OHIO HOUSING FINANCE AGENCY

2022-2023

Qualified Allocation Plan

CONTENTS

I. GENERAL OVERVIEW & REQUIREMENTS

The Housing Tax Credit (HTC) program is governed by Section 42 of the Internal Revenue Code (IRC). The Ohio Housing Finance Agency (OHFA) has developed a Qualified Allocation Plan (QAP) for the distribution of HTC.

A. Modification and Interpretation

OHFA's actions, determinations, decisions, or other rulings pursuant to this QAP are not a representation or warranty by OHFA as to a development's compliance with applicable legal requirements, the feasibility or viability of any development, or of any other matter whatsoever.

The QAP is subject to modification pending developments in federal, state, and OHFA policy. OHFA makes no representation that underwriting or competitive decisions from a prior year will be determinative in future application rounds. Identical year-over-year submissions may receive differing treatment, with or without notice to an applicant, due to new insights gained during prior review periods, shifts in policy, the need for consistent in-year interpretation, increased applicant competition, or any other reason OHFA deems necessary.

OHFA will clarify and issue responses to commonly posed questions regarding the QAP through a Frequently Asked Questions (FAQ) document that will be posted on the OHFA website. The FAQ, as well as the OHFA Multifamily Underwriting Guidelines, Design and Architectural Standards, and Affordable Housing Funding Application (AHFA) are specifically incorporated herein and binding on all applicants. Notwithstanding the foregoing, errors and omissions in the AHFA are not binding on OHFA and do not modify the QAP.

The allocation of HTCs is made at the sole discretion of OHFA. OHFA will resolve all conflicts, inconsistencies, or ambiguities, if any, in this QAP or which may arise in administering, operating, or managing the reservation and allocation of tax credits. This includes the interpretation of requirements and guidelines and the determination of a development meeting the intent of those requirements and guidelines. OHFA may modify or waive, on a case-by-case basis, any provision of this QAP that is not required by law. All such modifications or waivers are subject to written approval by the Executive Director, Chief Operating Officer, or Director of Multifamily Housing.

B. Application Process – Competitive HTC

1. Pre-Application Meeting (optional)

Applicant may request a pre-application meeting with OHFA according to the dates listed in the Program Calendar in the following circumstances:

- developer has not worked with OHFA in the past; or
- the proposed project is unique and the development team needs specific guidance on submitting the application.

2. Development Team Pre-Approval Process

Applicant submits an Experience & Capacity pre-approval form to OHFA as outlined in the Document Submission Requirements for Development Team Experience & Capacity Review by the date listed in the Program Calendar.

3. Development Team Pre-Approval Review

OHFA reviews pre-approval submissions and notifies applicants of their ability to move forward with the development team as proposed or of any deficiencies to be resolved.

4. Proposal Application Submission

Applicant submits a proposal application in accordance with the document submission requirements by the date listed in the Program Calendar.

5. Proposal Review

OHFA notifies applicants of deficiencies during the review process and provides one week to clarify. Apart from this clarification period or in response to specific request for information from OHFA, applicants may not communicate with OHFA Office of Multifamily Housing staff regarding their application during this time.

6. Pre- or Post-Award Site Visit

OHFA may conduct a site review and may remove the application from further consideration for detrimental land uses. or excessive development challenges (e.g., inadequate access, steep slopes).

7. Announcement of HTC Awards

OHFA announces award recipients on its website and by phone and/or in writing.

8. Final Application Submission

Applicants must submit a final and complete application, including all supporting documentation, by the deadline shown in the Program Calendar.

C. Contact Information

Questions regarding the QAP or HTC application process may be directed to QAP@ohiohome.org. General contact information for OHFA is as follows:

Ohio Housing Finance Agency
Office of Multifamily Housing, Development Division
57 E. Main Street
Columbus, Ohio 43215
888.362.6432
www.ohiohome.org

D. 2022 Program Calendar: Competitive HTC

Deadlines reflected in the following program calendar are subject to change based on the quantity of applications received and other conditions outside OHFA's control. Dates for the 2023 Competitive HTC Round will be released summer of 2022.

Dates	Applicant	OHFA
Oct. 29, 2021	Deadline for submission of CHDO Certification Pre-Application	
Nov. 2021		Application materials posted to the OHFA website

Nov. 2021		HTC training – details will be posted on the OHFA website
Dec. 1, 2021	Last day to request a pre-application meeting	
Dec. 3, 2021	Deadline to request approval for a Part 1 from the State Historic Preservation Office for historic tax credits (applicants seeking a Preliminary Determination the Part 1 utilizing the Checklist provided in Appendix E)	
Dec. 10, 2021		Decisions issued for CHDO Certification Pre-Application
Dec. 17, 2021	Last day pre-application meetings will be held	Last day pre-application meetings will be held
Jan. 7, 2022	Last day Development Team Pre-Approval forms may be submitted	
Jan. 14, 2022	Deadline to submit FAQ	
	Recommended deadline to commission market studies	
	Deadline to submit Exception Requests (program exceptions only)	
Jan. 21, 2022		Last date by which Development Team Pre-Approvals will be issued
Feb. 4, 2022		Decisions issued for Exception Requests
Feb. 10, 2022	Deadline to submit proposal applications, due no later than 5:00 p.m. ET	Consideration of public comments begins
Feb. 22, 2022		Proposal summaries posted to the OHFA website
		Competitive scoring, underwriting, and select site visits begin
April 1, 2022		Site visits conclude
Apr. 4, 2022		Notice of preliminary scores and underwriting issues sent to applicants
		Consideration of public comments ends
Apr. 11, 2022	Deadline to respond to preliminary scores and underwriting issues	
May 18, 2022		Final results of competitive scoring released and presented to the OHFA Board of Directors

May 20, 2022		Binding reservation agreements and notice of threshold deficiencies issued
May 25, 2022	Development Next Steps meetings begin	Development Next Steps meetings begin; Site visits begin
June 10, 2022	Deadline to return binding reservation agreements	OHFA begins scheduling Debrief Meetings
	Deadline to submit all cures for threshold deficiencies	
July 29, 2022	Development Next Steps and debrief meetings conclude	Development Next Steps and debrief meetings conclude
Sept. 23, 2022	Deadline to submit final applications, due no later than 5:00 p.m. ET	
Dec. 9, 2022		Final date for issuance of carryover agreements

E. 2022 Program Calendar: Non-Competitive (4%) HTC

Application windows reflected in the following program calendar apply to the Non-Competitive HTC application process (for projects seeking 4% HTC without OHFA gap financing only) and are subject to change based on the quantity of applications received. Applicants submitting an application for a reservation of Non-Competitive HTCs must also refer to the Multifamily Bond program guidelines for other requirements, where applicable.

Applicants must contact OHFA 45 days in advance of applying to schedule a pre-application meeting. OHFA may choose to waive the meeting.

Dates	Applicant
January 3-7, 2022	Applications due no later than 5:00 p.m. ET on January 7
April 4-8, 2022	Applications due no later than 5:00 p.m. ET on April 8
July 4-8, 2022	Applications due no later than 5:00 p.m. ET on July 8
October 3-7, 2022	Applications due no later than 5:00 p.m. ET on October 7

F. 2022 Fee Schedule

OHFA will assess fees as described in in Appendix A. Fees may change without QAP amendment.

II. HTC REQUIREMENTS

The following requirements apply to all projects utilizing Competitive or Non-Competitive HTC, alone or in conjunction with other OHFA funding, unless otherwise specified. OHFA will consider exceptions only where specifically noted.

A. Document Submission Requirements

All proposal and final application submissions must include a completed Affordable Housing Funding Application (AHFA) and all supporting documentation according to the specified instructions and index and be submitted via OHFA's File Transfer Protocol (FTP) site.

The application submission must include supporting documentation for all competitive scoring criteria up to a maximum of 25 pages per competitive criterion section, (excluding Revitalization Plan and Supportive Services Plan) with relevant portions of the supporting documents highlighted and annotated.

The documentation below is also required at one or more of the following development stages:

- P = Proposal Application
- F = Final Application
- S = Application Submission
- 8609 = Request for IRS Form 8609

1. Appraisal

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	P	**F**	8609

Applications must include an as-is appraisal for all development site(s) which complies with all Appraisal Requirements in the OHFA Multifamily Underwriting Guidelines. An appraisal is not required if the applicant is not seeking Housing Development Assistance Program (HDAP) funds and is not including any acquisition costs in eligible basis.

2. Architectural Plans and Design & Construction Features Form

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	**P**	**F**	8609

Applications must include architectural plans for all development site(s) in accordance with the OHFA Design & Architectural Standards and a completed Design & Construction Features Form, including Construction Certification. Architectural plans must be submitted both in 11 x 17 hard copy and electronically.

Non-Competitive HTC only: OHFA may allow additional time for Non-Competitive HTC developments to submit 80% complete architectural plans and specifications. A review period of at least 60 days is necessary between the submission of 80% plans and the issuance of a 42m Letter of Eligibility.

3. Authorization to Release Tax Information

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Final applications must include a completed Authorization to Release Tax Information Form for the parent company of each member of the ownership entity, and if applicable, the parent company of the HDAP recipient.

4. Community Outreach Plan

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Applications must include a community outreach plan, documentation or other evidence that it was completed prior to submission, its exhibits, and the following components:

- **List of Stakeholders Notified**. May include but are not limited to residents, businesses, local elected officials, police and fire departments, community development corporations, and/or nonprofit community organizations.

- **Stakeholders Notification Method**. May include posting notices in libraries or other public spaces where residents or potential residents may frequent, public meetings, design charrettes, and/or notices in local papers and social media. Outreach notifications need not identify the population proposed to be served.

- **Copies of all Materials** placed or published, presentations or meeting materials, including any sign-in sheets from any public meetings, and support or opposition letters from community groups or contacts established through the outreach process.

- **Description of Stakeholder Feedback & Developer Response**.

5. Conditional Financial Commitments

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Applications must include financial commitment documentation for all non-OHFA permanent and construction sources of debt and equity plus any project-based rental subsidies.

a. Proposal Application: Financial commitments must be evidenced by a conditional commitment following the applicable OHFA format, letter of interest for construction and/or permanent financing, or term sheet specific to the project indicating the following:

- loan or grant amount;
- loan term; and
- interest rate.

Conditional equity commitment letters are not required at proposal application.

For any sources from a competitive or contingent source (e.g. city or county HOME funds, Federal Home Loan Bank), the applicant must provide either

- a letter or other documentation from the funder detailing when the funding round will be open, the maximum awards available, and when funding decisions will be released, or
- a conditional commitment letter from the funding entity the minimum amount of funding it will provide to the project upon successful completion of regulatory reviews and funding availability.

Applicants must provide evidence of an alternative plan to fill the funding gap if unsuccessful.

b. Final Application: Financial commitments must be evidenced by a commitment letter indicating the following:

- loan or grant amount;
- loan term and amortization schedule/term (and/or payment requirements);
- interest rate;
- fees associated with the loan or grant;
- reserve requirements; and
- lien position of the loan.;

Conditional equity commitment letters are required.
The applicant must provide supporting documentation detailing the terms and conditions of any assumed or restructured debt including the current outstanding balance.

OHFA may request additional information to support any credit or equity pricing and may underwrite to the pool equity pricing average.

6. Condominimized Space Description

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	P	**F**	8609

If any portion of the development will be condominimized, the application must include a brief description of the governing agreement (costs and maintenance of common space, parking availability, air rights, default remedies, commercial uses, and tenant selection).

7. Development Team Consultant Statement

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	**S**	8609	**P**	F	8609

The application must include a statement regarding any development consultant(s) describing:

- their role in the project;
- scope of their authority to negotiate for and bind the development team; and
- a summary of all projects they are currently advising and the scope of those agreements.

For the purposes of this section, development consultants include any person or entity providing professional advice or assistance with the preparation of an application to the HTC program, but do not include syndicators.

OHFA may consider consultants co-developers and hold them responsible for the overall success of the development.

8. Development Team Experience and Capacity Review

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

OHFA will evaluate the experience and capacity of the development team, including General Partners, developers, and development consultants at proposal application for Competitive HTC and BGF projects, and at final application for Non-Competitive HTC projects. OHFA will evaluate management companies at final application for all project types.

Appendix C: Experience & Capacity Characteristics outlines the minimum eligibility and evaluation criteria. Consultants may not be the only source of team experience.

For Competitive HTC only, all development teams must receive pre-approval from OHFA to submit a proposal application. OHFA will provide an Experience and Capacity Pre-Approval Form by October 15th and be made available on the OHFA website. OHFA will accept completed forms on or before January 4, 2022 issue and issue approvals no later than January 24, 2022.

Submission Requirements:

- Completed Experience and Capacity tab in the AHFA.
- Professional bios for all staff members of the development team. Organizational charts that show the structure of the ownership entity, General Partners, development team, and consultants and the relationships and ranks of all relevant positions.
    - If planning to claim basis or developer fee boost for minority or women-owned business is the Majority General Partner in the ownership structure, submit documentation demonstrating eligibility
- Narratives describing development experience and work performed for each staff member of the development team.
- Any changes to the developer's staff that have occurred since the last HTC application round in which they competed.
- For General Partners that haven't placed into service a project in Ohio within the last five years, the previous four years of:
    - independently-prepared audited financial statements (if available);
    - internally-prepared annual balance sheets including changes in owners' capital and statement of cash flow ending on the last day of each year;
    - internally-prepared annual income statements ending on the last day of each year; and
    - a current internally-prepared accounts payable aging report.

  The above will be for the parent companies if the General Partners are new entities.

Applicants must disclose changes to any development team between the proposal and final application. OHFA may disqualify applications that do not maintain the core competency and experience necessary to successfully develop and manage a project.

CHDOs only: Any member intending to become certified as a CHDO during the initial application phase must submit documentation indicating the CHDO will maintain effective development control; is the sole General Partner of the development; and will make the key decisions regarding the selection, financing, improvement, management, and disposition of the development.

OHFA may request additional information to evaluate experience and capacity.

9. Evidence of Site Control

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

The application (proposal for Competitive HTC and BGF) must comply with the following. Any updates to site control documents must be submitted with the final application.

a. Related Party: If the General Partner or limited partner owns the real estate, copies of the executed and recorded deed(s); or

b. Arm's-Length: If the current owner is not a General Partner or limited partner, then:
- a purchase contract or option;
- a ground lease contract or option; or
- documentation from the local government/land bank regarding the transfer of property.
  - If parcels will be acquired from a city land bank a copy of the final city council resolution, city council ordinance, letter from a board of control or designated official, or contingent purchase agreement approving the legal description and transfer of all applicable sites.
  - If parcels will be acquired from a county land bank a letter from the board of control or a designated official approving the transfer of all applicable sites.

Option agreements must include evidence of the agreement to purchase the property within a specified time period.

c. Ground Lease: Any ground lease must be for a minimum term of 35 years. Evidence of site control may not expire until a reasonable period following the scheduled announcement date for Competitive HTC awards, or for Non-Competitive HTCs, at least 180 days from the date the application is submitted.

d. Scattered Site Developments: Competitive HTC scattered site developments must have at least 35% of the sites under control at the time of proposal application. OHFA may reduce eligible basis when issuing a Carryover Agreement if the minimum site control percentage required at proposal application is not maintained. Non-Competitive HTC scattered site developments must have 100% of the sites under control at the time of application, including those seeking BGF.

10. Exception Requests

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

OHFA will consider exceptions only for those items specifically allowed under this QAP and represented in the Exception Request Form. Any response issued applies exclusively to the year in which the application was submitted and cannot be used for future applications.

For Competitive HTC, applicants must submit requests for exceptions to specific program requirements referenced in the QAP in advance of the proposal application. All other requests are due with the application.

11. Federal Tax Identification Number

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

The application must include the ownership entity's Federal Tax Identification Number.

12. Green Certification

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

All multifamily developments must obtain one of the energy efficiency or green building certifications outlined in OHFA's Design and Architectural Standards. Additionally, Competitive HTC applicants proposing New Construction developments must obtain one of the following energy efficiency or green building certifications:

- 2020 Enterprise Green Communities
- Leadership in Energy & Environmental Design (LEED) – silver or higher
- ICC 700 National Green Building Standard (NGBS) – silver or higher

Rehabilitation and adaptive reuse projects unable to obtain one of the above certifications may use the OHFA Limited Scope Rehabilitation Sustainability Standards as an alternative. Competitive HTC projects selecting this option must also demonstrate:

- meeting or exceeding the higher of either the Overlay criteria or the current Ohio adopted standard; and
- post-construction blower door test 150% improvement over the pre-rehabilitation test, up to 12 ACH.

