

# LAYING THE FOUNDATION FOR A BETTER FUTURE

2018 OHIO HOUSING CONFERENCE  
NOVEMBER 6 - 8, 2018

## Qualified Allocation Plan *Annual Training & Planning Session*



LAYING THE FOUNDATION FOR A BETTER FUTURE

## 2019 QUALIFIED ALLOCATION PLAN OVERVIEW

CARLIE J. BOOS, PROGRAM & POLICY MANAGER

# Purpose of Technical Amendments

Consistency Wherever Possible

Clarification & Execution of Original Intent

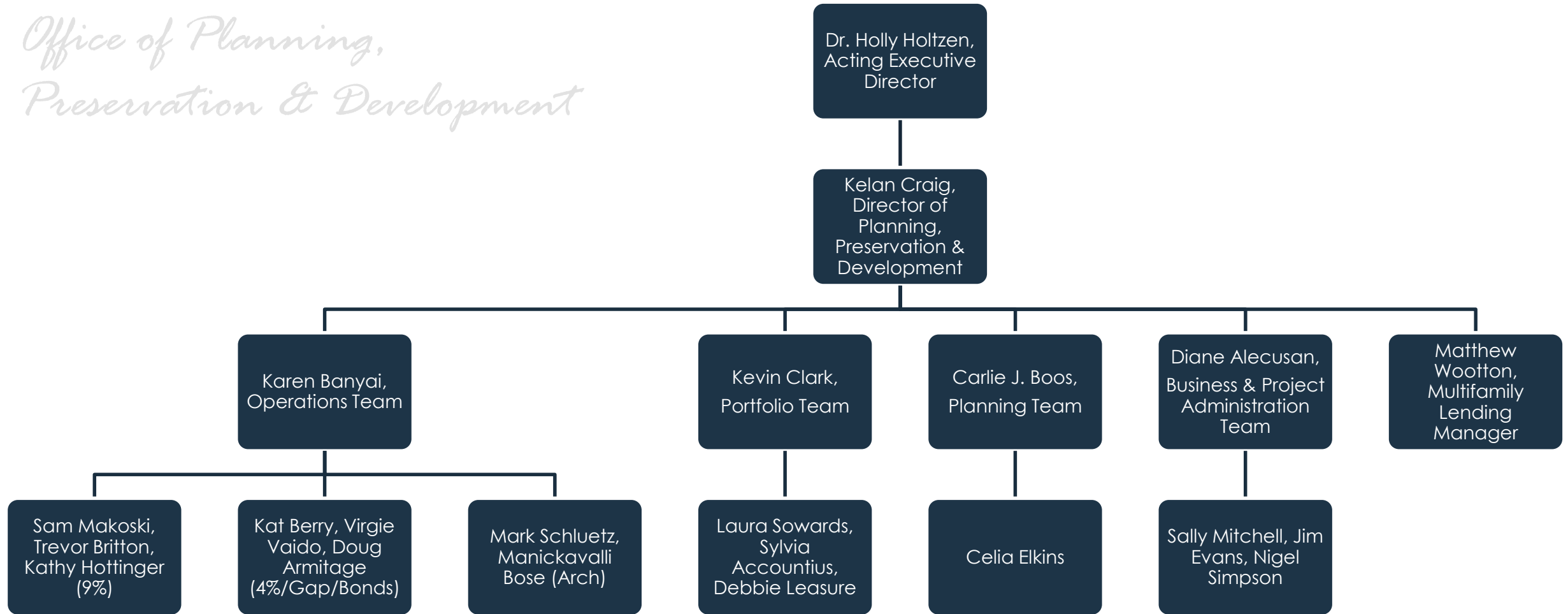
Congressional Updates

## Clarifications

- Continued Defining Common Terms
  - General Partner, Metro Housing Authority, Etc.
- Penalties for Violating RC, Failing to Pay Debt
  - No planned foreclosures; submit your HDAP records!
- Updates Reflecting new PC Office Structure
  - New Office of Training & Technical Assistance

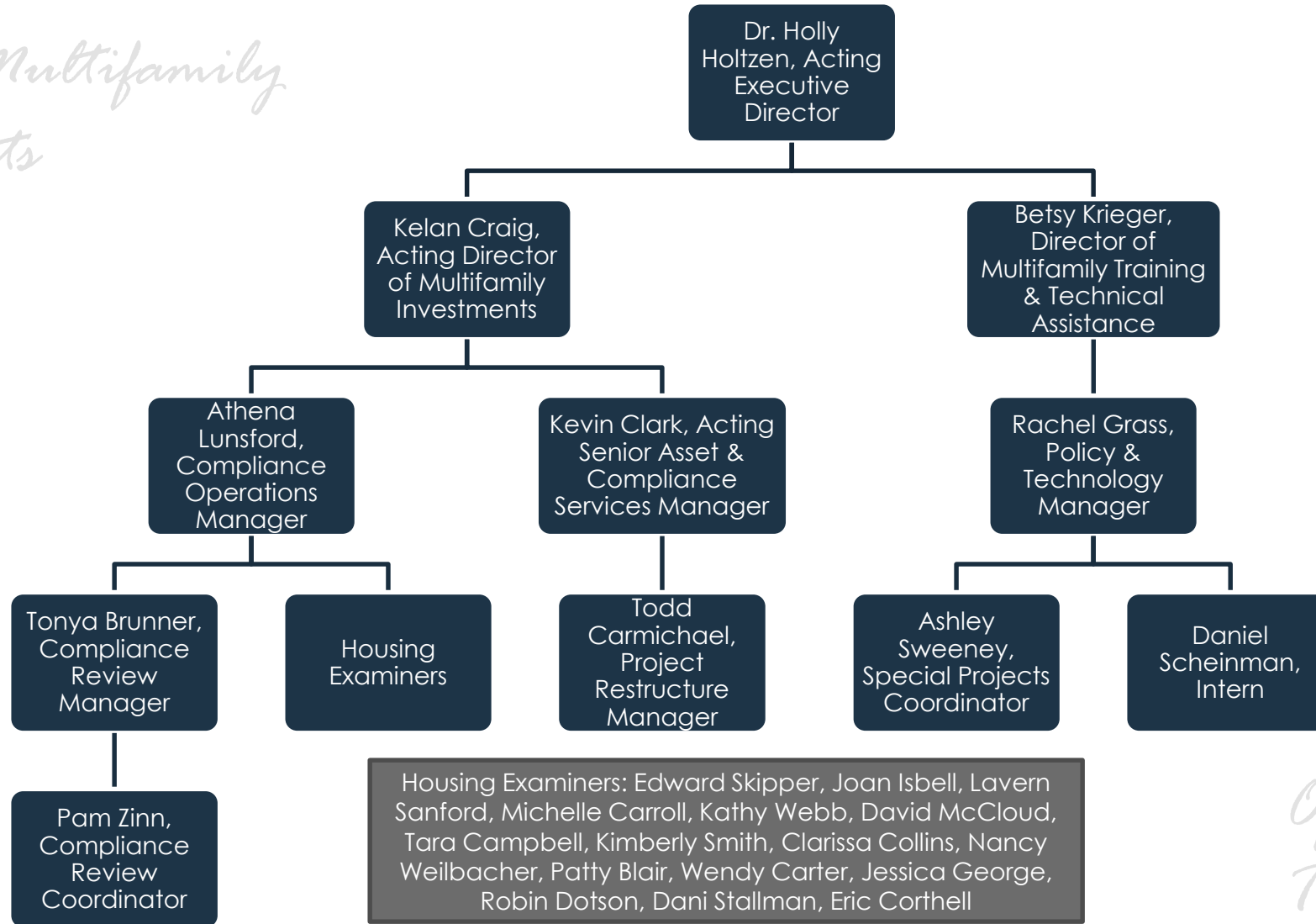
# LAYING THE FOUNDATION FOR A BETTER FUTURE

*Office of Planning,  
Preservation & Development*



# LAYING THE FOUNDATION FOR A BETTER FUTURE

*Office of Multifamily Investments*



*Office of Training & Technical Assistance*

## Future Need Planning

- Forward Projecting the 811 Resources
  - Provided non-811 scoring option for new senior deals
- Expanding HDAP Access to All Service Enriched
  - Including Substance Abuse Recovery pool
- Restricting TAY Set-Aside to Outside Franklin County

Deadline 11/16

## Perfecting Original Intent

- Clear Path for USDA 515
  - Preservation Tiebreakers (35 Units), Collateral Investments
- Adjusting Tiebreakers for Geographic Need
  - Urban Opportunity (45 Units)
- Clarifying Market vs. Affordable Requirements
  - Rules only apply to LIHTC absent compelling reason



## Perfecting Execution

- Prefunded Strategic Initiatives Pool
  - \$1 Mil Pre-Commitment, Ensure Balance with FHAct50
- Updated VAWA to Conform to Current Practices
  - Template links, “affiliated individuals”, help coming soon!
  - “VA-WHAT? What you Need to Know about VAWA” Tues. at 2:00
- Removed Unnecessary Docs in Food Desert

## FHAct50 Building Opportunity Fund

- A three-year set-aside for the three largest cities
- Designed to promote diverse, inclusive communities
- All three eligible cities opted in before Sept. 28<sup>th</sup>
  - See: “QAP & Neighborhood Transformation: The #FHAct50 Building Opportunity Fund” on Tuesday at 11:15 am

## Underwriting & Implementation Guide

- Updates Consistent with QAP
  - Added “Dev Support Budget”, Income Averaging
- Protecting Reserves at Investor Exit
- Simplified Affordable Assisted Living Policy
  - Removed limits on waiver units, application limits

## Design & Architectural Standards

- Market-rate vs. affordable reqs.
  - Default: HTC only
- Clarified Legal Obligations
  - OHFA can't trump the law
- Provided “80% Plans” Guidance →

Site plans

Elevations

Dimensioned floor plans

Wall sections (if applicable)

Detached non-residential  
structures (if applicable)

Detailed mechanical plans

Finishes

## Important Deadlines

TAY Set-Aside Priority

November 16<sup>th</sup> (issued by December 14<sup>th</sup>)

Historic Part 1

December 7<sup>th</sup>

FAQ Submissions

December 28<sup>th</sup>

Exception Requests

January 18<sup>th</sup> (issued by February 8<sup>th</sup>)

811 Pre-Approvals

January 18<sup>th</sup> (issued by February 8<sup>th</sup>)

Proposals Due

February 21<sup>st</sup> (preliminary scores April 5<sup>th</sup>, final awards May 15<sup>th</sup>)

# LAYING THE FOUNDATION FOR A BETTER FUTURE



**Carlie J. Boos, Esq.**

Ohio Housing Finance Agency

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[QAP@ohiohome.org](mailto:QAP@ohiohome.org)

#2018OHC

2018 OHIO HOUSING CONFERENCE

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## 811 PRA UPDATE & CUSTOMER VIDEO

KEVIN CLARK, PROJECT PORTFOLIO MANAGER

## Description of Ohio 811 PRA

- Rental subsidy for individuals with disabilities
  - Extremely low-income
  - Age 18-61 at admission
- 20-year Rental Assistance Contract; 30-year Use Agreement
  - Funding guaranteed for five years
  - Subject to appropriations thereafter



## Property Requirements

- Up to 25% of units may receive subsidy
- Only 1-bedroom units eligible
- Must be dispersed throughout property
- Proximity to amenities and transportation
- No use restrictions for individuals with disabilities or over age 62
- Properties with rental subsidy for all units ineligible

## Additional Requirements

- Section 504
- Davis-Bacon wage rates (if 12 or more units receive subsidy)
- 811 environmental assessment
- No new construction in flood plains

## Application Process

- Revised application materials available
  - Ohio 811 PRA Program Developers and Owners page
- Applicants encouraged to seek pre-approval early
- Applications will be reviewed in the order received
- Reviews begin no later than 12/3/2018 – decision letters issued at end of each week
- Pre-approval applications must be submitted no later than **1/18/2019**
- All decision letters will be issued by 2/8/2019

## Each Application Submission Must Include

- Each proposal submission must include:
- A signed version of the 811 Application Guidelines (PDF)
- A completed 811 Proposal Development Application or 811 Existing Development Application (Excel)
- Copies of any existing rental subsidy contracts on the project (PDF)
- A photo or rendering of the property (JPG)

## Each Application Submission Must Include

- Existing project submissions must also include:
- Rent rolls for the preceding two months (PDF)
- Most recent 2 audits of lower-tier partnership (PDF)
- Loan docs for any hard debt on the property (PDF)
- Mgmt company's current tenant selection plan (PDF)

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## David's Story...



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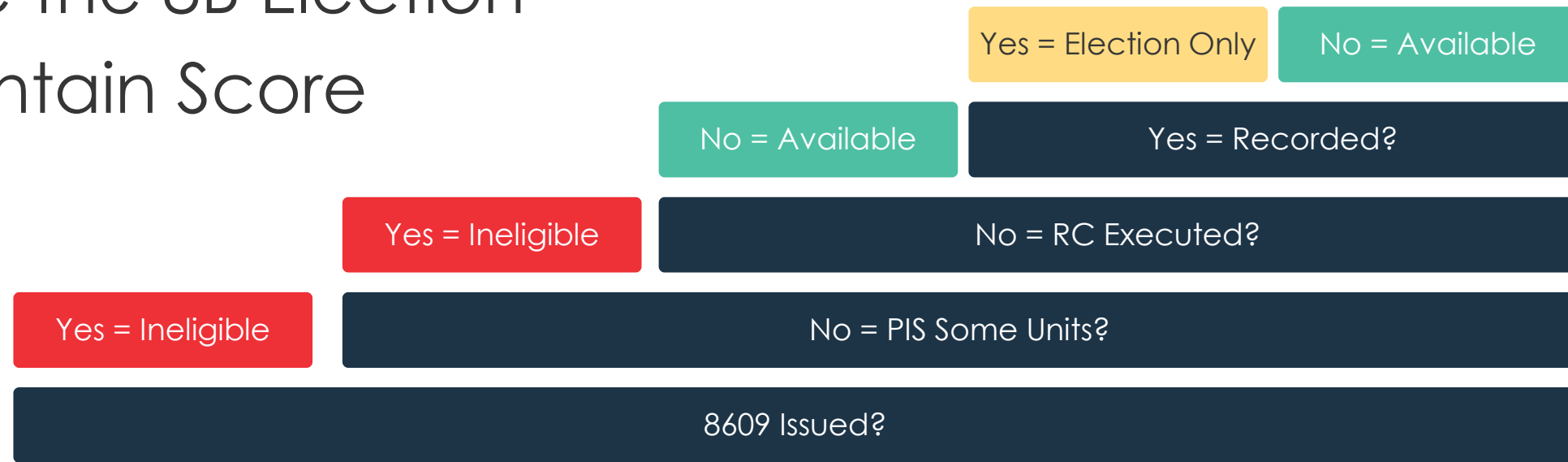
## INCOME AVERAGING UPDATE

ATHENA LUNSFORD, COMPLIANCE OPERATIONS MANAGER

CARLIE J. BOOS, PROGRAM & POLICY MANAGER

## Income Averaging: Who

- Can't have an 8609 issued (even if Pt. B not executed)
- Can't change a recorded RC
- Must take the 8B Election
- Must maintain Score





# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Timing

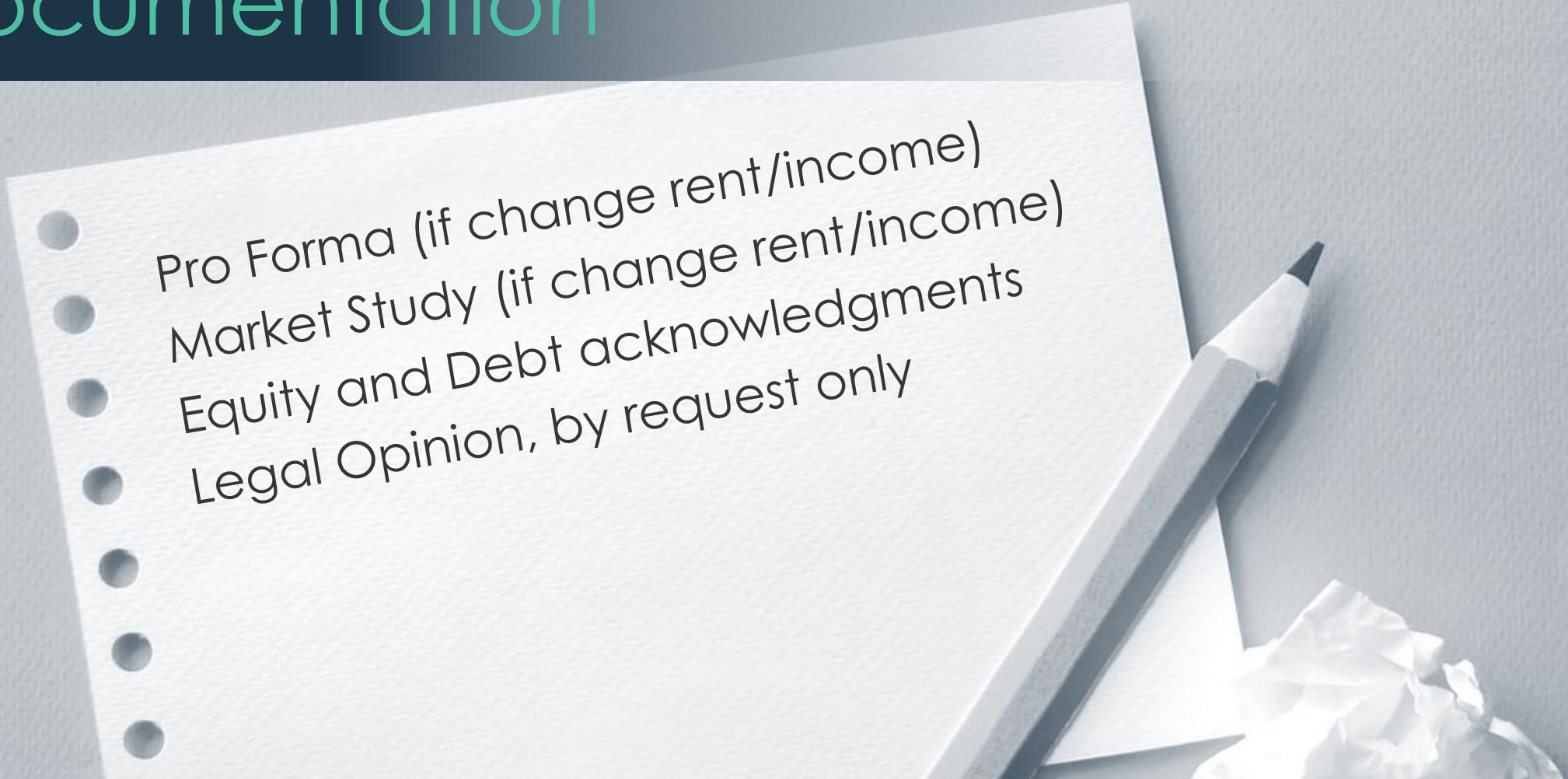
- 2019: At Proposal
- 2018: At Final App
- 2017: At PIS Meeting Request

***But first...*** revising DevCo and the TIC

## Income Averaging: How

- Must condominiumize any market rate units
- Competitive *Requires* 40% at or below 60%AMI
- Competitive *Incentivizes* a 55% overall average
- 811 units are at the 50%AMI bracket
- Don't forget bonds still subject to § 142
- All OHTF/NHTF/HOME reqs still apply
- Resyndications: no increases on current HTC units

## Documentation



Pro Forma (if change rent/income)  
Market Study (if change rent/income)  
Equity and Debt acknowledgments  
Legal Opinion, by request only



## Design & Distribution

Units of similar size and configuration must have substantially similar design and be reasonably distributed throughout the building(s) regardless of the assigned income restriction.

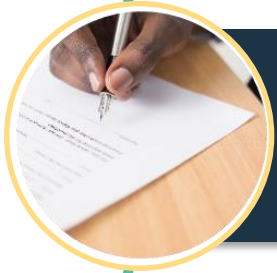
Can backload 3-bdrm units for debt purposes, but be careful if combining with vouchers

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## Underwriting for 2018 and later

- No Fees



## Underwriting for 2017 and earlier

- \$5,000 only if changing rent/income brackets



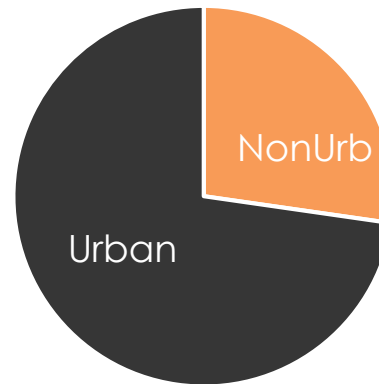
## Compliance Monitoring

- No fees at this time; will monitor and reassess

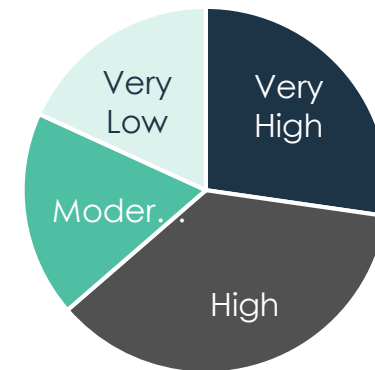
# LAYING THE FOUNDATION FOR A BETTER FUTURE

- 11 Income Averaging applications received
- The majority (73%) were in urban areas
- The majority (64%) were in High- or Very High Oppo Areas
- The majority (82%) used OCCH as the syndicator
- Three projects income averaged to exactly 60%AMI;
- The “average” Income Average was 58.2%

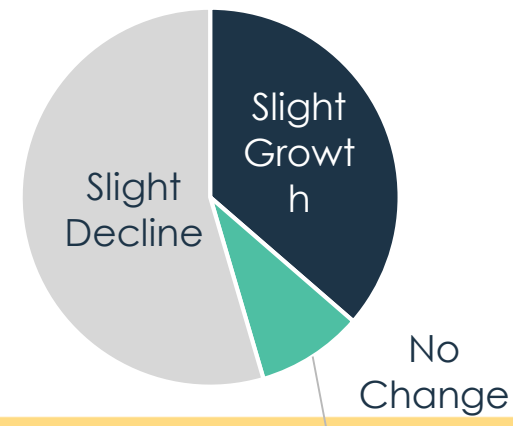
Location Type



Opportunity Rate

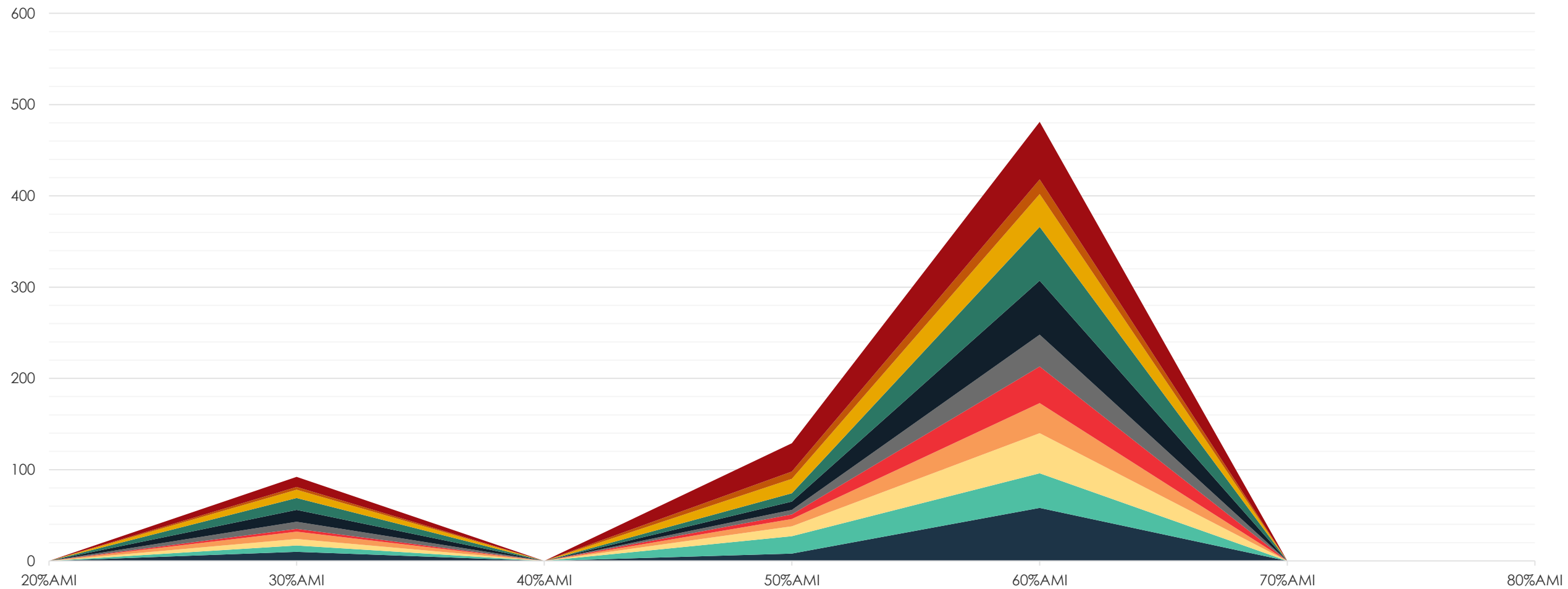


Change Rate



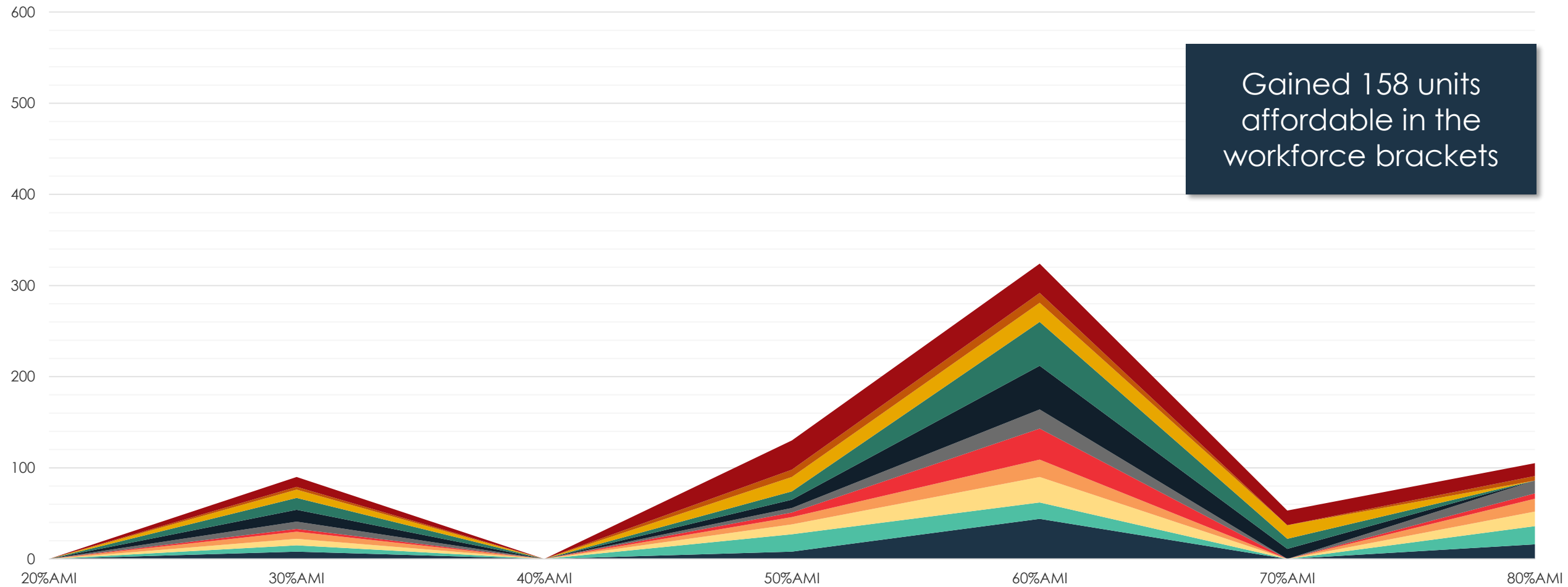
# LAYING THE FOUNDATION FOR A BETTER FUTURE

## #Units at Each Income Bracket by Project (*Proposal*)



# LAYING THE FOUNDATION FOR A BETTER FUTURE

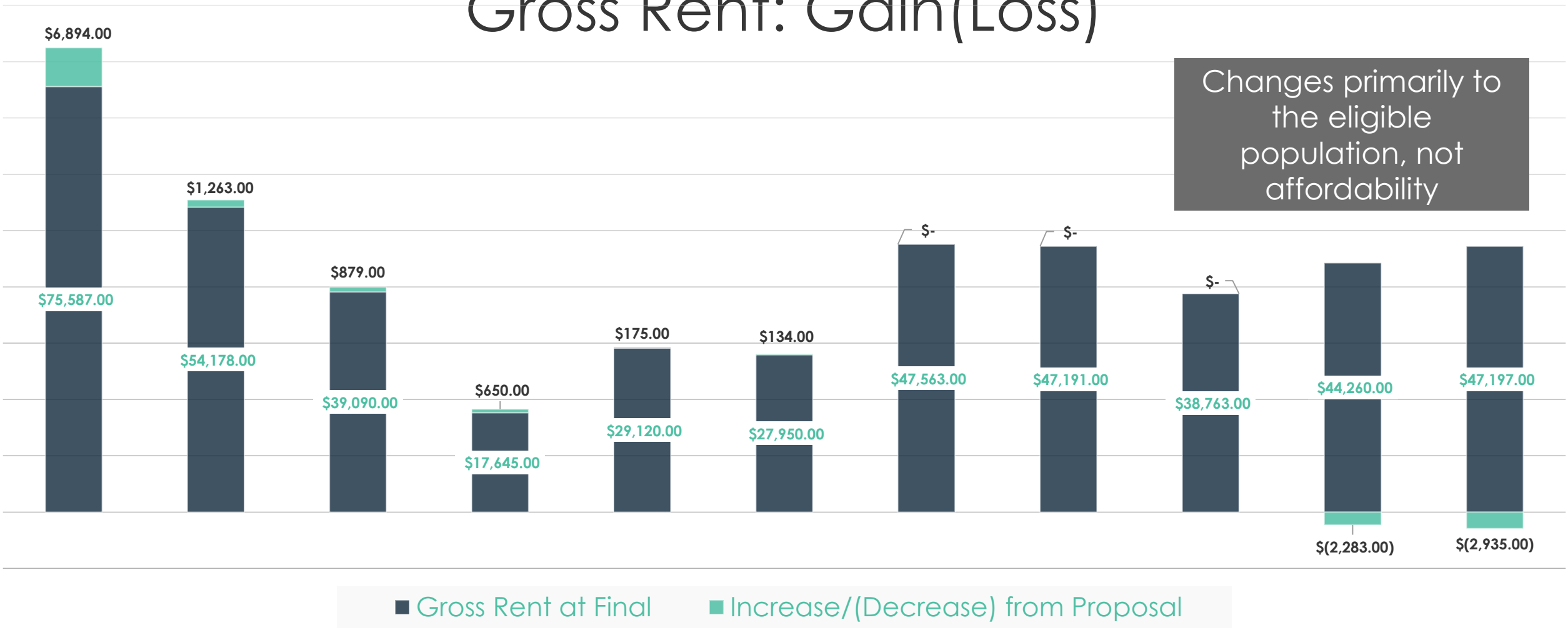
## #Units at Each Income Bracket by Project (Final)





# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Gross Rent: Gain(Loss)



## Income Averaging Compliance

- Applies to unit designations, not individual tenant incomes.
- Designations must be set at 10 percent increments (20, 30, 40, 50, 60, 70, and 80 percent of AMI).
- At this time PC will not be requiring full recerts for the entire project

## Compliance

- 8609 form has been revised
- OHFA has almost completed updating Devco with the new income “buckets”
- PC is working on policies and procedures to monitor IA projects

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## EVERYTHING YOU WANTED TO KNOW: HDAP REPAYMENT

KAREN BANYAI, OPERATIONS MANAGER

LAURA T. SOWARDS-CARMICHAEL, HOUSING GRANT ANALYST

## HDAP Repayments

Is the award a Loan or a Grant?

