

Ohio

- **Written Contract** - 8 years, Ohio Rev. Code Ann. § 2305.06
- **Oral Contract** - 6 years, Ohio Rev. Code Ann. § 2305.07
- **Sale of goods** - 4 years, Ohio Rev. Code Ann. § 1302.98

Cases Interpreting Statutes of Limitations

Ohio courts may apply the shorter six year limitations period to lawsuits on credit card debt when the plaintiff was unable to produce a written agreement. See generally, *Unifund CCR Partners Assignee of Palisades Collection, LLC v. Hemm*, 2009-Ohio-3522, P22 (Ohio Ct. App., Miami County July 17, 2009)(“Unifund failed to submit evidence of Hemm's signature on an application for the subject credit card. Thus, we find that there is an issue of fact whether the contract was reduced to writing, so that it is not clear, as a matter of law, that [§ 2305.06] applies.”); *Unifund CCR Partners Assignee of Palisades Collection, LLC v. Childs*, 2010-Ohio-746 (Ohio Ct. App., Montgomery County Feb. 26, 2010)(same).

Borrowing Statute - Ohio Rev. Code Ann. § 2305.03(B).

No civil action that is based upon a cause of action that accrued in any other state, territory, district, or foreign jurisdiction may be commenced and maintained in this state if the period of limitation that applies to that action under the laws of that other state, territory, district, or foreign jurisdiction has expired or the period of limitation that applies to that action under the laws of this state has expired.

Cases Interpreting the Borrowing Statute

Ohio applies the statute of limitations of the state where the cause of action accrued in instances when that state's statute of limitations is shorter. A cause of action on a credit card debt arises where the lender is located. In this case, the breach occurred in Delaware because that is where the credit card application and payments were mailed and where the creditor suffered its loss. *Taylor v. First Resolution Inv. Corp.*, 2016-Ohio-3444, 148 Ohio St. 3d 627, 2016 Ohio LEXIS 1654 (Ohio 2016), cert. denied, 137 S. Ct. 398, 196 L. Ed. 2d 297, 2016 U.S. LEXIS 6626 (U.S. 2016).