The request for IRS Form 8609 must include evidence of final certification from a HERS rater, green building certification organization, or otherwise qualified and licensed professional as approved by OHFA.

c. **Heat Island:** Developments with any buildings located in an area indicated as a "Severe" heat island on the Urban Heat Island Severity map, as defined by The Trust for Public Land, must provide one or more of the following mitigations:

- 25% of available site green space must be tree canopy
- 2:1 Unit to parking space parking lot
- Cool Pavement parking lot and sidewalks
- Cool or green roof

13. Housing Credit Gap Financing Application

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	S	8609	P	F	8609

Competitive HTC developments that will request Housing Credit Gap Financing (HCGF) must include a request in both the proposal and final applications that is consistent with the requirements outlined in the HCGF section.

14. Legal Description

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	P	**F**	8609

The application must include a legal description, street address, and permanent parcel number in Word format of each parcel that will be included in the development.

15. LIHTC Lease Addendum

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	P	**F**	8609

The application must include a written statement from the owner certifying use of the LIHTC Lease Addendum (other than units under a HUD model or USDA model lease).

16. Limited Partnership Agreement

Competitive HTC			Non-Comp. HTC		BGF		
P	F	**8609**	S	**8609**	P	F	**8609**

Applicants must submit a copy of the Limited Partnership Agreement detailing the roles and responsibilities of each partner or entity at request for IRS Form 8609.

17. List of Changes from Proposal Application

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	S	8609	P	**F**	8609

The final application must include a description of any substantive changes made to the development represented in the proposal, including but are not limited to changes in ownership or development team, design, construction or configuration, site(s) excluding scattered site developments, targeted populations including special needs populations, and any items affecting competitive scoring. OHFA must approve any changes.

18. Management Company Capacity Review

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	P	**F**	8609

The AHFA (final for Competitive HTC and BGF) must include a completed Management Company Capacity Review tab. Competitive HTC and BGF applicants will identify only the management company at proposal application.

19. Market Study

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	**S**	8609	**P**	F	8609

Applications must include a market study conducted by an OHFA-approved market study professional updated or approved within 12 months of the application submission date. Refer to the Multifamily Underwriting Guidelines for OHFA's market study requirements.

All multi-site developments must be within the boundaries of a single Primary Market Area (PMA) other than the following exceptions:

- The market analyst determined that an entire county constitutes a single PMA.
- Scattered site Service Enriched developments that span multiple submarket areas if the Primary or Secondary Priority Letter specifies how supportive services will be provided in a manner that is accessible to all residents despite being geographically dispersed.
- Proposals seeking to combine multiple existing developments into one project for financing purposes with an explanation of the Sponsor and Management Agent's capacity to continue operating these properties under a single financing structure (may include documentation from other government entities giving permission to combine projects).

20. Multifamily Bond Financing Information

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	**S**	8609	P	**F**	8609

Application must include a letter from the bond underwriter detailing:

- the bond financing structure,
- cost of bond issuance and terms,
- calendar outlining anticipated actions,
- responsible parties for closing the transaction, and either
    - the timeframe for approving OHFA-issued bonds (dates for inducement and final approval), or
    - for non-OHFA issued bonds, a preliminary or final bond resolution from the issuer and a letter from the bond underwriter identifying the anticipated interest rate, term, and amortization.

OHFA may require a legal opinion stating that the development is eligible to receive an allocation of HTCs pursuant to IRC Section 42(h)(4). Refer to OHFA's Multifamily Bond Guidelines.

21. Notification to Accessibility Groups (newly affordable units only)

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	P	**F**	8609

Applicants proposing newly affordable units must notify all accessibility groups in the county of the proposal.

Applicants agree to accept referrals for prospective residents and consider design recommendations for the property. The application shall include copies of all correspondence between the applicant and accessibility groups.

If requested by an accessibility group, the applicant will provide the most current copy of the development's architectural plans prior to submitting the final application.

22. Ohio Housing Locator

Competitive HTC			Non-Comp. HTC		BGF		
P	F	**8609**	S	**8609**	P	F	**8609**

Owners must list properties on the Ohio Housing Locator (or other equivalent substitute at OHFA's direction) and new construction on the Lead-Safe Rental Registry. Owners are responsible for keeping the property listings current.

23. Phase I and II Environmental Site Assessments

Competitive HTC			Non-Comp. HTC		BGF		
P	**F**	8609	**S**	8609	**P**	**F**	8609

Applications must include a Phase I Environmental Site Assessment (ESA) for all sites dated within six months prior to the application deadline completed in accordance with the most current ASTM Standard and include the following non-scope considerations: Mold; Asbestos-containing building materials; Radon; Lead-based paint; Lead-in-drinking-water; and Wetlands.

For scattered site projects not seeking HDAP funding, applicants may submit an Environmental Questionnaire for Scattered Site Projects for each site at proposal application. The Phase I ESA for each site is due at final application.

Owners must complete a Phase II ESA and/or additional testing if recommended in the Phase I ESA and submit the Phase II ESA at final application.

OHFA may reject any sites indicated to have environmental problems or hazards.

Competitive HTC and BGF only: Applicants may submit a Phase I ESA dated between six months and one year prior to the application deadline but must submit an update at final application.

24. Physical Capital Needs Assessment and Scope of Work (rehabilitation or adaptive reuse only)

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	**S**	8609	**P**	F	8609

Applications for the rehabilitation of existing housing units and adaptive reuse must include a Physical Capital Needs Assessment (PCNA) and Scope of Work for all buildings. The PCNA must reflect current building conditions, conform to the standards in the Multifamily Underwriting Guidelines, and demonstrate the required repairs, replacements, and improvements involve the replacement of two or more major building components and the hard construction dollars of rehabilitation per unit equals $40,000 or more.

OHFA will use the PCNA and AHFA to determine if the project meets the threshold requirement of substantial rehabilitation.

25. Proposal Summary (.PDF format)

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

The application shall include a copy of the Proposal Summary tab.

26. Public Notification

Competitive HTC			Non-Comp. HTC		BGF				
P	F	8609	S	8609	P	F	8609		

Applications must include evidence of completing the public notification process before OHFA approves any funds, including executing a Carryover Agreement.

An applicant requesting funds must provide the notice to any/all of the following that apply:

- The chief executive officer and the clerk of the legislative body of any municipal corporation in which the project is proposed to be constructed or that is within one-half mile of the project's boundaries;
- The clerk of any township in which the project is proposed to be constructed or that is within one-half mile of the project's boundaries; and
- The clerk of the board of county commissioners of any county in which the project is proposed to be constructed or that is within one-half mile of the project's boundaries.

The applicant must use the OHFA letter template, and the notification must include all information requested, be in writing, and be sent via certified mail, return receipt requested. Applicants must submit a copy of the stamped post office receipt, return receipt not required, for certified mail and copies of notification letters with the proposal application. The name and address of the officials must be on the return receipts.

OHFA will accept public comments about proposal applications at any time and will consider public comments during the review process until the deadline indicated in the Program Calendar.

Scattered Site Developments: Scattered site developments must complete the public notification process for all sites. Public Notifications for any new sites must be sent to the applicable officials prior to submitting the final application.

27. Related Party Transaction Questionnaire

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Applications must include the Related Party Transaction Questionnaire for any transactions between related parties.

28. Relocation Plan (existing rental units only)

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Any development involving rehabilitation of occupied units that will result in permanent displacement must submit a complete Acquisition, Relocation, and Demolition Questionnaire and the Relocation Assistance Plan. OHFA may prohibit, limit, or mitigate any permanent displacement.

If a development will result in resident relocation during the construction period, the application must include a narrative detailing the tenant relocation plan addressing the method(s) for relocating residents, provide a breakdown of any associated costs, and identify if tenants will be permanently displaced.

29. Rental Subsidy Contract

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

If the development currently receives a rental subsidy, the application must include a copy of the current contract. OHFA may request a letter from the Metropolitan Housing Authority (MHA) / Public Housing Authority (PHA) with updated rental payment information.

If the development is seeking a rental subsidy, the application must include a letter or other evidence from the subsidy provider describing the process and timeline and verifying the project is eligible. For non-HUD and non-USDA subsidies, the letter must address the following:

- Whether the subsidy is project-based or tenant-based.
- What entity is providing the funding, under what program, and whether there are any pass-through entities.
- How likely it is for the subsidy to be guaranteed for fifteen years, the length of the contract, how often funding must be renewed, source of renewal (local levy, state budget appropriation, etc.), contingencies that are in place in the event of non-renewal, a past history of renewal attempts including how often a full appropriation has been approved, and any recent increases in program funding.
- Eligibility requirements for residents, their typical income sources (SSI, work, other benefits) and amounts, the current tenant pipeline and/or waitlist, including the number of individuals currently waiting to participate, and the referral process.
- Whether subsidy recipients must contribute a portion of their income to housing expenses (for example, does the program require tenants to pay 30% of their income towards rent and/or utilities).
- Any guarantees in place and how the project will be sustainable should the subsidy not be renewed.

Developments receiving a rental subsidy must provide an executed commitment to enter into a binding agreement at final application.

30. Revitalization Plan

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

To qualify for a set-aside or point category related to a revitalization plan, applicants must provide a copy of the concerted community revitalization plan (Revitalization Plan) and proof that the proposed development is located within its target area and consistent with the plan. Revitalization Plans must satisfy the substance of the components below.

The following are not eligible: draft plans, short-term work plans, consolidated plans, municipal zoning plans, planned unit developments, or plans OHFA determines were created in bad faith exclusively for the purposes of satisfying QAP criteria.

a. Scope: The Revitalization Plan must include a delineated target area and an assessment of the conditions existing in the community. If the Revitalization Plan is more than ten years old, the Applicant must also provide a supplemental letter or other evidence from the administrator describing progress made and confirming that the proposal continues to meet target area needs.

b. Community Input & Ownership: The Revitalization Plan must have been developed through a public process as evidenced by any of the following:

- creation of the Revitalization Plan by a Community Development Corporation; or
- adoption or endorsement of the Revitalization Plan by the local government; or
- proof of solicitation of public and stakeholder input.

c. Housing Policy: The Revitalization Plan must include:

- The incorporation and integration of affordable and other housing throughout the geographic area, including but not necessarily limited to the use of existing housing.
- The plans designed to accomplish the above.

d. Other Policy: The Revitalization Plan (or specifically referenced collateral plan) must address at least two of the following goals and the plans designed to accomplish them:

- expansion or preservation of economic activity and/or employment opportunities;
- expansion or preservation of access to public transit;
- improvement of schools that are accessible to residents of the target area; or
- mitigation or avoidance of adverse health conditions (such as lead-based paint hazards, environmental justice issues, and crime prevention).

e. Implementation Measures: The Revitalization Plan must include implementation measures which may include but are not limited to: general timeframes to achieve the above policies, potential funding sources, and entities responsible for execution. A final plan need not be fully implemented or have funding sources committed.

31. Scattered Site Development Map

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Proposals meeting the Scattered Site Definition & Requirements section criteria must provide a detailed map clearly identifying the location of all buildings and parcels considered for the application.

32. Site Visit Documents

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

Unless required at an earlier stage, OHFA may conduct a site review prior to final application submission and may deem the site unsuitable.

Applications must include:

- a detailed aerial map clearly depicting the physical location of the site, the nearest intersection, and all roads leading to the site; and
- photos of the site and surrounding properties.

33. Supportive Services Plan & Providers

Competitive HTC			Non-Comp. HTC		BGF		
P*	F	8609	S	8609	P	F	8609

a. Supportive Services Plans (SSP) are due no later than the request for IRS Form 8609 for all projects except the following, which are due with the proposal application:

- Service Enriched developments;
- Senior developments seeking points for Experienced Service Provider

b. Applications or requests for Form 8609 must include evidence of salaried or in-kind service coordination on-site, contiguous, or accessible to the development and linkages to information and resources appropriate to the population. All service coordinators must have a history of serving the targeted area or population.

c. The SSP must be unique to the development, identify the population served, be customized to that population and include the following:

- performance period and, if different, length of service coordinator's contract term;
- project service coordination funding amount and funding sources;
- methods to provide residents with information and referrals to all appropriate resources; and
- specific services to be provided, including
  - identification of partnerships with qualified service-provider agencies
  - methods to assess resident needs and develop a plan for service delivery
  - how transit will be provided to off-site services and referral entities
  - memorandum of understanding with all applicable local service providers
  - methods to monitor and evaluate service delivery and outcomes

d. Service Enriched developments may submit a plan accepted by the local Continuum of Care or HUD in place of the items specified above. The SSP is due at proposal application but local service provider agreements may be submitted upon request for IRS Form 8609. All SSPs for Service Enriched developments must address the following:

- Population(s) to be served and the experience that the supportive services provider(s) have serving the target population(s).
- Formal and informal methods that will be used to evaluate the success of the supportive services plan in meeting the individual needs of the residents, addressing overall issues of homelessness, and how this information will be conveyed to OHFA and other organizations.
- Methods to provide assistance in applying for Medicaid and other benefits to ensure the needs of residents are met.
- Methods to link residents to services not offered on-site.
- Physical characteristics of the site, design and/or location that will enhance the lives of residents.
- Sources of funding for all supportive services and how the supportive services will be sustained over the 30-year extended use period.

34. Utility Allowance Information

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

a. Competitive HTC at Proposal / Non-Competitive at Submission: Applications must include a utility allowance projection determined using any permissible or reliable calculation method.

b. Final Application: Applications must include utility allowance information consistent with IRS Regulation 1.42-10 and OHFA's Utility Allowance Policy.

Properties with OHFA-awarded HOME funds cannot use the PHA estimate or other estimates that are not project-specific. HCGF applicants must follow those program requirements. OHFA will accept, but must approve the following:

- Utility Company Estimates
- HUD Utility Schedule Model
- Engineer's Energy Consumption Model, calculated by a properly licensed engineer or qualified professional

35. Zoning

Competitive HTC			Non-Comp. HTC		BGF		
P	F	8609	S	8609	P	F	8609

a. Applications must include either:

- a valid building permit
- a letter from the local municipality stating that either the current zoning will permit the proposed development or no zoning regulations are in effect.

Evidence must be dated within one year of the application due date.

b. For scattered site developments only, any sites added to the project after proposal application must be identified in the final AHFA and applicable zoning documentation provided at final application.

c. OHFA may waive or modify zoning requirements for projects involving new construction that encounter an extreme and unforeseeable delay where final zoning approval was not granted due to circumstances beyond the applicant's control if the applicant can demonstrate

- correctly following the local zoning process,
- providing all necessary documents for local review, and
- giving adequate time for local consideration.

The exception request form must include a narrative describing the circumstances and a letter from the unaffiliated entity responsible for the delay describing the situation and the timeline for obtaining the appropriate approval. OHFA may require zoning either with the final application or prior to the release of funding decisions.

B. HTC Programmatic Requirements & Oversight

The following requirements apply to all HTC applicants unless otherwise specified.

1. Assisted Living

Competitive HTC	**Non-Comp. HTC**	BGF

Affordable Assisted Living proposals are only eligible for the Non-Competitive HTC (non-BGF) program and must meet the requirements in the Multifamily Underwriting Guidelines.

2. Average Income Minimum Set-Aside

Competitive HTC	**Non-Comp. HTC**	**BGF**

Applicants planning to elect the Average Income minimum set-aside must comply with the Average Income Policy.

3. Broadband Infrastructure

Competitive HTC	**Non-Comp. HTC**	**BGF**

All developments must install wireless broadband infrastructure in compliance with Federal Register 81 FR 31181 "Narrowing the Digital Divide through Installation of Broadband Infrastructure".

Installation must result in speeds in each unit (living or dining room and each bedroom) and all common areas meeting the Federal Communications Commission's (FCC's) definition in effect at the time of generating the pre-construction estimates. Owners are not required to pay for tenants' service but must provide free access in all common areas (exclusive of circulation space) through the Extended Use Period (does not apply to developments in areas that lack broadband service).

4. Competitive Application and Developer Award Limitations

Competitive HTC	Non-Comp. HTC	BGF

a. Applicants and their related and affiliated entities may submit the following number of Competitive HTC applications and receive the following number of Competitive HTC allocations each year:

Type of Previous Experience	Number of Applications	Number of Awards
Applicant has never received Ohio 9% HTCs but meets the minimum eligibility requirements in Appendix C.	1	1
Applicant has received Ohio 9% HTCs and received Form(s) 8609 for at least one project in the past 10 years.	2	1
Applicant has received Ohio 9% HTCs and received Form(s) 8609 for at least two projects in the past 10 years.	3	2 (total credit allocation per applicant may not exceed $2.5 million)
- Applicant has received Ohio 9% HTCs and received 8609s for at least three projects in the past 10 years.	4	2 (total credit allocation per applicant may not exceed $2.5 million)
- Applicant has received Ohio HTCs and received 8609s for at least 5 projects in the last 10 years.	5	3 (total credit allocation per applicant may not exceed $2,500,000)

The above application and award limits are inclusive of any projects on which an entity or individual is serving in a role of Development Consultant, Co-Developer, or other member of a development team.

