

Collier County Housing, Human and Veteran Services  
Request for Applications  
OWNER- OCCUPIED REHABILITATION PROJECTS  
State Housing Initiatives Partnership (SHIP)  
Funding Cycle  
Fiscal Years 2012-2013 and 2013-2014



**DEADLINE TO SUBMIT:**

**FRIDAY, FEBRUARY 21, 2014 NO LATER THAN 3:00 P.M.**

**ANY APPLICATION RECEIVED AFTER 3:00 P.M. WILL BE RETURNED TO THE APPLICANT AND WILL NOT BE CONSIDERED. THE RESPONSIBILITY FOR SUBMITTING APPLICATIONS BEFORE THE STATED TIME AND DATE IS SOLELY THE RESPONSIBILITY OF THE APPLICANT. THE COUNTY WILL NOT BE RESPONSIBLE FOR DELAYS CAUSED BY MAIL, COURIER SERVICE OR ANY OTHER ENTITY OR OCCURRENCE.**

Collier County Housing, Human and Veteran Services  
Contact: Elly Soto McKuen, Operations Analyst  
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### APPENDIX LIST

Attachment 1 – Florida Statutes Chapter 420.907 (SHIP)

Attachment 2 - Collier County Housing, Human and Veteran Services Rehabilitation Standards

Attachment 3 - SHIP Income Limits

Attachment 4 - Florida Administrative Code 67-37

Attachment 5 – Sample Lien/2<sup>nd</sup> Mortgage

Attachment 6– Florida Statutes Chapter 215.97 (Florida Single Audit Act)

Attachment 7– Rules of the Auditor General Chapter 10.650

Attachment 8 – Collier County Resolution No. 2013-228 (Conflict of Interest)

Attachment 9 - FY2011-13 and FY2013-2016 SHIP LHAP

**SCOPE FOR FUNDING FROM STATE HOUSING INITIATIVES PARTNERSHIP (SHIP)  
PROGRAM FISCAL YEARS 2012-2013 AND 2013-2014**

Collier County Housing, Human and Veteran Services (HHVS) Department is soliciting proposals from for-profit and non-profit organizations to develop, implement and manage an Owner-Occupied Rehabilitation Program on behalf of the HHVS. Funding for the Owner-Occupied Rehabilitation Program will utilize FY2012-2013 and FY2013-2014 State Housing Initiatives Partnership (SHIP) funds. The purpose of the Owner-Occupied Rehabilitation Program is to provide assistance to very-low, low and moderate income households that own and occupy their home by providing SHIP funds to assist with necessary repairs to correct code violations or emergency repairs that impact their health, safety and welfare. The home must be suitable for rehabilitation and located within the unincorporated and incorporated areas of Collier County. The organization/firm will ensure that all SHIP program regulations, rehabilitation strategies and policies (Attachment 1) are carried out and will be required to perform technical and administrative work involving the construction and renovation of residential properties in the rehabilitation program. The County has a total amount of \$856,000 to expend for this project. The firm awarded this project must adhere to the established rehabilitation standards incorporated in Attachment 2 for review.

Collier County HHVS will solicit for qualified applicants (clients) for the rehabilitation program. Once the client is certified and determined to meet all the SHIP requirements (income limits, etc), HHVS will then notify the organization/firm to begin the assessment for the rehabilitation process.

HHVS has identified unobligated funds in the estimated total amount of \$856,000 from the following grant years:

<b>Funding Source</b>	<b>Funding Years</b>	<b>Amount Available</b>
SHIP	FY2012-2013	\$229,400
	FY2013-2014	\$626,600
	Total to be Allocated	\$856,000*

\*No administrative cost is allowed in this program. However, HHVS will pay up to 10% of the funded amount above as Project Delivery.

**PROJECT OVERVIEW**

The Owner-Occupied Rehabilitation Program will focus on necessary repairs to correct code violations or emergency repairs that impact the homeowner’s health, safety and welfare. Some examples of eligible home repairs could be, but not limited to:

- Septic repair/replacement
- Roof repair/replacement
- Well repair/replacement
- Electrical
- Plumbing
- Heating and air conditioning (only applicable with physician’s certificate)
- Window repair/replacement
- Door repair/replacement

**\*NOTE: No relocation costs will be authorized or paid during the rehabilitation of any of the identified improvements. Should a homeowner relocate during the rehabilitation process, it will be at the owner’s and/or Subrecipient’s expense.**

For the FY2013-2014 funds, only those homes built prior to December 2012 (for FY2012-2013 funds homes built prior to December 2010) will be eligible for this program. All property owners must have occupied their home for twelve (12) months prior to application. Properties must be located within Collier County (both incorporated and unincorporated areas). The maximum award per property address will be \$30,000. Applicants assisted must be income certified as very low or low income individuals/families as identified in the SHIP income limits (see Attachment 3 for income limits by family size). Priority will be given to persons with special needs as defined in Florida Administrative Code, 67-37.002 Definitions (21) Persons Who Have Special Needs (Attachment 4). Eligible expenses covered in this program include costs related to all eligible repairs, inspections, work write up and closing costs.

Funds will be secured with a recorded fifteen (15) year, zero interest, deferred subordinate mortgage on the property in the amount of the subsidy used in the project. The loan is forgiven by one third (1/3) every five years so that at the end of the 15<sup>th</sup> year, the entire loan is forgiven. Specific information regarding the program is shown in Attachment 5.

The selected organization will be responsible to perform the following duties:

- Referrals for participation (as applicable)
- Work write-ups of proposed improvements;
- Bid specifications for improvements;
- Advertise for potential contractors and coordinate contractor participation process;
- Contractor selection;
- Contract negotiation/agreements;
- Issues Notice to Proceed;
- Building/Progress/Final inspections;
- Create and maintain construction files and any relative paperwork pertaining to the homeowners unit assisted with SHIP funds;
- Invoices for contractor reimbursement and/or payment;
- Provide support and guidance to client throughout the process;
- Provide grievance/conflict resolution between the homeowner and contractor;
- Other duties may be added by HHVS staff as the program is implemented
- Documentation for reimbursement of project delivery

**EXPERIENCE AND CAPACITY**

The selected organization/firm will have a proven track record with the administration of very low and low income rehabilitation programs and have a demonstrated capacity to perform or ability to subcontract for certain services. The following experience and capacity would be required based on whether the services/activities will be performed entirely by the organization or whether the organization would acquire assistance to supplement their activities:

<b>Subrecipient with Internal Experience</b>	<b>Subrecipient with Contracted Partners</b>
Staff capacity to administer the program	Staff capacity, including contracted partners, to administer the program
Have qualified staff and/or sub-contractors including but not limited to licensed contractor, architect or inspector	Staff, with contracted partners to perform inspections to develop cost estimates, to inspect and certify completed work
Adherence to HHVS Rehabilitation Standards (Attachment 2)	Adherence to HHVS Rehabilitation Standards (Attachment 2)

Record keeping and file documentation capabilities	Record keeping and file documentation capabilities
Knowledge of SHIP program regulations	Knowledge of SHIP program regulations
Experience in the administration and compliance with state contracts	Staff or contracted partners have experience in the administration and compliance with state contracts
Expertise in pulling permits	Expertise in pulling permits
Knowledge of state building codes	Knowledge of state building codes
3-5 years experience implementing and/or managing a SHIP Program, Section 420.907 of the Florida Statutes and Chapter 67-37 Florida Administrative Code	Staff and/or contracted partners has 3-5 years experience implementing and/or managing a SHIP Program, Section 420.907 of the Florida Statutes and Chapter 67-37 Florida Administrative Code
3-5 years experience with Florida Statute 215.97 – Florida Single Audit Act (Attachment 6) and Chapter 10.650, Rules of the Auditor General (Attachment 7)	Staff and/or contracted partners has 3-5 years experience with Florida Statute 215.97 – Florida Single Audit Act (Attachment 6) and Chapter 10.650, Rules of the Auditor General (Attachment 7)
Knowledge of county development codes	Knowledge of county development codes
Develop cost estimates	Develop cost estimates

### **GENERAL APPLICATION INFORMATION**

For funding consideration, all projects must meet the general eligibility requirements listed below.

1. Organizations must be located in Collier County **OR** provide services within Collier County.
2. Organization or subcontractor should have an office in Collier County.
3. Organizations must be a public organization, a for-profit, or a non-profit organization with an IRS 501(c)3 designation.
4. Organizations who have received funding in the past must have acceptable past and/or current performance on County funded projects pursuant to Resolution 2013-228 (Attachment 8).
5. Applicant has the financial capacity to continue operations until pay requests are processed by the Clerk of Court and demonstrate a minimum of 60 days cash on hand. Demonstration will be in the form of the most current balance sheet along with the prior 3 years.
6. Collier County reserves the right to provide additional funding.
7. Organization shall be responsible for knowledge of and compliance with all relative local, state codes and regulations.
8. **A mandatory pre-application meeting must be scheduled by any organization/firm that contemplates submitting an application for the Owner Occupied Residential Rehabilitation program. The organization/firm should have a draft of the application for HHVS staff to review and discuss.**

## APPLICATION SUBMISSION INFORMATION

1. The application must be typed (not handwritten).
2. **One (1) printed original and five (5) separate CD or thumb/flash drives** each containing saved application and attachments in their entirety. CD or thumb/flash drive **MUST** be clearly marked with applicants name, date and funding request. All attachments shall be incorporated into the application and shall be saved as one PDF document.
3. Use a binder clip or rubber band to secure your application package. Do not use staples or binders.
4. Double sided documents **will not** be accepted. Single sided only.
5. Non-profit Organizations **MUST** include the following information with the grant application to be reviewed:
  - a. Original signature by authorized person certifying application. Original signature must be in **BLUE ink. If original signature is not submitted, application will be rejected.**
  - b. 501(c)3 IRS Tax Exemption Letter
  - c. Articles of Incorporation (as amended – most recent)
  - d. By-Laws
  - e. Organizational Chart
  - f. List of current Board of Directors – indicate term limits and officers
  - g. Resumes, pay scales with job descriptions for those within the organization who will manage the project.
  - h. State of Florida Certificate of Good Standing
  - i. Board Resolution authorizing submittal of proposal
  - j. Last 3 years completed audited financial statement, including Management Letter and auditors notes
  - k. Acknowledgement of Religious Organization (attached), as applicable
  - l. Debarment Letter. Must attach a separate executed debarment letter from each of the following:
    - i. Each Board of Director member
    - ii. Officers of the Board
    - iii. Executive Director
    - iv. All employees and supervisors that will work on the grant
  - m. Organization’s Conflict of Interest Policy/Procedures
  - n. Procurement Policy
  - o. Organization’s Most Current Balance Sheet
  - p. Most current Business/Occupational License
  - q. Religious Attestation
6. For-Profit Organizations **MUST** include the following information with the grant application to be reviewed:
  - a. Original signature by authorized person certifying application. Original signature must be in **BLUE ink. If original signature is not submitted, application will be rejected.**
  - b. Most current Business/Occupational license
  - c. Articles of Incorporation
  - d. State of Florida Certificate of Good Standing
  - e. Organizational Chart
  - f. Resumes, pay scales with job descriptions for those within the organization who will manage the project
  - g. Last 3 years completed audited financial statement, including Management Letter and auditor’s notes.
  - h. Debarment Letter. Must attach a separate executed debarment letter from each of the following:

- i. Each Board of Director member, if applicable
    - ii. Officers of the Board
    - iii. All employees and supervisors that will work on the grant
  - i. Organization's Conflict of Interest Policy/Procedures
  - j. Procurement Policy
7. Please do not include instructional and/or informational pages in the application.
  8. HHVS will not accept faxed or email applications.
  9. Do not use folders or cover pages or report covers in submittal.
  - 10. Any incomplete application, not in the attached required format or does not follow the information above will automatically be disqualified. Applications submitted after the due date will not be accepted. Missing the deadline will automatically result in elimination of eligibility to apply.**
  11. *Once submitted, no amendments will be allowed unless an amendment is requested by the County. The County reserves the right to request additional information.*
  12. Do not submit initial pages with the application. Submit information beginning with Page 13.

## GENERAL REQUIREMENTS

### A. Operating Agreement

For-profit and non-profit agencies approved for funding will be required to sign an agreement with the Board of County Commissioners in order to insure compliance with SHIP program. Funds may not be obligated until the agreement is accepted and signed by all parties.

### B. Indemnification

For-profit and non-profit agencies and organizations approved for funding must agree to defend, indemnify, and hold harmless the County, its officers, agents and employees from and against all liability, claims, demands, damages, losses and expenses, including attorneys' fees, original and on appeal, arising out of, or related in any way to the performance of the agreement.

### C. Insurance

Agencies and organizations approved for this program will be required to obtain insurance coverage, which shall contain a provision, which forbids any cancellation, changes or material alterations without prior notice to the County at least thirty (30) calendar days in advance. The insurance coverage shall be evidenced by an original Certificate of Insurance provided to the County prior to the execution of the agreement. The required insurance coverage/limitations will be specified in the written agreement.

### D. Program Monitoring

Applicants approved for this program will be required to maintain documentation of program implementation and submit required information necessary to monitor program accountability and progress in accordance with the terms and conditions of the agreement. Monitoring will include, at a minimum, quarterly monitoring reports, on-site monitoring and compliance reports and records as specified in the contractual agreement.

### E. Notification

The for-profit or non-profit organization chosen will be notified in March 2014 of program selection. Receipt of a conditional award letter is not a guarantee of funding until all requirements and specifications are addressed and the organization has a fully executed agreement. The County will issue a Notice to Proceed in order to start the program.

**SUBMITTAL DEADLINE**

Responses to the Owner-Occupied Rehabilitation Program are **due on Friday, February 21, 2014 no later than 3:00 pm at:**

Collier County Housing, Human and Veteran Services  
Attention: Elly Soto McKuen, Operations Analyst  
3339 E. Tamiami Trail, Suite 211  
Naples, FL 34112

***LATE APPLICATIONS WILL NOT BE ACCEPTED***



## APPLICATION REVIEW

Once submitted, HHVS will evaluate applications in a two-phase process. In the initial phase staff will review the application for:

- Conformance to the submission requirements
- Compliance with SHIP regulations
- Level of Risk per the SHIP Risk Assessment Form
- Capacity and experience
- Project feasibility
- Adherence to SHIP priorities
- Past Performance Evaluation

Documentation for these items will be supplied to the Review and Ranking Committee

The second phase will involve an evaluation, scoring and recommendation by the Review and Ranking Committee (RRC). During this phase, and at its discretion, County staff, with the participation of the RRC, may conduct interviews with qualifying applicants, and/or request additional information in the form of Cure Questions in order to provide the applicant the opportunity to clarify their application.

Applicants meeting the minimum criteria outlined in Phase 1 of the evaluation process above will be invited to present a 10-minute presentation to the RRC of their proposal.

## EVALUATION CRITERIA

Proposals for the supplemental funding cycle will be evaluated, scored and ranked based on the following criteria and point system.

<b>CRITERIA</b>	<b>MAXIMUM POINTS</b>
Organizational Experience/Capacity	40
Project Approach	40
Financial Capacity	20
<b>TOTAL POINTS</b>	<b>100</b>
<b>BONUS POINTS</b>	
Organization demonstrated some personnel are from the Welfare Transition Program <sup>1</sup>	20
Organization/Firm identified an existing line of credit and capacity to carry funds until reimbursed by Collier County Clerk's Office	20
MBE/WBE as the Project Subrecipient	5
Demonstrated attendance at a SHIP and/or affordable housing workshop within the last 3 years	5
<b>TOTAL POINTS AVAILABLE</b>	<b>150</b>

<sup>1</sup> Collier County and City of Naples SHIP Local Housing Assistance Plan (LHAP), Page 5, Item I. Program Description, sub section M. Welfare Transition Program.

## EVALUATION CRITERIA

The following is a detailed account of how the criteria above will be applied to each proposal. The information requested is specific. All applicants are strongly encouraged to carefully review the evaluation criteria and ensure that all proposals submitted enable the HHVS to evaluate the project's purpose, intent and value. An applicant would greatly benefit by using the following questions as a "checklist" when preparing a proposal.

1. Organizational Experience/Capacity: (Maximum Points: 40)

The category will be evaluated on the basis on the experience of the organization/firm and experience in undertaking projects of similar complexity.

- Organization/firm meets and/or exceeds the required years of experience working with SHIP program and demonstrates a firm understanding of the SHIP regulations.
- Organization/firm has demonstrated that they have staff and/or subcontractors that have the necessary experience to perform the day-to-day operation of the program.
- Demonstrated knowledge of county development codes and local and state building codes.
- Proven understanding of recordkeeping and retention requirements.

2. Project Approach (Maximum Points: 40)

This category will be evaluated in terms of how the organization/firm will meet the objectives, milestones and benchmarks of the program.

- The design of the program is clearly defined.
  - Objectives, milestones and benchmarks have been included to indicate the progress of the program.
  - Sample forms are included that the organization/firm will use to implement the program.
  - Are policy and procedures included in the submittal?
  - Did the organization/firm acknowledge the timeline identified in the application and will they be able to meet the deadlines?
  - Did the organization/firm indicate record keeping, retention and timely reporting and provide examples of how they met the deadlines in the past?

3. Project Capacity: (Maximum Points: 20)

This category will be evaluated in terms of how the organization/firm demonstrates their plan to meet the financial obligations of the program.

- Demonstrates an established accounting system
- Demonstrates the financial ability to fund the project until reimbursement
- If funded, the organization/firm's budget will reflect an understanding of the required costs to implement and maintain the project

4. Bonus Points: (Maximum Points: 20 each)

- 2011-2013 Collier County SHIP LHAP, page 5, Section I, subsection M – Should an eligible subrecipient be used, the County has developed a qualification system and selection criteria for applications for awards to eligible subrecipients that employ personnel from the Welfare Transition Program will be given preference in the selection process.
- Demonstrated line of credit and/or demonstrated capacity to pay contractors prior to reimbursement from the Collier County Clerk's Office (carrying capacity).

Bonus Points: (Maximum Points: 5 each)

- Organization/firm President/CEO is a MBE/WBE. Applicable documentation must be submitted if applying for these bonus points.
- Demonstrated attendance at a SHIP and/or affordable housing workshop within the last 3 years. Applicable documentation must be submitted if claiming these bonus points. Documentation could be, but not limited to, attendance certification from workshop.

The County reserves the following rights:

1. Conduct pre-award discussion with any or all, responsive and responsible proposers who submit proposals determined to be reasonably acceptable of being selected for award; conduct personal interviews or require presentations of any or all proposers prior to selection.
2. Request that proposer(s) modify their proposal to more fully meet the needs of the County or to furnish additional information as the County may reasonably require.
3. Accord fair and equal treatment with respect to any opportunity for discussions and revisions of proposals. Such revisions may be permitted after submission of proposals and prior to award.
4. Process the selection of the successful proposer without further discussion.
5. Accept or reject qualifications or proposals in part or in whole.
6. Request additional qualification information.
7. Limit and/or determine the actual contract services to be included in a contract, if applicable.
8. Obtain information for use in evaluating submittals from any source.
9. Waive any irregularity in any proposal, or reject any or all submittals, should it be deemed in the best interest of Collier County to do so.
10. The County shall be the sole judge of proposers' qualifications.

**PROJECT APPROVAL AND CONTRACT DEVELOPMENT**

The County anticipates, but is not bound by, the following schedule for reviewing applications and recommending funding for the supplemental cycle.

<b>Date</b>	<b>Day</b>	<b>Action/Event</b>
January 20, 2014	Mon	Grant Announcement in NDN
January 21, 2014	Mon	Application cycle begins
February 4, 2014	Tues	Technical Assistance meeting at Immokalee library - 3:00 to 5:00pm
February 13, 2014	Thurs	Technical Assistance meeting at Golden Gate Library - 3:00 to 5:00pm
February 14, 2014	Fri	Last day for one-on-one technical assistance
February 14, 2014	Fri	Q&A to interested parties from TA, 1:1 meetings and phone calls
February 21, 2014	Fri	Grant closes 3:00 pm
Feb 24-28, 2014	Mon-Fri	Staff Review, Evaluation, and Feasibility of Projects
February 27, 2014	Thurs	Placeholder (Level1) in SIRE for Mar 25 BCC Mtg
February 28, 2014	Fri	Staff delivers applications to Review Committee members
March 12, 2014	Wed	Application Committee Review & Scoring
Mar 12-18, 2014	Wed-Tues	Cure Period
March 13, 2014	Thurs	SIRE (Level 3) for March 25 BCC Meeting
March 25, 2014	Tues	BCC approval of Subrecipient Agreement

## APPLICATION CHECKLIST

Insert Organization's Name

### COLLIER COUNTY FISCAL YEAR 2012/2013 and 2013/2014 HHVS GRANT APPLICATION COVER CHECKLIST

Place this checklist on top of the application. Submit the following pages in the order outlined below plus required exhibits and any attachments.

#### APPLICATION CHECKLIST

- Applicant Information
- Agency Organization Information
- Project Summary Information
- Experience and Capacity
  
- Exhibits (as applicable for non-profit and for-profit organizations)**
  - Most current business/occupational license – for-profit organization
  - 501 (c) (3) IRS Tax Exemption Letter – non-profit organization
  - Articles of Incorporation
  - By-Laws
  - Organizational Chart
  - List of Board of Directors
  - Resumes, Pay Scales with Job Descriptions
  - State of Florida Certificate of Good Standing
  - Board Resolution authorizing submittal of grant application
  - Preceding 3-year audits including management letter and findings
  - Acknowledgement Letter
  - Affidavit of Compliance with Federal, State, Local Regulations
  - Acknowledgement of Religious Organization Requirements
  - Certification Regarding Debarment, Suspension, Ineligibility Voluntary Exclusion
  - Procurement Policy
  - Organization's Most Current Balance Sheets
  - Business/Occupational License
  - Rehabilitation policy and procedures

**ACKNOWLEDGEMENT LETTER**

**All applicants shall incorporate this letter in the grant application submittal on the organization's letterhead. This will be page 2 of the application packet following the checklist.**

Date, 2014

Ms. Kimberley Grant, Director  
Collier County Housing, Human and Veteran Services  
3339 E. Tamiami Trail, Suite 211  
Naples, FL 34112

RE: Request for Funding under the SHIP Owner-Occupied Rehabilitation Program

Dear Ms. Grant and Members of the RRC:

I have read the Collier County Housing, Human and Veteran Services (HHVS) application to implement a SHIP Owner-Occupied Rehabilitation Program. On behalf of \_\_\_\_\_ (*Organization's Name*), as the duly authorized signatory for \_\_\_\_\_ (*Organization's Name*), I agree to and accept the terms, specific limitations, and conditions expressed therein. In addition, I have read, rely upon, acknowledge and accept the County's Disclosure and Disclaimer, which is attached hereto and is fully incorporated into this letter.

By signing below, the undersigned acknowledges that he/she has read and understands the Certifications attached hereto as Appendix \_\_\_ and, if awarded SHIP funds, as applicable, \_\_\_\_\_ (*Organizations' Name*) will be able to comply fully with the provisions of all additional applicable federal, state and local requirements, including procurement and financial management. The County reserves the right to verify that the authorized signature above is authorized to bind the Applicant (on behalf of the Organization) and may require the Application to submit documentation verifying such authority.

The \_\_\_\_\_ (*Organization's Name*) also attaches a letter designating the person that has signatory authority to bind the organization should funding be allocated. The signatory letter must be notarized.

Sincerely,

\_\_\_\_\_  
Signature of Agency Representative

\_\_\_\_\_  
Name and Title

**COLLIER COUNTY  
HOUSING, HUMAN & VETERAN SERVICES  
GRANT APPLICATION**

**APPLICANT INFORMATION**

**Organization Name:** \_\_\_\_\_

**Organization Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Physical Address if different:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Contact Person/Title:** \_\_\_\_\_

**Contact Email Address:** \_\_\_\_\_

**Federal Tax ID #:** \_\_\_\_\_

**DUNS #:** \_\_\_\_\_

**AGENCY ORGANIZATION INFORMATION**

1. Is your organization a for-profit or non-profit organization? If the organization is a non-profit do you have a 501(c) (3) status? Yes  No

Years in Operation: \_\_\_\_\_

2. Is your organization or agency faith based? Yes  No

If yes, all faith-based organizations must complete and attach Acknowledgement of Religious Organization Requirements and must identify national or state affiliation and provide your mission statement.

3. Agency has written personnel, fiscal/procurement & implemented policy? \*  
\*Housing, Human & Veteran Services will review item 3 upon award. Yes  No

4. Agency has a written administrative operating procedures manual? Yes  No

\* Housing, Human & Veteran Services will review item 4 upon award.

5. Agency has a written conflict of interest policy and has attached it to this application.  
Yes  No

## SUMMARY INFORMATION (PROGRAM APPROACH)

(Not to exceed 3 pages)

1. Clearly describe the design of the proposed program. Be as descriptive as possible in this section.
2. Identify objectives, milestones, and benchmarks which will help guide program activity(s) and indicate progress.
3. Provide the forms that will be used by the organization/firm to carry out the program.
4. Describe how you plan to coordinate your organization's resources and services to best accomplish your proposed activity(s).
5. Identify the location of activity to be delivered.
6. Demonstrate the activity's consistency with Collier County's Local Housing Assistance Plan with respect to the Owner-Occupied Rehabilitation Program.
7. Provide a detailed implementation schedule for your activity(s) to ensure compliance with SHIP Program encumbrance and expenditure deadlines:
  - a. Rehabilitation utilizing FY2012-2013 funds completed by April 30, 2015
  - b. Rehabilitation utilizing FY2013-2014 funds completed by July 30, 2015
  - c. SHIP expenditure deadline:
    - i. FY2012-2013 – June 30, 2015
    - ii. FY2013-2014 – September 30, 2015
8. Describe how the organization will track program expenditures
9. Describe how the organization will report the information to the County on a monthly basis
10. Describe who will be responsible for completing the annual report information, a timeline for submission and information to be provided for the annual report to HHVS.
11. Describe the organization/firms grievance/conflict of interest process. For example: if a homeowner has an issue with the contractor, what steps will the organization/firm take to resolve the problem? Under what circumstances will the organization/firm enlist the assistance from HHVS and when will the organization/firm resolve the issue internally?
12. Describe the warranty process once the housing rehabilitation is complete. Will the organization/firm provide any additional warranties in addition to any manufacture's warranties. If so, please describe.



## **PROJECT IMPLEMENTATION PLAN AND READINESS TO IMPLEMENT**

(Not to exceed 2 pages)

Explain how/when/where the program will commence and the funds expended. List the tasks in a logical order that demonstrates a feasible work plan, identify staff, board members, contractors, subcontractors, partners that will be responsible for implementation. Show the available resources needed to implement the proposed project and demonstrate the ability to complete projects or tasks in a timely manner. Demonstrate an understanding of the obstacles that may be encountered in developing and implementing the project and describes, in detail, the approaches that will be employed to overcome such obstacles.

## **EXPERIENCE AND CAPACITY**

(Not to exceed 2 pages)

Demonstrate the organization/firm has at least 2 to 5 years of experience in implementing an owner-occupied rehabilitation project either through direct experience or with subcontractor experience. Explain how the organization's roles and responsibilities, as well as subcontractors interactions, are clearly defined and document the experience in completing the project listed in the application and that each member understands and accepts their role(s), how the organization has sufficient capacity to administer the proposed project. Include staffing levels, time commitments, contributions to the process, qualifications of key staff and organizational structure. Demonstrate specifics on how the organization has been successful from past performance with rehabilitation programs. What checks/balances are in place to avoid potential (real or perceived) conflicts of interest? Explain in detail the ability of the organization to provide programmatic oversight for this grant funded project to ensure full grant program and fiscal compliance.

**FINANCIAL MANAGEMENT AND BUDGET**

(Not to exceed 1 page)

Outline a realistic plan for sustainability before reimbursement is made by the County. Describe the organization's established accounting system and financial ability to fund the project until reimbursement. Attach the most current balance sheet for review, along with the last 3 years end of the year balance sheets.

**FINANCIAL MANAGEMENT AND BUDGET**

Agency maintains the following records:

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| Cash Receipts Journal  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Cash Disbursements Journal   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| General Ledger   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Charts of Accounts   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Payroll Journal and Individual Payroll Records   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Individual Personnel Files   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Written Procurement Procedures   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Capital Inventory  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Written Travel Policy  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Property Control Policy and Records  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Will submit complete audits every year during contract period  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Agrees to retaining all project records for the applicable time period as outlined in applicable regulations | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

If awarded, organization/firm understands they must have a Letter of Credit in the amount of 20% of the contract total and/or must provide a monthly bank statement showing sufficient financial capacity (unobligated funds – 20% of contract) to sustain the organization/firm until reimbursement by the County is made

Yes       No

## AFFIDAVIT OF COMPLIANCE WITH LOCAL AND STATE REGULATIONS

The undersigned certifies that the information in this application is true and correct. The undersigned further certifies that they are aware that if Collier County HHVS finds that the applicant or undersigned has engaged in fraudulent actions or intentionally misrepresented facts on this application, this application will be rejected and the applicant may be unable to participate in any program for three (3) fiscal years.

In applying for SHIP funds, the applicant has read, understands and agrees to comply with all the provisions of all state and local regulations and laws.

1. SHIP regulations Florida Statutes 420.907.
2. Florida Administrative Code 67-37.002, Definitions (21) Persons Who Have Special Needs.
3. Prohibition Of Gifts To County Employees - No organization or individual shall offer or give, either directly or indirectly, any favor, gift, loan, fee, service or other item of value to any County employee, as set forth in Chapter 112, Part III, Florida Statutes, Collier County Ethics Ordinance No. 2004-05, as amended, and County Administrative Procedure 5311.
4. Order of Precedence - In the event of any conflict between or among the terms of any of the Contract Documents, the terms of the Agreement shall take precedence over the terms of all other Contract Documents, except the terms of any Supplemental Conditions shall take precedence over the Agreement. To the extent any conflict in the terms of the Contract Documents cannot be resolved by application of the Supplemental Conditions, if any, or the Agreement, the conflict shall be resolved by imposing the more strict or costly obligation under the Contract Documents upon the Contractor at Owner's discretion.
5. Dispute Resolution - Prior to the initiation of any action or proceeding permitted by this Agreement to resolve disputes between the parties, the parties shall make a good faith effort to resolve any such disputes by negotiation. Any situations when negotiations, litigation and/or mediation shall be attended by representatives of SUBRECIPIENT with full decision-making authority and by COUNTY'S staff person who would make the presentation of any settlement reached during negotiations to COUNTY for approval. Failing resolution, and prior to the commencement of depositions in any litigation between the parties arising out of this Agreement, the parties shall attempt to resolve the dispute through Mediation before an agreed-upon Circuit Court Mediator certified by the State of Florida. Should either party fail to submit to mediation as required hereunder, the other party may obtain a court order requiring mediation under § 44.102, *Florida Statutes*. The litigation arising out of this Agreement shall be Collier County, Florida, if in state court and the US District Court, 20<sup>th</sup> Judicial Court of Florida, if in federal court. BY ENTERING INTO THIS AGREEMENT, COLLIER COUNTY AND THE SUBRECIPIENT EXPRESSLY WAIVE ANY RIGHTS EITHER PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO, OR ARISING OUT OF, THIS AGREEMENT.
6. The SUBRECIPIENT certifies that neither it, nor its principals, is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal Department or agency; and, that the SUBRECIPIENT shall not knowingly enter into any lower tier contract, or other covered transaction, with a person who is similarly debarred or suspended from participating in this covered transaction.
7. Audits shall be conducted annually and shall be submitted to the COUNTY one hundred eighty (180) days after the end of the SUBRECIPIENT's fiscal year. The SUBRECIPIENT shall comply with the requirements and standards of Florida Statutes Chapter 215.97 (Florida Single Audit Act) and Rules of the Auditor General Chapter 10.650. If this Agreement is closed out prior to the receipt of an audit report, the COUNTY reserves the right to recover any disallowed costs identified in an audit after such closeout.
8. As provided in § 287.133, *Florida Statutes* by entering into this Agreement or performing any work in furtherance hereof, the SUBRECIPIENT certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the 36 months immediately preceding the

date hereof. This notice is required by § 287.133 (3) (a), *Florida Statutes*.

