Baldwin's Ohio Handbook Series

OHIO CONSUMER LAW

2026-2027 Edition

Issued in September 2026

Thomson Reuters™

For Customer Assistance Call 1-800-328-4880

Mat #43402077

ISBN: 979-8-350-26700-6

Introduction to the 2026-2027 Edition

This 2026-2027 Edition of *Ohio Consumer Law (Baldwin's Ohio Handbook Series)* is a comprehensive compilation of statutes, cases, and commentary discussing consumer protection laws.

This 2026-2027 Edition of *Ohio Consumer Law (Baldwin's Ohio Handbook Series)* replaces the 2025-2026 Edition of *Ohio Consumer Law (Baldwin's Ohio Handbook Series)* in its entirety.

Highlights

Recent developments in this edition include:

- Definition—"Consumer Transaction" (*Wells v. Right Choice Contracting, LLC*, § 2:4)
- Coverage—Hospitals and nursing homes (*Otterbein Maineville, LLC v. Carman*, § 2:17)
- Buyers right to cancel under Home Solicitation Sales Act (HSAA)—How to cancel—Formal requirements (*Grinder v. Schaaf*, § 3:23)
- Provisions that protect the unit owners association—Association control of condominium administration (*Tattershall One Condominium Unit Owners' Association v. Marks*, § 10:3)
- FTC Holder Rule—Coverage (*Calvitti Pools & Spas, Inc. v. Patton*, § 18:3)
- Ohio Arbitration Act; applicability (*Bello v. Highland Pointe Health & Rehab Center*, § 21:3).
- Bounce protection and overdraft lines of credit, *Gardner v. Flagstar Bank, FSB*, § 23:20)
- Proportionality of recovery and attorney fees (*Geisenfeld v. Geisenfeld*, § 31:14)

Thank you for subscribing to *Ohio Consumer Law, 2026-2027 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 2026-2027 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.

Nicholas Corwin (Co-author, Chapter 30) is an Associate at Womble Bond Dickinson US LLP. He provides regulatory and compliance counsel to financial service companies including banks, finance companies, mortgage companies, and online lenders. He is a graduate of Notre Dame Law School and Case Western Reserve University.

Ronald Frederick (updates to Chapter 28, Ohio's Telephone Solicitation Sales Act) is a Consumer Law attorney at Frederick & Berler, LLC in Cleveland Ohio. He has been representing consumers since 1996. He is a regular speaker at Continuing Legal Education programs in Ohio and around the country. He handles cases individual and class action cases involving automobile lemons as well as automobile fraud. In addition, he regularly handles cases involving the Consumer Sales Practices Act, the Truth in Lending Act, the Ohio Retail Installment Sales Act, the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, the Equal Credit Opportunity Act, the Fair Billing Act, the Ohio Telephone Sales Solicitation Act, the Ohio Home Solicitation Sales Act, the Ohio Odometer Rollback Act and the Federal Odometer Act. He has handled numerous repossession cases on a class action basis where lenders failed to comply with the notice requirements under the Ohio Retail Installment Sales Act and the Ohio UCC. Mr. Frederick attended Miami University and has a B.S. in Accounting as well as a J.D. from the University of Akron having graduated in 1996. He has been recognized as a Super Lawer on numerous occasions and has received numerous other awards relating to his practice of consumer law.

Jacqueline Gutter (Chapter 19, Security Interests; Repossession and Sale) is a Staff Attorney III with the economic justice team at the Legal Aid of Southeast and Central Ohio. Before graduating from Capital University Law School in 2005, she developed a background in public service, graduating from The Ohio State University with a degree in criminology (1996) and a Master's of Social Work (2001). Ms. Gutter joined the Legal Aid Society of Columbus in 2006 as a Staff Attorney on the domestic team. She spent five years working in domestic before she moved to her current position on the consumer team. She is admitted to the Ohio bar, the U.S. District Court for the Southern District of Ohio, and the U.S. Court of Appeals for the Sixth Circuit.

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 now volunteers with Legal Aid of Western Ohio. 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, and also practiced consumer law with 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.

Edward A. Icove (Chapter 11, Retail Installment Sales Act) is the president of Icove Legal Group, Ltd. He received his law degree from the University of Toledo College of Law in 1976, after which time 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 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 Partner at Womble Bond Dickinson US LLP. 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.

