

Housing Decision Making

Participant Manual



THE SUPREME COURT *of* OHIO
JUDICIAL COLLEGE

THE SUPREME COURT *of* OHIO

HOUSING DECISION MAKING

PARTICIPANT MANUAL



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ADMINISTRATIVE DIRECTOR



ADG: Housing Decision Making
November 15, 2022 – Webinar

AGENDA

- 1:00 Welcome & Introductions
Sam Campbell, *Education Program Manager, The Supreme Court of Ohio*
- 1:05 **Overview & Learning Objectives**
Jeannette Welsh, Esq., *Ohio Department of Developmental Disabilities (DODD)*
- 1:10 **Legal Rights and Responsibilities in Community-Based Housing**
Katherine Hunt Thomas, Esq., *The Ability Center, Toledo, OH*
- 1:40 **Practical Considerations for Your Housing Search**
Jeannette Welsh, Esq., *Ohio Department of Developmental Disabilities (DODD)*
- 1:50 **Housing for Specific Populations**
Jennifer Landau, *HOME Choice Education and Outreach Manager, Ohio Department of Medicaid*
Susan Tafrate, *Ohio Department of Mental Health and Addiction Services (OhioMHAS)*
Jeannette Welsh, Esq., *Ohio Department of Developmental Disabilities (DODD)*
- 2:05 Break
- 2:15 **Ohio 811 Program**
Jeannette Welsh, Esq., *Ohio Department of Developmental Disabilities (DODD)*
- 2:25 **Subsidized Housing Law**
Joseph Maskovyak, Esq., *Coalition on Homelessness and Housing in Ohio (COHHIO)*
- 3:15 Break
- 3:25 **Reasonable Accommodations and Reasonable Modifications**
Jeannette Welsh, Esq., *Ohio Department of Developmental Disabilities (DODD)*
Joseph Maskovyak, Esq., *Coalition on Homelessness and Housing in Ohio (COHHIO)*
- 3:45 **Who Signs the Lease? and Other Issues for Guardians**
Derek Graham, Esq., *Resch, Roots, Phillips and Graham, LLC*
- 4:00 **Ohio Housing Locator**
Rachel Nelson, *Project Administration Manager, Ohio Housing Finance Agency*
- 4:15 **Questions and Answers**
- 4:25 Adjourn

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FACULTY BIOGRAPHIES

DEREK GRAHAM is an estate planning attorney and partner at Resch, Root, Philipps & Graham, LLC in Dublin, Ohio. Derek's practice focuses on estate planning, special needs estate planning, developmental disabilities law, guardianship, probate, probate litigation and business (organizational, transactional and succession). Early in his career he was fortunate to get experience in civil litigation, business transactions and estate planning. Then in 2009, he and his wife had their first daughter who was born with Down syndrome. Like many of his clients today, they were inundated with information and felt overwhelmed. Twelve years later, he now spends the majority of his days helping similarly situated families with the various resources that exist. Derek finds it very rewarding to help families understand how to effectively and practically plan their estate. More than that though, he enjoys helping families understand the resources available to them and how to get the most out of those resources.

KATHERINE HUNT THOMAS works as the disability rights attorney and director of advocacy for The Ability Center of Greater Toledo. Having a sister with Down syndrome, she grew up challenging others' perceptions of disability, and her leadership made The Ability Center's advocacy program a national award winner. She expanded The Ability Center's impact by creating an ADA coordinator network; annual ADA seminars; and received a Community Partnership award. Hunt Thomas graduated magna cum laude from Xavier University and then served in the Jesuit Volunteer Corps. She then graduated from The University of Toledo (UToledo) College of law in 2009, cum laude and received highest honors in her disability law class. She then completed an Americorps Equal Justice Works Fellowship at ABLE before beginning her current role. Hunt Thomas serves on multiple boards and committees leading a variety of efforts to benefit the community, including: co-chair of the Advocacy and Public Policy Committee for the Toledo Lucas County Commission on Disabilities; the TARTA board of directors; the DD Council Housing Taskforce; the Aging and Disability Transportation Coalition; the Toledo Bar Association; and the Ohio State Bar Association, among other achievements.

JENNIFER LANDAU, MSW, LSW joined the HOME Choice team in 2020 as the Education and Outreach Manager. Prior to joining the Ohio Department of Medicaid, Jennifer held positions at the Ohio Department of Health developing and delivering learning solutions and completing outreach and engagement activities for several federally funded programs. Jennifer is a master's prepared Social Worker and holds a Master Trainer designation from the Association for Talent Development.

JOSEPH MASKOVYAK started at COHHIO in August 2014 after having served on the COHHIO board for many years. He is a long time housing advocate, starting his career at the Legal Aid Society of Columbus (LASC) where he became the managing attorney for housing and worked on behalf of low income housing clients in Franklin County. In 2007 he moved to the Ohio Poverty Law Center (OPLC) where he pursued legislative work around housing on the state and national level. He has a bachelor's degree in Russian and Political Science and a master's degree in Political Science from Bowling Green State University (BGSU). Prior to attending law school, he spent 4 years teaching in the Political Science Department at BGSU. He earned his JD from The Ohio State University and is licensed to practice law in Ohio and Florida.

RACHEL NELSON serves as Project Administration Section Chief and has over 10 years of experience with Ohio Housing Finance Agency in the Office of Multifamily Housing. Her current responsibilities include overseeing all aspects of the construction, environmental review, and closeout processes for rental projects funded by the Agency. Rachel has been instrumental in working with Emphasys on the Ohio Housing Locator, as it grows and better serves the needs of the affordable housing community. Ms. Nelson holds a Bachelor of Science in Landscape Architecture and a Master of City and Regional Planning from The Ohio State University. She holds a Specialist in Housing Credit Management (SCHM).

JEANNETTE M. WELSH, J.D. Jeannette has served as the Ohio Department of Developmental Disabilities' (DODD) Housing Manager since 2017. Her primary role is to increase access to affordable and accessible community-based housing for people living with developmental disabilities. Jeannette has collective experience in government, not-for-profit, and law. She has specialized in housing for vulnerable populations for over 30 years. Jeannette is an Ohio licensed attorney and received her Housing Development Finance Professional certification from the National Development Council in 2015. She holds a B.A. in History from the University of Toledo, and a J.D. from the University of Toledo - College of Law.

Legal Rights and Responsibilities in Community Based Housing

Katherine Hunt Thomas, Esq.
The Ability Center

Legal Rights and Responsibilities in Community Based Housing

Katie Hunt Thomas
Attorney & Director of Advocacy

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Intro and What is The Ability Center of Greater Toledo?

The Ability Center advocates, educates, partners and provides services supporting people with disabilities to thrive within their community.



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PROGRAMS

Advocacy
Assistance Dogs
Durable
Medical/Assistive Tech
Home Accessibility
Information and
Referral
Youth and Transition



3

“Individuals with Disabilities have historically faced discrimination that limited their opportunity to live independently in the community and required them to live in institutions and other segregated settings.”

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Goals of this Presentation

- Review disability rights history and movement in the United States;
- Review of the Fair Housing Act;
- Review of the community integration mandate of the Americans with Disabilities Act and *Olmstead* decision;
- How does this affect a person with a disability's search for housing?




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History Institutionalization vs. Home and Community Based Living

Institutionalization v Community Based Living

- Traditionally, people with disabilities were subject to a lack of legal rights, opportunity, and institutionalization
- Many residents of institutions were subject to restraints, brutality, starvation, and non-consensual sterilization
- It was often assumed that people with disabilities would not be educated or work, and would live with other people with disabilities, separate from the rest of society
- At the same time, the structure of our society created barriers to community access

Christmas in Purgatory, available at <https://mn.gov/mnicda/parallels2/pdf/undated/Xmas-Purgatory.pdf>



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Disability Rights Movement

- ADAPT and the Denver Bus Protests;
- Nationwide Sit-in of Government Buildings;
- Deaf President Now Protest;
- Capital Crawl.

Deinstitutionalization Movement

- Christmas in Purgatory;
- Movement to end involuntary institutionalization;
- American Association for Abolishment of Involuntary Mental Hospitalization.

Independent Living Movement

- In the 1970s, people with disabilities came together in local organizations known as independent living centers.




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Disability Rights: Timeline




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Housing and Disability Rights

- Federal law passed in 1968 to outlaw housing discrimination based on race, color, religion, or national origin;
- Amended later to outlaw housing discrimination based on sex (1974), disability, and familial status (1988):
 - Includes a refusal to rent or sell based on one of these classes;
 - Discrimination in the terms of rental or sale;
 - Discrimination in advertising;
 - Harassment and retaliation.




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Housing and Disability Rights

The Fair Housing Act: Disability

- Prohibits **refusal rent or sell, offering different terms, discriminatory advertising, and harassment or retaliation** on the basis of disability
- Requires housing providers to **grant reasonable accommodations** in policies and procedures;
- Requires housing providers to **allow reasonable modifications of the premises**;
- Sets **accessible design standards** for new housing.



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General Non-Discrimination

Landlords cannot refuse to rent to a person because they have a disability:

- Mobility aid;
- Service or emotional support animal;
- Source of Income.

Affirmative Rights

- Right to Reasonable Accommodations
- Right to Accessible Housing (Built after 1994)
- Right to Reasonable Modifications



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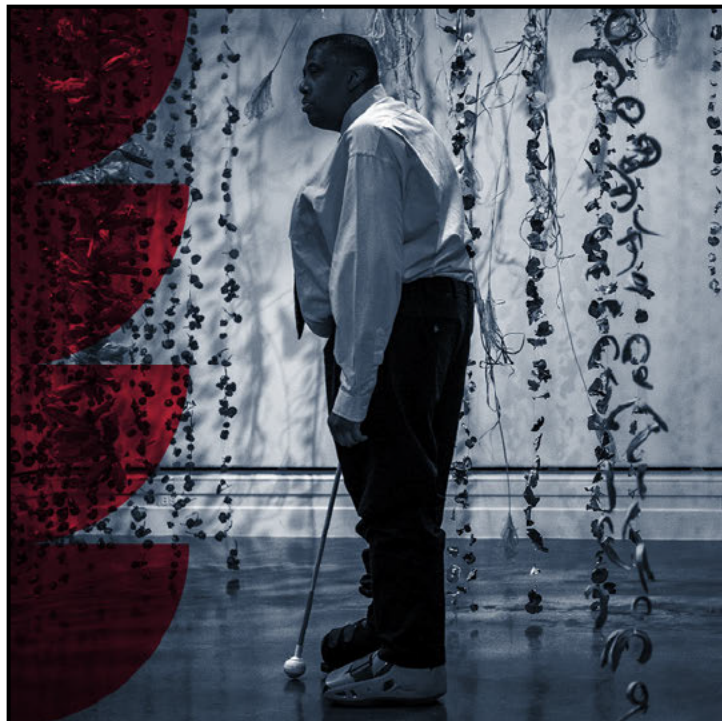
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Americans with Disabilities Act

