



February 7, 2025

To: All Interested Parties
From: Ohio Housing Finance Agency
Re: 2024-2025 9% LIHTC QAP with 2025 Technical Amendments
Frequently Asked Questions (FAQ)

FAQ Background

The following is a summary of questions received regarding the [2025 9% Low-Income Housing Tax Credit \(LIHTC\) Qualified Allocation Plan \(QAP\) Technical Amendment](#) guidelines (the “Guidelines”). Questions were edited for style, to remove identifying details, and combined with similar questions from various individuals. The answers posted herein clarify and modify the Guidelines and will be considered during the program round. In accordance with the 2025 Program Calendar found on page 8 of the Guidelines, OHFA accepted FAQs for the 2025 9% LIHTC round until Friday, January 10, 2025, by 5:00 p.m. EST.

Preserved Affordability – Project Eligibility

Q: If an existing LIHTC property added additional units to increase the unit count, would it still compete in the Preserved Affordability - LIHTC resyndication subpool? For example, if a 40-unit LIHTC deal in Year 20 added 20 additional non-LIHTC units.

A: Yes, project eligibility is based on the majority of units so if the majority of units preserve existing affordability, then it would compete in the preserved affordability pool.

Q: If a preservation project is both an old LIHTC deal (post year 15) and also has over 75% Rental Assistance operating subsidy, can it choose which sub pool it competes in?

A: No, based on the definitions in the Guidelines, if the project has rental assistance on at least 75% of units, then it must compete in the rental assistance subpool.

Service-Enriched Housing – Expert Recommendation

Q: How many points are associated with a non-Continuum of Care (CoC) priority (child welfare, MH board). The only points noted are 15 for the first CoC priority and 10 for second. Doesn't speak to the other eligible partners.

A: OHFA will default to the [2023 QAP](#), screenshot below, where it put the outside CoC support/recommendation with the 10 point category as this was not clarified in the 2024 QAP.

3. Expert Recommendations

Maximum points: 20

Proposals that have been designated a primary or secondary priority/recommendation by the applicable Continuum of Care (CoC) for PSH applicants.

- Primary designation = 20 points
- Secondary designation = 10 points

Proposals with a letter of support/recommendation from outside of a Continuum of Care 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.

Q: What information needs to be included in the expert recommendation letter?

A: Per page 59 of the Guidelines, applicants must submit an applicable letter of designation or recommendation within the competitive support documents section of the proposal application. The letter should include the project's name and designation as a primary or secondary priority/recommendation. This requirement is further broken out within the "Scoring SEH" tab of the 2025 9% LIHTC AHFA.

(6) Expert Recommendations (Maximum 15 points)		Auto-Calculated Score: <input type="text" value="0"/>
Proposals that have been designated a primary priority/recommendation or secondary priority/recommendation by the applicable CoC for PSH applicants.		Applicant Self Score: <input type="text"/>
<i>Required Supporting Documentation: Applicants must submit the applicable letter of designation or recommendation in the Competitive Support Documents section of the Proposal Application.</i>		
Applicant submitted a letter indicating the proposal's designation as a primary priority or recommendation from the applicable CoC?	<input type="text"/>	
• Primary or secondary priority/recommendation?	<input type="text"/>	
Applicant submitted a letter of support or recommendation from outside of a CoC geography?	<input type="text"/>	
• Letter is from a public entity such as a Mental Health and Recovery system board or local child welfare system of care?	<input type="text"/>	
• Letter is from a public entity with no affiliation to any member of the development team?	<input type="text"/>	
• Letter accurately addresses multiple aspects of specific to the application?	<input type="text"/>	
• Letter does not express expectations inconsistent with QAP limitations or requirements?	<input type="text"/>	

Building Amenities – Outdoor Patio

Q: If we can confirm the canopy is at least 200 sq ft, does it matter whether the whole patio exceeds 400 sq ft? The Guidelines awards these points where the patio "is at least 50% covered", but what if the patio is 1000 sq ft? Would the covered portion need to be 500 sq ft?

A: To receive points, a single outdoor patio would need to be at least 400 sq ft and whatever size it is, at least 50% would need to be covered. If the patio is 1,000 sq ft, then at least 500 sq ft would need to be covered. Patios cannot be combined to reach 400 sq ft, but rather, a singular patio must be at minimum 400 sq ft and at least 50% would need to be covered.