- OHFA issued (2001 and later):
  - ✓ Attachment A
  - ✓ Note
  - ✓ Mortgage

# COMING TOGETHER IN OHIO

## HDAP Repayments

Is the award a Loan or a Grant?

- Development Services Agency (prior to 2001)
  - ✓ Attachment A

<u>VI. SOURCES OF FINANCING</u>				
	PARTICIPATING FUNDING SOURCE	PRINCIPAL	LENDING TERMS	INTEREST RATE
	-----	-----	-----	-----
Equity.....:	McDonald & Company	\$ 2,100,026	N/A	N/A
Funding Source 1:	1st Mortgage	\$ 2,269,374	30 years	8%
Funding Source 2:	Developer	\$ 125,000	Defer 3 years	0
OHTF Funds.....:	State of Ohio	\$ 300,000	50% of cashflow	
		-----		
Total Sources of Funds:		\$ 4,794,400		

# COMING TOGETHER IN OHIO

## HDAP Repayments

Is the award a Loan or a Grant?

- Development Services Agency (prior to 2001)
  - ✓ Attachment B

### PROJECT SPECIFIC CONDITIONS

9. The Non-Profit and the Limited Partnership shall agree to make annual payments, in an amount equal to 50% of the available cash flow of the project, to ODOD. The repayment of any available cash flow will begin in year four of the project through the term of the limited partnership agreement. Cash flow is defined as all cash flow available after payment of all operating expenses, debt service to the primary lender and investors, a six month operating reserve, payments of any deferred developer fee, and payments to satisfy a tax credit adjustment, but prior to any other distributions to the general or limited partners.

## HDAP Repayments

Is the award a Loan or a Grant?

- Development Services Agency (prior to 2001)
  - ✓ “Grant Agreement” does not necessarily indicate a Grant
- Regardless of who issued the document,
  - ✓ Read the agreement and any related legal documents



## HDAP Repayments

### Process

1. Reminder is sent by email:
  - a. Sent annually in December
  - b. The contact name(s) provided to OHFA
2. Reminder through the Planning, Preservation & Development Updates
  - a. Subscribe on OHFA's website
3. Documentation is due at OHFA by April 30<sup>th</sup> each year
  - a. Details are available on our website

## HDAP Repayments

### Common Problems:

1. Failing to provide any documentation
2. Failing to respond to follow up emails
3. Incomplete submissions
  - a. Audited Financials
  - b. Cash Flow Loan Repayment Calculation Form

## HDAP Repayments

Common Problems:

4. Failing to submit required payment
5. Not submitting payment by ACH

## HDAP Repayments

### Common Problems:

6. Incorrect calculation of repayment
  - a. Underpayment – Deferred Developer Fee
  - b. Overpayment: NO refunds
7. Dissolving the LP agreement in Housing Credit Projects
  - a. Payments are still due
  - b. Project-specific audited financials still required

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## HDAP Repayments

### OHFA Remedies

1. 2017 Competitive LIHTC Round
  - a. Experience & Capacity reviews
  - b. Contacted entities not participating in 2017
  - c. Continued follow up once the competitive results were released.
2. 2018 Competitive LIHTC Round
  - a. Contacted entities who failed to provide information
  - b. Continued follow up once the competitive results were released.

## HDAP Repayments

### OHFA Remedies

1. 2019 Competitive LIHTC Round
  - a. Successful Applicants: Withhold BRA
  - b. Report to Multifamily when presenting gap financing requests
2. All Active partners:
  - a. Holding HDAP Draws
  - b. Delaying HDL closing
  - c. Holding 8609s
  - d. Not accept new applications

## HDAP Repayments

### Developer Remedies

1. Contact OHFA early to verify projects with HDAP
  - a. Send OHFA a list to review
2. Provide OHFA with a secondary contact name
3. Submit required documentation early
  - a. Resolve discrepancies before release of results
  - b. Prevent delays in draws/closings



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## HDAP Repayments

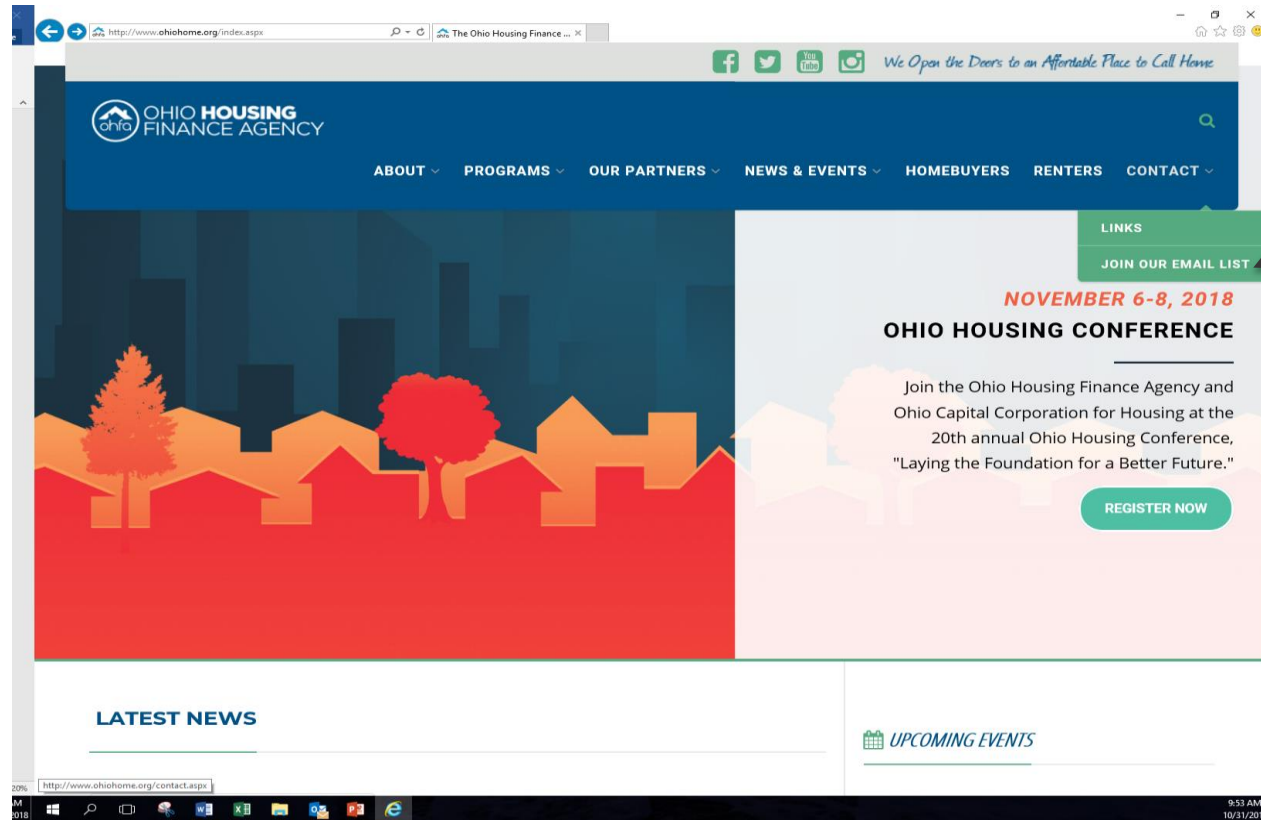
### Noteworthy

1. OHFA has been working on this approximately 6 years
  - a. Owners who have been notified will be responsible for 6 years of information/payments
2. OHFA Continues to review funding agreements
  - a. If OHFA identifies a new project, applicant will be contacted directly
  - b. Annual reporting will begin

# COMING TOGETHER IN OHIO

## HDAP Repayments

Sign up for email update: [www.ohiohome.org](http://www.ohiohome.org)



## HDAP Repayments

Cash Flow Loan Repayment Calculation Form:

- Programs, Planning, Preservation and Development



### TOOLS & RESOURCES

- Funding Announcements
- Guidelines, Applications and Forms
- Data and Information
- Important Dates and Events
- Post Award/ Project Administration
- Contact us



# COMING TOGETHER IN OHIO

## HDAP Repayments

STANDARD APPLICATIONS & FORMS

STANDARD GUIDELINES

### STANDARD FORMS

These forms are applicable to all OHFA multifamily programs including the Housing Tax Credit program, Housing Development Assistance Program, and Housing Development Loan Program.

- [2018 Affordable Housing Funding Application](#) (983 KB Excel File) **UPDATED 9/14/18**
- [2018 AHFA Demonstration Webinar](#)
- [Authorization to Release Tax Information](#) (95 KB Adobe PDF File)
- [Cash Flow Loan Repayment Calculation Form \(LRCF\)](#) (17 KB Excel File)
- [2018-19 Exception Request Form](#) (181 KB Word File)
- [Notification of Cash Flow Loan Payments](#) (270 KB Adobe PDF File)
- [Market Study Certification](#) (24 KB Word File)
- [2018-19 Market Study Checklist](#) (63 KB Word File)
- [Related Party Transaction Questionnaire](#) (45 KB Adobe PDF File)
- [Template for Public Notification Letters](#) (27 KB Word File)

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## CPO AND LEGAL AID'S LEGAL FELLOW COLLABORATION: OUTCOMES & IMPACT

REGINA CLEMONS, CHIEF PROGRAM OFFICER

STU ITANI, MANAGING ATTORNEY

MADISON BERRY, LEGAL FELLOW

## Community Properties of Ohio Community Properties Impact Corporation

- 🏠 Mission-driven organization established 2002 by Ohio Capital Corporation for Housing (OCCH)
- 🏠 **Vision:** To build a national model of transformational affordable housing
- 🏠 **Mission:**
  - 🏠 **Provide** quality, affordable housing
  - 🏠 **Link** residents to resources that stabilize their housing,
  - 🏠 **Assist** residents to move beyond poverty where possible

# LAYING THE FOUNDATION FOR A BETTER FUTURE

- 🏠 Currently we manage over 2,500 units throughout Ohio specializing in affordable housing
- 🏠 CPO's approach goes beyond property management with a holistic approach with five key objectives.
  - 🏠 Stable Housing
  - 🏠 Safe Neighborhoods
  - 🏠 Resident Growth
  - 🏠 Successful Children
  - 🏠 Community Learning



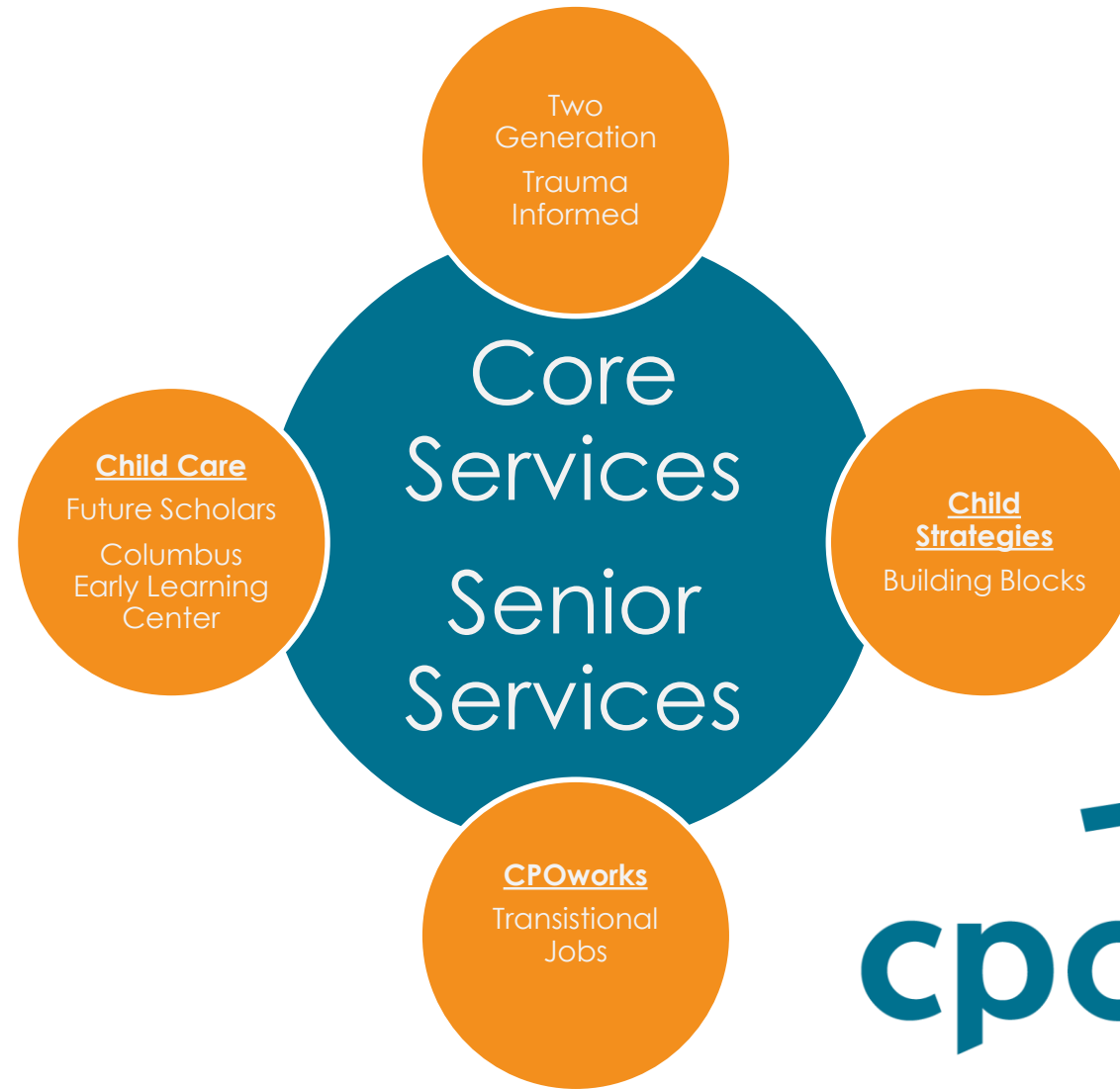
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# CPO Impact Resident Services



