

Amendments to the 2014 Qualified Allocation Plan
Effective February 18, 2014

1. The appropriate reference to the IRS regulations for compliance is “IRS Regulation 1.42-5”.
2. The following replaces section 7f on page 53 of the 2014 Qualified Allocation Plan:

7.f. Pursuant to requirements under Treasury Regulation 1.42-5, the buildings and low-income units were suitable for occupancy, taking into account local health, safety, and building codes, and the State or local government unit responsible for making local health, safety, or building code inspections did not issue a violation report for any building or low-income unit in the project. If a violation report or notice was issued by the governmental unit, attach a statement summarizing the violation report or notice or a copy of the violation report or notice to the annual certification and state whether the violation has been corrected.

3. The term “extended use period” shall be defined as: “Beginning on the first day in the 15-year compliance/period and ending no earlier than 15 years after the close of the compliance period.” (See Internal Revenue Code Section 42(h)(6)(D) for more information.)

This definition shall apply to any references of “extended use period” made in the 2014 Qualified Allocation Plan.

4. The following replaces section 9 on pages 54 through 55 of the 2014 Qualified Allocation Plan:

9. OHFA has the right to review resident files throughout the 15-year compliance period and Extended Use Period. OHFA has the right to perform on-site inspections of any low-income housing project through the end of the Extended Use Period. Buildings receiving new allocations of credit will be inspected no later than the end of the second calendar year following the year the last building in the project is placed in service. For at least 20 percent of the project’s low-income units, OHFA will inspect the units and review the low-income certifications, the documentation supporting the certifications, and the rent records for the tenants in those units. OHFA will provide prompt written notice to the owner of a housing tax credit project if OHFA does not receive the required certification or discovers through inspection, review, or any other manner that the project is in non-compliance. The owner will have up to 60 days from the date of the notification to correct any non-compliance issues found and give a written response to OHFA of corrective actions taken. OHFA may, with good cause, extend the correction period for up to six months.

During the correction period, an owner must correct any non-compliance and provide evidence to OHFA of such corrections.

Pursuant to Treasury Regulation 1.42-5(c)(2)(ii)(B), at least once every three years, OHFA will conduct on-site inspections of all buildings in the project, and for at least 20 percent of the project’s low-income units, OHFA will inspect the units and review the low-income certifications, the documentation supporting the certifications, and the rent records for the tenants in those units.

5. The following replaces section 10 on page 55 of the 2014 Qualified Allocation Plan:

10. When OHFA identifies instances of non-compliance, it is required to file Form 8823, "Low-Income Housing Tax Credit Agencies Report of Non-Compliance" with the IRS no later than 45 days after the end of the correction period, and no earlier than the end of the correction period, whether or not the non-compliance is corrected. OHFA must explain on Form 8823 the nature of the non-compliance or failure to certify (reference 26 CFR Par. 2. 1.42-5 [e][3]). In addition to notifying the IRS of non-compliance, OHFA may place the project on its Multifamily Watch List or consider the owner or manager not in good standing with OHFA programs.

6. All other provisions in the 2014 Qualified Allocation Plan shall remain unchanged.