OHFA will utilize information provided as part of the Experience and Capacity submission to determine eligibility and may request additional information.

b. Applicants submitting multiple proposals may provide a letter indicating their preferred rank. The ranking does not guarantee the highest ranked proposal(s) will be selected. If the applicant elects not to rank their proposals, OHFA will determine which will be awarded (if any).

5. Community Housing Development Organization (CHDO) Certification

Competitive HTC	Non-Comp. HTC	BGF

An applicant seeking to participate in a development as a state-certified CHDO (will apply for the CHDO set-aside HOME funds from OHFA) must submit the CHDO Certification Application by the deadline indicated in the Program Calendar. OHFA will notify applicants of deficiencies prior to the proposal application deadline. The application must include a letter from the syndicator confirming that the CHDO has the financial capacity to provide the requisite project guarantees.

All CHDO requirements can be found on OHFA's CHDO webpage. Questions and correspondence regarding CHDO certification may be directed to CHDOcertification@ohiohome.org.

6. Competitive Scoring

Competitive HTC	Non-Comp. HTC	BGF

Applicants may not use the competitive review period to finish an application that was incomplete at the time of submission. OHFA will permit threshold cures for administrative errors only and may require proof the cure documentation existed on or before the application deadline. Applications selected for an award of HTCs will continue to the final application stage.

If a development has multiple sites and crosses scoring boundaries, regardless of whether it meets the definition of scattered site, the scoring category will be applied to the development area with the most affordable units unless otherwise stated.

7. Compliance with Multifamily Underwriting Guidelines

Competitive HTC	Non-Comp. HTC	BGF

All requirements in the Multifamily Underwriting Guidelines are incorporated herein.

8. Cost Containment

Competitive HTC	Non-Comp. HTC	BGF

OHFA will set the maximums according to the criteria below.

a. No later than two months prior to the application deadline, OHFA will post the maximum amounts per unit and/or per square foot for new construction vertical construction line items (hard construction costs, general requirements, builder's overhead, builder's profit, and contingency).

OHFA will determine the limits based on public input, recently submitted cost certifications, and third-party data. The posted limits will be higher for the following proposals:

- detached single family houses;
- within a central business district;
- public housing redevelopment; or
- four or more stories using steel and concrete;

OHFA may approve other limits prior to posting.

OHFA will determine the amount for rehabilitation cost line items on a per-project basis using the PCNA, scope of work, and contractor's cost estimate. **b.** OHFA will evaluate construction costs for adaptive re-use projects on a case by case basis.

c. OHFA will evaluate the appropriate amounts for other line-items (e.g., soft costs) based on:

- comparisons with other applications
- recently submitted cost certifications

- third party data, reports, and other input
- staff's professional judgment

Amounts outside the standard deviation may result in a requirement for the applicant to provide an explanation and/or the application being ineligible.

9. Design & Architectural Standards

Competitive HTC	Non-Comp. HTC	BGF

All requirements in the Design & Architectural Standards are specifically incorporated herein.

10. Detrimental Land Uses

Competitive HTC	Non-Comp. HTC	BGF

a. OHFA will not select New Affordability or Permanent Supportive Housing applications for developments sited adjacent to any detrimental land use or sufficiently close to impair residents' use. Detrimental land uses include:

- significant numbers of uncontrolled Blighted parcels
- high levels of noise and/or noxious odors
- land uses incompatible with residential occupancy (e.g. landfills, factory farming, etc.)
- others as determined by OHFA

Blighted has the same definition as in Ohio Revised Code §1.08.

b. Applicants may submit the following supplemental information to negate a finding of detrimental land use with the proposal application and/or following the site visit:

- A narrative explaining plans or strategies to mitigate or eliminate the adjacent conditions prior to the property being placed into service.
- If the site(s) are under third party control, documentation from the owner confirming the remedial plans and estimated completion time.
- If the site(s) are under land bank control and scheduled for demolition or renovation, documentation from the land bank proving their ownership confirmation of its corrective plan.

11. DevCo

Competitive HTC	Non-Comp. HTC	BGF

OHFA may require HTC recipients to enter information into the DevCo reporting system.

12. Extended Use Agreement

Competitive HTC	Non-Comp. HTC	BGF

All HTC developments will file a Restrictive Covenant provided by OHFA which waives the right of the owner to petition OHFA to have the extended use period terminated as described in Section 42 of the IRC.

13. Fraud, Waste, and Abuse

Competitive HTC	Non-Comp. HTC	BGF

Documented instances of fraud, waste, or abuse may result in any action listed in the Penalties section and/or any other action OHFA deems necessary.

14. HUD 811 Project Rental Assistance Program

Competitive HTC	Non-Comp. HTC	BGF

Applicants will commit at least 10% or five units in the proposed development to participation in the Section 811 Project Rental Assistance Program upon OHFA request. (The applicable requirements may result in fewer units.) OHFA will select developments based on need and demand. This commitment does not guarantee selection. OHFA will prioritize applications with general occupancy/non age restricted units.

15. Non-Competitive HTC Requirements (additional)

Competitive HTC	Non-Comp. HTC	BGF

Specific requirements of the Multifamily Bond Financing program are provided in the most current guidelines.

a. Application Submission: OHFA accepts applications for Non-Competitive HTC (non-BGF) on a quarterly basis in accordance with dates in the Program Calendar. Applicants must contact OHFA at least 45 days prior to the submission date to schedule a meeting with staff.

b. Application Review: OHFA will notify applicants of any underwriting or threshold deficiencies and will allow two calendar weeks to correct the items. After the applicant has responded to any deficiencies, OHFA will continue to communicate with the applicant to resolve any outstanding issues for two additional weeks. After the second two-week period OHFA may reject the application.

c. HTC Reservation: OHFA will determine the amount of Non-Competitive HTCs and conditions for final award. OHFA will not evaluate any subsequent changes to the project until the request for Form(s) 8609.

16. Penalties

Competitive HTC	Non-Comp. HTC	BGF

Violations of QAP, missed deadlines, failure to honor commitments made in the application process, or other instances of noncompliance with OHFA requirements may result in any or all of the following non-exhaustive sanctions:

- Reduction in the number of applications an entity may submit or awards an entity may receive in future funding cycles.
- Removal from application consideration (if during current application round)
- Cancellation or reduction of an award.

- Prohibition from participation in OHFA funding programs.
- Permanent or temporary prohibition from participation in one or more OHFA programs.
- Removal from a position of Good Standing for a period of one year or more, resulting in permanent or temporary prohibition from participation in all OHFA programs.
- Monetary fee in an amount to be determined by OHFA.
- Reduction in the developer fee in an amount to be determined by OHFA.
- Referral for independent cost audit (commissioned by OHFA but paid for by the owner/developer).
- Referral to internal staff for additional physical inspection/site visit.

17. Resyndication

Competitive HTC	Non-Comp. HTC	BGF

a. Developments with a previous Competitive HTC allocation may not compete for another allocation of Competitive HTC until ten years after the end of the Compliance Period.

b. Developments with a previous Competitive HTC allocation may seek Non-Competitive HTCs one year after the end of the Compliance Period if the application demonstrates a need for replacement of major building components which exceed the available resources in the replacement reserve accounts.

c. Developments that received a previous Non-Competitive HTC allocation may apply for Competitive or Non-Competitive HTC at the end of the Compliance Period.

18. Scattered Site Definition & Requirements

Competitive HTC	Non-Comp. HTC	BGF

A development qualifies as scattered site if there are 10 or more sites and 50% or fewer are contiguous. Scattered site developments cannot include non-HTC/market rate units.

Applicants must adhere to requirements in the Architectural Plans, Market Study, Public Notification, Site Visit Documents, and Scattered Site Development Map sections.

19. Scoring Reassessments

Competitive HTC	Non-Comp. HTC	BGF

OHFA will reassess applications with a reservation of Competitive HTCs at final application and again upon request for IRS Form 8609. Applications must maintain all elements and features of the proposal application regardless of whether elimination would affect scoring or ranking, including cost increases and unit configuration changes. OHFA may assess any sanction listed in the Penalties section for failure to conform to the preceding.

20. Tenant Protections

Competitive HTC	Non-Comp. HTC	BGF

a. The ownership entity and management agent will:

- expressly include reasonable accommodations in the application for tenancy;
- not ask applicants/residents for medical or other protected information unless and only to the extent legally necessary (e.g., processing reasonable accommodations);
- use standard leases with the same rights available to, and responsibilities expected of, all households, including duration of tenancy (cannot be transitional);
- ensure participation in any supportive services is entirely voluntary (not a formal or implied condition of occupancy); and
- not give a preference based on either disability type (actual or perceived) or being a client of a particular provider.

b. As an exception to subsection (a) above, projects may give preference to disabled families who need services offered in accordance with the following:

- The preference is limited to the population of families (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain themselves in housing.
- Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing and for whom such services cannot be provided in a nonsegregated setting.
- Residents will not be required to accept the particular services offered.
- The owner may advertise the project as offering services for a particular type of disability however the project must be open to all otherwise eligible persons with disabilities who may benefit from services provided.

The application must include a letter representing the project will meet the criteria in this subsection (b). The letter must be from either a Continuum of Care or other public entity (e.g., Mental Health and Recovery system board, local child welfare system of care) which has no affiliation with any member of the Development Team

c. The ownership entity's members/partners, the management agent, and affiliates thereof may not engage in medical, therapeutic, or other activities regulated by the U.S. Centers for Medicare & Medicaid Services with respect to the residents.

C. Developer Costs and Fees

1. Development Support Budget

The "Development Support Budget" is defined as the developer fee, as calculated below, plus the total of all application or development consultant fees, construction management fees, guarantee fees, developer asset management fee and any financing fees charged by the developer. OHFA may add other fees to the calculation as appropriate.

For Competitive HTC projects, the maximum Development Support Budget is $1,750,000.

2. Competitive HTC Developer Fee Calculation

The base developer fee plus the developer fee supplement represent the maximum amount.

The base developer fee for all Competitive HTC applications is calculated as follows:

Pool	Developer Fee
New Affordability	$30,000 per affordable unit
Preserved Affordability	30% of rehabilitation hard costs
Service Enriched Housing	$30,000 per affordable unit

The following activities will supplement the base developer fee by $75,000, however they will not count toward the $1,750,000 maximum Development Support Budget.

Activity
New Affordability developments with at least 25% extremely low income (ELI) units
State-certified CHDO
Development required by law to pay prevailing wage rates (the application must contain proof)
Developments leveraging State or Federal Historic Tax Credits
A Minority or Women-Owned Business is the Majority General Partner in the ownership structure

Developer fees for Competitive HTC applications will be locked in at proposal application and may not increase.

Applicants must show that any deferred developer fee can be paid in full from development cash flow within the first 15 years.

3. Non-Competitive HTC Developer Fee Calculation

Developer fee shall be no more than 25% of the total acquisition, rehabilitation, and new construction eligible basis. The developer fee itself is not included in this calculation. Developer fees in excess of 20% must be deferred or a capital contribution (included in the sources of permanent financing). All cost containment must be satisfied inclusive of developer fee.

D. 6-2-6: Contractor Cost Limits

The maximum amount of the contractor's fee is locked in at either (a) final application or (b) execution of the signed general contractor agreement by delivering a copy of that agreement and a lock-in request to OHFA within 30 days of execution. This amount cannot increase. There is no obligation to decrease the amount if final hard construction costs are lower.

E. Basis Boost Policy

1. Codified Basis Boost

Developments located in a Difficult Development Area (DDA) or Qualified Census Tract (QCT) are eligible for an increase of up to 130% of the eligible basis.

2. Discretionary Basis Boost

The following development types are eligible for a 130% basis boost:

- competing in the Service Enriched Housing pool;
- located in a High or Very High Opportunity census tract as designated by the USR Opportunity Index; or
- located in Moderate USR Opportunity Index areas that also have a Strong Growth or

higher Community Change Index rating.

The following development types are eligible for a 115% basis boost:

- competing in the Rural and Preserved Affordability pools;
- New Affordability in which 25% or more of units are affordable to ELI households; or
- a Minority or Women-Owned Business is the Majority General Partner in the ownership structure.

F. LIMITS ON HOUSING CREDIT GAP FINANCING FUNDS

Competitive HTC applicants may seek one HCGF source at the time of proposal application:

1. Ohio Housing Trust Funds (OHTF)

The following development types are eligible to request up to $300,000 of OHTF:

- Service Enriched developments
- New Affordability family housing developments located in a High or Very-high Opportunity Census tract
- a Minority of Women-Owned Business is the Majority General Partners in the ownership structure

2. HOME Funds

Applications in any pool may request up to $600,000 in HOME funds if “sponsored” by a state-certified CHDO. OHFA will consider projects with a prior HDAP award on a case-by-case basis following the submission of an Exception Request Form.

G. ACCESSIBLE DESIGN

1. Universal Design

All HTC developments must incorporate all mandatory Universal Design components, as outlined in Appendix D, and either

- 10 additional in 50% of units or
- 5 additional in 100% of units.

2. 504 Units

At least 10% of units in Competitive HTC developments must meet the 504 requirements defined in the Design & Architectural Standards.

III. HOUSING POLICY POOLS AND COUNTY LIMITS – COMPETITIVE HTC

OHFA will distribute the annual per capita amount among the following allocation pools.

Pool	Allocation Amount
New Affordability: Central City	26% (approx. $7.7 million)
New Affordability: Metro/Suburban	23% (approx. $6.7 million)
New Affordability: Rural	17% (approx. $5.0 million)
Preserved Affordability	20% (approx. $5.8 million)
Service Enriched Housing	14% (approx. $4.0 million)

The maximum credit request per application is as follows:

New Affordability: Central City Pool and Metro/Suburban Pool: $1,250,000
All Other Pools: $1,000,000

In the event that Congress authorizes an increase in 9% HTC allocations, OHFA may revise the allocation amounts.

A. New Affordability

Applications in which the majority of units propose new construction or renovation of existing structures creating units that are newly affordable, meaning not previously rent- or income-restricted or occupied, may compete in one of the New Affordability pools. Renovation of existing structures must be in the form of either:

- adaptive reuse of a building not originally designed or built for residential purposes, or
- renovation of a building which may have been previously used for residential purposes but has been 100% vacant for at least three years.

Presuming sufficient requests among eligible applications, OHFA will award at least 35% of New Affordability HTCs to family or senior proposals (neither will receive more than 65%).

1. Set-Aside: Non-R/ECAP

For each of the three geographic Pools, OHFA will award at least one housing development outside of a HUD-defined Racially- or Ethnically-Concentrated Area of Poverty (R/ECAP) meeting all of the following criteria:

- The proposed development is located in a High or Very High Opportunity or Moderate Opportunity Census tract (the latter must also have a Community Change Index rating of Strong Growth or Growth).
- The proposed development will not be restricted to occupancy by persons 55 years of age or older.
- No more than 35% of affordable units may be one-bedroom and/or efficiencies.
- 5% of all affordable units must be three-bedroom or larger and also be affordable to those earning 60% AMI or less.

2. Set-Aside: Revitalization Area

For each of the three geographic Pools, OHFA will award at least one housing development in a

QCT meeting all of the following criteria:

- In an area subject to a Revitalization Plan as defined in Section II(A)(30).
- The proposed development is not located in a High or Very High Opportunity Census tract.
- The proposed development will not be restricted to occupancy by persons 55 years of age or older.
- No more than 35% of affordable units may be one-bedroom and/or efficiencies.
- 10% of all affordable units must be three-bedroom or larger and also be affordable to those earning 60% AMI or less.

3. Set-Aside: Single Family Development

OHFA will award one development in the Central City Pool involving the new construction of single family homes or townhomes, including but not limited to those intended for eventual resident ownership.

4. Set-Aside: Appalachian County

OHFA will award two developments in the Rural Pool located in one of the 32 Appalachian counties as designated in the Appalachian Regional Development Act of 1965, as amended.

B. Preserved Affordability

Includes applications in which the majority of units preserve existing affordability by maintaining project-based subsidies or Year 30 HTC developments.

1. Set-Aside: RAD Conversion

OHFA will award one housing development that is approved by HUD to proceed with either a RAD or RAD for PRAC conversion as demonstrated by a formal federal commitment. A majority of units must maintain existing project-based subsidies through a HUD program.

2. Set-Aside: USDA Subsidy Preservation

OHFA will award one housing development with a majority of units maintaining existing project-based subsidies through a program administered by USDA Rural Development.

