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Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. West and Ingram

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SUMMARY

- Establishes the Rent Rebate Pilot Program to provide rent rebates to certain low-income elderly, widowed, or disabled persons.
- Authorizes rebates of up to \$650 per claim, depending on the claimant's household income and total rent paid during the preceding calendar year.
- Permits only one rebate per year for each residential rental property – a single or multi-unit dwelling.
- Appropriates \$100 million for the FY 2022-FY 2023 biennium for rebate payments under the program.
- Requires the Department of Commerce to administer the program.

DETAILED ANALYSIS

Rent Rebate Pilot Program

The bill creates a two-year Rent Rebate Pilot Program for the purpose of providing certain low-income elderly, widowed, or disabled persons with cash rebates for rent paid during the preceding calendar year. The Department of Commerce must administer the program.¹

Eligible persons

To qualify, the claimant or, if applicable, the claimant's spouse, must satisfy one of the following at the time the rent that is the basis of the claim became due and payable:

¹ Section 2(A).

- The claimant or the claimant's spouse, provided the spouse lives with the claimant, was at least 65 years old;
- The claimant was at least 50 years old and a widow or widower, provided the claimant has not remarried;
- The claimant was at least 18 years old and permanently disabled.²

Any person who receives public housing assistance is disqualified from receiving a rent rebate under the program for the period in which the person receives that assistance.³

Additionally, to qualify, the combined income of the claimant and, if applicable, the claimant's spouse (referred to as "household income" in the bill) cannot exceed \$25,000 for the calendar year that is the basis of the claim. That household income includes any income of the claimant and the claimant's spouse from any source, such as wages, pension and annuity payments, unemployment benefits, workers compensation benefits, cash public assistance, and alimony; but excludes half of Social Security benefits and all Medicare benefits, surplus food or similar government-provided benefits, property tax or rent rebates, federal veterans' disability benefits, state veterans' benefits, gifts of cash or property between members of the same household, any other gifts less than \$300 in value, and the first \$5,000 of the total death benefit payment from a life insurance policy.⁴

Rebate amount

The amount of the rebate depends on the claimant's household income and the total amount of rent actually paid for the year that is the basis of the claim. The amount of the rebate equals one of the following:

- For claimants with household income of up to \$15,000, the lesser of \$650 or 20% of the total rent paid;
- For claimants with household income between \$15,000 and \$25,000, the lesser of \$500 or 20% of the total rent paid.⁵

If the claimant qualifies only in part or for only part of the year (e.g., the claimant rented the property for only a portion of the year, the property was rented in part by an unqualified person, the widowed claimant remarried during the year, or the permanently disabled claimant is no longer disabled), the maximum rent rebate amount is proportionally reduced based on the time period or extent of eligibility.⁶

² Sections 2(B) and 1(A), (D), and (G).

³ Section 2(F).

⁴ Section 1(B), (C), and (F).

⁵ Section 2(C) and (D).

⁶ Section 2(E).

If all claims for a particular calendar year exceed available funds for rebates for that year, then each claimant's approved rebate must be proportionally reduced.⁷

Filing a claim

Claimants must file claims with the Department of Commerce by June 30 of the year following the year that is the basis of the claim. The Department must accept claims filed through the remainder of the year, but only if funds are still available for rebates.⁸

Each claim must include reasonable proof of household income, the size and nature of the residential rental property, and the payment of rent, though proof that rent was paid by the claimant is not required. Depending on the claimant's alleged eligibility, the claim must also include the following, as applicable:

- A declaration that the claimant is a widow or widower, in the manner required by the Department;
- Proof that the claimant is eligible to receive Social Security disability benefits, or written documentation from a Department-designated physician that, based on an examination, the claimant is permanently disabled;
- For the first claim filed, proof that the claimant or the claimant's spouse was at least 65 years old at the time rent was due, or, in the case of a widow or widower, that the claimant was at least 50 years old at that time.⁹

Only one claim is permitted to be paid per residential rental property per year. Residential rental property is a single-family or multi-unit dwelling (e.g., an apartment building) and includes manufactured and mobile homes and recreational vehicles used solely for residential purposes. If there are multiple claims per residential rental property for a particular year (e.g., claimants from multiple units in an apartment building), and the claimants cannot agree on whose claim shall proceed, then the Department must decide which one claim to approve for that residential rental property.¹⁰

A claimant who knowingly files an excessive and fraudulent claim is subject to a monetary penalty of 25% of the amount claimed, plus interest on both the penalty and the amount of the claim.¹¹ The claimant may also be subject to criminal liability under the continuing offense of falsification.¹²

⁷ Section 4.

⁸ Section 3(A) and (B).

⁹ Section 3(D).

¹⁰ Sections 1(E) and 3(C).

¹¹ Section 5.

¹² R.C. 2921.13, not in the bill.

Appropriation

The Department of Commerce must disburse funds for all approved claims from the Rent Rebate Assistance Fund created by the bill.¹³

To make those payments under the program, the bill appropriates \$100 million to that fund for the FY 2022-FY 2023 biennium. Of that amount, \$50 million is to be transferred from the GRF and \$50 million is to be transferred from the unclaimed funds required to be reported to the Department under continuing law. The Director of Budget and Management is required to establish separate accounts tracking the sources and amounts of the appropriated funds.¹⁴

Rules

The Department of Commerce must adopt rules to administer the Rent Rebate Pilot Program. Those rules must include procedures for a claimant to file a petition for redetermination within 90 days of being notified of a denial or otherwise adversely affected claim and procedures for the Department to designate physicians for the purpose of certifying claimants who are permanently disabled.¹⁵

HISTORY

Action	Date
Introduced	05-12-22

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¹³ Section 4.

¹⁴ Sections 7, 8, and 9; R.C. 169.05, not in the bill.

¹⁵ Section 6.