OHIO HOUSING FINANCE AGENCY

2024-2025

9% LIHTC Qualified Allocation Plan

DRAFT 1 – Posted for public comment on August __, 2023

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I. GENERAL OVERVIEW & REQUIREMENTS

A. INTRODUCTION

Pursuant to 26 U.S.C. §42(m), each state credit agency must craft a Qualified Allocation Plan (QAP) for the allocation of federal Low-Income Housing Tax Credits (LIHTCs). Although the LIHTC program is governed by the Internal Revenue Service (IRS), each state credit agency must design and administer a QAP setting forth the "selection criteria to be used to determine housing priorities of the housing credit agency which are appropriate to local conditions." As the state credit agency for the state of Ohio, this document serves as the QAP for allocating 9% LIHTCs—previously known as 70% Present Value LIHTCs prior to enactment of Section 131 of the Consolidated Appropriations Act, 2016 (P.L. 114-113)—subject to the state credit ceiling under 26 U.S.C. §42(h)(3).

For the OHFA process of administering 4% LIHTCs—previously known as 30% Present Value LIHTCs prior to passage of Section 201 of the Consolidated Appropriations Act, 2021 (P.L. 116-260)—which are not subject to the state credit ceiling, please see the Agency's 4% LIHTC QAP.

This 9% LIHTC QAP is subject to review and approval by the OHFA Board of Directors (Board). The Board has the inherent authority to affirm all 9% LIHTCs allocated under this QAP.

B. 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 [to be linked when final], and Affordable Housing Funding Application (AHFA) [to be linked when final] 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 9% LIHTCs 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, Director of Housing Programs, or Director of Multifamily Housing.

C. Contact Information

Questions regarding the QAP or 9% LIHTC 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
2600 Corporate Exchange Dr., Suite 300
Columbus, OH 43231
(888) 362-6432
www.ohiohome.org

D. 2024 9% LIHTC Program Calendar

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.

An applicant may request a pre-application meeting with OHFA according to the dates listed below 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.

Dates	Applicant	OHFA
Oct. 26, 2023	Deadline for submission of CHDO Certification Pre-Application	
Nov. 2023		Application materials posted to the OHFA website
Nov. 2023		LIHTC training – details will be posted on the OHFA website
Dec. 1, 2023	Last day to request a pre-application meeting	
Dec. 8, 2023		Decisions issued for CHDO Certification Pre-Application
Dec. 15, 2023	Last day pre-application meetings will be held	Last day pre-application meetings will be held
Jan. 18, 2024	Last day Development Team Pre-Approval forms may be submitted	
Jan. 26, 2024	Deadline to submit questions to be included in FAQ	
	Deadline to submit Exception Requests (program exceptions only)	
Feb 1, 2024		Last date by which Development Team Pre-Approvals will be issued

Feb. 8, 2024		Decisions issued for Exception Requests
Feb. 23, 2024	Deadline to submit proposal applications, due no later than 5:00 p.m. ET	Consideration of public comments begins
April 12, 2024		Notice of preliminary scores and underwriting issues sent to applicants Consideration of public comments ends
April 19, 2024	Deadline to respond to preliminary scores and underwriting issues	
May 15, 2024		Final results of competitive scoring released and presented to the OHFA Board of Directors
May 17, 2024		Conditional Qualification Letters (CQL) and notice of threshold deficiencies issued
May 24, 2024	Development Next Steps meetings begin	Development Next Steps meetings begin; Site visits begin
July 8, 2024	Development Next Steps and debrief meetings conclude	Development Next Steps and debrief meetings conclude
Sept. 20, 2024	Deadline to submit final applications, due no later than 5:00 p.m. ET	
Dec. 6, 2024		Final date for issuance of carryover agreements

E. 2024 Fee Schedule

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

II. 9% LIHTC REQUIREMENTS

The following requirements apply to all projects utilizing 9% LIHTC alone or in conjunction with other OHFA funding, unless otherwise specified.

After a 9% LIHTC applicant has requested an exception through the approval of the final scoring before the OHFA Board or designee, no staff member working on the application review and scoring processor OHFA Board Member shall discuss the merits of the application with any member of the Development Team, unless all similarly situated applicants have been notified and given the opportunity to be present or to participate by telephone, it is an official communication and response as provided for in the program calendar and QAP or a full disclosure of the communication insofar as it pertains to the subject matter of the application is made publicly on the OHFA application webpage.

When an *ex parte* discussion occurs, either verbally or in writing, a representative of the applicant or applicants participating in the discussion shall prepare a document identifying all the participants and the location of the discussion, and fully disclosing the communications made. Within two business days of the occurrence of the *ex parte* discussion, the document shall be provided to the chief legal counsel or their designee. Upon completion of the review, the final document with any necessary changes shall be publicly made available and communicated to all applicants. The document filed and served shall include the following language: Any participant in the discussion who believes that any representation made in this document is inaccurate or that the communications made during the discussion have not been fully disclosed shall prepare a letter explaining the participant's disagreement with the document and shall file the letter with the chief legal counsel of OHFA who will transmit the letter to all known applicants and make it publicly available within two business days of receipt of this document.

Failure of any staff member working on the application review and scoring process or OHFA Board Member or their designee to abide by this section may, at the discretion of the OHFA Board, lead to that individual's removal from the application review process and final award.

A. DOCUMENT SUBMISSION REQUIREMENTS

All proposal and final application submissions must include a completed AHFA and all supporting documentation according to the specified instructions and index and be submitted via OHFA's File Transfer Protocol.

The application submission must include supporting documentation for all competitive scoring criteria, with relevant portions of the supporting documents highlighted and annotated.

If any member of the Development Team has uncorrected 8823s at the time of proposal application, such information shall be reported in the AHFA, along with a narrative explanation as to when such corrections will occur, or, such as in the event of casualty loss, why correction is not possible.

Late and/or incomplete submissions will be removed from consideration.

The documentation below is required at the following development stages, unless specifically noted: (1) proposal application, (2) final application, and (3) request for IRS Form 8609.

1. Appraisal

Applications must include an as-is appraisal for all development site(s) which complies with all requirements in the Multifamily Underwriting Guidelines. An appraisal is required if the applicant is seeking Housing Development Assistance Program (HDAP) funds and/or if any acquisition costs are included in eligible basis.

2. Architectural Plans and Design & Construction Features Form

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.

3. Audited or Internally Prepared Financial Statements (Preserved Affordability)

Applications for projects submitted in the Preserved Affordability pool must include the most recent two years of audited financial statements for the project.

4. Authorization to Release Tax Information

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.

5. Community Outreach Plan

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**. Shall include all stakeholders notified pursuant to Ohio Revised Code (ORC) Chapter 175.07 and 26 U.S.C. §42(m)(1)(A)(ii) and may include any other group notified by the applicant including individuals residing within one-half mile of the proposed development, local businesses, police and fire departments, community development corporations, and/or nonprofit community organizations.

