**Exception Request Form**

4% LIHTC Only

The Office of Multifamily Housing, Development Division implements the federal Low-Income Housing Tax Credit (LIHTC) program in addition to gap financing through the Housing Development Assistance Program (HDAP) to support the development of affordable rental housing throughout the state of Ohio. Exceptions to the Qualified Allocation Plan (QAP), LIHTC Rental Underwriting Guidelines, and Design and Architectural Standards (DAS) must be requested through this Exception Request Form and are considered on a case-by-case basis with compelling justification. Programmatic Exception Requests are due at Pre-Application while Underwriting and Design Exception Requests will be submitted and reviewed with the Final Application.

Instructions:

1. **Send a separate form for each individual Exception Request**
2. Include this form and all supporting documentation as directed in the most recently-approved 4% LIHTC QAP either with the Pre-Application submission or the Final Application. Exception Requests submitted through the Exception Request Mailbox will not be considered.

|  |  |
| --- | --- |
| Date |  |
| Funding Round | 4% LIHTC Only (4% LIHTC without state gap financing or OLIHTC) |
| Project Name |  |
| Project Address |  |
| Developer  |  |
| Developer Contact Name |  |
| Developer Contact Email  |  |
| Developer Contact Address |  |
| Developer Contact Phone  |  |
| Architect/Architectural Firm  |  |
| Construction Type (Check All) | [ ] New Construction [ ] Rehabilitation [ ]  Adaptive Reuse [ ]  Mixed  [ ] Moderate A  [ ] Moderate B  [ ] Substantial |
| Population Served (Check All) | [ ] General Occupancy [ ]  Senior [ ]  Service Enriched  |
| Other Important Information |   |

## Section 1: Programmatic Exceptions

Programmatic Exceptions are **due** **at Pre-Application**. For each category below be as specific as possible and describe what actions you will take to best further the intent of the requirement. Provide supporting documentation as necessary to justify your request.

|  |  |  |
| --- | --- | --- |
| *Check* | Section | Exception |
|  | ***Programmatic Exceptions*** |
|[ ]  Primary Market Area  | Multi-site developments in which all units are not located within a single Primary Market Area |
|[ ]  Experience and Capacity: Significant 4% LIHTC Experience in Other States | Participate in more than one 4% LIHTC project. Provide at least five IRS 8609s from other states and a letter from the state for each indicating who the lead developer entity was on each. |
|[ ]  Cost Containment | Project exceeds cost containment standards |

### Programmatic Exception Guidance

For each of these exceptions, please refer to the current [4% LIHTC Qualified Allocation Plan (QAP)](https://ohiohome.org/ppd/documents/4-LIHTC-QAP.pdf) or current [LIHTC Rental Underwriting Guidelines](https://ohiohome.org/ppd/resources.aspx).

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| Programmatic Exception Request Justification |
| * For each category selected on the previous page, describe your justification for requesting the exception. Be as specific as possible and describe what actions you will take to best further the intent of the requirement.
* Provide supporting documentation as necessary to justify your request.
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|  |

## Section 2: Design Exceptions

All Design Exception Requests are due **with the Final Application package**.

For each category below describe the reason for the request and what actions you will take to best further the intent of the requirement. Provide supporting documentation as necessary to justify your request including plans, elevations, site grading, or any other drawings that give context to the request. Refer to the most recently-approved [Design and Architectural Standards](https://ohiohome.org/ppd/documents/DesignArchitecturalStandards.pdf) for further requirements and details.

The OHFA architectural team will review requests and make a recommendation to the management team to accept, deny, or modify the exception. A determination will be made by OHFA by the date indicated in the applicable program calendar.