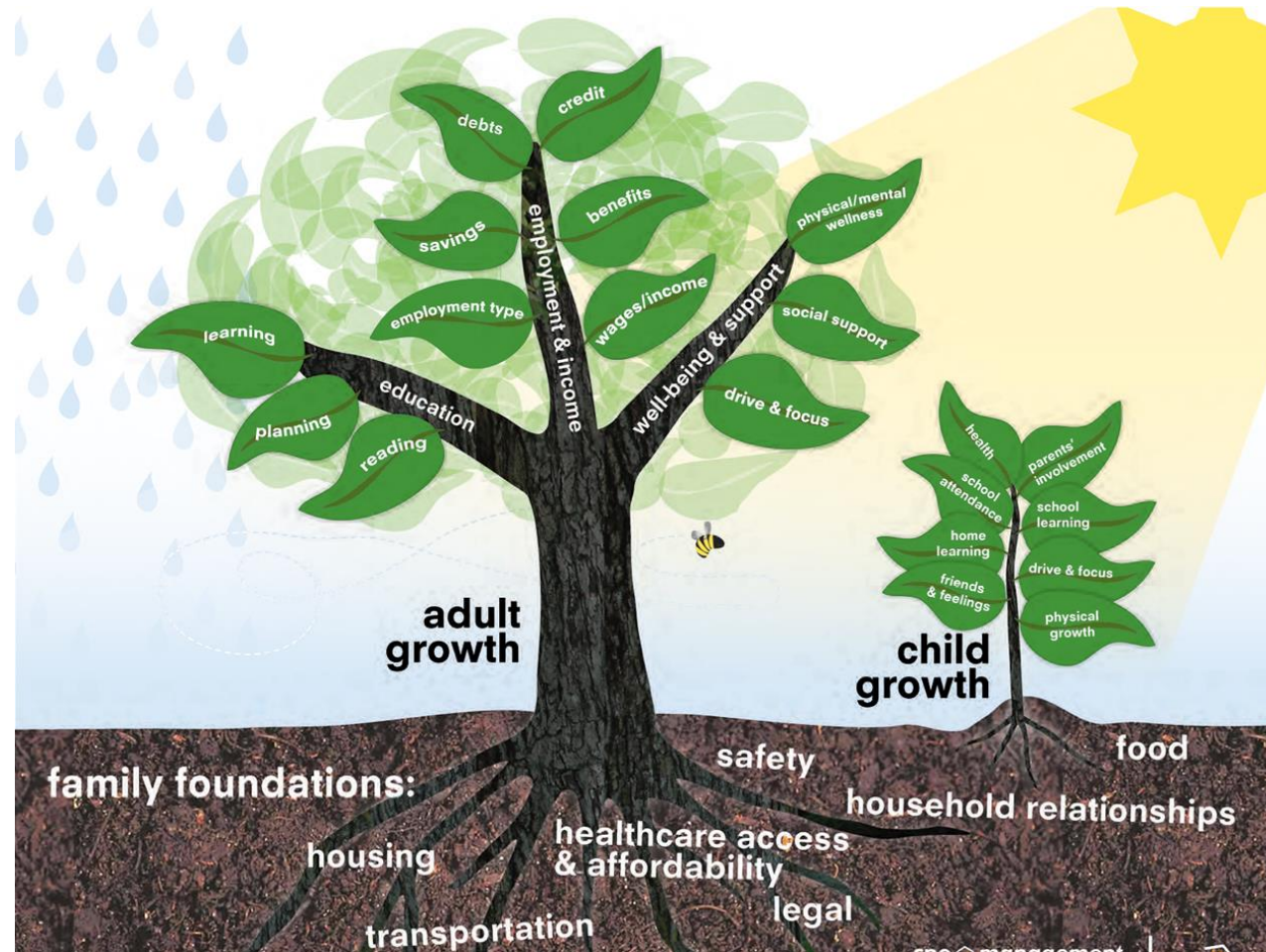


# LAYING THE FOUNDATION FOR A BETTER FUTURE



# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Two Generation Strategy



# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Legal Aid Society of Columbus Legal Fellow Collaboration



**OCCH**  
OHIO CAPITAL  
CORPORATION  
FOR HOUSING

**cpo**  **management**  
community properties of ohio

**cpo**  **impact**



Pursuing Justice, Changing Lives

# LAYING THE FOUNDATION FOR A BETTER FUTURE

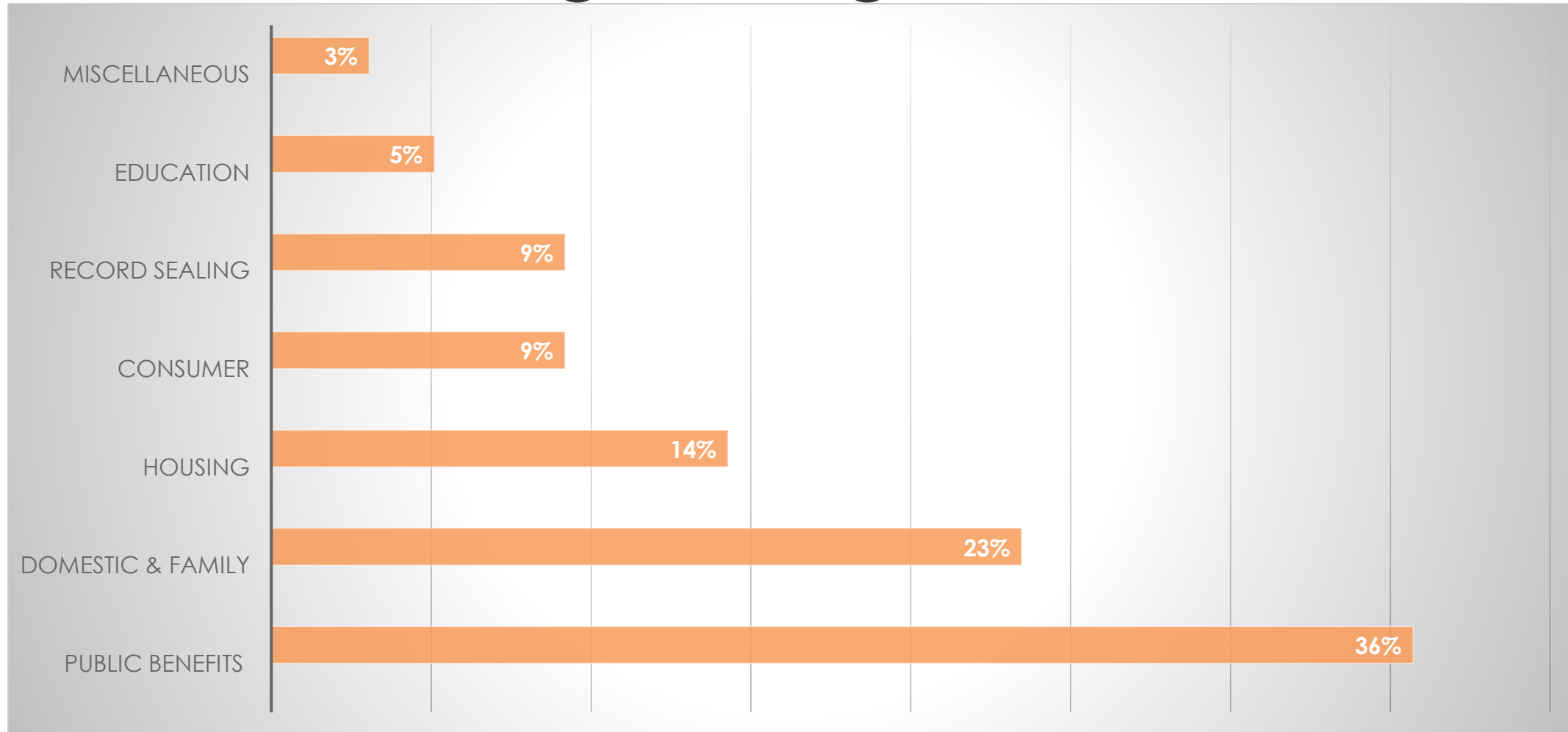
- 🏠 In the Fall of 2016 The Ohio State University Moritz College of Law (Moritz) facilitated a partnership between Community Properties of Ohio (CPO) and The Legal Aid Society of Columbus (LASC)
- 🏠 This collaboration is sponsored by the Ohio Capital Corporation for Housing.
- 🏠 The project provides on-site free legal advice and representation to CPO and CPO-like residents in order to address civil legal barriers to maintaining family and household stability.
- 🏠 The Fellow maintains accessibility to residents by hosting office hours at various locations, including CPO's main office, CPO's Godman Guild location, and LASC's office in German Village.

## Legal Fellowship Partnership

- 🏠 In 2016-2017 the Fellow assisted 75 individuals. If an applicant presented with multiple legal issues, the Fellow opened a separate case for each issue. For the 75 applicants who were eligible for assistance, the Fellow opened cases for 98 separate legal issues.
- 🏠 167 additional household members benefited from an attorney working with the family. This means that a total of 242 individuals were impacted within the first 13 months of this project. 85 of these individuals were adults and 157 were children. By serving both adults and children in the household, the Fellow supports CPO's two-generation approach to combatting the cycle of poverty.

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Range of legal issues:





# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Success Stories



## Jane

“Jane” faced economic barriers to being able to regularly pay rent and other expenses. The client was a referral to Legal Aid by the CPO coaches, and the Fellow helped: (1) identify and address legal issues she was facing with Job and Family Services and the processing of a request for a hardship extension for critical cash assistance; and (2) identify adverse credit history that could be ameliorated through a bankruptcy proceeding. Through the effective intervention of the Fellow and collaboration with attorneys at Legal Aid, the client was able to obtain a hardship extension for her cash assistance and was able to file bankruptcy to help address her rent and utility issues.



## Betty

Betty” is a CPO-like client who had a dismissed misdemeanor criminal charge from 2016 that prevented her from working as a dietician in a nursing home. Although Betty was never convicted of a crime, employers could see that Betty had been charged with a misdemeanor when they ran background checks. Because of the criminal charge, Betty could not use her training in the medical field and was therefore forced to take a lower paying job. Betty, however, qualified to have her record sealed. The Fellow assisted Betty throughout the record sealing process, including partnering with an experienced LASC attorney to advocate for Betty at the record sealing hearing. With the Fellow’s support and guidance, Betty’s criminal record was successfully sealed. Now, Betty is free to seek work in her chosen profession and continue to help the elderly.

## Theresa

“Theresa” is a CPO resident who came to LASC for help with a divorce from her abusive husband. While assisting Theresa with her divorce, the Fellow noticed that Theresa was receiving less Supplemental Security Income (SSI) than she is entitled to receive. Theresa’s income currently puts her at 24% of the federal poverty level (FPL); if she received the correct amount, Theresa would be placed at 50% of the FPL. The Fellow contacted the Social Security Administration on her behalf and determined that the Social Security Administration had out-of-date income information for Theresa. The Fellow worked with the Social Security Administration to have Theresa’s SSI re-evaluated to reflect her current income. The Fellow also referred Theresa to LASC’s bankruptcy bypass clinic, so Theresa may put an end to harassing creditor phone calls. Furthermore, Theresa worked with the LASC social work intern to update income information for all her public benefits so that she will receive the benefits appropriate for her income level. Theresa’s story illustrates the impact of LASC’s comprehensive and holistic advocacy on behalf of residents.

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## TWINNING & BALANCE: NEW MARKET AND HISTORIC CREDITS

AMBER SEITZ, SENIOR MANAGER OF DEVELOPMENT

ANDREW SWARY, EXECUTIVE VICE PRESIDENT / GENERAL COUNSEL

THOMAS KIBBEY, PARTNER

# LAYING THE FOUNDATION FOR A BETTER FUTURE

2020 QAP PLANNING KICKOFF – FOCUS GROUPS (TWO EACH)

FUTURE OF PERMANENT SUPPORTIVE HOUSING – FACILITATOR: SAMANTHA MAKOSKI

MEETS @ THE BIG HEAD (NORTH SIDE OF CONFERENCE CENTER)

PROMOTING COST EFFICIENCY IN DESIGN AND FINANCING – FACILITATOR: KATHY HOTTINGER

MEETS @ THIS ROOM, LEFT SIDE

GAP RESOURCE DISTRIBUTION: FEDERAL CONPLANNING – FACILITATOR: KAREN BANYAI

MEETS @ DISCOVER CAFÉ (SOUTH OF THIS ROOM)

PREVENTING & ADDRESS GENTRIFICATION CONCERNS – FACILITATOR: TREVOR BRITTON

MEETS @ TBD

PRIORITIES, AMENITIES, AND LOCATION INCENTIVES – FACILITATOR: CARLIE J. BOOS

MEETS @ THIS ROOM, RIGHT SIDE

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## NO FRILLS, NO SPIN: FAIR HOUSING DESIGN COMPLIANCE

KATIE HUNT THOMAS, DISABILITY RIGHTS ATTORNEY  
ASH LEMONS, HOUSING RESOURCE CENTER DIRECTOR

# LAYING THE FOUNDATION FOR A BETTER FUTURE



**THE ABILITY CENTER**  
MAKING INDEPENDENCE POSSIBLE SINCE 1920™



The Ability Center of Greater Toledo is a non-profit Center for Independent Living (CIL) serving northwest Ohio. The Ability Center is located in Sylvania, Ohio along with a satellite office in Bryan, Ohio. The Ability Center serves the seven counties of Defiance, Fulton, Henry, Lucas, Ottawa, Williams and Wood.

## **Our Mission**

To assist people with disabilities to live, work, and socialize within a fully accessible community.

## **Our Vision**

We believe in and support equitable and inclusive communities for people living with disabilities.

## What is the Fair Housing Act?



- Federal law passed in 1968 to outlaw housing discrimination based on race, color, religion, or national origin;
- Amended later to outlaw housing discrimination based on sex (1974), disability, and familial status (1988);
  - Includes a refusal to rent or sell based on one of these classes;
  - Discrimination in the terms of rental or sale;
  - Discrimination in advertising;
  - Harassment and retaliation.



# Why was disability added as a class 20 years late?

- Prohibits **refusal rent or sell, offering different terms, discriminatory advertising, and harassment or retaliation** on the basis of disability
- Requires housing providers to **grant reasonable accommodations** in policies and procedures;
- Requires housing providers to **allow reasonable modifications** of the premises;
- Sets **accessible design standards** for new housing.





# Disability Rights and the Americans with Disabilities Act

“This act is powerful in its simplicity. It will ensure that people with disabilities are given the basic guarantees for which they have worked so long and so hard: independence, freedom of choice, control of their lives, the opportunity to blend fully and equally into the rich mosaic of the American mainstream.”

– George Bush, July 26, 1990

## The U.S. Supreme Court: *Olmstead v. L.C.*

- The U.S. Supreme Court found that, under the ADA, state and local governments must provide services to people with disabilities in the “most integrated environment” appropriate to their needs;
- With *Olmstead* enforcement, this holding has been applied to:
  - states who over-rely on institutional settings to house and provide health care to persons with disabilities;
  - States who place people at-risk of institutional settings by refusing to provide services in the community;
  - Sheltered employment settings.



## Why facility access/ building standards?

- To ensure that people with disabilities and the aging are able to live their lives in the community, rather than shut away in institutions, they need places where they can live;
- The way we design our environment literally keeps people out of housing or makes it impossible for them to live in housing independently. The wrong design standards can isolate and segregate people – even if the design is off an inch or two;
- The ADA and FHA are designed to ensure that people with disabilities and the aging have the right to live independently in a place of their choosing.

## The Role of HUD

**Because of the Fair Housing Act, all new multi-family housing must comply with HUD design standards or the people who design and construct the housing are in violation of federal law.**

**Injured parties can bring lawsuits or compliance actions through the U.S. Department of Housing and Urban Development.**



# LAYING THE FOUNDATION FOR A BETTER FUTURE

## What is required: Fair Housing Act Design Manual



1. Accessible Building Entrance on An Accessible Route;
2. Accessible and Usable Public and Common Use Spaces;
3. Usable Doors;
4. Accessible Route to and Through the Covered Units;
5. Light Switches, Electrical Outlets, Thermostats, and Other Environmental Controls in Accessible Locations;
6. Reinforced Walls and Grab Bars;
7. Usable Kitchens and Bathrooms.