- **Stakeholders Notification Method**. Except as provided ORC Chapter 175.07 and 26 U.S.C. §42(m)(1)(A)(ii), notification shall include posting notices in public spaces where residents or potential residents may frequent, through at least one (1) open public hearing, 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 at least one (1) open public hearing, and support or opposition letters from community groups or contacts established through the outreach process.

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

6. Financial Commitments

Applications must include financial commitment documentation for all non-OHFA permanent and construction sources of debt and equity. All commitments must be dated within six months of application submission date.

a. Proposal Application:

Financial commitments must be evidenced by a duly executed conditional commitment letter, which follows 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.

Equity commitments, if available, must be evidenced by a duly executed conditional commitment letter/letter of intent/term sheet in the form provided by the equity provider.

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 (as set forth above) are required at final application. 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.

7. Condominiumized Space Description (if applicable)

If any portion of the development will be condominiumized, 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).

8. Development Team Consultant Statement (if applicable)

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 9% LIHTC program, but do not include syndicators. OHFA may consider consultants co-developers and hold them responsible for the overall success of the development.

9. Development Team Experience, Capacity, and Capability Review

OHFA will evaluate the experience, capacity, and capability of the Development Team, including

General Partners, developers, and development consultants at proposal application for 9% LIHTC .

For the purposes of this QAP, the following definitions apply:

"Development Team" means the entities defined in the development tab of the AHFA.

"General Partners" means the general partner(s) or managing member(s) of the Project Owner.

"Project Owner" means the ownership identified in the AHFA.

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

All Development Teams must receive pre-approval from OHFA to submit a proposal application. OHFA will provide an Experience, Capacity, and Capability Pre-Approval Form and accept completed forms by the dates listed in the Program Calendar.

Submission Requirements:

- Completed Experience, Capacity and Capability tab in the AHFA.
- Resumes for all staff members of the Development Team. Organizational chart showing the structure of the ownership entity, General Partners, Development Team, and consultants and the relationships and ranks of all relevant positions.
- 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 9% LIHTC application round in which they competed.
- The last three years of audited financial statements for the developer and co-developer(s), if applicable and a real estate owned (REO) schedule for all existing LIHTC projects for which the lead developer and co-developer(s) (if applicable) maintain an ownership interest.
- The owner of the project must provide a Lien and Litigation Report dated within 30 days of submission of the pre-application and final application, respectively.
    - For the purposes of this section "owner" means (1) the entity that owns the project, (2) the general partner/managing member of the entity referenced in (1), (3) the owner of entity/entities referenced in (2), and (4) the developer and co-developer.
- A list of outstanding compliance matters (either as a property owner or property manager) for a property located within the State of Ohio, as identified by OHFA or a local government entity.
- An explanation for every 8823 which remains outstanding (as of the date of application) as to why it remains outstanding and the associated action plan for correcting such.

Applicants must disclose any changes to the Development Team, including changes in the financial or litigation position of any member of the 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.

Any member intending to become certified as a CHDO during the initial application phase must submit documentation in accordance with the Program Calendar outlined herein and the CHDO 2024 Guidelines.

OHFA may request additional information to evaluate experience, and capability. If any material changes occur at any time prior to the issuance of the 8609, OHFA may elect to re-evaluate experience, capacity, and capability.

10. Evidence of Site Control

The application must comply with one of the following. Any updates to site control documents must be submitted with the final application. Evidence of site control may not expire until a reasonable period following the scheduled announcement date for 9% LIHTC awards at least 180 days from the date the application is submitted.

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

b. Arm's-Length: If the current owner is not a General Partner or limited partner/investor member, then:

- a purchase contract or option naming one of the above parties;
- 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.

Any ground lease must be for a minimum term of 35 years.

Scattered site developments must have at least 75% of the sites under control at the time of proposal application and must have 100% of the sites under control at the time of final application.

11. Exception Requests

OHFA will consider exceptions only for those items specifically 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.

Applicants must submit requests for programmatic exceptions in advance of the proposal application. All other requests are due with the application in accordance with the Program Calendar outlined herein.

12. Federal Tax Identification Number

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

13. Green Certification

All 9% LIHTC developments must obtain one of the energy efficiency or green building certifications in the current OHFA Design and Architectural Standards.

9% LIHTC applicants proposing New Construction developments must obtain one of the following:

- 2020 Enterprise Green Communities
- Leadership in Energy & Environmental Design (LEED) – silver or higher
- ICC 700 National Green Building Standard (NGBS) – silver or higher
- Green Building Initiative's Green Globes Certification for Multifamily New Construction or Multifamily Existing Buildings.
- Passive House Institute United States (PHIUS) Core Certification

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. 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.

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; or
- Cool or green roof.

14. Housing Credit Gap Financing Application

9% LIHTC developments requesting 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.

15. Legal Description

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

16. List of Changes from Proposal Application

The final application must include a description of any substantive changes made to the development represented in the proposal, including but not limited to changes in ownership or Development Team, including financial or litigation position of the 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.

17. Management Company Capacity Review

The AHFA must include a completed property Management Company Capacity Review tab. OHFA will evaluate property management companies at final application.

18. Market Study

Applications must include a market study that is:

- conducted by an OHFA-approved market study professional;
- updated or approved within 12 months of the application submission date;
- compliant with the Multifamily Underwriting Guidelines market study requirements; and
- identical to the proposed project in terms of unit configuration, income and rent restrictions, and amenities. Any variation between the market study and the submitted project must be remedied by a desk update to the market study.

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

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

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.

20. Phase I and II Environmental Site Assessments

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 an evaluation of 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 with recognized environmental conditions, problems or hazards.

21. Physical Capital Needs Assessment and Scope of Work

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.

22. Public Notification

Applications must include evidence of completing the public notification process the Proposal Application deadline referenced in the Program Calendar.

An applicant requesting funds must provide the notice to:

- 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; or
- 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
- if not in a municipality, 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 must complete the public notification process for all sites. Updated evidence of completing the public notification process must be provided at final application if there are any changes to the information listed on the OHFA template letter.

23. Related Party Transaction Questionnaire (if applicable)

Applications must include the Related Party Transaction Questionnaire for any project involving transactions between related parties and/or parties having a stake in the project such as the management company.

24. Relocation Plan (existing rental units only)

Any development involving rehabilitation of occupied units that will result in permanent displacement must submit a complete Acquisition, Relocation, and Demolition Questionnaire and 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 which addresses the method(s) for relocating residents, provides a breakdown of any associated costs, and identifies if tenants will be permanently displaced.

25. Rental Subsidy Contract

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 subsidy provider 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 indicating the anticipated rents, 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. The commitment will detail the number of units that will receive subsidy, the rent, and utility allowance by unit type.

26. Revitalization Plan

To qualify for a 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 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;

- 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.
- plans designed to accomplish the above.

d. Other Policy: The Revitalization Plan (or specifically referenced collateral plan) should address at least two of the following goals and how they will be accomplished:
- 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.
- 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.

27. Scattered Site Development Map

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

28. Site Visit Documents

Unless required at an earlier stage, OHFA may conduct a site review prior to final application submission and may deem the site unsuitable due to detrimental nearby land uses or excessive development challenges (e.g., inadequate access, steep slopes).

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.