- Title I: Employment
- Title II: State and Local Government
- Title III: Places of Public Accommodation
- Title IV: Telecommunications
- Title V: Miscellaneous



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The U.S. Supreme Court *Olmstead v. L.C.*

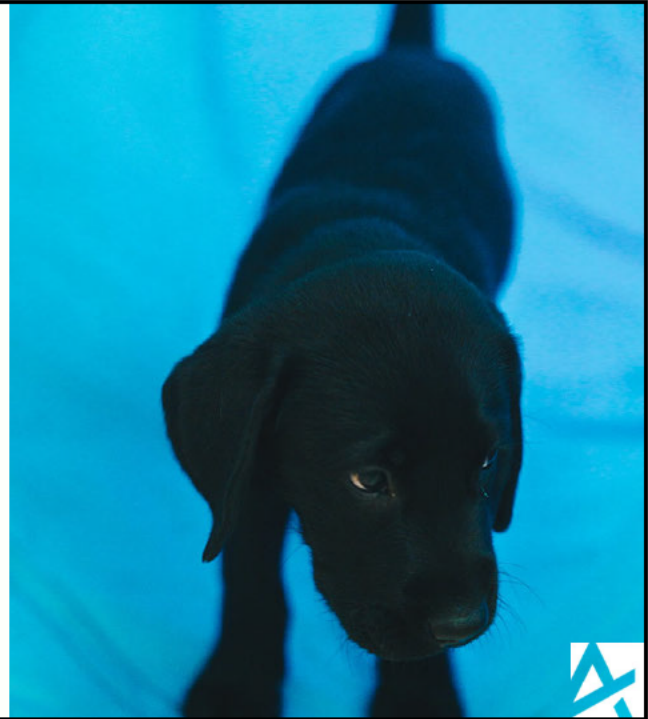
- The U.S. Supreme Court found that, under the ADA, state and local governments must provide services to people with disabilities in the “most integrated environment” appropriate to their needs;
- “unjustified institutionalization of people with disabilities is discrimination.”



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Community-Based Long-Term Care

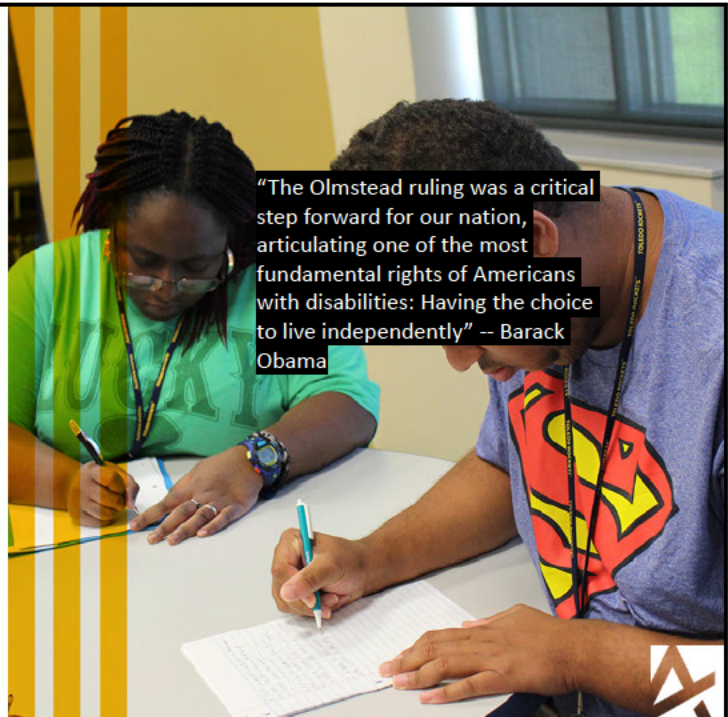
- Based on the ADA and the *Olmstead* decision, if governments provide health care, they must make it available in home- and- community- based settings.
- Must refrain from programs that cause "unjustified isolation"
- Where a state or local government program provides care that forces people with disabilities to live in institutional settings rather than community-based settings, it violates the ADA



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Olmstead and Neighborhood Inclusion

- George Bush Executive Order, Barack Obama "Year of Community Living"
- States have adopted programs that have moved thousands of people with disabilities out of institutions and into community-based settings;
- Where a public entity 1) operates facilities or programs that segregate people with disabilities 2) finance the segregation of people with disabilities in private facilities 3) promotes or relies on segregation of people with disabilities in facilities or programs through its planning, service system design, funding choices, or service implementation practices



"The *Olmstead* ruling was a critical step forward for our nation, articulating one of the most fundamental rights of Americans with disabilities: Having the choice to live independently" – Barack Obama

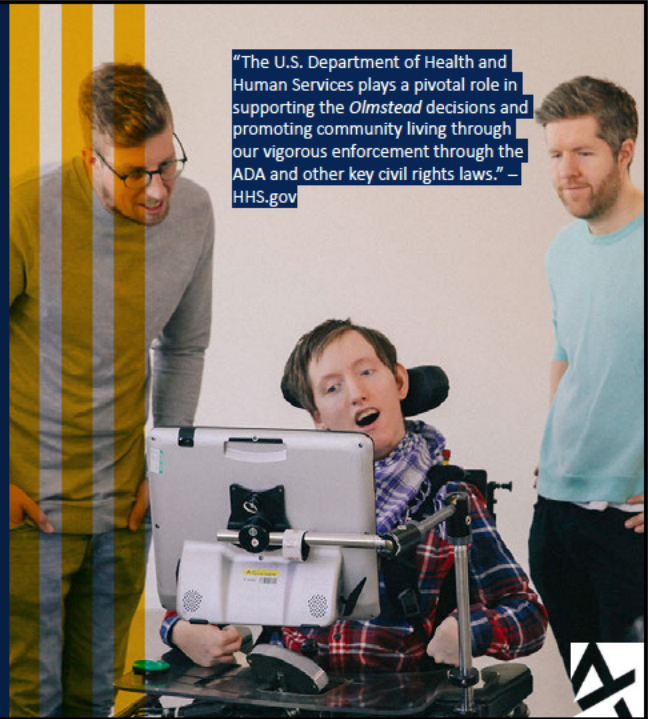
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Olmstead Tools: Health Care

Health Care: Centers for Medicaid and Medicare Services

- CMS made it easier for states to offer Home and Community Based Services Waivers (HCBS Waivers)
- Allows states to use Medicaid funding to cover in-home medical and non-medical long-term care services like transportation, home modifications, and in-home care
- Money Follows the Person -- in Ohio, Home Choice
- Issued four letters to state Medicaid programs

"The U.S. Department of Health and Human Services plays a pivotal role in supporting the *Olmstead* decisions and promoting community living through our vigorous enforcement through the ADA and other key civil rights laws." – HHS.gov

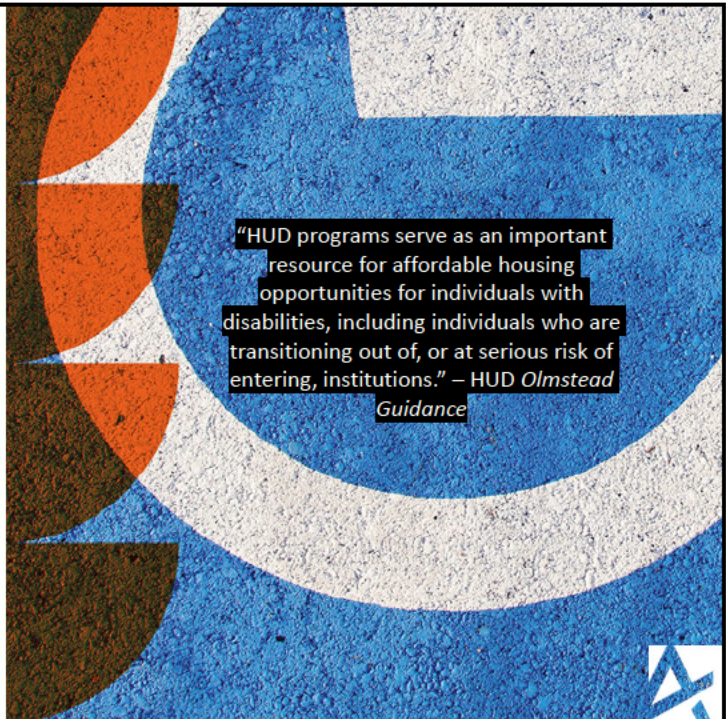


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Olmstead Tools: HUD

- Issued guidance making it clear that HUD funding comes with *Olmstead* obligations
- "committed to providing individuals with disabilities a meaningful choice in housing and delivery of long-term health care and support services"
- Programs
 - Section 8 Vouchers
 - Mainstreaming Vouchers;
 - NED 1 & 2 Vouchers.
 - Section 811 Supportive Housing for People with Disabilities Program – creates new, integrated, affordable housing for people with disabilities

"HUD programs serve as an important resource for affordable housing opportunities for individuals with disabilities, including individuals who are transitioning out of, or at serious risk of entering, institutions." – HUD *Olmstead* Guidance



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Other community-based housing programs

- Group Homes;
- LIHTC housing;
- ICFs;
- Senior housing complexes;
- Assisted Living.

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Summary Disability Rights Effect on Finding Housing



- *Finding and maintaining community-based housing for people with disabilities can be hard;*
- *Often, people need support to maintain housing;*
- *There are legal and policy tools available to help.*



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Independence
Equity
Inclusion
Education
Community



ABILITYCENTER.ORG



Practical Considerations for Your Housing Search

Jeannette Welsh, Esq.