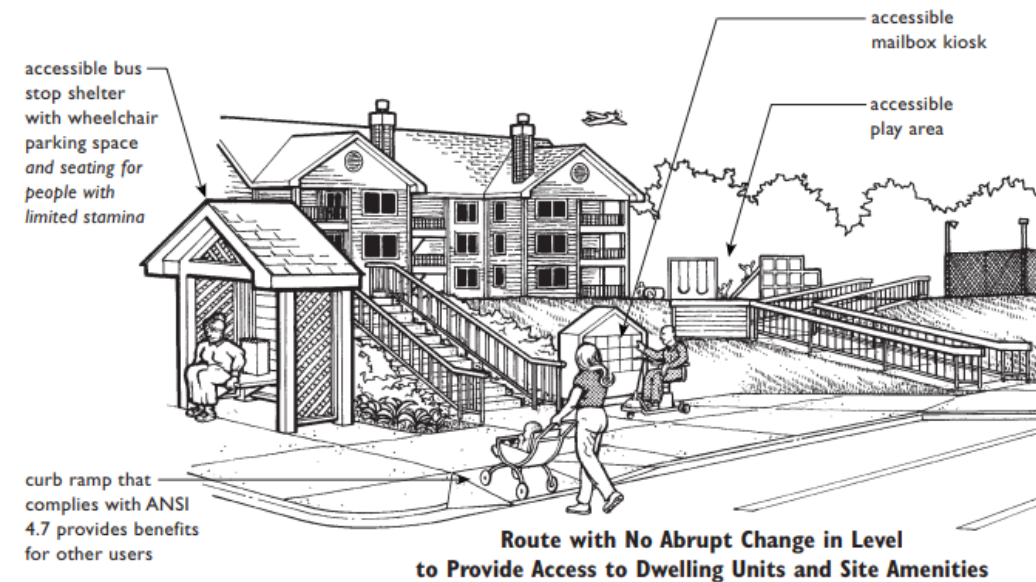
## What housing is covered by the FHA?

- Built for first occupancy after March 13, 1991;
- All dwelling units in buildings containing four or more dwelling units if there is an elevator;
- All ground floor dwelling units in buildings containing four or more dwelling units if there is no elevator;
- All furnished living space must be one floor.

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## I: ACCESSIBLE BUILDING ENTRANCE ON AN ACCESSIBLE ROUTE: OVERVIEW

- At least one building entrance must be on an accessible route unless technically infeasible;
- A continuous, unobstructed path through sites and buildings that connects all accessible features, elements, and spaces.



1.6



## What is an accessible route?

- Accessible Routes connect accessible route components:

### Examples of Accessible Route Components

- parking spaces
- parking access aisles
- curb ramps
- entrances/ doors

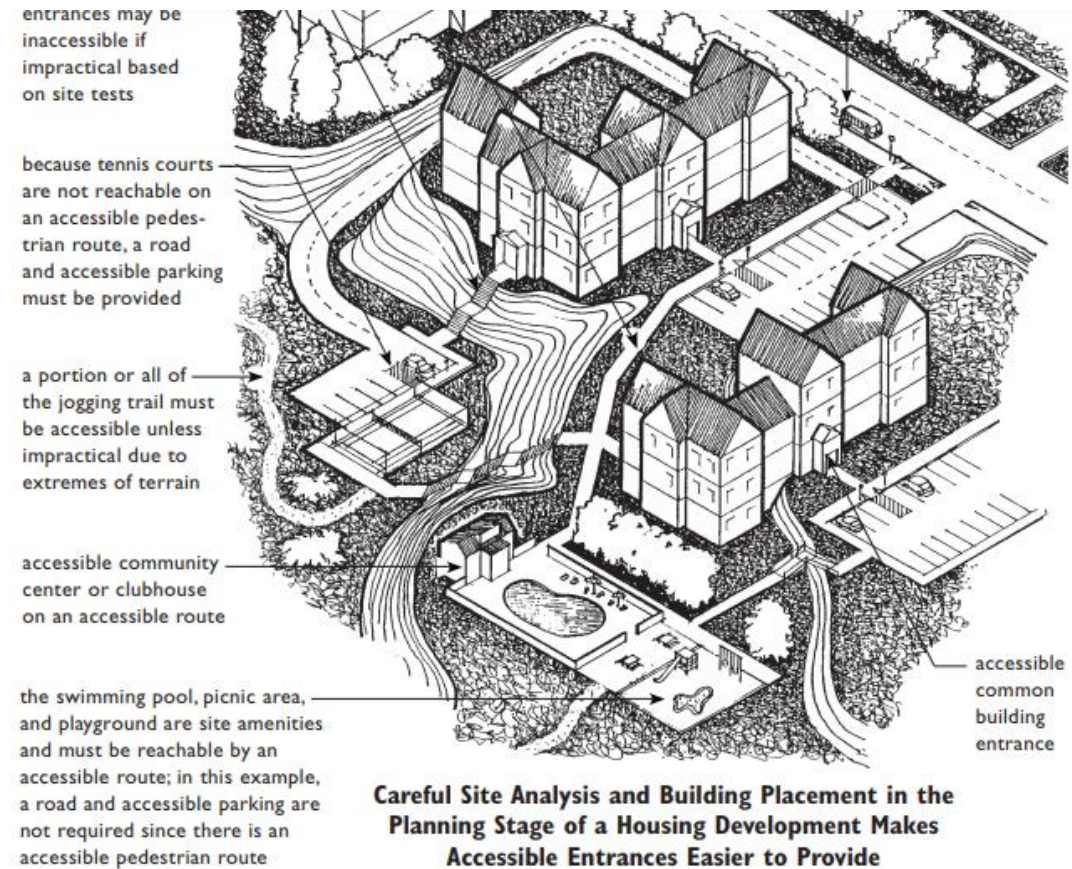
- paths
- ramps
- bus stops
- no stairs

- All components must comply with ANSI standards and must be connected by an accessible path;
- An accessible route has no stairs and no path steeper than 8.33%.

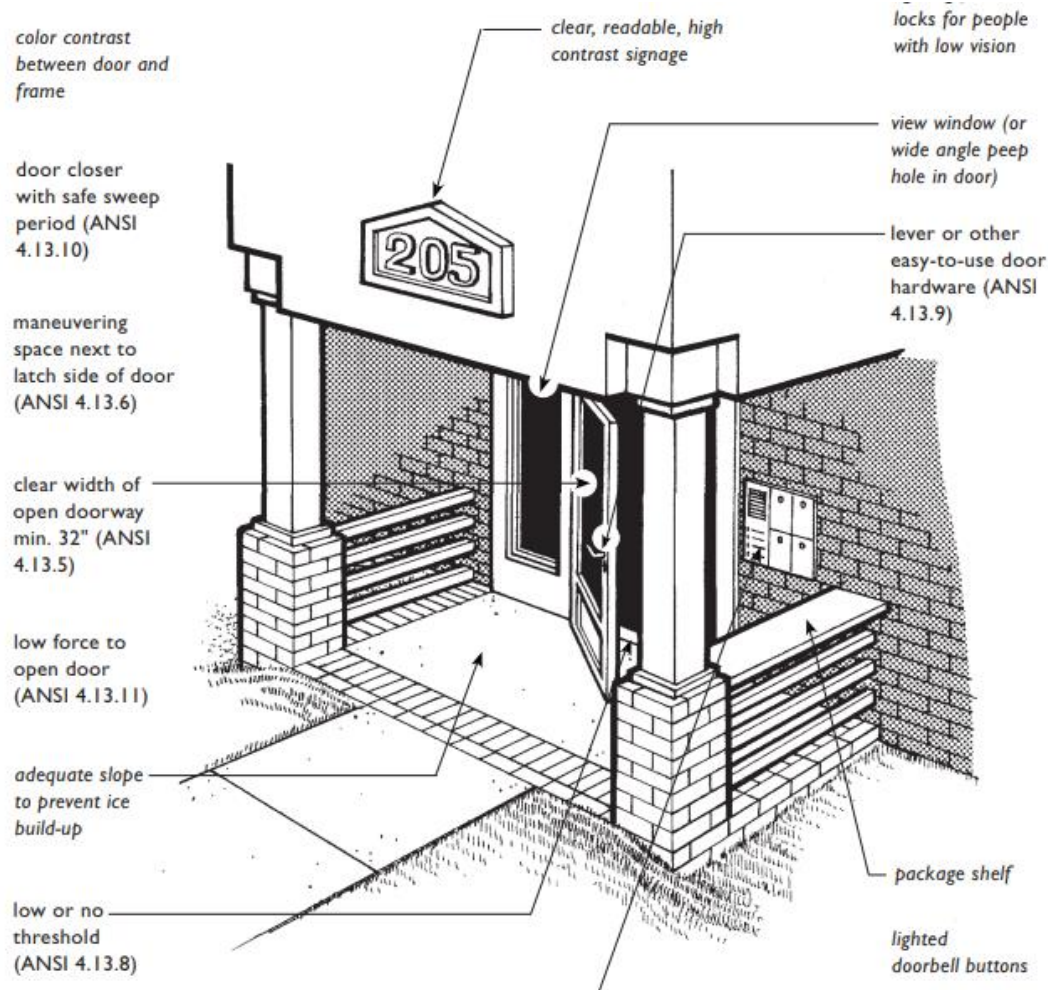


## Accessible Routes: Where are they required?

- Accessible routes connect building entrances with accessible site arrival points, such as public transportation stops, accessible parking spaces, or public streets and sidewalks;
- Accessible routes run between accessible buildings and site facilities such as laundry facilities and garbage bins;
- Accessible routes connect dwelling units and site arrival points to all facilities, elements, and spaces that are part of public and common use areas.



# LAYING THE FOUNDATION FOR A BETTER FUTURE



## Accessible Entrance

Entrance door must comply with ANSI 4.13

Force needed to open the door

Minimum clear width of open doorway 32 inches

Low or no threshold

Clear maneuvering space inside and outside the door

Accessible door hardware and safe door closing speed

## Accessible Path

When the slope of a path exceeds 5% (1 in 20), it must meet the specifications for a ramp

When the slope of a path is from 5% to 8.33% (1 in 12), it must have handrails

Slopes steeper than 8.33% are not usable by most people with disabilities and cannot be considered part of an accessible route



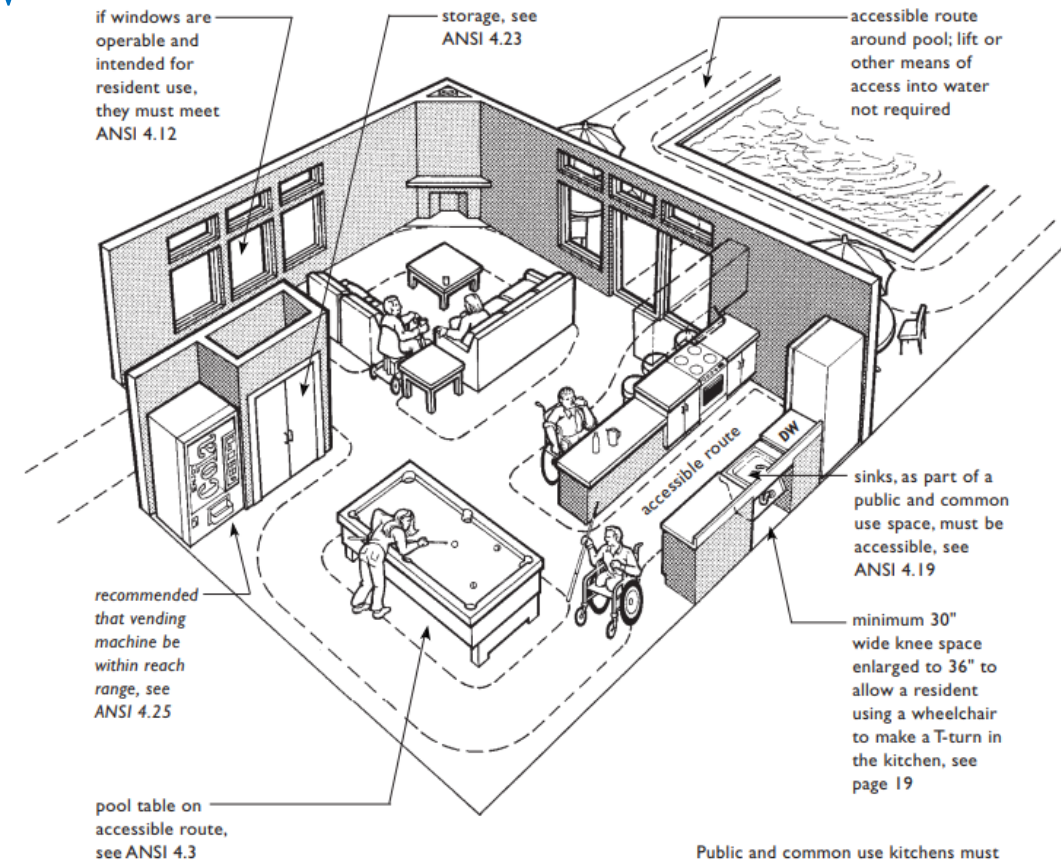
# LAYING THE FOUNDATION FOR A BETTER FUTURE

## II: ACCESSIBLE AND USABLE PUBLIC AND COMMON USE SPACES: OVERVIEW

- Public and common use areas must be readily accessible to and useable by persons with disabilities,
- Must follow ANSI A117.1-1986 and be connected by an accessible route.