29. Supportive Services Plan & Providers

For service enriched developments and senior developments seeking points for Experienced Service Provider, Supportive Services Plans (SSP) are due no later than the request for Form 8609.

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.

The SSP must be unique to the development, identify the population served, be customized to that population, and include the following:
- a representation that the owner or its agent will inform all residents in writing that

participation in any services is entirely voluntary;
- 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, and
  - methods to monitor and evaluate service delivery and outcomes.

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 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 residents chose to pursue/receive,
- methods to offer a connection to services not offered on-site,
- physical characteristics of the site, design and/or location that will enhance the lives of residents, and
- sources of funding for all supportive services and how the supportive services will be sustained over the 30-year extended use period.

Properties with a CORES-certified owner are exempt from requirements in this section related to requests for Form 8609.

30. Utility Allowance Information

Applications must include utility allowance information consistent with IRS Regulation 1.42-10 and OHFA's Utility Allowance Request Procedure.

Properties with 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

31. Zoning

Applications must include either of the following, dated within one year of the application due date:
- a valid building permit, or

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

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.

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. The applicant must demonstrate that it is:

- 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 evidence of zoning either with the final application or prior to the release of funding decisions.

B. 9% LIHTC Programmatic Requirements & Oversight

The following requirements apply to all 9% LIHTC applicants unless otherwise specified.

1. Average Income Minimum Set-Aside

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

2. Broadband Infrastructure

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 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).

3. Competitive Application and Developer Award Limitations

Applicants and their related and affiliated entities may submit the following number of 9% LIHTC applications and receive the following number of 9% LIHTC allocations each year:

Type of Previous Experience	Number of Applications	Number of Awards

Applicant has never received Ohio LIHTCs but meets the minimum eligibility requirements in Appendix C.	1	1
Applicant has received Ohio LIHTCs and received Form(s) 8609 for at least one project in the past 10 years.	2	1
Applicant has received Ohio LIHTCs 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 $3 million)
Applicant has received Ohio LIHTCs and received 8609s for at least four projects in the past 10 years.	4	2 (total credit allocation per applicant may not exceed $3 million)

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

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

As a courtesy, applicants submitting multiple proposals may provide a letter indicating their preferred rank. OHFA will determine which will be awarded (if any), on the basis of points scored and in furtherance of public policy goals, irrespective of the applicant's proposed ranking

4. Community Housing Development Organization (CHDO) Certification

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.
- submit documentation indicating the CHDO either will maintain effective development control or be the sole General Partner; and
- a letter from the syndicator confirming that the CHDO has the financial capacity to provide the requisite project guarantees.

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

5. Competitive Scoring

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 will require proof the cure documentation existed on or before the application deadline. Applications selected for an award of 9% LIHTCs 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.

6. Compliance with Multifamily Underwriting Guidelines

All requirements in the Multifamily Underwriting Guidelines are incorporated herein.

7. Cost Containment

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 and rehabilitation.

8. Design & Architectural Standards

All requirements in the Design & Architectural Standards [to be linked when final] are incorporated herein.

9. Detrimental Land Uses

OHFA will not select new construction or adaptive reuse 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 ("blighted" as defined in the Ohio Revised Code §1.08)
- 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.

Applicants may submit the following supplemental information to respond to 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 confirming of its corrective plan.

10. Electronic Reporting

OHFA will require 9% LIHTC recipients to enter information into DevCo or other designated electronic reporting system.

11. Extended Use Agreement

All LIHTC developments will record 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.

12. Fraud, Waste, and Abuse

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

13. Ohio 811 Project Rental Assistance Program

Applicants will commit 10% of the units or five units (whichever is greater) in the proposed development to participation in the Ohio 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.

14. Penalties

Violations of the QAP, missed deadlines, failure to honor commitments made in the application process, failure to properly complete the Annual Owner Certification (AOC), a pattern of uncorrected 8823s within the developer's portfolio (owned or managed), failure to address local inspection findings associated with developer's properties (owned or managed) within Ohio in a timely and appropriate manner, or other instances of noncompliance with OHFA requirements as set forth in Appendix E may result in any or all of the following actions:

- 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.
- Monetary fee in an amount determined by OHFA.
- Reduction in the developer fee in an amount determined by OHFA.
- Referral for independent cost audit (commissioned by OHFA but paid for by the owner/developer).
- Additional and/or enhanced physical inspection/site visit at the applicant's cost.
- Other actions at the sole discretion of OHFA.

15. Resyndication

Developments with a previous LIHTC allocation may not compete for another allocation of 9% LIHTC until after the end of the Compliance Period.

16. Scattered Site Definition & Requirements

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-LIHTC/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.

17. Scoring Reassessments

OHFA will reassess applications with a reservation of 9% LIHTCs 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.

18. Tenant Protections

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.

As an exception to the last item in listed 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 section 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.

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.

The maximum Development Support Budget is $1,750,000.

2. 9% LIHTC Developer Fee Calculation

The base developer fee for all 9% LIHTC applications is calculated as follows:

Pool	Developer Fee
New Construction (including adaptive reuse)	$25,000 per affordable unit
Rehabilitation	30% of rehabilitation hard costs

Developer fees for 9% LIHTC 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 out of development cash flow within the first 15 years.

D. 6-2-6: Contractor Cost Limits

The combined total of contractor profit, overhead, and general requirements (Contractor's Fee) shall be limited to fourteen percent (14%) of hard construction costs, of which 6% is contractor profit, 2% is overhead and 6% is general requirements. The maximum amount of the Contractor's Fee is locked in at either (1) final application or (2) 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.

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, based on demonstrated need in accordance with 26 U.S.C. §42(d)(5)(B)(v):

- 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 Growth or higher Community Change Index rating.

Based on a demonstrated need in accordance with 26 U.S.C. §42(d)(5)(B)(v), the following development types may be eligible for a 115% basis boost:

- competing in the Rural or 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

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 following the submission of an Exception Request Form.

Any award of HOME funds will be made in a manner consistent with 24 C.F.R. §92.250(b).

G. Accessible Design

1. Universal Design

9% LIHTC developments must incorporate all mandatory Universal Design features, as outlined in Appendix D, and either

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

2. 504 Units

At least 10% of units (total number of units x .1 rounded up to the next whole number) in 9% LIHTC developments must meet the 504 requirements defined in the Design & Architectural Standards.

III. HOUSING POLICY POOLS AND COUNTY LIMITS

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

Pool	Allocation Amount
New Affordability: Central City	26%
New Affordability: Metro/Suburban	23%
New Affordability: Rural	17%
Preserved Affordability	22%
Service Enriched Housing	12%

The maximum credit request per application is as follows:

New Affordability: Central City Pool and Metro/Suburban Pool: $1,500,000
Service Enriched Housing Pool: $1,500,000
Preserved Affordability: $1,250,000

In the event that more funding becomes available, 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 40% but no more than 60% of New Affordability 9% LIHTCs to either family or senior proposals. The balance will be maintained to the greatest extent possible in each geographic pool.

General Occupancy developments must provide three bedrooms in at least 15% of affordable units.

