**CAPTION:** **VOSS V. QUICKEN LOANS**

**01-05-24**

APPEAL NO.: C-230065

TRIAL NO.: A-2002899

KEY WORDS: CLASS ACTION – CIV.R. 23 – MORTGAGE SATISFACTION RECORDING – R.C. 5301.36

SUMMARY:

The trial court did not err when it relied on the version of R.C. 5301.36 that was in effect at the time of its decision to certify a class seeking damages for violations of the statute.

The trial court did not err when it determined that plaintiff and the rest of a class of mortgagors and property holders seeking damages for violations of R.C. 5301.36 had standing where the statute creates a cause of action for mortgagors and property holders seeking damages for the failure to record the satisfaction of a mortgage in violation of R.C. 5301.36.

The trial court did not abuse its discretion when it certified a state-wide class of mortgagors and property owners for violations of R.C. 5301.36 that occurred during the COVID-19 pandemic where the trial court reasonably concluded that defendant’s pandemic-based defenses are determinable on a classwide basis and the trial court is in the best position to assess the feasibility of gathering and analyzing classwide evidence.

JUDGMENT: AFFIRMED

JUDGES: OPINION by BOCK, J.; ZAYAS, P.J., and KINSLEY, J., CONCUR.