

175-12-01**Definitions.**

As used in this chapter:

- (A) "Affordable" means a single-family dwelling with a monthly mortgage payment (including residential real estate taxes and insurance and, if applicable, condominium fees) that is no more than thirty percent of the qualified buyer's monthly income.
- (B) "Blighted" means a structure that is dilapidated, unsanitary, unsafe, or vermin infested and that because of its condition has been designated by an agency that is responsible for the enforcement of housing, building, or fire codes as unfit for human habitation, or acquired by a land bank.
- (C) "Completion" means issuance of final cost certification and all available home sale summaries.
- (D) "Construction completion" means the issuance of final certificates of occupancy all units of single-family dwelling in a qualified project.
- (E) "Credit certificate" means eligibility certificate issued by the director to a project development owner under division (D) of section 175.17 of the Revised Code.
- (F) "Designated reporter" means the project development owner or one of the owner's direct or indirect partners, members, or shareholders, as selected by the owner under division (B) of section 175.17 of the Revised Code.
- (G) "Development costs" means actual costs for marketing, appraisal, closing, administration, land, site development, hard construction costs, soft construction costs, and developer fee (if any) if at or under the limits imposed by this plan. Such costs may be reduced by any shortage between the amount of single-family tax credit to which the qualified project is eligible and the amount of equity generated by sale of single-family tax credit.
- (H) "Development team" means a consortium or partnership of entities formed by the project development owner to develop a qualified project. The team must include: (1) if development services are not being managed directly by the project development owner, a housing developer, (2) building contractor, (3) third-party appraiser, (4) if not provided by the project development owner, a housing counseling agency, (5) construction lender, and (6) if applicable, a project architect.
- (I) "Director" means the executive director of the Ohio housing finance agency.
- (J) "Eligible home buyer" means (1) qualified military veterans who have received an honorable discharge from the U.S. military, even if they have previously owned a

home or (2) displaced homemakers as such term is defined in 42 U.S.C. § 12713(b) (1).

(K) "First time home buyer" means an occupant borrower who has not had an ownership interest in a principal residence at any time during the three-year period ending on the date the mortgage is recorded.

(L) "Home sale summary" means the submission to Ohio housing finance agency by the project development owner or designated member of the development team within thirty days of the sale of each single-family dwelling to a qualified buyer, containing the following: (1) recorded deed, (2) recorded restrictive covenant made by the qualified buyer for the benefit of the Ohio housing finance agency and project development owner, (3) a certificate of homeowner's insurance in a form reasonably acceptable to OHFA, and (4) the qualified buyer's recorded mortgage.

(M) "Homebuyer education" means a certificate from a United States department of housing and urban development-approved counseling agency issued within the previous twelve months or participation in Ohio housing finance agency streamlined homebuyer education.

(N) "Homeowner gain" means the difference between the appraisal price of the home at completion and the initial or subsequent sale price of the home during the affordability period.

(O) "Homeowner tax credit equity" means the difference between the sale price of a single-family dwelling at the time of initial sale to a qualified buyer minus the appraisal price.

(P) "Minimum construction standards" means a single-family dwelling that contains two bedrooms and one and one half bathrooms.

(Q) "Mortgage" means a fixed-interest residential mortgage, with insurance and property taxes escrowed, on a home in a qualified project.

(R) "Project development owner" means a unit of government that owns a qualified project. Pursuant to division (C) of section 175.17 of the Revised Code, the project development owner shall maintain ownership of a qualified project and associated single-family dwellings until the dwellings are sold to qualified buyers. A project development owner shall be deemed to satisfy the ownership requirements for the purposes of the statute when:

(1) the project development owner has ownership interest in the project land or single-family dwelling.

(2) an interest in the project development team structure, or

(3) has contributed capital assets to the project.

(S) "Qualified buyer" means an individual as the term is defined in division (G) of section 5701.01 of the Revised Code who:

(1) has a verified income up to one hundred and twenty percent of the area median income,

(2) who has obtained a pre-approval letter from a permanent lender demonstrating that such individual is qualified for a mortgage,

(3) has attended homebuyer education,

(4) has a credit score of six hundred and forty and above,

(5) intends to use the single-family dwelling as a primary residence for the entire affordability period, and

(6) is a first time home buyer or eligible home buyer.

(T) "Qualified project" means a minimum of five:

(1) single-family dwellings to be constructed,

(2) blighted structures to be renovated for habitability, or

(3) a mix of single-family dwelling to be constructed and blighted structures to be renovated for habitability.

(U) "Rehabilitation" means substantial renovation to a building or buildings that results in the reactivation of habitability of a blighted single family dwelling.

(V) "Scattered site" means there are five or more sites which are not contiguous.

(W) "Service" means to (1) ensure the single-family dwelling remains affordable throughout the affordability period and (2) submit annual certifications to Ohio housing finance agency demonstrating continued affordability and compliance with single-family tax credit requirements.

(X) "Single-family dwelling" means (1) fully detached residential unit or (2) multi-unit owner occupied residential units (including duplexes, triplexes, fourplexes, row houses, townhouses, and multi-story condominiums), provided that any such

dwelling is the primary residence of the qualified buyer and meets the minimum construction standards. The structure must be placed and secured on a foundation.

(Y) "Unit of government" means a county, township, municipal corporation, regional planning commission, community improvement corporation, economic development corporation, or county land reutilization corporation organized under Chapter 1724 of the Revised Code, or port authority.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	R.C. 175.05, 175.17
Rule Amplifies:	R.C. 175.17