### Public and Common Use Areas

Recreational facilities	Rental office	Fitness Room
Bus shelters	Community center	Bathrooms in common areas
Parking lots or garage	Picnic table area	Laundry facilities
Jogging trails	Playground	Mailboxes



Accessible Elements and Features of a Public and Common Use Clubhouse

Public and common use kitchens must be usable and at least meet the requirements in the Guidelines for kitchens. If preferred, the requirements for kitchens in ANSI 4.23 could

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Selected Accessible Public and Common Use Spaces and Facilities

Accessible Route	Accessible Parking	Curb Ramps	Laundry Rooms
36 in wide	Must meet ANSI 4.6 requirements	Must meet ANSI 4.7 requirements	Must meet ANSI 4.32.6
smooth	96 in wide		
level	2% of resident parking; 1 at each amenity		one of each appliance must be accessible; on route
No obstructions or protruding objects	Adjacent access aisle 60 inches wide	Need texture on curb ramp surfaces	
Must connect all public and common use spaces	Located on the shortest route to an accessible entrance		

### ANSI Technical Specifications for Accessible Elements and Spaces

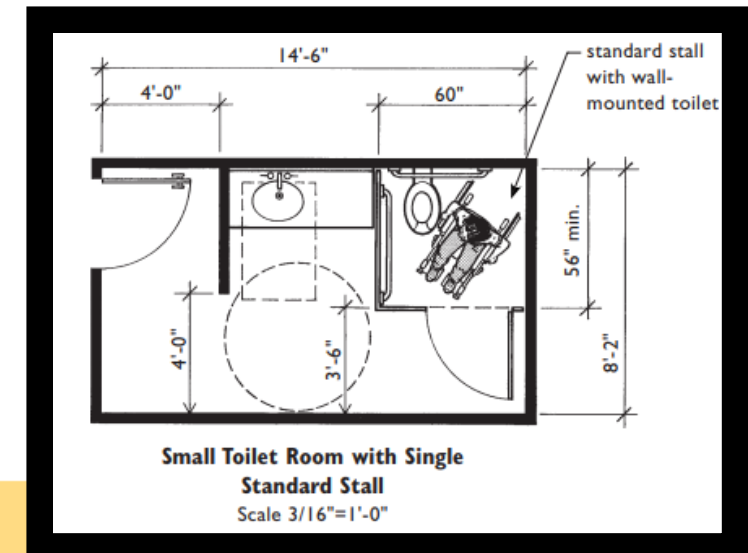
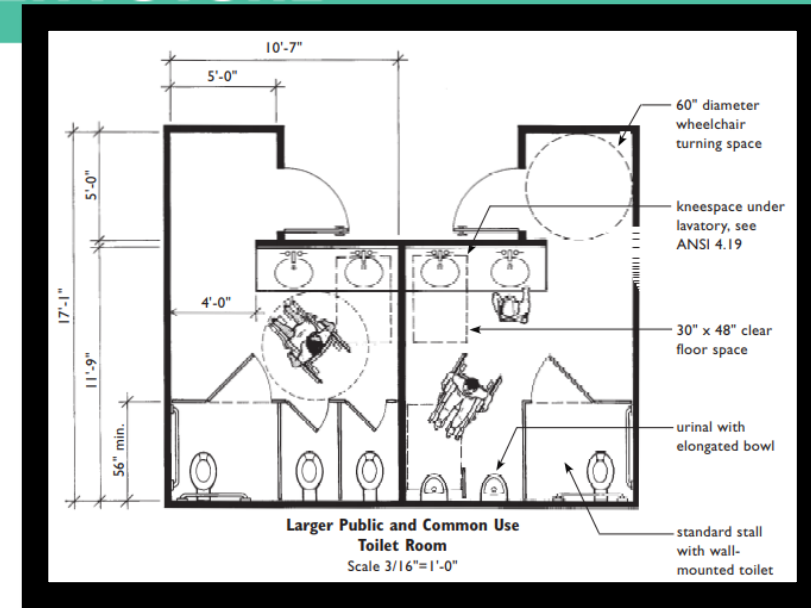
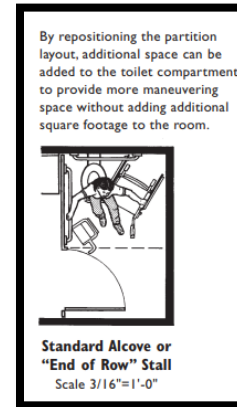
- 4.1 Basic Components
- 4.2 Space Allowances and Reach Ranges
- 4.3 Accessible Route
- 4.4 Protruding Objects
- 4.5 Ground and Floor Surfaces
- 4.6 Parking Spaces and Passenger Loading Zones
- 4.7 Curb Ramps
- 4.8 Ramps
- 4.9 Stairs
- 4.10 Elevators
- 4.11 Platform Lifts
- 4.12 Windows
- 4.13 Doors
- 4.14 Entrances
- 4.15 Drinking Fountains and Water Coolers
- 4.16 Water Closets
- 4.17 Toilet Stalls
- 4.18 Urinals
- 4.19 Lavatories, Sinks, and Mirrors
- 4.20 Bathtubs
- 4.21 Shower Stalls
- 4.22 Toilet Rooms, Bathrooms, Bathing Facilities, and Shower Rooms
- 4.23 Storage
- 4.24 Grab Bars, and Tub and Shower Seats
- 4.25 Controls and Operating Mechanisms
- 4.26 Alarms
- 4.27 Detectable Warnings
- 4.28 Signage
- 4.29 Telephones
- 4.30 Seating, Tables, and Work Surfaces
- 4.31 Auditorium and Assembly Areas

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Accessible and Usable Public and Common Use Spaces: Bathrooms

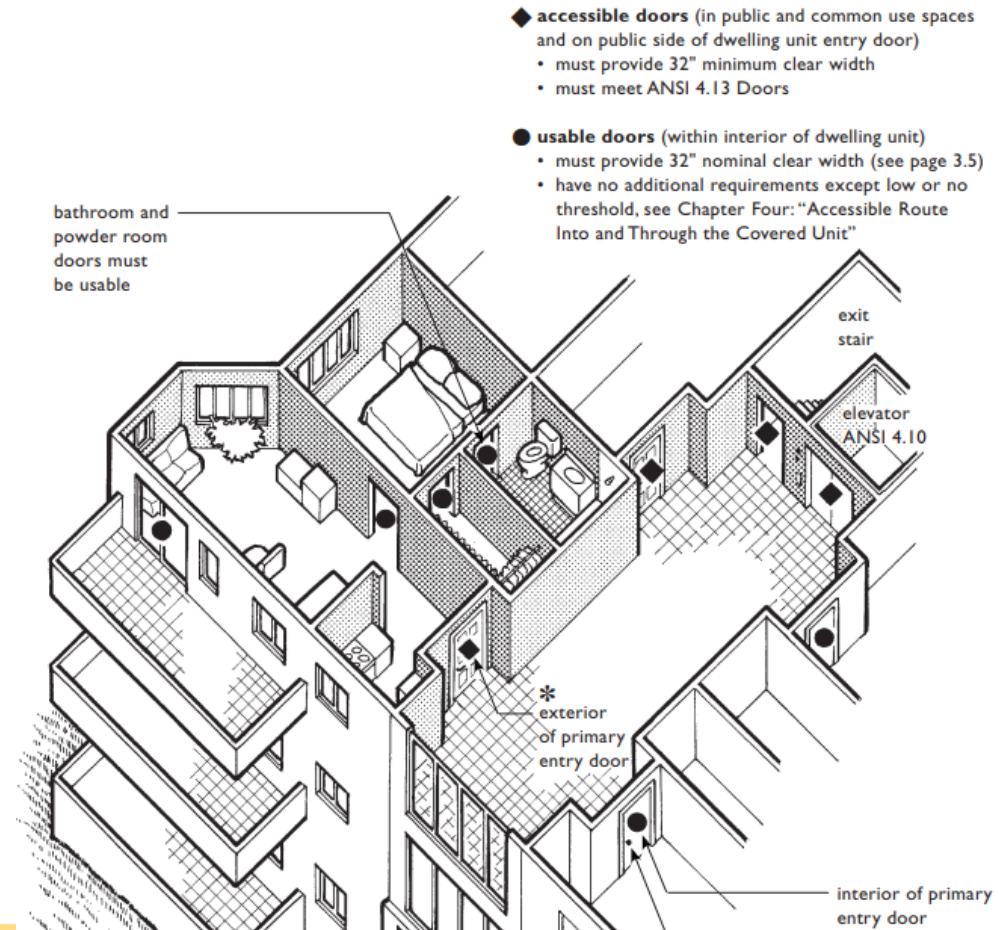
Bathrooms that are part of common use spaces must be accessible in accordance with ANSI 4.22:

- On an accessible route;
- At least one of each fixture type must be accessible;
- ANSI standard addresses the types of fixtures and their mounting heights, the controls, and clear floor space requirements.
- Clearances for doors;
- Turning spaces for wheelchairs;
- Three types of accessible toilet stalls under ANSI standards.



## III: USABLE DOORS: OVERVIEW

- All doors that allow passage into and within the premises must be sufficiently wide to allow passage by persons in wheelchairs.
- Accessible doors: exterior doors; doors in public and common use areas; and the primary door to a dwelling unit;
- Usable doors: doors on the interior of a dwelling unit.





## Accessible and Usable Doors

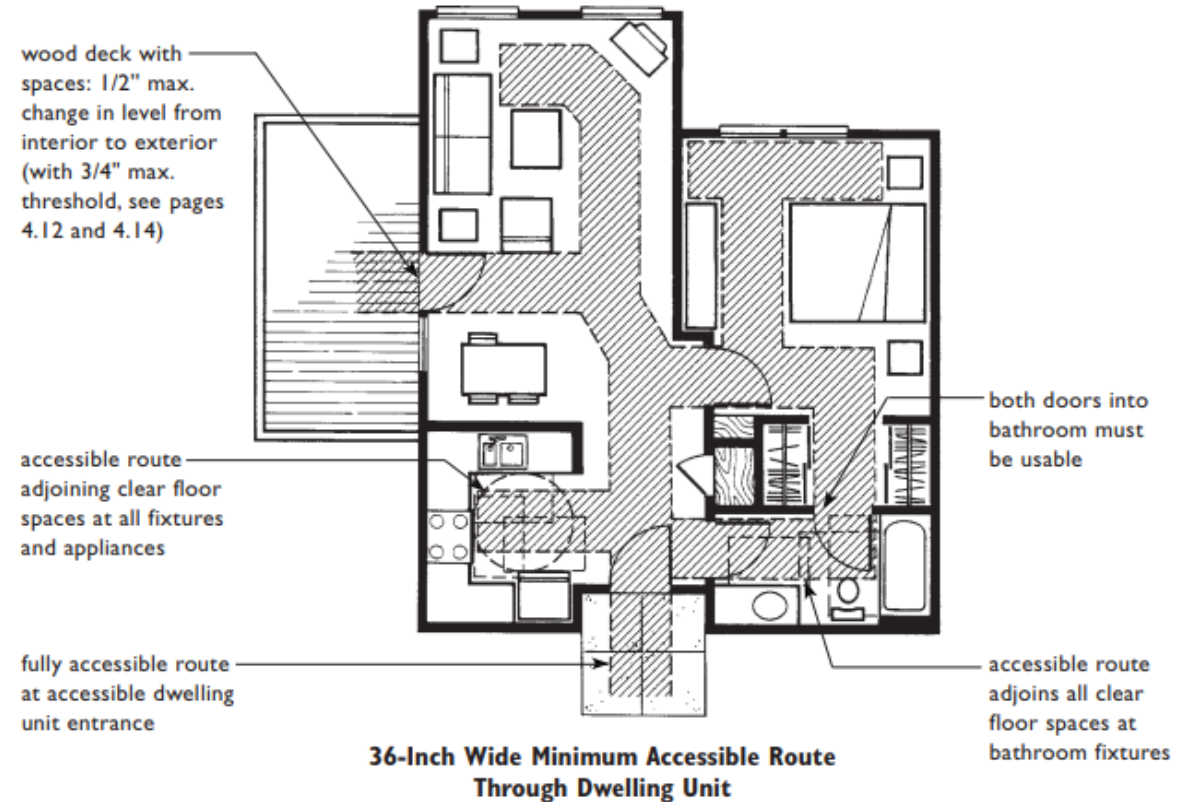
Accessible Doors, must meet ANSI 4.13	Usable Doors
Clear opening of 32 inches minimum.	Nominal 32 Inches width (may vary by 1/4-3/8 inch due to conditions).
Wall thickness of cased openings must be no greater than 24 inches if the width of the doorway or passage is 32 inches; doorways with depths greater than 24 inches must be widened to provide the 36- inch minimum clear width for an accessible route.	Wall thickness of cased openings must be no greater than 24 inches if the width of the doorway or passage is 32 inches; doorways with depths greater than 24 inches must be widened to provide the 36- inch minimum clear width for an accessible route.
Applies to exterior of the primary entry door of covered dwelling units and public and common use spaces.	Applies to doors in the interior of dwelling units and secondary exterior doors leading to decks, patios, or balconies.

**There are additional ANSI specifications for hinged doors, single or double-leafed doors, pocket, sliding, and folding doors; doors in a series, and closet doors.**

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## IV: ACCESSIBLE ROUTE TO AND THROUGH THE COVERED UNITS

- There must be an accessible route into and through the dwelling units, providing access for people with disabilities throughout the unit.
- Accessible route must pass through:
  - Main Entry Door;
  - Continue through all rooms in the unit;
  - Adjoin required clear floor spaces at all kitchen appliances and all bathroom fixtures;
  - Connect with all secondary exterior doors.





## Accessible Route Into and Through the Unit: Standard

- Accessible route in **common and public use** areas must comply with ANSI A117.1-1986;
- Accessible Route **Into and Through the Unit** only means a route that is: 1) Sufficiently wide; 2) Lacking in abrupt changes in level so that people with disabilities can safely use all rooms and spaces and exterior balconies and patios;
- Not required into a basement or garage, but doors leading to a basement or garage must be useable.

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Accessible Route Into and Through the Unit

Width	Change in Level
36-inches wide route required by the first element must connect with clear floor space outside the primary entrance	Within single-story dwelling units, the maximum vertical floor level change is $\frac{1}{4}$ inch, except when a tapered threshold is used, then it is $\frac{1}{2}$ inch
May be reduced to 32-inches minimum clear width at the door to the unit	Thresholds should not be used or they should be thin and installed flush with the flooring
Throughout the unit, must be 36 inches wide or wider except as it passes through passage doors	If it is used, the level change may be a maximum of $\frac{1}{2}$ inch
	If an interior door threshold represents a change in level greater than $\frac{1}{2}$ inch, it must be ramped and must slope at 1 inch in 12 inches maximum

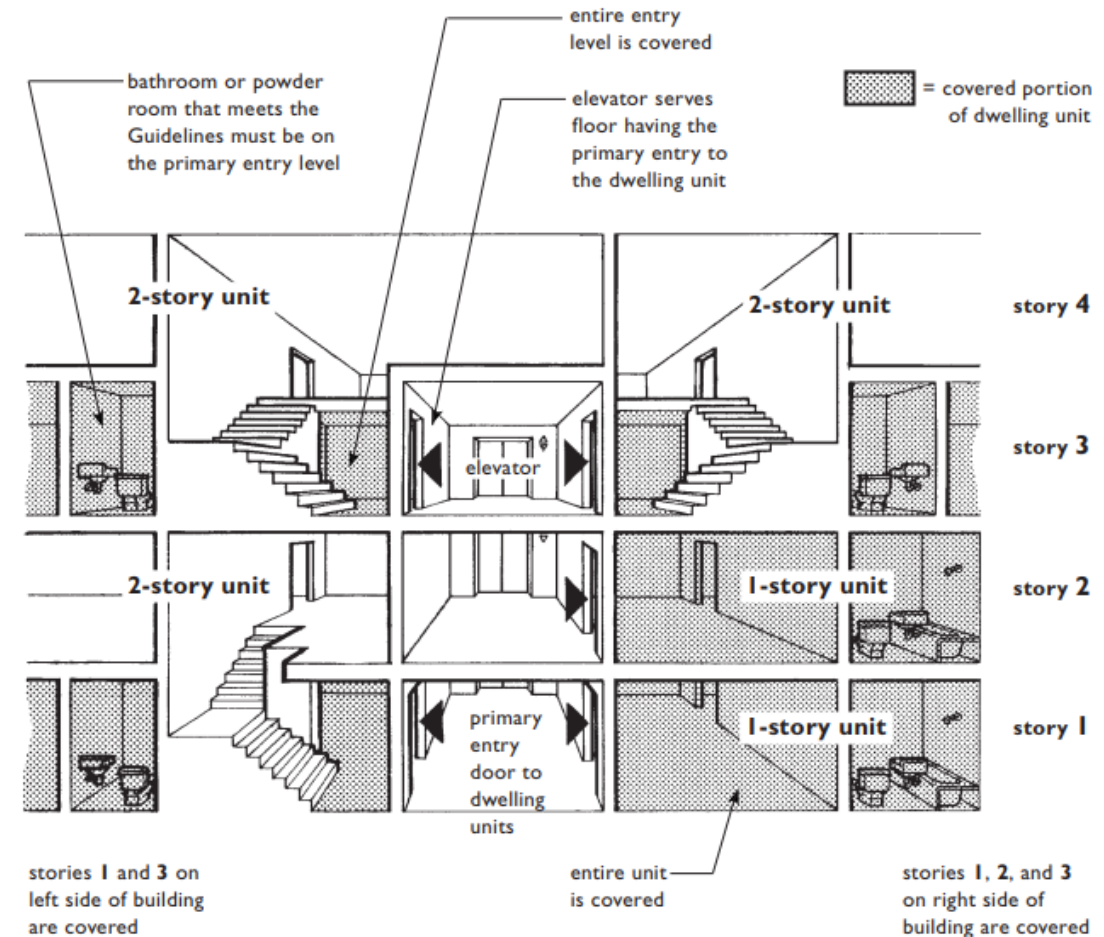
**Special Design specifications for split-level entry, raised or sunken areas, and loft area and threshold requirements for exterior doors.**

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## Accessible Route in Multi-story Dwelling Units

- Multi-story: finished living space on one floor and the floor or floors immediately above or below it;
- If buildings have elevators, multi-story dwelling units are covered.
- Story served by the elevator is the primary entry and must meet requirements 3-7 of the guidelines for all rooms located on the entry floor level;
- Contain a usable bathroom or powder room.