9. Travel reimbursement will be based on the State of Florida requirements, Florida Statute Chapter 112.061.

10. Any rule or regulation determined to be applicable by SHIP.

11. Florida Statutes 713.20, Part 1, Construction Liens

12. Florida Statutes 119.021 Records Retention

**Organization Name:** \_\_\_\_\_

**Name/Signature:**

\_\_\_\_\_  
(Please Print) (Signature)

**Title:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

## ACKNOWLEDGEMENT OF RELIGIOUS ORGANIZATION REQUIREMENTS

In accordance with the First Amendment of the United States Constitution "church/state principles," SHIP assistance may not, as a general rule, be provided to primarily religious entities for any secular or religious activities.

Therefore, the following restrictions and limitations apply to any provider which represents that it is, or may be deemed to be, a religious or denominational institution or an organization operated for religious purposes which is supervised or controlled by or operates in connection with a religious or denominational institution or organization.

A religious entity that applies for and is awarded SHIP funds for public service activities must agree to the following:

1. It will not discriminate against any employee or applicant for employment on the basis of religion and will not limit employment or give preference to persons on the basis of religion.
2. It will not discriminate against any person applying for such public services on the basis of religion and will not limit such services or give preference to persons on the basis of religion. The organization may continue to carry out its mission, including the definition, practice and expression of its religious beliefs, provided it does not use direct SHIP funds to support any inherently religious activities. Among other things, faith based organizations may use space in their facilities to provide SHIP funded services without removing religious art, icons, scriptures or other religious symbols. A SHIP funded religious organization retains its authority over its internal governance and may retain religious terms in its organization's name, select its board members on a religious basis, and include religious references in its organization's mission statements and other governing documents.
3. It may not engage in inherently religious activities, such as worship, religious instruction or proselytization, as part of the programs or services funded under this part. If the organization conducts such activities, the activities must be offered separately, in time or location, from the programs or services funded under this part and participation must be voluntary for the beneficiaries of the SHIP funded programs or services.
4. SHIP funds may not be used for the acquisition, construction or rehabilitation of structures to the extent that those structures are used for inherently religious activities. Sanctuaries, chapels, or other rooms that a SHIP funded religious congregation uses as its principal place of worship, however, are ineligible for SHIP funded improvements.

I hereby acknowledge that I have read the specific requirements contained in this attachment and that eligibility of my organization's project depends upon compliance with the requirements contained in this agreement.

**Organization Name:** \_\_\_\_\_

**Name/Signature:**

\_\_\_\_\_  
(Please Print) (Signature)

**Title:** \_\_\_\_\_

**Date Signed:** \_\_\_\_\_

## ATTESTATION FOR THE GRANTEE ENTITY

### REGARDING DEBARMENT, REAL OR APPARENT CONFLICT OF INTEREST, FALSIFICATION OF DOCUMENTS, SUBSTANTIAL NON-COMPLIANCE OR NON-PERFORMANCE UNDER A GRANT, SUSPENSION, INELIGIBILITY, VOLUNTARY EXCLUSION AGREEMENTS/SUB-AGREEMENTS

This certification is required by the regulation implementing Executive Order 12549, Debarment and Suspension, signed February 18, 1986. The guidelines were published in the May 29, 1987 Federal Register (52 Fed. Reg., pages 20360-20369).

The Board of County Commissioners further adopted a Resolution (2013-228) effective October 8, 2013 to establish application screening criteria for Collier County administered federal and state grants. The resolution specifies this list of interested parties refer to the following representatives of the grantee organization under any form of arrangement or agreement:

- Each Board of Directors member
- Officers of the Board
- Executive Director
- All employees and supervisors that will work on the grant

#### Definitions:

(1) The terms "debarred," "suspended," "ineligible," "person," "principal," and "voluntarily excluded," as used in this certification, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 and 45 CFR (Code of Federal Regulations), Part 76. Contact Collier County Housing, Human and Veteran Services or go to [www.HUD.gov](http://www.HUD.gov) website for assistance in obtaining a copy of those regulations.

(2) The term substantial non-compliance or non-conformance as used in this certification includes:

- Return of awarded grant funds on more than one occasion in the last three years
- Non-compliance with a monitoring corrective action plan
- Other substantial non-compliance or non-conformance of a grant

The organization applying for grant funding is hereby attesting and will follow the below listed:

1. Each grantee of federal financial and non-financial assistance must sign this debarment certification prior to agreement execution. Independent auditors who audit federal programs regardless of the dollar amount are required to sign a debarment certification form. Collier County Housing, Human & Veteran Services or its agreement grantee/contractors will not contract with subcontractors if they are debarred or suspended by the federal government.
2. Each entity applying for a grant from Collier County will assure all persons listed above complete and submit appropriate certifications.
3. The grantee shall provide immediate written notice to the grant coordinator at any time the grantee/contractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The grantee further agrees by submitting this certification that, it shall not knowingly enter into any sub-agreement with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this contract unless authorized by the Federal Government.
5. The grantee further agrees by submitting this certification that it will require each contractor/subcontractor of agreements and/or contracts referencing this contract whose payment will equal or exceed \$100,000 in federal monies, to submit a signed copy of this certification with each sub-agreement.

6. The grantee may rely upon a certification by a subcontractor entity that it is not debarred, suspended, ineligible, or voluntarily excluded from contracting/subcontracting unless the grantee/contractor knows that the certification is erroneous.
7. The grantee has adopted conflict of interest policies and procedures within their organization and will provide a copy of such prior to the execution of an agreement should the grant application be funded. If the grantee does not have conflict of interest policies and procedures they must adopt policies/procedures for determining when a conflict of interest exists and disclosing it to the public as required by the applicable program requirements.
8. If funded, and as applicable, the all contractors and subcontractors hired by the grantee will be required to sign a similar form attesting to the same requirements outlined in this document prior to entering into any grant sponsored contract.

The prospective grantee certifies, by signing this certification, that neither the entity nor their above noted principals and respective employees, within the last three years:

- (1) Has been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in contracting with Collier County Housing Human & Veteran Services by any federal department or agency. Where the prospective grantee is unable to certify to any of the statements in this certification, such prospective grantee shall attach an explanation to this certification.
- (2) Has had a real or apparent conflict of interest
- (3) Has falsified documents
- (4) Has substantial non-compliance or non-conformance with performance under a grant with Collier County or any other entity

Collier County Housing, Human and Veteran Services will rely on the attestation of this document as true and reliable. However, the County reserves the right to request additional documentation prior to making a final determination.

Collier County Housing, Human & Veteran Services may rely upon a certification by a nonprofit organization that it is not debarred, suspended, ineligible, or voluntarily excluded from contracting or subcontracting unless the department knows that the certification is erroneous.

This certification is a material representation of fact upon which reliance is placed when this application is submitted. If it is later determined that the signed knowingly rendered an erroneous certification, the Federal Government and Collier County may pursue available remedies, including suspension, debarment, grant award retraction, suspension from applying for awards for three years under Resolution 2013-228.

Name of Organization: \_\_\_\_\_

Signature of Authorized Individual \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
 Name and Title of Authorized Individual  
 (Print or type)



**ATTESTATION FOR THE DIRECTORS OF THE BOARD, EXECUTIVE DIRECTOR,  
EMPLOYEE OR SUPERVISOR**

**REGARDING DEBARMENT, REAL OR APPARENT CONFLICT OF INTEREST, FALSIFICATION OF  
DOCUMENTS, SUBSTANTIAL NON-COMPLIANCE OR NON-PERFORMANCE UNDER A GRANT,  
SUSPENSION, INELIGIBILITY, VOLUNTARY EXCLUSION AGREEMENTS/SUB-AGREEMENTS**

The Board of County Commissioners adopted a Resolution (2013-228) effective October 8, 2013 to establish application screening criteria for Collier County administered federal and state grants. The resolution specifies this list of interested parties refer to the following representatives of the grantee organization under any form of arrangement or agreement:

Each Board of Directors member  
Officers of the Board  
Executive Director  
All employees and supervisors that will work on the grant

Definitions:

(1) The terms "debarred," "suspended," "ineligible," "person," "principal," and "voluntarily excluded," as used in this certification, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549 and 45 CFR (Code of Federal Regulations), Part 76. Contact Collier County Housing, Human and Veteran Services or go to [www.HUD.gov](http://www.HUD.gov) website for assistance in obtaining a copy of those regulations.

(3) The term substantial non-compliance or non-conformance as used in this certification includes:

- Return of awarded grant funds on more than one occasion in the last three years
- Non-compliance with a monitoring corrective action plan
- Other substantial non-compliance or non-conformance of a grant

The undersigned certifies, by signing this certification, that, within the last three years, they have not:

1. Been debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in contracting with Collier County Housing Human & Veteran Services by any federal department or agency. (Where the prospective grantee is unable to certify to any of the statements in this certification, such prospective grantee shall attach an explanation to this certification.)
2. Had a real or apparent conflict of interest
3. Falsified documents
4. Had substantial non-compliance or non-conformance with performance under a grant with Collier County or any other entity

The undersigned shall provide immediate written notice to the grantee at any time the undersigned learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Collier County Housing, Human and Veteran Services will rely on the attestation of this document as true and reliable. However, the County reserves the right to request additional documentation prior to making a final determination.

This certification is a material representation of fact upon which reliance is placed when this application is submitted. If it is later determined that the signed knowingly rendered an erroneous certification, the Federal Government and Collier

County may pursue available remedies, including suspension, debarment, grant award retraction, suspension from applying for awards for three years under Resolution 2013-228.

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Role of undersigned (Director, Executive Director, Employee [specify role], Supervisor [specify role])

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or type name of signatory

\_\_\_\_\_  
Date

# **ATTACHMENTS**

**Attachment 1 – Florida Statutes Chapter 420.907 (SHIP)**

**Attachment 2 - Collier County Housing, Human and Veteran Services Rehabilitation Standards**

**Attachment 3 - SHIP Income Limits**

**Attachment 4 - Florida Administrative Code 67-37**

**Attachment 5 – Sample Lien/2<sup>nd</sup> Mortgage**

**Attachment 6– Florida Statutes Chapter 215.97 (Florida Single Audit Act)**

**Attachment 7– Rules of the Auditor General Chapter 10.650**

**Attachment 8 – Collier County Resolution No. 2013-228 (Conflict of Interest)**

**Attachment 9 - FY2011-13 and FY2013-2016 SHIP LHAP**

## PART VII

### STATE HOUSING INITIATIVES PARTNERSHIP

420.907 Short title.

420.9071 Definitions.

420.9072 State Housing Initiatives Partnership Program.

420.9073 Local housing distributions.

420.9075 Local housing assistance plans; partnerships.

420.9076 Adoption of affordable housing incentive strategies; committees.

420.9079 Local Government Housing Trust Fund.

**420.907 Short title.**--Sections 420.907-420.9079 may be cited as the "State Housing Initiatives Partnership Act."

**History.**--s. 32, ch. 92-317.

**420.9071 Definitions.**--As used in ss. 420.907-420.9079, the term:

(1) "Adjusted for family size" means adjusted in a manner that results in an income eligibility level that is lower for households having fewer than four people, or higher for households having more than four people, than the base income eligibility determined as provided in subsection (19), subsection (20), or subsection (28), based upon a formula established by the United States Department of Housing and Urban Development.

(2) "Affordable" means that monthly rents or monthly mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in subsection (19), subsection (20), or subsection (28). However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark.

(3) "Affordable housing advisory committee" means the committee appointed by the governing body of a county or eligible municipality for the purpose of recommending specific initiatives and incentives to encourage or facilitate affordable housing as provided in s. 420.9076.

(4) "Annual gross income" means annual income as defined under the Section 8 housing assistance payments programs in 24 C.F.R. part 5; annual income as reported under the census

long form for the recent available decennial census; or adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 for individual federal annual income tax purposes or as defined by standard practices used in the lending industry as detailed in the local housing assistance plan and approved by the corporation. Counties and eligible municipalities shall calculate income by annualizing verified sources of income for the household as the amount of income to be received in a household during the 12 months following the effective date of the determination.

(5) "Award" means a loan, grant, or subsidy funded wholly or partially by the local housing assistance trust fund.

(6) "Community-based organization" means a nonprofit organization that has among its purposes the provision of affordable housing to persons who have special needs or have very low income, low income, or moderate income within a designated area, which may include a municipality, a county, or more than one municipality or county, and maintains, through a minimum of one-third representation on the organization's governing board, accountability to housing program beneficiaries and residents of the designated area. A community housing development organization established pursuant to 24 C.F.R. part 92.2 and a community development corporation created pursuant to chapter 290 are examples of community-based organizations.

(7) "Corporation" means the Florida Housing Finance Corporation.

(8) "Eligible housing" means any real and personal property located within the county or the eligible municipality which is designed and intended for the primary purpose of providing decent, safe, and sanitary residential units that are designed to meet the standards of the Florida Building Code or previous building codes adopted under chapter 553, or manufactured housing constructed after June 1994 and installed in accordance with the installation standards for mobile or manufactured homes contained in rules of the Department of Highway Safety and Motor Vehicles, for home ownership or rental for eligible persons as designated by each county or eligible municipality participating in the State Housing Initiatives Partnership Program.

(9) "Eligible municipality" means a municipality that is eligible for federal community development block grant entitlement moneys as an entitlement community identified in 24 C.F.R. s. 570, subpart D, Entitlement Grants, or a nonentitlement municipality that is receiving local housing distribution funds under an interlocal agreement that provides for possession and administrative control of funds to be transferred to the nonentitlement municipality. An eligible municipality that defers its participation in community development block grants does not affect its eligibility for participation in the State Housing Initiatives Partnership Program.

(10) "Eligible person" or "eligible household" means one or more natural persons or a family determined by the county or eligible municipality to be of very low income, low income, or moderate income according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household.

(11) "Eligible sponsor" means a person or a private or public for-profit or not-for-profit entity that applies for an award under the local housing assistance plan for the purpose of providing eligible housing for eligible persons.

(12) "Grant" means an award from the local housing assistance trust fund to an eligible sponsor or eligible person to partially assist in the construction, rehabilitation, or financing of eligible housing or to provide the cost of tenant or ownership qualifications without requirement for repayment as long as the condition of award is maintained.

(13) "Loan" means an award from the local housing assistance trust fund to an eligible sponsor or eligible person to partially finance the acquisition, construction, or rehabilitation of eligible housing with requirement for repayment or provision for forgiveness of repayment if the condition of the award is maintained.

(14) "Local housing assistance plan" means a concise description of the local housing assistance strategies and local housing incentive strategies adopted by local government resolution with an explanation of the way in which the program meets the requirements of ss. 420.907-420.9079 and corporation rule.

(15) "Local housing assistance strategies" means the housing construction, rehabilitation, repair, or finance program implemented by a participating county or eligible municipality with the local housing distribution or other funds deposited into the local housing assistance trust fund.

(16) "Local housing incentive strategies" means local regulatory reform or incentive programs to encourage or facilitate affordable housing production, which include at a minimum, assurance that permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects; an ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption; and a schedule for implementing the incentive strategies. Local housing incentive strategies may also include other regulatory reforms, such as those enumerated in s. 420.9076 or those recommended by the affordable housing advisory committee in its triennial evaluation of the implementation of affordable housing incentives, and adopted by the local governing body.

(17) "Local housing distributions" means the proceeds of the taxes collected under chapter 201 deposited into the Local Government Housing Trust Fund and distributed to counties and eligible municipalities participating in the State Housing Initiatives Partnership Program pursuant to s. 420.9073.

(18) "Local housing partnership" means the implementation of the local housing assistance plan in a manner that involves the applicable county or eligible municipality, lending institutions, housing builders and developers, real estate professionals, advocates for low-income persons, community-based housing and service organizations, and providers of professional services relating to affordable housing. The term includes initiatives to provide support services for housing program beneficiaries such as training to prepare persons for the responsibility of homeownership, counseling of tenants, and the establishing of support services such as day care, health care, and transportation.

(19) "Low-income person" or "low-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever amount is greatest. With respect to rental units, the low-income household's annual income at the time of initial occupancy may not exceed 80 percent of the area's median income adjusted for family size. While occupying the rental unit, a low-income household's annual income may increase to an amount not to exceed 140 percent of 80 percent of the area's median income adjusted for family size.

(20) "Moderate-income person" or "moderate-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 120 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the moderate-income household's annual income at the time of initial occupancy may not exceed 120 percent of the area's median income adjusted for family size. While occupying the rental unit, a moderate-income household's annual income may increase to an amount not to exceed 140 percent of 120 percent of the area's median income adjusted for family size.

(21) "Personal property" means major appliances, including a freestanding refrigerator or stove, to be identified on the encumbering documents.

(22) "Plan amendment" means the addition or deletion of a local housing assistance strategy or local housing incentive strategy. Plan amendments must at all times maintain consistency with program requirements and must be submitted to the corporation for review pursuant to s. 420.9072(3). Technical or clarifying revisions may not be considered plan amendments but must be transmitted to the corporation for purposes of notification.

(23) "Population" means the latest official state estimate of population certified pursuant to s. 186.901 prior to the beginning of the state fiscal year.

(24) "Program income" means the proceeds derived from interest earned on or investment of the local housing distribution and other funds deposited into the local housing assistance trust fund, proceeds from loan repayments, recycled funds, and all other income derived from use of funds deposited in the local housing assistance trust fund. It does not include recaptured funds as defined in subsection (25).

(25) "Recaptured funds" means funds that are recouped by a county or eligible municipality in accordance with the recapture provisions of its local housing assistance plan pursuant to s. 420.9075(5)(h) from eligible persons or eligible sponsors, which funds were not used for assistance to an eligible household for an eligible activity, when there is a default on the terms of a grant award or loan award.

(26) "Rent subsidies" means ongoing monthly rental assistance. The term does not include initial assistance to tenants, such as grants or loans for security and utility deposits.

(27) "Sales price" or "value" means, in the case of acquisition of an existing or newly constructed unit, the amount on the executed sales contract. For eligible persons who are building a unit on land that they own, the sales price is determined by an appraisal performed by a state-certified appraiser. The appraisal must include the value of the land and the improvements using the after-construction value of the property and must be dated within 12 months of the date construction is to commence. The sales price of any unit must include the value of the land in order to qualify as eligible housing as defined in subsection (8). In the case of rehabilitation or emergency repair of an existing unit that does not create additional living space, sales price or value means the value of the real property, as determined by an appraisal performed by a state-certified appraiser and dated within 12 months of the date construction is to commence or the assessed value of the real property as determined by the county property appraiser. In the case of rehabilitation of an existing unit that includes the addition of new living space, sales price or value means the value of the real property, as determined by an appraisal performed by a state-certified appraiser and dated within 12 months of the date construction is to commence or the assessed value of the real property as determined by the county property appraiser, plus the cost of the improvements in either case.

(28) "Very-low-income person" or "very-low-income household" means one or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the very-low-income household's annual income at the time of initial occupancy may not exceed 50 percent of the area's median income adjusted for family size. While occupying the rental unit, a very-low-income household's annual income may increase to an amount not to exceed 140 percent of 50 percent of the area's median income adjusted for family size.

(29) "Assisted housing" or "assisted housing development" means a rental housing development, including rental housing in a mixed-use development, that received or currently receives funding from any federal or state housing program.

(30) "Preservation" means actions taken to keep rents in existing assisted housing affordable for extremely-low-income, very-low-income, low-income, and moderate-income households while ensuring that the property stays in good physical and financial condition for an extended period.

**History.**--s. 32, ch. 92-317; s. 12, ch. 93-181; s. 3, ch. 96-332; s. 1046, ch. 97-103; s. 34, ch. 97-167; s. 14, ch. 98-56; s. 14, ch. 2000-353; s. 21, ch. 2006-69; s. 26, ch. 2009-96.

**420.9072 State Housing Initiatives Partnership Program.**--The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing, and to increase housing-related employment.

(1)(a) In addition to the legislative findings set forth in s. 420.6015, the Legislature finds that affordable housing is most effectively provided by combining available public and private



resources to conserve and improve existing housing and provide new housing for very-low-income households, low-income households, and moderate-income households. The Legislature intends to encourage partnerships in order to secure the benefits of cooperation by the public and private sectors and to reduce the cost of housing for the target group by effectively combining all available resources and cost-saving measures. The Legislature further intends that local governments achieve this combination of resources by encouraging active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons, and community groups to produce affordable housing and provide related services. Extending the partnership concept to encompass cooperative efforts among small counties as defined in s. 120.52(19), and among counties and municipalities is specifically encouraged. Local governments are also intended to establish an affordable housing advisory committee to recommend monetary and nonmonetary incentives for affordable housing as provided in s. 420.9076.

(b) The Legislature further intends that the State Housing Initiatives Partnership Program provide the maximum flexibility to local governments to determine the use of funds for housing programs while ensuring accountability for the efficient use of public resources and guaranteeing that benefits are provided to those in need.

(2)(a) To be eligible to receive funds under the program, a county or eligible municipality must:

1. Submit to the corporation its local housing assistance plan describing the local housing assistance strategies established pursuant to s. 420.9075;
2. Within 12 months after adopting the local housing assistance plan, amend the plan to incorporate the local housing incentive strategies defined in s. 420.9071(16) and described in s. 420.9076; and
3. Within 24 months after adopting the amended local housing assistance plan to incorporate the local housing incentive strategies, amend its land development regulations or establish local policies and procedures, as necessary, to implement the local housing incentive strategies adopted by the local governing body. A county or an eligible municipality that has adopted a housing incentive strategy pursuant to s. 420.9076 before the effective date of this act shall review the status of implementation of the plan according to its adopted schedule for implementation and report its findings in the annual report required by s. 420.9075(10). If, as a result of the review, a county or an eligible municipality determines that the implementation is complete and in accordance with its schedule, no further action is necessary. If a county or an eligible municipality determines that implementation according to its schedule is not complete, it must amend its land development regulations or establish local policies and procedures, as necessary, to implement the housing incentive plan within 12 months after the effective date of this act, or if extenuating circumstances prevent implementation within 12 months, pursuant to s. 420.9075(13), enter into an extension agreement with the corporation.

(b) A county or an eligible municipality seeking approval to receive its share of the local housing distribution must adopt an ordinance containing the following provisions:

1. Creation of a local housing assistance trust fund as described in s. 420.9075(6).
2. Adoption by resolution of a local housing assistance plan as defined in s. 420.9071(14) to be implemented through a local housing partnership as defined in s. 420.9071(18).
3. Designation of the responsibility for the administration of the local housing assistance plan. Such ordinance may also provide for the contracting of all or part of the administrative or other functions of the program to a third person or entity.
4. Creation of the affordable housing advisory committee as provided in s. 420.9076.

The ordinance must not take effect until at least 30 days after the date of formal adoption. Ordinances in effect prior to the effective date of amendments to this section shall be amended as needed to conform to new provisions.

(3)(a) The governing board of the county or of an eligible municipality must submit to the corporation one copy of its local housing assistance plan. The transmittal of the plan must include a copy of the ordinance, the adopting resolution, the local housing assistance plan, and such other information as the corporation requires by rule; however, information to be included in the plan is intended to demonstrate consistency with the requirements of ss. 420.907-420.9079 and corporation rule without posing an undue burden on the local government. Plans shall be reviewed by a committee composed of corporation staff as established by corporation rule.

(b) Within 30 days after receiving a plan, the review committee shall review the plan and either approve it or identify inconsistencies with the requirements of the program. The corporation shall assist a local government in revising its plan if it initially proves to be inconsistent with program requirements. A plan that is revised by the local government to achieve consistency with program requirements shall be reviewed within 30 days after submission. The deadlines for submitting original and revised plans shall be established by corporation rule; however, the corporation shall not require submission of a new local housing assistance plan to implement amendments to this act until the currently effective plan expires.

(c) The Legislature intends that approval of plans be expedited to ensure that the production of needed housing and the related creation of jobs occur as quickly as possible. After being approved for funding, a local government may amend by resolution its local housing assistance plan if the plan as amended complies with program requirements; however, a local government must submit its amended plan for review according to the process established in this subsection in order to ensure continued consistency with the requirements of the State Housing Initiatives Partnership Program.

(4) Moneys in the Local Government Housing Trust Fund shall be distributed by the corporation to each approved county and eligible municipality within the county as provided in s. 420.9073. Distributions shall be allocated to the participating county and to each eligible municipality within the county according to an interlocal agreement between the county governing authority and the governing body of the eligible municipality or, if there is no interlocal agreement, according to population. The portion for each eligible municipality is computed by multiplying

the total moneys earmarked for a county by a fraction, the numerator of which is the population of the eligible municipality and the denominator of which is the total population of the county. The remaining revenues shall be distributed to the governing body of the county.

(5)(a) Local governments are encouraged to make the most efficient use of their resources by cooperating to provide affordable housing assistance. Local governments may enter into an interlocal agreement for the purpose of establishing a joint local housing assistance plan subject to the requirements of ss. 420.907-420.9079. The local housing distributions for such counties and eligible municipalities shall be directly disbursed on a monthly basis to each county or eligible municipality to be administered in conformity with the interlocal agreement providing for a joint local housing assistance plan.

(b) If a county or eligible municipality enters into an interlocal agreement with a municipality that becomes eligible as a result of entering into that interlocal agreement, the county or eligible municipality that has agreed to transfer the control of funds to a municipality that was not originally eligible must ensure through its local housing assistance plan and through the interlocal agreement that all program funds are used in a manner consistent with ss. 420.907-420.9079. This must be accomplished by:

1. Providing that the use of the portion of funds transferred to the municipality meets all requirements of ss. 420.907-420.9079, or
2. Providing that the use of the portion of funds transferred to the municipality, when taken in combination with the use of the local housing distribution from which funds were transferred, meets all requirements of ss. 420.907-420.9079.

(6) The moneys that otherwise would be distributed pursuant to s. 420.9073 to a local government that does not meet the program's requirements for receipts of such distributions shall remain in the Local Government Housing Trust Fund to be administered by the corporation.

(7) A county or an eligible municipality must expend its portion of the local housing distribution only to implement a local housing assistance plan or as provided in this subsection.

(a) A county or an eligible municipality may not expend its portion of the local housing distribution to provide rent subsidies; however, this does not prohibit the use of funds for security and utility deposit assistance.

(b) A county or an eligible municipality may expend a portion of the local housing distribution to provide a one-time relocation grant to persons who meet the income requirements of the State Housing Initiatives Partnership Program and who are subject to eviction from rental property located in the county or eligible municipality due to the foreclosure of the rental property. In order to receive a grant under this paragraph, a person must provide the county or eligible municipality with proof of meeting the income requirements of a very-low-income household, a low-income household, or a moderate-income household; a notice of eviction; and proof that the rent has been paid for at least 3 months before the date of eviction, including the month that the notice of eviction was served. Relocation assistance under this paragraph is limited to a one-time

grant of not more than \$5,000 and is not limited to persons who are subject to eviction from projects funded under the State Housing Initiatives Partnership Program. This paragraph expires July 1, 2010.

(8) Funds distributed under this program may not be pledged to pay the debt service on any bonds.

(9) The corporation shall adopt rules necessary to implement ss. 420.907-420.9079.

**History.**--s. 32, ch. 92-317; s. 13, ch. 93-181; s. 35, ch. 97-167; s. 81, ch. 2000-153; s. 22, ch. 2006-69; s. 19, ch. 2008-104; s. 27, ch. 2009-96.

#### **420.9073 Local housing distributions.--**

(1) Distributions calculated in this section shall be disbursed on a quarterly or more frequent basis by the corporation pursuant to s. 420.9072, subject to availability of funds. Each county's share of the funds to be distributed from the portion of the funds in the Local Government Housing Trust Fund received pursuant to s. 201.15(9) shall be calculated by the corporation for each fiscal year as follows:

(a) Each county other than a county that has implemented the provisions of chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, shall receive the guaranteed amount for each fiscal year.

(b) Each county other than a county that has implemented the provisions of chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, may receive an additional share calculated as follows:

1. Multiply each county's percentage of the total state population excluding the population of any county that has implemented the provisions of chapter 83-220, Laws of Florida, as amended by chapters 84-270, 86-152, and 89-252, Laws of Florida, by the total funds to be distributed.

2. If the result in subparagraph 1. is less than the guaranteed amount as determined in subsection (3), that county's additional share shall be zero.

3. For each county in which the result in subparagraph 1. is greater than the guaranteed amount as determined in subsection (3), the amount calculated in subparagraph 1. shall be reduced by the guaranteed amount. The result for each such county shall be expressed as a percentage of the amounts so determined for all counties. Each such county shall receive an additional share equal to such percentage multiplied by the total funds received by the Local Government Housing Trust Fund pursuant to s. 201.15(9) reduced by the guaranteed amount paid to all counties.

(2) Distributions calculated in this section shall be disbursed on a quarterly or more frequent basis by the corporation pursuant to s. 420.9072, subject to availability of funds. Each county's share of the funds to be distributed from the portion of the funds in the Local Government Housing Trust Fund received pursuant to s. 201.15(10) shall be calculated by the corporation for each fiscal year as follows:

- (a) Each county shall receive the guaranteed amount for each fiscal year.
- (b) Each county may receive an additional share calculated as follows:
  - 1. Multiply each county's percentage of the total state population, by the total funds to be distributed.
  - 2. If the result in subparagraph 1. is less than the guaranteed amount as determined in subsection (3), that county's additional share shall be zero.
  - 3. For each county in which the result in subparagraph 1. is greater than the guaranteed amount, the amount calculated in subparagraph 1. shall be reduced by the guaranteed amount. The result for each such county shall be expressed as a percentage of the amounts so determined for all counties. Each such county shall receive an additional share equal to this percentage multiplied by the total funds received by the Local Government Housing Trust Fund pursuant to s. 201.15(10) as reduced by the guaranteed amount paid to all counties.
- (3) Calculation of guaranteed amounts:
  - (a) The guaranteed amount under subsection (1) shall be calculated for each state fiscal year by multiplying \$350,000 by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(9) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.
  - (b) The guaranteed amount under subsection (2) shall be calculated for each state fiscal year by multiplying \$350,000 by a fraction, the numerator of which is the amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15(10) and the denominator of which is the total amount of funds distributed to the Local Government Housing Trust Fund pursuant to s. 201.15.
- (4) Funds distributed pursuant to this section may not be pledged to pay debt service on any bonds.
- (5) Notwithstanding subsections (1)-(4), the corporation may withhold up to \$5 million of the total amount distributed each fiscal year from the Local Government Housing Trust Fund to provide additional funding to counties and eligible municipalities where a state of emergency has been declared by the Governor pursuant to chapter 252. Any portion of the withheld funds not distributed by the end of the fiscal year shall be distributed as provided in subsections (1) and (2).
- (6) Notwithstanding subsections (1)-(4), the corporation may withhold up to \$5 million from the total amount distributed each fiscal year from the Local Government Housing Trust Fund to provide funding to counties and eligible municipalities to purchase properties subject to a State Housing Initiative Partnership Program lien and on which foreclosure proceedings have been initiated by any mortgagee. Each county and eligible municipality that receives funds under this

subsection shall repay such funds to the corporation not later than the expenditure deadline for the fiscal year in which the funds were awarded. Amounts not repaid shall be withheld from the subsequent year's distribution. Any portion of such funds not distributed under this subsection by the end of the fiscal year shall be distributed as provided in subsections (1) and (2).