Discount to Market Rent Data

Q: Can you please confirm if the “Discount to Market Rent” criterion will use 2023 or 2024 Small Area Fair Market Rents and Fair Market Rents? All drafts of the Guidelines and OHFA’s published instructions for using the QAP’s map reference 2024 data. However, the final version of the Guidelines and the map reference 2023 data. OHFA has also updated these data annually for state LIHTC applications.

A: OHFA proposed updating the Discount to Market Rent Data to 2024 in the draft technical amendments. However, stakeholders provided public comments that the data update was too substantial for a technical amendment as it would change how sites would score. Thus, OHFA reverted the Guidelines to use 2023 Discount to Market Rent data, which was used in the 2024 QAP.

Exception Request - Minimum Unit Size Requirement

Q: A project is an adaptive reuse of an existing structure. Is it possible to pursue an exception to the minimum unit size requirements for 0-bedroom/efficiency units?

A: This is an allowable exception request to make per page 27 of the [Design and Architectural Standards](#). Design exception requests are due with a project's proposal application and the exception request must include adequate supporting documentation to demonstrate how the incorporation of the element is infeasible. Design exception requests are reviewed and evaluated between the proposal application and final application review period.

New Affordability General Occupancy: Three-Bedroom Requirement

Q: Can a developer use four-bedroom units to help satisfy the three-bedroom requirement? For example, if a project would need to include at least 10 three-bedroom units under the Guidelines, could 8 three-bedroom and 2 four-bedroom units be compliant?

A: Unfortunately, no. This is auto calculated in the AHFA, and it will only pull the number of 3-bedroom units as a share of total units to meet the threshold requirement.

Community Impact Strategic Initiative

Q: For projects competing under the "community impact strategic initiative" set-aside, will their score for their applicable subpool in any way be factored into the selection criteria?

A: Projects will first compete in their funding pool and may be awarded competitively or through another set aside. After all competitive reservations and set asides are established, OHFA will then evaluate the remaining eligible applicants (keeping in mind county cap limits and development team limits) that sought out the Community Impact Strategic Initiative set-aside. Projects will then be evaluated based on the information provided on how it meets the terms outlined in the set aside description. We will also evaluate the projects that were submitted and will give preference to those that are located in a county that has not received an OHFA tax credit award in the last five years. OHFA Board has sole discretion on which project(s) will be reserved funding under this set aside.

Developer Experience and Capacity

Q: The application limits set forth on page 22 of the Guidelines reference "development teams" rather than individual members of the development team. For projects with multiple developers or consultants, there is ambiguity that we seek further clarification on. We seek to better understand how OHFA would treat the following scenarios: There is an application where both lead developer and co-developer would be limited to one tax credit reservation under the guidelines. However, the co-developer submitted another application that scores competitively to receive a reservation. The lead

developer only submitted one application. Would the lead developer need to remove the co-developer to receive an award? Would the co-developer need to forfeit their other award to remain a part of the development team for this application?

A: Development teams are evaluated on a per project basis at pre-application. If the development team is approved at pre-application for that project, the development team cannot change for that project at proposal application or at reservation announcement. If each member of the development team is eligible to receive one reservation and if one member receives a reservation on another project, then that member would be ineligible to receive an additional reservation.

Q: Are Development Consultants subject to the application and reservation limits?

A: No. Development consultants are not subject to or factored into application and reservation limits; only the lead developer and co-developer.

Q: Does OHFA have specific guidance detailing the difference between a co-developer and a development consultant?

A: Yes, please refer to Appendix A, items 12 and 13, and Appendix B. In general, a co-developer may provide the necessary experience (8609) and capacity for a project, but a development consultant's experience will not count.

New Affordability General Occupancy: 811 Vouchers and 30% AMI Requirement

Q: If a project provides 30% AMI units that will have 811 vouchers, do these count toward our low-income targeting to meet the requirements of the ELI threshold requirements?

A: No, the ELI units must be rent and income restricted at 30% AMI. Whereas the 811 PRA program units would be rent restricted at 50% AMI or FMR, whichever is lower (Rent Limit), but income restricted at 30% AMI (Income Limit). Thus, these two types of units do not overlap and will be shown separately within the AHFA.

HDAP Resources and CHDO

Q: On page 21 of the Guidelines, CHDO-sponsored projects are eligible to request HOME funds. Are there other sources of HDAP funds available this year?

A: OHFA does not have additional HDAP resources for the 2025 9% LIHTC round outside of the HOME funds for CHDO-sponsored projects.