Joseph Matte (Chapter 6, Odometer Fraud, Chapter 25, Assistive Device Lemon Law) is an associate attorney at Burdge & Wells Law Office in Dayton, Ohio. He joined the firm in December 2024. He primarily handles consumer protection cases against automotive manufacturers through a variety of causes of action, including state lemon law, state unfair/deceptive trade practices statutes, state breach of warranty, The Magnuson-Moss Warranty Act, The Truth in Lending Act, and others. He also handles cases against car dealerships for unfair/deceptive practices and fraud in addition to assisting with RV breach of warranty cases. He is currently admitted to practice in Ohio and the United States District Courts for the Southern District of

Ohio, Northern District of Indiana, and Eastern District of Michigan. Prior to joining Burdge & Wells, he worked as a paralegal for a nationally renown federal sector labor and employment firm for several years. He received his Juris Doctor from the University of Toledo College of Law while continuing his previous employment as a part time virtual employee. He graduated from Louisiana State University with a Batchelor of Arts and minors in Biology and German. While at LSU, he became a member of the National Society of Collegiate Scholars honor society. Prior to university, he became an Eagle Scout and was selected to serve as a 2012 delegate to represent Louisiana in the highly prestigious United States Senate Youth Program (USSYP). The USSYP was created through United States Senate Resolution 324. Two students from each state are selected to represent the state during a weeklong trip to Washington, D.C. where the delegates personally meet several high-profile representatives of each branch of government, including the President of the United States, Speaker of the House of Representatives, and Chief Justice of the United States Supreme Court, and many others.

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 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 also served on the CAI Ohio Valley Chapter Board of Directors for 6 years, including a year as President.

Andrew D. Neuhauser (Chapter 18, Holder-in-Due-Course Status and Assertion of Consumer Claims Against Creditors) has spent his career working on consumer cases throughout Ohio. He has presented at local, state, and national trainings for attorneys who represent homeowners in foreclosure. He is a graduate of Purdue University and 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 Partner at Womble Bond Dickinson US LLP. 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 a few 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).

James Smith (Chapter 21, Arbitration). James Smith is an associate attorney at Burdge & Wells Law Office Co., LPA in Dayton, Ohio. He graduated from Harvard Law School in 2014. His practice focuses on consumer protection litigation, including lemon law and breach of warranty cases involving automobiles, motorcycles, and RVs, as well as auto fraud and related financing disputes. James has represented consumers in litigation involving warranty, consumer sales practices, and data privacy issues, and practices in both state and federal court.

Before joining Burdge & Wells, James practiced at Markovits Stock & DeMarco, LLC in Cincinnati, where he worked on class action litigation involving consumer fraud and data privacy violations. Prior to entering private practice, James spent nearly a decade as a Tax Attorney at Procter & Gamble, where he advised on corporate planning, acquisitions, and divestitures. Earlier in his career, he held financial analysis and management roles with Capital Group, FirstGroup America, and Convergys.

James earned a Master of Accounting from The Ohio State University in 2011 and a Bachelor of Business Administration in Finance, summa cum laude, from Howard University in 1998. His background in law, accounting, finance, and corporate strategy provides a multidisciplinary approach to consumer litigation and complex financial disputes.

James is admitted to practice law in Ohio and in the United States District Court for the Northern District of Ohio.

Elizabeth Ahern Wells (Chapter 2, Consumer Sales Practices Act, Chapter 6, Odometer Fraud; Chapter 7, Lemon Law, Chapter 21, Arbitration, Chapter 25, Assistive Device Lemon Law) is the managing 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.

THOMSON REUTERS PROVIEW™

This title is one of many now available on your tablet as an eBook.

Take your research mobile. Powered by the Thomson Reuters ProView™ app, our eBooks deliver the same trusted content as your print resources, but in a compact, on-the-go format.

ProView eBooks are designed for the way you work. You can add your own notes and highlights to the text, and all of your annotations will transfer electronically to every new edition of your eBook.

You can also instantly verify primary authority with built-in links to WestlawNext® and KeyCite®, so you can be confident that you're accessing the most current and accurate information.

To find out more about ProView eBooks and available discounts, call 1-800-328-9352.

RELATED PRODUCTS

Thomson Reuters thanks you for subscribing to this product. Should you have any questions regarding this product please contact Customer Service at 1-800-328-4880 or by fax at 1-800-340-9378. If you would like to inquire about related publications or place an order, please contact us at 1-800-328-9352.

Thomson Reuters
610 Opperman Drive
Eagan, MN 55123

legal.thomsonreuters.com