(7) A county receiving local housing distributions under this section or an eligible municipality that receives local housing distributions under an interlocal agreement shall expend those funds in accordance with the provisions of ss. 420.907-420.9079, rules of the corporation, and the county's local housing assistance plan.

**History.**--s. 32, ch. 92-317; s. 36, ch. 97-167; s. 15, ch. 98-56; s. 49, ch. 99-247; ss. 82, 83, ch. 2000-153; s. 28, ch. 2009-96.

#### **420.9075 Local housing assistance plans; partnerships.--**

(1)(a) Each county or eligible municipality participating in the State Housing Initiatives Partnership Program shall develop and implement a local housing assistance plan created to make affordable residential units available to persons of very low income, low income, or moderate income and to persons who have special housing needs, including, but not limited to, homeless people, the elderly, migrant farmworkers, and persons with disabilities. Counties or eligible municipalities may include strategies to assist persons and households having annual incomes of not more than 140 percent of area median income. The plans are intended to increase the availability of affordable residential units by combining local resources and cost-saving measures into a local housing partnership and using private and public funds to reduce the cost of housing.

(b) Local housing assistance plans may allocate funds to:

1. Implement local housing assistance strategies for the provision of affordable housing.
2. Supplement funds available to the corporation to provide enhanced funding of state housing programs within the county or the eligible municipality.
3. Provide the local matching share of federal affordable housing grants or programs.
4. Fund emergency repairs, including, but not limited to, repairs performed by existing service providers under weatherization assistance programs under ss. 409.509-409.5093.
5. Further the housing element of the local government comprehensive plan adopted pursuant to s. 163.3184, specific to affordable housing.

(2)(a) Each county and each eligible municipality participating in the State Housing Initiatives Partnership Program shall encourage the involvement of appropriate public sector and private sector entities as partners in order to combine resources to reduce housing costs for the targeted population. This partnership process should involve:

1. Lending institutions.

2. Housing builders and developers.
3. Nonprofit and other community-based housing and service organizations.
4. Providers of professional services relating to affordable housing.
5. Advocates for low-income persons, including, but not limited to, homeless people, the elderly, and migrant farmworkers.
6. Real estate professionals.
7. Other persons or entities who can assist in providing housing or related support services.

(b) The specific participants in partnership activities may vary according to the community's resources and the nature of the local housing assistance plan.

(3)(a) Each local housing assistance plan shall include a definition of essential service personnel for the county or eligible municipality, including, but not limited to, teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, skilled building trades personnel, and other job categories.

(b) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan that emphasizes the recruitment and retention of essential service personnel. The local government is encouraged to involve public and private sector employers. Compliance with the eligibility criteria established under this strategy shall be verified by the county or eligible municipality.

(c) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park or the conversion of affordable rental units to condominiums.

(d) Each county and each eligible municipality shall describe initiatives in the local housing assistance plan to encourage or require innovative design, green building principles, storm-resistant construction, or other elements that reduce long-term costs relating to maintenance, utilities, or insurance.

(e) Each county and each eligible municipality is encouraged to develop a strategy within its local housing assistance plan which provides program funds for the preservation of assisted housing.

(4) Each local housing assistance plan is governed by the following criteria and administrative procedures:

(a) Each county, eligible municipality, or entity formed through interlocal agreement to participate in the State Housing Initiatives Partnership Program must develop a qualification

system and selection criteria for applications for awards by eligible sponsors, adopt criteria for the selection of eligible persons, and adopt a maximum award schedule or system of amounts consistent with the intent and budget of its local housing assistance plan, with ss. 420.907-420.9079, and with corporation rule.

(b) The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

(c) In accordance with the provisions of ss. 760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

(d) As a condition of receipt of an award, the eligible sponsor or eligible person must contractually commit to comply with the affordable housing criteria provided under ss. 420.907-420.9079 applicable to the affordable housing objective of the award. The plan criteria adopted by the county or eligible municipality must prescribe the contractual obligations required to ensure compliance with award conditions.

(e) The staff or entity that has administrative authority for implementing a local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county, or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements.

(5) The following criteria apply to awards made to eligible sponsors or eligible persons for the purpose of providing eligible housing:

(a) At least 65 percent of the funds made available in each county and eligible municipality from the local housing distribution must be reserved for home ownership for eligible persons.

(b) At least 75 percent of the funds made available in each county and eligible municipality from the local housing distribution must be reserved for construction, rehabilitation, or emergency repair of affordable, eligible housing.

(c) Not more than 20 percent of the funds made available in each county and eligible municipality from the local housing distribution may be used for manufactured housing.

(d) The sales price or value of new or existing eligible housing may not exceed 90 percent of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs or as otherwise established by the United States Department of the Treasury.



(e)1. All units constructed, rehabilitated, or otherwise assisted with the funds provided from the local housing assistance trust fund must be occupied by very-low-income persons, low-income persons, and moderate-income persons except as otherwise provided in this section.

2. At least 30 percent of the funds deposited into the local housing assistance trust fund must be reserved for awards to very-low-income persons or eligible sponsors who will serve very-low-income persons and at least an additional 30 percent of the funds deposited into the local housing assistance trust fund must be reserved for awards to low-income persons or eligible sponsors who will serve low-income persons. This subparagraph does not apply to a county or an eligible municipality that includes, or has included within the previous 5 years, an area of critical state concern designated or ratified by the Legislature for which the Legislature has declared its intent to provide affordable housing. The exemption created by this act expires on July 1, 2013, and shall apply retroactively.

(f) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.

(g) Loans or grants for eligible rental housing constructed, rehabilitated, or otherwise assisted from the local housing assistance trust fund must be subject to recapture requirements as provided by the county or eligible municipality in its local housing assistance plan unless reserved for eligible persons for 15 years or the term of the assistance, whichever period is longer. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

(h) Loans or grants for eligible owner-occupied housing constructed, rehabilitated, or otherwise assisted from proceeds provided from the local housing assistance trust fund shall be subject to recapture requirements as provided by the county or eligible municipality in its local housing assistance plan.

(i) The total amount of monthly mortgage payments or the amount of monthly rent charged by the eligible sponsor or her or his designee must be made affordable.

(j) The maximum sales price or value per unit and the maximum award per unit for eligible housing benefiting from awards made pursuant to this section must be established in the local housing assistance plan.

(k) The benefit of assistance provided through the State Housing Initiatives Partnership Program must accrue to eligible persons occupying eligible housing. This provision shall not be construed to prohibit use of the local housing distribution funds for a mixed income rental development.

(l) Funds from the local housing distribution not used to meet the criteria established in paragraph (a) or paragraph (b) or not used for the administration of a local housing assistance plan must be used for housing production and finance activities, including, but not limited to, financing preconstruction activities or the purchase of existing units, providing rental housing,

and providing home ownership training to prospective home buyers and owners of homes assisted through the local housing assistance plan.

1. Notwithstanding the provisions of paragraphs (a) and (b), program income as defined in s. 420.9071(24) may also be used to fund activities described in this paragraph.

2. When preconstruction due-diligence activities conducted as part of a preservation strategy show that preservation of the units is not feasible and will not result in the production of an eligible unit, such costs shall be deemed a program expense rather than an administrative expense if such program expenses do not exceed 3 percent of the annual local housing distribution.

3. If both an award under the local housing assistance plan and federal low-income housing tax credits are used to assist a project and there is a conflict between the criteria prescribed in this subsection and the requirements of s. 42 of the Internal Revenue Code of 1986, as amended, the county or eligible municipality may resolve the conflict by giving precedence to the requirements of s. 42 of the Internal Revenue Code of 1986, as amended, in lieu of following the criteria prescribed in this subsection with the exception of paragraphs (a) and (e) of this subsection.

4. Each county and each eligible municipality may award funds as a grant for construction, rehabilitation, or repair as part of disaster recovery or emergency repairs or to remedy accessibility or health and safety deficiencies. Any other grants must be approved as part of the local housing assistance plan.

(6) Each county or eligible municipality receiving local housing distribution moneys shall establish and maintain a local housing assistance trust fund. All moneys of a county or an eligible municipality received from its share of the local housing distribution, program income, recaptured funds, and other funds received or budgeted to implement the local housing assistance plan shall be deposited into the trust fund; however, local housing distribution moneys used to match federal HOME program moneys may be repaid to the HOME program fund if required by federal law or regulations. Expenditures other than for the administration and implementation of the local housing assistance plan may not be made from the fund.

(7) The moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The cost of administering the plan may not exceed 5 percent of the local housing distribution moneys and program income deposited into the trust fund. A county or an eligible municipality may not exceed the 5-percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

(8) Pursuant to s. 420.531, the corporation shall provide training and technical assistance to local governments regarding the creation of partnerships, the design of local housing assistance strategies, the implementation of local housing incentive strategies, and the provision of support services.

(9) The corporation shall monitor the activities of local governments to determine compliance with program requirements and shall collect data on the operation and achievements of housing partnerships.

(10) Each county or eligible municipality shall submit to the corporation by September 15 of each year a report of its affordable housing programs and accomplishments through June 30 immediately preceding submittal of the report. The report shall be certified as accurate and complete by the local government's chief elected official or his or her designee. Transmittal of the annual report by a county's or eligible municipality's chief elected official, or his or her designee, certifies that the local housing incentive strategies, or, if applicable, the local housing incentive plan, have been implemented or are in the process of being implemented pursuant to the adopted schedule for implementation. The report must include, but is not limited to:

(a) The number of households served by income category, age, family size, and race, and data regarding any special needs populations such as farmworkers, homeless persons, persons with disabilities, and the elderly. Counties shall report this information separately for households served in the unincorporated area and each municipality within the county.

(b) The number of units and the average cost of producing units under each local housing assistance strategy.

(c) The average area purchase price of single-family units and the amount of rent charged for a rental unit based on unit size.

(d) By income category, the number of mortgages made, the average mortgage amount, and the rate of default.

(e) A description of the status of implementation of each local housing incentive strategy, or if applicable, the local housing incentive plan as set forth in the local government's adopted schedule for implementation.

(f) A concise description of the support services that are available to the residents of affordable housing provided by local programs.

(g) The sales price or value of housing produced and an accounting of what percentage was financed by the local housing distribution, other public moneys, and private resources.

(h) Such other data or affordable housing accomplishments considered significant by the reporting county or eligible municipality or by the corporation.

(11) The report shall be made available by the county or eligible municipality for public inspection and comment prior to certifying the report and transmitting it to the corporation. The county or eligible municipality shall provide notice of the availability of the proposed report and solicit public comment. The notice must state the public place where a copy of the proposed report can be obtained by interested persons. Members of the public may submit written comments on the report to the county or eligible municipality and the corporation. Written public comments shall identify the author by name, address, and interest affected. The county or eligible municipality shall attach a copy of all such written comments and its responses to the annual report submitted to the corporation.

(12) The corporation shall review the report of each county or eligible municipality and any written comments from the public and include any comments concerning the effectiveness of local programs in the report required by s. 420.511.

(13)(a) If, as a result of the review of the annual report or public comment and written response from the county or eligible municipality, or at any other time, the corporation determines that a county or eligible municipality may have established a pattern of violation of the criteria for a local housing assistance plan established under ss. 420.907-420.9079 or that an eligible sponsor or eligible person has violated the applicable award conditions, the corporation shall report such pattern of violation of criteria or violation of award conditions to its compliance monitoring agent and the Executive Office of the Governor. The corporation's compliance monitoring agent must determine within 60 days whether the county or eligible municipality has violated program criteria and shall issue a written report thereon. If a violation has occurred, the distribution of program funds to the county or eligible municipality must be suspended until the violation is corrected.

(b) If, as a result of its review of the annual report, the corporation determines that a county or eligible municipality has failed to implement a local housing incentive strategy, or, if applicable, a local housing incentive plan, it shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected county or eligible municipality.

1. The notice must specify a date of termination of the funding if the affected county or eligible municipality does not implement the plan or strategy and provide for a local response. A county or eligible municipality shall respond to the corporation within 30 days after receipt of the notice of termination.

2. The corporation shall consider the local response that extenuating circumstances precluded implementation and grant an extension to the timeframe for implementation. Such an extension shall be made in the form of an extension agreement that provides a timeframe for implementation. The chief elected official of a county or eligible municipality or his or her designee shall have the authority to enter into the agreement on behalf of the local government.

3. If the county or the eligible municipality has not implemented the incentive strategy or entered into an extension agreement by the termination date specified in the notice, the local housing distribution share terminates, and any uncommitted local housing distribution funds held

by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer.

4.a. If the affected local government fails to meet the timeframes specified in the agreement, the corporation shall terminate funds. The corporation shall send a notice of termination of the local government's share of the local housing distribution by certified mail to the affected local government. The notice shall specify the termination date, and any uncommitted funds held by the affected local government shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer.

b. If the corporation terminates funds to a county, but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement maintains compliance with program requirements, the corporation shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9072.

c. Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting the ordinance, resolution, and local housing assistance plan in the manner and according to the procedures provided in ss. 420.907-420.9079.

(14) If the corporation determines that a county or eligible municipality has expended program funds for an ineligible activity, the corporation shall require such funds to be repaid to the local housing assistance trust fund. Such repayment may not be made with funds from the State Housing Initiatives Partnership Program.

**History.**--s. 32, ch. 92-317; s. 14, ch. 93-181; s. 5, ch. 95-153; s. 9, ch. 95-396; s. 81, ch. 97-103; s. 37, ch. 97-167; s. 15, ch. 2000-353; s. 14, ch. 2001-98; s. 7, ch. 2002-160; s. 24, ch. 2004-243; s. 23, ch. 2006-69; s. 20, ch. 2008-104; s. 29, ch. 2009-96.

#### **420.9076 Adoption of affordable housing incentive strategies; committees.--**

(1) Each county or eligible municipality participating in the State Housing Initiatives Partnership Program, including a municipality receiving program funds through the county, or an eligible municipality must, within 12 months after the original adoption of the local housing assistance plan, amend the plan to include local housing incentive strategies as defined in s. 420.9071(16).

(2) The governing board of a county or municipality shall appoint the members of the affordable housing advisory committee by resolution. Pursuant to the terms of any interlocal agreement, a county and municipality may create and jointly appoint an advisory committee to prepare a joint plan. The ordinance adopted pursuant to s. 420.9072 which creates the advisory committee or the resolution appointing the advisory committee members must provide for 11 committee members and their terms. The committee must include:

(a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.

- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.
- (i) One citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) One citizen who represents employers within the jurisdiction.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

If a county or eligible municipality whether due to its small size, the presence of a conflict of interest by prospective appointees, or other reasonable factor, is unable to appoint a citizen actively engaged in these activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program may elect to appoint an affordable housing advisory committee with fewer than 11 representatives if they are unable to find representatives who meet the criteria of paragraphs (a)-(k).

- (3) All meetings of the advisory committee are public meetings, and all committee records are public records. Staff, administrative, and facility support to the advisory committee shall be provided by the appointing county or eligible municipality.
- (4) Triennially, the advisory committee shall review the established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value. The recommendations may include the modification or repeal of existing policies, procedures, ordinances, regulations, or plan provisions; the creation of exceptions applicable to affordable

housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit a report to the local governing body that includes recommendations on, and triennially thereafter evaluates the implementation of, affordable housing incentives in the following areas:

- (a) The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
- (b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
- (e) The allowance of affordable accessory residential units in residential zoning districts.
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee. Local governments that receive the minimum allocation under the State Housing Initiatives Partnership Program shall perform the initial review but may elect to not perform the triennial review.

(5) The approval by the advisory committee of its local housing incentive strategies recommendations and its review of local government implementation of previously recommended strategies must be made by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing. Notice of the time, date, and place of the public hearing of the advisory committee to adopt its evaluation and final local housing incentive

strategies recommendations must be published in a newspaper of general paid circulation in the county. The notice must contain a short and concise summary of the evaluation and local housing incentives strategies recommendations to be considered by the advisory committee. The notice must state the public place where a copy of the evaluation and tentative advisory committee recommendations can be obtained by interested persons. The final report, evaluation, and recommendations shall be submitted to the corporation.

(6) Within 90 days after the date of receipt of the evaluation and local housing incentive strategies recommendations from the advisory committee, the governing body of the appointing local government shall adopt an amendment to its local housing assistance plan to incorporate the local housing incentive strategies it will implement within its jurisdiction. The amendment must include, at a minimum, the local housing incentive strategies required under s. 420.9071(16). The local government must consider the strategies specified in paragraphs (4)(a)-(k) as recommended by the advisory committee.

(7) The governing board of the county or the eligible municipality shall notify the corporation by certified mail of its adoption of an amendment of its local housing assistance plan to incorporate local housing incentive strategies. The notice must include a copy of the approved amended plan.

(a) If the corporation fails to receive timely the approved amended local housing assistance plan to incorporate local housing incentive strategies, a notice of termination of its share of the local housing distribution shall be sent by certified mail by the corporation to the affected county or eligible municipality. The notice of termination must specify a date of termination of the funding if the affected county or eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies. If the county or the eligible municipality has not adopted an amended local housing assistance plan to incorporate local housing incentive strategies by the termination date specified in the notice of termination, the local distribution share terminates; and any uncommitted local distribution funds held by the affected county or eligible municipality in its local housing assistance trust fund shall be transferred to the Local Government Housing Trust Fund to the credit of the corporation to administer the local government housing program.

(b) If a county fails to timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies but an eligible municipality receiving a local housing distribution pursuant to an interlocal agreement within the county does timely adopt an amended local housing assistance plan to incorporate local housing incentive strategies, the corporation, after receipt of a notice of termination, shall thereafter distribute directly to the participating eligible municipality its share calculated in the manner provided in s. 420.9072.

(c) Any county or eligible municipality whose local distribution share has been terminated may subsequently elect to receive directly its local distribution share by adopting an amended local housing assistance plan to incorporate local housing incentive strategies in the manner and according to the procedure provided in this section and by adopting an ordinance in the manner required in s. 420.9072.



(8) The advisory committee may perform other duties at the request of the local government, including:

(a) The provision of mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.

(b) The creation of best practices for the development of affordable housing in the community.

(9) The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee.

**History.**--s. 32, ch. 92-317; s. 15, ch. 93-181; s. 38, ch. 97-167; s. 24, ch. 2006-69; s. 19, ch. 2007-198; s. 117, ch. 2008-4; s. 30, ch. 2009-96.

#### **420.9079 Local Government Housing Trust Fund.--**

(1) There is created in the State Treasury the Local Government Housing Trust Fund, which shall be administered by the corporation on behalf of the department according to the provisions of ss. 420.907-420.9076 and this section. There shall be deposited into the fund a portion of the documentary stamp tax revenues as provided in s. 201.15, moneys received from any other source for the purposes of ss. 420.907-420.9076 and this section, and all proceeds derived from the investment of such moneys. Moneys in the fund that are not currently needed for the purposes of the programs administered pursuant to ss. 420.907-420.9076 and this section shall be deposited to the credit of the fund and may be invested as provided by law. The interest received on any such investment shall be credited to the fund.

(2) The corporation shall administer the fund exclusively for the purpose of implementing the programs described in ss. 420.907-420.9076 and this section. With the exception of monitoring the activities of counties and eligible municipalities to determine local compliance with program requirements, the corporation shall not receive appropriations from the fund for administrative or personnel costs. For the purpose of implementing the compliance monitoring provisions of s. 420.9075(9), the corporation may request a maximum of one-quarter of 1 percent of the annual appropriation per state fiscal year. When such funding is appropriated, the corporation shall deduct the amount appropriated prior to calculating the local housing distribution pursuant to ss. 420.9072 and 420.9073.

**History.**--s. 32, ch. 92-317; s. 40, ch. 97-167; s. 16, ch. 98-56; s. 25, ch. 2006-69; s. 11, ch. 2009-2; s. 32, ch. 2009-96.

**COLLIER COUNTY, FLORIDA**

**CONSTRUCTION & REHAB  
STANDARDS**

[FINAL](#)

September 24, 2012

Revised 2/2013

Revised 4/2013

## **A NOTE FROM YOUR EDITOR RE: STANDARDS**

### Design Levels Defined

1) A building standard defines the “what” of a potential project. It is the nontechnical (generally) directions from an owner to a designer. 2) The building code is the technical minimum requirement for a specific building component. It is the local government’s minimum law to create a safe, structurally sound and oft times energy efficient home. 3) The manufacturer’s instructions are the detailed, very targeted directions to a contractor or a subcontractor on the installation and operating details of a specific product manufactured by a specific company. 4) A work write-up or set of rehab specifications is a balanced set of directions to a contractor. It should include sufficient information to bid both the “what is required” as well as the “how it should be installed.” The work write-up is formatted in a way that it can be effectively cost estimated and later used as a tool to verify the percentage of completion of individual scopes of work.

Standards: Codes There are significant differences between construction standards, the building code and a set of specs or work write-up. Standards are never “below code” because they reference each code by year and author at the beginning on the frontice page. These standards are listed in two major categories. One category is mandatory and the second is a list of optional standards, sometimes codes, sometimes performance standards like LEED or Universal Design or remediation protocols for mold, etc. that are not always required in a minimum property but are eligible expenses.

### Standards: Include Amenities

The building code is a description of the lowest level of construction that is allowed by a specific jurisdiction. Sometimes it is low quality, sometimes its moderate quality, but it is almost never the State of the Art in construction. Standards quantify design variables like, “How big a house will our program provide? 2,800 SF, 3 bedrooms or 1,300 SF, 3 bedrooms? This is not a building code question; it is a building standards question. “Do you renovate swimming pools?” “Do you fill in swimming pools in existing homes? These are not building code questions. Of

course you are going to complete all work according to the residential building code. The building standard includes questions like, “Do homebuyers get operating swimming pools in their existing structures?” or “Are the pools filled?” because they represents an unjustified amenity in your community.

#### Examples of Standards Choices

Another example of a standard variable is “What is your level of accessibility?” Is it basic ADA? Is it visitability? Is it accessibility or is it Universal Design? Those are 4 levels in a hierarchy of accessibility standard. Of course every grab bar is going to be installed per the manufacturer’s instructions and the building code with guidance by the ANSI standards. Whether or not you provide additional bars at all, is not a building code decision, it is a standards decision.

#### Inclusion versus Detail

Another variable to consider is depth of coverage. The most detailed building standard for single-family construction Mr. Santucci has helped develop contains approximately 36 pages (and 10 pages of addenda). The smallest single-family building code in the United States is in excess of 400 pages (with 100 pages of appendix). The level of detail is a major difference between standards, codes and the massive 120,000 page Sweets catalog of manufacturer’s specifications.

#### A Kitchen Example

The owner requests, “I want a nice kitchen.” The construction standards define “nice” as: a certain number of linear feet of cabinetry; a type of countertop; a dishwasher; a double bowl sink; the various appliances that may be paid for with federal financing, and the type of floor finish.

The building code establishes: how the plumbing is run to that kitchen; the types and number of electrical outlets and distribution of small motor wiring, as well as minimum ventilation requirements and 100 other minimum installation requirements.

The work write-up provides a scope of work identifying: the size of each cabinet; the color; the wood species; potentially the manufacturer, oft times augmented by a floor plan and elevation

sketch showing the relative position of each cabinet. In for-sale and owner-occupied units the work write-up may offer the homeowner a number of color, style and pattern choices.

### Rehab Issues

In single-family renovation projects, the rehab specialist is the designer. They must interpret the needs and requests of the owner in light of the written standards of financing source to develop a compliant work write-up. This is especially difficult in scattered-site rehab projects. It is less of an issue in new construction. In new construction, the concerns are primarily: Is this home for rent or for sale? Are the standards for a home that must sell in a competitive, open market? Are the standards to replace: a 60-year old, totally non code-compliant, very highly damaged structure where absolute minimum amenities comprise an acceptable upgrade?

### Conflicts Eliminated by Revisions and Edits

There are times when a draft financing standard may be below the local code. For example, the proposed rehab standard suggests that parking should be provided by a parking pad of at no more than 10' x 30' and the building code requires it to be 12' x 32' and constructed of 2,800 PSI cement. This can be edited very rapidly in the owner's standards. The important decisions are much bigger. Do you provide dishwashers or clothes washers? If so, they must be Energy Star. Do you provide garages? Do they have remote control doors? Those are the areas of standards. How that garbage disposal is hooked up to the waste and supply and dishwasher is the purview of building codes, further defined by the manufacturer of the garbage disposal and the dishwasher. If they get one in their home, is a standards question.

**COLLIER COUNTY  
CONSTRUCTION & REHAB STANDARDS**

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Discussion Draft 2 (September 24, 2012)  
**COLLIER COUNTY**  
**Construction and Rehab Standards for One and Two Unit Structures**  
**Effective: August 15, 2012**

MISSION AND HOUSING VALUES

Our mission is to make Collier County a better place to live by supporting community efforts to expand affordable homeownership and preserve the affordable housing stock through equal access to: safe, healthy and affordable housing.

The values that flow from this mission are as follows:

- Safe and healthy homes
- Affordable operating costs
- Saleable homes
- Accessibility for persons with disabilities
- Performance and durability
- Sustainable construction

APPLICABLE LAWS AND REGULATIONS

We intend to renovate and resell homes in full compliance with the following statutory and regulatory requirements. The most current adopted law/regulation will override the standard if discrepancies exist.

- Building Code: The 2010 International Residential Code as modified by the Florida Building Standards Commission and excluding the electrical, mechanical and plumbing provisions
- 2008 Florida Electric Code (NFPA 70)
- 2010 Florida Plumbing Code
- 2010 Florida Mechanical Code
- 2010 Florida Fuel Gas Code
- Energy Conservation: 2010 Florida Energy Conservation Code
- Zoning Code: The Collier County Zoning Code
- Title X Lead Hazard Reduction Regulation 1012, 1013 (pre-1978)
- ADA Accessibility Guidelines: 2010 Accessibility Building Code
- Section 504 Requirements

Exceptions: On a case-by-case basis deviations from the minimum requirements of these standards will be permitted with approval of the Board of County Commissioners

## **DEFINITIONS**

**Repair** – To refurbish and correct deficiencies in a component that will remain on the completed property with a minimum design life.

**Replacement** – The removal and disposal of a component followed by the installation, per the manufacturer’s most recent directions, of a component that serves an identical or improved purpose.

**Substantial Rehab** – A project where the total estimated hard costs, including hazard remediation, of the project exceed 50% of the replacement cost of the dwelling. For example, “Per Means Cost Data in 2012, the replacement cost of a home in rural Collier County is \$77/square foot. A 1,200 square foot 3-bedroom/3-bath home would have a total replacement cost of \$92,400. At 50%, an estimated hard cost that exceeds \$46,200 including a mandatory 10% contingency would be considered “substantial rehab”.

**Minimum Life** – For unimproved repair items, this is the minimum remaining useable life of a component or assembly expressed in years. For new installation, it is the minimum design life or stated replacement warranty period for a specific component. Using an established economic life table from Fannie Mae replacement reserve calculations may identify a minimum life.

**Eligible** – A repair, improvement or amenity allowed to be financed by this program on a case-by-case basis, sometimes established by need, sometimes established by market, i.e. universal design improvements.

**Financial Feasibility** – The maximum loan or grant available to a borrower or grant recipient for construction. Improvements and repairs may be added to the estimate up until the point they represent 90% of the financially feasible amount. Additional items become ineligible.

**Ineligible** – Repairs, improvements and amenities beyond the scope or financial feasibility of the program, and therefore, may not use this financing source, i.e. swimming pools.



**TITLE: I SITE IMPROVEMENTS: OUTBUILDINGS**

REPAIR STANDARD: 75% or more salvageable

Minimum Life: 3 Years

Unsafe, illegal or unapproved structures, including outbuildings, additions and patio covers will be removed.

REPLACEMENT STANDARD: No replacement

**TITLE: I SITE IMPROVEMENTS: PAVING AND WALKS**

REPAIR STANDARD:

Minimum Life: 15 Years

Badly deteriorated, essential paving, such as front sidewalks, will be repaired to match. Non-essential, deteriorated paving, such as sidewalks that are unnecessary, may be removed and appropriately landscaped.

REPLACEMENT STANDARD:

Minimum Life: 20 Years

Essential walks and drives shall be replaced with 4" thick, 2,800 psi concrete.

**TITLE: I SITE IMPROVEMENTS: LANDSCAPING**

REPAIR STANDARD:

Site shall be graded to direct water to run away from foundation for 8 feet. Trees that are too close or touching the structure shall be removed. Irrigation may be capped or repaired/ updated to include the following efficiency improvements: drip emitters, a filter, a pressure regulator, rain sensor and timer.

REPLACEMENT STANDARD:

No landscaping to be included.

Conforms to local standards

**TITLE: I SITE IMPROVEMENTS: FENCING/GATES**

REPAIR STANDARD:

Minimum Life: 10 Years

Additional fencing may be addressed

REPLACEMENT STANDARD:

When funding is sufficient, additional . Fencing may be installed to create defensible space in conformance with neighborhood/homeownership association requirements.

**TITLE: I SITE IMPROVEMENTS: SWIMMING POOLS/HOT TUBS**

**REPAIR STANDARD:**

Minimum Life: 3 Years

Existing pools and hot tubs shall be inspected and serviced to operate.

**REPLACEMENT STANDARD: N/A**

Beyond the scope of federal financing, pools may be filled and landscaped.

**TITLE: II EXTERIOR SURFACES: EXTERIOR CLADDING (STUCCO)**

**REPAIR STANDARD:**

Minimum Life: 10Years

Exterior finish and trim will be intact, weather proof and free of deterioration. Replacement or replacement of damaged sections may include up to 25% of surfaces. Exterior wood shall be spot primed and top coated.

**REPLACEMENT STANDARD:**

Minimum Life: 40 Years

If 25% or more needs repair, entire wall shall receive: for example, matching cladding; 1-coat stucco over 2" insulation board, wood clapboard. vinyl or like industry standard.

**TITLE: II EXTERIOR SURFACES: EXTERIOR PORCHES**

**REPAIR STANDARD:**

Minimum Life: 10 Years

Unsafe porches will be repaired to conform closely to porches in the neighborhood. Porch repairs will be structurally sound, with smooth and even decking surfaces.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Deteriorated porches and balconies shall be replaced with like materials

**TITLE: II EXTERIOR SURFACES: EXTERIOR RAILINGS**

**REPAIR STANDARD:** None

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Railings that do not meet the current code shall be removed and replaced with wrought iron or synthetic wood.