Q: In order to qualify for the CHDO funding, does the project A) need to be owned and developed by the CHDO? B) would it be okay for the CHDO to serve as the sole GP and the CHDO and Developer as co-developers?

A: The Guidelines incorporates 24 CFR 92.300(4)) by reference on page 21 of the Guidelines. The HUD regulations provide the project can qualify for the CHDO funding and as a CHDO project if it is “sponsored” by the CHDO. Page 21 of the Guidelines references “state-certified CHDO as defined in 24 C.F.R. §92.300(a)(4).” A Sponsorship by the CHDO means if it is rental housing “owned” or “developed” by a subsidiary of the CHDO, a limited partnership of which the CHDO organization or its subsidiary is the sole general partner, or a limited liability company of which the CHDO or its subsidiary is the sole management partner, as provided in in 24 C.F.R. §92.300(a)(4). See ([https://www.ecfr.gov/current/title-24/subtitle-A/part-92#p-92.300\(a\)](https://www.ecfr.gov/current/title-24/subtitle-A/part-92#p-92.300(a))).

A) No, the project does not need to be owned and developed by the CHDO.

B) Yes, this structure would qualify for CHDO funding under the Guidelines.

Exception Requests: Cost Containment

Q: Cost Containment Underwriting Exception Requests will only be considered for the following reason(s): if one of the two cost containment standards fails to be met, but can be explained (e.g., larger unit sizes, less common space, scattered-site developments, projects using Federal Historic Tax Credits, Davis-Bacon wage rates, etc.). Does this mean if a project is over on both cost containment standards (per unit and per sqft), it cannot be eligible for an exception request?

A: Correct, cost containment exception requests will only be considered if one of the two cost containment standards fails to be met (TDC per unit or TDC per GSF), but can be explained. If both standards are exceeded, an exception request will not be entertained.

Preserved Affordability – Rental Assistance

Q: Does a Housing Authority project (not LIHTC) that has an Annual Contributions Contract (ACC) compete in the rental assistance subpool?

A: Annual Contributions Contracts would not count as project-based rental assistance as HUD makes these payments to the Housing Authority and not to the specific project.

Q: A project is currently under contract for an 8bb transfer for project-based vouchers. Given the pending subsidy transfer, will the project compete in the Rental Assistance subpool, as the project will have more than 75% of units with project-based rental subsidy, or will the project compete in the LIHTC Resyndications subpool as the project had a prior LIHTC award?

A: If a project will have at least 75% of units covered by project-based rental assistance, then it will compete in the rental assistance subpool.

Preserved Affordability

Allocation Targets and Definitions

Allocation Goal: 20% of the total annual credit ceiling

Developments in which the majority of units preserve existing affordability by maintaining project-based rental assistance, project-based operating subsidies, and/or LIHTC can participate in this pool.

Subpools

OHFA has two subpools for this funding pool. These subpools will follow the same competitive criteria but will be scored only against other projects submitted in and eligible for the subpool.

(1) Preserved Affordability – Rental Assistance:

50% of Preserved Affordability – Rental Assistance

Projects meeting the definition of Preserved Affordability that will have project-based rental assistance on at least 75% of units, regardless of whether such projects are currently LIHTC restricted.

(2) Preserved Affordability – LIHTC Resyndications

50% of Preserved Affordability – LIHTC Resyndications

Projects meeting the definition of Preserved Affordability and are seeking a new allocation of credits to preserve an existing LIHTC property, but have less than 75% of units encumbered by a project-based rental assistance contract. The subject property must meet the federal LIHTC requirements of a LIHTC resyndication (e.g., the project has exited its 15-year compliance period).

General Contractor and Property Management Company

Q: The 9% pre-application asks developers to identify a General Contractor and Property Management Company. Are we able to change either of these companies between the pre-application and full application?

A: OHFA does not evaluate the general contractor until Final Application so this could be listed as TBD at pre-application and proposal application. However, OHFA does evaluate the management company at pre-application so this would need to be decided at pre-application per page 64 of the [Guidelines](#). Any changes to the development team or ownership structure after pre-application would need to be approved by the Director of Multifamily Housing.

Financial Commitments – Tax Abatements

Q: Is it correct OHFA does not need to see a conditional financing commitment for a tax abatement? Often a city or county will not issue such a commitment until after it reviews drawings and other application materials.

A: OHFA will require a letter to confirm this tax abatement, as it is still considered a financing source—albeit an indirect one—and all financing sources must have a commitment letter.