*Ohio Department of Developmental Disabilities
(DODD)*



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Adult Guardianship Housing Decision Making

Navigating Community-Based Housing
Options

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Practical Considerations When Searching for Housing

- Affordability (roommate(s), subsidy)
- Accessibility features
- Type of housing (single/multi-family, townhouse)
- Amenities (laundry, parking)
- Lease (term, notice provisions)
- Services (on-site, separate)
- Proximity to family, other supports, activities
- Background Check (credit, criminal, eviction)

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Contact Information

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Housing for Specific Populations

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*Ohio Department of Developmental Disabilities
(DODD)*



Helping Ohioans Move, Expanding Choice



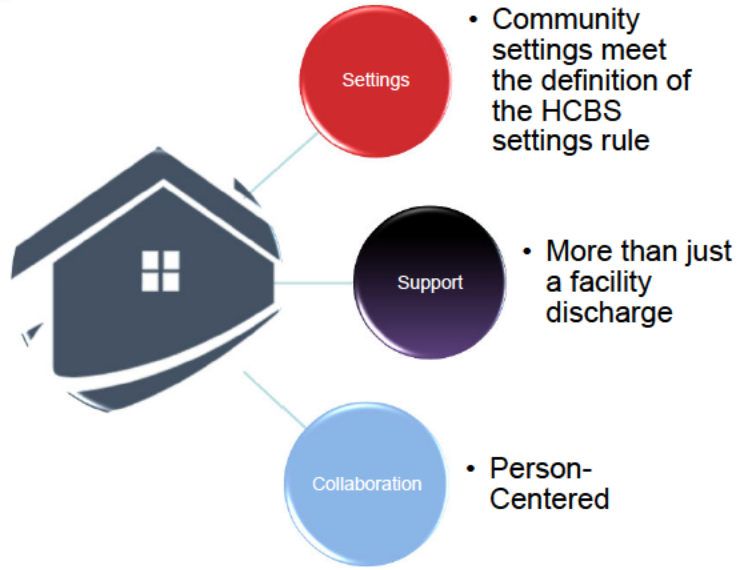
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Program assists adults who want to move from long-term care facilities into the community-based setting of their choice



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Home and Community Based Settings



Home & Community-Based Settings Rule 5160-44-01

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Home Choice Eligibility Requirements

- Be enrolled in Medicaid
- Be a resident of a long-term care facility for 60 days
- Have income to sustain community living
- Participate in an assessment that establishes a need for the program
- Have care needs that can be adequately met in a community setting

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HOME Choice Program Services: Transition Coordination

- HOME Choice Transition Coordinator (TC) collaborates with the program enrollee to create a plan to return to the community
- TC assists in multiple areas including developing a transition plan & budget, locating housing and setting up a household

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HOME Choice Program Services: Community Transition Services

Provides up to \$2000 to use for one-time expenses to establish community-based living.

Can include expenses to establish a home such as:

- Deposits & Fees
- Rental & Moving Expenses
- Household Items & Furniture
- Personal Care Items including essential clothing



[OAC Rule 5160-44-26 | Nursing facility-based level of care home and community-based services programs: community transition services.](#)

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How to Apply

HOMEChoice : Helping Ohioans Move, Expanding Choice Log in

Ohio | Department of Medicaid HOME Choice

Helping Ohioans Move, Expanding Choice

Ohio's HOME Choice program transitions eligible Ohioans from institutional settings to home and community-based settings, where they receive services and supports at home and in their communities.



Who is eligible to participate?
To be eligible for HOME Choice, you must:

- Be enrolled in Medicaid
- Have resided and be a current resident of a long-term care facility in Ohio for at least 60 consecutive days
- Be 18 years of age or older
- Have income to sustain community living
- Participate in a needs assessment and have a need for the program
- Have care needs that can be adequately met in a community setting

How do I learn more and apply?
Individuals and family members/guardians will work with the long-term care facility and HOME Choice transition staff to apply, discuss options and coordinate services and supports.

[→ APPLY HERE](#)

Online:
<https://homechoice.medicaid.ohio.gov/>
or
Click the apply here arrow from the Ohio Department of Medicaid/HOME Choice webpages



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Jennifer Landau, Education & Outreach
Manager

Call: (614) 387-8913

Email:

jennifer.landau@medicaid.ohio.gov

HOME Choice Facts

HOME Choice is a transition program that assists adults (age 18 and older) move from a long-term care facility (e.g. nursing facility, hospital, or ICF-IID) into a home and community-based setting of their choice. Settings include apartments, homes and assisted living facilities.

Individuals participate in the HOME Choice program for up to 180 days before moving to the community and remain with the program for 30 days after transitioning to their own home.

Who is eligible to participate?

To be eligible for HOME Choice an individual must:

- Be enrolled in Medicaid
- Be a current resident of a long-term care facility for at least 60 consecutive days
- Be 18 years of age or older
- Have income to sustain community living
- Participate in an assessment and have a need for the program
- Have care needs that can be adequately met in a community setting

How do I apply?

The application is available on line at homechoice.medicaid.ohio.gov

Want to learn more?

Call HOME Choice at:(888) 221-1560

Email HOME Choice at:
HOME_Choice@medicaid.ohio.gov

Search:
<https://medicaid.ohio.gov/homechoice>

What services does the program offer?

Transition Coordination (TC)

Assist participants in identifying challenges and locating the resources needed for a successful move from the facility to the community. TC may include:

- Meeting with discharge planners and care teams to determine services & supports
- Finding & securing housing
- Locating and applying for additional community resources

Community Transition Services (CTS) Funds to pay for start-up living expenses. CTS may include:

- Security deposits and rental expenses required to obtain a lease
- Essential household items
- Fees and deposits for utilities and other services





Mike DeWine, Governor
Lori Criss, Director, OhioMHAS

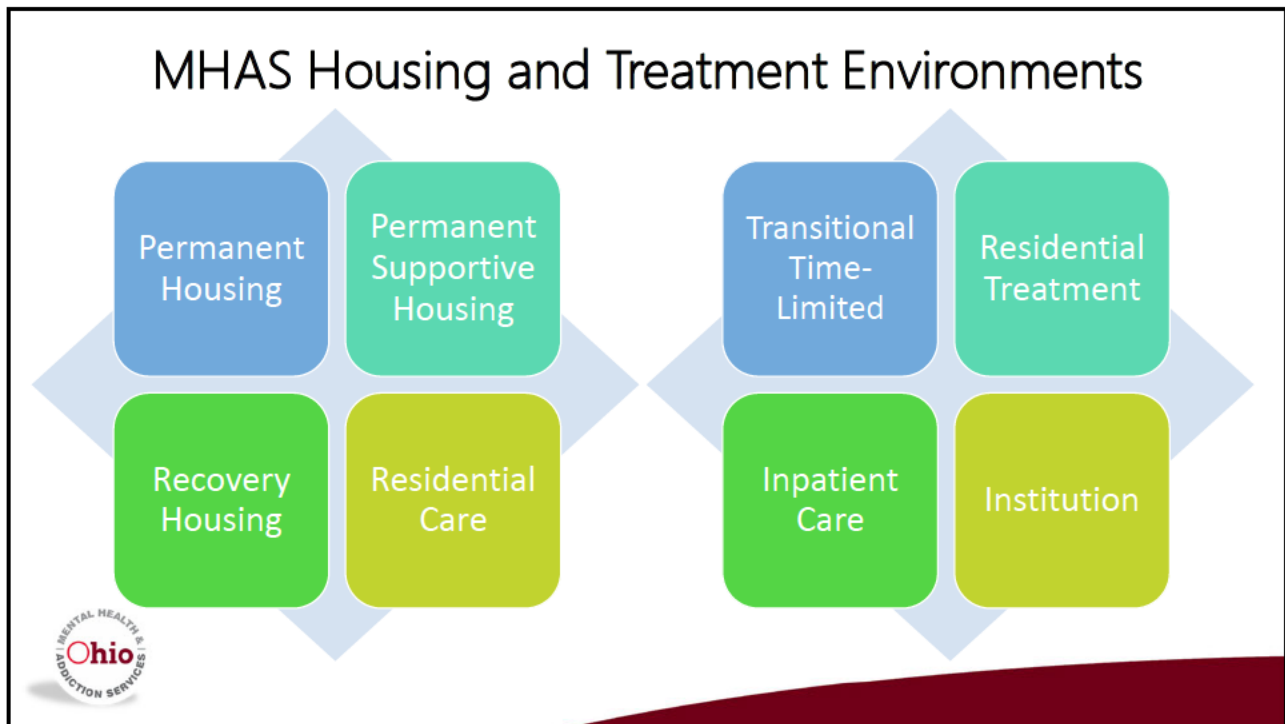
Judicial College Guardianship Webinar: Housing Decisions for Guardians

Ohio Department of Mental Health and Addiction Services
Housing and Homelessness Policy, Program, and Resource Section

Ohio Department of Mental Health and Addiction Services Housing and Homelessness Team

- OhioMHAS is dedicated to enhancing supportive community living options for people living with or recovering from mental illness and/or substance use disorder.
- It is the policy of OhioMHAS to strengthen a continuum of community housing options through advocacy, education, and collaboration with other state agencies, local boards, and provider organizations.
- Quality Housing
 - Physical Structure
 - Physical Environment
 - Program Environment
 - Safety













Mental Health and SUD -- Housing and Treatment Environments

Independent/ Least Restrictive
Least Independent/ Most Restrictive

	Permanent Housing	Permanent Supportive Housing	Recovery Housing	Residential Care	Transitional/Time-limited	Residential Treatment	Inpatient Care	Institution
Reference	• Tenant Unit	• Tenant Unit	• Resident Bed	• Resident Bed	• Resident/Client Bed	• Client/Patient Bed	• Patient Bed	• Inmate/Prisoner
Lease Arrangement	• Lease • Mortgage	• Lease	• Lease/Resident Agreement	• Resident Agreement	• Program Rules/Agreement	• Treatment consent	• Inpatient stay	• Court-ordered sentence
Financial Responsibility	• Rent & utilities • May be subsidized (Project Based or Tenant Based)	• Rent & utilities • May be subsidized (Project Based or Tenant Based)	• Rent & utilities • May be subsidized • Staffing may be included	• Rent & utilities • May be subsidized • Recovery supports may be included	• Program fee includes room, board & program services	• Room, board & program services	• Room, board, medically necessary services	• State- or county-funded
Length of Stay	• Permanent as defined by individual	• Permanent as defined by individual	• Level I - defined by individual • Level II - defined by individual • Level III - typically program driven	• Permanent as defined by individual	• Length of stay is program based	• Length of stay is clinically driven • Clinical/treatment services connected to room and board	• Acute • Forensic status can be longer term	• Court-sentenced
Configuration	• Single site • Scattered site	• Single site • Scattered site	• Single site • Scattered site • Congregate • Shared living space & bedroom may be shared	• Single site • Congregate • Shared bedroom & living space	• Single site • Congregate • Shared bedroom & living space	• Single site • Congregate • Shared bedroom & living space • Treatment environment	• Hospital setting	• Prison/jail environment • Cell • Dormitory