**TITLE: II EXTERIOR SURFACES: EXTERIOR STEPS AND PATIOS**

**REPAIR STANDARD:**

Minimum Life: 10 Years

Steps, stairs and decks shall, be structurally upgraded to current Collier County code; free from all significant deterioration and as needed adhere to ADA Accessibility Guidelines and 2010 Accessibility Building Code, as necessary

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Any replacement patio, deck or stoop shall be of a minimum functional size, design and construction using like materials. All replacement front decks shall offer zero threshold entrance per ANST accessibility standards.

**TITLE: III FOUNDATIONS & STRUCTURE: FIREWALLS IN TOWNHOUSES**

**REPAIR STANDARD:**

Minimum Life: 15 Years

Party walls shall be maintained without cracks and plaster deterioration and upgraded with 5/8" type X gypsum, glued and screwed to structure.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

All party walls shall conform to the 2010 Collier County new construction requirements for fire separation at both walls and roofs.

**TITLE: III FOUNDATIONS AND STRUCTURE: FOUNDATIONS**

**REPAIR STANDARD:**

Minimum Life: 20 Years

Foundations shall be repaired to be sound, stable and water resistant.

**REPLACEMENT STANDARD:**

Foundation replacements above 25% are beyond the scope of the program and shall define an infeasible project which may necessitate demolition.

**TITLE: III FOUNDATIONS & STRUCTURE: STRUCTURAL WALLS**

**REPAIR STANDARD:**

Minimum Life: 20 Years

All structural members shall be free from deterioration, rot and termite damage and be sized in conformance to Collier County Code. Any member not in conformance with code shall be re-supported as determined by a structural engineer.

**REPLACEMENT STANDARD:**

Minimum Life: 40 Years

Walls shall be 2" x 6", 24" on center with at least R-19 insulation and solid sheathing to match existing.

**TITLE: IV WINDOWS AND DOORS: INTERIOR DOORS PLACEMENT**

**REPAIR STANDARD:**

Minimum Life: 10 Years

All bedrooms, baths and closets shall have well operating doors and locksets in bedrooms and baths. Privacy lock sets on bath. All other doors shall have passage locks. Reuse existing doors when possible. All keyed locksets shall be removed and replaced when applicable with appropriate lock type.

**REPLACEMENT STANDARD:**

Minimum Life: 15 Years

Doors may be solid core or composite in paint grade jambs.

**TITLE: IV WINDOWS AND DOORS: EXTERIOR DOORS**

**REPAIR STANDARD:**

Minimum Life: 10 Years

Exterior doors shall be solid core, insulated to minimum R-6, weather stripped, operate smoothly, including a peep site, a dead bolt, and an entrance lock set.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

All replacement doors at the front of the property will be neighborhood sensitive, Energy Star (R-6), steel or fiberglass solid core doors with peep sight and deadbolt. Aluminum. Screen doors at front entrances allowable. Garage/house doors shall be 20 minute fire rated with self closing hinges and will be impact resistant. Energy Star, solid core doors with peep sight, dead bolt, and entrance locksets shall be installed at entrances not visible from the front street. Garage doors shall be R-5, embossed metal with a lockable assembly.

**TITLE: IV WINDOWS AND DOORS: WINDOW PLACEMENT**

**REPAIR STANDARD:** Bedrooms, kitchens and baths (as applicable) shall have one operable window with a screen and meet egress requirements per Existing Structures Code.

**REPLACEMENT STANDARD:** Removal of excess bathroom and kitchen windows. Side elevation fenestration shall be considered during energy reduction analysis.

**TITLE: IV WINDOWS AND DOORS: WINDOWS & SLIDING GLASS DOORS**

**REPAIR STANDARD:**

Minimum Life: 10 Years

All windows and sliding glass doors shall be double glazed, weather tight, include a locking device, and where required for egress, be fully functioning/operational. All windows may be retrofitted with 80% heat block solar screens. Window replacement shall include NFRC

approved reflective film Impact Resistant glass or a window/shutter combo. All replacements shall meet Hurricane Impact standards.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Double glazed, double or single hung, PVC or fiberglass, one over one, a minimum R-value of 2.8 (U=.33), SHGC of 0.30 and DP of 65 and 142 mph impact glazing. Impact Resistant glass or window/shutter combo.

**TITLE: V ROOFING: FLAT AND LOW SLOPE ROOFING**

**REPAIR STANDARD:**

Minimum Life: 5 Years

Repair when cost is less than or equal to 30% of total replacement cost.

Built-up roofing, flashing and accessories shall be repaired wherever a 5-year leak free warranty is available from a certified roofing company.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

The most cost effective roof: 3 ply hot built-up, Duro-Last, T.P.O., EPDM, or spray foam shall be installed with an Energy Star reflective coating.

**TITLE: V ROOFING: PITCHED ROOFS**

**REPAIR STANDARD:**

Minimum Life: 5 years with warranty

Repair when cost is less than or equal to 30% of total replacement cost.

Missing and leaking shingles and flashing shall be repaired on otherwise functional roofs.

Concrete, metal and tile roofs shall be repaired when at all possible. Antennae and communication disks shall be removed and returned upon completion of the projects.

**REPLACEMENT STANDARD:**

Moderate: Minimum Life: 30 Years

Fiberglass, asphalt, 3 tab, class A shingles weighing at least 235 and up to 270 lbs, architectural grade, 30 year fiberglass asphalt or architectural metal with a ventilated system designed for installation recommendations and in accordance with Florida Building Code.

**TITLE: VI INSULATION AND VENTILATION: ATTIC VENTILATION**

**REPAIR STANDARD:**

Minimum Life: 5 Year

Any pre-installed ventilation shall be maintained or if powered and not functioning, replaced.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Attics will be ventilated with a minimum of 1 square foot of free vent for each 300 square feet of roof area or be redesigned for integration with new insulation system.

**TITLE: VI INSULATION AND VENTILATION: BATH VENTILATION**

REPAIR STANDARD: None

REPLACEMENT STANDARD:

Minimum Life: 5 Years

Energy Star, exterior ducted, 100 CFM, max 2 sones with separate switch or humidistat in all full baths. Heat recovery ventilation is preferred.

**TITLE: VI INSULATION AND VENTILATION: INFILTRATION**

REPAIR STANDARD:

Minimum Life: 5 Years

All exterior doors and attic hatches shall be weather stripped. All visible cracks shall be caulked.

REPLACEMENT STANDARD:

Minimum Life: 10 Years

Air-to-air heat exchangers may be installed.

**TITLE: VI INSULATION AND VENTILATION: INSULATION**

REPAIR STANDARD: Not Applicable

REPLACEMENT STANDARD:

Minimum Life: 15 Years

Attic insulation goal is R38, crawls spaces R19. Side walls will be insulated to cavity capacity. Attic access panel must be insulated per 2010 Collier County Code and Title 24.

**TITLE: VI INSULATION AND VENTILATION: KITCHEN VENTILATION**

REPAIR STANDARD: N/A

REPLACEMENT STANDARD:

Minimum Life: 5 Years

Energy Star, exterior ducted range hoods or exhaust fans shall be required with less than 10 sones, at least 120 CFM and capped with a functional back draft.

**TITLE: VII INTERIOR STANDARDS: INTERIOR RAILINGS**

REPAIR STANDARD:

Minimum Life: 10 Years

Handrails will be present on one side of all interior steps or stairways with more than three risers and around platforms over 30" above floor level with adequate structural attachment.

**REPLACEMENT STANDARD:**

Minimum Life: 15 Years

Hand and guardrails shall be replaced with material and construction in conformance with universal design standards.

**TITLE: VII INTERIOR STANDARDS: INTERIOR WALLS AND CEILINGS**

**REPAIR STANDARD:**

Minimum Life: 5 Years

In preparation for painting walls shall be stripped of wallpaper, holes, cracks and deteriorated surfaces. All visual surfaces shall be recoated using premium, low VOC, vinyl acrylic paint.

**REPLACEMENT STANDARD:**

Minimum Life: 10 Years

Walls shall be plumb, ceiling level with a smooth finish on at least 1/2" gypsum with water resistant board in wet areas. 5/8" Type X over 24" on center studs installed per the American Gypsum Association. Kitchen tile backsplashes and ceramic tile wainscot in baths.

**TITLE: VII INTERIOR STANDARDS: HAZMAT TESTING AND TREATMENT**

All properties shall undergo visual "Risk Evaluations" and property age evaluation. for lead, and friable asbestos.

**REPLACEMENT STANDARD: IN PLACE MANAGEMENT & ABATEMENT**

Minimum Life: 20 Years

Pre 1978 Lead Only: After an inspection by a Florida licensed EPA Certified Risk Assessor, all hazardous material shall be removed from all moving parts, floors and mouthable surfaces.

Encapsulants and enclosures may be used.

Asbestos: Inspections required on all properties pre 1950.

**TITLE: VII INTERIOR STANDARDS: CLOSETS**

**REPAIR STANDARD:**

Minimum Life: 1 Year

Existing closets will be maintained.

**REPLACEMENT STANDARD:**

Closets shall be at least 3' wide x 32" deep with 12" wide shelving in each closet

**TITLE: VII INTERIOR STANDARDS: FLOORING**

**REPAIR STANDARD:**

Minimum Life: 10 Years

Ceramic tile flooring may be repaired and wood floors sanded and refinished.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Tile or vinyl flooring may be installed over reinforced cement underlayment in baths. Laminate or tile flooring may be installed in living, dining rooms, bedrooms and halls.

**TITLE: VII INTERIOR STANDARDS: APPLIANCES**

Assessment of existing appliances shall be made to determine when replacement is necessary.

**REPLACEMENT STANDARD:** Energy Star and Water Sense. The following appliances are eligible to be installed when funding allows:

- Dishwasher: Energy Star rated
- Washing Machine: Energy Star rated (required) if supplied
- Dryer: 7 CF with sensor dry system
- Water Softener: Per ANSI 44 with demand initiated regeneration
- Refrigerator: Up to 22 CF, Energy Star rated (required), if supplied
- Range – Gas or electric, 4 burner
- Garbage disposal – 1/2 hp, with minimum 3 year warranty
- Microwave/100 CFM Hood combination (replacement only)
- Built-in Oven – Energy Star rated (replacement only).

**TITLE: VIII ELECTRIC: SPECIALIZED CIRCUITS**

**REPAIR STANDARD:** Repair to existing structure code requirement.

**REPLACEMENT STANDARD:**

Minimum Life: 15 Years

Kitchen receptacles within 6 feet of a sink, all bath receptacles and at least one exterior receptacle shall be protected by a GFCI. Arc fault receptacles shall be installed in all bedrooms.

**TITLE: VIII ELECTRIC: KITCHEN ELECTRIC DISTRIBUTION**

**REPAIR STANDARD:**

Minimum Life: 15 Years

Electric service may be supplied to trash compactors, microwave ovens, double ovens, range grills, and any appliance proposed for installation.

**REPLACEMENT STANDARD:**

Minimum Life: 15 Years



Permanently installed or proposed stoves, refrigerators, freezers, dishwashers and disposals, washer and dryers shall have separate circuits sized to the current Collier County Electric Code. Two separate 20 amp counter circuits are required with each kitchen area.

**TITLE: VIII ELECTRIC: FIXTURES**

REPAIR STANDARD: None

REPLACEMENT STANDARD:

Minimum Life: 20 Years

All halls, rooms necessary to cross to other rooms and stairways must be well lighted and controlled by a 3-way switch using concealed wiring. Attics must have utility fixtures. All fixtures shall be Energy Star. Replace all incandescent bulbs with fluorescent or LED bulbs. Exterior door lighting shall provide 100 lumens at ground level (motion detectors preferred). Garage doors shall be equipped with electric openers with laser safety devices. Bedrooms and living areas may receive Energy Star ceiling fans.

**TITLE: VIII ELECTRIC: ALARMS**

REPAIR STANDARD:

Minimum Life: 5 Year

Existing fire and smoke, CO shall be repaired to operating condition. Security system may be repaired as needed.

REPLACEMENT STANDARD:

Minimum Life: 15 Years

Directly wired, interconnected smoke detectors are required on each dwelling floor. CO detectors are required with all fuel burning furnaces.

**TITLE: VIII ELECTRIC: INTERIOR ELECTRIC DISTRIBUTION**

REPAIR STANDARD: None

REPLACEMENT STANDARD:

Minimum Life: 20 Years

All rooms shall be rewired to the current Collier County Electric Code using affordable fixture allowances and Energy Star fixtures. Minimum of one 20-amp circuit per room.

**TITLE: VIII ELECTRIC: SERVICE AND PANEL**

REPLACEMENT STANDARD:

Minimum Life: 20 Years

200 amp service with a main disconnect panel containing at least 30 circuit breaker positions. Garages and outbuilding may be fed with up to 100 amp subpanels.

**TITLE: IX PLUMBING SYSTEM: DRAIN, WASTE, VENT LINES**

REPLACEMENT STANDARD:

Minimum Life: 20 Years

PVC replacement lines shall be installed in accordance with the most recently approved version of the Collier County mechanical code.

**TITLE: IX PLUMBING SYSTEM: PLUMBING FIXTURES**

REPAIR STANDARD: EPA Water sense

Minimum Life: 5 Years

All fixtures and faucets shall have all working components replaced. Faucet will be retrofitted with low flow aerators: kitchen faucets with a maximum flow rate of 2.2 gal/min; bath faucets with a maximum flow rate of 1.5 gal/min.

REPLACEMENT STANDARD: EPA Water Sense

Minimum Life: 20 Years

Single lever, low flow, 2.2 gal/min kitchen and 1.5 gal/min bath, metal faucets and 2.5 gal/min maximum shower diverters with lifetime drip-free warranty. White ceramic, high efficiency "HET" toilets, double bowl stainless steel kitchen sinks, and steel enameled 5' tubs.

**TITLE: IX PLUMBING SYSTEM: PLUMBING MINIMUM EQUIPMENT**

REPAIR STANDARD: N/A

REPLACEMENT STANDARD:

Minimum Life: 10 Years

Every dwelling shall have a double or single bowl kitchen sink, an Energy Star rated dishwasher, a 1/2 hp garbage disposal and a 3-piece bath. Replace existing only

**TITLE: IX PLUMBING SYSTEM: FIRE SPRINKLERS**

REPAIR STANDARD: Repair all.

REPLACEMENT STANDARD: None required. Recommended in homes for physically disabled persons and frail elderly.

**TITLE: IX PLUMBING SYSTEM: WATER HEATERS**

REPAIR STANDARD:

Minimum Life: 5 Years

Each dwelling unit shall have a gas, electric or solar tempered water heater. The minimum capacity for units with two bedrooms or less shall be 50 gallons; larger units shall have a minimum capacity of 50 gallons. Water heaters shall have pressure relief valves with drip legs that extend to within one foot of the floor. Replace existing with like size

REPLACEMENT STANDARD:

Minimum Life: 12 Years

Energy Star, high efficiency, pilotless, Energy Star, gas fired or dual element electric (0.97) water heaters with at least R-7 insulation and a 12-year replacement warranty. 40 gallons electric for 1 and 2 bedroom units and 40 gallons gas or 52 gallons electric for 3 and 4 bedroom units. Heat pump water heaters are eligible when funding is sufficient.

**TITLE: IX PLUMBING SYSTEM: WATER SUPPLY**

REPAIR STANDARD:

Minimum Life:

All homes shall be tested to identify and rectify any leaks. All fixtures must be supplied with a 2 gallons per minute water flow and shut off valves must operate. Lead and galvanized pipe shall be replaced with PVC or PEX. All accessible hot water lines shall be insulated; maximum static pressure is 60 psi. As needed for the repair.

REPLACEMENT STANDARD:

Minimum Life: 20 Years

All fixtures shall have brass shut off valves.

**TITLE: X HVAC: AIR CONDITIONING**

REPAIR STANDARD:

Minimum Life: 5 Year

Existing central air conditioning shall be inspected, serviced and refurbished using the diagnostic testing of unit and distribution system per (BPI) technical standards for air conditioning and heat pump specialist as described in Chapter 6 of the Saturn Mechanical Systems Field Guide, 2006.

**REPLACEMENT STANDARD:**

Minimum Life: 12 Years

Units not working over 5 years old shall be replaced with Energy Star certified 13+ SEER heat pumps sized per Manual J with a distribution system per Manual D.

**TITLE: X HVAC: CHIMNEY/FIREPLACE REPAIR**

**REPAIR STANDARD:**

Minimum Life: 20 Years

Unsound chimneys shall be repaired or removed. When chimneys must be used for combustion ventilation, they shall be replaced.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

Replacement furnace flues when required shall be metal double or triple walled as recommended by the equipment manufacturer.

If the service life of the chimney is comparable to service life of heating plant, then no replacement is necessary. If the chimney needs replacing or a new liner, the chimney will be eliminated and replaced with a high efficiency, power vented unit.

**TITLE: X HVAC: DISTRIBUTION/VENTILATION SYSTEM**

**REPAIR STANDARD:**

Minimum Life: 5 Year

Existing central air conditioning shall be inspected, serviced and refurbished per diagnostic testing of unit and distribution system – per (BPI) technical standards for air conditioning and heat pump specialist as described in Chapter 6 of the Saturn Mechanical Systems Field Guide, 2006.

**REPLACEMENT STANDARD:**

Minimum Life: 20 Years

All ductwork shall be insulated to R-4, seams sealed and run in conditioned space within the building envelope. If ductwork is run in the attic or crawlspace, i.e., not inside the envelope, alternative configurations must be designed by energy auditor.

**TITLE: XI SPECIAL CONSTRUCTION  
ACCESSIBILITY – VISITABLE HOME as required by the  
ADA and Section 504**

REPAIR STANDARD: None

REPLACEMENT STANDARD: Visitable Home Per Section 504

All new construction and substantial rehab as defined by HUD will provide the following level of accessibility:

1. Accessible route to accessible entrance and accessible route through the dwelling unit
2. Accessible switches, outlets & controls
3. Reinforced walls for grab bar installation in all baths at commodes and tub/shower
4. Grab bars installed in one usable bath
5. Lever door hardware throughout and D-pulls on all cabinets
6. Emergency communication intercom system

Universal design elements may be provided to clients with physical disabilities and wheelchair users after consultation with a mobility expert.

**TITLE: XI SPECIAL CONSTRUCTION**

**LEAD SAFE REGULATIONS  
ASBESTOS REMOVAL REGULATIONS AT  
40CFR part 61 and 29 CFR 1926.1101**

REPAIR STANDARD / REPLACEMENT STANDARD: Conformance to 1012-1013 Lead Regulation for all pre-1978 homes.

See Summary of Lead-Based Paint Requirements (attached)

Lead Based Paint (LBP) [Green Standard]

Repair Standard: Minimum Life – 5 years

For all houses constructed prior to 1978 - four (4) floors, two (2) window sills and two (2) window troughs (all randomly selected) plus a blank sample must be submitted to an EPA-accredited lead analytical laboratory and the dust samples must pass a dust wipe test for lead content as per the protocol in the HUD Guidelines. Lead-safe work practices must be followed, and only certified abatement contractors are eligible to perform the remediation work. See: <http://www.hud.gov/offices/lead/lbp/hudguidelines/>

Replacement Standard: Minimum Life – 20 years

When stabilization of surfaces containing LBP is impractical, the most affordable solution for abatement of the component will be chosen. Walls containing LBP may be covered with drywall or gutted and replaced with drywall. Trim and other wood or metal components containing LBP may be removed and replaced with similar materials. Lead-safe work practices must be followed, and only certified abatement contractors are eligible to perform the remediation work.

**PRE 1978 HOUSING ONLY**  
**SUMMARY OF LEAD-BASED PAINT REQUIREMENTS**

Activity (Regulation Subpart)	Rehabilitation (Subpart J)			TBRA (Subpart M)	A,L,SS,O (Subpart K) Homebuyer and Special Needs*
	<\$5,000	\$5,001 - \$25,000	>\$25,000	Children 5 and under	
<b>Condition</b>					
<b>Strategy Level</b>	1. Do no harm	3. Assess and control lead hazards	4. Assess and abate lead hazards	2. Identify and stabilize deteriorated paint	2. Identify and stabilize deteriorated paint
<b>Disclosure &amp; Pamphlet</b>	Yes	Yes	Yes	Yes	Yes
<b>Hazard Evaluation</b>	Paint Testing of disturbed surfaces	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment	Visual Assessment /HQS	Visual Assessment/ Prepurchase Insp.
<b>Notice</b>	Yes	Yes	Yes	No	No
<b>Lead Hazard Reduction</b>	Repair paint disturbed during rehabilitation	Interim Controls	Abatement	Paint Stabilization	Paint Stabilization
<b>Worker Requirement</b>	Construction workers	Trained <b>or</b> supervised workers	Abatement workers <b>and</b> abatement supervisor	Supervised <b>or</b> trained workers	Supervised <b>or</b> trained workers
<b>Work Practices</b>	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice	Safe work practices Worksite clearance Notice
<b>Ongoing Maintenance</b>	No	No	No	Yes	Yes (if ongoing relationship)
<b>EIBLL Requirements</b>	No	No	No	Yes	No
<b>Documentation</b>	Testing Report Clearance Report	Work Write-up Risk Assessment Clearance Report	Work Write-up Risk Assessment Abatement Report	HQS Clearance Report Maintenance	HQS Clearance Report Maintenance
<b>Options</b>	Presume lead-based paint Use safe work practices on all surfaces to be disturbed	Presume lead-based hazards and paint. Standard Treatments on soil, dust, paint, friction, impact and mouthable.	Presume lead-based hazards. Abate all applicable surfaces, soil, dust.	Test deteriorated paint. Use safe work practices only on lead-based paint.	Test deteriorated paint. Use safe work practices only on lead-based paint surfaces.
* Special Needs Housing may be subject to the requirements of Subpart J,M or K depending on the nature of the activity undertaken. Most special needs housing involves acquisition, leasing, support services and operations, therefore, it has been placed in this column.					

**TITLE: XI SPECIAL CONSTRUCTION  
SUSTAINABILITY OPTIONS**

- All new construction and substantial rehabilitation shall meet the Energy Star 2 standards as of February 11, 2010 per the attached Thermal Bypass Checklist.
  
- All moderate rehabilitation shall use Energy Star rated equivalent when the following items are replaced:
  - Windows
  - Doors
  - Lighting
  - Water heaters
  - Air conditioning units
  - Refrigerators
  - Clothes washers
  - Dishwashers
  - Water efficient toilets, showers and faucets such as those with the WaterSense label

All interventions shall include:

- Erosion and Sediment Control. EPA's Best Management Practices for erosion and sedimentation control are required during construction.
  
- Sustainable Landscaping. Native trees and plants, when provided, that are appropriate to the site's soils and microclimate will be selected. Drought tolerant
  
- Energy Efficient Landscaping. Trees and plants, when provided, will be selected and located to provide shading in the summer.
  
- Durable Materials. Materials that last longer than conventional counterparts such as treated lumber, stone, concrete and hardwood will be used. Resource Efficient Materials/Layouts that reduce the amount of homebuilding materials required will be given priority.
  
- Local Source Materials. Materials from Florida sources that are close to the job site will be used.





## ENERGY STAR Qualified Homes Thermal Bypass Inspection Checklist

The Thermal Bypass Inspection Checklist must be completed for homes to earn the ENERGY STAR label. The Checklist requires visual inspection of framing areas where air barriers are commonly missed and inspection of insulation to ensure proper alignment with air barriers, thus serving as an extra check that the air and thermal barriers are continuous and complete. State, local, and regional codes, as well as regional ENERGY STAR program requirements, supersede the items specified in this Checklist.

### Guidance on Completing the Thermal Bypass Inspection Checklist:

1. Accredited HERS Providers and certified home energy raters shall use their experience and discretion in verifying that each Inspection Checklist item is installed per the inspection guidelines (e.g., identifying minor defects that the Provider or rater deems acceptable versus identifying major defects that undermine the intent of the Checklist item).
2. Alternative methods of meeting the Checklist requirements may be used in completing the Checklist, if the Provider deems them to be equivalent, or more stringent, than the Inspection Checklist guidelines.
3. In the event an item on the Checklist cannot be verified by the rater, the home cannot be qualified as ENERGY STAR, unless the builder assumes responsibility for verifying that the item has met the requirements of the Checklist. This option is available at the discretion of the Provider or rater but may not be used to verify more than six (6) items on the Inspection Checklist. This responsibility will be formally acknowledged by the builder signing-off on the Checklist for the item(s) that they verified. The column titled "N/A" should be used when the checklist item is not present in the home or when local code requirements take precedent.
4. The Checklist may be completed for a batch of homes using a RESNET-approved sampling protocol when qualifying homes as ENERGY STAR. For example, if the approved sampling protocol requires rating one in seven homes, then the Checklist will be completed for the one home which was rated.
5. In the event that a Provider or rater finds an item that is inconsistent with the Checklist Inspection guidelines, the home cannot be qualified as ENERGY STAR until the item is corrected in a manner that meets the ENERGY STAR requirements. If correction of the item is not possible, the home cannot earn the ENERGY STAR label.
6. The Provider or rater is required to keep a hard copy record of the completed and signed Checklist. The signature of a builder employee is also required if the builder verified compliance with any item on the Checklist.
7. For purposes of this Checklist, an air barrier is defined as any solid material that blocks air flow between a conditioned space and an unconditioned space, including necessary sealing to block excessive air flow at edges and seams. Additional information on proper air sealing of thermal bypasses can be found on the Building America Web site ([www.eere.energy.gov/buildings/building\\_america](http://www.eere.energy.gov/buildings/building_america)) and in the EEBA Builder's Guides ([www.eeba.org](http://www.eeba.org)). These references include guidance on identifying and sealing air barriers, as well as details on many of the items included in the Checklist.



## ENERGY STAR Qualified Homes Thermal Bypass Inspection Checklist

Home Address: _____		City: _____		State: _____	
Thermal Bypass	Inspection Guidelines	Corrections Needed	Builder Verified	Rater Verified	N/A
1. Overall Air Barrier and Thermal Barrier Alignment	<b>Requirements:</b> Insulation shall be installed in full contact with sealed interior and exterior air barrier except for alternate to interior air barrier under item no. 2 ( <i>Walls Adjoining Exterior Walls or Unconditioned Spaces</i> )				
	<b>All Climate Zones:</b>				
	1.1 Overall Alignment Throughout Home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	1.2 Garage Band Joist Air Barrier (at bays adjoining conditioned space)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	1.3 Attic Eave Baffles Where Vents/Leakage Exist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Only at Climate Zones 4 and Higher:</b>				
	1.4 Slab-edge Insulation (A maximum of 25% of the slab edge may be uninsulated in Climate Zones 4 and 5.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>Best Practices Encouraged, Not Req'd.:</b>				
1.5 Air Barrier At All Band Joists (Climate Zones 4 and higher)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.6 Minimize Thermal Bridging (e.g., OVE, triming, SIPs, ICFs)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Walls Adjoining Exterior Walls or Unconditioned Spaces	<b>Requirements:</b> <ul style="list-style-type: none"> <li>• Fully insulated wall aligned with air barrier at both interior and exterior, <b>OR</b></li> <li>• Alternate for <b>Climate Zones 1 thru 3</b>, sealed exterior air barrier aligned with RESNET Grade 1 insulation fully supported</li> <li>• Continuous top and bottom plates or sealed blocking</li> </ul>				
	2.1 Wall Behind Shower/Tub	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.2 Wall Behind Fireplace	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.3 Insulated Attic Slopes for Un-vented Attic Spaces	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.4 Attic Knee Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.5 Skylight Shaft Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.6 Wall Adjoining Porch Roof	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.7 Staircase Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	2.8 Double Walls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Floors between Conditioned and Exterior Spaces	<b>Requirements:</b> <ul style="list-style-type: none"> <li>• Air barrier is installed at any exposed insulation edges</li> <li>• Insulation is installed to maintain permanent contact w/ sub-floor above and air barrier below - <b>Optional until July 1, 2008</b></li> </ul>				
	3.1 Insulated Floor Above Garage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	3.2 Cantilevered Floor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Shafts	<b>Requirements:</b> Openings to unconditioned space are fully sealed with solid blocking or flashing and any remaining gaps are sealed with caulk or foam (provide fire-rated collars and caulking where required)				
	4.1 Duct Shaft	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4.2 Piping Shaft/Penetrations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4.3 Flue Shaft	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Attic/Ceiling Interface	<b>Requirements:</b> <ul style="list-style-type: none"> <li>• All attic penetrations and dropped ceilings include a full interior air barrier aligned with insulation with any gaps fully sealed with caulk, foam or tape</li> <li>• Movable insulation fits snugly in opening and air barrier is fully gasketed</li> </ul>				
	5.1 Attic Access Panel (fully gasketed and insulated)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5.2 Attic Drop-down Stair (fully gasketed and insulated)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5.3 Dropped Ceiling/Soffit: (full air barrier aligned with insulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5.4 Recessed Lighting Fixtures (ICAT labeled and sealed to drywall)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	5.5 Whole-house Fan (insulated cover gasketed to the opening)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Common Walls Between Dwelling Units	<b>Requirements:</b> Gap btwn drywall shaft wall (common wall) and structural framing btwn units is sealed at all exterior boundary conditions				
	6.1 Common Wall Between Dwelling Units	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rater Inspection Date: _____		Builder Inspection Date: _____			
Home Energy Rating Provider: _____		Builder Company Name: _____			
Home Energy Rater Company Name: _____		Builder Division Name: _____			
Home Energy Rater Signature: _____		Builder Employee Signature: _____			

## THERMAL BYPASS CHECKLIST

### KEY TERMS

- Air Barrier** Any material that restricts air flow. In wall assemblies, the exterior air barrier is often a combination of sheathing and either building paper, house wrap or board insulation. The interior air barrier is typically gypsum board.
- Alignment** Insulation installation condition where the insulation is in full contact with the air barrier (contiguous) and continuous across the entire thermal enclosure.
- Batt Insulation** Insulation that is typically manufactured out of fiberglass or rock wool into blankets sized for typical framing bays and manually fitted into place. They require extra diligence to ensure no gaps, voids, compression or misalignment where framing bays are not typical framing dimensions or include wiring and piping.
- Blown-in Insulation** Insulation typically made from fiberglass or cellulose that is blown into construction assemblies dry or wet that inherently fills the entire framed assembly without any gaps, voids, compression or misalignment.
- Cantilever** - An overhang where one floor extends beyond and over a wall below thereby exposing the floor to exterior conditions.
- Compression** Insulation installation condition where the full thickness is reduced, resulting in increased density and reduced air pockets that drive thermal resistance. This undermines the effective R-value of the insulation.
- Convective Air Flow** As used with thermal bypass, this refers to air-flow that occurs in gaps between insulation and the air barrier due to temperature differences in and across the gap resulting in a stack effect or driving forces from more to less heat.
- Floating Slab** Non-monolithic slab and foundation. This can occur where rigid slab edge insulation is placed between the foundation wall and slab leaving the slab unsupported.
- FSK Radiant Barrier** A foil-coated insulation that prevents against fire spreading and smoke generation while reflecting internal or external heat. FSK insulation is commonly used in high heat areas of a building including behind fireplaces and the attic knee walls. FSK stands for Foil, Scrim, Kraft; the components of this insulation.
- Fully Aligned** Condition where air barriers and thermal barrier (insulation) are contiguous (touching) and continuous across the entire building envelope.
- Fully Supported** When insulation is evenly and securely held in place so that it does not bow or hang loose. Insulation that is not fully supported is more likely to be misaligned with the air barriers.
- Infrared Imaging** Heat sensing camera which helps reveal thermal bypass conditions by exposing hot and cold surface temperatures revealing unintended thermal flow, air flow, and moisture flow. Darker colors indicate cool temperatures, while lighter colors indicate warmer temperatures.
- Insulated Concrete Form (ICFs)** Factory-built wall system blocks that are made from extruded polystyrene insulation. Steel reinforcing rods are added and concrete is poured into the voids, creating a very air-tight, well-insulated and sturdy wall as the insulation is inherently aligned with the exterior and interior air barriers.
- Insulation Contact (IC)** Rating for recessed lights allowing insulation to be placed directly over the top of the fixture.
- Insulation Contact, Air-Tight (ICAT) Lighting Fixture** Rating for recessed lights that can have direct contact with insulation and constructed with air-tight assemblies to reduce thermal losses.