C. Service Enriched Housing

1. Minimum Requirements

Proposed developments must meet the State of Ohio Permanent Supportive Housing definition and meet all of the following criteria:

a. Serve target populations at or below 30% AMI with a disability, as defined in the Interagency Council on Homelessness and Affordable Housing Permanent Supportive Housing Policy Framework and, as evidenced by one of the following factors set forth in HUD Coordinated Entry Notice CPD-17-01: Section II.B.3:

- significant challenges or functional impairments, including physical, mental, developmental, or behavioral health challenges, which require a significant level of support in order to maintain permanent housing;
- high utilization of crisis or emergency services to meet basic needs, including but not limited to emergency rooms, jails, and psychiatric facilities;
- vulnerability to illness or death;
- high risk of homelessness; and/or
- vulnerability to victimization, including physical assault, trafficking, or sex work.

b. A minimum of 50% of the total affordable units in the development must have a commitment for rental subsidy.

c. The majority General Partner(s) must be a nonprofit organization with experience developing, owning, or managing permanent supportive housing.

d. Has support from the applicable Continuum of Care (CoC) through either a primary or secondary priority letter:

- demonstrating that the CoC believes the project can prevent homelessness;
- summarizing what, if any, relationship the development will have with the CoC regarding the coordinated entry system, referral services, and data sharing; and
- confirming there is sufficient market demand for the project in its defined market area.

2. CoC Priority

The applicable CoC shall designate a primary and may designate a secondary priority by indicating the rank of each. CoCs have explicit authority to:

- prioritize projects that meet OHFA's minimum requirements in any manner they determine, and
- impose more restrictive population or eligibility criteria.

3. Set-Aside: Balance of State/Small CoC

At least one award will be in Canton/Stark, Youngstown/Mahoning, Lucas County, or the Balance of State Continua of Care.

D. Strategic Initiatives

After reserving the majority of credits in each pool based on the results of the competitive scoring process, the remaining credits in the pool will be reserved for Strategic Initiatives funding. OHFA will award a minimum of $1,000,000 through Strategic Initiatives.

Proposals must apply for consideration in one of the above allocation pools and meet all threshold criteria.

OHFA will give priority selection consideration to each of the following:

- Proposals that address priority housing needs evidenced in the most recent Housing Needs Assessment.
- Proposals meeting a quantifiable need and targeting policy and/or geographic areas left underserved through the competitive selection process, including but not limited to meeting OHFA's CHDO set-aside obligation.
- Proposals that assist Ohio in meeting our obligation to Affirmatively Further Fair Housing including but not limited to projects that enhance mobility strategies and encourage development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization.
- Resubmitted applications that met all threshold and minimum scoring criteria for funding in a prior round but did not receive an award due to competitive rankings.
- Proposals with a significant community and population impact, including historic, adaptive reuse, mixed-use and mixed-income developments

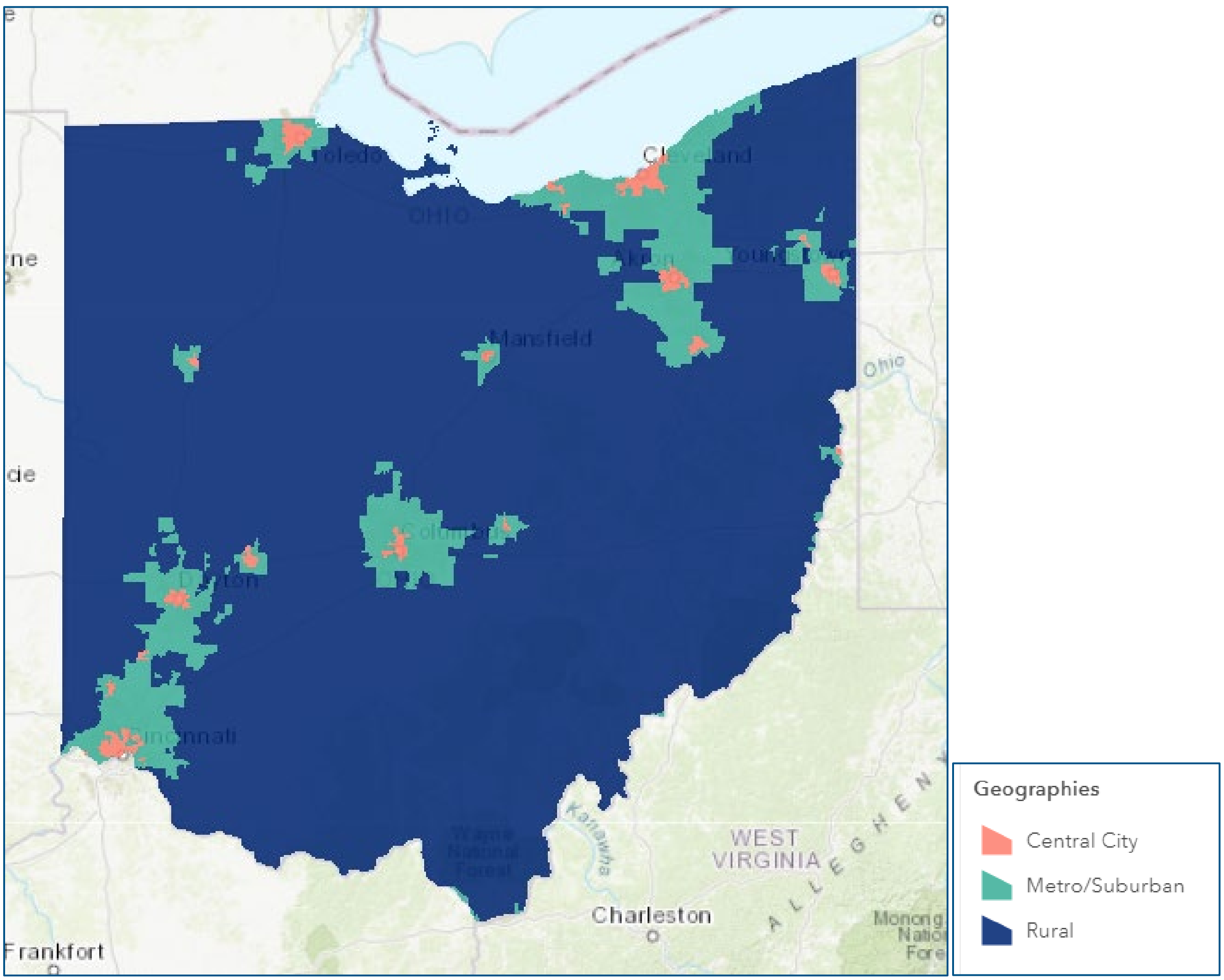
E. County Limits

OHFA will make no more than the following awards per county. If applications across multiple Pools would qualify for awards in excess of these limits, OHFA will base the order on how each placed in its respective competition.

- Seven: Cuyahoga, Franklin
- Five: Hamilton
- Three: Summit, Montgomery, Lucas
- Two: Butler, Stark, Lorain
- One: all others

F. Geographic Definitions

An interactive map showing Central City, Metro/Suburban, and Rural Pools is available at: https://arcg.is/0a0yij. The typologies are based on the USR Opportunity Index map created in partnership with the Kirwan Institute.



IV. COMPETITIVE CRITERIA

The point values for scoring criteria are unique to each allocation pool to account for policy considerations. An application must achieve at least 70% of the total available points in the applicable pool to be considered for an award of Competitive HTCs. OHFA will not award partial points. All distance-based scoring criteria are measured in linear distance and are verified in Google Maps.

The following tiebreakers apply in the event two applications have the same score:

1. The development located in the census tract that has received the fewest number of Competitive HTC awards over the past three years.
2. Opportunity Index ranking for New Affordability applications; percentage of project-based rental assistance preserved for Preserved Affordability applications.
3. OHFA discretion.

A. New Affordability

The following scoring criteria will be applied to proposals competing in the New Affordability pool.

Scoring Category	Max Points Available
Local Partner or In-State Experience	**10**
Resident Amenities	**5**
Income Diversity	**10**
Housing Need	**10**
Credits Per Affordable Unit	**5**
Leverage	**15**
New Affordability Pool Priorities	**35**
TOTAL:	**90**

1. Local Partner or In-State Experience

Maximum Points: 10 (select one)

a. Local Nonprofit Partner: The development will include a local nonprofit that can demonstrate a history of providing housing in the target area. The organization must have at least 25% General Partnership interest in the ownership of the proposed development. OHFA may consider for-profit entities that are controlled by nonprofit parent organization.

b. Housing Authority Partner: The development will include a local MHA that has 51% General Partnership interest in the ownership of the proposed development and owns the land the project will be located on.

c. CHDO Partner: The development will be owned, developed, or sponsored by a community-based housing development organization currently serving the area that was certified as a CHDO by OHFA during the application phase and is requesting HOME funds from OHFA as part of the proposal.

d. In-State Experience: The developer has a General Partnership interest in five Ohio HTC properties (including Non-Competitive) placed in service in Ohio in the last ten years. OHFA may consider affiliated entities.

2. Resident Amenities

Maximum Points: 5 (select one)

a. Exercise & Wellness: Development will include one of the following specific to the population being served:

- Onsite fitness area with equipment specific to the total number of units.
- Onsite health clinic or wellness suite in a property with a service coordinator on-site at least 10 hours per week.
- Partnership with an off-site fitness or recreation facility to provide access for the development's residents at no charge for a minimum of five years. The facility must be located within five miles of the development.

b. Design Features: Development will include one or more of the following:

- 1 point- Dishwasher and garbage disposal in all units.
- 2 points- Washer/dryer hookup in all units.
- 2 points- Lease Addendum allowing for pet ownership.
- 2 points- Interior and exterior security cameras.
- 5 points- Private patio or balcony for at least 20% of units.
- 5 points- Additional storage space for at least 50% of units.
- 5 points- Parking enclosed within walls/fencing and either locked, monitored by security personnel, or monitored via electronic surveillance.

The additional storage space must be tenant storage lockers within the building or in-unit space (24 inches deep, 36 inches wide, 84 inches high) in addition to one closet per bedroom, a coat closet, and a linen closet.

3. Income Diversity

Maximum Points: 10 (select one)

a. ELI Targeting: Developments that will commit to the following minimum percentage of all affordable units being occupied by and affordable to households at or below 30% AMI:

- 20% in Central City
- 15% in Metro/Suburban
- 10% in Rural

b. Project-Based Rental Subsidy: Developments that have a commitment of project-based rental subsidy for a minimum of 15% of the units from the local housing authority or transferred housing assistance contracts through HUD. If PBRA is transferred, no more than 50% of the total units in the development can be covered by the contract.

c. Market Integration: Developments that promote economic integration by providing at least 5% of units that are not income restricted and the market study shows the market rents are at least 110% of the applicable HTC rents.

Market rate units must be distributed proportionately throughout each building, floor, and bedroom/bath mix and type. Both market rate and affordable units must have the same design regarding unit amenities and square footage.

4. Housing Need

Maximum Points: 10

a. Percent of Very Low-Income (VLI) Households: Developments located in a census tract with a high percentage of VLI households, as shown in the applicable QAP Interactive Map.

- 30% – 48% = 1 point
- > 48% – 66% = 3 points
- Greater than 66% = 5 points

b. Underserved Counties: Developments located in a county where the volume of HTC per capita is less than what the county would have received if allocations were based solely on population size, as shown in the applicable QAP Interactive Map.

- Greater than 2= 1 point
- > 1.5-2 = 2 points
- > 1 – 1.5 = 3 points
- > 0 – 1 = 4 points
- 0 = 5 points

5. Credits per Affordable Unit.

Maximum Points: 5

Developments requesting HTC of less than the following per affordable unit.

- $24,000 = 5 points
- $25,000 = 3 points
- $26,000 = 1 point

6. Leverage

Maximum Points: 15

a. Only loans of or from the following will qualify:

- HOME from a local participating jurisdiction;
- CDBG from a local participating jurisdiction;
- Federal Home Loan Bank Affordable Housing Program;
- established local government housing programs;
- public housing authority resources;
- CDFI Fund awards through the Capital Magnet Fund, New Markets Tax Credit Program, or CDFI Program
    - These funding sources are permitted to be provided to a project in which the general partner or its parent company has been awarded one of the above directly by the CDFI Fund.
- philanthropic charitable organizations registered in Ohio.

Equity invested for historic rehabilitation tax credits also will qualify if the application includes a letter both adequately documenting calculation of the amount and reflecting the current market price. For scoring purposes, OHFA may disregard a source affiliated with the developer (excluding public housing authorities).

b. Loans(s) must be listed as a loan in the full application with:

- an interest rate of no more than 2%,
- amortization of at least 20 years, and
- no commercially unreasonable fees.

c. OHFA will calculate the total amount of qualifying funds committed per total unit (excluding one for an employee) and award points based on the following amounts:

	Central City	Metro/Suburban	Rural
15 points	$15,000/unit	$9,000/unit	$6,000/unit
10 points	$10,000/unit	$6,000/unit	$4,000/unit
5 points	$5,000/unit	$3,000/unit	$2,000/unit

For scoring purposes, OHFA will reduce the amount from a local government by the cost of any land to be sold to the ownership entity by that local government.

7. New Affordability Priorities

Maximum Points: 35

a. Transit: OHFA will award points based on the following Center for Neighborhood Technology's Transportation Connectivity Index (TCI) as shown in the applicable QAP Interactive Map. "Free Rides" are defined in two ways:

- Development-provided transportation: (Option 1) Transportation services are provided by the development (funded by development or partner organization) at no charge to the residents, and available to residents at least five times per week.; or
- On-Demand Service: (Option 2) Transportation is available to residents on an on-demand basis, coordinated by the property, and provided at no charge or reduced charge for residents.(5 points)

Available Points	Central City	Metro/Suburban	Rural
1 point	TCI Score = 1-2	TCI Score = 1	N/A
3 points	TCI Score = 3-5	TCI Score = 2	TCI Score = 1 or Free Ride Option 1
5 points	TCI Score = 6 or higher	TCI Score = 3 or higher	TCI Score = 2 or Higher or Free Ride Option 2

b. Number of Bedrooms. (Family Only): For family properties, 15% of units must be three or more bedrooms. (5 points)

c. Proximity to Amenities: Development is located within a linear distance listed below to positive land uses and amenities as defined below (10 points total):

- Full service supermarket with fresh produce (3 points)
- Pharmacy (2 points)
- Medical clinic (1 point)
- Public recreation center (1 point)
- Public park (1 point)
- Public library (1 point)
- Public elementary, middle, or high school (1 point)

Distance	Central City	Metro/Suburban	Rural
Miles	1	2	5

Only one establishment in each amenity category will count.

Applicants must use the applicable QAP Interactive Map. Applicants may submit an establishment that falls into one of the above amenity categories but is not included in the QAP Interactive Map for point consideration; OHFA will determine if it qualifies; expanded definitions can be found on OHFA's website.

The majority of sites in a scattered site development must meet the criteria to claim points.

e. Low Poverty Area: Developments located in census tracts with a poverty level of either 15% and below or 10% and below, as shown in the applicable QAP Interactive Map.

Central City
- Poverty rate of 30% and below = 3 points
- Poverty rate of 20% and below = 5 points

Metro/Suburban and Rural
- Poverty rate of 15% and below = 3 points
- Poverty rate of 10% and below = 5 points

f. Job Access: Development will be located in an area meeting either of the following:
- Within a linear distance as defined below of 3,000 or more jobs. Map may be found at http://onthemap.ces.census.gov/ (select 2018 data)
  - 3,000 – 3,999 jobs = 3 points
  - 4,000 – 4,999 jobs = 4 points
  - 5,000 and greater jobs = 5 points

Distance	Central City	Metro/Suburban	Rural
Miles	1	3	5

- In a census tract with an Entry Level Job Index score of at least 0.50 as defined in the applicable QAP Interactive Map.
  - 0.5 – 0.99 = 3 points
  - 1.0 – 1.5 = 4 points
  - Above 1.5 = 5 points

g. Neighborhood Revitalization (Family Only): Development is located in an area that meets both of the following criteria (Rural applications can choose one of the following criteria) (5 points):
- Within two miles of real estate development and/or community development investments of at least
  - $10,000,000 completed in calendar years 2019, 2020, and/or 2021, and
  - $10,000,000 planned and committed for calendar years 2022-2024.
- Within the area of a Revitalization Plan dated within the past ten years which:
  - is geographically specific,
  - outlines a clear plan for implementation and goals for outcomes,
  - includes a strategy for applying for or obtaining commitments of public or private investment (or both) in non-housing infrastructure, amenities, or services, and
  - demonstrates the need for community revitalization.