Mental Health and SUD -- Housing and Treatment Environments

	 Permanent Housing	 Permanent Supportive Housing	 Recovery Housing	 Residential Care	 Transitional/Time-limited	 Residential Treatment	 Inpatient Care	 Institution
Housing Support Services	• Off-site in community	• On or offsite recovery supports	• Social Model of Recovery • Level I - Offsite recovery supports • Level II - Offsite recovery supports • Level III - Clinical services with provider of choice	• Assistance with daily living activities • Participation in services not required • Needs are more environmental	• Program services required as part of stay • On or offsite recovery supports required	N/A	N/A	N/A
Clinical Services	• Clinical services are voluntary and community-based	• Clinical services are voluntary and community-based	• Clinical services are voluntary and community-based	• Clinical services are voluntary and community-based	• Clinical treatment & services required	• Clinical services are required & onsite • ASAM 3.1, 3.1, 3.3, 3.5, 3.7	• Medically necessary services • Clinically driven	• Mental health services • Substance use services
Regulatory Constraints	• Fair Housing • Ohio Tenant Landlord Law	• Fair Housing • Ohio Tenant Landlord Law • ADA	• Fair Housing • Ohio Tenant Landlord Law • ADA	• HIPPA • Not Subject to Ohio Tenant Landlord Law	• May be subject to Ohio Tenant Landlord Law • Fair Housing • HIPPA/42 CFR Part 2 • ADA	• HIPPA • 42 CFR Part 2 • Not Subject to Ohio Tenant Landlord Law	• HIPPA • 42 CFR Part 2	• HIPPA • 42 CFR Part 2
MHAS Licensed/certified	NONE	NONE	NONE	• Licensed as Residential Facility Class 3 (room and board only, i.e. no personal care services)	NONE	• SUD Certified • Licensed as Residential Facility	• Licensed as Private Psychiatric Hospitals	NONE
Examples	• Home ownership • Independent apartment • Private property owner	• Housing First • Community residence • Service-enriched housing • Single room occupancy	• Recovery Housing Level I • Recovery Housing Level II • Recovery Housing Level III • Oxford House	• Residential Facility Class 2 or 3 • Group home/adult care facility • Assisted living • Residential facility • JFS, DODD Licensed	• Temporary housing • Host home • (*Transition-aged youth) • HUD Transitional Housing • Recovery-oriented environment	• Crisis Care (MH) • Residential Facility Class 1 (MH) • Recovery Housing Level IV (SUD) • ASAM Level 3.1	• State hospital (MH) • Private hospital • Nursing facility (NF) • ASAM Level 4	• Community-based correctional facility • County jail • State prison



Housing Definitions -- Permanent and Permanent Supportive

Permanent Housing - A community-based housing setting in which individuals and families live as independently as possible in an environment where the length of stay is determined by the individual, a lease in compliance with Ohio Landlord Tenant Law, or mortgage (if applicable). Permanent Housing includes, but is not limited to, single-family homes, apartments, and scattered site housing in the community of the individual's or family's choice. Services and supports are voluntary and selected based on the individual's or family's needs.

Permanent Supportive Housing (PSH) - A housing setting that uses an integrated approach to access long-term, affordable housing options, as well as voluntary, flexible, and comprehensive wraparound/supportive services needed to assist people with a disability achieve and sustain housing stability. Additionally, PSH is not time-limited, except for projects that implement leases in accordance with Ohio Landlord Tenant Law. The wraparound services/supportive services are voluntary and may be provided by the organization managing the property or coordinated with another public or private service agency (Federally Qualified Health Centers). Supports are offered on and offsite and are determined based on individual need and choice. Homeless individuals can access this housing through their local homeless system.



Housing Definitions -- Recovery Housing

Recovery Housing - Recovery housing is characterized as a safe and healthy living environment that promotes abstinence from alcohol and other drugs and enhances participation and retention in recovery supports, including medication-assisted recovery. Key components include, but are not limited to, the social model of recovery, peer support, accountability, relapse prevention strategies, and employment skills training as residents transition to living independently and productively in the community. In National Alliance for Recovery Residences (NARR) levels I through III (defined below), length of stay is determined by the individual and a lease in compliance with Ohio Landlord Tenant Law. Recovery Housing can be accessed through your local ADAMH Board and/or Ohio Recovery Housing (ORH) Housing locator.

National Alliance for Recovery Residences (NARR) Level I: Peer-led, democratically run homes that include community/house meetings, and encouragement to participate in off-site recovery supports. There are no on-site paid staff as this setting is best-suited for individuals in longer-term recovery. Homes are generally single-family residences.

NARR Level II: Homes that include a structured, peer-accountable, and supportive setting. Involvement in off-site recovery supports or community-based clinical services is encouraged. This environment typically includes at least one staff position who may or may not reside on-site. Residents have choice of clinical provider.

NARR Level III: Highly structured setting offering supervised living and qualified staff that are connected to a larger, often clinical organization. Support services include life-skill development, such as budgeting and employment skills. Community providers may offer services on-site for residents. Peer support and recovery action planning are still the central focus of support. Residents have choice of clinical provider.

NARR Level IV: In Ohio, these are considered residential treatment and are required to be licensed by the Ohio Department of Mental Health and Addiction Services (OhioMHAS).



Housing Definitions -- Transitional/Time-limited Housing

Transitional/Time-limited Housing - Transitional housing is an umbrella term to capture housing that serves as an intermediate step to permanent housing. Services provided in this setting assist residents with establishing community reintegration and maintaining residential stability. Additionally, the programmatic environment can include, but is not limited to, room, board, and participation in treatment where services are outlined. Length of stay is determined in a program agreement. Ohio Tenant Landlord Law may be applicable based upon funding source, structure, population, and program focus.



Housing Definitions- Residential Care

Residential Care - A living setting that includes room, board, and personal care. Program rules and service agreements apply. Staffing can be 24 hours a day, seven days a week. Assistance with activities of daily living in a congregate setting is included as defined in the license. Congregate setting means a single-site residence that provides group living; residents may share bedrooms, bathrooms, and living areas. Facilities are owned and operated by a private owner or agency affiliated with or within an inpatient continuum. This type of housing is licensed by the State of Ohio.

OhioMHAS Class 2 Facility: A facility that provide accommodations, supervision, and personal care services to any of the following: (i) one or two unrelated people with mental illness; (ii) one or two unrelated adults who are receiving residential state supplement payments; or, (iii) three to 16 unrelated adults. Facilities are licensed by OhioMHAS.

OhioMHAS Class 3 Facility: A facility that provides room and board for five or more unrelated adults with mental illness. These facilities are licensed by OhioMHAS.

Ohio Department of Health Residential Care Facility: A 24-hour program that includes accommodations, housing, meals, laundry, transportation, social/recreational activities, personal care services, supervision, and skilled nursing care to individuals who are dependent on the services of others by reason of age or physical or mental impairment. This type of facility may be an Assisted-Living Facility and is for 17 or more unrelated adults. These facilities are licensed by the Ohio Department of Health.



Housing Definitions -- Residential Treatment

Residential Treatment - An OhioMHAS-licensed facility that is staffed 24 hours a day/seven days a week that provides room, board, personal care, and clinical services on-site as part of the treatment stay. Typically, a congregate setting is included with this living environment as defined in the license. Entrance and discharge are determined by clinical/medical need. A congregate setting is defined as single-site residence that provides group living; residents may share bedrooms, bathrooms, and living areas. Residential treatment facilities can be for mental health or substance use treatment. The facility is owned and operated by a certified provider agency for the clinical/medical services provided on-site and may be affiliated with or within an inpatient continuum. This type of environment is licensed and is not subject to tenant landlord law. Reasons for this level of care are more clinically driven than environmental. There are two types of residential treatment that are licensed/certified by OhioMHAS:

Class 1 Facilities (Mental Health Residential Treatment): Owned/operated by a behavioral health provider to provide accommodations, supervision, personal care services, and mental health services for one or more unrelated adults with mental illness or one or more unrelated children or adolescents with severe emotional disturbances.

Substance Use Disorder Residential Treatment: An agency, certified for residential, withdrawal management (detox), and inpatient services, that is staffed 24 hours a day, seven days a week. The facility provides room, board, and behavioral health treatment services on-site. Entrance and discharge are determined by clinical/medical need using the ASAM Criteria.



Housing Definitions -- Inpatient/Institution

Hospitals/Inpatient - A 24-hour hospital-based program that includes psychiatric, medical, nursing, and social services required for the assessment and/or treatment of a person with a primary diagnosis of mental illness who cannot be adequately served in the community. Such programs may be offered to adults, adolescents, or children by general hospitals, private hospitals for the mentally ill, and state-operated psychiatric hospitals.

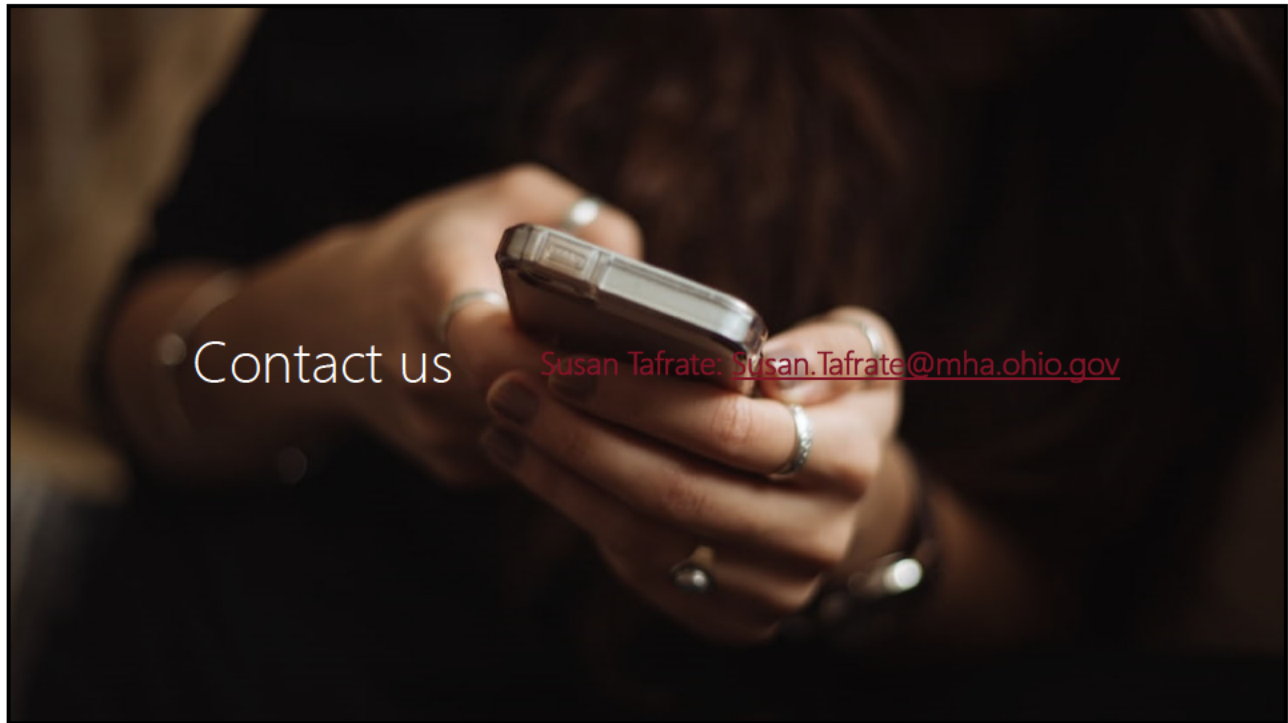
Institution - A 24-hour, facility-based program to which an inmate or prisoner is court-ordered by sentence. The person lives in a cell or dormitory. An individual may receive mental health and/or substance use disorder services if deemed by the facility. This type of setting may be a community-based correctional facility, a county jail, or a state prison.



