

OFFICE OF THE PROSECUTING ATTORNEY

HIGHLAND COUNTY, OHIO

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Opinions Section

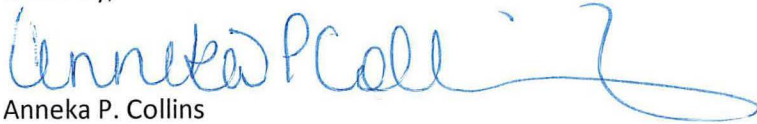
To Whom it May Concern;

The following questions have arisen in relation to property seized and forfeited pursuant to Section 2981.01 – 2981.13 of the Ohio Revised Code. Real property was seized and ordered forfeited by a jury. The law enforcement agencies involved were county agencies, rather than municipal agencies. The deed for the property was transferred into the name of the County Commissioners. The property was then advertised for public auction pursuant to section 2981.12 & 2981.13. Days before the sale, the Commissioners determined to withdraw the property from the sale and retain it. The questions are as follows:

- 1) Does the property, real and/or tangible, seized and forfeited pursuant to ORC Section 2891.01-2981.13 have to be transferred to the name of the County Commissioners prior to sale if seized by a County law enforcement agency?
- 2) If property does not need to be titled in the Commissioners name prior to sale, may it be titled in the County Prosecutor's or County Sheriff's Office name prior to sale?
- 3) Do the Commissioners have the right to decide to keep property, real and/or tangible, without the approval of the law enforcement agency that seized the property and without compensating the law enforcement agencies involved in the seizure and forfeiture as outlined in 2981.12 – 2981.13.

Thank you in advance for your interpretation of the above laws?

Sincerely,



Anneka P. Collins

Highland County Prosecuting Attorney

cc: Sheriff Randy Sanders
Highland County Commissioners

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