## THERMAL BYPASS CHECKLIST

### KEY TERMS

- Misalignment – Condition where air barrier and thermal barrier (Insulation) are not contiguous (touching) and not continuous across the entire building envelope.
- Optimal Value Engineering (OVE) – A strategy for reducing thermal bridging by minimizing wall framing needed for structural support. Common techniques include 2x6 framing with 24” on-center spacing, single top plates where trusses align with wall framing below, properly sized headers, two-stud corners, lattice strips at exterior/interior wall intersections, and the elimination of excessive fire blocking and window framing. This results in much more open framing for insulation to improve energy efficiency and comfort.
- Rigid Insulation – Insulation typically made from polystyrene or polyurethane manufactured into 4’ x 8’ boards of various thicknesses. As an exterior sheathing material, rigid board insulation provides a complete thermal break assembly and can effectively shift the dew point outside of the exterior wall construction assembly.
- R-value – A measure of the thermal resistance of a material. Higher R-values indicate better resistance to heat flow through material. The effective R-value of an insulation material will be reduced by gaps, voids, compression or misalignment.
- Spray Foams Insulation – Insulation available in both open–and closed-cell configurations that is typically made from polyurethane. It is sprayed into construction assemblies as a liquid that expands to fill the surrounding cavity. Once dry, spray foam functions as both an air barrier and thermal barrier and effectively fill holes and cracks for both a well-insulated and air-tight wall assembly. Closed-cell spray foams are more dense and also function as a vapor barrier.
- Structural Insulated Panels (SIPs) – Factory-built insulated wall assemblies that ensure full alignment of insulation with integrated air barriers. Composed of insulated foam board glued to both an internal and external layers of sheathing (typically OSB or plywood). Many SIP panels are manufactured with precut window and door openings.
- Thermal Barrier – Term used to describe when flow of heat is restricted or slowed. Accomplished through insulation.
- Thermal Bridging – Accelerated thermal flow that occurs when materials that are poor insulators displace insulation.
- Thermal Bypass Checklist – Comprehensive list of building details for ENERGY STAR Qualified Homes addressing construction details where air barriers and insulation are commonly missing.
- Thermal Bypass – The movement of heat around or through insulation. This typically occurs when gaps exist between the air barrier and insulation or where air barriers are missing.
- Vapor Barrier – Any material that restricts the flow of moisture. In hot climates, a vapor barrier would be installed on the exterior surface and in cold climates on the interior surface.
- Wind Baffle – An object that serves as an air barrier for the purpose of blocking wind washing at attic eaves.
- Wind Washing – When insulating properties of insulation are eliminated due to air-current penetration.



**2014 Income Limits  
Florida Housing Finance Corporation  
State Housing Initiatives Partnership (SHIP) Program**

City (County)	Percentage Category	Number of Persons in Household											
		1	2	3	4	5	6	7	8	9	10	11	12
<b>MIAMI-FORT LAUDERDALE-POMPANO BEACH MSA</b>													
Fort Lauderdale HMFA (Broward) Median: 61,800	30%	14,500	16,600	18,650	20,700	22,400	24,050	25,700	27,350	28,980	30,636	32,292	33,948
	50%	24,150	27,600	31,050	34,500	37,300	40,050	42,800	45,550	48,300	51,060	53,820	56,580
	80%	38,650	44,200	49,700	55,200	59,650	64,050	68,450	72,900	77,280	81,696	86,112	90,528
	120%	57,960	66,240	74,520	82,800	89,520	96,120	102,720	109,320	115,920	122,544	129,168	135,792
	140%	67,620	77,280	86,940	96,600	104,440	112,140	119,840	127,540	135,240	142,968	150,696	158,424
Miami-Miami Beach-Kendall HMFA (Miami-Dade) Median: 48,400	30%	14,300	16,350	18,400	20,400	22,050	23,700	25,300	26,950	28,560	30,192	31,824	33,456
	50%	23,800	27,200	30,600	34,000	36,750	39,450	42,200	44,900	47,600	50,320	53,040	55,760
	80%	38,100	43,550	49,000	54,400	58,800	63,150	67,500	71,850	76,160	80,512	84,864	89,216
	120%	57,120	65,280	73,440	81,600	88,200	94,680	101,280	107,760	114,240	120,768	127,296	133,824
	140%	66,640	76,160	85,680	95,200	102,900	110,460	118,160	125,720	133,280	140,896	148,512	156,128
West Palm Beach-Boca Raton HMFA (Palm Beach) Median: 63,300	30%	13,750	15,700	17,650	19,600	21,200	22,750	24,350	25,900	27,440	29,008	30,576	32,144
	50%	22,900	26,150	29,400	32,650	35,300	37,900	40,500	43,100	45,710	48,322	50,934	53,546
	80%	36,650	41,850	47,100	52,300	56,500	60,700	64,900	69,050	73,220	77,404	81,588	85,772
	120%	54,960	62,760	70,560	78,360	84,720	90,960	97,200	103,440	109,704	115,973	122,242	128,510
	140%	64,120	73,220	82,320	91,420	98,840	106,120	113,400	120,680	127,988	135,302	142,615	149,929
Naples-Marco Island MSA (Collier) Median: 62,900	30%	13,850	15,800	17,800	19,750	21,350	22,950	24,500	26,100	27,650	29,230	30,810	32,390
	50%	23,050	26,350	29,650	32,900	35,550	38,200	40,800	43,450	46,060	48,692	51,324	53,956
	80%	36,900	42,150	47,400	52,650	56,900	61,100	65,300	69,500	73,710	77,922	82,134	86,346
	120%	55,320	63,240	71,160	78,960	85,320	91,680	97,920	104,280	110,544	116,861	123,178	129,494
	140%	64,540	73,780	83,020	92,120	99,540	106,960	114,240	121,660	128,968	136,338	143,707	151,077
North Port-Bradenton-Sarasota MSA (Manatee/Sarasota) Median: 57,300	30%	12,050	13,800	15,500	17,200	18,600	20,000	21,350	22,750	24,080	25,456	26,832	28,208
	50%	20,100	22,950	25,800	28,650	30,950	33,250	35,550	37,850	40,110	42,402	44,694	46,986
	80%	32,100	36,700	41,300	45,850	49,550	53,200	56,900	60,550	64,190	67,858	71,526	75,194
	120%	48,240	55,080	61,920	68,760	74,280	79,800	85,320	90,840	96,264	101,765	107,266	112,766
	140%	56,280	64,260	72,240	80,220	86,660	93,100	99,540	105,980	112,308	118,726	125,143	131,561
Ocala MSA (Marion) Median: 45,700	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Orlando-Kissimmee-Sanford MSA (Lake/Orange/Osceola/Seminole) Median: 54,800	30%	12,050	13,800	15,500	17,200	18,600	20,000	21,350	22,750	24,080	25,456	26,832	28,208
	50%	20,100	22,950	25,800	28,650	30,950	33,250	35,550	37,850	40,110	42,402	44,694	46,986
	80%	32,100	36,700	41,300	45,850	49,550	53,200	56,900	60,550	64,190	67,858	71,526	75,194
	120%	48,240	55,080	61,920	68,760	74,280	79,800	85,320	90,840	96,264	101,765	107,266	112,766
	140%	56,280	64,260	72,240	80,220	86,660	93,100	99,540	105,980	112,308	118,726	125,143	131,561
Palm Bay-Melbourne- Titusville MSA (Brevard) Median: 60,700	30%	12,750	14,600	16,400	18,200	19,700	21,150	22,600	24,050	25,480	26,936	28,392	29,848
	50%	21,250	24,300	27,350	30,350	32,800	35,250	37,650	40,100	42,490	44,918	47,346	49,774
	80%	34,000	38,850	43,700	48,550	52,450	56,350	60,250	64,100	67,970	71,854	75,738	79,622
	120%	51,000	58,320	65,640	72,840	78,720	84,600	90,360	96,240	101,976	107,803	113,630	119,458
	140%	59,500	68,040	76,580	84,980	91,840	98,700	105,420	112,280	118,972	125,770	132,569	139,367

		2014 Income Limits Florida Housing Finance Corporation State Housing Initiatives Partnership (SHIP) Program											
City (County)	Percentage Category	Number of Persons in Household											
		1	2	3	4	5	6	7	8	9	10	11	12
Palm Coast MSA (Flagler) Median: 56,300	30%	12,250	14,000	15,750	17,450	18,850	20,250	21,650	23,050	24,430	25,826	27,222	28,618
	50%	20,400	23,300	26,200	29,100	31,450	33,800	36,100	38,450	40,740	43,068	45,396	47,724
	80%	32,600	37,250	41,900	46,550	50,300	54,000	57,750	61,450	65,170	68,894	72,618	76,342
	120%	48,960	55,920	62,880	69,840	75,480	81,120	86,640	92,280	97,776	103,363	108,950	114,538
	140%	57,120	65,240	73,360	81,480	88,060	94,640	101,080	107,660	114,072	120,590	127,109	133,627
Panama City-Lynn Haven- Panama City Beach MSA (Bay) Median: 59,500	30%	12,500	14,300	16,100	17,850	19,300	20,750	22,150	23,600	24,990	26,418	27,846	29,274
	50%	20,850	23,800	26,800	29,750	32,150	34,550	36,900	39,300	41,650	44,030	46,410	48,790
	80%	33,350	38,100	42,850	47,600	51,450	55,250	59,050	62,850	66,640	70,448	74,256	78,064
	120%	50,040	57,120	64,320	71,400	77,160	82,920	88,560	94,320	99,960	105,672	111,384	117,096
	140%	58,380	66,640	75,040	83,300	90,020	96,740	103,320	110,040	116,620	123,284	129,948	136,612
Pensacola-Ferry Pass-Brent MSA (Escambia/Santa Rosa) Median: 58,400	30%	12,250	14,000	15,750	17,500	18,900	20,300	21,700	23,100	24,500	25,900	27,300	28,700
	50%	20,450	23,400	26,300	29,200	31,550	33,900	36,250	38,550	40,880	43,216	45,552	47,888
	80%	32,700	37,400	42,050	46,700	50,450	54,200	57,950	61,650	65,380	69,116	72,852	76,588
	120%	49,080	56,160	63,120	70,080	75,720	81,360	87,000	92,520	98,112	103,718	109,325	114,931
	140%	57,260	65,520	73,640	81,760	88,340	94,920	101,500	107,940	114,464	121,005	127,546	134,086
Port Saint Lucie MSA (Martin/Saint Lucie) Median: 56,900	30%	11,950	13,650	15,350	17,050	18,450	19,800	21,150	22,550	23,870	25,234	26,598	27,962
	50%	19,950	22,800	25,650	28,450	30,750	33,050	35,300	37,600	39,830	42,106	44,382	46,658
	80%	31,850	36,400	40,950	45,500	49,150	52,800	56,450	60,100	63,700	67,340	70,980	74,620
	120%	47,880	54,720	61,560	68,280	73,800	79,320	84,720	90,240	95,592	101,054	106,517	111,979
	140%	55,860	63,840	71,820	79,660	86,100	92,540	98,840	105,280	111,524	117,897	124,270	130,642
Punta Gorda MSA (Charlotte) Median: 55,700	30%	11,700	13,400	15,050	16,700	18,050	19,400	20,750	22,050	23,380	24,716	26,052	27,388
	50%	19,500	22,300	25,100	27,850	30,100	32,350	34,550	36,800	38,990	41,218	43,446	45,674
	80%	31,200	35,650	40,100	44,550	48,150	51,700	55,250	58,850	62,370	65,934	69,498	73,062
	120%	46,800	53,520	60,240	66,840	72,240	77,640	82,920	88,320	93,576	98,923	104,270	109,618
	140%	54,600	62,440	70,280	77,980	84,280	90,580	96,740	103,040	109,172	115,410	121,649	127,887
Sebastian-Vero Beach MSA (Indian River) Median: 54,700	30%	11,500	13,150	14,800	16,400	17,750	19,050	20,350	21,650	22,960	24,272	25,584	26,896
	50%	19,150	21,900	24,650	27,350	29,550	31,750	33,950	36,150	38,290	40,478	42,666	44,854
	80%	30,650	35,000	39,400	43,750	47,250	50,750	54,250	57,750	61,250	64,750	68,250	71,750
	120%	45,960	52,560	59,160	65,640	70,920	76,200	81,480	86,760	91,896	97,147	102,398	107,650
	140%	53,620	61,320	69,020	76,580	82,740	88,900	95,060	101,220	107,212	113,338	119,465	125,591
<b>TALLAHASSEE MSA</b>													
Tallahassee HMFA (Gadsden/Leon/Jefferson) Median: 64,800	30%	13,500	15,400	17,350	19,250	20,800	22,350	23,900	25,450	26,950	28,490	30,030	31,570
	50%	22,450	25,650	28,850	32,050	34,650	37,200	39,750	42,350	44,870	47,434	49,998	52,562
	80%	35,950	41,050	46,200	51,300	55,450	59,550	63,650	67,750	71,820	75,924	80,028	84,132
	120%	53,880	61,560	69,240	76,920	83,160	89,280	95,400	101,640	107,688	113,842	119,995	126,149
	140%	62,860	71,820	80,780	89,740	97,020	104,160	111,300	118,580	125,636	132,815	139,994	147,174
Wakulla County HMFA Median: 66,800	30%	14,050	16,050	18,050	20,050	21,700	23,300	24,900	26,500	28,070	29,674	31,278	32,882
	50%	23,400	26,750	30,100	33,400	36,100	38,750	41,450	44,100	46,760	49,432	52,104	54,776
	80%	37,450	42,800	48,150	53,450	57,750	62,050	66,300	70,600	74,830	79,106	83,382	87,658
	120%	56,160	64,200	72,240	80,160	86,640	93,000	99,480	105,840	112,224	118,637	125,050	131,462
	140%	65,520	74,900	84,280	93,520	101,080	108,500	116,060	123,480	130,928	138,410	145,891	153,373

		2014 Income Limits Florida Housing Finance Corporation State Housing Initiatives Partnership (SHIP) Program											
City (County)	Percentage Category	Number of Persons in Household											
		1	2	3	4	5	6	7	8	9	10	11	12
Tampa-St.Petersburg-Clearwater MSA (Hernando/Hillsborough/Pasco/Pinellas) Median: 57,400	30%	12,050	13,800	15,500	17,200	18,600	20,000	21,350	22,750	24,080	25,456	26,832	28,208
	50%	20,100	23,000	25,850	28,700	31,000	33,300	35,600	37,900	40,180	42,476	44,772	47,068
	80%	32,150	36,750	41,350	45,900	49,600	53,250	56,950	60,600	64,260	67,932	71,604	75,276
	120%	48,240	55,200	62,040	68,880	74,400	79,920	85,440	90,960	96,432	101,942	107,453	112,963
	140%	56,280	64,400	72,380	80,360	86,800	93,240	99,680	106,120	112,504	118,933	125,362	131,790
Bradford County Median: 51,900	30%	10,900	12,450	14,000	15,550	16,800	18,050	19,300	20,550	21,770	23,014	24,258	25,502
	50%	18,200	20,800	23,400	25,950	28,050	30,150	32,200	34,300	36,330	38,406	40,482	42,558
	80%	29,050	33,200	37,350	41,500	44,850	48,150	51,500	54,800	58,100	61,420	64,740	68,060
	120%	43,680	49,920	56,160	62,280	67,320	72,360	77,280	82,320	87,192	92,174	97,157	102,139
	140%	50,960	58,240	65,520	72,660	78,540	84,420	90,160	96,040	101,724	107,537	113,350	119,162
Calhoun County Median: 39,000	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Citrus County Median: 46,000	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Columbia County Median: 43,400	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
DeSoto County Median: 43,900	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Dixie County Median: 49,800	30%	10,500	12,000	13,500	14,950	16,150	17,350	18,550	19,750	20,930	22,126	23,322	24,518
	50%	17,450	19,950	22,450	24,900	26,900	28,900	30,900	32,900	34,860	36,852	38,844	40,836
	80%	27,900	31,900	35,900	39,850	43,050	46,250	49,450	52,650	55,790	58,978	62,166	65,354
	120%	41,880	47,880	53,880	59,760	64,560	69,360	74,160	78,960	83,664	88,445	93,226	98,006
	140%	48,860	55,860	62,860	69,720	75,320	80,920	86,520	92,120	97,608	103,186	108,763	114,341
Franklin County Median: 51,400	30%	10,800	12,350	13,900	15,400	16,650	17,900	19,100	20,350	21,560	22,792	24,024	25,256
	50%	18,000	20,600	23,150	25,700	27,800	29,850	31,900	33,950	35,980	38,036	40,092	42,148
	80%	28,800	32,900	37,000	41,100	44,400	47,700	51,000	54,300	57,540	60,828	64,116	67,404
	120%	43,200	49,440	55,560	61,680	66,720	71,640	76,560	81,480	86,352	91,286	96,221	101,155
	140%	50,400	57,680	64,820	71,960	77,840	83,580	89,320	95,060	100,744	106,501	112,258	118,014
Glades County Median: 46,100	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764



		2014 Income Limits Florida Housing Finance Corporation State Housing Initiatives Partnership (SHIP) Program											
City (County)	Percentage Category	Number of Persons in Household											
		1	2	3	4	5	6	7	8	9	10	11	12
Gulf County  Median: 50,600	30%	10,650	12,200	13,700	15,200	16,450	17,650	18,850	20,100	21,280	22,496	23,712	24,928
	50%	17,750	20,250	22,800	25,300	27,350	29,350	31,400	33,400	35,420	37,444	39,468	41,492
	80%	28,350	32,400	36,450	40,500	43,750	47,000	50,250	53,500	56,700	59,940	63,180	66,420
	120%	42,600	48,600	54,720	60,720	65,640	70,440	75,360	80,160	85,008	89,866	94,723	99,581
	140%	49,700	56,700	63,840	70,840	76,580	82,180	87,920	93,520	99,176	104,843	110,510	116,178
Hamilton County  Median: 48,700	30%	10,250	11,700	13,150	14,600	15,800	16,950	18,150	19,300	20,440	21,608	22,776	23,944
	50%	17,050	19,500	21,950	24,350	26,300	28,250	30,200	32,150	34,090	36,038	37,986	39,934
	80%	27,300	31,200	35,100	38,950	42,100	45,200	48,300	51,450	54,530	57,646	60,762	63,878
	120%	40,920	46,800	52,680	58,440	63,120	67,800	72,480	77,160	81,816	86,491	91,166	95,842
	140%	47,740	54,600	61,460	68,180	73,640	79,100	84,560	90,020	95,452	100,906	106,361	111,815
Hardee County  Median: 44,600	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Hendry County  Median: 41,600	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Highlands County  Median: 44,000	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Holmes County  Median: 44,600	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Jackson County  Median: 54,500	30%	11,350	13,000	14,600	16,200	17,500	18,800	20,100	21,400	22,680	23,976	25,272	26,568
	50%	18,900	21,600	24,300	27,000	29,200	31,350	33,500	35,650	37,800	39,960	42,120	44,280
	80%	30,250	34,600	38,900	43,200	46,700	50,150	53,600	57,050	60,480	63,936	67,392	70,848
	120%	45,360	51,840	58,320	64,800	70,080	75,240	80,400	85,560	90,720	95,904	101,088	106,272
	140%	52,920	60,480	68,040	75,600	81,760	87,780	93,800	99,820	105,840	111,888	117,936	123,984
Lafayette County  Median: 58,200	30%	12,050	13,750	15,450	17,150	18,550	19,900	21,300	22,650	24,010	25,382	26,754	28,126
	50%	20,000	22,850	25,700	28,550	30,850	33,150	35,450	37,700	39,970	42,254	44,538	46,822
	80%	32,000	36,550	41,100	45,650	49,350	53,000	56,650	60,300	63,910	67,562	71,214	74,866
	120%	48,000	54,840	61,680	68,520	74,040	79,560	85,080	90,480	95,928	101,410	106,891	112,373
	140%	56,000	63,980	71,960	79,940	86,380	92,820	99,260	105,560	111,916	118,311	124,706	131,102

		2014 Income Limits Florida Housing Finance Corporation State Housing Initiatives Partnership (SHIP) Program											
City (County)	Percentage Category	Number of Persons in Household											
		1	2	3	4	5	6	7	8	9	10	11	12
Levy County  Median: 45,900	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Liberty County  Median: 53,600	30%	11,300	12,900	14,500	16,100	17,400	18,700	20,000	21,300	22,540	23,828	25,116	26,404
	50%	18,800	21,450	24,150	26,800	28,950	31,100	33,250	35,400	37,520	39,664	41,808	43,952
	80%	30,050	34,350	38,650	42,900	46,350	49,800	53,200	56,650	60,060	63,492	66,924	70,356
	120%	45,120	51,480	57,960	64,320	69,480	74,640	79,800	84,960	90,048	95,194	100,339	105,485
	140%	52,640	60,060	67,620	75,040	81,060	87,080	93,100	99,120	105,056	111,059	117,062	123,066
Madison County  Median: 43,600	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Monroe County  Median: 63,500	30%	17,300	19,800	22,250	24,700	26,700	28,700	30,650	32,650	34,580	36,556	38,532	40,508
	50%	28,850	33,000	37,100	41,200	44,500	47,800	51,100	54,400	57,680	60,976	64,272	67,568
	80%	46,150	52,750	59,350	65,900	71,200	76,450	81,750	87,000	92,260	97,532	102,804	108,076
	120%	69,240	79,200	89,040	98,880	106,800	114,720	122,640	130,560	138,432	146,342	154,253	162,163
	140%	80,780	92,400	103,880	115,360	124,600	133,840	143,080	152,320	161,504	170,733	179,962	189,190
Okeechobee County  Median: 42,800	30%	9,950	11,400	12,800	14,200	15,350	16,500	17,650	18,750	19,880	21,016	22,152	23,288
	50%	16,600	19,000	21,350	23,700	25,600	27,500	29,400	31,300	33,180	35,076	36,972	38,868
	80%	26,550	30,350	34,150	37,900	40,950	44,000	47,000	50,050	53,060	56,092	59,124	62,156
	120%	39,840	45,600	51,240	56,880	61,440	66,000	70,560	75,120	79,632	84,182	88,733	93,283
	140%	46,480	53,200	59,780	66,360	71,680	77,000	82,320	87,640	92,904	98,213	103,522	108,830
Putnam County  Median: 39,300	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764
Sumter County  Median: 56,500	30%	11,700	13,400	15,050	16,700	18,050	19,400	20,750	22,050	23,380	24,716	26,052	27,388
	50%	19,500	22,250	25,050	27,800	30,050	32,250	34,500	36,700	38,920	41,144	43,368	45,592
	80%	31,150	35,600	40,050	44,500	48,100	51,650	55,200	58,750	62,300	65,860	69,420	72,980
	120%	46,800	53,400	60,120	66,720	72,120	77,400	82,800	88,080	93,408	98,746	104,083	109,421
	140%	54,600	62,300	70,140	77,840	84,140	90,300	96,600	102,760	108,976	115,203	121,430	127,658
Suwannee County  Median: 46,500	30%	9,800	11,200	12,600	13,950	15,100	16,200	17,300	18,450	19,530	20,646	21,762	22,878
	50%	16,300	18,600	20,950	23,250	25,150	27,000	28,850	30,700	32,550	34,410	36,270	38,130
	80%	26,050	29,800	33,500	37,200	40,200	43,200	46,150	49,150	52,080	55,056	58,032	61,008
	120%	39,120	44,640	50,280	55,800	60,360	64,800	69,240	73,680	78,120	82,584	87,048	91,512
	140%	45,640	52,080	58,660	65,100	70,420	75,600	80,780	85,960	91,140	96,348	101,556	106,764

		2014 Income Limits Florida Housing Finance Corporation State Housing Initiatives Partnership (SHIP) Program											
City (County)	Percentage Category	Number of Persons in Household											
		1	2	3	4	5	6	7	8	9	10	11	12
<b>Taylor County</b>	30%	10,500	12,000	13,500	15,000	16,200	17,400	18,600	19,800	21,000	22,200	23,400	24,600
	50%	17,500	20,000	22,500	25,000	27,000	29,000	31,000	33,000	35,000	37,000	39,000	41,000
	80%	28,000	32,000	36,000	40,000	43,200	46,400	49,600	52,800	56,000	59,200	62,400	65,600
	120%	42,000	48,000	54,000	60,000	64,800	69,600	74,400	79,200	84,000	88,800	93,600	98,400
	140%	49,000	56,000	63,000	70,000	75,600	81,200	86,800	92,400	98,000	103,600	109,200	114,800
Median:	50,000												
<b>Union County</b>	30%	12,050	13,800	15,500	17,200	18,600	20,000	21,350	22,750	24,080	25,456	26,832	28,208
	50%	20,100	22,950	25,800	28,650	30,950	33,250	35,550	37,850	40,110	42,402	44,694	46,986
	80%	32,100	36,700	41,300	45,850	49,550	53,200	56,900	60,550	64,190	67,858	71,526	75,194
	120%	48,240	55,080	61,920	68,760	74,280	79,800	85,320	90,840	96,264	101,765	107,266	112,766
	140%	56,280	64,260	72,240	80,220	86,660	93,100	99,540	105,980	112,308	118,726	125,143	131,561
Median:	57,300												
<b>Walton County</b>	30%	12,250	14,000	15,750	17,450	18,850	20,250	21,650	23,050	24,430	25,826	27,222	28,618
	50%	20,350	23,250	26,150	29,050	31,400	33,700	36,050	38,350	40,670	42,994	45,318	47,642
	80%	32,550	37,200	41,850	46,500	50,250	53,950	57,700	61,400	65,100	68,820	72,540	76,260
	120%	48,840	55,800	62,760	69,720	75,360	80,880	86,520	92,040	97,608	103,186	108,763	114,341
	140%	56,980	65,100	73,220	81,340	87,920	94,360	100,940	107,380	113,876	120,383	126,890	133,398
Median:	58,100												
<b>Washington County</b>	30%	10,400	11,900	13,400	14,850	16,050	17,250	18,450	19,650	20,790	21,978	23,166	24,354
	50%	17,350	19,800	22,300	24,750	26,750	28,750	30,700	32,700	34,650	36,630	38,610	40,590
	80%	27,750	31,700	35,650	39,600	42,800	45,950	49,150	52,300	55,440	58,608	61,776	64,944
	120%	41,640	47,520	53,520	59,400	64,200	69,000	73,680	78,480	83,160	87,912	92,664	97,416
	140%	48,580	55,440	62,440	69,300	74,900	80,500	85,960	91,560	97,020	102,564	108,108	113,652
Median:	49,500												

Florida Housing Finance Corporation (FHFC) Income Limits are based upon figures provided by the United States Department of Housing and Urban Development (HUD) for its Section 8 program and are subject to change. Updated income limit schedules will be provided when changes occur.

**CHAPTER 67-37**  
**STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM**

67-37.002	Definitions
67-37.005	Local Housing Assistance Plans (LHAP)
67-37.006	Review of Local Housing Assistance Plans and Amendments
67-37.007	Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008	Local Housing Assistance Trust Fund
67-37.010	Local Affordable Housing Advisory Committees and Incentive Strategies
67-37.011	Interlocal Entities
67-37.019	Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds

**67-37.002 Definitions.**

As used in this rule chapter, the following definitions shall apply:

(1) “Administrative Expenditures” means those expenditures directly related to implementation of the Local Housing Assistance Plans.

(2) “Annual Gross Income” means Annual Gross Income as defined in Section 420.9071(4), F.S.

(3) “Annual Report” means a report required to be completed and submitted to the Corporation by September 15 of each year pursuant to Section 420.9075(10), F.S.

(4) “Assisted Housing” or “Assisted Housing Development” means Assisted Housing as defined in Section 420.9071(29), F.S.

(5) “Catalyst” means the Affordable Housing Catalyst Program as described in Section 420.531, F.S.

(6) “Debt Service” means the amount required in any fiscal year to pay the principal of, redemption premium, if any, and interest on bonds and any amounts required by the terms of the documents authorizing, securing, or providing liquidity for bonds necessary to maintain in effect any such liquidity or security arrangements.

(7) “Default” means the failure to make required payments on a financial loan secured by a first mortgage which may lead to foreclosure and loss of property ownership.

(8) “Deferred Payment Loan” means Funds provided to a borrower under terms that calls for repayment to be delayed for a certain length of time, until certain circumstances change, or a certain threshold is met.

(9) “Eligible Housing” means as defined in Section 420.9071(8), F.S.

(10) “Encumbered” means that deposits made to the local affordable housing trust fund have been committed by contract, or purchase order, letter of commitment or award in a manner that obligates the county, eligible municipality, or interlocal entity to expend the amount upon delivery of goods, the rendering of services, or the conveyance of real property by a vendor, supplier, contractor, or owner.

(11) “Essential Service Personnel” means, pursuant to Chapter 2006-69, Laws of Florida, persons in need of affordable housing who are employed in occupations or professions in which they are considered essential service personnel, as defined by each county and eligible municipality within its respective local housing assistance plan pursuant to Section 420.9075(3)(a), F.S.

(12) “Expended” or “Spent” means the affordable housing activity is complete and funds deposited to the local affordable housing trust fund have been transferred from the local housing assistance trust fund account to pay for the cost of the activity.

(13) “Extremely Low Income Household” or “ELI” means one or more natural persons or a family that has a total annual gross household income that does not exceed 30 percent of the area median income adjusted for family size for households within the metropolitan statistical area, the county, or the non-metropolitan median for the state, whichever is greatest.

(14) “Foreclosure” means the legal action by a mortgage holder to require repayment of a Loan through the sale of the subject property.

(15) “Forgivable Loan” means a loan with no repayment obligation if program requirements are met for a specified period of time.

(16) “Grant” means Grant as defined in Section 420.9071(12), F.S.

(17) “Home Ownership Activities” means the use of the local affordable housing trust fund moneys for the purpose of providing owner-occupied housing. Such uses include construction, rehabilitation, purchase, and lease-purchase financing where the primary purpose is the eventual purchase of the housing by the occupant within twenty-four months from initial execution of a lease agreement or within twenty-four (24) months of the applicable fiscal year, whichever occurs first, to meet the requirement of

subsection (11).

(18) "Interlocal Entity" means an entity created pursuant to the provisions of Chapter 163, Part I, F.S., for the purpose of establishing a joint local housing assistance plan pursuant to the provisions of Section 420.9072(5), F.S.

(19) "Loan" means Loan as defined in Section 420.9071(13), F.S.

(20) "Local Housing Incentive Strategies" means Local Housing Incentive Strategies as defined in Section 420.9071(16), F.S.