The points in subsections 8(g) and 8(h) are mutually exclusive; applicants may request consideration under only one.

h. Opportunity Area (Family Only): Development is located in an area that meeting the following criteria (5 points):

- Very High Opportunity Area = 5 points
- High Opportunity Area = 4 points
- Moderate Opportunity Area = 3 points
- Low Opportunity Area = 2 points
- Very Low Opportunity Area = 1 point

i. CORES or Experienced Service Coordinator (Senior Only):

Maximum Points: 5 (for one)

- The General Partner will be a Certified Organization for Resident Engagement & Services (CORES) entity prior to the first building placing in service or will contract with a third-party CORES entity for the duration of the compliance period.
- Developments demonstrating a commitment by an experienced local or regional service entity to coordinate appropriate services on-site at least 15 minutes per unit per week for the duration of the compliance period. The service coordinator must have a history of serving the targeted area. Residents' participation in service coordination must be entirely voluntary (not a formal or implied condition of occupancy).

j. Senior Center (Senior Only):

Maximum Points: 5

The project site is within the following distance of a Senior Center that offers regularly scheduled programming for seniors at no or nominal costs to residents:

Distance	Central City	Metro/Suburban	Rural
Miles	1	2	5

Establishments with a membership fee are eligible only if the project covers the cost for all residents.

B. PRESERVED AFFORDABILITY

The following scoring criteria will be applied to proposals competing in the Preserved Affordability pool.

Scoring Category	Max Points Available
Development Characteristics	**10**
Preservation Priorities	**10**
Experienced Ownership	**5**
Subsidy Preservation	**15**
TOTAL:	**40**

1. Development Characteristics

Maximum Points: 10

a. Rehab Scope: OHFA will award points based on the AHFA demonstrating the following hard construction costs per unit:

- $40,000 - $45,000 = 2 points
- $45,001 - $50,000 = 3 points
- $50,001 - $55,000 = 4 points
- More than $55,000 = 5 points

b. Exercise & Wellness: Development includes one of the following specific to the population being served (5 points):
- Onsite fitness area with equipment specific to the total number of units.
- Onsite health clinic or wellness suite in a property with a service coordinator on-site at least 10 hours per week.
- Partnership with an off-site fitness or recreation facility to provide access for the development's residents at no charge for a minimum of five years. The facility must be located within five miles of the development.

2. Preservation Priorities

Maximum Points: 10 (select one)

a. Financially-Troubled Asset: Development that meets all of the following:
- Development is either at risk of default or foreclosure or has negative cash flow.
- Applicant acquired the development two years before first applying for HTCs or has a purchase agreement in place contingent upon HTC award of credits, and had above conditions at the time of purchase, and seller was not a related entity.
- The seller did not, or will not, receive any operating, maintenance, or other reserve funds as a result of or concurrent with the sale of the asset.

b. Good Management: Developments that have been maintained through good management but contain no more than three Major Building Systems that are past their effective useful life, need immediate replacement, and will be replaced as part of the Scope of Work. The replacement of other Major Building Systems, or components which make up those Systems, which are beyond 75% of their EUL may be included in the Scope of Work, but the PCNA does not evidence a need for immediate replacement. The developer/owner must have been the owner for at least five years and must remain a part of the ownership structure.

c. Risk of Market Rate Conversion: Developments with either
- a federal, project-based rental subsidy contract subject to potential non-renewal in the next five years, or
- an affordable rent advantage of at least 10% for each bedroom size in the primary market area.

Affordable Rent Advantage =
1 – (the 60% AMI HTC rent at the site / achievable market rents) * 100

d. Need for Replacement: Development has been become obsolete due to factors beyond the control of the current ownership and poses significant health and safety concerns in its current state. Demolition of the existing obsolete structure(s) and replacement with newly constructed units is more financially feasible than rehabilitation due to the scope of repairs and replacements needed. The replacement development must provide the same number of units that will be demolished.

3. Experienced Ownership

Maximum Points: 5

Developments meeting both of the following:

- the General Partner is in the ownership entity of at least five federal, project-based rental subsidy contract properties in Ohio, and
- the property manager has at least 10 years of affordable housing experience.

4. Subsidy Preservation

Maximum Points: 15

a. Preserved Units: Developments that preserve the following percentages of a federal, project-based rental subsidy:

- 74% or less of the affordable units = 8 points
- 75-84% of the affordable units = 10 points
- 85-94% of the affordable units = 13 points
- 95-100% of the affordable units = 15 points

b. Maturing Mortgage: Developments with a USDA RD Section 515 loan maturing by 2026 (5 points).

c. Year 30: HTC Projects placed in service more than 25 years before the application date (15 points):

- in an area where the market rents for comparable properties are at least 5% higher than the HTC maximum, and
- no affordability restrictions for another program restricts the real estate.

C. Service Enriched Housing

The following scoring criteria will be applied to proposals competing in the Serviced Enriched Housing pool.

Scoring Category	Max Points Available
Experienced Service Coordinator	**20**
Local Partners	**15**
Expert Recommendations	**20**
Neighborhood Development & Impact Initiative	**20**
High Need County	**5**
TOTAL	**80**

1. Experienced Service Coordinator.

Maximum Points: 20

Proposals demonstrating a commitment by an experienced local or regional service provider(s) to deliver comprehensive services. All service providers must have a history of serving the area. Comprehensive means two or more of the following eligible service programs:

- Before and/or after school care every weekday for the duration of the school year
- Early childhood education
- Educational assistance programs

- Financial literacy, credit counseling, or other education
- Health promotion, nutrition, or wellness
- Job training, search, and/or placement assistance, including employment services
- Life skills training
- Transportation
- Legal services

Residents' participation in service coordination must be entirely voluntary (not a formal or implied condition of occupancy).

2. Local Partners

Maximum points: 15

Proposals including both of the following:

- **Referral Partnership:** The development team has established an MOU with either the applicable (1) Continuum of Care for PSH applicants or (2) ADAMH Board for Substance Abuse Recovery applicants to admit referrals from a coordinated entry system and will target households including individuals and families meeting the applicable target population.
- **Medicaid Partnership:** Evidence of a partnership with a service provider who will coordinate provision of Medicaid-funded services.

3. Expert Recommendations

Maximum points: 20

Proposals that have been designated a primary or secondary priority/recommendation by the applicable Continuum of Care (CoC) for PSH applicants.

- Primary designation = 20 points
- Secondary designation = 10 points

Proposals with a letter of support/recommendation from outside of a Continuum of Care meeting the following criteria (10 points):

- from a public entity (e.g., Mental Health and Recovery system board, local child welfare system of care) which has no affiliation with any member of the Development Team;
- accurately addresses multiple aspects specific to the application, and
- does not express expectations inconsistent with QAP limitations or requirements.

4. Neighborhood Development & Impact Initiative

Maximum points: 20

a. Transit (10 points):

OHFA will award points based on the following Center for Neighborhood Technology's Transportation Connectivity Index (TCI) as shown in the applicable QAP Interactive Map. "Free Rides" are defined in two ways:

- Development-provided transportation: (Option 1) Transportation services are provided by the development (funded by development or partner organization) at no charge to the residents, and available to residents at least five times per week.; or
- On-Demand Service: (Option 2) Transportation is available to residents on an on-demand basis, coordinated by the property, and provided at no charge or reduced charge for residents.(5 points)

Available Points	Central City	Metro/Suburban	Rural
2 points	TCI Score = 1-2	TCI Score = 1	N/A
4 points	TCI Score = 3-4	TCI Score = 2	N/A
6 points	TCI Score = 5-6	TCI Score = 3	N/A
8 points	TCI Score = 7-10 or Free Ride Option 1	TCI Score = 4-5 or Free Ride Option 1	Free Ride Option 1
10 points	TCI Score = 11 or higher or Free Ride Option 2	TCI Score = 6 or higher or Free Ride Option 2	Free Ride Option 2

b. Proximity to Amenities (10 points): Scoring will operate in the same manner as Section IV(A)(7)(c).

5. High Need County

Maximum points: 5

Developments that are located in a county with a high number of literally homeless individuals as determined by HUD's 2019 Point in Time (PIT) count as shown in the applicable QAP Interactive Map.

- 50-99 = 1 point
- 100-499; 2 points
- 500-999 = 3 points
- 1,000-1,499 = 4 points
- 1,500 or greater = 5 points

V. POST-AWARD AND PROJECT ADMINISTRATION

A. BINDING RESERVATION AGREEMENT

OHFA will send Binding Reservation Agreements to the contact person indicated in the proposal application. OHFA must receive the original Binding Reservation Agreement and Election Statement, a reservation fee equal to 6% of the reservation amount, and any additional documentation indicated in the agreement by the date indicated in the Program Calendar.

B. WAITING LIST

OHFA will place applications that do not receive an award on a waiting list.

C. PRE-PLACED IN SERVICE PROPERTY, OWNERSHIP, AND/OR MANAGEMENT CHANGES

OHFA must approve all development changes and may require new application, processing fee, public notification letters. OHFA may reduce or revoke a reservation of HTCs if changes are made without prior approval or if applicants fail to complete a development as approved.

OHFA may allow the admission of an additional General Partner after HTC award based on a letter from the owner's legal counsel confirming the new General Partner will:

- own no more than 24% of the General Partner shares;
- materially participate in the development;
- gain little or no financial benefit from the development; and
- not count the development toward their experience in future OHFA applications.

D. SPECIAL ALLOCATION

An owner of a development that is unable to proceed may seek a special allocation of HTCs in the current year. An applicant must meet all of the following requirements:

1. The applicant must have received an allocation of Competitive HTCs from OHFA in a previous year. The owner must have returned the allocation or OHFA must have revoked it prior to the required placed-in-service date.

2. The underlying reason for the inability of the development to proceed must relate to actions by unrelated parties that affect the purchase of the site, plan approval or building permit issuance.

3. The applicant must obtain a final legal judgment in favor of the owner, a settlement among the parties (including, but not limited to, HUD, USDA Rural Development, a local government or property owner) that will enable the development to proceed, or other documentation as permitted by OHFA evidencing an imminent resolution.

4. The applicant must complete a current year application. Any monetary damages received that are related to the development, less direct costs of litigation apportioned between damages that are related and unrelated to the development, must be pledged to the development.

5. The request must be submitted no later than three years after the previous allocation was returned or revoked.

OHFA has no affirmative obligation to grant approval to any development seeking relief. Developments approved for a special allocation must pay a new reservation fee equal to 10% of the allocation amount. The original reservation fee will not be refunded.

E. Placed-in-Service Relief

OHFA may grant relief to applicants unable to meet their placed-in-service deadline due to circumstances outside their control that could not be reasonably anticipated before the proposal application date. The applicant must meet all the following requirements:

1. Submit a formal request outlining reasons that the placed-in-service deadline cannot be met. The request must be submitted after September 1 and no later than November 30 of the year of the placed-in-service deadline.

2. Agree to return their HTC allocation to OHFA prior to the placed-in-service deadline.

3. Demonstrate significant progress (roughly 75%) toward completion of the construction and/or rehabilitation of the development at the time the request is submitted.

4. Pay a new reservation fee equal to 10% of the allocation amount.

For approved requests OHFA will make a new allocation and extend the placed-in-service deadline for up to one year.

F. Carryover Allocation for 9% HTC

All developments must meet the Treasury Regulation 1.42-6 carryover allocation requirements. OHFA will issue a Carryover Agreement to Competitive HTC recipients by the end of the calendar year of award. OHFA may add conditions or require follow-up items in the Carryover Agreement that must be met before OHFA will issue IRS Form(s) 8609.

G. 42m Letter of Eligibility for 4% HTC

OHFA will send a 42m Letter of Eligibility to the contact person for approved applications.

H. Quarterly Construction Monitoring Reports

Owners must submit online Quarterly Construction Monitoring Reports detailing construction progress to OHFA for all 9% and 4% HTC projects and HDAP projects beginning the first quarterly reporting period following OHFA Board approval through 100% construction completion. Submission dates are January 1, April 1, July 1 and October 1.

I. Development Completion Stage / 8609 Request

Upon development completion, the owner must notify OHFA of the placed-in-service date of each building and submit the items OHFA requires to request IRS Form(s) 8609 by the date listed in the Carryover Agreement. OHFA will not process incomplete or insufficient requests. Owners must complete closeout process for any HDAP funds before 8609s are issued.

VI. TRAINING AND TECHNICAL ASSISTANCE

A. COMPLIANCE NEXT STEPS PROCESS

Completion of the Compliance Next Steps (CNS) process, including attending meetings, is required as part of the request for IRS Form 8609.

OHFA staff will schedule an initial CNS meeting based on the following criteria:

- *New Construction or HDAP:* when the project reaches 50% construction completion.
- *Acquisition/Rehabilitation:* when the property is transferred to the new ownership entity.
- *Rehabilitation only:* when the property reaches the 50% rehabilitation completion point or within 30 days of the first or only building placing in service, whichever is first.

Additional transition meetings will occur based on various factors.

Refer to the Compliance Next Steps Policy for further information on the CNS process.

B. TRAININGS AND COURSE OFFERINGS

Completion of the OHFA LIHTC Essentials Compliance Training is required in order to obtain IRS Form 8609. A representative of the owner and/or management company also must attend the OHFA Compliance Policies and Regulations Training every two years.

C. ONBOARDING AND RELATIONSHIP BUILDING PROGRAM

OHFA may require participation in the Onboarding and Relationship Building program at any point in the life of the property. Events that may trigger participation include:

- changes in ownership or management at a property;
- working with OHFA for the first time;
- having minimal experience with HTC, HOME, or other OHFA multifamily programs; or
- significant and/or systemic compliance issues, such as frequent management company turnover, repeated unresponsiveness to OHFA, etc.

Owners should review OHFA's Partner Relationship and Onboarding Process for further information.

VII. PROGRAM COMPLIANCE

A. INTRODUCTION

The monitoring process determines if a property is complying with IRC requirements. The HTC monitoring process is outlined in IRC Section 42, IRS Regulation 1.42-5, the QAP, and other OHFA policies. Compliance with IRC requirements is the sole responsibility of the owner of the building for which the HTC was allocated. OHFA's obligation to monitor for compliance does not make OHFA liable for owner noncompliance.

The term "extended use period" shall be defined as: "Beginning on the first day in the 15-year compliance period … and ending 15 years after the close of the compliance period." This definition shall apply to any references of "extended use period" made in the 2022-2023 QAP.

B. MONITORING REQUIREMENTS AND PROCESS

HTC projects are required to comply with the below requirements, in addition to any other requirements described in guidance published on OHFA's Compliance webpage.

Compliance requirements are communicated to owners and managers of HTC developments through the OHFA website, training sessions, email updates, and other means such as the OHFA newsletter. Owners and managers are expected to subscribe to OHFA's email listing and consult these and other resources to ensure they are up-to-date regarding policies and procedures established by OHFA.

Owners are responsible for ensuring that the property management agent has all documents and information necessary to meet all rent, income, or other requirements attached to all sources of funding used to develop the project. Such documents may include, but are not limited to, tenant files, Form 8609, the HTC restrictive covenant(s), Housing Development Assistance Program (HDAP) funding agreement, or HUD 811 Rental Assistance Contract.

1. All residents must be income qualified, to ensure they meet income restrictions as adjusted for household size prior to moving into the unit. Units must be rent restricted as provided for in the IRC. All units allocated HTCs must be safe, decent and sanitary housing units complying with local building, health, safety, and zoning codes.
2. Within 15 days of placing the last building in service, the project owner must forward a letter to the compliancenextsteps@ohiohome.org assigned to the project indicating the date on which the last building was placed-in-service. Failure to provide written notification may result in a noncompliance fee.
3. The owner of a HTC development must keep records for each qualified low-income building in the project for each year of the compliance and extended use period. These records must include but are not limited to the following for each building in the project:
    a. The total number of residential rental units in the building (including the number of bedrooms and the size in square feet of each residential rental unit).
    b. The percentage of residential rental units in the building that are low-income units;
    c. The rent charged on each residential rental unit in the building (including any utility allowances).
    d. The number of occupants in each low-income unit.
    e. The unit vacancies in the building and information showing when, and to whom, the next available units were rented.
    f. The annual income certification of each low-income resident per unit (if applicable).

g. Annual student status certification.
h. Demographic information.
i. Documentation to support each low-income resident's income certification. Resident income is calculated in a manner consistent with the determination of annual income under Section 8, not in accordance with the determination of gross income for federal income tax liability.
j. The eligible basis and qualified basis of the building at the end of each year of the credit period, compliance and extended use periods.
k. The character and use of the non-residential portion of the building included in the building's eligible basis under IRC Section 42(d).