Senior developments may provide two bedrooms in a maximum of 10% of affordable units.

1. 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. Single family lease purchase developments must provide at the time of application a prospective plan to provide homebuyer education and financial literacy services (which may include the provision of positive credit reporting at the Project Owner's expense) to residents beginning no later than year 12 of the compliance period. Project Owners selected for this set-aside will be required to demonstrate adherence to the plan annually in their AOC.

2. Set-Aside: Appalachian County

OHFA will award three developments from the New Affordability Pool in the 32 Appalachian counties as designated in the Appalachian Regional Development Act of 1965, as amended.

3. Set-Aside: Enhanced Economic Activity

OHFA will award two developments from the New Affordability Pool to proposed projects located within a thirty (30) mile radius of large-scale economic development.

[NOTE TO REVIEWERS – OHFA IS REQUESTING SPECIFIC FEEDBACK ON THE BEST WAY TO DEFINE "LARGE SCALE ECONOMIC DEVELOPMENT"]

B. Preserved Affordability

Includes applications in which the majority of units preserve existing affordability by maintaining project-based subsidies or Year 30 LIHTC 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 two housing developments with a majority of units maintaining existing project-based subsidies through a program administered by USDA Rural Development.

3. Set-Aside: LIHTC Preservation

OHFA will award one housing development within years 16-20 of the development's extended use period. Preference will be given to a development in an area of housing need or population growth.

4. Set-Aside: Permanent Supportive Housing Preservation

OHFA will award one housing development that preserves a Permanent Supportive Housing development.

C. Service Enriched Housing

1. Minimum Requirements

Proposed developments must 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. The proposed project has support from the applicable Continuum of Care (CoC) 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 through a primary or secondary priority letter:

- demonstrating that the CoC or entity 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 priority.

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 Continuum of Care.

D. Strategic Initiatives

After reserving the majority of 9% LIHTCs in each pool based on the results of the competitive scoring process, the remaining amounts will be reserved for Strategic Initiatives funding. OHFA will award a minimum of $1,500,000 through Strategic Initiatives.

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

OHFA will consider an application for Strategic Initiative funding if:

- proposals address priority housing needs evidenced in the most recent Housing Needs Assessment.
- proposals meet a quantifiable need and target 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 assist in meeting Ohio's 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 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.

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. County Limits will only apply to New Affordability and Service Enriched Housing Pools.

- Five: Cuyahoga, Franklin, Hamilton
- Three: Summit, Montgomery, Lucas
- Two: Butler, Stark, Lorain, Warren, Lake, Delaware, Mahoning
- One: all others

F. Geographic Definitions

An interactive map showing Central City, Metro/Suburban, and Rural Pools will be available. 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 9% LIHTCs. 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. An application in an area with a higher shortage of affordable housing,, based on the National Low Income Housing Coalition methodology.
2. The development located in the census tract that has received the fewest number of 9% LIHTC awards over the past three years (2020-2023). Opportunity Index ranking for New Affordability applications; percentage of project-based rental assistance preserved for Preserved Affordability applications.
3. An application in a county with higher anticipated population growth by 2050, based on analysis by the Ohio Department of Development.
4. An application would be the Development Team's only award while the tying application(s) would be the Development Team's second.
5. 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	**5**
Resident Amenities	**20**
Additional Affordability	**10**
Housing Need	**10**
Credits Per LIHTC Unit	**5**
Geographic Priorities	**10**
Population Priorities	**15**
Population Priorities	**15**
Site Selection Priorities	**50**
TOTAL:	**140**

1. Local Partner or In-State Experience

Maximum Points: 5 (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. Upon review of supporting evidence, OHFA may consider for-profit entities that are controlled by nonprofit parent organizations to be nonprofit partners.

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

c. CHDO Partner: The development will be 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 (1) has a General Partnership interest in five Ohio LIHTC properties (including 4% LIHTC) placed in service in Ohio in the last 10 years and (2) remains in Good Standing, as such term is defined in Appendix E. OHFA may consider affiliated entities.

Submission:

Local Nonprofit Partner: Brief information about the partner including its service provision relevant to the resident population, where it is based, and its experience working in the local community. The applicant must also reflect the minimum ownership percentage in its application.

Housing Authority: AHFA must reflect a local public housing authority has 25% General Partnership Interest in the ownership structure.

CHDO Partner: A letter from OHFA confirming CHDO Status should be included.

In-State Experiencer: Developer should submit Application must include evidence of General Partnership interest in five Ohio LIHTC properties that have been placed in service in the last 10 years.

2. Resident Amenities

Maximum Points: 20

Development will include one or more of the following:

Amenity	Points
Climate resiliency measures (solar panels/Fortified Home Building Standards, heat island mitigations etc.) to the benefit of residents.	15
Owner provided Wi-Fi in resident units at no cost to residents throughout the LIHTC Compliance Period	15
Exercise room	10
Telehealth space (Senior)	10
Playground (General Occupancy)	10
Business Center/Computer Room with owner provided Wi-Fi	10
Reading/library space in community room with access to books and mailboxes large enough for book delivery for tenants. (General Occupancy)	10
Bike racks or bike storage lockers	5
Sport court (basketball, pickleball, etc)	5
Picnic area with permanent grill	5

Walking/Jogging path that connects with public walkway	5
Covered bus stop shelter	5
Interior and exterior security cameras	5
Dishwasher and garbage disposal in all units	5

Submission*:*
Eligibility will be determined through information provided in the AHFA and architectural plans. Please Applicants must annotate the plans highlighting amenities that are included for competitive consideration. Applicants must also submit estimated costs for the selected item(s) and a narrative describing the feature(s) and why they were selected for the development.

3. Additional Affordability

Maximum Points: 10 (select one)

a. Extreme Low Income (ELI) Targeting (10): Developments that 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

Submission: Eligibility will be determined by the AHFA. Units must be properly identified in the budget and supported by the market study must support demand for the units.

b. Supportive Housing Integration (10): Developments setting aside 20% of units for participation in the Ohio 811 Project Rental Assistance Program and complying with the program requirements will achieve points.

Bonus Points: 2 for developments sited in areas with long waiting lists
2 for project teams committing to 811 units in areas with a long waiting list.

4. Housing Need

Maximum Points: 10

a. Percent of Very Low-Income (VLI) Households (5): 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

[NUMBERS MAY BE ADJUSTED BASED ON NEW DATA]

Submission: Applicants must submit a screenshot from the QAP Interactive Map (with Percent of Very Low-Income (VLI) Households layer checked) that demonstrates the development is sited within an eligible census tract to earn points for this criterion.

b. Prevalence of Sub-Standard Housing (5): Developments located in a county with a high percentage of sub-standard housing for renters. The QAP Interactive Map will contain this criterion

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

[NUMBERS MAY BE ADJUSTED BASED ON NEW DATA]

Submission: Applicants must submit a screenshot from the QAP Interactive Map (with Underserved Counties layer checked) that demonstrates the development is sited within an eligible county.

5. Credits per LIHTC Unit

Maximum Points: 5

Developments requesting 9% LIHTC of less than the following per LIHTC unit.

