

5122:3-1-06 Department approval of project.

(A) For projects identified by the director as meeting priorities established pursuant to paragraph (A) of rule [5122:3-1-02](#) of the Administrative Code, the chief, or designee, shall work with the identified project lead to develop the application for community capital assistance funds. The application shall include project and service or program descriptions, project cost estimates, an operations budget, funding participation, applicant assurances, the documentation required by rule [5122:3-1-05](#) of the Administrative Code, and any other documentation in support of the application deemed necessary by the department. Upon completion of the application, the deputy director's designee, the board director and the applicant shall all sign the application. The deputy director's designee shall recommend projects to the deputy director. The deputy director may require additional information before submitting the application recommendations to the director for final approval action.

(B) The director shall make the final determination as to approval or disapproval of the application or of such parts of the application as are deemed appropriate. The director may require certain parts of the application to be modified or amended and resubmitted. The director may consult with any agency, board, commission, or other organization in regard to all or any part of the application. The director may grant a waiver or variance from the application requirements set forth herein where, in the director's sole discretion, imposition of the requirement would exclude an application that otherwise meets the department's priorities.

(C) After an application has been approved by the director, the chief shall send an application approval letter to the applicant stating the amount of state participation in the project and requesting submission of site information, as outlined in the guidelines, prior to project implementation.

(D) The director may at any time after approval of a project, for reasons deemed appropriate, withdraw approval for state participation in a project. In such case, the director shall notify the project applicant in writing as to the specific reasons for the planned withdrawal of approved state funding and, prior to such withdrawal, allow the applicant thirty days to respond in writing to the specific reasons stated. Based on the applicant's response to the director's notice, the director may take action he or she deems appropriate. In the event such action involves withdrawal of state funding participation therein, the department may reimburse the applicant at the approved percentage rate of state participation for applicant funds properly expended prior to such withdrawal. Appeals from above action may be made pursuant to rule [5122:3-1-16](#) of the Administrative Code.

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Five Year Review (FYR) Dates: 09/22/2014 and 12/11/2019

Promulgated Under: [119.03](#)

Statutory Authority: [5119.42](#)

Rule Amplifies: [5119.42](#)

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