4. The owner of a HTC development is required to retain the records described in #3 for 21 years for the original qualifying households and 6 years after move out for all other households.
5. Owners must have access to DevCo (or other online system designated by OHFA) and ensure property managers and the appropriate on-site staff have access to, and are registered, in DevCo. Owners are required to update all tenant and project data in DevCo each month. For further information on DevCo including guides and webinars, access the DevCo webpage.
6. OHFA will review resident files and conduct physical inspections of the buildings, common areas and units throughout the 15-year compliance period and the entire Extended Use Period as specified in the Restrictive Covenant. OHFA has the right to perform on-site inspections of any low-income housing project through the end of the Extended Use Period. Buildings receiving new allocations of credit will be inspected no later than the end of the second calendar year following the year the last building in the project is placed-in-service. Some of the factors that determine the frequency and the number of units and buildings inspected include the type of funding in the property as allocated by OHFA, whether the property is in Extended Use, changes in ownership or management company, scores compiled through an internal Risk Assessment, systemic non-compliance issues from past inspections, and resident complaints. OHFA may audit and/or conduct physical inspections at its discretion. For all properties in the compliance period, pursuant to Treasury Regulation 1.42-5(c)(2) at least once every three years, OHFA will conduct on-site inspections of all buildings in the project and review a sample of low-income units for physical inspection and file review based on the table to paragraph (c)(2)(iii). The owner/property management company is responsible to ensure adequate staff are available to assist with the inspection and all tenant files and unit keys are readily accessible.
7. The owner will receive written reasonable notice of the inspection generally no more than 15 days per Treasury Regulation 1.42-5(c)(2). The owner must provide tenants with a notice of inspection at least 24 hours prior to the date of the inspection. The owner is responsible for ensuring all requested documentation is uploaded into DevCo no later than the date/time specified in the notice. Owners that fail to timely submit the requested documents may be placed in Not in Good Standing status and may be issued a fee for noncompliance.
8. If OHFA is unable to serve notice to the property owner by mail, email, and/or telephone or owners fail to cooperate with OHFA staff to conduct an inspection, OHFA may consider the property out-of-compliance and notify the IRS by filing Form 8823, or take other appropriate action such as designating the project and its owner/agent as Not in Good Standing.
9. During the correction period, an owner must correct any noncompliance and provide evidence to OHFA of such corrections. Failure to correct noncompliance may warrant OHFA to issue Uncorrected Form 8823 to the IRS.
10. OHFA is required to file Form 8823 with the IRS for all identified deficiencies. In addition to notifying the IRS of noncompliance, the owner or management company may be placed in Not in Good Standing status.

C. ANNUAL OWNER CERTIFICATION REQUIREMENTS

Owners and sponsors of developments funded by OHFA with HTCs, HDAP, or Multifamily Bonds must annually submit certifications and reports to remain in compliance with these programs. Owners are required to submit Annual Owner Certifications and Tenant Data via OHFA's online reporting system. Annual Owner Reports are due March 1 of each year. The property's funding and age determine the required reporting.

- *Extended Use Properties:* These properties have completed the first 15 years of the compliance period and are required to submit tenant data on all rental activity for the reporting year. Student status updates are not required during the extended use period but are suggested if the project is considering receiving more credits in the future. The extended use annual certification questionnaire must also be submitted.
- *HDAP-only Properties:* Properties with HOME, OHTF, and/or NHTF only are still required to submit tenant data on their HDAP units and complete the gap financing annual certification.
- *New Projects or Lease-Up Phase:* If any unit is qualified during the reporting period, the owner is required to submit the tenant data and annual certification.
- *Properties Sold During the Reporting Year:* If the property was sold during the reporting period, the owner of record at the end of the year is responsible for annual reporting for the entire calendar year. Please make sure you request access to new acquired properties through the DevCo help desk as soon as possible to comply with annual reporting and monthly tenant data entry requirements.

When completing the owner certification, the owner is certifying that, for the previous calendar year, the owner met the following requirements:

1. Specifying if there has been a change in the owner or management during the reporting period.
2. Specifying if the property is third-party managed or managed by a company that is not part of the ownership interest.
3. The 20-50 test under IRC Section 42(g)(1)(A), the 40-60 test under section 42(g)(1)(B), or the Average Income test under section 42(g)(1)(C).
4. There was no change in the applicable fraction (as defined in section 42(c)(1)(B)) of any building in the project, or that there was a change, accompanied by a description.
5. The owner has received an annual income certification from each low-income resident, as appropriate, and documentation to support that certification; or, in the case of a resident receiving Section 8 housing assistance payments, the statement from a MHA described in paragraph (b)(1)(vii) IRS Regulation 1.42-5.
6. Each low-income unit in the project was rent-restricted under Section 42(g)(2).
7. All units in the project were for use by the general public and used on a non-transitional basis (except for transitional housing for the homeless provided under Section 42).
8. Pursuant to requirements under Treasury Regulation 1.42-5, the buildings and low-income units were suitable for occupancy, taking into account local health, safety, and building codes, and the state or local government unit responsible for making local health, safety, or building code inspections did not issue a violation report for any building or low-income unit in the project. If a violation report or notice was issued by the governmental unit, attach a statement summarizing the violation report or notice or a copy of the violation report or notice to the annual certification and state whether the violation has been corrected.
9. There was no change in the eligible basis for any building in the development, or if there was a change, the nature of the change (e.g. a common area has become commercial space, or a fee is now charged for a resident facility formerly provided without charge).
10. All resident facilities included in the eligible basis of any building, such as swimming pools,

other recreational facilities, and parking areas, were provided on a comparable basis without charge to all residents in the building.

11. If a low-income unit in the project became vacant during the year, that reasonable attempts were or are being made to rent that unit or the next available unit of comparable or smaller size to residents having a qualifying income before any units in the project were or will be rented to residents not having a qualifying income.

12. If the income of residents of a low-income unit in the project increased above the limit allowed in Section 42(g)(2)(D)(ii), the next available unit of comparable or smaller size in the building was or will be rented to residents having a qualifying income.

13. The owner has not refused to lease a unit in the project to a Section 8 applicant because the applicant holds a Section 8 voucher or certificate.

14. No finding of discrimination under the Fair Housing Act has occurred for the project (a finding of discrimination includes an adverse final decision by HUD, an adverse final decision by a substantially equivalent state or local fair housing agency, or an adverse judgment from a Federal court).

15. For the preceding calendar year, no residents in low-income units were evicted or had their tenancies terminated other than for good cause and no gross rents were increased other than permitted under Section 42.

16. An extended low-income housing commitment as described in Section 42(h)(6) was in effect. OHFA may adjust the above requirements according to changes in federal regulations.

17. Verifying the information for the property in the Ohio Housing Locator is current.

18. Certifying that the Supportive Services Plan established for the property is being followed.

19. Certifying that the owner is in compliance with VAWA requirements.

20. Certifying that a representative of the owner and/or management company has attended a HTC training at least once every two years.

21. Certifying that only active brokers and their affiliated salespersons associated with a brokerage may perform property management services for a fee and for another in the State of Ohio. Licensure exemptions are found in Ohio Revised Code Section 4735.01(I) and, in part, include an owner of a property whether such owner is a person, partnership, association, limited liability company, limited liability partnership, or corporation. The exemption also includes the regular employees of the property owner(s).

OHFA requires that the owner of a HTC development annually certify that residents meet the program requirements, including but not limited to the income and assets, using the form(s) specified by OHFA. Projects that are 100% occupied by qualified low-income households may discontinue recertifications as described in IRC Section 42. However, IRC Section 42 requires owners with HTC funding to continue verifying resident student status annually. Owners must use OHFA's Student Certification.

Properties funded with multiple subsides will have to adhere to all of the recertification requirements for each funding source. Refer to the Tenant Income Certification section of the OHFA Compliance Policies Manual.

D. Property, Ownership, and/or Management Changes

Changes in owner and/or management companies or sale of the property that occur after a development has placed-in-service must be submitted to OHFA's Division of Asset Management in accordance with OHFA policy, available on the OHFA website in the Project Changes section. Various documentation for these changes must be submitted to ohfaprojectchanges@ohiohome.org, a minimum of 30 days prior to the change or sale. OHFA must approve all ownership change requests prior to the change going into effect.

Management company changes do not require approval by OHFA; however, the Management Company Change Form must still be submitted to OHFA a minimum of 30 days prior to terminating the services of the current management company. In accordance with Ohio Revised Code Chapter 4735, fee managed companies (not part of the ownership) must have an active Ohio Broker's License. Evidence of this must be submitted with the documentation of the management company change.

Failure to provide timely requests for approval may place the owner, general partner and/or property manager in Not in Good Standing status and assessed a noncompliance fee. Owners who fail to provide 30-day notice of an owner or management company change may further be subject to a noncompliance fee as outlined in Appendix A: Fee Schedule.

E. DOMESTIC VIOLENCE PROTECTION AND PREVENTION

In conformity with the Violence Against Women's Act (VAWA) of 2013, an applicant for or tenant of housing assisted under the HTC program, or any affiliated individual thereof, may not be denied admission, denied assistance, terminated or evicted from the housing on the basis that they are a victim of domestic violence, dating violence, sexual assault or stalking, if the applicant, tenant, or affiliated individual otherwise qualifies for admission, assistance, participation, or occupancy. Every resident and applicant must be provided a Notice of Occupancy Rights when admitted as a tenant, denied admission, denied assistance, or being terminated/evicted.

An incident of domestic violence, dating violence, sexual assault, or stalking shall not be considered a lease violation by the victim, nor shall it be considered good cause for an eviction of the victim. If a tenant or affiliated individual who is a victim requests an early lease termination, lease bifurcation from the abuser, or transfer to another unit because she/he is in danger, the owner/manager shall make every effort to comply with the request and shall not penalize the tenant.

Each owner/manager shall have an emergency transfer plan for victims seeking safety, which incorporates reasonable confidentiality measures to ensure that the owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of violence or stalking against the tenant. Be advised that an emergency transfer plan incorporates many features in addition to a transfer plan, since an emergency transfer often may not be possible.

An owner/manager may request documentation from a victim before these protections are triggered. If the owner/manager requests documentation, the applicant, tenant, or affiliated individual may provide any one of the following documents and owner/manager shall accept it as adequate documentation: a letter or form signed by the victim, including HUD's Self-Certification Form 5382; a letter signed by a domestic violence service provider, attorney, or medical/mental health professional who assisted the victim; a police report; or a court or administrative record. This submission shall be confidential as defined in 81 FR 80724, 24 CFR §5.2007(C). Owners/managers shall also comply with all court orders.

Guidance related to complying with VAWA at OHFA-funded properties can be found on the OHFA Compliance Policies webpage.

F. Fair Housing Requirements

The owner shall comply and ensure the project complies with all requirements of the federal Fair Housing Act, Ohio Revised Code Section 4112, and local fair housing requirements, as each may be amended. The owner shall itself ensure and shall ensure the project does not discriminate, as defined by 42 U.S.C. 3604, against any person because of sexual orientation or gender identity or expression. Also see the Quid Pro Quo and Hostile Environment Harassment and Liability for Discriminatory Housing Practices under the Fair Housing Act final rule. Additionally, OHFA directly and affirmatively seeks to promote the Olmstead and ADA integration principles through its policies and funded developments.

Owners will adopt Tenant Selection Plans (TSPs) allowing individuals with a criminal record to access HTC housing while ensuring the safety of all residents.

- The TSP must explicitly prohibit the denial of admission, termination of assistance or eviction on the basis of arrest records alone, not accompanied by additional conditions that ultimately diminish or negate the effect of the prohibition.
- The TSP may create reasonable look-back periods for review of crimes but must not have blanket prohibitions on any person with any conviction record. The housing provider should have a policy that considers the nature, severity, and recency of criminal conduct.
- The TSP must include an individual assessment of each tenant applicant's history and provide the tenant applicant an opportunity to provide mitigating information before denying housing based on upon the result of criminal screening. This item requires the consideration of additional information before denying housing based on an individual's criminal record. The TSP must reflect that the housing provider will request mitigating information from the applicant before denying housing based on the applicant's criminal history without the tenant applicant needing to request an individualized assessment or submitting an appeal. In all cases, this should occur before a denial/decision has been made.

The TSP is also required to be submitted and reviewed by OHFA as part of the Compliance Next Steps process for the project.

When developing their TSPs, Owners should refer to HUD's Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (HUD Guidance) and this model criminal background screening policy.

G. Violence Against Women Act Ongoing Compliance

Adherence to the requirements of VAWA is required for all projects receiving funding through one or more of OHFA's Multifamily Housing programs. Properties that receive HOME, OHTF, and/or NHTF funding are required to follow the HUD 2013 VAWA Final Rule. Although the IRS has not provided guidance on how to comply with the VAWA, OHFA requires properties with HTC funding follow the HUD 2013 VAWA Final Rule when implementing VAWA Rule protections for their tenants. For more information on ongoing compliance with VAWA, visit OHFA's Compliance Policies webpage.

H. Evictions

Owners will neither advertise "no evictions" screening policies nor deny an application for tenancy based on the following:

1. Credit information or report, tenant screening report, or any other consumer report demonstrating a failure to pay rent or utility bills during the COVID-19 emergency period.
2. An eviction proceeding that
   - is sealed,
   - did not result in a judgment in favor of the plaintiff,
   - was brought during the COVID-19 emergency period for nonpayment, or
   - was filed against tenants subsequent to a foreclosure of the rental property.
3. An eviction judgment by agreement or a judgement that has been either vacated or marked satisfied.
4. Cases in which the tenant
   - prevailed on any significant defense or setoff claim, even if possession was awarded to the landlord; or
   - was named but at the time of the eviction suit was either a minor or not residing in the premises.
5. Cases filed based on lease violations from household members who will not be included in the proposed future household.
6. Any eviction case filed, or eviction judgment entered, four or more years before the application to rent was submitted.

I. AFFIRMATIVE FAIR HOUSING MARKETING PLANS

Affirmative Fair Housing Marketing Plans (AFHMP) and affirmative marketing procedures are required for all projects receiving funding through one or more of OHFA's Multifamily Housing programs, including but not limited to HTC, HOME, OHTF, and/or NHTF funds and any recipients of federal funds such as Section 8, 202, 236, BMIR projects or USDA/Rural Development Section 515. Projects receiving any of these funding sources are required to have Affirmative Fair Housing Marketing Plans. Federal regulations for Affirmative Fair Marketing are in 24 CFR Part 200, Subpart M.

Information and guidance related to completing the AFHMPs can be found on OHFA's Compliance Policies webpage under "Affirmative Fair Housing Marketing". The project's AFHMP must be submitted to OHFA's Compliance Office for approval. For developments allocated OHFA funding on or after 2021, the AFHMP must be approved by OHFA prior to issuance of Form 8609.

J. COMPLIANCE FEE

OHFA requires HTC owners to pay a one-time compliance monitoring fee. Additionally, OHFA may charge the owner for fees related to project changes, noncompliance, or any other administrative items.

VIII. ASSET MANAGEMENT

Submission requirements can be found on the Asset Management webpage. All documentation should be e-mailed to the Office of Multifamily Housing's Division of Asset Management at assetmanagement@ohiohome.org by the applicable dates as specified below.

A. Requirements for HTC Projects

Beginning with projects funded through the 2018 QAP, all HTC projects must submit annual independently-prepared audited financial statements throughout the 15-year compliance period. During the Extended Use Period, projects with 50 or more units will continue to submit independently-prepared audited financial statements; projects with less than 50 units will submit independently-prepared reviewed financial statements. OHFA may request additional information. The reporting periods and submission dates are:

Reporting Period: Annually, January 1 – December 31
Submission Due: July 31 of the following year

B. Requirements for Projects with HOME or NHTF Funding

1. HOME-Funded Projects

24 CFR § 92.504 requires that projects with 10 or more HOME-assisted units that were allocated funding on or after July 24, 2014 must undergo periodic financial review. The participating jurisdiction must examine at least annually the properties' financial condition to determine the continued financial viability of the housing and must take actions to correct problems, to the extent feasible. The reporting periods and submission dates are:

Reporting Period: Annually, January 1 – December 31
Submission Due: July 31 of the following year

2. NHTF-Funded Projects

24 CFR § 93.404 (e) requires that projects with 10 or more NHTF-assisted units must undergo periodic financial review. The grantee must examine at least annually the properties' financial condition to determine the continued financial viability of the housing and must take actions to correct problems, to the extent feasible. The reporting periods and submission dates are:

Reporting Period: Annually, January 1 – December 31
Submission Due: July 31 of the following year

Additionally, 24 CFR § 93.404(c)(2)(iii) requires that NHTF funding recipients must submit to OHFA an annual audit performed on each project assisted with HTF funds, beginning the first year following the cost certification and with the final annual audit occurring the last year of the affordability period. The reporting periods and submission dates are:

Reporting Period: Annually, January 1 – December 31
Submission Due: July 31 of the following year

IX. HOUSING CREDIT GAP FINANCING

A. HCGF Overview

1. Purpose

The Housing Development Assistance Program (HDAP), including the Housing Credit Gap Financing (HCGF) program, provides financing to support the preservation or construction of affordable housing for persons who have low incomes and households in the State of Ohio. Resources are subject to appropriation of funds to the Ohio Housing Trust Fund (OHTF) by the State Legislature, allocation by the OHTF Advisory Committee, HUD, and approval of the State Consolidated Plan.

