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Client Bulletin



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A Reminder if you Own Residential Rental Property in a Populous County

From our involvement in real estate transactions, we have noted that owners of residential rental property in counties with a population greater than 200,000 (i.e., Franklin County) often fail to comply with the requirements of Ohio Rev. Code § 5323.01, which became effective in September 2006 and requires owners of residential rental properties in such counties to file the required informational form with the county auditor and update it when appropriate. Such an owner who resides outside the State of Ohio also must designate an individual who resides in the State of Ohio as the owner's agent for acceptance of service of process.

The necessary form is generally downloaded from the website of the county auditor in the counties where filing is required.

Ohio Rev. Code § 5323.99 authorizes the county auditor to impose a special assessment on the tax bill of not less than \$50 or more than \$150 on the residential rental property where the owner has failed to do a required filing. Such special assessment is appealable to the county board of revision.

Outline of Ohio's New Planned Community Law Available

An outline of Ohio's new Planned Community Law (Ohio Rev. Code Chapter 5312), which became effective on September 10, 2010, and which applies to most homeowners' associations in the State, is available from the firm upon request. To request a copy, please call Chris at 740-363-1313 or e-mail her at chris@mmpdlaw.com. The outline was originally prepared by Steve Martin for a homeowners' association symposium conducted by the Zoning and Development office of Genoa Township.

No FSA, HRA, HSA or Archer MSA Reimbursement, Effective January 1, 2011, for Over-the-Counter Medications

Effective January 1, 2011, health flexible spending accounts (FSAs), health reimbursement arrangements (HRAs), health savings accounts (HSAs) and Archer medical savings accounts (Archer MSAs) can no longer reimburse participants for non-prescribed over-the-counter (OTC) medicines other than insulin. If the OTC item is prescribed by an appropriately licensed healthcare provider, FSAs and HRAs can still provide for reimbursement for such OTC items.

Employees with FSAs or HRAs that have allowed for reimbursement of OTC items will need to amend their plan, along with distributing an updated summary plan description or a summary describing the changes to the plan as to OTC items. An employer should review current materials as to HSA contributions as to statements about OTC items and amend the statements as necessary. Please contact us if you need assistance.

Free Seminar

Manos, Martin, Pergram & Dietz and Wolf, Rogers, Dickey & Company CPAs presented a free seminar at the Council for Older Adults on November 16, 2010. Approximately 50 people attended.

Dennis L. Pergram of Manos, Martin, Pergram & Dietz presented his part of the seminar on the topics of (1) misclassification of workers (independent contractors or employees) and (2) overtime requirements under the Fair Labor Standards Act.

Tiffany Rankin, a CPA with Wolf, Rogers, Dickey & Company, presented her part of the seminar on the topics of (1) the COBRA premium subsidy, (2) the HIRE Act, and (3) the Patient Protection and Affordable Care Act.

The outlines used at the seminar may be obtained from the firm's website (www.mmpdlaw.com) and the website for Wolf, Rogers, Dickey & Company (www.wrddcpa.com).

Another free seminar is being planned for February 2011. Further information regarding that seminar will be provided in future correspondence.

**MANOS, MARTIN,
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Congratulations

In our September 2010 Client Bulletin, we recognized two companies (Ohio Power Tool, Inc. and Reliant Capital Solutions, LLC) for their inclusion in Business First's "2010 Fast 50," the list of Central Ohio's 50 fastest growing companies. We want to extend a special congratulations to Reliant Capital Solutions for being named #3 on the list.

At the Conway Center for Family Business's Annual Family Business Awards on November 5, Ohio Power Tool was honored in the communication category. The honorees were profiled in a special section of the November 12 edition of Business First. Clearly, congratulations are in order to Ohio Power Tool and its CEO, Jim Amstutz.

The firm would like to congratulate Wolf, Rogers, Dickey & Co. CPAs for being ranked 24th on Business First's list of top accounting firms as ranked by a number of Central Ohio professionals.

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Redesigned Web Page

The law firm recently redesigned its web page. We invite you to please take a look and provide us with any feedback you may have. Thank you.

Notice

This bulletin provides general information and is not legal advice. Please contact us if you need legal advice.