

COMPLAINT PROCESS

1. Submit a complaint to the Secretary of State's office alleging that a business entity filing was made in violation of Ohio Revised Code Section 111.243(A). The Secretary of State's office will define the complaint submission process and form:
 - a. All complaint requirements must be included in the complaint, or the complaint may be rejected.
 - b. Rejected complaints may be resubmitted once the complaint has been corrected.
2. The Secretary of State's office will review the complaint to determine whether to send a notice and demand to the person who submitted the filing.
3. A response to the notice and demand is required within 21 days after the notice and demand is mailed. If a response is not received within 21 days, the person is deemed to have conceded to the allegations.
4. The response must include all the following:
 - a. The contact information for person responding.
 - b. If the person responding is acting as an agent for the person to whom the notice and demand was sent, supporting documents establishing authority to act on behalf of the person must be included.
 - c. Name of the entity at issue.
 - d. Information identifying each person involved in the alleged violation including names, addresses, phone numbers, website URLs, and email addresses.
 - e. Information identifying the nature of any relationship between the complainant and each person involved in the alleged violation.
 - f. Statement that affirms or denies having knowledge or information of alleged violation.
 - g. Any material evidence that is reasonably attainable to the person responding to the notice and demand of written consent to use the name(s) or address(es) at issue.
5. Following a prima facie showing that there was a violation, the Secretary of State's office shall proceed as follows:
 - a. If the business entity was created without authorization or for fraudulent purposes, the following actions will occur:

- i. The business entity will be permanently cancelled with a notice on the public record that the entity has been determined to be unauthorized or fraudulent.
 - ii. Any names or addresses that were used without consent will be redacted from the public record.
 - iii. All additional filing functionality will be disabled for the business entity.
 - b. If the business entity is legitimate but an unauthorized filing was submitted, the following actions will occur:
 - i. The unauthorized filing will be cancelled with a notice on the public record that the filing was determined to be unauthorized or fraudulent.
 - ii. The information that was added to the business record, without authorization, will be redacted and data will be reverted to what it was prior to the fraudulent filing.
 - iii. If the status was changed as a result of an unauthorized filing, the status will be reverted to what it was prior to the filing.
- 6. Any of the following constitute a prima facie showing that Ohio Revised Code Section 111.243(A) was violated:
 - a. Concession to the allegations in the complaint by the person who is subject of the investigation or the person's agent either directly or constructively by failing to timely respond.
 - b. A determination by the Secretary of State's office that the violation occurred, based on the merits of the complaint and any responses to the notice and demand.
- 7. The Secretary of State's office will communicate the outcome of any complaint to the person who submitted the complaint and each person at issue or their agent.
- 8. Any person adversely affected by the outcome may appeal the determination in accordance with Ohio Revised Code Section 119.12.