OhioMHAS Initiatives that Support Housing

- **Recovery Requires a Community:** helps individuals diagnosed with mental health or substance use disorders by providing financial assistance for transitioning from nursing facilities to sustainable community living. Eligible individuals receive short-term assistance to live in a variety of settings, including independent living. For more information, contact: Recovery@mha.ohio.gov.
- **Residential State Supplement (RSS):** provides financial assistance to adults with disabilities to help with accommodations, supervision, and personal care services in eligible living arrangements. Eligible individuals receive ongoing assistance to live in Class Two Residential Facilities, i.e., Adult Care Facilities. For more information, contact: RSS@mha.ohio.gov.
- **Access Success:** Access Success funds are one-time, short-term resources that can support a patient at discharge from a state-run psychiatric hospital. They are often used to meet the needs of the individual for suitable housing, food, clothing, furnishings and other basic items, allowing for a smooth transition back into his or her community. For more information, contact: Caitlin.BehaWorth@mha.ohio.gov.
- **Community Transition Program (CTP):** The CTP program offers adults returning home from prison a transitional benefit of mental health and substance use treatment and help with recovery support services like housing, transportation, work and education. Other areas of recovery support include peer recovery support, life-skills development, relapse prevention/recovery, spiritual support and help with gathering necessary identification documentation. For more information, contact: Christopher.nicastro@mha.ohio.gov.
- OACFA Residential Facility Class 2 Housing Locator: <https://oacfalocator.org/>.
- ORH Recovery Housing Locator: <https://find.ohiorecoveryhousing.org/>.
- OACBHA: You can find your local Mental Health and Addiction Recovery Board (ADAMH) at this link: <https://www.oacbha.org/mappage.php>.





<http://mha.ohio.gov/>

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JUDICIAL COLLEGE

Adult Guardianship Housing Decision Making

Ohio Department of Developmental
Disabilities
Community Housing Programs

1



Ohio Department of Developmental Disabilities –General

Ohio Department of Developmental Disabilities (DODD) oversees a statewide system of supportive services that focus on ensuring health and safety, supporting access to community participation, and increasing opportunities for meaningful employment

Approximately 95,000 Ohioans are served by County Boards

To be eligible for services from a county board of developmental disabilities, a person must have a developmental disability, which is defined under Ohio law as a “severe, chronic disability” that

- is “attributable to a mental or physical impairment or a combination of mental and physical impairments,” other than one caused solely by mental illness;
- is manifested before age 22; and
- is likely to continue indefinitely.

2



Ohio Department of Developmental Disabilities - Housing Resources

Community Capital Assistance

- Funding to County Boards and non-profit housing corporations for acquisition, construction, and renovation of residential housing
- All 88 County Boards have accessed this funding

3



Ohio Department of Developmental Disabilities - Housing Resources

Rental Assistance Program

- Rental assistance funding for individuals exiting an Intermediate Care Facility or Developmental Center on a DD (Medicaid)
- 40 County Boards participate

4



Ohio Department of Developmental Disabilities - Housing Resources

Local County Board Housing

- Non-Profit DD Housing Corporations operate residential housing which is funding CCA, or other funding
- Rental Assistance

5



Contact Information

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Ohio 811 Program

Jeannette Welsh, Esq.

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(DODD)*



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Adult Guardianship Housing Decision Making

Ohio 811 Program
Demonstration

1



Ohio 811 Program Project Based Rental Assistance Demonstration

- HUD-funded program targeted to non-elderly (18-61) extremely low-income individuals with disabilities
- Four state agencies partner to operate the program: Ohio Housing Finance Agency (OHFA), Ohio Department of Medicaid (ODM), Ohio Department of Developmental Disabilities (DODD), and the Ohio Department of Mental Health and Addiction Services (OMHAS)
- OHFA identifies and commits apartments in multi-family tax credit buildings throughout the state
- ODM, DODD, and OMHAS work with local partners to refer people to the Ohio 811 Program's waitlist

2



Ohio 811 Program Project Based Rental Assistance

- Ohio 811 Program currently operates in 35 Ohio Counties
- Referrals are made by agents approved by ODM, DODD, and ODMHAS
- Individuals are pre-screened for the program
- Qualifying individuals are placed on the 811 waitlist and referred to properties based on the waitlist order
- When an individual is referred they make an application to the property and submit documents to support their applications
- If the individual is approved, they are offered an apartment
- Individuals on the 811 Program pay no more than 30% of their income for rent

3



Ohio 811 Program Project Based Rental Assistance

- 320 persons housed
- 25 individuals in the pipeline
- 18 units available at construction
- 104 units available at vacancy

4



Program Information

Ohio 811 Project Rental Assistance Program

<https://ohiohome.org/811pra/>

5



Contact Information

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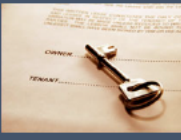
614-273-4427

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Subsidized Housing Law

Joseph Maskovyak, Esq.

*Coalition on Homelessness and Housing in Ohio
(COHHIO)*



Subsidized Housing Law Ohio Judicial College November 15, 2022

Joe Maskovyak
Affordable and Fair Housing Coordinator
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1



Part I



Overview of Subsidized Housing



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Terminology

- HUD: Department of Housing and Urban Development
- PHA: Public Housing Authority
- PB§8: Project Based Section 8
- HCV: Housing Choice Voucher (fka as Section 8 voucher)
- PBV: Project Based Voucher
- USDA: U.S. Department of Agriculture
- RD: Rural Development
- LIHTC: Low Income Housing Tax Credit
- CoC: Continuum of Care
- S+C: Shelter and Care
- HOPWA: Housing for Persons with AIDS
- PSH: Permanent Supportive Housing
- HQS: Housing Quality Standards
- RAD: Rental Assistance Demonstration

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Why Subsidized Housing Is Important

- Often worth hundreds of dollars a month
 - SSI recipient pays about \$160/month for rent in subsidized housing
 - Fair Market Rent for 1 bedroom is \$538/month
- Only enough units for about 1 in 4-5 eligible families
- Housing wage in Ohio for a 2-bedroom apartment is now over \$14 per hour (2019 stat)
- Once you lose it, it's difficult to get it back

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Primary HUD Programs

- Public Housing – 24 C.F.R. Part 960, 964, 966
 - Owned and Operated by a Public Housing Authority (PHA)
 - PHA's receive funding from HUD
 - **Not all PHAs have a public housing program**
 - PHA is the landlord
 - **Unit based subsidy**

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Primary HUD Programs (cont.)

- Housing Choice Voucher – 24 C.F.R. Part 982
 - **f.k.a. the Section 8 Voucher Program (also Existing, Certificate)**
 - Typically, but not necessarily, run by the PHA in the local jurisdiction
 - **PHA controls the voucher (subsidy)**
 - **A private landlord controls the tenancy (the lease), but there is a mandatory lease addendum from HUD**
 - Voucher allows tenant to choose housing with any landlord willing to participate (tenant based subsidy)
 - Mandatory lease addendum
 - Must meet "rent reasonableness"; can't exceed FMR
 - Must pass HQS
 - Tenant may pay up to 40% of income
 - Tenant may be asked to move after 1 year; good cause **not** required

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Primary HUD Programs (cont.)

- HUD Multifamily Programs (mostly Project-Based Section 8)
 - Many different kinds
 - Some examples
 - New Construction – 24 C.F.R. Part 880
 - Substantial Rehabilitation – 24 C.F.R. Part 881
 - Moderate Rehabilitation – 24 C.F.R. Part 882
 - Loan Management Set Aside – 24 C.F.R. Part 886
 - Section 236
 - Section 221(d)(3) and (4)
 - Section 811 (Disabilities) – 24 C.F.R. Part 891
 - Section 202 (Elderly) – 24 C.F.R. Part 891
 - *this list is not exhaustive
 - Privately owned
 - Owner contracts with HUD
 - **Unit based subsidy (Like public housing)**

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Primary HUD Programs (cont.)

- Special programs
 - Shelter + Care – 24 C.F.R. Part 578 (legacy program)
 - Supportive Housing – 24 C.F.R. Part 578
 - Housing for Person with AIDS (HOPWA) – 24 C.F.R. Part 574
 - HEARTH Act (CoC – Continuum of Care)
 - Permanent housing (PH), Permanent supportive housing (PSH), Rapid rehousing, Transitional housing (TH), Homeless prevention, Emergency Solutions Grant (ESG)
(*this list is not exhaustive/these are all different types of assistance)
 - Some types of assistance are more permanent than others.
 - CoCs don't all operate all of these programs or all in the same way.

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Primary HUD Programs (cont.)

- **Project-based vouchers (PBVs)—24 CFR 983**
 - PHA may allocate up to 30% of HCVs to a specific LL or project
- **Rental Assistance Demonstration (RAD)**
 - PHAs are converting their public housing stock to PBVs &/or Project Based Section 8
 - **Projects converted by RAD are no longer public housing, even if it looks the same.**
 - **PHA may still own and operate.**
 - Public housing rules no longer apply.

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Non-HUD Programs

- Low-Income Housing Tax Credit Program (LIHTC)—IRS
- Ohio Housing Finance Agency (OHFA) monitors and regulates
- Not a deep subsidy, like most HUD programs
- May include a deep subsidy, like PB§8 or USDA programs
- **OHFA has an 811 program that is incorporated into many LIHTC programs**
- **LIHTC projects must accept HCVs**

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Non-HUD Programs

- USDA Farmer's Home Administration (FmHA) – Rural Development (RD), 7 C.F.R. 3560
 - Section 515 Rural Rental Housing (RRH)
 - Section 514/516 Farm Labor Housing (FLH)
 - Section 538 Guaranteed Rural Rental Housing (GRRH)
 - Section 533 Housing Preservation Grant (HPG)



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Importance of Distinction Between Programs

- Different statutes – different regulations
- Different screening criteria for admission
- Different definition of “good cause” to evict
- Different amounts of administrative due process for termination

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Importance of Distinction Between Programs

- Housing Choice (Section 8) Voucher vs. Section 8 project-based subsidy
 - Voucher: subsidy with **person**
 - Project-Based: subsidy with **unit**
 - **Hugely important distinction: tenant with HCV can take subsidy with them**

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Similarities

- Good cause to evict or terminate subsidy
 - But remember – the definition of good cause may vary
- **Head of household** must be U.S. citizen or Documented Alien (need proof)
- Government pays some portion of rent (not LIHTC)
- Amount of rent (either total and/or tenant portion) is set by formulas
 - Brooke Amendment: basic calculation is tenant portion = 30% AGI
- Definition of what does and does not count as rent and deductions – 24 C.F.R Part 5

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Similarities (cont.)