- $25,000 = 5 points
- $28,000 = 3 points
- $31,000 = 1 point

6. Geographic Priorities

Maximum Points: 10 (select one)

a. Opportunity Area: Developments located in an area meeting the following criteria:

- Very High Opportunity Area = 10 points
- High Opportunity Area = 9 points
- Moderate Opportunity Area with Slight Growth or Higher = 8 points
- Moderate Opportunity Area = 5 points

b. Neighborhood Revitalization: Developments located in a census tract that meets both of the following criteria (Metro/Suburban and Rural applications can choose one of the following criteria) (8 points):

- Within two miles of real estate development and/or community development investments of at least
  - $15,000,000 completed in calendar years 2021, 2022, and/or 2023, and
  - $15,000,000 planned and committed for calendar years 2024-2027.
- 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.

Submission: Eligibility for points under this criterion will be confirmed by reference to the Housing Credit tab in the AHFA. The amount will be calculated by dividing the total housing credits requested by the total number of affordable units.

7. Population Priorities

Maximum Points: 15

General Occupancy Priorities:

a. Early Childhood Education: Developments sited in school districts with the following K-3 literacy rates are eligible for the following points: (1,3,5 scale)

b. High School Education: Developments sited in school districts with the following high school graduation rates are eligible for the following points: (1,3,5 scale)

c. Resident Credit Building: Developments reporting positive, on time rental payments to credit bureaus to build resident credit.

- The service is to be provided at no additional cost to the residents or OHFA for the 15-year compliance period. Applicant must identify the cost of the service in the operating budget and demonstrate that the project will meet OHFA's annual cash flow requirements as contained in the Underwriting Guidelines. This cost is an eligible cost that can be included in the calculation of the Operating Reserve budget amount. The applicant must also provide a description of the service and an executed agreement with the service provider with the initial application. **(5 points)**

Senior Priorities:

a. Senior Rent Burden: Developments sited in counties/census tracts with the following percentage of rent burdened seniors are eligible for the following points: (1,3,5 scale)

[NUMBERS TO BE INSERTED]

b. Senior Services: Developments demonstrating a commitment by an experienced local or regional service entity to coordinate appropriate services on-site 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). **(5 points)**

8. Site Selection Priorities

Maximum Points: 50

a. 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

b. Job Access: Developments located in a county with the following 2023 unemployment rate are eligible for the following points: (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

Submission:

Concentrated Job Center: Applicants must submit a screenshot of either the "On the Map" query website or QAP Interactive Map demonstrating eligibility by following these directions:
Access http://onthemap.ces.census.gov/
Enter the address of the site, or the AHFA's nearest address and click "Search"
Select the "Geocoder Result" that is returned for your address
Click the "Selection" tab at the top of the page
Click "Simple Ring" under "Add Buffer to Selection"
Enter "1" into the "Radius" box
Click "Confirm Selection"
Click "Perform an Analysis on Selection Area."
Within the Analysis Settings box that will appear:
Choose "Work" under the first column
Choose "Area Profile" under the second column
Choose 2018 under the third column
Choose "All Jobs" under the fourth column
Click "Go" for results. The "Total All Jobs" Count is the relevant measurement.
Entry Level Job Access: Applicants must submit a screenshot of the QAP Interactive Map (with Entry Level Job Access layer checked) demonstrating that the development is located in a census tract with an Entry Level Job Access Job Ratio applicable to the number of points being claimed.

c. Proximity to Amenities: Points will be determined according to the matrix below. For an amenity to be eligible for points, the application must include documentation required by the Agency of meeting the applicable criteria. In all cases the establishment must be open to the general public and operating as of the preliminary application deadline with no announced closing prior to the notification of final site scores. (40 points)

Driving Distance in Miles

Primary Amenities (25 points max)	≤1.5	≤2.5	≤3.5
Grocery	12	10	8
Healthcare Facility	7	6	4
Pharmacy	7	6	4

Secondary Amenities (15 points max)	≤1.5	≤2.5	≤3.5
Service	3	2	1
Licensed Daycare accepting assistance/vouchers	3	2	1
Public Facility	3	2	1
Public School (Family)	3	2	1
Senior Center (Senior)	3	2	1

B. PRESERVED AFFORDABILITY

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

1. Development Characteristics

Maximum Points: 30

a. Rehab Scope: (5 points) OHFA will award points based on the AHFA demonstrating the following hard construction costs per unit:

- $50,000 - $65,000 = 2 points
- $65,001 - $70,000 = 3 points
- $70,001 - $75,000 = 4 points
- More than $75,000 = 5 points

b. Resident Amenities: (20 points)

Development will include one or more of the following new amenities (amenity cannot be one provided in the existing development):

Amenity	Points
Climate resiliency measures (solar panels/Fortified Home Building Standards, heat island mitigations etc.) to the benefit of residents.	15
Owner provided Wi-Fi in resident units at no cost to residents throughout the LIHTC Compliance Period	15
Exercise room	10
Telehealth space (Senior)	10
Playground (General Occupancy)	10
Business Center/Computer Room with owner provided Wi-Fi	10
Reading/library space in community room with access to books and mailboxes large enough for book delivery for tenants. (General Occupancy)	10
Bike racks or bike storage lockers	5
Sport court (basketball, pickleball, etc)	5

Picnic area with permanent grill	5
Walking/Jogging path that connects with public walkway	5
Covered bus stop shelter	5
Interior and exterior security cameras	5
Dishwasher and garbage disposal in all units	5

c. Lead Paint Abatement: (5 points) Developments that involve the full abatement of existing lead paint and pipes will be eligible.

2. Preservation Priorities

Maximum Points: 10 (select one)

a. Financially Troubled Asset: Development that meets all of the following:

- Developments either at risk of default or foreclosure or that have a negative cash flow (as such term is defined in the Multifamily Underwriting Guidelines).
- An Applicant acquired the development three years before first applying for 9% LIHTCs or has a purchase agreement in place contingent upon 9% LIHTC 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.

c. Discount to Market Rent: OHFA will compare the maximum gross (i.e. without reducing for a utility allowance) 50% AMI Multifamily Tax Subsidy Projects (MTSP) rent for a hypothetical one-bedroom unit against 110% of the one-bedroom 2023 Small Area Fair Market Rent (SAFMR)—if the project is located in a MSA—or 110% of the 2023 Fair Market Rent (FMR) for projects located outside of an MSA. Discount to Market Rent = 1 – (the maximum gross 50% AMI MTSP rent for a one-bedroom unit ÷ 110% of SAFMR or FMR). Points will be automatically calculated based on the Census Tract in which the majority of units in the defined project is located.

d. Need for Replacement: Developments that have become obsolete due to factors beyond the control of the current ownership and pose 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 all of the following:

- The lead developer and/or co-developer has successfully placed in service at least five LIHTC projects in Ohio within the past 10 years.
- The lead developer and/or co-developer remain in Good Standing; and
- The property manager has at least 10 years of LIHTC experience.