Universal Design Requirements

Q: The current Design Standards states the program guidelines will identify the amount of mandatory or optional universal design features incentivized or required. In reviewing the Guidelines, I didn't see any mention of what optional universal design features are being incentivized or required. Can someone confirm if there is no requirement in the 2025 Technical Amendment?

A: Correct, there are no explicit universal design requirements within the Guidelines. However, projects competing in this round will need to comply with OHFA DAS and the accompanying DAS FAQ that are included on our website here:

<https://ohiohome.org/ppd/9percent-htc.aspx>

GUIDELINES

- [2025 9% LIHTC QAP – Technical Amendment](#) (864 KB Adobe PDF File) **EFFECTIVE 9/18/24**
- [2024 to 2025 9% LIHTC QAP – Technical Amendment](#) (1.09 MB Adobe PDF File) **REDLINE VERSION**
- [2025 9% LIHTC QAP – Frequently Asked Questions](#) (174 KB Adobe PDF File) **POSTED 11/5/24**
- [LIHTC Rental Underwriting Guidelines – Effective December 20, 2023](#) (224 KB Adobe PDF File)
- [Design & Architectural Standards – Effective 1/1/24](#) (663 KB Adobe PDF File)
- [Design & Architectural Standards – Frequently Asked Questions](#) (185 KB Adobe PDF File) **EFFECTIVE 1/1/25**
- [Environmental Review Guidelines \(HOME, OHTF, NHTF, 811\)](#)

PRIOR YEAR'S GUIDELINES

Public Notification

Q: Could OHFA please provide clarification on the individuals that need to be notified? Below is the language of the Section 175.07 | Notice by applicant for funding for multifamily rental housing construction.

(a) 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;

- (b) 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;
- (c) 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.

Are we submitting notifications to jurisdictions within one-half mile only if the jurisdiction of the development does not have said position? Or should we submit notifications to both regardless?

A: Public notification must be sent to officials from all jurisdictions that contain the proposed development and are within one-half mile of the project's boundaries.

Project Jurisdiction	Position	Jurisdiction Name
Municipality	Chief Executive Officer	
Municipality	Clerk of the legislative body	
Township	Clerk of the legislative body	
County	Clerk of the Board of County Commissioners	

Jurisdiction(s) within 0.5 miles	Position	Jurisdiction Name
Municipality	Chief Executive Officer	
Municipality	Clerk of the legislative body	
Township	Clerk of the legislative body	
County	Clerk of the Board of County Commissioners	

Q: Where is the OHFA public notification template letter located?

A: The public notification letter can be found on the [9% Program Page](#) under Forms:

FORMS

- [2025 9% LIHTC Pre-Application and CHDO Certification Package](#) (3.78 MB Zip File) **NEW AS OF 12/2/24**
- [2025 9% Affordable Housing Funding Application](#) (2.18 MB Excel File) **NEW AS OF 1/29/25**
- [2025 9% Design and Construction Features](#) (160 KB Excel File) **NEW AS OF 1/21/25**
- [2025 9% Scope of Work Form](#) (108 KB Excel File) **NEW AS OF 1/21/25**
- [2025 Exception Request Form – Design](#) (82 KB Word File) **NEW AS OF 1/21/25**
- [2025 Exception Request Form – Underwriting](#) (79 KB Word File) **NEW AS OF 1/21/25**
- [Authorization to Release Tax Information](#) (95 KB Adobe PDF File)
 - [Instructions for Authorization to Release Tax Information](#) (116 KB Adobe PDF File)
- [Environmental Questionnaire for Scattered Sites](#) (63 KB Adobe PDF File)
- [Notification to Accessibility Groups](#) (30 KB Excel File)
- [Related Party Transaction Questionnaire](#) (45 KB Adobe PDF File)
- [Subsidy Layering Review Guidelines and Application](#) (324 KB Word File)
- [Template for Public Notification Letters](#) (28 KB Word File)

Q: Will our public notification letters be rejected if we list the actual names of the public officials in the content of the letter, or should we list their position only? Please clarify the requirement.

A: Per the [template](#), the applicable public official’s name, title, name of political jurisdiction, and address is required. However, the person to be notified at OHFA shall only list the title “Director of Multifamily Housing” as detailed in the template letter.