- Rent = rent and utilities
- Tenant must recertify at least annually (but this may be changing)
- Housing Quality Standards (HQS)

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Rent Issues

- Based on tenant's income
 - **30% of household AGI**
 - 10% of household AGI
 - Can go up to 40%
 - Subsidy = HAP (Housing Assistance Payment contract, paid by PHA or HUD)
- Tenant rent + HAP = contract rent or FMR



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Rent Issues

- Minimum rent
 - PHAs: \$0 – \$50
 - PHA sets
 - Voucher: \$0 – \$50
 - PHA sets
 - Section 8 Project-Based: \$25
 - Set by HUD; nationwide
 - **Hardship exemption: under certain circumstances, may qualify to be exempt (but can be VERY hard to qualify)**



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Rent Issues

- Recertification
 - Tenant must recertify at least annually to re-determine income (this may be changing)
 - Interim recertification
 - If income increases, tenant may have to report, and PHA may increase tenant portion
 - If income decreases, tenant has right to request recertification to decrease rent

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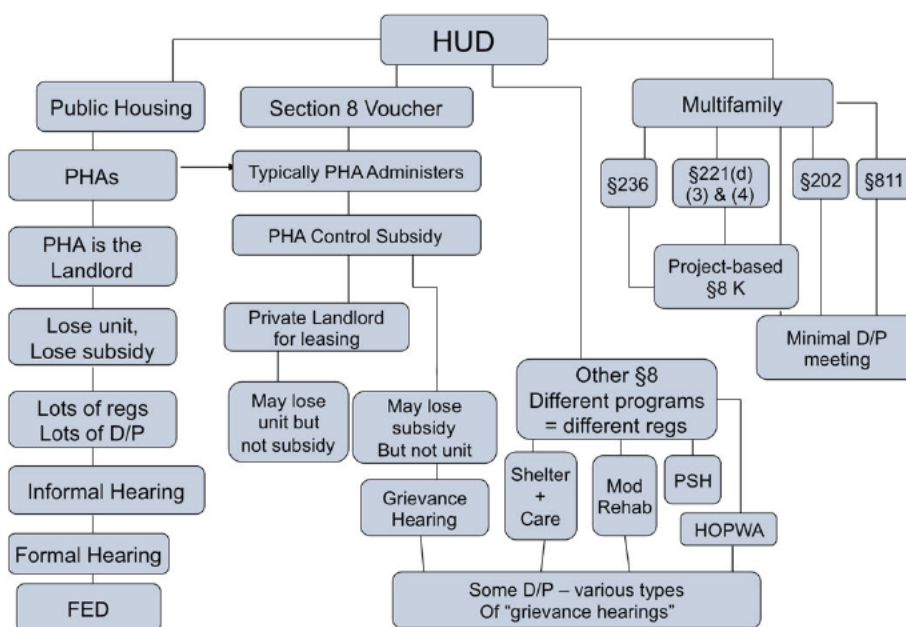
Rent Issues

- Recertification (cont.)
 - Tenant duties
 - Recertify when required
 - Timely report changed in income
 - Not commit fraud



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Takeaway Points

- Project-Based Section 8 vs. Voucher (HCV)
- Subsidizing Housing = more due process (administrative)
- Good Cause to Evict/Terminate

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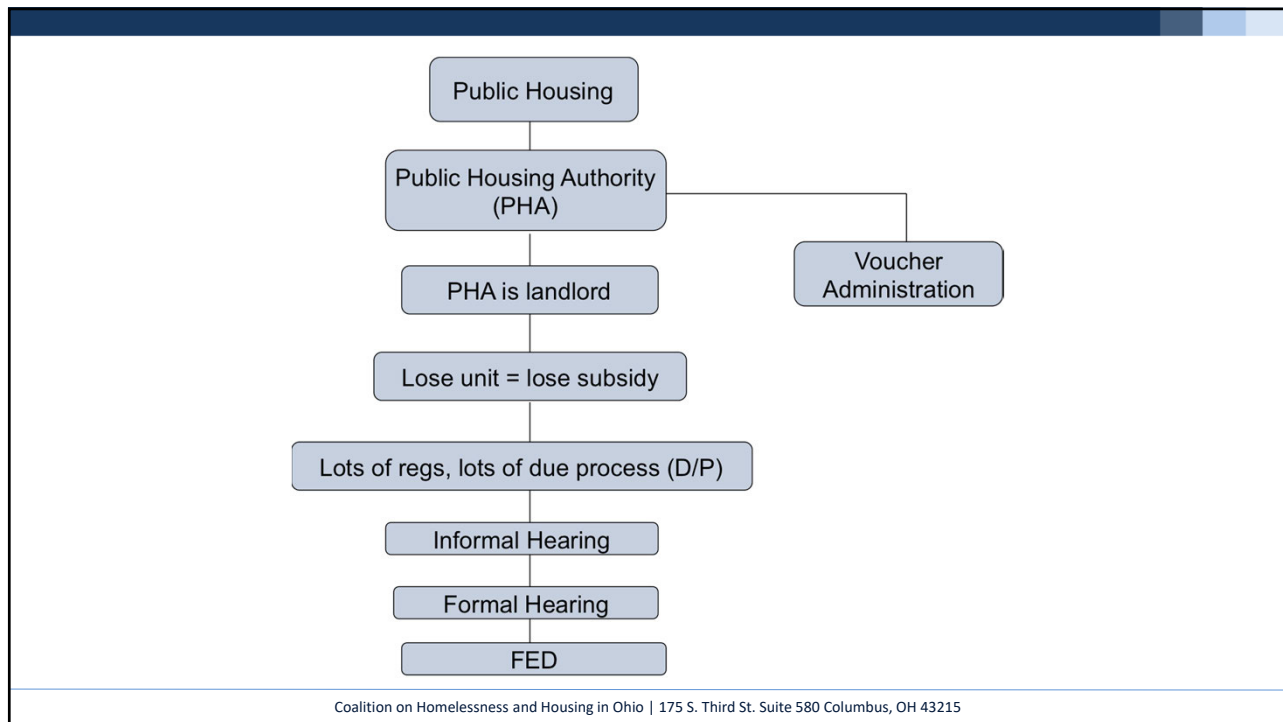
Part II

Application Denials



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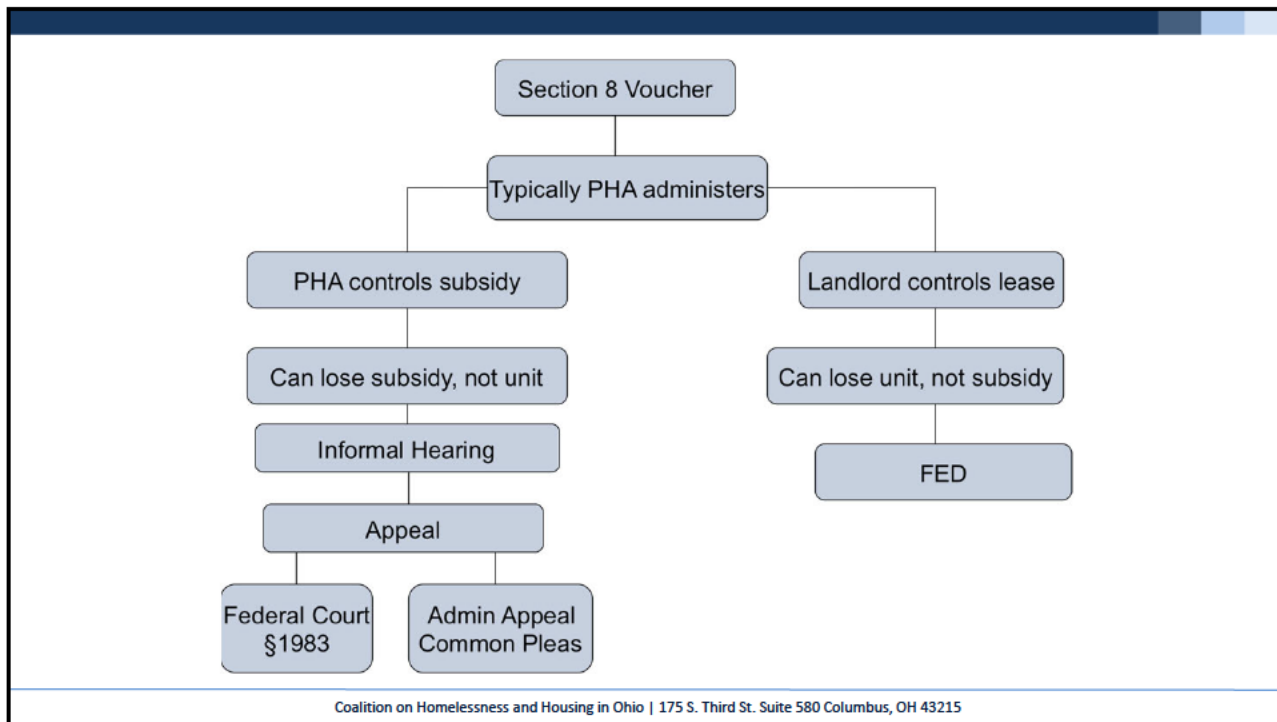
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Public Housing

- Grievance Process
 - PHA must promptly notify applicant of denial and provide basis of decision
 - Informal hearing **only**
 - Applicants get some administrative due process, but not as much as participants (tenants)
- We will examine this more closely when we get to terminations

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Housing Choice Voucher

- Grievance Process
 - Informal review only (may be a hearing)
 - This applies to a denial of the HCV, not to a denial by the LL to rent
 - Process:
 - Notice – stating grounds and right to a review (not necessarily a hearing)
 - Right to review by someone who was not original decision-maker
 - Right to present oral or written evidence
 - Prompt written decision providing basis of decision

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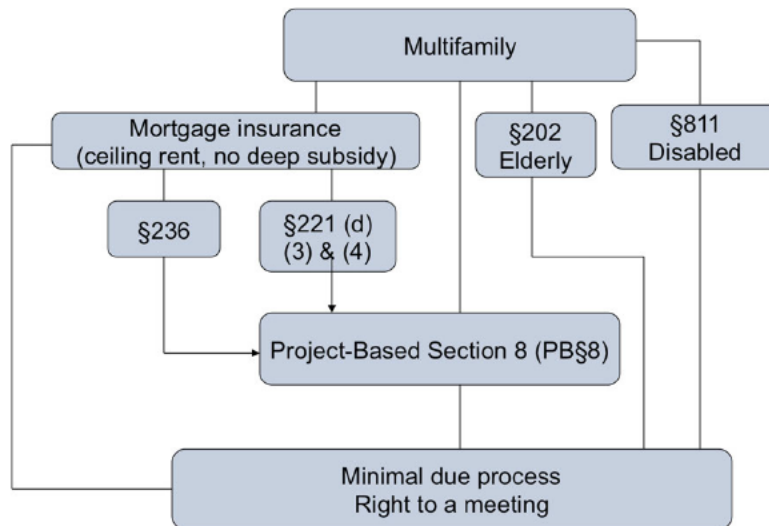
Housing Choice Voucher: Grievance Process (cont.)