(21) "Persons Who Have Special Housing Needs" means individuals who have incomes not exceeding moderate-income and, because of particular social, economic, or health-related circumstances, have greater difficulty acquiring or maintaining affordable housing. Such persons include: those who have encountered resistance to their residing in particular communities; suffered increased housing costs resulting from their unique needs and high risk of institutionalization; persons with developmental disabilities; persons with mental illnesses or chemical dependency; persons with Acquired Immune Deficiency Syndrome ("AIDS") and Human Immunodeficiency Virus ("HIV") disease; runaways and abandoned youth; public assistance recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and disabled adults.

(22) "Preservation" means Preservation as defined in Section 420.9071(30), F.S.

(23) "Recaptured Funds" means Recaptured Funds as defined in Section 420.9071(25), F.S.

(24) "Rehabilitation" means repairs or improvements which are needed for safe or sanitary habitation, correction of substantial code violations, or the creation of additional living space.

(25) "Review Committee" means the committee established pursuant to Section 420.9072(3)(a), F.S.

(26) "SHIP" or "SHIP Program" means the State Housing Initiatives Partnership Program created pursuant to the State Housing Initiative Partnership Act, Sections 420.907-.9079, F.S.

(27) "State" means the State of Florida.

(28) "Sub Recipient" means a person or non-state organization contracted by a SHIP eligible local government and compensated with SHIP funds to provide administration of any portion of the SHIP program.

(29) "Welfare Transition Program" means a program pursuant to the provisions of Section 445.006, F.S.

*Rulemaking Authority 420.9072(9) FS., Ch. 2000-69, Laws of Florida. Law Implemented 420.9072 FS. History--New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 9I-37.002, Amended 12-26-99, 9-22-03, 1-30-05, 11-5-06, 2-24-08, 11-22-09.*

#### **67-37.005 Local Housing Assistance Plans (LHAP).**

(1) To be eligible for SHIP funding for a state fiscal year, a county or eligible municipality shall submit and receive approval of its local housing assistance plan and amendments thereto as provided in Rule 67-37.006, F.A.C. Plans must be submitted to the Corporation by May 2 preceding the end of the fiscal year in which the current plan expires. New Plans must be submitted utilizing the LHAP Template 2009, No. 001 adopted and incorporated herein by reference with an effective date of 11/09. A copy of the LHAP Template 2009 No. 001 may be obtained at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/>. In the case of new eligible municipalities, plans must be submitted to the Corporation by May 2 of the state fiscal year prior to the state fiscal year they are eligible for funding. No SHIP local housing distribution funds shall be distributed in any fiscal year to any county or eligible municipality unless and until an approved plan is in place with respect to such fiscal year.

(2) The effective period of a local housing assistance plan may be up to three years. Counties or eligible municipalities which receive plan approval for more than one fiscal year shall not be required to resubmit a new plan until May 2 of the year in which the approved plan expires.

(3) Each local housing assistance plan shall include a description of the local housing assistance plan and incentive strategies, shall reference the requirements of Section 420.907-.9079, F.S., et seq., and how each of those requirements shall be met, and shall describe the process which the local government has followed to develop the Plan. A county or eligible municipality may choose to use SHIP local housing distribution funds for one or more of the activities described in Rule 67-37.007, F.A.C.

(4) The county or eligible municipality shall provide in its local housing assistance plan a complete description of all strategies and activities to be undertaken as described in Rule 67-37.005, F.A.C.

(5) For each strategy or use of local housing distribution funds, the county or eligible municipality shall provide, in its local housing assistance plan, the following information:

(a) The proposed dollar amount of the local housing distribution to be used for each strategy, stated for each State fiscal year in a multi-year plan;

(b) The estimated number of households proposed to be served for each strategy and income category;

(c) The maximum amount of funding per unit for each strategy, and the estimated amount of funding for new construction, rehabilitation or non-construction activities. On a multi-year plan, this information must be stated separately for each State fiscal year;

(d) The maximum sales price of new and existing units. For community land trust purposes the value of the land is not included in the purchase price. The information required for paragraphs (a) through (d) shall be included on the "Housing Delivery Goals Chart #2002," and is adopted and incorporated herein by reference with an effective date of 9-22-03, which is required to be completed for each fiscal year. A copy of the "Housing Delivery Goals Chart #2002" may be obtained at <http://www.floridahousing.org>. Click on: Housing Partners; then Local Governments (SHIP); then on Local Housing Assistance Plans;

(e) The statement that monthly rents or monthly mortgage payments, including taxes and insurance, do not exceed 30 percent of an amount representing the percentage of the area's median Annual Gross Income for the household as indicated in Section 420.9071(19), (20) or (28), F.S. However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing. Housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size established by the Corporation;

(f) A description of the extent to which a strategy is implemented by combining resources through a partnership in order to reduce the cost of housing;

(g) A description of the support services that will be made available to the residents of the housing; and

(h) A description of the initiatives which will be used to conduct outreach and to attract applicants for assistance;

(i) A description of how the strategies further the housing element, goals, policies, and objectives of the local government's comprehensive plan.

(6) Each local housing assistance plan shall also include a statement, and evidence thereof, that the county or eligible municipality:

(a) Has a plan to advertise a notice of funding availability of the housing assistance plan at least 30 days before the beginning of the application period in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods unless a waiting list of applicants exists. The advertisement shall:

1. Identify the amount of the distribution projected to be received from the state for the fiscal year;

2. List the beginning and end date of the application period;

3. Provide the name of the local plan contact person and other pertinent information including where applicants may apply for assistance.

(b) Include other such information that the local governments deem necessary such as:

1. An estimated amount of SHIP local housing distribution per strategy;

2. Income set asides for each strategy along with applicable income limits;

3. A description of the selection criteria for each strategy; or

4. The maximum housing value limitation for each strategy.

(c) Has a policy stating that once a waiting list has been exhausted and funds remain unencumbered, the local government will advertise as instructed in Section 420.9075(4)(b), F.S.

(d) Has developed a qualification system and selection criteria for applications for awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors that employed personnel from the Welfare Transition Program will be given preference in the selection process, adopted criteria for selection of eligible persons, and adopt a maximum Award schedule or system of amounts consistent with the intent and budget of its local housing assistance plan, with Sections 420.907-.9079, F.S.;

(e) Certifies that the staff or entity that has administrative authority for implementing a local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility throughout the 15 year compliance period as described at subsection 67-37.007(11), F.A.C.

(f) Has established a time line for the expenditure of SHIP local housing distribution funds in sufficient detail to allow for a comparison of such plan with actual expenditures. The time line must also provide, in sufficient detail, an alternate course of action should the local government determine it will not meet program encumbrance and/or expenditure requirements. The time line should include specific dates the local staff plan to review to determine plan efficiency and efficacy. The information submitted must be presented separately for each State fiscal year;

(g) Has established a procedure for the tracking and expenditure of program income and Recaptured Funds from loan repayments, reimbursements, Foreclosures or other repayments, and interest earnings on the local housing distribution funds. Such provision shall evidence compliance with the provisions of Rule 67-37.007, F.A.C.;

(h) Has a plan to: Encumber the local housing distribution funds deposited into the local housing assistance trust fund for each State fiscal year by June 30 one year following the end of the applicable State fiscal year;

(i) Has a plan for the local housing distribution deposited into the local housing assistance trust fund to be Expended for eligible persons or eligible sponsor within 24 months of the close of the applicable State fiscal year. In all cases, this will apply when the project is completed as evidenced by documentation of final payment to the contractor and release of all lien waivers, issuance of the certificate of occupancy by the local building department in the case of a new home or proof of the final building inspection for housing rehabilitation, and occupancy by an eligible person or eligible household. In the case of a loan guarantee strategy, the deposits to the local housing assistance trust fund will be considered expended when they are deposited from the local housing assistance trust fund into the guarantee fund. The funds deposited to the local housing assistance trust fund must be spent within twenty-four months from the end of the applicable State fiscal year. Exceptions to this time frame must be approved by Florida Housing Finance Corporation SHIP Program Administrator or a majority vote of the Review Committee on a case-by-case basis. Exceptions will only be granted for good cause. Examples of good cause are natural disasters, requirements of other State agencies, adverse market conditions, and unavoidable development delays. Adequate documentation detailing the reasons for the requested extension as well as a timeline for completing the expenditure of funds must be submitted to the Corporation before an extension will be granted, e.g., project status, work plan and completion schedule, commitment of funds, etc. The Corporation may require a local government requesting an expenditure extension to receive technical assistance through the Catalyst program to evaluate the need for an extension.

(7) Each local housing assistance plan shall include a detailed line-item budget of proposed Administrative Expenditures. These must be presented on an annual basis for each State fiscal year submitted;

(8) Each local housing assistance plan shall include a copy of the ordinance and its amendments, if the original ordinance has been amended from its original submission, as required by Section 420.9072(2)(b), F.S.; and

(9) Each local housing assistance plan shall include a disaster strategy describing activities to be undertaken in the event of an emergency or natural disaster which has been declared by executive order. The local government may use the Disaster Strategy (08/04) hereby adopted and incorporated by reference with an effective date of 1-30-05. A copy is available on Florida Housing's website at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/>. Local governments may use unencumbered SHIP funds to carry out activities of disaster relief. Recipients of SHIP funds under a local government's disaster strategy shall be required to verify income by executing a Disaster Self Certification of Income Form (08/04), hereby adopted and incorporated by reference with an effective date of 1-30-05 or a local government's form that requires the same information. A copy is available on the Corporation's website at <http://www.floridahousing.org/Home/HousingPartners/LocalGovernments/>. Pay check stubs and other forms of proof are required. Documentation required for SHIP income qualification may be waived if unavailable. The county or eligible municipality shall make every effort reasonable to insure that the recipients of SHIP funds are income qualified.

(10) Each county and eligible municipality shall include a definition of essential service personnel for the county or eligible municipality. Such definition may include teachers and educators; other school district, community college, and university employees; police and fire personnel; health care personnel; skilled building trades personnel; and other job categories as required by Section 420.9075(3)(a), F.S.

(11) Each county and eligible municipality may develop a strategy within its local housing assistance plan that emphasizes the recruitment and retention of Essential Service Personnel pursuant to Section 420.9075(3)(b), F.S. If a county or eligible municipality creates a strategy as referenced above before the current plan expires, an amendment shall be submitted to the Corporation in underline and strikethrough format as provided in subsection 67-37.005(17), F.A.C.

(12) A county or eligible municipality may use SHIP funds for persons or families whose total annual household income does not exceed one hundred forty percent of the area median income, adjusted for family size; this use of funds does not relieve the local government from meeting the requirements of Section 420.9075(5)(e)2., F.S.

(13) Each county or eligible municipality may develop a strategy within its local housing assistance plan that addresses the needs of persons who are deprived of affordable housing due to the closure of a mobile home park or the conversion of affordable rental units to condominiums pursuant to Section 420.9075(3)(c), F.S.

(14) Each county and eligible municipality shall include initiatives in the local housing assistance plan identifying current and emerging green building and design techniques and explain how these techniques are to be integrated into its housing strategies both for sustainability and promote greater affordability pursuant to Section 420.9075(3)(d), F.S.

(15) Each county and eligible municipality may develop a strategy within its local housing assistance plan for the Preservation of assisted rental housing.

(16) A county or eligible municipality may develop a strategy within its local housing assistance plan to provide a one-time relocation Grant up to \$5,000 to eligible households who are subject to eviction from rental property due to foreclosure of the rental property. At the time of application, eligible households must submit a notice of eviction; and proof that rent was paid at least 3 months before the date of eviction, including the month the eviction notice was served. This subsection expires July 1, 2010.

(17) For plans adopted prior to the effective date of this rule, the Corporation shall not require submission of an amendment to include a strategy for Essential Service Personnel unit such time as the current plan expires. If a county or eligibility municipality creates a strategy as referenced above before the current plan expires, an amendment must be submitted to the Corporation in underline and strikethrough format as provided in subsection 67-37.005(18), F.A.C.

(18) A copy of the local housing assistance plan shall be submitted to the Corporation, via electronic submission. The local housing assistance plan's certification and resolution pages shall be mailed to the Corporation and shall bear the original signature of the authorized official which includes: Mayor, Commissioner, County Manager or City Manager or the authorized official's designee and a certification that the document being submitted is the county's, eligible municipality's or interlocal entity's local housing assistance plan and that all provisions of the plan conform to the requirements of Section 420.9072, F.S., et seq., and Rule Chapter 67-37, F.A.C. Each local housing assistance plan shall contain a table of contents or checklist, which specifies exactly where in the documentation required items shall be located. Each local housing assistance plan amendment shall be written with text which is being deleted shown in strikethrough format and text which is being added shown in underlined format. Within two weeks after receipt of final approval letter, the local government shall provide to the Corporation, via electronic submission, a complete clean copy (no strike through or underline) for Corporation files.

(19) Any recently hired staff or new entity employed or contracted to administer any portion of the SHIP program having no previous experience with the SHIP program shall receive on site, telephonic and e-mail training through the Catalyst program.

*Rulemaking Authority 420.9072(9) FS., Ch. 2006-69, Laws of Florida. Law Implemented 420.9072(2), 420.9075 FS. History--New 11-26-92, Amended 5-2-93, 2-9-94, 12-28-94, 1-6-98, Formerly 91-37.005, Amended 12-26-99, 9-22-03, 1-30-05, 11-5-06, 2-24-08, 11-22-09.*

#### **67-37.006 Review of Local Housing Assistance Plans and Amendments.**

(1) Local housing assistance plans and amendments shall be reviewed and approved by a Review Committee appointed by the Executive Director. In the event that a quorum is not convened for the review of a plan or an amendment to a plan, action can be taken with a simple majority vote of those members present for the review.

(2) Any county or eligible municipality desiring review of any plan or amendment prior to adoption by the local government body shall submit it for review to the Review Committee. The plan or amendment will be reviewed by the Review Committee, which will recommend it for approval or identify inconsistencies with the requirements of the SHIP program Rule Chapter 67-37, F.A.C., and Sections 420.907-9079, F.S., within 30 days after receipt.

(3) Amendments to an approved local housing assistance plan must be adopted by resolution and the county or eligible municipality must provide a copy to the Review Committee within 21 days after adoption. A county or eligible municipality must amend its plan if at any time a strategy will be deleted or a new strategy will be added. However, an amendment must at all times maintain consistency with SHIP program requirements. All amendments will be reviewed by the Review Committee.

(4) A county or eligible municipality which has adopted a Plan or an amendment that has been determined by the Review Committee to be inconsistent with the requirements of the SHIP program, shall make necessary revisions identified by the Review Committee within 45 days of receipt of the Committee's comments.

*Rulemaking Authority 420.9072(9) FS. Law Implemented 420.9072(2) FS. History--New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 91-37.006, Amended 12-26-99, 9-22-03, 2-24-08, 11-22-09.*

#### **67-37.007 Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans.**

(1) SHIP local housing distribution funds shall be used to implement the local housing assistance plan. The benefit of assistance provided through the SHIP program must accrue to eligible persons occupying Eligible Housing. This provision shall not be



construed to prohibit use of the local housing distribution deposited into the local housing assistance trust fund for a mixed-income rental development. SHIP local housing distribution funds may be used:

- (a) To implement the local housing assistance plan and incentive strategies that create or preserve affordable housing;
- (b) To supplement Corporation programs, for example: the State Apartment Incentive Loan Program established under Section 420.5087, F.S., the Community Workforce Housing Innovation Pilot Program and Home Ownership Assistance Program (HAP) established under Section 420.5088, F.S., with the SHIP local housing distribution funds directed to uses within the local government jurisdiction;
- (c) To provide local match to obtain federal housing grants or programs, such as HOME, established by 24 CFR, Part 92;
- (d) To fund emergency repairs by existing service providers under weatherization programs, pursuant to Sections 409.509-.5093, F.S.; and
- (e) To further the housing element of the local government comprehensive plan adopted pursuant to Section 163.3184, F.S., specific to affordable housing.

(2) SHIP local housing distribution funds may be used for both home ownership and rental housing activities. However, at least sixty-five percent of each local government's local housing distributions must be used for home ownership activities. The expenditure of program income is exempt from this requirement.

(3) At least seventy-five percent of a local government's SHIP local housing distributions must be used for construction, rehabilitation or emergency repairs of affordable, Eligible Housing. Construction, rehabilitation, or emergency repairs must be completed either within one year immediately preceding the date of conveyance of title (i.e., closing) or within 24 months of the close of the applicable State fiscal year to satisfy this requirement, unless otherwise extended as provided at paragraph 67-37.005(6)(i), F.A.C. The expenditure of program income is exempt from this requirement. For purposes of this rule, SHIP recipients may rely on the following expenditures to be considered construction, rehabilitation or emergency repair costs:

- (a) Those hard costs which are typically or customarily treated as construction costs by institutional lenders;
- (b) Payment of impact fees;
- (c) Infrastructure expenses typically paid by the developer;
- (d) Construction soft costs such as engineering studies and appraisals, if directly related to housing construction, rehabilitation or emergency repairs;
- (e) Relocation costs associated with rehabilitation of the residence usually occupied by a tenant or home owner; and
- (f) Financing, or "buy-down" costs, if directly attributable to assisting eligible persons to own a home or obtain rental occupancy (e.g., security and utility deposit assistance) in a home or unit which has obtained a certificate of occupancy in the 12-month period immediately preceding the contract for sale and purchase or has never been occupied or lease of the premises. When used to purchase an existing housing unit, closing costs and down payment assistance will be considered toward fulfilling the 75 percent construction requirement only if the housing unit receives rehabilitation. Any other costs may be submitted to the Review Committee for review and approval.

(4) A county or eligible municipality may spend up to 20 percent of the funds made available in each county and eligible municipality from the local housing distribution for manufactured housing as referenced in Section 420.9075(5)(c), F.S.

- (5) The Corporation shall review and approve expenditures for the following categories as Administrative Expenditures:
- (a) Salaries of persons directly responsible for preparation of the plans or reporting required as part of the administration of the local SHIP plan. The salary allocated to SHIP Administrative Expenditures of any employee shall reflect activities involving administration of the SHIP program; no SHIP program funds are permitted to be expended for the administration of activities not involving SHIP funds.
  - (b) Office expenditures of persons responsible for the administration of the local SHIP plan;
  - (c) Studies conducted by the county or eligible municipality or by consultants selected by the county or eligible municipality to provide data on affordable housing need and demand in the area; and
  - (d) Expenditures related to travel, training, education, and public information initiatives necessary for the administration of the SHIP program.
  - (e) Administrative Expenditures detailed in the local housing assistance plan which do not fit in these categories shall be analyzed by the Review Committee, which shall make a determination as to whether the proposed expenditures shall be approved as Administrative Expenditures.

(f) Small counties and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent

of program income for administrative costs.

(6) The balance of the local housing distribution funds and other funds deposited into the local housing assistance trust fund must be used for housing production and finance activities, including: financing preconstruction activities, financing the purchase of existing units, providing rental housing, and providing home ownership training to prospective home buyers and owners of homes assisted through the local housing assistance plan.

(7) The sales price or value of new or existing homes which are sold or rehabilitated under the SHIP Program shall not exceed 90 percent of the average area purchase price in the statistical area in which the housing is located. The local government at its discretion may set the sales price or value below the 90 percent benchmark. The maximum area purchase price shall not exceed the limit established by the United States Department of Treasury or that calculated in accordance with Section 420.9075(5)(d), F.S.

(8) Loans issued using local housing distribution funds deposited to the local housing assistance trust fund may not have terms exceeding 30 years, except for Deferred Payment Loans or Forgivable Loans that extend beyond 30 years which continue to serve eligible persons.

(9) All units constructed, rehabilitated, or otherwise assisted with local housing distributions provided from the local housing assistance trust fund must be occupied by eligible persons as required by Section 420.9075(4)(e)1., F.S. The remainder may be reserved for eligible persons or eligible sponsors that will serve eligible persons.

(10) Monthly mortgage payments, including taxes and insurance, and monthly rental payments must be affordable for very low, low- and moderate-income persons and households.

(11) Rental units constructed, rehabilitated or otherwise assisted from the local housing assistance trust fund must be monitored at least annually for 15 years or the term of assistance, whichever is longer, for compliance with tenant income and affordability requirements, except as referenced in Section 420.9075(4)(e), F.S. In determining the maximum allowable rents, 30 percent of the applicable income category divided by 12 months shall be used based on the number of bedrooms. A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half persons per bedroom shall be used. A rental limit chart based on the above calculation adjusted for bedroom size will be provided to the local governments by the Corporation annually.

(12) All Loans and Grants for houses constructed, rehabilitated or otherwise assisted from the local housing assistance trust fund shall be subject to recapture requirements as described by the county or eligible municipality in its local housing assistance plan. Any strategy proposed that will award funds as a Grant without any recapture requirements shall be submitted to the Corporation denoted as a Grant as part of the local housing assistance plan for approval by the Review Committee.

(13) Developers receiving assistance from both SHIP and the Low-Income Rental Housing Tax Credit (LIHTC) Program shall be required to comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from SHIP and other federal, State or local programs shall be required to comply with any requirements specified by the other program in addition to SHIP program requirements. In the event both programs have restrictions on the same issue, the more restrictive regulation shall take precedence. If one program is silent on an issue, the program with a regulation on the issue shall apply.

(14) The local government may require that housing units receiving assistance from local housing distribution funds deposited to the local housing assistance trust fund be located within the boundaries of the local government's jurisdiction which has been approved for receipt of local housing distribution funds.

(15) Local housing distribution funds deposited to the local housing assistance trust fund shall not be used as a pledge of the debt service on bonds or as rent subsidies.

(16) Pursuant to Section 420.9073(5), F.S., in the event of a disaster declared by an Executive Order of the Governor, counties and eligible municipalities may request funding for activities described in its local housing assistance plan or under the disaster strategy. Requests for additional funds shall be submitted in writing and shall include the name of the local government and amount of funds requested and a schedule of when the funds being requested are to be expended. The request shall also include the number of households to be assisted, addresses, damage assessment performed by FEMA, the Department of Emergency Management, or other local agency performing disaster assessments and dollar estimate of repairs. Disaster funds shall be disbursed to local governments based on demonstrated need on a first-come, first-served basis pending availability of funds. Counties and eligible municipalities receiving additional funds for disaster that have unencumbered funds shall expend the unencumbered funds before requesting disaster funds. Disaster activities shall be included in the Annual Report submitted by local jurisdictions by September 15 following the close of the fiscal year.

(17) Pursuant to Section 420.9073(6), F.S., counties and eligible municipalities may request funds to be used for the purchase of

properties subject to a SHIP lien on which foreclosure proceedings have been initiated. Counties and eligible municipalities receiving these funds shall repay these funds to the Corporation no later than the expenditure deadline for the fiscal year in which the funds were expended. Any funds not repaid shall be withheld from the subsequent year's distribution. Requests for these funds shall be submitted in writing and shall include the name of the local government, amount of funds requested, address of property(ies) being acquired, cost of purchase, amount of existing SHIP subsidy and a schedule of when the funds being requested are to be expended. These funds will be disbursed to local governments on a first come, first served basis pending availability of funds.

*Rulemaking Authority 420.9072(9) FS. Law Implemented 420.9072 FS. History—New 11-26-92, Amended 2-9-94, 12-28-94, 1-6-98, Formerly 9I-37.007, Amended 12-26-99, 9-22-03, 11-5-06, 2-24-08, 11-22-09.*

**67-37.008 Local Housing Assistance Trust Fund.**

(1) Amounts on deposit in each local housing assistance trust fund shall be invested as permitted by law for the local housing distribution funds of the applicable local government(s). All investment earnings shall be retained in such fund and used for the purposes thereof.

(2) The local housing assistance trust fund shall be separately stated as a special revenue fund in a county's or eligible municipality's audited financial statements. Copies of such audited financial statements shall be forwarded annually to the Corporation no later than June 30th of the following fiscal year. In addition to providing audited financial statements, all participating jurisdictions must provide evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97(6), F.S.

(3) In addition to the Annual Report requirements outlined in Section 420.9075(10), F.S., local governments shall submit information as required on the annual report for:

(a) Foreclosure rates on SHIP loans

(b) Administrative Expenditures separately stated for the costs of the local government and any Sub Recipients administering the program.

(c) Total Recaptured Funds and program income separately stated for event type (Foreclosure, sale of property, refinance).

(d) A list of Sub Recipients that administer any portion of the SHIP program. The list shall include name of person or organization, business type, a description of the strategies and responsibilities for each sub recipient or consultant.

(e) Tracking of persons with disabilities and any other additional program information needed by the Corporation.

(f) Annual Reports shall be submitted to the Corporation via the internet using SHIP Annual Report "Form SHIP AR/2009". SHIP Annual Report, "Form SHIP AR/2009" is adopted and incorporated herein by reference with an effective date of 11/2009. A copy of SHIP Annual Report, "Form SHIP AR/2009" may be obtained at [www.floridahousing.org](http://www.floridahousing.org). Click on Housing Partners; then Local Governments (SHIP); then click on SHIP Annual Reports.

(4) An interlocal entity shall have its local housing assistance trust fund separately audited for each State fiscal year. The audit shall be forwarded to the Corporation as soon as available, but no later than June 30th of the following fiscal year.

(5) Local governments which have had an audit, review or investigation involving SHIP funds will send the Corporation a copy of any related report within 10 days of the issuance of such report.

*Rulemaking Authority 420.9072(9) FS. Law Implemented 420.9075(5) FS. History—New 11-26-92, Amended 2-9-94, 1-6-98, Formerly 9I-37.008, Repromulgated 12-26-99, Amended 9-22-03, 1-30-05, 11-5-06, 2-24-08, 11-22-09.*

**67-37.010 Local Affordable Housing Advisory Committees and Incentive Strategies.**

(1) The affordable housing advisory committee, as established in Section 420.9076(3), F.S., must approve the local affordable housing incentive strategy recommendations at a public hearing by affirmative vote of a majority of the membership of the advisory committee.

(2) The affordable housing advisory committee shall evaluate established policies, procedures, ordinances, land development regulations, and the local government comprehensive plan submitted and report to the local government governing board including recommended changes as established in Section 420.9076, F.S. The initial report shall be submitted to the local government governing board by December 31, 2008. After this initial submission, the reports are required to be submitted triennially on December 31 of the year preceding the submission of the local housing assistance plan. For local governments required to submit a local housing assistance plan on May 2, 2010, the report submitted by December 31, 2008 shall constitute the required report for December 31, 2009.

(3) The county or eligible municipality shall transmit to the Corporation an electronic copy of the report which has been submitted to the local governing board for consideration by May 2 of the year following the report due date.

(4) A county or eligible municipality which does not have an established affordable housing advisory committee shall establish said committee and appoint all required members by June 30, 2008.

(5) Local governments that administer the SHIP program under an Interlocal Agreement as established in Rule 67-37.011, F.A.C., and have one LHAP may request approval from the Corporation to use the same affordable housing advisory committee. When one advisory committee is utilized for the local governments participating in an Interlocal Agreement, the advisory committee shall comply with all requirements for advisory committees as established in Section 420.9076, F.S., for each of the local governments in the Interlocal Agreement separately.

*Rulemaking Authority 420.9072(9) FS. Law Implemented 420.907, 420.9076 FS. History—New 2-9-94, 1-6-98, Formerly 9I-37.010, Amended 12-26-99, Repromulgated 9-22-03, Amended 2-24-08, 11-22-09.*

**67-37.011 Interlocal Entities.**

(1) The interlocal agreement shall specify whether a single report for all jurisdictions or individual reports for each participating local government shall be submitted pursuant to Section 420.9075(10), F.S.

(2) New eligible municipalities which intend to become a member of an established interlocal entity must:

(a) Adopt an ordinance which creates the affordable housing advisory committee, establishes responsibility for plan administration and, if applicable, establishes the local affordable housing trust fund.

(b) Adopt by resolution a local housing assistance plan and adopt by resolution the appointments to the advisory committee.

(3) All members of the existing interlocal entity must adopt by resolution an amendment to the local housing assistance plan to include the new eligible municipality.

*Specific Authority 420.9072(9) FS. Law Implemented 420.9072(5) FS. History—New 11-26-92, Amended 2-9-94, 1-6-98, Formerly 9I-37.011, Amended 12-26-99, 9-22-03, 2-24-08.*

**67-37.019 Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds.**

(1) The local government staff or entity with administrative authority for a local housing assistance plan shall maintain a financial tracking system which ensures that the local housing distribution funds disbursed from the local housing trust fund are expended in accordance with the set-aside requirements in Rule 67-37.007, F.A.C., within deadlines established in subsection 67-37.005(6), F.A.C. and in compliance with Section 420.9075, F.S. Failure by the local government staff or entity with administrative authority to properly track SHIP funds shall result in the local government being deemed in non-compliance with the SHIP program. In this circumstance, the local government or administrative entity shall be required to receive technical assistance through the Catalyst program.

(2) The combined household Annual Gross Income of an applicant who is applying as an owner/occupant of a residence shall be verified and certified by the SHIP program administrator or designee using one of the following methods:

(a) Section 8 housing assistance payments programs in 24 C.F.R. part 5; or

(b) Annual income as reported under the census long form for the recent available decennial census; or

(c) Adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 for individual federal annual income tax purposes.

(3) Income shall be calculated by annualizing verified sources of income for the household as the amount of income to be received in a household during the 12 months following the effective date of the determination. Whichever income verification and certification method is used, the Annual Gross Income, as defined in Section 420.9071(4), F.S., must be used and the SHIP Program income limits cannot be exceeded. SHIP funds Expended on households that are determined to not be income qualified through a compliance monitoring or audit shall be repaid in full to the local housing trust fund from non-SHIP funds to be reallocated to an eligible SHIP activity. In this circumstance, the local government or administrative entity may be required to receive technical assistance through the Affordable Housing Catalyst Program.

(4) The local government staff or entity with authority for administering a local housing assistance plan assisting rental developments shall monitor annually and determine tenant eligibility and the amount of subsidy using the same guidelines as specified at subsection (2) above, at least annually for 15 years or the term of assistance, whichever is longer. The Corporation shall monitor the activities of the local governments to determine compliance with program requirements as defined in Section 420.9075(4)(e), F.S.

(5) The local government staff or entity with administrative authority for a local housing assistance plan shall provide documented evidence to the Corporation or its designated monitoring agent, that:

(a) Permits, as defined in Sections 163.3164(7) and (8), F.S., for affordable housing projects are expedited to a greater degree than other projects; and

(b) There is an ongoing process for review of local policies, ordinances, regulations, and plan provisions that increase the cost of housing prior to their adoption.

(6) The Corporation, or any duly authorized representative shall be permitted to inspect the local housing assistance plan, advertisements, applications, income verifications and certifications, plan participation contracts, financial records, tracking system records, construction cost verification including receipts and contracts, rental development annual reviews, Eligible Sponsor and Sub Recipient reviews, Eligible Sponsor and Sub Recipient award lists, SHIP fund recipient lists, and any other applicable documents at any reasonable time with or without notice. Such records shall be maintained within the participating county or eligible municipality at a place accessible to the Corporation staff or its designated monitoring agent.

(7) Subsequent to a local government SHIP program being monitored by the Corporation or its designated agent and receiving a copy of the compliance monitoring report, the local government shall submit a written response to any findings or deficiencies documented in the monitoring report to the Corporation and the designated monitoring agent. The required response shall be submitted within 30 days and shall include an explanation and/or remedy for each item on the compliance monitoring review form scoring less than 70 percent, including:

(a) An explanation of the plan for correcting the issue including changes in policies, procedures, staff responsibilities, technical assistance and training.

