



**OHIO 811**

PROJECT RENTAL ASSISTANCE

## **Vacancy Payment Policy for the Ohio 811 Program**

**Effective 10/1/2021**

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### **About the Ohio 811 Program**

The Ohio 811 Project Rental Assistance Program (hereinafter Ohio 811 Program) is a project-based rental subsidy demonstration designed to expand housing supply for extremely low-income, non-elderly individuals with disabilities. This program is administered by the Ohio Housing Finance Agency (OHFA) in coordination with the Ohio Department of Medicaid (ODM), the Ohio Department of Developmental Disabilities (DODD), and the Ohio Department of Mental Health and Addiction Services (OhioMHAS). OHFA secures units for the program through new and existing multifamily housing properties that receive any form of OHFA funding. At the same time, ODM, DODD, and OhioMHAS work to ensure a healthy pipeline of eligible tenants.

### **Purpose of this Policy**

HUD recognizes the financial risks owners have in their efforts to provide affordable housing. HUD intends to ensure that owners involved in this effort remain financially viable partners. The special claims process is a tool that owners may use for reimbursement of qualified financial loss. Owners are encouraged to submit special claims for eligible losses. OHFA uses the HUD Special Claims Processing Guide as the basis for the policy. Our voucher processor, Blueprint, will ensure owner/agent adherence to the Guidebook.

### **For Newly Constructed or Renovated Developments at Initial Lease-Up**

1. Only units in decent, safe, and sanitary condition and available for occupancy during the vacancy period are eligible for special claims. The owner is required to submit an Availability Notice to the Ohio 811 Mailbox and list the unit as "AVAILABLE" in Socialserve,
2. Owners/agents must comply with the Rental Assistance Contract (RAC) and implement diligent marketing efforts at least 90 calendar days before the anticipated date of initial occupancy.
3. By signing form HUD-52671-C, the owner/agent certifies they have taken all feasible actions to fill the vacancy and not reject eligible applicants in accordance with the owner's tenant selection plan and the Tenant Selection Plan Addendum for the Ohio 811 Program. Owners/agents must submit validation of efforts to rent the unit and copies of denial letters with the claim package.
4. Owner/agent must comply with the required HUD-approved Affirmative Fair Housing Marketing Plan (AFHMP) and all Fair Housing and Equal Opportunity (FHEO) requirements.



### For Previously Occupied Units in Existing Developments

The owner/agent is eligible to submit a special claim for vacancy loss after rent-up if:

1. Upon learning of an anticipated vacancy, the owner/agent submits an Availability Notice to the Ohio 811 Mailbox and the voucher processor, Blueprint. The owner/agent has no more than 5 days to submit this information.
2. Once the vacancy has occurred, the MAT40 move out must immediately be transmitted via TRACS.
3. Owners are eligible to submit if the former tenant was receiving rental assistance at move-out; or if the rental assistance had been terminated prior to move-out, due to the tenant's failure to comply with his/her responsibilities to fulfill program requirements. See the HUD Special Claims Processing Guide and the HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs for examples.
  - a. Note: Owners cannot submit a special claim for the unit when termination of rental assistance was based on the tenant's income increasing to where he/she no longer qualifies for assistance or for the period of occupancy by a police officer or security personnel.
4. The owner/agent is eligible to submit a special claim only for units in decent, safe, and sanitary condition and available for occupancy during the vacancy period. Vacancy loss claims may not be paid for the days a unit is being prepared for re-occupancy.
5. The owner/agent has taken and continues to take all feasible actions to fill the vacancy. Owner/Agent is required to submit proof of actions to fill the vacancy with the special claim package including disposition of referred tenants, copies of denial letters, and outcome of appeals, if any.
6. The owner/agent has only rejected applicants in accordance with the owner's tenant selection plan and the Tenant Selection Plan Addendum for the Ohio 811 Program. The owner/agent must submit copies of denial letters with the special claim package.
7. By signing form HUD-52671-C, the owner/agent certifies they have not caused the vacancy by violating the lease, the RAC, or applicable laws and have complied with all HUD requirements on termination of tenancy listed in HUD Handbook 4350.3 REV-1, Chapter 8.

### Making a Claim for Vacancy Payments

The owner/agent makes this request by completing Part A of HUD Form 52671-C Special Claims for Regular Vacancies, along with HUD-52670-A Part 2 Special Claims Schedule and submitting it to the voucher processor. Owner/Agent cannot submit a vacancy claim until 60 days after the availability date, or a new tenant has moved in (the earlier of the two). Owners cannot submit claims if the MAT40 move-out is not reported on the Housing Assistance



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Payment voucher (HAP) and a simultaneous move-out notification is sent to the Ohio 811 Mailbox. If the move-in occurred during the claim period, owners are required to transmit the MAT10 move-in via TRACS.

Please see Attachment A: Vacancy Claims Checklist at the end of this policy for a list of required items needed to successfully complete a request for Vacancy Payments.

## Claim Timeline

The completed claim form and documentation must be received by Blueprint within 180 days of the date available for occupancy.

Claims cannot be submitted until 60 days from the date available (line 3 on the HUD form 52671-C) or a new move-in has occurred.