- No right to any hearing (review may be entirely in writing)
 - Check your local HCV (Section 8) Administrative Plan
- Right to appeal to court
 - Common Pleas (2506 administrative appeal)
 - Federal District Court §1983



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Project-Based Section 8

- Challenging Denials
 - No grievance process
 - Must give written notice
 - Provide notice of an opportunity for a meeting
 - Meeting ≠ grievance
 - Meeting must be “meaningful”
 - Landlord must give written decision

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Application Denials

- The takeaway points
 - **Very few of the grounds for denial are mandatory**
 - Lifetime sex offenders (lifetime bar)
 - methamphetamine manufacturers (lifetime bar)
 - current users of illegal drugs
 - Evicted from HUD housing in the last 3 years
 - However, much discretion for authority to deny beyond the mandatory grounds
 - **There is always an administrative process to challenge a denial**

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Part III

Termination Process



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Good Cause Required

- Remember voucher end-of-initial-lease term exception
- Examples of good cause (non-exhaustive):
 - Serious or repeated violations of the lease
 - Nonpayment of rent
 - Serious or repeated violations of the lease
 - Unauthorized occupants
 - Failure to recertify
 - Violation of tenant obligations under state law
 - Some criminal activity or alcohol abuse

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Good Cause Required

- Other good cause:
 - Tenant violations of HQS
 - Failure to pay for damages caused by tenant
 - Disturbing neighbors
 - Destroying property

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Notice

- Many require longer period of time before evictions
 - 10 days –Project-Based Section 8 in order to meet with tenant
 - 14 days – for nonpayment in public housing
 - 30 days – other good cause as defined in any program
- * Possibly 30-day notice is required for all HUD covered housing until the gov't 'declares the pandemic is over' pursuant to the CARES Act, but this is VERY haphazardly enforced across Ohio courts

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Notice

- Probably will require additional language (usually to inform tenant of additional rights)
- Must state reason, and termination limited to reasons stated
- **Specificity**
- **Strict compliance**
- Typically (but not universal) can be combined with state notice (but reconcile language)
- Additional service requirements (first class mail)

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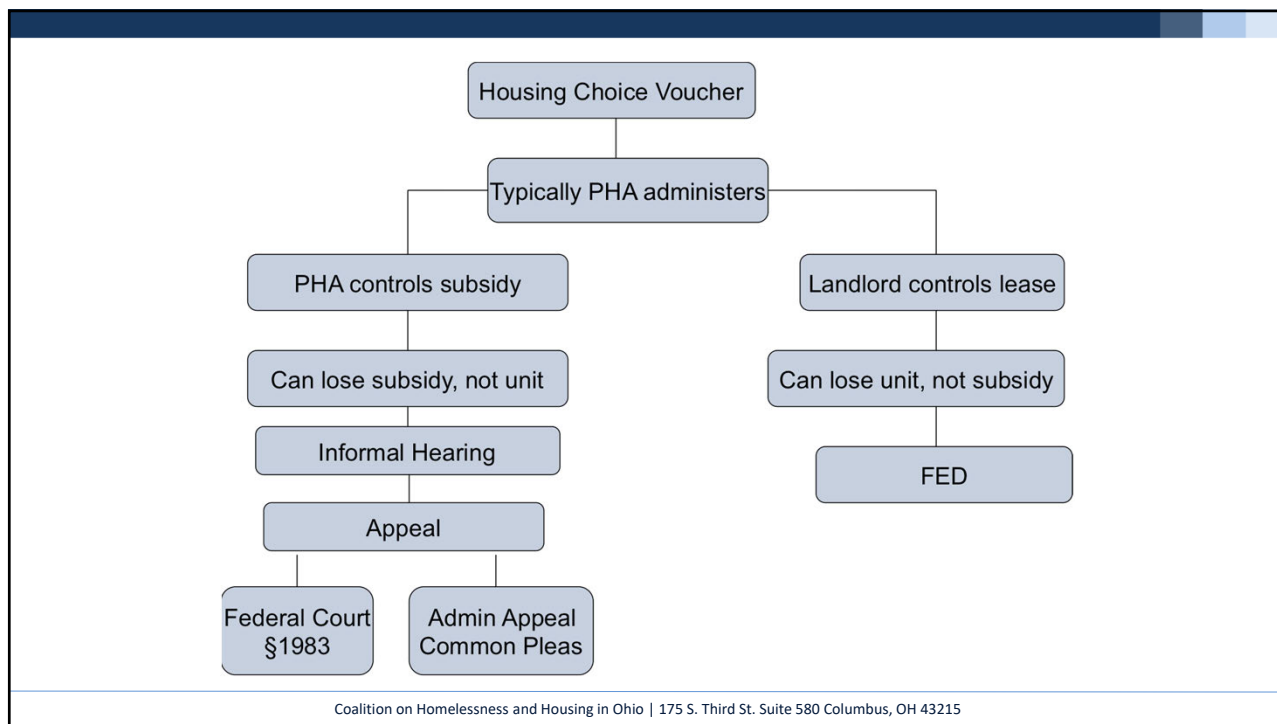
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Due Process

- Most federal programs require some **administrative** due process in addition to state court due process
 - Exception – voucher program
 - **Subsidy termination by PHA only requires an informal hearing by PHA, but tenant may appeal termination to court**
 - **Tenancy termination by landlord only requires landlord to use state court eviction process; see R.C. Chapter 1923**

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Housing Choice Voucher

- Termination of voucher (subsidy)
 - Termination of voucher ≠ eviction
 - Tenancy termination conducted by landlord using state court eviction procedures
 - PHA determines termination of voucher
 - Informal hearing (only)

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Housing Choice Voucher

- **PHA can terminate HCV, but tenant may remain in the unit**
- **LL can terminate lease/evict tenant, but tenant may keep subsidy(HCV) and move**
- Some violations by tenant may lead to termination of HCV and lease, but done separately

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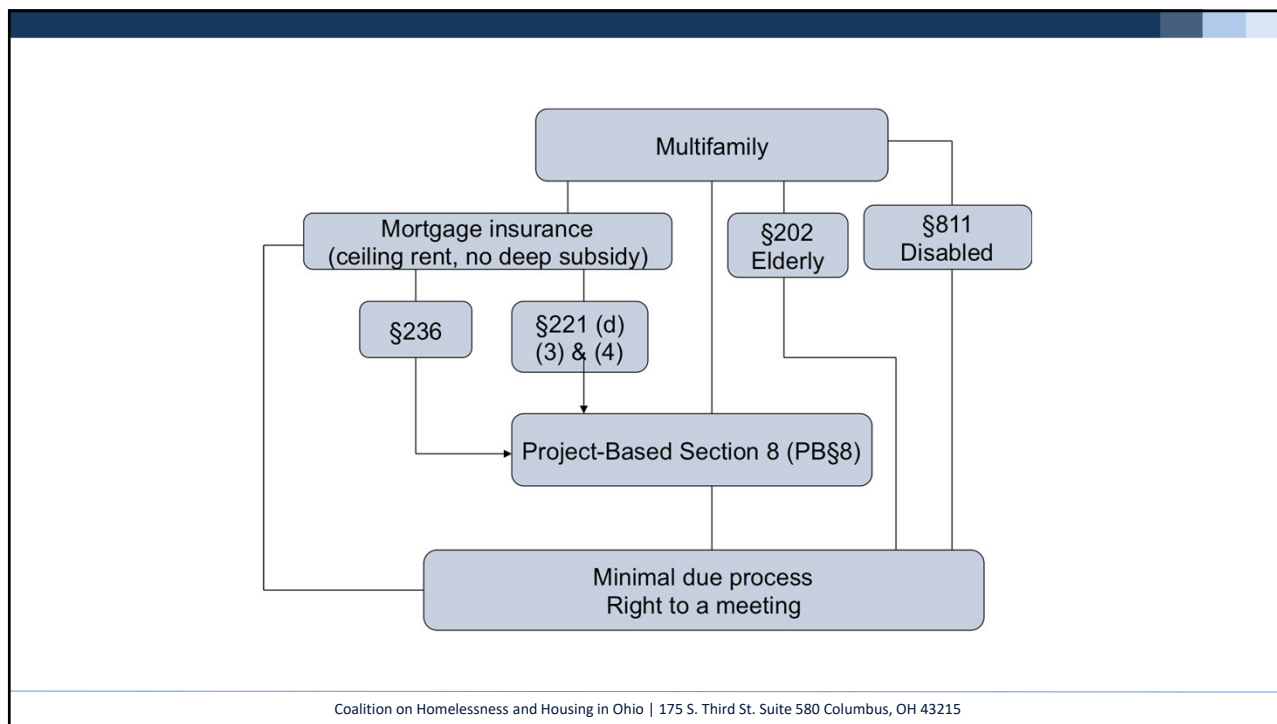
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Housing Choice Voucher

- **Hearing Rights**
 - Notice of hearing with explanation of grounds
 - Discovery – right to see relevant PHA documents before hearing
 - Bring an attorney (**if tenant can find one**)
 - Hearing officer must be neutral
 - Provide evidence
 - Decision based on evidence presented at the hearing
 - Written decision that provides reason for decision
 - If tenant loses, tenant must appeal and file in state or federal court

