

122:29-1-02**Eligibility.**

- (A) An eligible applicant may be a property owner at the time the application is submitted and the project is certified by the tax credit authority, or an insurance company that contributes capital to be used in the project, as defined in division (A) of section 122.09 of the Revised Code. If there are multiple property owners within a project, only the property owners included in an application are eligible applicants and only the portions of a project associated with an eligible applicant or insurance company contributing capital are included for consideration as part of a project.
- (B) The project is either a transformational mixed use development or one or more phased portions of a transformational mixed use development as defined in subdivision (3) of division (A) of section 122.09 of the Revised Code. If applying for more than one phase, each phase is to be either contiguous to one another or contiguous to a previously developed portion of the transformational mixed use development, so long as the previously developed phase and the project phases in the application are developed in continuous chronological order.
- (C) Both (i) the tax credit is a major factor in the completion of the project and (ii) the project will not be completed unless the applicant receives the tax credit, each as demonstrated by the applicant to the authority through evidence acceptable to the authority.
- (D) The project integrates a combination of:
- (1) Any two or more of retail, office, residential, recreation, and other similar mixed uses; or
 - (2) Structured parking and any two or more of retail, office, residential, recreation, and other similar mixed uses.
- (E) The project has in place or has obtained commitments for a minimum of fifty-one per cent of the estimated development costs attributable to the project. Commitments may include, but are not limited to, public financing awards, dedicated service payments, commitments letters or conditional commitment letters from financial institutions, or evidence of available equity.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	122.09(O)
Rule Amplifies:	122.09