4. Subsidy Preservation

Maximum Points: 15 (select one)

a. Preserved Units Section 8: Developments that preserve the following percentages of a federal, project-based rental subsidy:

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

OHFA will round percentages to the nearest whole number.

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

- 25% or less of the LIHTC units = 8 points
- 26-40% of the LIHTC units = 10 points
- 41-50% of the LIHTC units = 13 points
- >50% of the LIHTC units = 15 points

OHFA will round percentages to the nearest whole number.

Submission: Proof of the subsidy (consistent with the Document Submission requirements for Rental Subsidy Contract.) must be included with the application and reflected in the AHFA. Percentages will be rounded to the nearest whole number.

c. Year 30: 9% LIHTC 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 LIHTC maximum,
- no affordability restrictions for another program restricts the real estate, and
- there are no non-OHFA rent restrictions on the real estate.

5. Areas of Distinction

Bonus Points: 10 points total

a. USDA Maturing Mortgage: Developments with a USDA RD Section 515 loan maturing by 2027 (5 points).

b. Participation in HUD Family Self Sufficiency Program:

- Applicants must create an FSS Action Plan and submit the plan to HUD for approval prior to submitting the proposal application. A copy of the Action Plan must be included with the proposal application. Evidence of HUD's approval of the plan along with the copy of the executed HUD 52650 FSS Program Contract of Participation must be submitted with the final application. Applicant must identify the cost of the required FSS program coordinator in the operating budget and demonstrate that the project will meet OHFA's annual cash flow requirements as contained in the Underwriting Guidelines. This cost is an eligible cost that can be included in the calculation of the Operating

Reserve budget amount. (10 points)

c. Leverage of HUD Green and Resilient Retrofit Program:

- Applicants incorporating the Green and Resilient Retrofit Program into the development as evidenced by a submitted application to HUD are eligible (10 points)

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	**10**
Local Partners	**15**
Expert Recommendations	**10**
Geographic Priority	**10**
Site Selection Priorities	**50**
High Need County	**5**
TOTAL	**100**

1. Experienced Service Coordinator

Maximum Points: 10

Proposals demonstrating a commitment by an experienced local or regional service provider(s) to deliver at least two of the services listed below. All service providers must have a history of serving the area and target population.

- 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).

Submission Requirement: Applicants must evidence this requirement in the Supportive Services Plan due at proposal (requirements outlined in the document submission section), identifying partnerships with qualified service agencies, and detailing the specific services to be provided, where they will be provided, and how many hours per week of each service will be provided.

2. Local Partners

Maximum points: 15

Proposals including both of the following:

- The Development Team has established an MOU with referral agency (e.g., CoC, Mental Health and Recovery system board, local child welfare system of care) to submit referrals from a coordinated entry system and will target households including individuals and families meeting the applicable target population. (5 points)
- Evidence of a partnership with a service provider who will coordinate provision of Medicaid-funded services. (10 points)

Submission Requirement:

- For CoC/Referral Partnership, provide a contractual agreement outlining the specific services, methods of delivery, and terms of the partnership(s). Or provide a referral partnership with the local ADAMH Board to refer the target population.

- For Medicaid Partnership, submit evidence of the partnership and also brief information about the partner including their services relevant to the resident population, where they are based, and their experience working in the local community.

3. Expert Recommendations

Maximum points: 10

Proposals that have been designated a primary priority/recommendation by the applicable CoC for PSH applicants. (10 points)

Proposals with a letter of support/recommendation from outside of a CoC 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.

Submission Requirement: Applicants must submit the applicable letter of designation or recommendation with the proposal application.

4. Geographic Priority

Maximum points: 10

a. Opportunity Area: Development is located in a census tract meeting the following criteria:

- Very High Opportunity Area = 10 points
- High Opportunity Area = 9 points
- Moderate Opportunity Area with Slight Growth or Higher = 8 points
- Moderate Opportunity Area = 5 points

b. Neighborhood Revitalization: Development is located in an area that meets both of the following criteria (Metro/Suburban and Rural applications can choose one of the following criteria) (10 points):

- Within two miles of real estate development and/or community development investments of at least
  - $15,000,000 completed in calendar years 2021, 2022, and/or 2023, and
  - $15,000,000 planned and committed for calendar years 2024-2027.
- 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.

8. Site Selection Priorities

Maximum Points: 50

a. 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

b. Job Access: Developments located in a county with the following 2022 unemployment rate are eligible for the following points: (1,3,5)

[NUMBERS TO BE INSERTED]

c. Proximity to Amenities: Points will be determined according to the matrix below. For an amenity to be eligible for points, the application must include documentation required by the Agency of meeting the applicable criteria. In all cases the establishment must be open to the general public and operating as of the preliminary application deadline with no announced closing prior to the notification of final site scores. (40 points)

Driving Distance in Miles

Primary Amenities (25 points max)	≤1.5	≤2.5	≤3.5
Grocery[1]	12	10	8

[1] For the purposes of this QAP, “Grocery” shall refer to the following retail chains: Acme Fresh Market, Aldi, Ameristop Food Mart, Buehler’s Fresh Foods, Chief Supermarkets, Community Markets, Dairy Mart, Dave’s Market, Food Fair, Fresh Market, Fresh Thyme Farmers Market, Giant Eagle, Great Scot Community Markets, Heinen’s, Kroger, La Michoacana Mexican Market, Marc’s, Meijer, Piggly Wiggly,

Healthcare Facility	7	6	4
Pharmacy	7	6	4

Secondary Amenities (15 points max)	≤1.5	≤2.5	≤3.5
Service	3	2	1
Licensed Daycare accepting assistance/vouchers	3	2	1
Public Facility	3	2	1
Public School (Family)	3	2	1
Senior Center (Senior)	3	2	1

5. High Need County

Maximum points: 5

Developments that are located in a county with a high number of homeless individuals as determined by HUD's 2022 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. Conditional Qualification Letter

OHFA will send Conditional Qualification Letters to the contact person indicated in the proposal application. OHFA must receive the original Conditional Qualification Letter, 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. Pre-Placed IN-SERVICE Property, Ownership, and/or Management Changes

OHFA must approve all development changes and may require a new application, processing fee, and/or public notification letters when changes occur. OHFA may reduce or revoke a reservation of 9% LIHTCs if changes are made without prior approval. OHFA may also reduce or revoke reservations if applicants fail to complete a development as approved.

Riesbeck's Food Markets, Save-A-Lot Food Stores, Stop N Shop, target, Twon Money Saver, Trader Joe's, Walmart Supercenter, and Whole Foods Market.

C. 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 as soon as practicable prior to the placed-in-service deadline.

2. Agree to return their 9% LIHTC allocation 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.

D. Carryover Allocation

All developments must meet the Treasury Regulation 1.42-6 carryover allocation requirements. OHFA will issue a Carryover Agreement to 9% LIHTC recipients by the end of the calendar year of the 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.

E. LIHTC Lease Addendum

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). Such certification will be renewed at the time of lease-up and throughout the compliance period.

