



## **Ohio 811 Program Requirements DRAFT**

*August 17, 2023*

### Background

The Ohio 811 Project Rental Assistance Program (hereinafter Ohio 811 Program) is a project-based rental subsidy program funded by the U.S. Department of Housing and Urban Development (HUD) designed to expand the supply of housing for extremely low-income, non-elderly individuals with disabilities while also making available appropriate supports and services through Ohio's Medicaid plans. Subsidies are used to assist new and existing multifamily housing units that receive funding from the Ohio Housing Finance Agency (OHFA).

### Requirements

1. The project owner must commit up to 20% of the total units to serve residents with a qualifying disability through the Ohio 811 Program. OHFA may designate a lower percentage based on expected demand for these units.
2. Units that receive Ohio 811 Program rental subsidy ("Assisted Units") must be one-bedroom units. OHFA may consider two-bedroom units based on expected demand for these units.
3. Projects that serve a general occupancy population are preferred for participation in the Ohio 811 Program. Projects that serve seniors may volunteer to participate in the program but will not be required or invited to participate.
4. All residents of Assisted Units must be referred to the property from a waiting list administered by OHFA.
5. Assisted Units are floating and must be dispersed throughout a project and not segregated in one area of a building.
6. In addition to requirements from Section 504 of the Rehabilitation Act of 1973 ("Section 504") outlined in the most recent OHFA Design & Architectural Standards, we recommend that projects include additional adaptable units that may be easily modified for individuals with physical disabilities served by the Ohio 811 Program.
7. At initial lease-up, all units of the applicable bedroom sizes built according to the requirements of Section 504 must be set aside for referrals from the Ohio 811 Program.
8. Assisted Units must be underwritten at 50% of area median income (AMI) for rent restrictions and 30% of AMI for occupancy restrictions.
9. No more than 25 percent of the total units in a project can be set aside for individuals with disabilities, including the Assisted Units, regardless of whether the units receive rental assistance.
10. Projects cannot have a use restriction for persons with disabilities or for individuals aged 62 and over.
11. Projects with any form of long-term rental subsidy for the entire project cannot participate in the program. Partially subsidized properties are eligible as long as Ohio 811 Program funding is used to support other units in the property without rental subsidies.
12. If the project will have 12 or more Assisted Units, then Davis-Bacon prevailing wage rates will apply to the entire project.
13. The environmental review requirements in § PRA.215 of the HUD 811 Program Guidelines are required of all properties that are proposed to be constructed or rehabilitated, and any properties that are under



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construction or being rehabilitated at the time of application for Ohio 811 Program assistance. The following properties are not required to comply with the environmental review requirements:

- a. Existing properties that are currently HUD-assisted or HUD-insured and will not engage in activities with physical impacts or changes beyond routine maintenance activities or minimal repairs.
  - b. Proposed or existing properties that already have environmental clearance under 24 CFR Part 50 or 24 CFR Part 58, as long as the environmental reviews were completed within five years, and the project description covers the proposed construction or rehabilitation activities.
14. The Owner must enter a Rental Assistance Contract (RAC) prior to when a newly constructed or rehabilitated property is placed into service, and following completion of the environmental review for existing properties. The RAC is a 20-year contract outlining requirements between OHFA and the Owner, including the rent schedule, commitment period, use agreement, [model lease](#), and [HUD 811 Program Guidelines](#).
  15. The owner must execute and record a HUD 811 Use Agreement (form HUD-92236-PRA) to ensure that Ohio 811 Program units will continue to serve extremely low-income individuals for 30 years after the RAC is signed.
  16. The property management firm must have experience with HUD project-based rental assistance contracts, Tenant Rental Assistance Certification System (TRACS) and Enterprise Income Verification (EIV), or may develop these competencies via training, staffing or third-party contractors.
  17. The [Tenant Selection Plan \(TSP\) Addendum](#) for the Ohio 811 Program provides guidance to property managers regarding procedures they must follow when processing applicants for program units and sets forth the process for applicant denials and appeals. It is the responsibility of the owner and property manager to ensure that all provisions of the TSP Addendum are enforced, and where there is a conflict with the property TSP, the TSP Addendum will prevail.