#20180HC



Single-Story Units and the Primary Entry Level of Multistory Units in Buildings with One or More Elevators Are Covered

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## V: LIGHT SWITCHES, ELECTRICAL OUTLETS, THERMOSTATS, AND OTHER ENVIRONMENTAL CONTROLS IN ACCESSIBLE LOCATIONS.

All premises within dwelling units must contain light switches, electrical outlets, thermostats and other environmental controls in accessible locations.

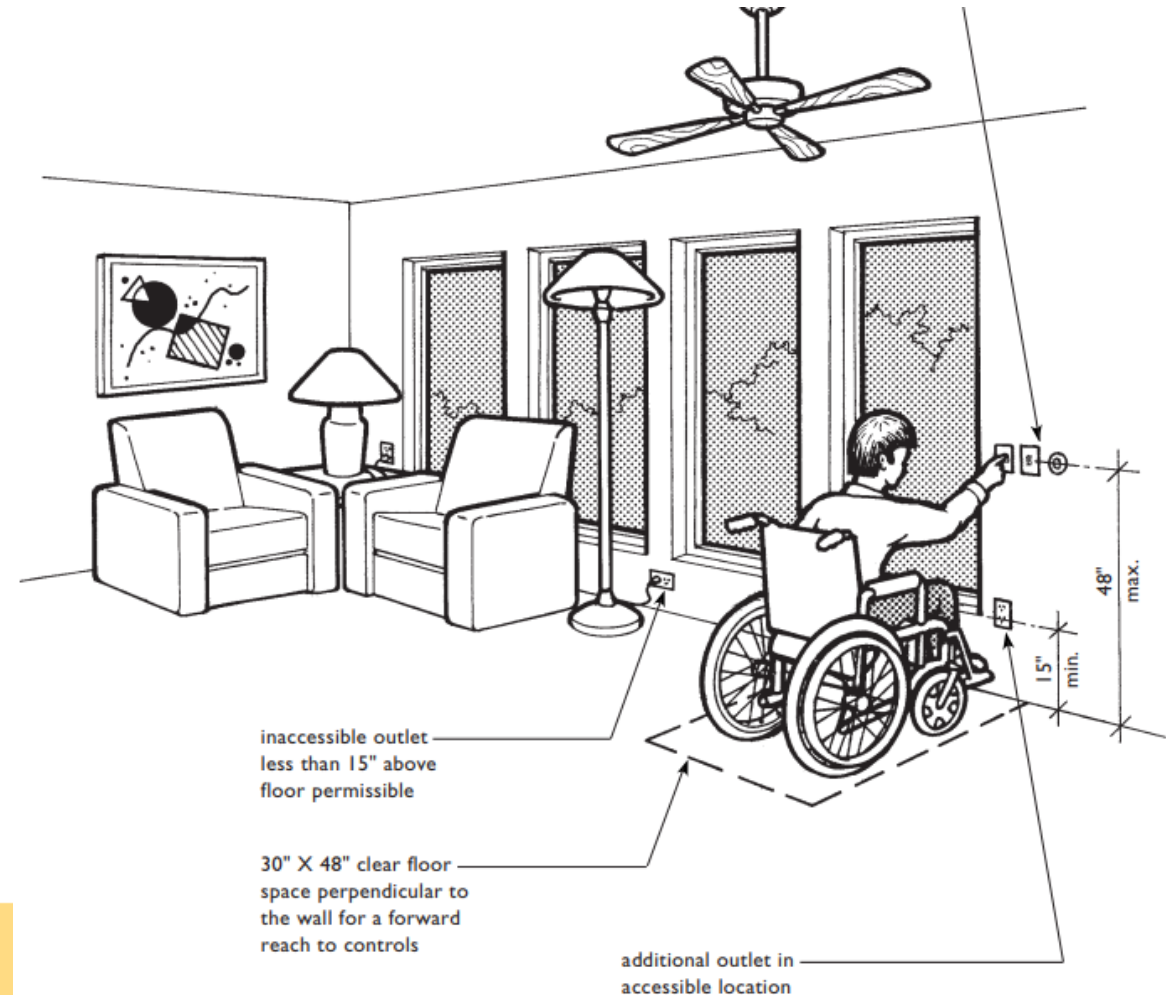
### SWITCHES, OUTLETS, AND CONTROLS COVERED BY THE GUIDELINES

#### Covered

- light switches for controlling all room lights
- electrical outlets
- environmental controls
  - thermostats and controls for other heating, air-conditioning, and ventilation systems

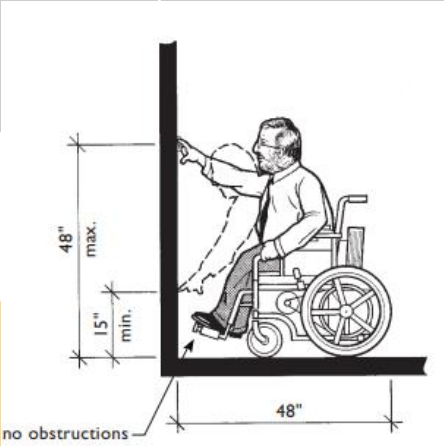
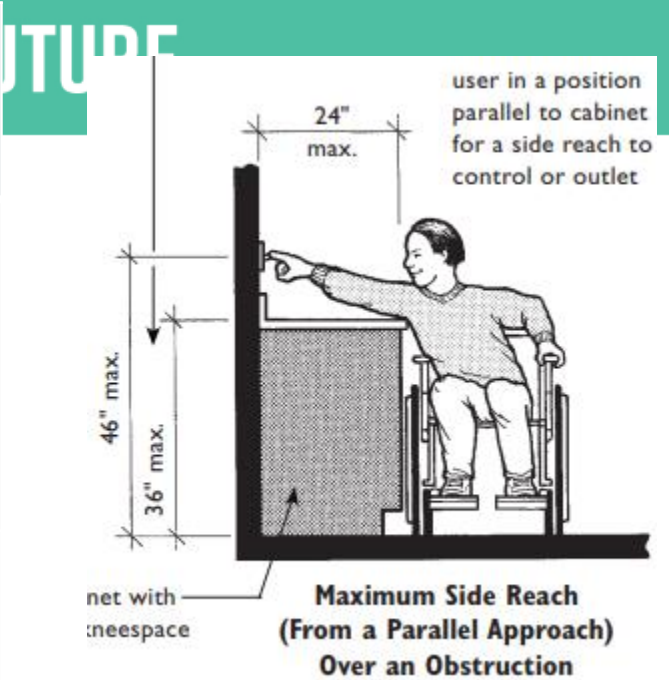
#### Not Covered

- circuit breakers
- appliance controls
- outlets dedicated for specific appliances

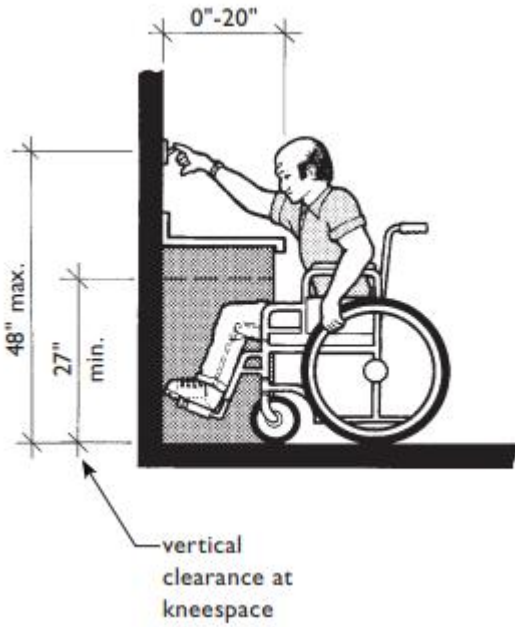




Based on ANSI A117.1-1986 for height	Forward Reach with No Obstruction	Forward Reach Over an Obstruction	Side Reach Over An Obstruction
Controls and Outlets	Controls and outlets can be mounted in a range from 15 to 48 inches above the floor.	Maximum mounting height is 48" above the floor (<20 inches) 44" above the floor (20-25")	30"X48" clear floor space adjoining a 36" wide accessible route
	There must be clear floor space of 30" x 48" perpendicular to the wall adjoining a 36-inch wide accessible route	Minimum 30 " wide clear knee space as deep as the reach distance adjoining a 36-inch wide accessible route	
Thermostats and other Controls	Mounted at or lower than 48 inches above floor		



Forward Reach over an obstruction

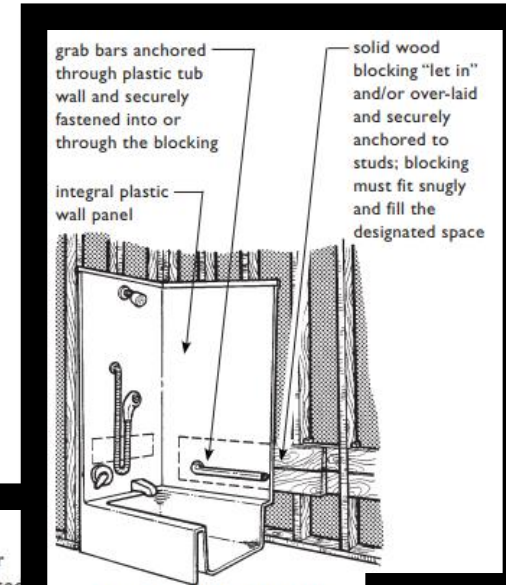


Additional recommendations for increased accessibility

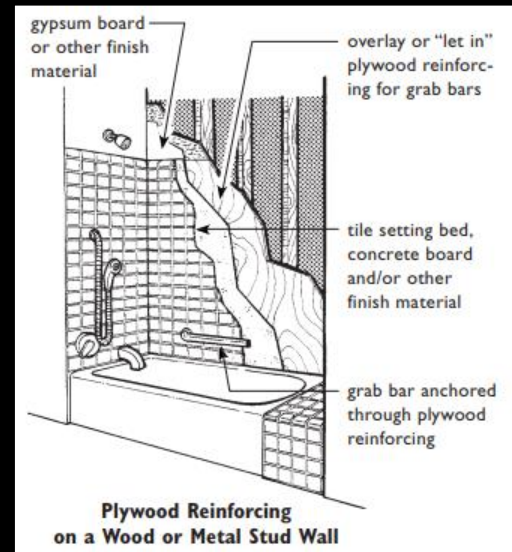
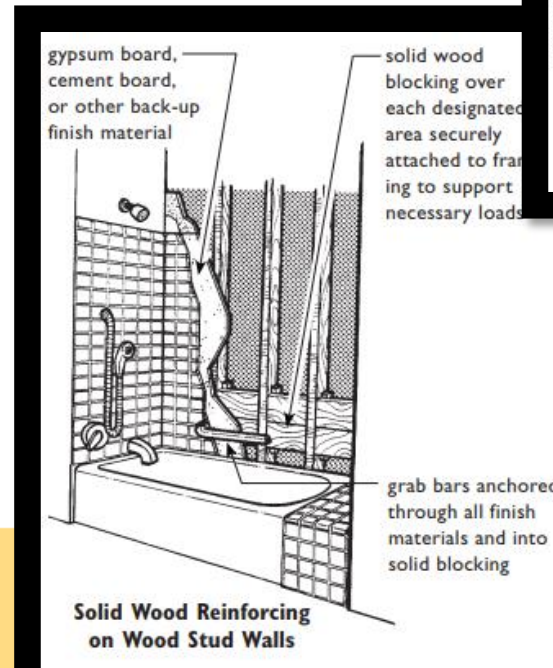
# LAYING THE FOUNDATION FOR A BETTER FUTURE

## VI: REINFORCED WALLS AND GRAB BARS

- There must be reinforcements in bathroom walls to allow later installation of grab bars around the toilet, tub, shower stall, and shower seat.
- Applies to all bathrooms and powder rooms on entry level of multi-story.
- At least 6" wide by 24" long at toilet, bathtubs, and showers.



**Reinforcing for Grab Bars Behind Fiberglass or Acrylic Tub and Shower Surrounds**



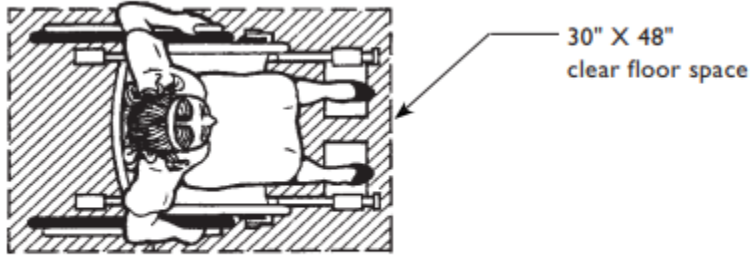
## VII: USABLE KITCHENS AND BATHROOMS

- Dwelling units must contain usable kitchens and bathrooms such that an individual who uses a wheelchair can maneuver about the space.

Kitchens	Bathrooms
Clear floor space at Fixtures and Appliances.	An accessible route to and into the bathroom with a nominal 32" clear door opening.
Clearance between counters and all opposing elements.	Switches, outlets, and controls in accessible locations.
Additional specifications for a U-shaped kitchen.	Reinforced walls to allow for the later installation of grab bars.
	Maneuvering space within the bathroom to permit a person using a mobility aid to enter the room, close and reopen the door, and exit.
	Maneuvering and clear floor space within the bathroom to permit a person using a mobility aid to approach and use fixtures.



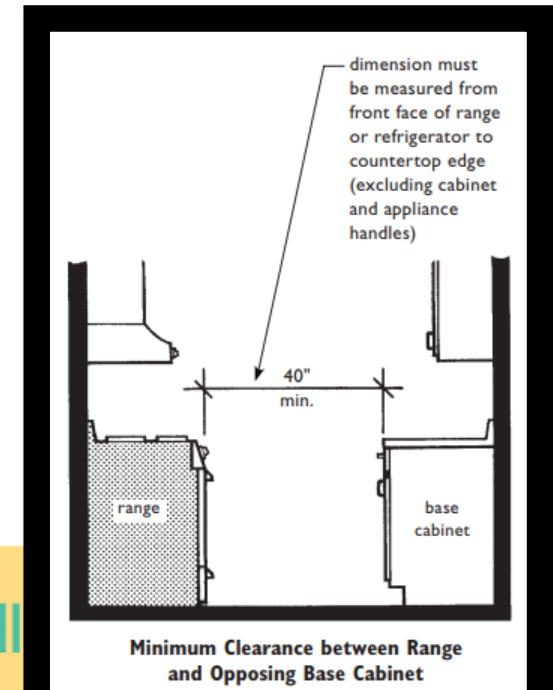
# Usable Kitchens



Clear Floor Space for Wheelchair Parking at Appliances and Fixtures

- 30" X 48" clear floor space be provided at each kitchen appliance or fixture.
- Must adjoin the accessible route through the kitchen.
- Clear floor space must be centered on the appliance or fixture.
- Parallel approach must be provided at ranges, cooktops, and sinks for safety and usability.
- Parallel or perpendicular approach allowed at ovens, dishwashers, refrigerators, freezers, and trash compactors.