Template for Public Notification

[PROJECT NAME]
[DEVELOPER NAME]
[ADDRESS]
[CONTACT INFORMATION]

[DATE]

CERTIFIED MAIL RETURN RECEIPT REQUESTED

[Applicable Public Official]
[Title]
[Name of Political Jurisdiction]
[Address]
[City, State, Zip]

RE: [Name of Project]

Utility Allowances for projects requesting HOME funding

Q: Per the Guidelines, applicants who are seeking HOME Funds must comply with HOME regulations for Utility Allowances, which in the Guidelines OHFA state excludes PHA Utility Allowances. On January 29, 2025, OHFA issued a Compliance Update from the Multifamily Housing department regarding the New 2025 HOME Rule. Under the new rule the statute, "Allows the PHA utility allowance to be used for HOME units. The 2025 HOME Rule also allows HUD's Utility Schedule Model, estimates, and an engineer's consumption model for HOME units."

Can you please confirm if applications submitted as part of the 2025 9% LIHTC program seeking HOME funds will be able to include PHA utility allowances as now permitted.

A: Yes, based on OHFA's Multifamily Housing: Compliance Update on January 29, 2025, the 2025 HOME Rule allows the PHA utility allowance to be used for HOME units in addition to the HUD's Utility Schedule Model, estimates, and an engineer's consumption model for HOME units.

Related-Party Acquisitions

Q: The policy specifically excludes vacant non-income generating land. Is it correct a project can pay a related party (in this case the neighborhood CDC who bought the land specifically for the development of affordable housing)? Is the reimbursement restricted to the lower of the purchase price or the as-is restricted appraised value of the land? There would be no "Cash Out" to the seller, only reimbursement of cost documented on a Settlement Statement?

A: Per page 25 of the Guidelines, there is no explicit policy that restricts whether the applicant uses the purchase price or the as-is restricted appraised value.

Q: Is a project able to reimburse a co-developer (in this case the neighborhood CDC) for the cost of buildings purchased with the express intent of including in a LIHTC project? Is the reimbursement restricted to the lower of the purchase price or the as-is restricted appraised value of the land? There would be no "Cash Out" to the seller, only reimbursement of cost documented on a Settlement Statement?

A: A project can reimburse a co-developer for the cost of buildings that the respective co-developer is selling to the to-be-formed ownership entity so long as the acquisition cost adheres to OHFA's prohibition on related-party seller cash out. In this scenario, the neighborhood CDC would be the building seller and the co-developer, so the related-party seller cash out prohibition would apply. Therefore, if the appraised value of

buildings net of the payoff of any unrelated-party debt results in a positive value, that value must be included in the construction and permanent financing as a seller note.

Q: Does the carve out for new construction cash out to seller apply to mixed construction projects that also includes units that need rehabilitation or adaptive reuse?

A: No, the project must be 100% new construction to be eligible for the cash out to seller carve out.

Supportive Service Plan

Q: Are New Affordability - General Occupancy projects that list Supportive Services Coordination cost (AHFA – OpBudget line 44) required to submit a Supportive Services Plan (SSP) at Proposal Application or only Senior and Service Enriched Housing Applications? OHFA has not required New Affordability - General Occupancy projects to submit SSP's at Proposal Application in the past.

A: Yes, per page 73 of the Guidelines, projects that propose providing supportive services must provide a supportive services plan at proposal application and at 8609.

38. Supportive Services Plan & Providers			
When is this due?	Pre-Application <input type="checkbox"/>	Proposal Application <input checked="" type="checkbox"/>	Final Application <input type="checkbox"/> 8609 <input checked="" type="checkbox"/>
<u>At Proposal Application:</u>			
For projects that propose providing supportive services (including all Senior projects seeking points for Experienced Service Coordinator and Service-Enriched Housing applications), the applicant must provide a narrative detailing the specific services to be provided, the proposed service provider(s), its (their) history providing such services, and a budget.			
<u>At 8609 Submission:</u>			
<ul style="list-style-type: none">For New Affordability – Senior projects securing points for Experienced Service Provider and all Service-Enriched housing developments, Supportive Services Plans (SSP) are due no later than the request for IRS 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.			

Proximity to Amenities Documentation

Q: Proximity to Amenities – What information needs to be included on the Google screenshot to document that an amenity meet's OHFA definition. For example, does a screenshot need to explicitly state a Grocery has eight or more fresh fruits? Will a walking/driving map work?