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| --- |
| Project Information |

|  |  |
| --- | --- |
| Total number of units in development: |  |
| Total number of units needing exception: |  |
| Utilizing federal historic tax credits? |  |

**New Construction**

|  |  |  |
| --- | --- | --- |
| *Check* | Design Standards Section | Exception |
|[ ]  Non-OHFA Requirement | Item is subject to conflicting, non-OHFA requirement |
|[ ]  Special Consideration  | Unable to comply for compelling reason |
|[ ]  Supply chain issues | Significant supply chain shortages that are either protracted or unclear when a resolution will be identified |

**Rehabilitation or Adaptive Reuse**

|  |  |  |
| --- | --- | --- |
| *Check* | Design Standards Section | Exception |
|[ ]  Universal Design | Unable to meet one or more of the standards*2 alternative items must be provided for each exception requested.* |
|[ ]  Existing-to-remain | Existing-to-remain that does not meet DAS requirements |
|[ ]  Accessibility  | Compliance is technically infeasible*Must provide alternative methods of compliance to provide accessibility to the greatest extent possible (e.g. semi-ambulatory or reconfiguration)* |
|[ ]  Replace item(s) with 75%+ RUL | Replacement of item is required for green certification  |
|[ ]  Durable Materials - Exterior | Unable to meet one or more of the standards |
|[ ]  Holes & Penetrations | Unable to meet one or more of the standards |
|[ ]  Main Entry | Unable to meet one or more of the standards |
|[ ]  Site Design & Landscaping | Unable to meet one or more of the standards |
|[ ]  Parking & Pathways | Unable to meet one or more of the standards |
|[ ]  Outdoor Recreational Features | Unable to meet one or more of the standards |
|[ ]  Stormwater Management | Unable to meet one or more of the standards |
|[ ]  Durable Materials - Interior | Unable to meet one or more of the standards |
|[ ]  Building Systems | Unable to meet one or more of the standards |
|[ ]  Common Areas | Unable to meet one or more of the standards |
|[ ]  Elevators | Unable to meet one or more of the standards |
|[ ]  Interior Doors | Unable to meet one or more of the standards |
|[ ]  Floor Coverings  | Unable to meet one or more of the standards |
|[ ]  Unit Sizes | Unable to meet one or more of the standards |
|[ ]  Bedroom Sizes | Unable to meet one or more of the standards |
|[ ]  Bathrooms | Unable to meet one or more of the standards |
|[ ]  Kitchen & Appliances | Unable to meet one or more of the standards |
|[ ]  Laundry Facilities | Unable to meet one or more of the standards |
|[ ]  Supply chain issues | Significant supply chain shortages that are either protracted or unclear when a resolution will be identified |

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| Design Exception Request Justification |
| * For each category selected on the previous page, describe your justification for the request and the actions you will take to best further the intent of the requirement.
* Provide supporting documentation as necessary to justify your request including plans, elevations, site grading, or any other drawings that give context to the request. Refer to the most recently-approved Design and Architectural Standards for further requirements and details.
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## Section 3: Underwriting Exceptions

Underwriting exceptions are **due with the Final Application** (if applicable). For each category below be as specific as possible and describe what actions you will take to best further the intent of the requirement. Provide supporting documentation as necessary to justify your request. Refer to the most recently-published [LIHTC Rental Underwriting Guidelines](https://ohiohome.org/ppd/resources.aspx) for further requirements and details on each of the below.

|  |  |  |  |
| --- | --- | --- | --- |
| *Check* | UW Guidelines Section | Exception |  |
|[ ]  Development Budget: Construction Contingencies | Construction contingency exception if required by other funding sources |  |
|[ ]  Development Budget: Reserves | Minimum replacement reserve exception if required by other funding sources |  |
|[ ]  Income & Expense: Vacancy | Reduce vacancy assumption from 7% to 5% for preservation properties with project-based subsidy and high occupancy rate history |  |
|[ ]  Income & Expense: Income/Expense Escalation | Escalation exception for HUD/RD/PHA properties with break-even operations |  |
|[ ]  Income & Expense: Expenses | Service coordination expense exception for Service Enriched, senior, or if required by other funding sources |  |
|[ ]  Income & Expense: Debt Coverage Ratio (DSCR) | Reduction in minimum DCR from 1.20 to 1.15 if upward trends in DSCR is maintained over the 15-year Compliance Period |  |

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| Justification |
| * For each category selected above, describe your justification for the request and the actions you will take to best further the intent of the requirement.
* Provide supporting documentation as necessary to justify your request. Refer to the most recently-approved LIHTC Rental Underwriting Guidelines for further requirements and details.
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