- Clearance of at least 40" between all opposing base cabinets, countertops, appliances, and walls.
- Measured from countertop or face of appliance to the opposing cabinet, countertop, appliance, or wall.
- 40" clearance must be maintained between the face of an island all opposing features.



# Usable Bathrooms: Maneuvering Clearance

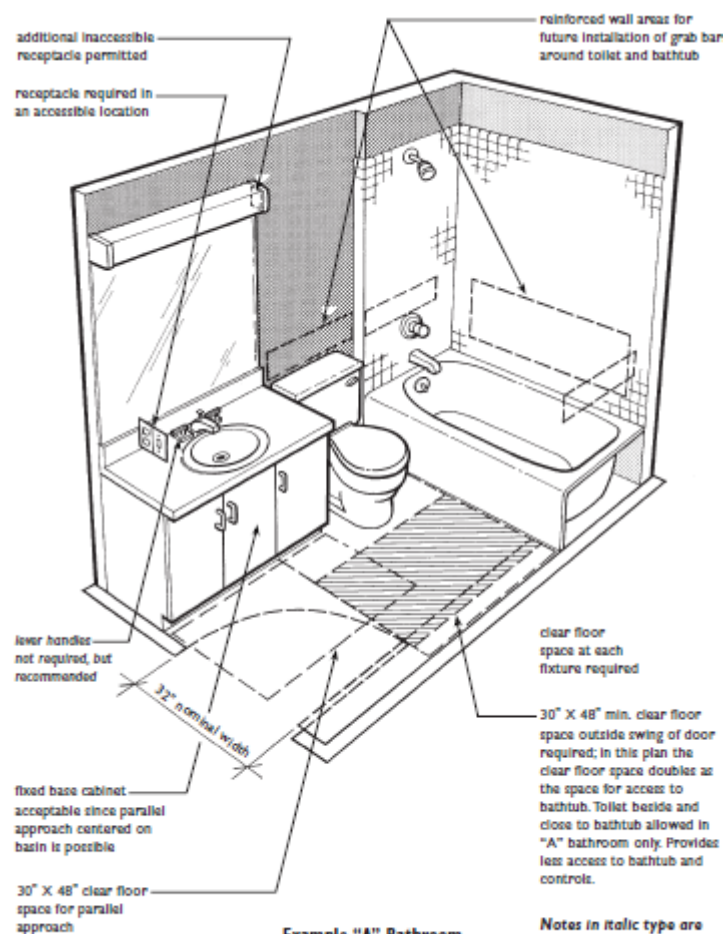
## Bathrooms

Can choose between specification A and B

All bathrooms must comply with A or one bathroom must comply with B

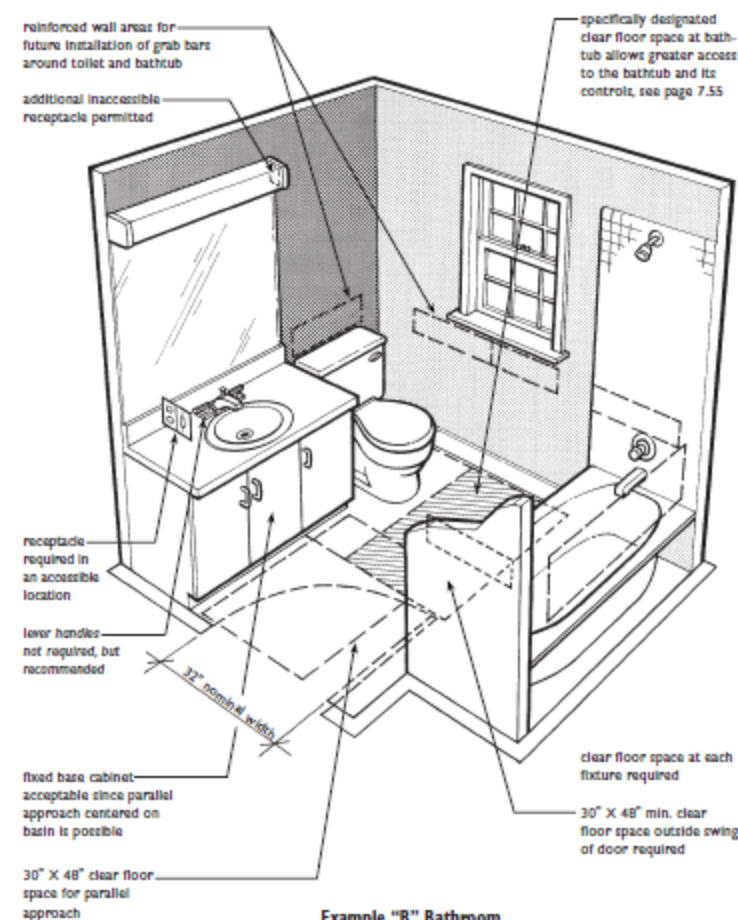
30" x 48" clear floor space outside the swing of the door as it is closed

Usable bathroom fixtures with specific maneuvering clearances: recommend that you check HUD Manual



**Example "A" Bathroom**  
9'-4" X 5'-2"  
(See plan page 7.66)

*Notes in italic type are recommendations only and are not required by the Guidelines.*



**Example "B" Bathroom**  
Greater Access to Bathtub  
6'-10" X 7'-9"  
(Similar to Plan on Page 7.67)

*Notes in italic type are recommendations only and are not required by the Guidelines.*

## SEVEN FAIR HOUSING ACT REQUIREMENTS: TAKE-AWAYS

- All new multi-family housing must comply with the FHA's seven design requirements: there are safe harbors offered by HUD's Fair Housing Act Design Manual and the ANSI standards;
- The Fair Housing Act standards are designed to allow people with disabilities and the aging to live their lives independently, integrated within our community, rather than shut away in institutions;
- Physical/ Facility design barriers literally make that impossible for many people, FHA standards are designed to remove those barriers.

# Section 504 Standards: Federal Funding

- Section 504 of the Rehabilitation Act sets design standards for any housing that is a recipient of federal funding (and OHFA projects);
- FHA units are “adaptable” units, 504 units are “accessible” units.
- 5% of units or 1 must be designed for those with mobility impairments; 2% of units or 1 must be designed for those with hearing and visual impairments;

What is the standard for 504 units?  
UFAS or the Uniform Federal Accessibility Standards

← → ↻ <https://www.hudexchange.info/resources/documents/Ufas-Accessibility-Checklist.pdf>

Facility Name	_____	Name of Reviewer(s)	_____
Address	_____	Date(s) of Review	_____
Unit/Apartment Number	_____	Date Building was Built	_____
Telephone Number	_____	Date(s) of Renovations, if any	_____
TDD/TTY Number	_____	(Any structure built after July 11, 1988 is considered New Construction)	_____

**U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT  
OFFICE OF FAIR HOUSING & EQUAL OPPORTUNITY  
UFAS ACCESSIBILITY CHECKLIST**

NOTE:

1. This checklist is to be used in conjunction with the Uniform Federal Accessibility Standards (UFAS), 24 C.F.R. § 40, Appendix A. ([www.access-board.gov/ufas/ufas.pdf](http://www.access-board.gov/ufas/ufas.pdf))
2. This checklist is intended for accessibility reviews of properties owned, operated and/or managed by recipients of Federal financial assistance. See Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794; 24 C.F.R. Part 8. However, the properties may also be subject to the Fair Housing Act (42 U.S.C. §§ 3601-20; 24 C.F.R. Part 100); and/or the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 et seq.)
3. This checklist is not all-inclusive. Please make additions, as necessary, depending on elements reviewed at each site. Reviewer is responsible for verification of each UFAS citation; all UFAS cites [including scoping requirements] for a particular element may not be referenced on this checklist.

**Required Equipment:** Tape Measure; Smart Level; Door Pressure Gauge; Camera

**Photographs:**

1. If element is compliant, then photograph area.
2. If element is not compliant, then photograph the area and zoom in to photograph the measurements

<b>Exterior and Interior Common Use Elements:</b>	<b>Page</b>		<b>Page</b>
Accessible Parking	2	Clothes Lines, Picnic Areas, Play Equipment, Other	29 – 30
Accessible Route	3 – 5	Misc: Community Kitchen; Telephones; Assistive Listening System	31 – 32
Ramps	6		
Entrances	7	<b>Deadline Unit:</b>	

# Section 504 Units: What is Required?

- FHA specifications;
- Grab bars must be installed;
- Bathroom Mirror and medicine cabinet heights;
- Additional specifications for accessible showers and tubs;
- Tub seat;
- Lower kitchen counters;
- Appliance controls.

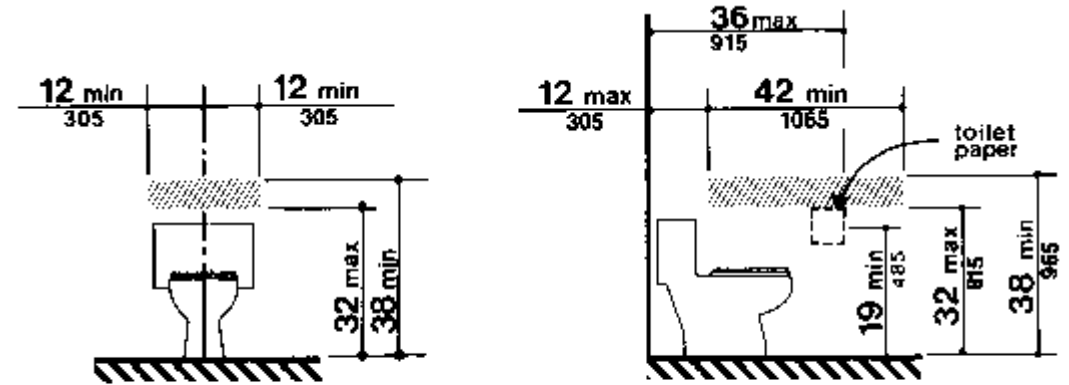


Figure 47(b)  
Reinforced Areas for Installation of Grab Bars

Look it up!

# The Ohio Commercial Building Code

**1995: Ohio incorporated  
FHA standards into Ohio  
Commercial Building  
Code;**

**July 1, 2014: Ohio Building  
Code amendments further  
brought Ohio's Building  
Code into compliance with  
FHA**

- **HUD has determined that ICC's 2001 revisions to the IBC with the ICC/ ANSI A117.1-1998 is a "safe harbor" design for the FHA;**
- **If you follow the Ohio Building Code Design, you should be in compliance with FHA standards;**



## Where Can I Go With Questions?

- [Department of Housing and Urban Development Website](#)
- [Department of Justice Website or call line](#)
- [Ohio Board of Building Standards](#)
- [Fair Housing Accessibility First](#)



# LAYING THE FOUNDATION FOR A BETTER FUTURE

Ash Lemons, Director of Housing and Advocacy  
419-885-5733, ext. 230

Katie Hunt Thomas, Disability Rights Attorney  
419-885-5733, ext. 254

LAYING THE FOUNDATION FOR A BETTER FUTURE

## KILLIN' IT: SUBMITTING A SUCCESSFUL HTC APPLICATION

CARLIE J. BOOS

## Common Errors!

- Don't forget syndicator/asset mgmt fee
  - Must be in either development or operating budget
- Explain any off-site improvements in budget
  - Use narrative box at cell C401
- No construction contingency over 5% for new
  - Also see construction interest in UW Guide pg. 6
- In 9%, professional soft costs can't top 20%
  - See UW Guide pg. 7



Don't "bug" your analyst!

## Common Errors!

- HDL fees are NOT eligible basis
  - Also, they are \$11,600
- HDL commitment letters must be complete
  - Gross and Net Equity
  - HDL Benefit
  - Pay-In Schedule that Matches OHFA Am Sch
- PPN and prop address must be in Word legal description
- Appraisal must list OHFA as an authorized user

App Fee	\$600
Closing Fee	\$1,000
10 Yr Fees	\$10,000
-----	
TOTAL	\$11,600

LAYING THE FOUNDATION FOR A BETTER FUTURE

Common Errors!

**Design & Architectural Guide**  
**Send this Doc to Your Architect!**

Especially Note File Formats (PDF, DXF, DWG, etc.)

## AHFA Updates to Note

- New QCT's & DDA's incorporated
  - 98 QCT changes (50 additions, 48 drops)
- Proposal Summary now contains composite score
- Development Team Tab, terminology change
  - “LP” = “Ownership Entity”
  - “GP” = “Managing Partner”

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## AHFA Updates to Note

- Project Details Tab, Site & Building section
- Now includes date building originally constructed
  - Careful with copy/paste!
- Also includes new drop-down options for building type

Include residential sites and buildings only. The same address may be entered multiple times for each building. You may list multiple parcel numbers for a single building.

Building#	Site/Building Address	5-Digit Zip (do NOT enter +4)	Permanent Parcel #(s)	Type of Site Control	Purchase Price	11-Digit Census Tract	Type of Construction	QCT or DDA?	Last PIS Date	<b>**NEW CELL**</b> Date Originally Constructed	Seller(s) Name
1								#N/A			
2								#N/A			
3								#N/A			
4								#N/A			
5								#N/A			



## AHFA Updates to Note

- Budget & Costs Tab
- Income Chart
  - New layout for Income Averaging
  - All 811, Non-HTC, and Mrg Units must be in designated space
- Sources
  - Must ID if a cashflow-loan (still won't appear in pro forma)
- Costs & Basis
  - “Developer Support Budget” items are broken out

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## AHFA Updates to Note

- Scoring Tab for FHAct50
- Very basic!



### Competitive Scoring

FHAct50 Building Opportunity Fund

0

Pool	FHAct50 Building Opportunity Fund
Max Credits	N/A
Credits Requested	\$ -
Set Aside	N/A

Opportunity Rating	#N/A	
Change Rating	#N/A	
Population	0%	
% One Bedrooms	#DIV/0!	#DIV/0!
% 3+ Bedrooms	#DIV/0!	#DIV/0!

### FHAct50 Thresholds

No Points For Threshold Section

Points Claimed

N/A

City

Is site in approved Target Area?

Name of Local, Place-Based Nonprofit

Percent Ownership  **Must be 25% GP Owner**

Describe how the nonprofit holds an integral, on-going, and relevant position in the Target Area and engages with the residents and businesses in the Target Area to enhance the quality of life for the people who live there. This criteria will be evaluated in the same manner OHFA evaluates CHDO applicants; however, the nonprofit need not be a certified CHDO organization.

Development Type

Requested Credits Per Affordable Unit

#DIV/0!

All new units meet Aging In Place?

If Preserved Affordability, describe what, if any, demolition will occur and how it will ensure one-for-one replacement of affordable units.

If Preserved Affordability, describe how current residents were consulted on redevelopment plans.

Is the City Commitment Letter attached?

Is Leverage documentation attached?

## AHFA Updates to Note

- A **Draft** AHFA is posted, comments due by Friday
  - Look for both bugs and desired usability
  - Send to [QAP@ohiohome.org](mailto:QAP@ohiohome.org)
- Newsletter feature: current AHFA date at bottom
- Do you **want** an AHFA webinar again this year?

# LAYING THE FOUNDATION FOR A BETTER FUTURE

## TACTICAL RESPONSE: HOW THE PROS FIGHT NIMBY

IAN MAUTE, VICE PRESIDENT OF DEVELOPMENT

KATE MONTER DURBAN, ASSISTANT DIRECTOR

DAVID THOMPSON, VP OF AFFORDABLE HOUSING