(b) For physical inspection findings or deficiencies, an explanation of the corrective work that will be completed to remedy the finding or deficiencies.

(c) A timeline for correcting the deficiencies.

(d) A plan for repayment of ineligible expenses, if any is required.

(8) If Corporation staff or its designated monitoring agent determines that an eligible jurisdiction has established a pattern of violation of the criteria of its local housing assistance plan established under Sections 420.907-.9079, F.S., or that an eligible sponsor has established a pattern of violation of the applicable award conditions, the Corporation shall:

(a) Report such pattern of violation to the Executive Office of the Governor at which time the distribution of program funds to the county or eligible municipality shall be suspended.

(b) Require the local government to work with technical assistance provider through the Catalyst program, to develop a corrective action plan (CAP).

(c) The CAP shall be submitted to the Corporation within 60 days of the date of the letter from the Corporation notifying the eligible jurisdiction of the pattern of violation.

(d) The CAP must describe the proposed corrective action for each violation and how the correction actions will be implemented within 3 months of an approval of the CAP by the Corporation.

(e) The Corporation shall have 30 days to review and approve or recommend changes to the CAP. Upon approval of the CAP, any undisbursed funds due to the local government shall be distributed.

(9) Projects receiving assistance from the local housing assistance plan and from other State or federal programs which may have conflicting verification, certification, and monitoring requirements, shall comply with requirements of the most restrictive program.

(10) Any local government receiving SHIP funds which administers any portion of the SHIP program through a Sub Recipient shall bear responsibility for actions of the sub recipient and shall monitor all sub recipients to insure compliance is maintained on all SHIP funded activities. Any contract or agreement between the local government and sub recipient shall detail the policies and procedures that shall be adhered to in the management of the SHIP activities.

(11) Any contract or document establishing the relationship between a SHIP eligible local government and a non-state organization which is a Sub Recipient receiving SHIP funds shall contain the standard audit language on Form DFS-A2-CL (Effective 7/05) of the Florida Single Audit Act in the document.

*Rulemaking Authority 420.9072(9) FS. Law Implemented 420.907, 420.9075(3)(e) FS. History—New 2-24-08, Amended 11-22-09.*

PROMISSORY NOTE

Date:

Borrower:

(Property Address) (City) (State) (Zip)

- 1. BORROWER (S) PROMISE TO PAY: I/We promise to pay ZERO DOLLARS (\$0.00) (this amount will be called "principal") to the order of Collier County or to any other holder of this Note (the "Lender"), whose address is 3339 E. Tamiami Trail, Suite 211, Naples, Florida 34112. I/We understand that the Lender may transfer the Promissory Note. The Lender or anyone who takes this Note by transfer and who is entitled to receive payments under this Note will be called the "Note Holder".
2. INTEREST: Interest on this Note shall be zero percent (0%) per annum; except that if I/We fail to pay this Note as required, the interest rate shall be twelve percent (12%) per annum from the date when payment of this Note is due until I/We pay it in full.
3. PAYMENTS: Principal payments shall be deferred until transfer of title, sale of property, refinance, or loss of homestead exemption, or until fifteen years from the original mortgage date, whichever happens first. The recapture clause is as follows: Days 1 through 1,825, 100% of the principal amount is due, days 1,826 through 3,650, 66.7% of the principal amount is due, days 3,651 through 5,475, 33.4% of the principal amount is due and day 5,476 and after 0% of the principal amount will be due. These amounts will not be pro-rated on a per diem basis. My/Our total payment shall be U.S. \$10,440.00.
4. BORROWER'S RIGHT TO PREPAY: I/We have the right to make payments of principal at any time before they are due. A payment of principal only is known as a "prepayment". When I/We make a prepayment, I/we will tell the Note Holder in writing that I/we am doing so.

I/We may make a full prepayment or partial prepayment charge. The Note Holder will use all of my prepayments to reduce the amount of the principal that I owe under this Note. If I/We make a partial prepayment, there will be no changes in the due date or in the amount of my monthly payment unless the Note Holder agrees in writing to those changes. If I/We make a partial prepayment, there will be no prepayment penalty adhering to or associated with such prepayment

- 5. LOAN CHARGES: If a law, which applies to this loan and which sets maximum loan charges, is finally interpreted so that the interest or other loan charges collected or to be collected in connection with this loan exceed the permitted limits; then (i) any such loan charges shall be reduced by the amount necessary to reduce the charges to the permitted limit; and (ii) any sums already collected from me which exceeded permitted limits will be refunded to me/us. The Note Holder may choose to make this refund by reducing the principal that I/We owe under this Note or by making a direct payment to me/us. If a refund reduces principal, the reduction will be treated as a partial prepayment.
6. SUBORDINATION: Lender and Borrower acknowledge and agree that this Security Instrument is subject and subordinate in all respects to the liens, terms, covenants and conditions of the First Deed of Trust and to all advances heretofore made or which may hereafter be made pursuant to the First Deed of Trust including all sums advanced for the purpose of (a) protecting or further securing the lien of the First Deed of Trust, curing defaults by the Borrower under the First Deed of Trust or for any other purpose expressly permitted by the First Deed of Trust or (b) constructing, renovating, repairing, furnishing, fixturing or equipping the Property. The terms and provisions of the First Deed of Trust are paramount and controlling, and they supersede any other terms and provisions hereof in conflict therewith. In the event of a foreclosure or deed in lieu of foreclosure of the First Deed of Trust, any provisions herein or any provisions in any other collateral agreement restricting the use of the Property to low or moderate income households or otherwise restricting the Borrower's ability to sell the Property shall have no further force or effect on subsequent owners or purchasers of the Property. Any person, including his successors or assigns (other than the Borrower or a related entity of the Borrower), receiving title to the Property through a foreclosure or deed in lieu of foreclosure of the First Deed of Trust shall receive title to the Property free and clear from such restrictions.

Further, if the Senior Lien Holder acquires title to the Property pursuant to a deed in lieu of foreclosure, the lien of this Security Instrument shall automatically terminate upon the Senior Lien Holder's acquisition of title, provided that (i) the Lender has been given written notice of a default under the First Deed of Trust and (ii) the Lender shall not have cured the default under the First Deed of Trust within the 30-day period provided in such notice sent to the Lender.

- 7. BORROWER (S) FAILURE TO PAY AS REQUESTED:

(A) Default

If I/we do not pay the full amount as required in Section 3 above, I/we will be in default. If I am in default, the Note Holder may bring about any actions not prohibited by applicable law and require me/us to pay the Note Holder's cost and expenses as described in (B) below.

(B) Payment of Note Holder's Cost and Expenses

If the Note Holder takes such actions as described above, the Note Holder will have the right to be paid back for all of its costs and expenses, including, but not limited to, reasonable attorneys' fees.

- 8. **GIVING OF NOTICES:** Unless applicable law required a different method, any notice that must be given to me/us under the Note will be given by delivering it or by mailing it by first class mail to me at the Property Address on Page 1 or at a different address if I/we give the Note Holder a notice of my/our different address.

Any notice that must be given to the Note Holder under this Note will be given by mailing it by first class mail to the Note Holder at the address stated in Section 3(A) or at a different address if I/we have been given a notice of that different address.

- 9. **OBLIGATIONS OF PERSONS UNDER THIS NOTE:** If more than one person signs this Note, each person is fully and personally obligated to keep all of the promises made in this Note, including the promise to pay the full amount owed. Any person who is a guarantor, surety or endorser of this Note is also obligated to do these things. Any person, who takes over these obligations, including the obligations of a guarantor, surety or endorser of this Note, is also obligated to keep all of the promises made in this Note. The Note Holder may enforce its rights under this Note against each person individually or against all of us together. This means that any one of us may be required to pay all of the amounts owed under this Note.

- 10. **WAIVERS:** I and any other person who has obligations under this Note waive the rights of presentment and notice of dishonor. "Presentment" means the right to require the Note Holder to demand payment of amounts due. "Notice of Dishonor" means the right to require the Note Holder to give notice to other persons that amounts due have not been paid.

- 11. **UNIFORM SECURED NOTE:** This Note is a uniform instrument with limited variations in some jurisdictions. In addition to the protection given to the Note Holder under this Note, a Mortgage, Deed of Trust or Security Deed (the "Security Instrument"), dated the same date as this Note, protects the Note Holder from possible losses which might result if I/we do not keep the promises which I/we make in this Note. That Security Instrument describes how and under what conditions I/we may be required to make immediate payment in full of all amounts I/we owe under this Note. Some of those conditions are described as follows:

Transfer of the Property or a Beneficial Interest in Borrower. If all or any part of the property or any interest in it is sold or transferred (or if a beneficial interest in Borrower is sold or transferred And Borrower is not a natural person) without Lender's prior written consent, Lender may, at its option, require immediate payment in full or all sums secured by this Security Instrument. However, Lender shall not exercise this option if federal law as of the date of this Security Instrument prohibits exercise.

If Lender exercises this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than thirty (30) days from the date the notice is delivered or mailed, within which Borrower must pay all sums secured by this Security Instrument. If Borrower(s) fail to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

Notwithstanding the above, the Lender's rights to collect and apply the insurance proceeds hereunder shall be subject and subordinate to the rights of the Senior Lien Holder to collect and apply such proceeds in accordance with the First Deed of Trust.

- 12. **This note is governed and construed in accordance with the Laws of the State of Florida.**

**WITNESS THE HAND (S) AND SEAL (S) OF THE UNDERSIGNED.**

\_\_\_\_\_  
Borrower (Seal)

\_\_\_\_\_  
Borrower (Seal)

=====  
**RETURN TO:** Collier County Housing, Human & Veteran Services  
3339 E. Tamiami Trail Bldg H #211  
Naples, FL 34112  
Phone: (239) 252-5312 Fax: (239) 252-6542



SECOND MORTGAGE

THIS SECOND MORTGAGE ("Security Instrument") is given on \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

The Second Mortgagor is:

, a single man

("Borrower"). This Security Instrument is given to Collier County ("Lender"), which is organized and existing under the laws of the United States of America, and whose address is 3339 E. Tamiami Trail, #211, Naples, Florida 34112. Borrower owes Lender the sum of Zero Dollars (U.S. \$ 0.00). This debt is evidenced by Borrower's Note dated the same date as this Security Instrument ("Second Mortgage"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on sale of property, refinance, or loss of homestead exemption. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications; (b) the payment of all other sums, with interest advanced under paragraph 7 to protect the security of the Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby second mortgage, grant and convey to Lender the following described property located in Collier County, Florida.

More particularly described as: (Legal Description)

and which has the address of

("Property Address"): \_\_\_\_\_
(Street)
\_\_\_\_\_(City) (State) (Zip)

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights and stock and all fixtures now or hereafter a part of the property. The Security Instrument shall also cover all replacements and additions. All of the foregoing is referred to in this Security Instrument as the "Property".

BORROWER COVENANTS that Borrower is lawfully seized of the estate hereby conveyed and has the right to mortgage, grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

THIS SECURITY INSTRUMENT combines uniform covenants for national use and non-uniform covenants with limited variation by jurisdiction to constitute a uniform security instrument covering real property.

UNIFORM COVENANTS. Borrower and Lender covenant and agree as follows:

1. Payment of Principal and Interest; Prepayment and Late Charges. Borrower shall promptly pay when due the principal of and interest on the debt evidenced by the Note.

2. Taxes. The Mortgagor will pay all taxes, assessments, sewer rents or water rates prior to the accrual of any penalties or interest thereon.

The Mortgagor shall pay or cause to be paid, as the same respectively become due, (A)(1) all taxes and governmental charges of any kind whatsoever which may at any time be lawfully assessed or levied against or with respect to the Property, (2) all utility and other charges, including "service charges", incurred or imposed for the operation, maintenance, use, occupancy, upkeep and improvement of the Property, and (3) all assessments or other governmental charges that may lawfully be paid in installments over a period of years, the Mortgagor shall be obligated under the Mortgage to pay or cause to be paid only such installments as are required to be paid during the term of the Mortgage, and shall, promptly after the payment of any of the foregoing, forward to Mortgagee evidence of such payment.

3. Application of Payments. Unless applicable law provides otherwise, all payments received by Lender shall be applied; first, to interest due; and, to principal due; and last, to any late charges due under the Note.

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines and impositions attributable to the Property which may attain priority over this Security Instrument, and leasehold payments or ground rents, if any. Borrower shall promptly furnish to Lender all notices of amounts to be paid under this paragraph, and all receipts evidencing the payments.

Borrower shall promptly discharge any lien which has priority over this Security Instrument unless Borrower: (a) agrees in writing to the payment of the obligation secured by the lien in a manner acceptable to Lender; (b) contests in good faith the lien by, or defends against enforcement of the lien in, legal proceedings which in the Lender's opinion operate to prevent the enforcement of the lien; or (c) secures from the holder of the lien an agreement satisfactory to Lender subordinating the lien to this Security Instrument. If Lender determines that any part of the Property is subject to a lien, which may attain priority over the Security Instrument, Lender may give Borrower a notice identifying the lien. Borrower shall satisfy the lien or take one or more of the actions set forth above within 10 days of the giving of notice.

5. Hazard or Property Insurance. Borrower shall keep the improvements now existing or hereafter erected on the Property insured against loss by fire, hazards included within the term "extended coverage" and any other hazards, including floods or flooding, for which Lender requires insurance. This insurance shall be maintained in the amounts and for the periods that Lender requires. The insurance carrier providing the insurance shall be chosen by Borrower subject to Lender's approval, which shall not be unreasonably withheld. If Borrower fails to maintain coverage described above, Lender may, at Lender's option, obtain coverage to protect Lender's rights in the Property in accordance with paragraph 7. At all times that the Note is outstanding, the Mortgagor shall maintain insurance with respect to the Premises against such risks and for such amounts as are customarily insured against and pay, as the same become due and payable, all premiums in respect thereto, including, but not limited to, all-risk insurance protecting the interests of the Mortgagor and Mortgagee against loss or damage to the Premises by fire, lightning, and other casualties customarily insured against (including boiler explosion, if appropriate), with a uniform standard extended coverage endorsement, including debris removal coverage. Such insurance at all times to be in an amount not less than the full replacement cost of the Premises, exclusive of footings and foundations.

All insurance policies and renewals shall be acceptable to Lender and shall include a standard mortgage clause. Lender shall have the right to hold the policies and renewals. If Lender requires, Borrower shall promptly give to Lender all receipts of paid premiums and renewal notices. In the event of loss, Borrower shall give prompt notice to the insurance carrier and Lender. Lender may make proof of loss if not made promptly by Borrower.

Unless Lender and Borrower otherwise agree in writing, insurance proceeds shall be applied to restoration or repair of the Property damaged, if the restoration or repair is economically feasible and Lender's security is not lessened. If the restoration or repair is not economically feasible or Lender's security would be lessened, the insurance proceeds shall be applied to the sums secured by the Security Instrument, whether or not then due, with any excess paid to Borrower. If Borrower abandons the Property, or does not answer within 30 days a notice from Lender that the insurance carrier has offered to settle a claim, then Lender may collect the insurance proceeds. Lender may use the proceeds to repair or restore the Property or to pay sums secured by this Security Instrument, whether or not then due. The 30-day period will begin when the notice is mailed. Unless Lender and Borrower otherwise agree in writing, any application of proceeds to principal shall not extend or postpone the due date of the monthly payments referred to in paragraph 1 or change the amount of the payments. If under paragraph 21 the Property is acquired by Lender, Borrower's right to any insurance policies and proceeds resulting from damage to the Property prior to the acquisition shall pass to Lender to the extent of the sums secured by this Security Instrument immediately prior to the acquisition.

**6. Occupancy, Preservation, Maintenance and Protection of the Property; Borrower's Loan Application, Leaseholds.**

Borrower shall occupy, establish, and use the Property as Borrower's principal residence within sixty days after the execution of this Security Instrument and shall continue to occupy the Property as Borrower's principal residence for at least one year after the date of occupancy, unless Lender otherwise agrees in writing, which consent shall not be unreasonably withheld, or unless extenuating circumstances exist which are beyond Borrower's control. Borrower shall not destroy damage or impair the Property, allow the Property to deteriorate, or commit waste on the Property. Borrower shall be in default if any forfeiture action or proceeding, whether civil or criminal, is begun that in Lender's good faith judgment could result in forfeiture of the Property or otherwise materially impair the lien created by this Security Instrument or Lender's security interest. Borrower may cure such a default and reinstate, as provided in paragraph 18, by causing the action or proceeding to be dismissed with a ruling that, in Lender's good faith determination, precludes forfeiture of the Borrower's interest in the Property or other material impairment of the lien created by this Security Instrument or Lender's security interest. Borrower shall also be in default if Borrower, during the loan application process, gave materially false or inaccurate information or statements to Lender (or failed to provide Lender with any material information) in connection with the loan evidenced by the Note, including, but not limited to, representations concerning Borrower's occupancy of the Property as a principal residence. If this Security Instrument is on leasehold, Borrower shall comply with all the provision of the lease. If Borrower acquires fee title to the Property, the leasehold and the fee title shall not merge unless Lender agrees to the merger in writing.

**7. Protection of Lender's Rights in the Property.** If Borrower fails to perform the covenants and agreements contained in this Security Instrument, or there is a legal proceeding that may significantly affect Lender's rights in the Property (such as a proceeding in bankruptcy, probate, for condemnation or forfeiture or to enforce laws or regulations), then Lender may do and pay for whatever is necessary to protect the value of the Property and Lender's rights in the Property. Lender's actions may include paying any sums secured by a lien, which has priority over this Security Instrument, appearing in court, paying reasonable attorneys' fees and entering on the Property to make repairs. Although Lender may take action under this paragraph 7, Lender does not have to do so. Any amounts disbursed by Lender under this paragraph 7 shall become additional debt of Borrower secured by this Security Instrument. Unless Borrower and Lender agree to other terms of payment, these amounts shall bear interest from the date of disbursement at the Note rate and shall be payable, with interest, upon notice from Lender to Borrower requesting payment.

**8. Mortgage Insurance.** If Lender required mortgage insurance as a condition of making the loan secured by this Security Instrument, Borrower shall pay the premiums required to maintain the mortgage insurance in effect. If, for any reason, the mortgage insurance coverage required by Lender lapses or ceases to be in effect, Borrower shall pay the premiums required to obtain coverage substantially equivalent to the mortgage insurance previously in effect, at a cost substantially equivalent to the cost to Borrower of the mortgage insurance previously in effect, from an alternate mortgage insurer approved by Lender. If substantially equivalent mortgage insurance coverage is not available, Borrower shall pay to Lender each month a sum equal to one-twelfth of the yearly mortgage insurance premium being paid by Borrower when the insurance coverage lapsed or ceased to be in effect. Lender will accept, use and retain these payments as a loss reserve in lieu of mortgage insurance. Loss reserve payments may no longer be required, at the option of Lender, if mortgage insurance coverage (in the amount and for the period that Lender requires) provided by an insurer approved by Lender again becomes available and is obtained. Borrower shall pay the premiums required to maintain mortgage insurance in effect, or to provide a loss reserve, until the requirement for mortgage insurance ends in accordance with any written agreement between Borrower and Lender or applicable law.

**9. Inspection.** Lender or its agent may make reasonable entries upon and inspections of the Property. Lender shall give Borrower notice at the time of or prior to an inspection specifying reasonable cause for the inspection.

**10. Condemnation.** The proceeds of any award or claim for damages, direct or consequential, in connection with any condemnation or other taking of any part of the Property, or for conveyance in lieu of condemnation, are hereby assigned and shall be paid to Lender. In the event of a total taking of the Property, the proceeds shall be applied to the sums secured by this Security Instrument, whether or not then due, with any excess paid to Borrower. In the event of a partial taking of the Property, in which the fair market value of the Property immediately before the taking is equal to or greater than the amount of the sums secured by this Security Instrument immediately before the taking, unless Borrower and Lender otherwise agree in writing, the sums secured by this Security Instrument shall be reduced by the amount of the proceeds multiplied by the following fraction: (a) the total amount of the sums secured immediately before the taking, divided by (b) the fair market value of the Property immediately before the taking. Any balance shall be paid to Borrower. In the event of a partial taking of the Property in which the fair market value of the Property immediately before the taking is less than the amount of the sums secured immediately before the taking, unless Borrower and Lender otherwise agree in writing or unless applicable law otherwise provides, the proceeds shall be applied to the sums secured by this Security Instrument whether or not the sums are then due. Unless Lender and Borrower otherwise agree in writing, any application of proceeds to principal shall not extend or postpone the due date of the monthly payments referred to in paragraphs 1 or change the amount of such payments.

**11. Borrower Not Released, Forbearance By Lender Not a Waiver.** Extension of the time for payment or modification of amortization of the sums secured by this Security Instrument granted by Lender to any successor in interest of Borrower shall not operate to release the liability of the original Borrower or Borrower's successors in interest. Lender shall not be required to commence proceedings against any successor in interest or refuse to extend time for payment or otherwise modify amortization of the sums secured by this Security Instrument by reason of any demand made by the original Borrower or Borrower's successors in interest. Any forbearance by Lender in exercising any right or remedy shall not be a waiver of or preclude the exercise of any right or remedy.

**12. Successors and Assigns Bound; Joint and Several Liability; Co-Signers.** The covenants and agreements of this Security Instrument shall bind and benefit the successors and assigns of Lender and Borrower, subject to the Provisions of paragraph 17. Borrower's covenants and agreements shall be joint and several. Any Borrower who co-signs this Security Instrument but does not execute the Note; (a) is co-signing this Security Instrument only to mortgage, grant and convey that Borrower's interest in the Property under the terms of this Security Instrument; (b) is not personally obligated to pay the sums secured by this Security Instrument; and (c) agrees that Lender and any other Borrower may agree to extend, modify, forbear or make any accommodations with regard to the terms of this Security Instrument or the Note without that Borrower's consent.

**13. Loan Charges.** If the loan secured by this Security Instrument is subject to a law which sets maximum loan charges, and that law is finally interpreted so that the interest or other loan charges collected or to be collected in connection with the loan exceed the permitted limits, then: (a) any such loan charge shall be reduced by the amount necessary to reduce the charge to the permitted limit; and (b) any sums already collected from Borrower which exceeded permitted limits will be refunded to Borrower. Lender may choose to make this refund by reducing the principal owed under the Note or by making a direct payment to Borrower. If a refund reduces principal, the reduction will be treated as a partial prepayment without any prepayment charge under the Note.

**14. Notices.** Any notice to Borrower provided for in this Security Instrument shall be given by delivering it or by mailing it by first class mail unless applicable law required use of another method. The notice shall be directed to the Property Address or any other address Borrower designates by notice to Lender. Any notice to Lender shall be given to Borrower or Lender when given as provided in this paragraph.

**15. Governing Law; Severability.** Federal law and the law of the jurisdiction in which the Property is located shall govern this Security Instrument. In the event that any provision or clause of this Security Instrument or the Note conflicts with applicable law, such conflict shall not affect other provisions of this Security Instrument or the Note which can be given effect without the conflicting provision. To this end the provisions of this Security Instrument and the Note are declared to be severable.

**16. Borrower's Copy.** Borrower shall be given one conformed copy of the Note and of this Security Instrument.

**17. Transfer of the Property or a Beneficial Interest in Borrower.** If all or any part of the Property or any interest in it is sold or transferred (or if a beneficial interest in Borrower is sold or transferred and Borrower is not a natural person) without Lender's prior written consent, Lender may, at its option, require immediate payment in full of all sums secured by this Security Instrument. However, Lender shall not exercise this option if federal law as of the date of this Security Instrument prohibits exercise. If Lender exercised this option, Lender shall give Borrower notice of acceleration. The notice shall provide a period of not less than 30 days from the date the notice is delivered or mailed within which Borrower must pay all sums secured by this Security Instrument. If Borrower fails to pay these sums prior to the expiration of this period, Lender may invoke any remedies permitted by this Security Instrument without further notice or demand on Borrower.

**18. Borrower's Right to Reinstate.** If Borrower meets certain conditions, Borrower shall have the right to have enforcement of

this Security Instrument discontinued at any time prior to the earlier of : (a) 5 days (or such other period as applicable law may specify for reinstatement) before sale of the Property pursuant to any power of sale contained in this Security Instrument; or (b) entry of a judgment enforcing this Security Instrument. Those conditions are that Borrower: (a) pays Lender all sums which then would be due under this Security Instrument and the Note as if no acceleration had occurred; (b) cures and default of any other covenants or agreements; (c) pays all expenses incurred in enforcing this Security Instrument, including, but not limited to, reasonable attorney's fees; and (d) takes such action as Lender may reasonably require to assure that the lien of this Security Instrument, Lender's rights in the Property and Borrower's obligation to pay the sums secured by this Security Instrument shall continue unchanged. Upon reinstatement by Borrower, this Security Instrument and the obligations secured hereby shall remain fully effective as if no acceleration had occurred. However, this right to reinstate shall not apply in the case of acceleration under paragraph 17.

**19. Sale of Note; Change of Loan Servicer.** The Note or a partial interest in the Note (together with this Security Instrument) may be sold one or more times without prior notice to Borrower. A sale may result in a change in the entity (known as the "Loan Servicer") that collects monthly payments due under the Note and this Security Instrument. There also may be one or more changes of the Loan Servicer unrelated to a sale of the Note. If there is a change of the Loan Servicer, Borrower will be given written notice of the change in accordance with paragraph 14 and applicable law. The notice will state the name and address of the new Loan Servicer and the address to which payments should be made. The notice will also contain any other information required by applicable law.

**20. Hazardous Substances.** Borrower shall not cause or permit the presence, use, disposal, storage, or release of any Hazardous Substances on or in the Property. Borrower shall not do, nor allow anyone else to do, anything affecting the Property that is in violation of any Environmental Law. The preceding two sentences shall not apply to the presence, use, or storage on the Property of small quantities of Hazardous Substances that are generally recognized to be appropriate to normal residential uses and to maintenance of the Property. Borrower shall promptly give Lender written notice for any investigation, claim, demand, lawsuit or other action by any governmental or regulatory agency or private party involving the Property and any Hazardous Substance or Environmental Law of which Borrower has actual knowledge. If Borrower learns, or is notified by any governmental or regulatory authority, that any removal or other remediation of any Hazardous Substance affecting the Property is necessary, Borrower shall promptly take all necessary remedial actions in accordance with Environmental Law. As used in this paragraph 20, "Hazardous Substances" are those substances defined as toxic or hazardous substances by Environmental Law and the following substances: gasoline, kerosene, other flammable or toxic petroleum products, toxic pesticides and herbicides, volatile solvents, materials containing asbestos or formaldehyde, and radioactive materials. As used in this paragraph 20, "Environmental Law" means federal laws and laws of the jurisdiction where the Property is located that relate to health, safety or environmental protection.

**21. Acceleration; Remedies.** Lender shall give notice to Borrower prior to acceleration following Borrower's breach of any covenant or agreement in this Security Instrument (but not prior to acceleration under paragraph 17 unless applicable law provides otherwise). The notice shall specify: (a) the default; (b) the action required to cure the default; (c) a date, not less than 30 days from the date the notice is given to Borrower, by which the default must be cured; and (d) that failure to cure the default on or before the date specified in the notice may result in acceleration of the sums secured by this Security Instrument, foreclosure by judicial proceeding and sale of the Property. The notice shall further inform Borrower of the right to reinstate after acceleration and the right to assert in the foreclosure proceeding the non-existence of a default or any other defense of Borrower to acceleration and foreclosure. If the default is not cured on or before the date specified in the notice, Lender, at its option, may require immediate payment in full of all sums secured by this Security Instrument without further demand and may foreclose this Security Instrument by judicial proceeding. Lender shall be entitled to collect all expenses incurred in pursuing the remedies provided in this paragraph 21, including, but not limited to, reasonable attorney's fees and costs of the title evidence.

**22. Release.** Upon payment of all sums secured by this Security Instrument, Lender shall release this Security Instrument, without charge, to Borrower. Borrower shall pay any recordation costs.

**23. Attorneys' Fees.** As used in this Security Instrument and the Note, "attorneys' fees" shall include any attorneys' fees awarded by an appellate court.

**24. Riders to this Security Instrument.** If one or more riders are executed by Borrower and recorded together with this Security Instrument, the covenants and agreements of each such rider shall be incorporated into and shall amend and supplement the covenants and agreements of this Security Instrument as if the rider(s) were a part of this Security Instrument. (Check Applicable Box)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Adjustable Rate Rider    | <input type="checkbox"/> Rate Improvement Rider | <input type="checkbox"/> Condominium Rider              |
| <input type="checkbox"/> Graduated Payment Rider  | <input type="checkbox"/> 1-4 Family Rider       | <input type="checkbox"/> Second Home Rider              |
| <input type="checkbox"/> Balloon Rider            | <input type="checkbox"/> Biweekly Payment Rider | <input type="checkbox"/> Planned Unit Development Rider |
| <input type="checkbox"/> Other(s) (specify _____) |   |   |

SIGNING BELOW, Borrower accepts and agrees to the terms and covenants contained in this Security Instrument and in any rider(s) executed by Borrower and recorded with it.

Signed, sealed and delivered in the presence of:

Witness Signature: \_\_\_\_\_ Signature: \_\_\_\_\_  
Borrower

Witness Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Borrower

Witness Signature: \_\_\_\_\_

Witness Print Name: \_\_\_\_\_ Address: \_\_\_\_\_

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I hereby certify that on this day, before me, an officer duly authorized in the state aforesaid and in the county aforesaid to take acknowledgements, personally appeared \_\_\_\_\_ to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that HE/ SHE/ THEY executed the same for the purpose therein expressed.

WITNESS my hand and official seal in the County and State aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires:

(Seal)

\_\_\_\_\_  
Notary Public's Signature

\_\_\_\_\_  
Notary's Printed Name

## 2011 Florida Statutes

<p><u>Title XIV</u> TAXATION AND FINANCE</p>	<p><u>Chapter 215</u> FINANCIAL MATTERS: GENERAL PROVISIONS</p> <p><u>Entire Chapter</u></p>	<p><u>SECTION 97</u> <b>Florida Single Audit Act.</b></p>
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### 215.97 Florida Single Audit Act.—

(1) The purposes of the section are to:

- (a) Establish uniform state audit requirements for state financial assistance provided by state agencies to nonstate entities to carry out state projects.
- (b) Promote sound financial management, including effective internal controls, with respect to state financial assistance administered by nonstate entities.
- (c) Promote audit economy and efficiency by relying to the extent possible on already required audits of federal financial assistance provided to nonstate entities.
- (d) Provide for identification of state financial assistance transactions in the state accounting records and recipient organization records.
- (e) Promote improved coordination and cooperation within and between affected state agencies providing state financial assistance and nonstate entities receiving state assistance.
- (f) Ensure, to the maximum extent possible, that state agencies monitor, use, and followup on audits of state financial assistance provided to nonstate entities.