The claim period cannot exceed 60 days. The claim period begins the day the unit is available for occupancy and ends with either a new move-in or 60 days.

Blueprint will review all claims within 30 days of the date received. If the claim requires additional information, Blueprint will e-mail the owner/agent, and new information is to be received within ten days. If the requested information is not received, the claim will be denied. Owners can continue to submit corrections if the 180 days have not elapsed.

Owners/Agents have up to the 180-day window to request funds on the HAP voucher.

Owner/Agents may not lease the available unit until the end of the referral and application process.

Please see Attachment A: Vacancy Claims Checklist at the end of this policy for a list of required items needed to complete a request for Vacancy Payment successfully.

## Contact Us

Please visit the [Ohio 811 Program website](http://Ohio811Program.com) or e-mail the Ohio 811 Mailbox at [811Program@ohiohome.org](mailto:811Program@ohiohome.org).



**Attachment A: Vacancy Claims Checklist (for Ohio 811 Program only)**

**Checklist for Section 8 Special Claims for REGULAR VACANCY**

Project Name:	
Contract Number:	
Unit Number:	
Contact Name:	
Contact Phone Number:	
Email:	

**Include the following required items from the checklist.**

**All documentation MUST identify the unit number and date.**

Check <input type="checkbox"/>	Item Description
	Completed form HUD-52670-A Part 2 ( <b><u>MUST</u></b> be signed and dated)
	Completed form HUD-52671-C ( <b><u>MUST</u></b> be signed and dated)
	A copy of the signed form HUD-50059 ( <i>all pages</i> ) completed at move-in for the former tenant, which shows the amount of the security deposit required
	Documentation that the appropriate security deposit was collected from the tenant (i.e., a copy of the original lease, a copy of the tenant's ledger card, or a copy of the receipt(s) for security deposit)
	A copy of the security deposit disposition notice provided to the tenant that indicates the move-out date, amount of security deposit collected, amount of security deposit returned, and any charges withheld from the deposit for unpaid rent, tenant damages, or other charges due under the lease
	Documentation that verifies the date the unit was ready for occupancy (i.e., Make Ready Form, Maintenance Record, etc.)
	Proof of actions taken to fill the vacancy (copies of referral letters from Waitlist Manager, copies of correspondence verifying attempts to house referrals) If the owner /agent denied referrals, copies of denial letters must be submitted with package
	HAP adjustment pages for move-out and new move-in. Per HUD Special Claims Processing Guide Section 1-5, C; Section 3-3, C-5; Section 3-5, A.



### Disposition of the Program Unit After the Vacancy Payments Expire

Thirty days after the vacancy claim period has expired, a Program Unit that remains unleased to a Prospective Tenant will be released to rent to any qualifying tenant according to the property's Tenant Selection Plan. OHFA will provide the owner a 15-day notice to begin processing non-811 applications. OHFA, at its sole discretion, may extend the 30 days if a candidate is in the application and or appeal process with approval or decision to occur within two weeks.

- If the number of Program Units falls below the number required in Exhibit 1 of Part I of the Rental Assistance Contract or Exhibit 2 of the Operating Assistance Contract, the next available unit must be held as a Program Unit until the required number of Program Units are met.

### Definitions

**Application Period:** The application period begins when the prospective tenant applies and ends when either housed or at the end of the appeal process.

**Availability Notice:** A written notification on a form supplied by OHFA to Blueprint and the Waitlist Manager that a Program Unit will be vacated. The written notice must be sent to the Ohio 811 Mailbox and to the Blueprint Mailbox within the timeframes indicated in this policy.

**Blueprint Mailbox:** [jennyd@blueprinthousing.org](mailto:jennyd@blueprinthousing.org).

**Ohio 811 Mailbox:** [811Program@ohiohome.org](mailto:811Program@ohiohome.org).

**Program Unit:** Any eligible Ohio 811 Program unit that is under a Rental Assistance Contract.

**Prospective Tenant:** An individual or a household deemed eligible for the Ohio 811 Program through the Socialserve referral database becomes a Prospective Tenant when referred to an available Program Unit.

**Referral Agent:** An individual who assists Prospective Tenants to participate in the Ohio 811 Program. Referral Agents are responsible for identifying eligible individuals, assisting them with the application process, and verifying that they are linked to services and supports needed to live independently.

**Referral Period:** The referral period begins with a vacant unit (either existing property or new property) and ends when the prospective tenant selects a property.

**Rental Assistance Contract (RAC):** The contract between the property owner and OHFA detailing the Ohio 811 Program relationship.

**Socialserve:** The database used to refer eligible Ohio 811 Program participants to available Program Units.

**Tenant Selection Plan Addendum:** The policy document that provides guidance as to how OHFA expects Ohio 811 Program referrals to be processed.

**Vacancy Payment:** 80% of the daily contract rent for a Program Unit eligible for vacancy



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payments multiplied by the number of days that the program, minus the security deposit up to a maximum of sixty (60) days.

**Waitlist Manager:** The person designated by OHFA to manage the Ohio 811 Program waiting list.