F. Equity Closing Documents

Within thirty (30) days of equity closing, applicants must electronically submit by email to equitydocs@ohiohome.org, executed copies of the following, as applicable: (1) a copy of the Amended and Restated Limited Partnership/Operating Agreement admitting the limited partner/investor member; (2) equity documents, (3) loan documents, (4) final title policy, (5) updated Phase 1 (collectively, the “Closing Documents”). The Closing Documents should state clearly if they are non-public or confidential at the time of submission.

G. Ohio Housing Locator

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.

H. Quarterly Construction Monitoring Reports

Owners must submit online Quarterly Construction Monitoring Reports detailing construction progress to OHFA for all 9% LIHTC projects and HDAP projects. Reporting begins the first quarter following equity closing through 100% construction completion. Submission dates are January 1, April 1, July 1, and October 1.

I. Construction Monitoring

All OHFA-funded projects are monitored throughout construction. To accomplish this, OHFA will conduct walk through visits and windshield/exterior visits, as well as review Quarterly Construction Monitoring (QCM) Reports.

OHFA may organize or participate in other visits or meetings that identify progress of construction including but not limited to post construction visits, pre-construction meetings, draw meetings, and Davis-Bacon interviews.

All Development Teams must work with OHFA staff to facilitate the completion of any visits or meetings related to construction that OHFA deems necessary. OHFA's Construction Monitoring Guidance can be reviewed for more information.

J. Development Completion Stage / 8609 Request

Upon issuance of certificate(s) of occupancy, the owner must notify OHFA of the placed-in-service date of each building.

The Owner must 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 8609 forms are issued. The Project Administration webpage includes guidance related to requesting an 8609 form or the HDAP closeout process.

VI. TRAINING AND TECHNICAL ASSISTANCE

A. Compliance Next Steps Process

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

The CNS process must be attended and closed by OHFA in order for owners to be issued Form 8609.

Refer to the Compliance Next Steps Policy as amended from time to time for further information on the CNS process.

B. Affirmative Fair-Housing

Affirmative Fair Housing Marketing Plans (AFHMP) and affirmative marketing procedures are required for all projects receiving 9% LIHTC funding. 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 here Affirmative Fair Housing Marketing Plan Guidance as amended from time to time.

C. Compliance Training Requirements

Completion of LIHTC training is required in order to obtain IRS Form 8609. A representative of the owner and/or management agent must attend the training which may or may not be offered by OHFA.   Refer to OFHA's Compliance Manual (add link) as amended from time to time for further information on training requirements.

D. 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. This program was established to foster partner relationships and help to ensure the viability of the property. Owners should review OHFA's Partner Relationship and Onboarding Process as amended from time to time for further information.

VII. PROGRAM COMPLIANCE

A. Reporting

Owners receiving an allocation of 9% LIHTC shall be required to comply with applicable federal, state and local laws, including but not limited to Section 42 of the Code, 26 U.S.C. §42(m)(B)(iii), and the minimum compliance requirements outlined in OHFA's LIHTC Compliance Manual (add link) as amended from time to time.

Owners of OHFA funded projects must submit the Annual Owner Certification and Tenant Data to OHFA. Owners must submit information about their projects and respond to file and site audits.

B. Compliance Monitoring and Notice of Noncompliance

Owners (Applicants) receiving a 9% LIHTC allocation are responsible for compliance with all requirements of the Code and the OHFA's LIHTC Compliance Manual (add link), including such rules, regulations, administrative revenue proclamations and revenue rulings as may be issued from time to time.

Compliance Monitoring

OHFA will monitor each development for compliance during the term of the Restrictive Covenant. Monitoring requirements and the protocol for compliance monitoring may be adjusted as deemed necessary or appropriate by OHFA which includes compliance with Treasury Regulation Section 1.42-5 and IRS &43 Audit Guide, which may be amended from time to time by the IRS.

The initial audit for new properties must be conducted by the end of the second year after the last building is placed in service. The IRS permits agencies to monitor the lesser of 20% of the units on a project or the number provided in the minimum unit sample size reference chart. The following chart shows the required unit sample size. IRS/Treasury REG-123027-19. Nothing in this Compliance Monitoring section supersedes the requirements set forth in IRS/Treasury REG-123027-19.

9% LIHTC owners must request access to a property in the on-line reporting system prior to qualifying residents. Once owners gain access, they must approve access for other users of the online reporting system. Owners must ensure property managers and the appropriate on-site staff register and have access to necessary projects in the system.

Notice of Noncompliance

Should OHFA discover that a development is not in compliance with Section 42, or that credit has been claimed or will be claimed for units that are ineligible, OHFA will notify the owner promptly. The owner shall have a minimum of 30 days from the date of notification to cure the noncompliance.

In extraordinary circumstances, and only if OHFA determines that there is good cause, an extension of up to six months may be granted to complete a cure for noncompliance.

OHFA will notify the Internal Revenue Service, utilizing Form 8823, no later than 45 days after the end of the correction period, and no earlier than the end of the correction period, of the nature of the noncompliance and will indicate to the IRS whether or not the owner has made appropriate corrections.

While OHFA will notify the owner of compliance issues, neither a finding of noncompliance nor a determination that noncompliance has been cured is binding on the Internal Revenue Service. Owners who have received a notification from OHFA that a project is in compliance may still be subject to an IRS audit and the possibility of loss or recapture of Housing Credits. Refer to the Internal Revenue Code for additional information about federal compliance regulations.

Annual Reporting

Owners must annually submit certifications and reports to remain in compliance with program requirements. The owner will be required to prepare and submit to OHFA an Annual Owner Certification (AOC) which certifies that for the preceding 12-month period the project was in compliance with the requirements of IRC §42.

Treas. Reg. §1.42-5(c) (1) lists the annual certification requirements. Owners are required to submit the AOC and Tenant Data to OHFA electronically. Owner reports are due March 1 of each year unless amended by OHFA. Refer to OHFA's Compliance Policies webpage in the Annual Reporting section for current information and requirements.

C. Domestic Violence Protection and Prevention

In conformity with the Violence Against Women's Act (VAWA) Reauthorization of 2023, 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 tenant 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 projects can be found on the OHFA Compliance Policies webpage.

D. 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 2023 VAWA Act. Although the IRS has not provided guidance on how to comply with the VAWA, OHFA requires projects with HTC funding follow the 2023 VAWA Act when implementing VAWA Rule protections for their tenants. For more information on ongoing compliance with VAWA, visit OHFA's Compliance Policies webpage.

E. Compliance Fee

OHFA requires 9% LIHTC 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

Owners are required to submit annual project financial statements and related documents to OHFA's Asset Management team. This reporting begins once a project is in stable operations and will continue through the extended use period.

Owners should review OHFA's Asset Management Policy prior to submitting the report and for more information on the reporting process.
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.