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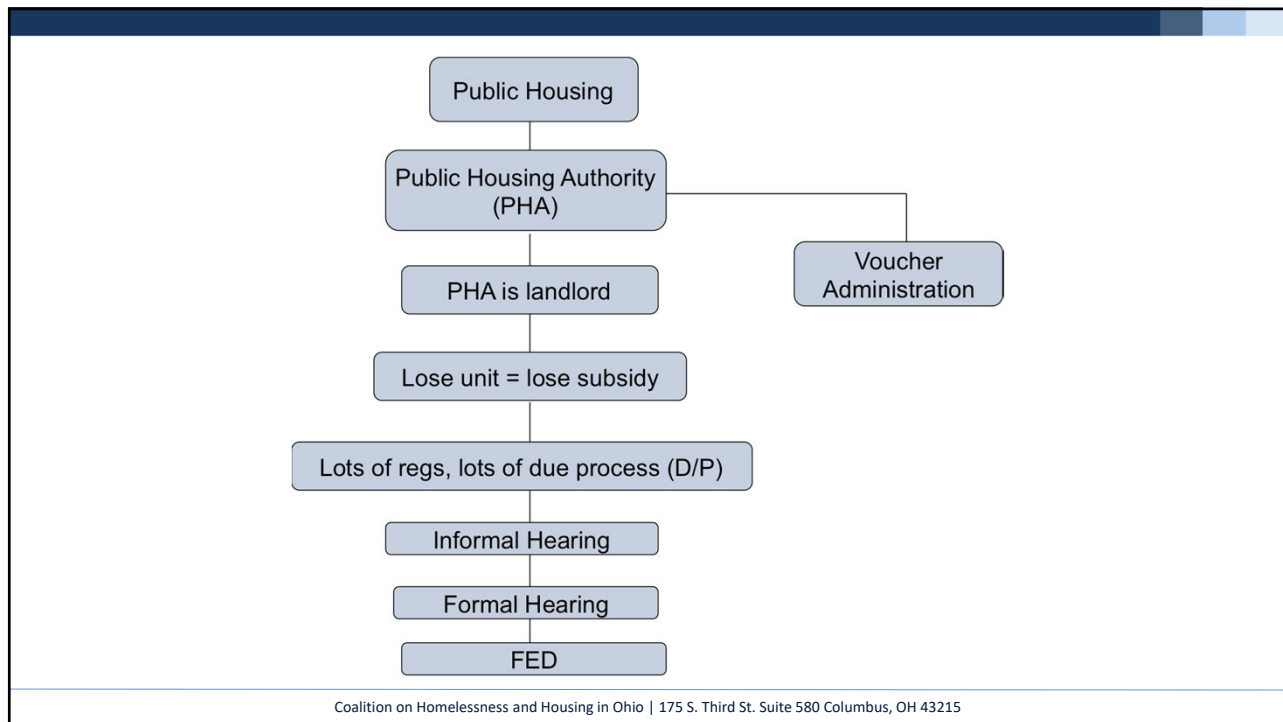
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Multi-Family

- Due Process
 - Same as process for admission denials
 - Section 8 Project-Based – 24 C.F.R. Part 247, HUD Handbook 4350.3 Chapter 8, Section 8-6
 - Tenant may request a meeting with landlord to discuss termination
 - Landlord **must** meet with tenant if so requested
 - Purpose is to resolve termination disputes without litigation
 - Meeting must be “meaningful”
 - Landlord must still go to court to evict

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Public Housing

- Multi-layered administrative due process
 - Informal “hearing” – usually with site manager
 - Formal hearing – independent Hearing Officer (HO), but HO may be employee of PHA not connected to termination decision
 - HO may = panel

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Public Housing (cont.)



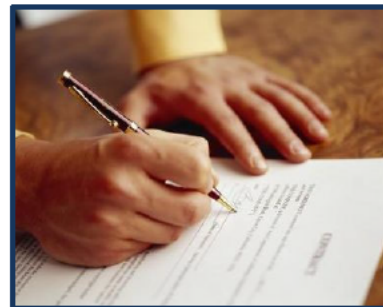
- Informal Hearing
 - Really not a hearing – settlement conference
 - Meeting with property manager
 - Opportunity to resolve problem quickly and easily
 - Must issue written summary → who, what, where, when, final result

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Public Housing (cont.)

- Formal Hearing
 - Notice
 - Reason for termination
 - Right to a hearing
 - How and when to request hearing
 - Written request for hearing



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Public Housing: Formal Hearing (cont.)

- Hearing Rights
 - Neutral hearing officer (but may be PHA employee)
 - Promptly scheduled
 - Opportunity to examine PHA records relevant to a hearing
 - Bring an attorney (**if tenant can find one**)
 - Have a private hearing
 - Provide evidence
 - Decision based solely and exclusively upon the facts presented at the hearing
 - Written decision that provides reasons for the decision

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Public Housing (cont.)

- Exclusion from grievance process if allegations concern:
 - Criminal activity that threatens health, safety or peaceful enjoyment of premises of other tenants or PHA employee
 - Violent or drug-related criminal activity
 - Criminal activity where household member convicted of felony
- If tenant wins grievance, termination process is over (most of the time)
- If tenant loses, PHA must still go to court to evict under Ohio law, so another chance to defend

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Questions?

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- Affordable and Fair Housing Coordinator
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- 614-280-1984x133
- Housing Information line: 888-485-7999 or rentinfo@cohhio.org

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Reasonable Accommodations and Reasonable Modifications

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*Ohio Department of Developmental Disabilities
(DODD)*



THE SUPREME COURT *of* OHIO
JUDICIAL COLLEGE

Adult Guardianship Housing Decision Making

Reasonable Accommodation &
Reasonable Modifications- The Light
Version!

1



Fair Housing Tools: Reasonable Accommodation & Reasonable Modification

In this presentation we will cover the following:

- Definition of Disability
- Definitions of Reasonable Accommodation & Reasonable Modification
- Examples of Reasonable Accommodation & Reasonable Modification
- How to Make a Request
- Granting & Paying for Requests
- Resources

2



Disability

The federal Fair Housing Act and the Fair Housing Amendments Act (42 U.S. Code §§ 3601-3619, 3631) forbid discrimination of tenants or prospective tenants because of a disability or the disability of a person associated with them. The law protects the following people:

- A person with a mental or physical disability that substantially limits a person's ability to perform one or more major life activities; or
- A person that has a record of the disability; or
- A person that is considered by others as having the disability

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Physical or Mental Impairment

- Visual or Hearing Impairment
- Mobility Impairment
- Mental Illness
- Emotional Illness
- Developmental Disabilities (including autism)
- Alcoholism & Past Substance Abuse
- Chronic Disease: E.g., muscular dystrophy, multiple sclerosis, HIV/AIDS, Cancer, ADHD, asthma, etc.

NOTE: Disability may be temporary

4



Major Life Activities

Including, but not limited to:

- Seeing
- Hearing
- Walking
- Breathing
- Performing Manual Tasks
- Caring for Self
- Speaking
- Thinking

5



Reasonable Accommodation

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with disabilities to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces, or to fulfill their program obligations

A landlord may not refuse to provide a reasonable accommodation of a rule, policy, or procedure to address the needs of a person with a disability

6



Reasonable Accommodation Examples

- Allowance to pay rent later due to receipt of SSI check
- Assignment of a parking spot close to apartment
- Extra key/fob for guardian or service provider
- Extra bedroom for live-in caregiver or medical equipment
- Request for a more accessible unit than the unit offered
- Effective communication for those who are deaf or blind
- Sending copies of all notices to the tenant to the guardian

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Reasonable Modification

A reasonable modification is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas.

A landlord may not unreasonably deny permission to a tenant to make a modification of the premises to address the needs of a person with a disability.

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Reasonable Modification Examples

- Installation of grab bars
- Lowering of countertops
- Conversion of a tub to a roll-in shower
- Installation of an automatic door opener to apartment unit
- Installation of a tracking system or bracing for hooyer lift
- Removal of carpet

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Reasonable Modification

- Requires landlord's permission
- Must provide landlord with a complete description of the modifications that are required
- Assurances that the modifications will be performed in a professional manner

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Reasonable Modification

- Tenants may be responsible for the cost of reasonable modifications
- Tenants may be required to return the housing unit back to its original condition

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How to Request a Reasonable Accommodation/ Reasonable Modification

- Must have a disability
- Request can be oral or written (recommend writing)
- Recommend that you also request a meeting to discuss the request (within 10 days of the request)
- There must be a link or “nexus” between the person’s disability and the request
- A request can be made at any time before or during tenancy

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When is the Accommodation or Modification Considered Reasonable?

- It must not cause an excessive financial or administrative burden to the housing provider
- It must not cause a basic change to the nature of the housing programs available
- It must not cause harm or damage to others
- It must be technically possible

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Will your Reasonable Accommodation/ Reasonable Modification be Granted or Denied? It depends!

- A housing provider can deny a request for a reasonable accommodation or modification if the request was not made by or on behalf of a person with a disability
- A housing provider can deny if the request causes undue financial or administrative burden

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Who is Responsible for the Cost of the Accommodation or Modification? It depends!

- The housing provider is *typically* responsible for costs associated with accommodations
- The person with a disability is *typically* responsible for the cost of a modification (though not, for example, in cases where the housing provider receives federal financial assistance)
- If you are using a Section 8/Housing Choice Voucher to subsidize your housing, then *most likely* you are responsible for paying for any modifications to the unit

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Need Assistance

Fair Housing Advocates

- 330-253-2450
- Located in Akron but serves outside this area

Fair Housing Resource Center

- 440-392-0147
- www.fhrc.org
- Lake, Geauga, Ashtabula Counties (far Northeastern counties of OH)

Fair Housing Contact Service

- 330-907-8473
- www.fairhousingakron.org
- Summit, Portage, Medina, Stark Counties (and others where a private fair housing group does not exist)

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Need Assistance

Housing Research and Advocacy Center

- 216-361-9241
- www.thehousingcenter.org
- Cuyahoga & Lorain Counties (Cleveland area)

Toledo Fair Housing Center

- 419-243-6163;
- www.toledofhc.org

Lucas & Wood Counties

Miami Valley Fair Housing Center

- 937-223-6035
- www.mvfairhousing.com
- Montgomery & Green Counties (Dayton area)

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Need Assistance

Housing Opportunities Made Equal (HOME) Cincinnati

- 513-721-4663
- www.cincyfairhousing.com
- Greater Cincinnati area, including Hamilton County

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Need Assistance

Legal Aid

- 866-LAW-OHIO (866-529-6446)

Disability Rights Ohio

- 800-282-9181

COHHIO

- Housing Information Line: 888-485-7999
- rentinfo@cohhio.org

Ohio Civil Rights Commission (OCRC)

- 888-278-7101

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Contact Information

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Ohio Department of Developmental Disabilities

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614-273-4427

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Who Signs the Lease? And Other Issues for Guardians

Derek Graham, Esq.

Resch, Roots, Phillips and Graham, LLC

Lease Agreements

- Scope of Authority Matters
 - Guardian of Person versus Guardian of Estate
 - Identify the Source of Funds/Payment
 - Signature is Critical
 - Derek Graham, Guardian of Person for Sam Campbell
 - Read the Document
-

1

Home Ownership

- Absolutely Possible
 - Requires Guardian of Estate
 - Several specific duties pertaining to real estate ownership
 - Impact on Government Benefits
-

2

Moving/Relocation

- Court must always be involved
- More restrictive - prior court approval
 - Unless there is an emergency
- Not more restrictive = 10 days advance notice to the court

Plan ahead!

Ohio Housing Locator

Rachel Nelson

*Project Administration Manager
Ohio Housing Finance Agency*



URL: <https://www.ohiohousinglocator.org/>



THE SUPREME COURT *of* OHIO
JUDICIAL COLLEGE