan Act
Mo.	Missouri
Mo. L. Rev.	Missouri Law Review
Mtg.	Mortgage
Muni.	Municipal Court
NADA	National Auto Dealers Association
N.C. L. Rev.	North Carolina Law Review
N.D.	North Dakota
N.D.	Northern District
N.E.2d	North Eastern Reporter, Second Series
Neb.	Nebraska
Nev.	Nevada
NHTSA	National Highway Traffic Safety Administration
N.J.	New Jersey
N.W.2d	North Western Reporter, Second Series
N.Y.	New York
N.Y.	New York Reports
N.Y.S.2d	New York Supplement, Second Series
N.Y. St. B.J.	New York State Bar Journal
O.A.C.	Ohio Administrative Code
O.A.G.	Opinions of the Attorney General (Ohio)
OBR	Ohio Bar Reports
OBRA	Omnibus Budget Reconciliation Act
OCC	Office of the Comptroller of the Currency
Ohio App.	Ohio Appellate Reports
Ohio App.2d	Ohio Appellate Reports, Second Series
Ohio App.3d	Ohio Appellate Reports, Third Series
Ohio Jur.3d	Ohio Jurisprudence, Third Series
Ohio Misc.	Ohio Miscellaneous Reports
Ohio Misc.2d	Ohio Miscellaneous Reports, Second Series
Ohio N.U. L. Rev.	Ohio Northern University Law Review
Ohio Op. 3d	Ohio Opinions (after 1934), Third Series

Ohio St.	Ohio State Reports
Ohio St.2d	Ohio State Reports, Second Series
Ohio St.3d	Ohio State Reports, Third Series
Ohio St. J. on Disp. Resol.	Ohio State Journal on Dispute Resolution
Ohio St. L.J.	Ohio State Law Journal
Ore.	Oregon
ORDA	Odometer Rollback and Disclosure Act
OUCC	Ohio Uniform Commercial Code
P.2d	Pacific Reporter, Second Series
PECA	Prepaid Entertainment Contractor Act
PIF	Public Inspection File
Prods.	Products
Pt.	Part
Pub. L.	Public Law (United States)
P.U.C.O.	Public Utility Commission of Ohio
RC	Revised Code (Ohio)
Rep.	Report
RESPA	Real Estate Settlement Procedures Act
RICO	Racketeer Influenced and Corrupt Organizations Act
RISA	Retail Installment and Sales Act
RTO	rent-to-own
Rutgers L. Rev.	Rutgers Law Review
S.B.	Senate Bill
SBP	Statement of Basis and Purpose
S.C.	South Carolina
S.Ct.	Supreme Court Reporter (United States)
S.D.	Southern District
S.E.2d	South Eastern Reporter, Second Series
Serv.	Service
SLA	Small Loan Act
SS	Social security
SSI	Supplemental Security Income
St.	State
St. Mary's L.J.	Saint Mary's Law Journal
Sub.	Substitute
Supp.	Supplement
Temp. L. Rev.	Temple Law Review
Tenn.	Tennessee
Tenn. App.	Tennessee Appeals
Tex.	Texas
TILA	Truth in Lending Act
Tol.	Toledo
TRO	Temporary restraining order
UCC	Uniform Commercial Code
UCC L.J.	Uniform Commercial Code Law Journal
U. Cin. L. Rev.	University of Cincinnati Law Review
UCLA L. Rev.	UCLA Law Review

TABLE OF ABBREVIATIONS

UDAP	Unfair and Deceptive Acts and Practices
U. Dayton L. Rev.	University of Dayton Law Review
U.L.A.	Uniform Laws Annotated
U. Miami L. Rev.	University of Miami Law Review
Unif. CSPA	Uniform Consumer Sales Practices Act
U.S.	United States Reports
U.S.C.A.	United States Code, Annotated
USCCAN	United States Code Congressional and Administrative News
U. Tol. L. Rev.	University of Toledo Law Review
Va.	Virginia
VIN	Vehicle Identification Number
Vt.	Vermont
Wash. App.	Washington Appellate Reports
WL	Westlaw
W. Va.	West Virginia
Wyo.	Wyoming
YMCA	Young Men's Christian Association
YWCA	Young Women's Christian Association



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