



Ohio Administrative Code

Rule 122:12-1-02 Termination of home weatherization assistance program funding.

Effective: September 2, 2016

(A) Termination in general. The deputy chief of the community services division may terminate home weatherization assistance program ("HWAP") funding to a grantee in any of the following instances:

(1) The deputy chief of the community services division determines that the governing board of the grantee cannot or will not take the necessary action to bring the eligible entity into compliance with applicable requirements of 10 C.F.R. 600 with the requirements of any applicable program statute or rule, or with any other term or condition of HWAP funding within the time allowed by the community services division through its office of energy and redevelopment ("OERD/CSD").

(2) The deputy chief of the community services division determines that the nature or extent of noncompliance is extreme and warrants immediate termination of HWAP funding.

(3) The grantee ceases to exist or becomes legally incapable of performing its responsibilities under the grant agreement.

(B) The deputy chief of the community services division shall provide, by certified mail, a written "Notification of Intent to Terminate" to the governing board of the grantee. The notification shall include the charges for such proposed action. Sections of the statutes, rules, regulations or contractual obligations that the grantee is charged with violating; a statement informing the grantee of its right to request a public hearing on the proposed termination by making a written request within thirty days of the time of the mailing of the notice. The notice shall also inform the party that the grantee may be represented by an attorney or by such other representative as designated by a majority of the governing board of the grantee.

(C) When any notice required by this rule to be sent by certified mail is returned because of inability to deliver, the notice required shall be sent by ordinary mail evidenced by a certificate of mailing to the chairperson of the grantee.



(D) The failure of the deputy chief of the community services division to give notice in the manner provided in this rule shall invalidate any termination order entered pursuant to such hearing.