

Chapter 122:6-1 Ohio Low- and Moderate-Income Housing Trust Fund

122:6-1-01 Definitions.

(A) "Administering body" means the agency, department, division or other part of the Ohio government, which has the authority to administer programs under the housing trust fund, including, but not limited to, the Ohio department of aging, Ohio ~~development services agency~~~~department of development~~, community ~~services~~~~development~~ division, office of ~~community development~~~~housing and community partnerships~~ and Ohio housing finance agency.

(B) "~~ODOD~~ODSA" means the Ohio ~~development services agency~~~~department of development~~.

(C) "Area median income" means the median income, adjusted by household size, identified by ~~ODOD~~ODSA for the county in which an activity funded with housing trust fund monies is located.

(D) "Transitional ~~housing~~ and permanent ~~supportive~~ housing" ~~program~~ means ~~a program~~activities which allows for grants to be made to eligible applicants for homeless prevention, transitional housing, ~~direct rapid re-~~housing and permanent supportive housing activities that address the housing needs of homeless and low-income individuals and families.

(E) "Homeless prevention" means assistance to individuals or families that have received eviction notices or notices of termination of utility services ~~or are in imminent danger of foreclosure~~ and will be homeless but for the assistance.

(F) "Transitional housing" means housing and supportive services provided to homeless individuals and families, for no longer than twenty-four months, to enable them to obtain and maintain independent, permanent housing.

(G) "~~Direct housing~~Rapid re-housing" means permanent housing ~~to end homelessness for persons as quickly as possible and~~ linked with individualized ~~home-based~~ supportive services, ~~as appropriate~~.

(H) "Permanent supportive housing" means community-based, long-term housing and supportive services, ~~as appropriated~~, for homeless individuals with disabilities.

(I) "Homeless" means an individual or family lacking a regular and adequate nighttime residence and unable to secure independent housing; an individual or family that resides in a shelter or other temporary residence; ~~or~~ an individual or family at imminent risk of becoming homeless; ~~or a person fleeing domestic violence~~.

(J) "Supportive services" means case management/coordination; transportation; goal planning; permanent housing placement; referrals to education and training programs, employment opportunities, health care and substance abuse and mental health treatment; assistance in obtaining financial aid and child care; and housing counseling.

(K) "Rental assistance" means direct housing assistance, including security deposits, first month's rent and/or utility assistance.

(L) "Community development corporation grant program" means a program which allows for grants to be made to nonprofit organizations to create and retain jobs in the private sector and provide technical assistance to nonprofit organizations, municipalities and counties.

(M) "Community development corporation" means a community-based, nonprofit entity organized under section 501(c) (3) of the Internal Revenue Code to develop housing and/or create jobs.

(N) "Nonprofit development organizations" means statewide nonprofit organizations organized under section 501 (c) (3) of the Internal Revenue Code.

(O) "Emergency shelter ~~housing grants program~~" means ~~a program~~activities that allows for grants to be made to eligible applicants to provide emergency shelter housing to homeless individuals and families.

(P) "Rural area and small cities" means a political subdivision of the state that is not designated as a participating jurisdiction under the HOME Investment Partnerships Act, 104 Stat. 4094 (1990), 42 U.S. C. 12701 note, 12721.

(Q) "Eligible applicant" means a county, municipal corporation, township, local housing authority, nonprofit organization, private developer or private lender that is eligible to apply for programs administered under the housing trust fund.

(R) "Housing program" means a program funded with housing trust fund monies.

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122:6-1-02 Eligibility and evaluation criteria for the receipt of funds.

(A) Annually, the administering body shall adopt or reaffirm guidelines to address eligibility and application evaluation criteria and other requirements governing the housing programs funded with housing trust fund monies.

(B) Any eligible applicant receiving housing trust fund monies not restricted by division (A) of section [174.02](#) of the Revised Code shall only use such funding to provide supportive services and/or acquire, finance, construct, lease, rehabilitate, remodel, improve or equip housing affordable to low- and moderate-income persons, as prescribed in guidelines adopted by the administering body.

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[122:6-1-03 Procedures for paying out funds.](#)

Funds granted or loaned from the housing trust fund shall be paid to the eligible applicant based on the guidelines adopted by the administering body for the housing program being administered.

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122:6-1-04 Fund limitations.

(A) Each eligible applicant receiving a grant, loan, loan guarantee or loan subsidy funded with housing trust fund monies for activities that provide, or assist in providing, rental housing shall reasonably ensure that the rental housing will be affordable to those families and individuals targeted for the rental housing for the useful life of the rental housing project or for thirty years, whichever is longer;

(B) Each eligible applicant receiving a grant, loan, loan guarantee or loan subsidy made from the housing trust fund for activities that will provide, or assist in providing, housing shall prepare and implement a plan to reasonably assist any families and individuals displaced by an applicant's project funded under the housing programs in obtaining decent affordable housing.

(C) Each eligible applicant receiving a grant, loan, loan guarantee or loan subsidy funded with housing trust fund monies shall certify, using forms prescribed by the administering body, compliance with all applicable state and federal laws, including, but not limited to, fair housing and anti-discrimination statutes.

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122:6-1-05 Fund monitoring procedures.

- (A) Each eligible applicant receiving funds from the housing trust fund shall report periodically on program and fiscal activities in the manner prescribed by the administering body.
- (B) Prior to close-out of a grant, loan, loan guarantee or loan subsidy funded with housing trust fund monies, the administering body shall conduct a monitoring visit to assure that all provisions of the grant, loan, loan guarantee or loan subsidy have been met and to ensure compliance with division (H) of section [4112.02](#) of the Revised Code and nondiscrimination against families with children.
- (C) The administering body shall determine and make public median income limits for low- and moderate income persons in each county, based on income available for housing, family size, the cost and condition of available housing, ability to pay the amounts the private market charges for decent, safe, and sanitary housing without federal subsidy or state assistance, and the income eligibility standards of federal programs.
- (D) The administering body shall establish a reporting system to assure that division (D)(1) of section [174.03](#) of the Revised Code long-term affordability requirements are met.
- (E) The administering body shall annually solicit public comment on the activities, programs, policies and administration of the housing trust fund.
- (F) The administering body shall submit a report to, and be available to meet with, the housing trust fund advisory committee at least annually regarding the status of housing projects and housing programs funded with housing trust fund monies.
- (G) ~~ODSA~~ [ODSA](#) will obtain controlling board approval prior to making any housing trust fund grant, loan, loan guarantee or loan subsidy greater than fifty thousand dollars.

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122:6-1-06 Fund repayment requirements.

(A) Any use of housing trust fund monies by the eligible applicant in a manner which violates any terms or conditions of a grant or loan shall result in the administering body taking appropriate corrective action, including, but not limited to, immediate repayment and civil or criminal legal action.

(B) When repayment of a grant, loan, loan guarantee or loan subsidy funded with housing trust fund monies is directed by the administering body, a repayment plan may be negotiated with the administering body. All monies received by the administering body shall immediately be returned to the housing trust fund.

(C) When repayment of a grant, loan, loan guarantee or loan subsidy funded with housing trust fund monies is a condition of receipt of housing trust fund monies, all repayments received by the administering body shall immediately be returned to the housing trust fund.

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