A: Requirements for competitive scoring start on page 35 of the Guidelines. For each amenity being submitted for point consideration, except Transit, the applicant must submit all three of the following:

- 1) a self-provided map (e.g., Google Map screenshot) that indicates the linear distance between the location of the development and the amenity being claimed (maps that indicate walking or driving distance will not be considered);
- 2) documentation of how the amenity meets the definition outlined above; and
- 3) evidence the amenity is currently in operation.

Documentation/Evidence may include screenshots from Google that document the amenity's current hours of operation as well as the types of products or services it provides. If information cannot be found online, then you must visit the amenity and provide evidence of how it meets the applicable definition and it is currently in operation.

For example, when looking at a nearby Kroger, this is what's provided online. This shows us that the business is currently open and the types of products it provides to meet our definition. You can also go online and download the weekly grocery ad to demonstrate how it meets our definition.

Thus, you would need to submit the screenshot below, plus a map of this amenity showcasing its proximity (linear distance) to the development site to demonstrate the amenity is currently in operation, meets our definition, and is in proximity to the development site. However, if this information is not available online, then yes, you would need to go inside the grocery store and provide evidence it meets our definition of a grocery store as well as it is currently in operation as well as provide a map to show it is in proximity to the development site, see example below.

Kroger



4.0 ★★★★★ (887) · \$\$ · Grocery store



215+ Photos

- [Website](#)
- [Directions](#)
- [Save](#)
- [Call](#)

Overview

Reviews

Large supermarket chain with deli & bakery departments, plus health & beauty products.

Service options: Has passport photo services · Offers same-day delivery · Has plastic bag recycling

Address: 1375 Chambers Rd, Columbus, OH 43212

Areas served: 43201 and nearby areas

Hours: Open · Closes 11PM

Bakery: Open · Closes 8 PM · [More hours](#)

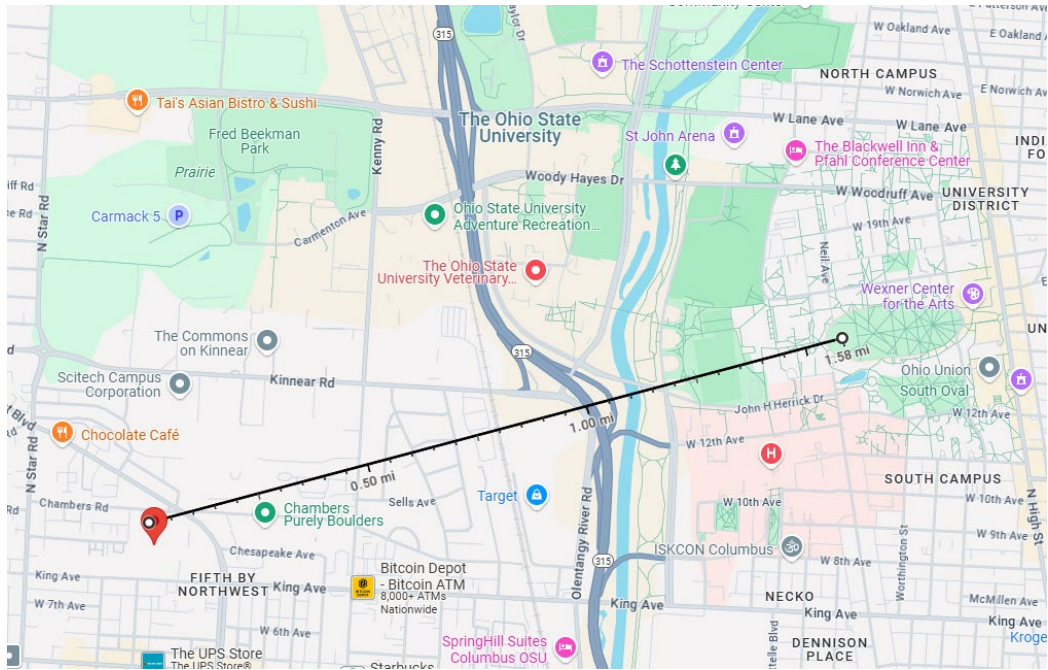
Confirmed by this business 7 weeks ago

Departments: Kroger Bakery · Kroger Deli · Kroger Floral Department · Kroger Fuel Center · Kroger Pharmacy

Phone: (614) 488-1116

Order: [kroger.com](https://www.kroger.com), [doordash.com](https://www.doordash.com), [instacart.com](https://www.instacart.com)

Providers ⓘ



Example of a linear map of the above Kroger to Thompson Library at OSU.