Description and Purpose of the Rules:

This rulemaking simplifies the administration of the Section 8 Program. The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U.S. Housing Act of 1937. It is the U.S. Department of Housing and Urban Development’s (HUD) primary rental assistance program and is now called the Housing Choice Voucher (HCV) Program.

Currently, OHFA has a substantial body of administrative rules in Chapter 50 governing the administration of the Section 8/HCV program. It also has its Administrative Plan required by federal regulations, 24 C.F.R. §982.54. This rulemaking would revoke most of OHFA’s current Chapter 50 rules and provide for administration of the Section 8/HCV program through its Administrative Plan. This will save OHFA the time and money required to keep both a set of rules under the Administrative Procedures Act and the Administrative Plan governed by federal law and regulations.

Description of the Classes of Persons Who Most Likely Will Be Affected by the Proposed Rule Including Classes That Will Bear the Costs of the Proposed Rules:

The persons most likely affected by this proposed rulemaking are providers of services under the Section 8/HCV program who will no longer have to conform their operations to both state administrative rules and the federally required Administrative Plan. This should reduce the cost of their operations as well as reduce the cost to OHFA of maintaining and periodically updating state administrative rules to conform to federal requirements.

Description of the Classes of Persons Who Will Benefit From the Proposed Rule:

As indicated above, the persons who will benefit from this rulemaking are those who provide Section 8/HCV services and OHFA and its staff whose administrative burdens will be diminished.

Description of the Probable Economic Impact of the Proposed Rule Upon Affected Classes of Persons, Political Subdivisions, Including a Discussion of Fee Charges:

The proposed rulemaking will simplify both providing Section 8/HCV services by various providers and administering the program by OHFA. It will not affect political subdivisions, unless they provide Section 8/HCV services, in which case they will be benefitted. There are no fees or fee changes contained within these amended Chapter 50 Rules.
Probable Costs to the Agency and to Any Other Agency of the Implementation and Enforcement of the Proposed Rule and Any Anticipated Effect on State Revenues Including Any Projected Net Loss Or Gain in Such Revenues:

The anticipated cost associated with these proposed amended Chapter 50 Rules consists primarily of minimal staff time, public hearing and transcript costs, publication costs, and copy costs all funded by OHFA’s general operating budget involved in the rulemaking itself. No other agency will be affected.

OHFA does not operate on state revenues. Therefore, these proposed rules should have no impact on State appropriated funds.

A Determination of Whether Implementation of the Proposed Rule Will Have an Adverse Economic Impact on Any Political Subdivisions Or Require Their Cooperation in Implementing Or Enforcing the Rule:

This rulemaking will have no impact on political subdivisions unless they provide Section 8/HCV services, in which case the rulemaking will ease their regulatory burden. Their cooperation will not be required in implementing or enforcing these rules.

An explanation of measures taken by the agency to minimize compliance costs and a determination of Whether There Is Less Costly Methods Or Non-Regulatory Methods Or Less Intrusive Methods for Achieving the Purpose of the Proposed Rule:

This rulemaking repeals a large body of OHFA’s current Chapter 50 rules. The cost of doing so is minimal. It will not impose compliance costs on any party. Repealing these rules is not intrusive to any affected party.

A determination of the effect of the proposed rulemaking on the public health, safety, and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

This rulemaking is not designed to reduce significant risks to the public health, safety or environment. It will not affect the health, safety or environment experienced by the public.

A determination of any detrimental effect on the public health, safety, and environment if the proposed rulemaking is not implemented:

There will be no detrimental effect on the public health, safety, and environment if the proposed rulemaking is not approved.

Date Rule Impact Statement was Prepared: This Rule Impact State was prepared February 6, 2020.