Requirements for 9% LIHTC Projects

Beginning with projects funded through the 2020 QAP and continuing through this QAP all 9% LIHTC 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

IX. HOUSING CREDIT GAP FINANCING

A. Housing Credit Gap Financing (HCGF) Overview

1. Purpose

The Housing Development Assistance Program (HDAP), including the HCGF program, provides financing to support the preservation or construction of affordable housing. 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)**
b. **Ohio Housing Trust Fund (OHTF)**:
c. **National Housing Trust Fund (NHTF)**

The owner/developer/borrower and any of its employees, agents or sub-contractors doing business with OHFA are responsible for adhering to and complying 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 9% LIHTC application. OHFA does not guarantee that any such 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 9% LIHTC 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 9% LIHTCs or are currently within a LIHTC compliance period
- HUD Section 9 developments not converting to Project-Based Rental Assistance

C. HCGF Financing Terms

The most current Multifamily Underwriting Guidelines and loan terms below 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. If a position lower than second position is necessary, the applicant should indicate so in the application along with an explanation and supporting documentation.
- OHFA will make loans to the Project Owner.
- OHFA will consider alternate terms prior to the approval of the award by the OHFA Board.

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 9% LIHTC program.

a. HDAP Restricted Units:

Developments located in Participating Jurisdictions 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.
- 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 9% LIHTC program.

Developments located in Non- Participating Jurisdiction 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.
- 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 9% LIHTC 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

- at least 50% of the units or
- 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 HOME 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.

OHFA 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. OHFA may 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 must meet the minimum design requirements outlined in the Design & Architectural Standards. Developments receiving HOME must meet all requirements as outlined in 24 CFR §92.251 – Property Standards. Developments receiving 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 must meet the Ohio Department of Development's Residential Rehabilitation Standards, including the scope of work ensuring 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 the cost to treat lead-based paint and how it will be covered by the project budget.
- 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 must submit an "as-is" appraisal, performed by an M.A.I. certified appraiser, with the final application that supports those costs and meet requirements in the Multifamily Underwriting Guidelines. 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 must include Real Property Acquisition and Relocation Certifications and Voluntary Acquisition Forms 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.

The application must comply with Ohio Department of Development'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 non-compliance must be resolved prior to execution of the HDAP funding agreement.

b. Relocation Plan

Applications involving rehabilitation of existing units must include a complete Acquisition, Relocation and Demolition Questionnaire and Relocation Plan. 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. Owners must submit a completed Affirmative Fair Housing Marketing Plan with required attachments at the Compliance Next Steps meeting.

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.

E. HCGF Post Award

1. Loan Closing Requests

OHFA will enter into a Funding Agreement with the owner. The owner 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 it receives all of the required checklist items.

2. Subsequent Changes

The owner 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 (as such term is defined below); 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
2600 Corporate Exchange Dr., Suite 300
Columbus, OH 43231

OHFA may assess fees consistent with its current Fee Schedule.

3. Project Administration and Drawing HDAP

Recipients will follow 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 system, including the Annual Owner Certification and resident and project data. Owners may use 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% LIHTC Proposal Application Fee	$5,000	With application
9% LIHTC Final Application Fee	$3,000	With Final Application
Subsidy Layering Review Fee	$5,000	With submission
Additional Assisted Living Application Fee	$5,000	With Final Application
9% LIHTC Reservation Fee	6% of Reservation Amount	With Binding Reservation
Reassessment Fee – 9% LIHTC	Varies based on issue	With request
Reassessment Fee – HDAP	Varies based on issue	With request
LIHTC 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
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: SUBMISSION REQUIREMENTS

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, Capacity, and Capability 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 C: EXPERIENCE, CAPACITY, AND CAPABILITY CHARACTERISTICS

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

Minimum Eligibility Requirements

The lead developer or co-developer as represented in the AHFA must have successful experience with the LIHTC program to participate in the 9% LIHTC program as demonstrated by one of the following minimum standards:

- The lead developer or co-developer has successfully placed at least one LIHTC project in service in Ohio within the last 10 years; or
- The lead developer or co-developer has successfully placed in service at least one LIHTC project in service in a state other than Ohio. Documentation must be submitted that the project was placed into service within the past 10 years.

Only developers that have received LIHTCs 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% LIHTC minimum eligibility requirements.

Experience, Capacity and Capability Review

OHFA will evaluate each applicant 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 9% LIHTC 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, capacity and capability as it determines may be necessary. OHFA may place additional restrictions on development team members, limit the number of awards, applications or the 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, capacity, and capability 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 (not syndicators), for the proposed development:

- **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, 9% LIHTC 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, including but not limited to the history of exchanging 9% LIHTCs, 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, open litigation and code violation enforcement, and compliance with competitive scoring criteria.

- **Present Capacity**:
  OHFA will review the Development Team's current portfolio and determine whether there is sufficient capacity to successfully complete all developments and any new development awards in a timely and efficient manner. OHFA may limit the amount of resources awarded to a particular team 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.

- **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.

Property Management Company Evaluation

OHFA will complete the Experience, Capacity, and Capability review of the management company as described below upon submission of the final application. At proposal application, the applicant identifies only the management company.

Final Application: At final application, the applicant must provide a completed Management Company Capacity Review form (tab within the AHFA).

OHFA will use the following criteria, outlined in more detail in the Review form, to evaluate the management company:

- **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 9% LIHTC developments (each consisting of at least ten units) for at least one year each; or must have managed two LIHTC 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 must attend a LIHTC training and complete the OHFA Onboarding Program.

All developments currently owned and/or managed by the company must not have any uncured Forms 8823. OHFA may grant exceptions events that are not the fault of the company, such as a casualty loss or issues inherited from the prior property manager or owner.

APPENDIX D: 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.

Appendix E

Program participants will be considered to be in Good Standing unless one or more of the following apply to a project in which a member of the Development Team has:

1. Outstanding uncorrected IRS Form 8823.
2. Default on any OHFA loan.
3. Failure to submit an AOC.
4. Before the issuance of IRS Form 8609, the project has non-compliance issues that would be reported to the IRS if Form 8609 had been issued.
5. Failure to request Form 8609 in a timely manner.
6. Failure to abide by the regulations of the Housing Development Assistance Program (HDAP).
7. Violating the terms of a HDAP funding agreement.
8. Failure to pay applicable program fees.
9. Failure to maintain good standing with an Ohio Department of Development program.
10. Deviating from an approved project plan without OHFA approval.
11. Providing false, misleading, or incomplete information on an application or other document required by the OHFA.
12. Failure to respond in a reasonable period to requests for information or documentation.
13. Changing a management company or other approved project participant without OHFA approval.
14. Other determinations made by OHFA based on a pattern of mismanagement or noncompliance as evidenced by monitoring reviews or other information. Determinations may be directly appealed to the OHFA Multifamily Committee as described below.

A designation of not in good standing will result in the entity or individual so designated being unable to participate in any OHFA programs until the violations resulting in such designation are resolved. Parties deemed to be not in good standing under any of the above items may, upon submission of additional information, request that OHFA remove such designation. In the event OHFA denies a request, the applicant may appeal to the Multifamily Committee of the OHFA Board. Designations of not in good standing resulting from Item 14 (above) may be appealed directly to the Multifamily Committee. The decision of the Multifamily Committee is final.

Projects may request that the OHFA waive violations of the good standing policy as described in Items 1-13 above. Examples of circumstances where a waiver may be issued include when a management company or owner “inherits” uncorrected Forms 8823, or in the event of a casualty loss.