2. Funding Sources

The following resources are used to provide HCGF assistance to eligible projects:

a. HOME Investment Partnerships Program (HOME): HOME funds are subject to approval of the State Consolidated Plan and the OHFA Board.

b. Ohio Housing Trust Fund (OHTF): The Ohio Housing Trust Fund provides funding to HDAP projects predominantly serving low- to moderate-income households with incomes at or below 50% of the Area Median Income (AMI). The OHTF gives preference to projects that benefit households with incomes at or below 35% of the AMI for the county in which the project is located, as established by HUD. Applicants receiving an award of OHTF dollars may be subject to State of Ohio Prevailing Wage Rate rules. The amount and use of OHTF dollars are subject to appropriation, per project approval by the State Controlling Board, and approval by the OHFA Board.

c. National Housing Trust Fund (NHTF): The annual NHTF Allocation Plan is specifically incorporated herein.

NHTF funds will only be made available to the extent they are not awarded through the Bond Gap Financing or Housing Development Gap Financing programs.

The owner/developer/borrower and any of its employees, agents or sub-contractors doing business with OHFA are responsible for adhering to and comply with all Federal Civil Rights legislation inclusive of the Fair Housing Laws, Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act as well as any state and local Civil Rights legislation and any required related codes and laws.

Applicants receiving an HDAP award must meet all program requirements and will be subject to approval from the OHFA Board. OHFA will award HDAP dollars based on the need to meet set-asides specific to each funding source and based on the source most appropriate for the applicant/project. Applicants that have compelling reasons to request a specific source of funding can do so in a separate letter sent to the attention of the Operations Manager in the Office of Multifamily Housing prior to the submission of their HTC application. OHFA does not guarantee that any request for a specific type of funds will be approved.

B. HCGF ELIGIBILITY

1. Eligible Applicants
Eligible HCGF applicants are private for-profit housing developers, not-for-profit 501(c)(3) and 501(c)(4) organizations and public housing authorities who are seeking Competitive HTC. Religious organizations and their subsidiaries/affiliates must meet the provisions in 24 CFR Part 92.257. All applicants must act as a General Partner or sole owner of the project during the construction phase.

2. Eligible Uses of Funds
HDAP funds may only be applied in the development budget toward non-related party acquisition, hard costs associated with new construction or rehabilitation, and developer fees associated with the project.

The following development budget line items are permitted:
- Acquisition (non-related party only)
- Demolition (not applicable for preservation projects)
- On-site improvements
- Construction and/or renovation costs including construction fee items, construction contingency, and contractor overhead and profit (excluding costs associated with construction of commercial property)
- Furnishings and appliances
- Architectural and engineering fees
- Developer fees and developer overhead
- Consultant fees
- Legal fees

The following development budget line items are not permitted:
- Costs associated with creating market rate housing and/or commercial spaces
- Single family lease purchase developments
- Free-standing, non-residential buildings
- Infrastructure dedicated back to the local municipality

3. Ineligible Developments
Ineligible developments include the following:
- Residential care/assisted living/memory care facilities
- Projects that received a prior HDAP award. OHFA will consider exceptions to this requirement. Applicants must contact OHFA prior to submitting an application for additional HDAP resources.
- Projects that include or constitute Single-Room Occupancy (SRO) housing, congregate housing, group homes, shared housing or cooperative housing as defined by HUD in Chapter 17 of the HUD Housing Choice Voucher Program Guidebook
- Projects that require residents to occupy the unit with another person (roommate)
- Projects that will not result in a certification of residential occupancy by the local government or project architect
- Hospitals, nursing homes, sanitariums, life care facilities, retirement homes (if providing significant services other than housing are mandatory for residents), employer housing, mobile homes and student housing
- Projects that include for-sale homes that are currently under construction or that were

recently approved for HTCs or are currently within a HTC compliance period
- HUD Section 9 developments not converting to Project-Based Rental Assistance

C. HCGF Financing Terms

Applicants that appropriately evidence status as a not-for-profit organization may request HDAP funds in the form of a loan or grant. OHFA may award either a loan or a grant based on the financial underwriting of the project. Applicants should refer to the most current Multifamily Underwriting Guidelines. The following loan terms and criteria apply:

- Up to a 2% interest rate.
- The loan will mature at the end of the affordability period. The affordability period is defined as the minimum term required in 24 CFR Part 92 plus an extended affordability period required by OHFA – total term will be up to 40 years. If USDA or HUD is involved as a direct lender, not a guarantor, the total term will be up to 45 years. The affordability term must agree with the loan term. Year 1 is calculated from the date all close-out documentation is approved by OHFA.
- Collateral will be a subordinate mortgage position. OHFA prefers a second or shared second position. If a lower position is necessary, the applicant should indicate so in the application along with an explanation and supporting documentation.
- Loans will be made to the HDAP Recipient as the project’s General Partner, managing member or equivalent. The HDAP Recipient may loan the HDAP funds to the project. If the project has more than one General Partner/managing member (or equivalent), OHFA may determine which will be the HDAP Recipient.
- OHFA will consider alternate terms prior to the approval of the award by the OHFA Board.

If the property is sold prior to loan maturity, OHFA may require that all or a pro-rated amount of the outstanding principal and interest become due and payable.

OHFA may allow for the forgiveness of all or a portion of the outstanding debt if, at the end of the 30-year loan period, OHFA determines that the property has been maintained as a safe, decent, and sanitary affordable housing project, as defined by the Uniform Physical Condition Standards or OHFA’s current standards, throughout the term.

Grants must be requested by the applicant and are available only if:

- The eligible applicant is the controlling general partner and is a 501(c)(3) or 501(c)(4) entity;
- At least 20% of the units in the development will be occupied by and affordable to households at or below 35% of AMI;
- The recipient treats the funds as a grant for tax purposes;
- The recipient does not loan the funds to the development, but treats it as a grant or capital contribution; and
- Cash flow demonstrates the project cannot support debt.

For HTC projects that request a direct grant of HDAP funds, the HDAP funds may be included in eligible basis if the HDAP funds are a General Partner’s capital contribution and provided that the project can provide a tax-opinion certifying the funds as part of eligible basis. The project must still meet all of the above requirements to be eligible for a grant. However, when considering eligibility for a grant, OHFA will apply the regulations governing the funds awarded when considering how the HDAP recipient passes the award onto the project.

D. HCGF PROJECT REQUIREMENTS

1. Rent and Income Restrictions

Developments that will include HDAP funds must meet the following requirements in addition to requirements of the HTC program.

a. HDAP Restricted Units:

Developments located in Participating Jurisdictions (PJ) areas must show both:

- A minimum of 40% of the affordable units occupied by and affordable to households at or below 50% AMI for the entire affordability period. The HDAP/HOME-assisted units cannot exceed the HUD Low- and High-HOME rent for the county where the development will be located; and
- A minimum of 10% of units occupied by and affordable to households at or below 35% of AMI for the entire affordability period. These units may count toward requirements and scoring incentives for the HTC program.

Developments located in Non-PJ areas must show both:

- A minimum of 35% of the affordable units occupied by and affordable to households at or below 50% AMI households for the entire affordability period; and
- A minimum of 5% of units occupied by and affordable to households at or below 35% AMI for the entire affordability period. These units may count toward requirements and scoring incentives for HTC program.

b. HDAP Assisted Units:

All projects will be required to maintain HDAP-Assisted Units, which are determined by the amount of HDAP provided, the 234 limits, and the costs to develop the unit. Affordable units are defined as units that are affordable to households at or below 80% AMI.

Projects with federal project-based subsidy on the greater of (i) at least 50% of the units or (ii) the number of restricted and assisted units will set rents (with utilities) as allowed by that project-based assistance. Existing tenants may not be displaced to achieve the minimum percentage of occupancy by very low-income households. Occupancy in up to 60% of the development by households with higher incomes is to occur over time; at turnover, units may be leased to higher income households.

c. Exception to Rent Restrictions (50% rents and High and Low HOME Rents)

Units that have project-based rental assistance with units that are occupied by families below 50% AMI and pay no more than 30% of their adjusted income toward rent and utilities are exempted from the rent restrictions associated with the Low HOME Rents and restricted units at 50% AMI. Project-based rent assisted units can charge up to the contract rent prescribed by their project-based rental assistance contract. However, these projects must still comply with the occupancy requirements that accompany the restricted and assisted units in (a) and (b) above. Should the project-based assistance contract be discontinued, the project will then be required to comply with the restricted rent (50% AMI) and High and Low HOME Rent requirements.

2. Environmental Review (ER)

OHFA will conduct a supplemental Environmental Review for all projects receiving HOME, OHTF or NHTF funds, as required by those funding sources.

Projects may not begin construction prior to the completion of the environmental review process and the issuance of a funding agreement. In addition, projects receiving Federal HOME dollars may not acquire the site prior to completion of the Part 58 HOME Environmental Review. Projects that do begin any construction or construction-related activity prior to the issuance of a funding agreement and receipt of all appropriate clearances, at a minimum, will be subject to the following penalty:

- **HOME-funded Projects**: The funding agreement will be rescinded. OHFA cannot guarantee the availability of other funds to fill the gap.
- **NHTF- and OHTF-funded Projects**: The project may request to keep the award of funds. However, the recipient must provide a letter detailing the reasons construction began prior to the completion of the ER process and what measures will be taken to ensure it does not happen with future projects.

The Multifamily Committee of the OHFA Board will review all requests either to change the source of the HDAP award, or to keep the award of NHTF and/or OHTF dollars if construction begins prior to the completion of the environmental review process. If approved, the recipient will not be able to draw HDAP funds until construction has been completed. The Multifamily Committee may choose to impose additional requirements or restrictions.

Regardless of the funding source, OHFA may take further action if the recipient violates this restriction on future projects, or has violated this restriction on prior projects.

3. Design & Construction Requirements

All applications shall meet the minimum design requirements as outlined in the OHFA Design & Architectural Standards. Developments receiving HOME funding must meet all requirements as outlined in 24 CFR §92.251 – Property Standards. Developments receiving funding from the National Housing Trust Fund must meet all requirements as outlined in 24 CFR §93.301 – Property Standards.

For developments involving rehabilitation of existing units, applicants will be further required to meet ODSA's Residential Rehabilitation Standards. The proposed scope of work will also be evaluated to determine whether rehabilitation will ensure 30-year sustainability.

4. Lead-Based Paint Strategy

All projects originally constructed prior to 1978 must adhere to the Lead-Based Paint Guidelines found in the Ohio Consolidated Plan-Annual Action Plan. Such projects must submit a lead-based paint strategy that includes the following:

- Indicate whether or not the property(ies) has (have) been tested for lead-based paint.
- If the units/buildings have been tested, describe the test results. If the project has not been tested, describe the estimated cost for testing and confirm that these costs were incorporated in the project's development budget.
- Describe how the cost to treat lead-based paint will be covered by the project budget, and the cost estimate to treat lead-based paint.
- Describe the availability of licensed lead testers, contractors and workers in the area. If there is a shortage of personnel, how that might affect construction regarding timeline and strategies to find licensed personnel.

5. Appraisals

All projects will be required to submit an "as-is" appraisal that supports those costs. Appraisals must meet OHFA's requirements as outlined in the OHFA Multifamily Underwriting Guidelines and must be submitted with the final application submission. The purchase price should be less than or equal to the appraised value. If the purchase price is greater than the appraised value, the applicant must explain why. OHFA may limit funding of acquisition costs to the appraised value of the site.

6. Uniform Relocation Act (URA) Relocation Standards

a. Relocation Forms

The application shall include Real Property Acquisition and Relocation Certifications and Voluntary Acquisition Forms, available on OHFA's website, for all developments involving acquisition of real property or easements, or rehabilitation as follows:

- A complete URA Attachment "Acquisition, Relocation and Demolition Questionnaire" and URA Attachment "Residential Anti-Displacement & Relocation Assistance Plan".
- Complete URA Attachments "Sample Voluntary Acquisition, Donation and Waiver of Real Estate Appraisal and/or Voluntary Acquisition Public Entity" forms for each seller of land and/or building acquired for use in the development, where applicable. Forms must be submitted with original signatures.

OHFA will review the application will be reviewed for compliance with ODSA's relocation policies, the Uniform Relocation and Real Property Acquisition Policies Act of 1970 and Section 104(d) of the Housing and Community Development Act. Any issues of non-compliance must be resolved prior to execution of the HDAP funding agreement.

b. Relocation Plan

The application will include a complete Acquisition, Relocation and Demolition Questionnaire and Relocation Plan, for all developments involving the rehabilitation of (an) existing occupied unit(s). If the development is receiving federal funds, the plan must meet the requirements set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

The Relocation Plan submitted with the HDAP application must address the following:

- During renovation, residents will: (i) stay in place, (ii) be temporarily relocated within the project, (iii) be temporarily relocated off-site, (iv) be permanently relocated. The applicant may choose a strategy that includes a combination of the foregoing.
- If some or all residents will stay in place, the applicant must describe the rehabilitation items to be completed and strategies to do so without requiring relocation.
- If residents will be temporarily relocated or permanently relocated, the applicant must describe what resources are anticipated to be needed to accomplish the relocation (including the applicant's basis for estimates for the cost of relocation), the notices that will be provided to residents, how the applicant will staff relocation activities, and source of funds to cover the cost of relocation activities.

7. Affirmative Fair Housing Marketing Plan

OHFA must ensure that all projects financed with Agency resources are affirmatively marketed. A completed Affirmative Fair Housing Marketing Plan with required attachments must be submitted at the Compliance Next Steps meeting in accordance with the most current policies.

8. Wage Rate Compliance

The applicant will be responsible for compliance with state and federal wage rates that may be applicable to the project. Appropriate wage rates need to be factored into the applicant's construction budget.

Funding from OHTF and NHTF may be subject to Ohio's Residential Prevailing Wage Rates as detailed in ORC 176.05. The number of HOME-assisted units in the project will determine the applicability of federal wage rates for the project

E. HCGF Post Award

1. Loan Closing Requests

OHFA will enter into a Funding Agreement with the HDAP recipient and Limited Partnership. The HDAP recipient may then formally request a closing (procedures are available on the OHFA website). OHFA requires a minimum of 30 days to complete its review once all of the required checklist items have been received.

2. Subsequent Changes

The HDAP recipient must notify OHFA immediately and request approval of any changes that occur in the project at any time after project approval through the affordability period, including but are not limited to, changes in the development team; changes in the number of units or unit mix; changes to the target population. The request will be sent to:

Ohio Housing Finance Agency
Office of Multifamily Housing, Development Division
57 East Main St., 4th Floor
Columbus, OH 43215

OHFA may assess fees consistent with its current Fee Schedule.

3. Project Administration and Drawing HDAP

Recipients will reference the Guide to Requesting HDAP Funds document on the Project Administration Page.

4. Compliance Reporting Requirements

Recipients are responsible for compliance with applicable implementation, reporting, file and physical inspections, and record-keeping requirements associated with the HDAP requirements as specified herein and further described in enabling legislation, regulation, and rule.

a. Annual Reporting: The owner is responsible for reporting to OHFA annually through the DevCo online system including the Annual Owner Certification and resident and project data using the XML upload or housing credit compliance software (e.g. Yardi) as well as other reports and certifications necessary to evidence compliance with HCGF requirements.

b. HOME Rent Approval: In accordance 24 CFR 92.210, OHFA must review and approve rents for each HOME-assisted rental project each year. OHFA will require owners to certify on an annual basis what HOME rent will be used.

c. HOME Utility Allowance Approval: For projects awarded HOME funding after August 23, 2013, OHFA will approve an individual utility allowance on an annual basis in accordance with 24 CFR 92.252. Effective January 1, 2017, owners must submit a utility allowance request by using either the HUD Utility Schedule Model or a utility allowance methodology as described in OHFA's Utility Allowance Policy.

