



PROGRAM BULLETIN

Date: September 16, 2024 *AL*
To: All owners and managing agents of Low Income Housing Tax Credit (LIHTC) projects
From: Hope Lanphear, Assistant Director of Leased Housing and Rental Services
Subject: Reporting non-compliance new policy
Bulletin #: 2024-03

RIHousing (RIH) is responsible for monitoring low-income housing tax credit (LIHTC) properties for compliance with the requirements of Internal Revenue Code (IRC) §42; including physical inspections, tenant certifications and failure to respond to RIH requests for reports and other documentation. When noncompliance is identified, RIH is required to notify the Internal Revenue Service using Form 8823, Low- Income Housing Credit Agencies Report of Noncompliance.

This Program Bulletin announces a new policy and revises RIHousing's previous policy of only reporting on findings such as full-time student households, over income households, and exigent health and safety items.

This new policy concerns responses to annual LIHTC tenant file reviews and physical inspections. If after six (6) months from the date of the LIHTC review/inspection, the review is still “open” (all issues not sufficiently addressed) RIHousing will give one last opportunity for a complete response before a finding of non-compliance is issued and an 8823 sent to the IRS (for projects in the compliance period).

This new policy for open reviews will become effective October 1, 2024 and will apply to any LIHTC review conducted on or before April 1, 2024, and all reviews at the 6 month mark going forward.

Should you have any questions regarding this notice, please contact Hope Lanphear, Assistant Director of Leased Housing at (401) 429-1409 or hlanphear@rihousing.com.