APPENDIX A: FEE SCHEDULE

Description	Fee	Due Date
9% Proposal Application Fee	$5,000	With application
9% Final Application Fee	$3,000	With Final Application
4% Final Application Fee	$3,500	With Final Application
Subsidy Layering Review Fee	$5,000	With submission
Additional Assisted Living Application Fee	$5,000	With Final Application
9% Reservation Fee	6% of Reservation Amount	With Binding Reservation
4% Reservation Fee	6% of Reservation Amount	Prior to 42m Letter
Reassessment Fee – HTC	Varies based on issue	With request
Reassessment Fee – HDAP	Varies based on issue	With request
HTC Compliance Monitoring Fee	$2,400 per unit	With 8609 request
Funding Agreement Amendment Fee	$1,000	With amendment request
Funding Agreement Extension Fee	$1,000	With extension request
Owner/Manager Change Fine Without 30-Day Notification to OHFA	$1,000	Invoiced by OHFA
Multifamily Bond Closing Fee	1/10 of 2% of the bond amount or $3,000, whichever is greater	At closing
Program Compliance: GP/LP Changes after PIS	$500	With request
Program Compliance: Management Changes	$500	With request
Program Compliance: Restrictive Covenant Modifications	$750	With request
Program Compliance: Restrictive Covenant Releases	$5,000	With request
Program Compliance: Qualified Contract	$1,500	With request
Program Compliance: Late Annual Owner Certification	$1,000	TBD
Program Compliance: Late Project Change Notification	$1,000	With request

APPENDIX B(1): SUBMISSION REQUIREMENTS – COMPETITIVE HTC

Competitive HTC: Required Documents	PROGRAM		
	Proposal	Final	8609
Affordable Housing Financing Application (AHFA)	■	■	
Appraisal		■	
Architectural Plans & DCF Form	■	■	
Authorization to Release Tax Information		■	
Community Outreach Plan		■	
Competitive Support Documents	■		
Conditional Financial Commitments	■	■	
Condominimized Space Description		■	
Development Team Consultant Statement	■		
Development Team Experience and Capacity Review	■		
Evidence of Site Control	■	■	
Exception Requests	■		
Federal Tax Identification Number Documentation		■	
Green Certification			■
Housing Credit Gap Financing Application (in AHFA)	■	■	
Legal Description		■	
LIHTC Lease Addendum		■	
Limited Partnership Agreement			■
List of Changes from Proposal Application		■	
Management Company Capacity Review (in AHFA)		■	
Market Study	■		
Notification to Statewide Accessibility Groups (new units)		■	
Ohio Housing Locator			■
Phase I Environmental Site Assessment	■		
Phase II Environmental Site Assessment (if applicable)		■	
Physical Capital Needs Assessment / Scope of Work	■		
Proposal Summary PDF	■		
Public Notification (new units only)	■		
Related Party Transaction Questionnaire		■	
Relocation Plan		■	
Rental Subsidy Contract	■	■	
Revitalization Plan	■		
Scattered Site Development Map	■		
Site Visit Documents	■		
Supportive Services Plan & Providers	■		■
Utility Allowance Information	■	■	
Zoning	■		

APPENDIX B(2): SUBMISSION REQUIREMENTS – NON-COMPETITIVE HTC ONLY

Non-Competitive HTC: Required Documents	PROGRAM	
	Submission	8609
Affordable Housing Financing Application (AHFA)	■	
Appraisal	■	
Architectural Plans & DCF Form	■	
Authorization to Release Tax Information	■	
Community Outreach Plan	■	
Conditional Financial Commitments	■	
Condominimized Space Description	■	
Development Team Consultant Statement	■	
Development Team Experience and Capacity Review	■	
Evidence of Site Control	■	
Exception Requests	■	
Federal Tax Identification Number Documentation	■	
Green Certification		■
Legal Description	■	
LIHTC Lease Addendum	■	
Limited Partnership Agreement		■
Management Company Capacity Review (in AHFA)	■	
Market Study	■	
Multifamily Bond Financing Information	■	
Notification to Statewide Accessibility Groups (new units)	■	
Ohio Housing Locator		■
Phase I Environmental Site Assessment, Phase II if applicable	■	
Physical Capital Needs Assessment and Scope of Work	■	
Proposal Summary PDF	■	
Public Notification (new units only)	■	
Related Party Transaction Questionnaire	■	
Relocation Plan	■	
Rental Subsidy Contract	■	
Scattered Site Development Map	■	
Site Visit Documents	■	
Supportive Services Plan & Providers		■
Utility Allowance Information	■	
Zoning	■	

APPENDIX C: EXPERIENCE & CAPACITY CHARACTERISTICS

All Development Teams must submit their team for pre-approval to OHFA by the date listed in the Program Calendar.

MINIMUM ELIGIBILITY REQUIREMENTS – 4% HTC

Applicants must have at least one HTC project has been placed in service in Ohio or other states within the past 10 years in order to apply for 4% HTCs.

OHFA may impose application limits or restrictions on developers new to Ohio, for example, requiring that developers who have received their first Ohio 4% HTC award must begin construction on that project before seeking additional 4% HTC from OHFA.

MINIMUM ELIGIBILITY REQUIREMENTS – 9% HTC

Applicants must have prior 9% HTC experience as defined below in order to apply for 9% HTCs:

- At least one 9% HTC project has been placed in service in Ohio within the past 10 years; or
- At least three 9% HTC projects have been placed in service in other states within the past 10 years.

If the applicant does not meet one of the above requirements but can demonstrate one or more of the below, they may request an exception to be able to apply:

- Applicant has received their first award of Ohio 9% HTCs but has not yet received Form 8609 for the associated project; or
- Applicant will be partnering with an entity who does have the required experience (see requirements for eligible partners below); or
- Applicant has 9% HTC experience gained while working at a different organization; or
- Applicant has 4% LIHTC experience.

Only developers that have received Ohio 9% HTCs and received 8609s for at least three projects in the past 10 years are eligible to serve as a co-developer/partner entity to those applicants not meeting the 9% HTC minimum eligibility requirements.

EXPERIENCE & CAPACITY REVIEW

OHFA will evaluate each organization individually and as a whole to determine whether the team has the following core competencies:

- Capacity to construct and operate the proposed project;
- Record of completing affordable housing developments in required timeframes;
- Record of meeting project deadlines set by OHFA;
- Management team experience marketing and leasing affordable housing units;
- Experience developing and managing communities similar to the proposal; and
- Compliance with the requirements of the HTC program and other OHFA-administered programs.

OHFA will use information submitted with the application and other reasonable sources available to make all determinations, including reports and opinions of other public funding sources. OHFA may request additional information to evaluate experience and capacity as it determines may be necessary. OHFA may place additional restrictions on development team members, limit the number of awards, applications or amount of resources available to a development team, and limit awards due to identities of interest between organizations applying for OHFA funding.

Any team that lacks sufficient experience and capacity to manage an award will be removed from consideration. OHFA may determine whether any entity is acting as a developer based on the totality of available information.

Development Team Evaluation

OHFA will use the following criteria to evaluate the team as a whole, including General Partners, developers, and development consultants, for the proposed development (the experience of syndicators will not be considered when evaluating the Experience and Capacity of a development team):

- **Development History**:
    - OHFA will review the experience of the development team with the housing type, location or type of geographic area, and scope of the development being proposed, including developments financed by OHFA, HTC developments in other states, and other types of affordable housing in any state.

- **Past Performance**:
    - OHFA will analyze the degree to which prior OHFA commitments were honored and the extent to which the development team as a whole had positive interactions with OHFA, including but not limited to the history of exchanging HTCs, extending deadlines on HDAP agreements, submitting requests for Form(s) 8609 within established deadlines, timely submission of reports, maintenance of properties on Ohio Housing Locator, and compliance with competitive scoring criteria.

- **Present Capacity**:
    - OHFA will review all developments that the team members presently have in development and determine whether there is sufficient capacity to successfully complete all developments and any new development awards in a timely and efficient manner. The amount of resources awarded to a particular team may be limited based on OHFA's judgment of capacity.

- **Financial Strength**:
    - OHFA must find the financial capacity of the team as a whole to be acceptable. OHFA may request financial statements for members of the ownership entity providing guarantees.
    - General Partners that have not placed a service a project in Ohio within the last five years must submit financial documentation as described in the Development Team Experience & Capacity Review Document Submission Requirements section.

- **Outstanding financial obligations**:
    - All financial obligations to OHFA and to the State of Ohio must be current. Any delinquent obligations of any team member may disqualify the team from competing for an award, including timeliness and completeness of HDAP repayments and communication with OHFA staff regarding those obligations. OHFA will perform a credit check on the developer and General Partner.

Property Management Company Evaluation

The Experience and Capacity review of the management company as described below will be completed upon submission of the Final Application. At proposal application, the applicant must only identify the management company in the AHFA.

Final Application: At final application (or submission for Non-Competitive HTC), the applicant must provide a completed Management Company Capacity Review form. The Management Company Capacity Review form is contained as a tab within the AHFA.

The following criteria, outlined in more detail in the Review form, will be used to evaluate the management company for the proposed development:

- ***Experience and Performance***, including but not limited to years of experience, current portfolio, quality and success of previous developments, history of violations, and required certifications for on-site managers.
- ***Operations and Structure***, including but not limited to ownership structure, ownership interests, and possession of an Ohio Real Estate Broker's license if applicable.

At a minimum, the management company must have managed at least five HTC and/or federally-subsidized developments (each consisting of at least ten units) for at least one year each; or must have managed two HTC developments (each consisting of at least ten units) for at least three years each.

Management companies with the requisite experience above, but with no prior experience managing OHFA properties will be evaluated by the information contained in their completed OHFA Management Company Capacity Review. These companies will be required to attend an HTC training and complete the OHFA Onboarding Program.

All developments currently owned and/or managed by the company must not have any uncured Forms 8823. Exceptions may be granted on a case-by-case basis for 8823 events that are not the fault of the company, such as a casualty loss, or non-compliance issues that are inherited from the prior property manager or owner.

APPENDIX D: UNIVERSAL DESIGN COMPONENTS

Developments must incorporate all mandatory components (marked with an asterisk) of Universal Design in all units, as well as the specified number of additional components required for points. Exception requests for mandatory components will be accepted for rehabilitation projects.

OHFA will accept proposed universal design features beyond the provided list relevant and necessary to the applicant's development. The applicant will be required to clearly describe the additional feature and provide justification for the necessity of its inclusion. The evaluation, acceptance, and classification of universal design proposals is the sole discretion of OHFA.

Universal Design is not a safe harbor for other required accessibility codes such as ANSI A117.1, UFAS or the Fair Housing Act. It should be used as a supplement to required accessibility codes and building codes.

Entry

- ✓ *36"-wide (minimum) entry door with lever-style handle (mandatory for NC only)
- ✓ *Minimum 5' x 5' level clear space inside and outside entry door
- ✓ *Adequate non-glare lighting at walkways, accessible routes, and exterior spaces
- ✓ *Adequate lighting both inside and outside the building and unit entrance
- ✓ *High visibility address numbers (both building and exterior units)
- ✓ *Overhead weather protection at entrances (mandatory for NC only)
- ☐ Built-in shelf/bench/ledge located outside the door
- ☐ Nonslip surfaces on walkways and entryways
- ☐ Primary unit entry with an accessible/dual peephole and backlit doorbell
- ☐ Door locks that are easy to operate, such as keyless locks with remote control or keypad
- ☐ No-step entry (1/2" or less threshold) at main entrance

Interior Stairs and Hallways

- ✓ *Adequate lighting to illuminate all stairway(s), landings, and hallway(s)
- ✓ *Hallways with a minimum width of 42"
- ✓ *Anti-slip strips on front edge of steps in color-contrast material
- ☐ Color contrast between stair treads and risers
- ☐ Handrails on both sides of interior stairs

Interior Doors

- ✓ *34"-wide (minimum) doors leading to habitable room, allowing for a 32" minimum clearance
- ✓ *Lever-style door hardware on all interior doors
- ✓ *Interior maximum door threshold of ¼ inch beveled or flush
- ☐ Pocket doors with easy-to-grip handles

Faucets

- ✓ *Anti-scald faucets with lever handle for all sinks, bathtubs, and showers
- ✓ *Pressure balanced faucets

Electrical

- ✓ *Thermostat and control panels that are easy to read and simple to operate
- ✓ *Rocker, touch light, or hands-free switches
- ✓ *Extra electrical outlets near the bed (for medical equipment or rechargeable items, etc.) placed 18″ to 24″ above finished floor (bedroom only)
- ☐ Lighted switches visible in the dark
- ☐ Switched outlets for lamps, etc. to be turned on with wall switch
- ☐ Electrical outlets, phone jacks, and data ports at least 18" above finished floor
- ☐ Light switches between 44"-48" above finished floor; thermostats no more than 48" above finished floor
- ☐ Clear access space of 30" by 48" in front of switches, outlets, and controls
- ☐ Audible and visual alarms for smoke/fire/carbon monoxide in all code-required accessible areas and all units

Bathrooms

- ✓ *Countertops with beveled edges
- ✓ *Adjustable-height showerhead or hand-held showerhead with flexible hose and easily operable controls
- ✓ *Non-glare lighting at vanities
- ☐ A full- or half-bath on the main floor with clear floor space of 30" x 48"
- ☐ Overhead light fixture in tub/shower
- ☐ Mirror(s) placed for both standing and sitting, such as a full-length or tilting mirror
- ☐ Toilet centered at least 18" from any side wall, tub, or cabinet
- ☐ In at least one bathroom per unit:
    - o Low-threshold or curbless shower at least 5' x 3' OR ADA bathtub with seat
    - o Clear knee space (at least 27" high) under sink. May be open knee space or achieved by means of removable vanity or fold-back or self-storing doors. Pipe protection panels must be provided to prevent contact with hot or sharp surfaces.
    - o Grab bars, or wall-blocking for future installation of grab bars, in tub/shower, and toilet. Grab bars must be properly anchored and supported.

Kitchen

- ✓ *At least 15" clear space on each side of stove, sink, and one side of fridge
- ✓ *Loop handles on drawers and cabinets
- ✓ *Non-glare task lighting to illuminate sink, stove, and work areas
- ☐ Adjustable height shelves in wall cabinets
- ☐ Base cabinets with pull out drawers
- ☐ Pull-out work surface near the oven, refrigerator and/or microwave.
- ☐ Visual contrast at front edge of countertop or between the countertop and the cabinets
- ☐ Side-by-side refrigerator-freezer
- ☐ Cooktop/range with front or side-mounted controls (senior units only)
- ☐ Extra outlets for small appliances, electronics, etc.
- ☐ Clear knee space (at least 27" high) under sink, counters, and/or cook tops. If under sink, pipes must have protection and may not be in the required knee space. May be open knee space or achieved by means of removable base cabinets or fold-back or self-storing doors.

Closets/Storage

- Area is well-lit with a switch located outside the space
- Doors and handles that are easy to operate. No bi-fold or accordion-type doors.
- Adjustable-height shelving and/or closet rods OR clothes rods installed at multiple heights
- Pull out-shelves, rollout cabinets, and other easy to access storage components

APPENDIX E: OHPO PRELIMINARY DETERMINATION OF LISTING

Checklist for OHFA Applicants Seeking a Preliminary Determination of Listing

Supporting Materials

Photos

- ☐ Photos of property in "before" (pre-rehab) state - including all exterior elevations and sample views of each interior level.
- ☐ Labels on the back that include property name, address, sequential numbers, view.
- ☐ Keyed to a photo-key floor plan/sketch map of property.
- ☐ Printed in color on photo paper.
- ☐ 4"x6"
- ☐ 2 sets

Photo Key

- ☐ Shows all numbered photo locations with arrow showing direction of view.

Part 1 Form: Evaluation of Significance

- ☐ Fill out sections 1 and 3 completely.

Section 2 "Nature of Request"

- ☐ Check the box to choose the appropriate "preliminary determination" option.

Section 4 "Applicant"

- ☐ Check the applicable box in the middle of the text field regarding ownership.
- ☐ If applicant is not the owner, send owner statement with form.
- ☐ Sign and date (blue ink is preferable).
- ☐ Make sure there is an original, dated signature on both copies.

Section 5 "Description of Physical Appearance"

- ☐ Are the important features of the property identified in the Description Section, including site, date, materials, style, size, roof-shape, story, plan, windows, foundation, details, and interior?
- ☐ Does the Description include information about the setting, environment, and or surrounding buildings/areas?
- ☐ Is the Description clear and complete? If the property has been altered, is the difference between the original (or historic) and the current condition and appearance clear?
- ☐ Does the description convey the significant qualities of the property? Through what features? Do these features retain integrity?
- ☐ Have contributing and noncontributing features been identified?
- ☐ Have alterations (if any) been adequately described? Has the evaluation of their impact on the integrity been made? Have alterations been evaluated regarding significance that may have accrued over time?

Section 6 "Statement of significance"

- ☐ Does the specific date or date range reflect the property's period of historic significance?
- ☐ Is the Statement of Significance written in a clear and complete manner?
- ☐ Does the context in which the property has been evaluated as significant justify the local, state, or national level of significance chosen for the property?
- ☐ Does the integrity relate to the overall property, not its features and parts?

Applications for preliminary determinations must contain substantially the same level of documentation as National Register nominations, as specified in 36 CFR Part 60 and NPS instructions for completing National Register nominations.
Note that the Part 1 Evaluation of Significance does not take the place of nomination to the National Register of Historic Places.