(2) Definitions; as used in this section, the term:

- (a) “Audit threshold” means the threshold amount used to determine when a state single audit or project-specific audit of a nonstate entity shall be conducted in accordance with this section. Each nonstate entity that expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year of such nonstate entity shall be required to have a state single audit, or a project-specific audit, for such fiscal year in accordance with the requirements of this section. Every 2 years the Auditor General, after consulting with the Executive Office of the Governor, the Department of Financial Services, and all state awarding agencies, shall review the threshold amount for requiring audits under this section and may adjust such threshold amount consistent with the purposes of this section.
- (b) “Auditing standards” means the auditing standards as stated in the rules of the Auditor General as applicable to for-profit organizations, nonprofit organizations, or local governmental entities.
- (c) “Catalog of State Financial Assistance” means a comprehensive listing of state projects. The Catalog of State Financial Assistance shall be issued by the Department of Financial Services after conferring with the Executive Office of the Governor and all state awarding agencies. The Catalog of State Financial Assistance shall include for each listed state project: the responsible state awarding agency; standard state project number identifier; official title; legal authorization; and description of the state project, including objectives, restrictions, application and awarding procedures, and other relevant information determined necessary.
- (d) “Coordinating agency” means the state awarding agency that provides the predominant amount of state financial assistance expended by a recipient, as determined by the recipient’s Schedule of Expenditures of State Financial Assistance. To provide continuity, the determination of the predominant amount of state financial assistance shall be based upon state financial assistance expended in the recipient’s fiscal years ending in 2006, 2009, and 2012, and every third year thereafter.
- (e) “Financial reporting package” means the nonstate entities’ financial statements, Schedule of Expenditures of State Financial Assistance, auditor’s reports, management letter, auditee’s written responses or corrective action plan, correspondence on followup of prior years’ corrective actions taken, and such other information determined by the Auditor General to be necessary and consistent with the purposes of this section.
- (f) “Federal financial assistance” means financial assistance from federal sources passed through the state and provided to nonstate organizations to carry out a federal program. “Federal financial assistance” includes all types of federal assistance as defined in applicable United States Office of Management and Budget circulars.
- (g) “For-profit organization” means any organization or sole proprietor that is not a governmental entity or a nonprofit organization.

(h) "Independent auditor" means an independent certified public accountant licensed under chapter 473.

(i) "Internal control over state projects" means a process, effected by a nonstate entity's management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations.
2. Reliability of financial operations.
3. Compliance with applicable laws and regulations.

(j) "Local governmental entity" means a county as a whole, municipality, or special district or any other entity excluding a district school board, charter school, community college, or public university, however styled, which independently exercises any type of governmental function within the state.

(k) "Major state project" means any state project meeting the criteria as stated in the rules of the Department of Financial Services. Such criteria shall be established after consultation with all state awarding agencies and shall consider the amount of state project expenditures and expenses or inherent risks. Each major state project shall be audited in accordance with the requirements of this section.

(l) "Nonprofit organization" means any corporation, trust, association, cooperative, or other organization that:

1. Is operated primarily for scientific, educational service, charitable, or similar purpose in the public interest.
2. Is not organized primarily for profit.
3. Uses net proceeds to maintain, improve, or expand the operations of the organization.
4. Has no part of its income or profit distributable to its members, directors, or officers.

(m) "Nonstate entity" means a local governmental entity, nonprofit organization, or for-profit organization that receives state financial assistance.

(n) "Recipient" means a nonstate entity that receives state financial assistance directly from a state awarding agency.

(o) "Schedule of Expenditures of State Financial Assistance" means a document prepared in accordance with the rules of the Department of Financial Services and included in each financial reporting package required by this section.

(p) "State awarding agency" means a state agency, as defined in s. 216.011, that is primarily responsible for the operations and outcomes of a state project, regardless of the state agency that actually provides state financial assistance to a nonstate entity.

(q) "State financial assistance" means state resources, not including federal financial assistance and state matching on federal programs, provided to a nonstate entity to carry out a state project. "State financial assistance" includes the types of state resources stated in the rules of the Department of Financial Services established in consultation with all state awarding agencies. State financial assistance may be provided directly by state awarding agencies or indirectly by nonstate entities. "State financial assistance" does not include procurement contracts used to buy goods or services from vendors and contracts to operate state-owned and contractor-operated facilities.

(r) "State matching" means state resources provided to a nonstate entity to meet federal financial participation matching requirements.

(s) "State program" means a set of special purpose activities undertaken to realize identifiable goals and objectives in order to achieve a state agency's mission and legislative intent requiring accountability for state resources.

(t) "State project" means a state program that provides state financial assistance to a nonstate organization and that must be assigned a state project number identifier in the Catalog of State Financial Assistance.

(u) "State Projects Compliance Supplement" means a document issued by the Department of Financial Services, in consultation with all state awarding agencies. The State Projects Compliance Supplement shall identify state projects, the significant compliance requirements, eligibility requirements, matching requirements, suggested audit procedures, and other relevant information determined necessary.

(v) "State project-specific audit" means an audit of one state project performed in accordance with the requirements of subsection (10).

(w) "State single audit" means an audit of a nonstate entity's financial statements and state financial assistance. Such audits shall be conducted in accordance with the auditing standards as stated in the rules of the Auditor General.

(x) "Subrecipient" means a nonstate entity that receives state financial assistance through another nonstate entity.

(y) "Vendor" means a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a state project. These goods or services may be for an organization's own use or for the use of beneficiaries of the state project.

(3) The Executive Office of the Governor is responsible for notifying the Department of Financial Services of any actions during the budgetary process that impact the Catalog of State Financial Assistance.

(4) The Department of Financial Services shall:

(a) Upon conferring with the Executive Office of the Governor and all state awarding agencies, adopt rules necessary to provide appropriate guidance to state awarding agencies, nonstate entities, and independent auditors of state financial assistance relating to the requirements of this section, including:

1. The types or classes of state resources considered to be state financial assistance that would be subject to the requirements of this section. This would include guidance to assist in identifying when the state awarding agency or a nonstate entity has contracted with a vendor rather than with a recipient or subrecipient.

2. The criteria for identifying a major state project.

3. The criteria for selecting state projects for audits based on inherent risk.

(b) Be responsible for coordinating revisions to the Catalog of State Financial Assistance after consultation with the Executive Office of the Governor and all state awarding agencies.

(c) Be responsible for coordinating with the Executive Office of the Governor actions affecting the budgetary process under paragraph (b).

(d) Be responsible for coordinating revisions to the State Projects Compliance Supplement, after consultation with the Executive Office of the Governor and all state awarding agencies.

(e) Make enhancements to the state's accounting system to provide for the:

1. Recording of state financial assistance and federal financial assistance appropriations and expenditures within the state awarding agencies' operating funds.

2. Recording of state project number identifiers, as provided in the Catalog of State Financial Assistance, for state financial assistance.

3. Establishment and recording of an identification code for each financial transaction, including awarding state agencies' disbursements of state financial assistance and federal financial assistance, as to the corresponding type or organization that is party to the transaction (e.g., other governmental agencies, nonprofit organizations, and for-profit organizations), and disbursements of federal financial assistance, as to whether the party to the transaction is or is not a nonstate entity.

(f) Upon conferring with the Executive Office of the Governor and all state awarding agencies, adopt rules necessary to provide appropriate guidance to state awarding agencies, nonstate entities, and independent auditors of state financial assistance relating to the format for the Schedule of Expenditures of State Financial Assistance.

(g) Perform any inspections, reviews, investigations, or audits of state financial assistance considered necessary in carrying out the Department of Financial Services' legal responsibilities for state financial assistance or to comply with the requirements of this section.

(5) Each state awarding agency shall:

(a) Provide to each recipient information needed by the recipient to comply with the requirements of this section, including:

1. The audit and accountability requirements for state projects as stated in this section and applicable rules of the Department of Financial Services and rules of the Auditor General.

2. Information from the Catalog of State Financial Assistance, including the standard state project number identifier; official title; legal authorization; and description of the state project including objectives, restrictions, and other relevant information determined necessary.

3. Information from the State Projects Compliance Supplement, including the significant compliance requirements, eligibility requirements, matching requirements, suggested audit procedures, and other relevant information determined necessary.

(b) Require the recipient, as a condition of receiving state financial assistance, to allow the state awarding agency, the Department of Financial Services, and the Auditor General access to the recipient's records and the recipient's independent auditor's working papers as necessary for complying with the requirements of this section.

(c) Notify the recipient that this section does not limit the authority of the state awarding agency to conduct or arrange for the conduct of additional audits or evaluations of state financial assistance or limit the authority of any state awarding agency inspector general, the Auditor General, or any other state official.

(d) Be provided one copy of each financial reporting package prepared in accordance with the requirement of this section.

(e) Review the recipient's financial reporting package, including the management letters and corrective action plans, to the extent necessary to determine whether timely and appropriate corrective action has been taken with respect to audit findings and recommendations pertaining to state financial assistance that are specific to the state awarding agency.

(f) Designate within the state awarding agency an organizational unit that will be responsible for reviewing financial reporting packages pursuant to paragraph (e).

If the state awarding agency is not the coordinating agency as defined in paragraph (2)(d), the state awarding agency's designated organizational unit shall communicate to the coordinating agency the state awarding agency's approval of the recipient's corrective action plan with respect to findings and recommendations that are not specific to the state awarding agency.

(6) Each coordinating agency shall:

(a) Review the recipient's financial reporting package, including the management letter and corrective action plan, to identify audit findings and recommendations that affect state financial assistance that are not specific to a particular state awarding agency.

(b) For any findings and recommendations identified pursuant to paragraph (a):

1. Determine whether timely and appropriate corrective action has been taken.

2. Promptly inform the state awarding agency, as provided in paragraph (5)(f), of actions taken by the recipient to comply with the approved corrective action plan.

(c) Maintain records of followup actions taken for the use of any succeeding coordinating agency.

(7) As a condition of receiving state financial assistance, each nonstate entity that provides state financial assistance to a subrecipient shall:

(a) Provide to each subrecipient information needed by the subrecipient to comply with the requirements of this section, including:

1. Identification of the state awarding agency.
2. The audit and accountability requirements for state projects as stated in this section and applicable rules of the Department of Financial Services and rules of the Auditor General.
3. Information from the Catalog of State Financial Assistance, including the standard state project number identifier; official title; legal authorization; and description of the state project, including objectives, restrictions, and other relevant information.
4. Information from the State Projects Compliance Supplement including the significant compliance requirements, eligibility requirements, matching requirements, and suggested audit procedures, and other relevant information determined necessary.

(b) Review the financial reporting package of the subrecipient, including the management letter and corrective action plan, to the extent necessary to determine whether timely and appropriate corrective action has been taken with respect to audit findings and recommendations pertaining to state financial assistance provided by a state awarding agency or nonstate entity.

(c) Perform any other procedures specified in terms and conditions of the written agreement with the state awarding agency or nonstate entity, including any required monitoring of the subrecipient's use of state financial assistance through onsite visits, limited scope audits, or other specified procedures.

(d) Require subrecipients, as a condition of receiving state financial assistance, to permit the independent auditor of the nonstate entity, the state awarding agency, the Department of Financial Services, and the Auditor General access to the subrecipient's records and the subrecipient's independent auditor's working papers as necessary to comply with the requirements of this section.

(8) Each recipient or subrecipient of state financial assistance shall comply with the following:

(a) Each nonstate entity that meets the audit threshold requirements, in any fiscal year of the nonstate entity, stated in the rules of the Auditor General, shall have a state single audit conducted for such fiscal year in accordance

with the requirements of this act and with additional requirements established in rules of the Department of Financial Services and rules of the Auditor General. If only one state project is involved in a nonstate entity's fiscal year, the nonstate entity may elect to have only a state project-specific audit.

(b) Each nonstate entity that does not meet the audit threshold requirements, in any fiscal year of the nonstate entity, stated in this law or the rules of the Auditor General is exempt for such fiscal year from the state single audit requirements of this section. However, such nonstate entity must meet terms and conditions specified in the written agreement with the state awarding agency or nonstate entity.

(c) If a nonstate entity has extremely limited or no required activities related to the administration of a state project, and only acts as a conduit of state financial assistance, none of the requirements of this section apply to the conduit nonstate entity. However, the nonstate entity that is provided state financial assistance by the conduit nonstate entity is subject to the requirements of this section.

(d) Regardless of the amount of the state financial assistance, this section does not exempt a nonstate entity from compliance with provisions of law relating to maintaining records concerning state financial assistance to such nonstate entity or allowing access and examination of those records by the state awarding agency, the nonstate entity, the Department of Financial Services, or the Auditor General.

(e) Audits conducted pursuant to this section shall be performed annually.

(f) Audits conducted pursuant to this section shall be conducted by independent auditors in accordance with auditing standards stated in rules of the Auditor General.

(g) Upon completion of the audit required by this section, a copy of the recipient's financial reporting package shall be filed with the state awarding agency and the Auditor General. Upon completion of the audit required by this section, a copy of the subrecipient's financial reporting package shall be filed with the nonstate entity that provided the state financial assistance and the Auditor General. The financial reporting package shall be filed in accordance with the rules of the Auditor General.

(h) All financial reporting packages prepared pursuant to this section shall be available for public inspection.

(i) If an audit conducted pursuant to this section discloses any significant audit findings relating to state financial assistance, including material noncompliance with individual state project compliance requirements or reportable conditions in internal controls of the nonstate entity, the nonstate entity shall submit as part of the financial reporting package to the state awarding agency or nonstate entity a plan for corrective action to eliminate such audit findings or a statement describing the reasons that corrective action is not necessary.

(j) An audit conducted in accordance with this section is in addition to any audit of federal awards required by the federal Single Audit Act and other federal laws and regulations. To the extent that such federally required audits provide the state awarding agency or nonstate entity with information it requires to carry out its responsibilities under state law or other guidance, the state awarding agency or nonstate entity shall rely upon and use that information.

(k) Unless prohibited by law, the costs of audits pursuant to this section are allowable charges to state projects. However, any charges to state projects should be limited to those incremental costs incurred as a result of the audit requirements of this section in relation to other audit requirements. The nonstate entity should allocate such incremental costs to all state projects for which it expended state financial assistance.

(l) Audit costs may not be charged to state projects when audits required by this section have not been made or have been made but not in accordance with this section. If a nonstate entity fails to have an audit conducted consistent with this section, a state awarding agency or nonstate entity may take appropriate corrective action to enforce compliance.

(m) This section does not prohibit the state awarding agency or nonstate entity from including terms and conditions in the written agreement which require additional assurances that state financial assistance meets the applicable requirements of laws, regulations, and other compliance rules.

(n) A state awarding agency or nonstate entity that conducts or arranges for audits of state financial assistance that are in addition to the audits conducted under this act, including audits of nonstate entities that do not meet the audit threshold requirements, shall, consistent with other applicable law, arrange for funding the full cost of such additional audits.

(o) A contract involving the State University System or the Florida Community College System funded by state financial assistance may be in the form of:

1. A fixed-price contract that entitles the provider to receive full compensation for the fixed contract amount upon completion of all contract deliverables;



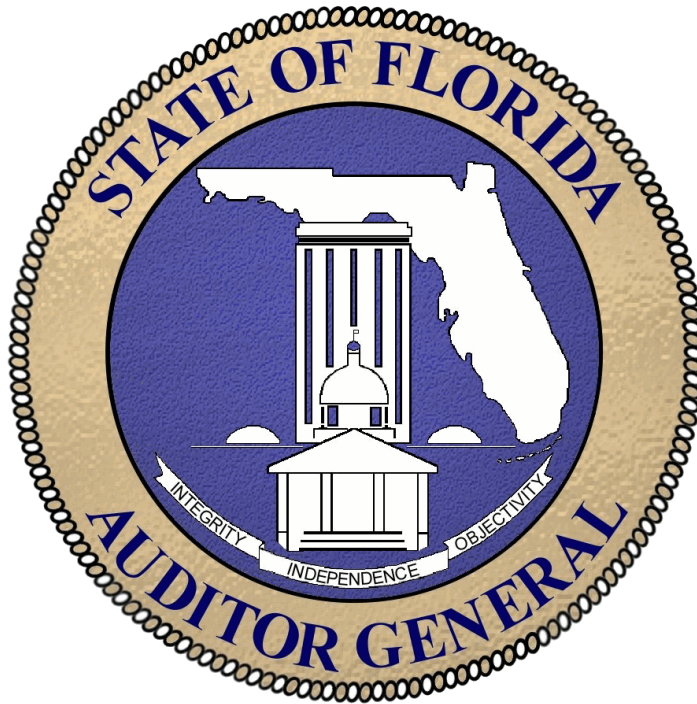
2. A fixed-rate-per-unit contract that entitles the provider to receive compensation for each contract deliverable provided;
  3. A cost-reimbursable contract that entitles the provider to receive compensation for actual allowable costs incurred in performing contract deliverables; or
  4. A combination of the contract forms described in subparagraphs 1., 2., and 3.
- (9) The independent auditor when conducting a state single audit of a nonstate entity shall:
- (a) Determine whether the nonstate entity's financial statements are presented fairly in all material respects in conformity with generally accepted accounting principles.
  - (b) Determine whether state financial assistance shown on the Schedule of Expenditures of State Financial Assistance is presented fairly in all material respects in relation to the nonstate entity's financial statements taken as a whole.
  - (c) With respect to internal controls pertaining to each major state project:
    1. Obtain an understanding of internal controls.
    2. Assess control risk.
    3. Perform tests of controls unless the controls are deemed to be ineffective.
    4. Determine whether the nonstate entity has internal controls in place to provide reasonable assurance of compliance with the provisions of laws and rules pertaining to state financial assistance that have a material effect on each major state project.
  - (d) Determine whether each major state project complied with the provisions of laws, rules, and guidelines as identified in the State Projects Compliance Supplement, or otherwise identified by the state awarding agency, which have a material effect on each major state project. When major state projects are less than 50 percent of the nonstate entity's total expenditures for all state financial assistance, the auditor shall select and test additional state projects as major state projects as necessary to achieve audit coverage of at least 50 percent of the expenditures for all state financial assistance provided to the nonstate entity. Additional state projects needed to meet the 50-percent requirement may be selected on an inherent risk basis as stated in the rules of the Department of Financial Services.
  - (e) Report on the results of any audit conducted pursuant to this section in accordance with the rules of the Department of Financial Services and rules of the Auditor General. Financial reporting packages shall include summaries of the auditor's results regarding the nonstate entity's financial statements; Schedule of Expenditures of State Financial Assistance; internal controls; and compliance with laws, rules, and guidelines.
  - (f) Issue a management letter as prescribed in the rules of the Auditor General.
  - (g) Upon notification by the nonstate entity, make available the working papers relating to the audit conducted pursuant to this section to the state awarding agency, the Department of Financial Services, or the Auditor General for review or copying.
- (10) The independent auditor, when conducting a state project-specific audit of a nonstate entity, shall:
- (a) Determine whether the nonstate entity's schedule of Expenditure of State Financial Assistance is presented fairly in all material respects in conformity with stated accounting policies.
  - (b) Obtain an understanding of internal controls and perform tests of internal controls over the state project consistent with the requirements of a major state project.
  - (c) Determine whether or not the auditee has complied with applicable provisions of laws, rules, and guidelines identified in the State Projects Compliance Supplement, or otherwise identified by the state awarding agency, which could have a direct and material effect on the state project.
  - (d) Report on the results of the state project-specific audit consistent with the requirements of the state single audit and issue a management letter as prescribed in the rules of the Auditor General.
  - (e) Upon notification by the nonstate entity, make available the working papers relating to the audit conducted pursuant to this section to the state awarding agency, the Department of Financial Services, or the Auditor General for review or copying.
- (11) The Auditor General shall:
- (a) Have the authority to audit state financial assistance provided to any nonstate entity when determined necessary by the Auditor General or when directed by the Legislative Auditing Committee.
  - (b) Adopt rules that state the auditing standards that independent auditors are to follow for audits of nonstate entities required by this section.
  - (c) Adopt rules that describe the contents and the filing deadlines for the financial reporting package.

- (d) Provide technical advice upon request of the Department of Financial Services and state awarding agencies relating to financial reporting and audit responsibilities contained in this section.
- (e) Be provided one copy of each financial reporting package prepared in accordance with this section.
- (f) Perform ongoing reviews of a sample of financial reporting packages filed pursuant to this section to determine compliance with the reporting requirements of this section and applicable rules of the Department of Financial Services and rules of the Auditor General.

**History.**—s. 2, ch. 98-91; s. 58, ch. 2000-371; s. 233, ch. 2003-261; s. 11, ch. 2005-152; ss. 14, 16, ch. 2006-122.

**Note.**— Former s. 216.3491.

**RULES  
OF THE  
AUDITOR GENERAL**



**CHAPTER 10.650**

***FLORIDA SINGLE AUDIT ACT* AUDITS  
NONPROFIT AND FOR-PROFIT  
ORGANIZATIONS**

**EFFECTIVE 9-30-13**



## PREFACE TO RULES

These Rules are intended to implement the provisions of Section 215.97, Florida Statutes, which prescribes the requirements for a *Florida Single Audit Act* audit. This statute describes who or what is to be audited; describes when, where, how, and by whom State single audits of nonprofit and for-profit organizations are to be made; and requires that certain standards and procedures be followed. Rules for implementation of the *Florida Single Audit Act* for local governmental entities are separately promulgated in Chapter 10.550, Rules of the Auditor General.

Sections 215.97(2)(a) and 215.97(8)(a), Florida Statutes, provide that each nonstate entity that expends a total amount of State financial assistance equal to or in excess of \$500,000 in any fiscal year of such nonstate entity shall be required to have an audit for such year in accordance with the Florida Single Audit Act.

The statutes use various terms that may have common meanings. However, a number of these terms such as "State single audit," "nonprofit organization," and "for-profit organization" have statutory definitions. When defined by statute, the statutory definitions prevail over other definitions.

Auditors are cautioned that, in general, these Rules neither repeat nor paraphrase the statutory provisions. Hence, knowledge of statutory provisions is the responsibility of individual auditors.

These Rules are intended to and do implement, interpret, or make specific certain statutory provisions that are within the authority of the Auditor General to implement, interpret, or make specific. However, the Rules are not intended to supersede, nor do the Rules impinge on, the authority of the Board of Accountancy in the regulation of the practice of accountancy as authorized by Chapter 473, Florida Statutes.

The contents of the financial reporting package required by Rule 10.656(3) to be submitted by nonprofit and for-profit organizations shall include an audit of the financial statements of such organizations and reports and related information required for an audit conducted pursuant to the Federal *Single Audit Act Amendments of 1996*. It is the intent of these Rules that the auditor shall combine reports and schedules to the extent possible and shall avoid including duplicate findings in the various reports, schedules, and management letter.

Project-specific audits conducted pursuant to the *Florida Single Audit Act* shall comply with these Rules except with respect to requirements imposed by these Rules applicable to financial statements and notes thereto. The scope of project-specific audits shall not be required to include an examination of the financial statements as prescribed by Rule 10.655.

These Rules are effective for fiscal years ending September 30, 2013, and thereafter. Any nonprofit or for-profit organizations that have not filed required financial reporting packages for earlier fiscal years should submit financial reporting packages that have been prepared and submitted in accordance with the Rules in effect for those fiscal years.

**Note: All statutory references are to the 2013 Florida Statutes.**

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History:           New 06-30-01  
                      Last Amended 09-30-13

**10.651 PURPOSE**

- (1) Under the *Florida Single Audit Act* (Section 215.97, Florida Statutes), a nonprofit or for-profit organization may be required to have an annual audit of State financial assistance. The audit threshold defined in Rule 10.654(1)(a) applies to audits of State financial assistance.
- (2) Under the *Federal Single Audit Act Amendments of 1996* and United States Office of Management and Budget (OMB) Circular No. A-133, a nonprofit organization may also be required to have an annual audit of Federal awards. The Federal Awards audit shall be conducted as part of the *Florida Single Audit Act* audit.
- (3) The Comptroller General of the United States has adopted professional auditing standards for the audit of entities, including nonprofit or for-profit organizations, receiving Federal awards. These standards are contained in the publication entitled *Government Auditing Standards*.
- (4) The Auditor General has adopted the auditing standards set forth in *Government Auditing Standards* as the standards for State single audits of nonprofit and for-profit organizations pursuant to Florida law. Hence, the same auditing standards are applicable to Federal awards audits and State financial assistance audits and should eliminate duplication of audit activity.
- (5) There are statutory differences between Federal and Florida audit requirements as to what is to be audited. There may also be differences in the way similar terms are defined in Federal law and Florida law. Auditors must preserve these distinctions.
- (6) The purpose of these Rules is to implement, interpret, or make specific various provisions of Section 215.97, Florida Statutes.
- (7) These Rules will also form the basis of the review of financial reporting packages pursuant to Section 215.97(11)(f), Florida Statutes.

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General Authority and Law Implemented - Section 215.97, Florida Statutes.

History: New 06-30-01  
Last Amended 09-30-12

**10.652 RULES OF CONSTRUCTION**

- (1) Applicable provisions of Florida law and expressed provisions of these Rules shall prevail over conflicting provisions of material incorporated by reference.
- (2) Audits of State financial assistance shall be guided by Florida law and these Rules.

## 10.653 PUBLICATIONS INCORPORATED BY REFERENCE

For purposes of these Rules, the following material is incorporated by reference and shall be followed when applicable.

- (1) *Codification of Governmental Accounting and Financial Reporting Standards* promulgated by the Governmental Accounting Standards Board (GASB), effective for the fiscal year ended September 30, 2013.
- (2) *AICPA Professional Standards* promulgated by the American Institute of Certified Public Accountants, effective for the fiscal year ended September 30, 2013.
- (3) *Government Auditing Standards* (2011 Revision) issued by the Comptroller General of the United States.
- (4) *Audit and Accounting Guide - State and Local Governments* promulgated by the American Institute of Certified Public Accountants, effective for the fiscal year ended September 30, 2013.
- (5) *Audit and Accounting Guide - Not-for-Profit Entities* promulgated by the American Institute of Certified Public Accountants, effective for the fiscal year ended September 30, 2013.
- (6) *Audit and Accounting Guide - Health Care Entities* promulgated by the American Institute of Certified Public Accountants, effective for the fiscal year ended September 30, 2013.
- (7) *Audit Guide – Government Auditing Standards and Circular A-133 Audits* promulgated by the American Institute of Certified Public Accountants, effective for the fiscal year ended September 30, 2013.
- (8) The Federal *Single Audit Act Amendments of 1996*, Public Law 104-156 (31 U.S.C.A., ss. 7501 to 7507).
- (9) United States OMB Circular No. A-133, effective for the fiscal year ended September 30, 2013.
- (10) *Accounting Standards Codification* promulgated by the Financial Accounting Standards Board (FASB), effective for the fiscal year ended September 30, 2013.
- (11) Chapter 69I-5, Rules of the Florida Department of Financial Services, Florida Administrative Code, *State Financial Assistance*, effective for the fiscal year ended September 30, 2013.

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General Authority and Law Implemented - Section 215.97, Florida Statutes.

History: New 06-30-01

Last Amended 09-30-13



## 10.654

## DEFINITIONS

- (1) As used in these Rules, the term:
- (a) "Audit threshold" means the threshold amount used to determine when a State single audit or a project-specific audit of a nonstate entity shall be conducted in accordance with Section 215.97, Florida Statutes. Each nonstate entity that expends a total amount of State financial assistance equal to or in excess of \$500,000 in any fiscal year of such nonstate entity is required to have a State single audit or a project-specific audit for such fiscal year in accordance with the requirements of Section 215.97, Florida Statutes. [Section 215.97(2)(a), Florida Statutes]
  - (b) "Auditor" means an independent certified public accountant licensed pursuant to Chapter 473, Florida Statutes, and retained and paid by a nonprofit or for-profit organization to perform an audit pursuant to Section 215.97(8), Florida Statutes.
  - (c) "Generally accepted accounting principles" means those accounting principles, generally accepted in the United States, as defined by the Financial Accounting Standards Board *Accounting Standards Codification*, Topic 105 *Generally Accepted Accounting Principles* or the GASB *Codification of Governmental Accounting and Financial Reporting Standards*, Section 1000 *The Hierarchy of Generally Accepted Accounting Principles*, as applicable.
  - (d) "Government auditing standards" means those audit standards set forth in the publication *Government Auditing Standards* (2011 Revision) issued by the Comptroller General of the United States.
  - (e) "Management letter" means a statement of the auditor's comments and recommendations. This letter must be prepared and included as a part of each financial reporting package submitted pursuant to Section 215.97(8)(g), Florida Statutes. Unless otherwise required to be reported in the auditor's report on internal control and compliance or schedule of findings and questioned costs (see Rule 10.654(1)(h)), the management letter shall include, but not be limited to, noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements or State project amounts that is less than material but which warrants the attention of those charged with governance. **Note:** Fraud, noncompliance with provisions of laws or regulations and contracts or grant agreements, or abuse that does not warrant the attention of those charged with governance, or internal control deficiencies that are not material weaknesses or significant deficiencies may be reported in the management letter based on professional judgment.
  - (f) "Pass-through entity" means a nonprofit or for-profit entity that provides State financial assistance to a subrecipient to carry out a State project.
  - (g) "Schedule of Expenditures of State Financial Assistance" means a schedule prepared in accordance with the requirements of Chapter 69I-5, Rules of the Florida Department of Financial Services, Florida Administrative Code, *State Financial Assistance*.

- (h) “Schedule of Findings and Questioned Costs relating to State Financial Assistance” means a schedule prepared by the auditor and included as part of each financial reporting package submitted pursuant to Section 215.97(8)(g), Florida Statutes. The schedule shall include:
1. A summary of the auditors results, which shall include:
    - a. The type of report the auditor issued on the financial statements of the auditee (i.e., unmodified opinion, qualified opinion, adverse opinion, or disclaimer of opinion);
    - b. Where applicable, a statement that significant deficiencies or material weaknesses in internal control were disclosed by the audit of the financial statements;
    - c. A statement as to whether the audit disclosed any noncompliance that was material to the financial statements of the auditee;
    - d. Where applicable, a statement that significant deficiencies or material weaknesses in internal control over major State projects were disclosed by the audit;
    - e. The type of report the auditor issued on compliance for major State projects (i.e., unmodified opinion, qualified opinion, adverse opinion, or disclaimer of opinion);
    - f. A statement as to whether the audit disclosed any audit findings that the auditor was required to report under Rule 10.656;
    - g. An identification of major State projects;
    - h. The calculated dollar threshold used to distinguish between Type A and Type B projects as described in Chapter 69I-5, Rules of the Florida Department of Financial Services, Florida Administrative Code, *State Financial Assistance*.
  2. Findings relating to the financial statements that are required to be reported in accordance with government auditing standards.
  3. Findings and questioned costs for State financial assistance, which shall include audit findings as described in Rule 10.654(1)(h)4.
    - a. Audit findings (e.g., internal control findings, compliance findings, questioned costs, or fraud) that relate to the same issue shall be presented as a single finding. Where practical, audit findings shall be organized by State awarding agency or pass-through entity.
    - b. Audit findings reported under (h)2. and (h)3.a. of this subsection shall clearly indicate whether they relate to the financial statements and State financial assistance, respectively, and shall be reported in a manner that avoids duplication of findings within the schedule.

4. The following audit findings:
- a. Deficiencies in internal control over major State projects that are determined to be a material weakness either individually or in combination. Material weaknesses may include reportable conditions in internal controls that are referred to in Section 215.97(8)(i), Florida Statutes. The auditor's determination of whether a deficiency in internal control is a material weakness is in relation to a type of compliance requirement for a major State project or an audit objective identified in the compliance supplement.
  - b. Deficiencies in internal control over major State projects that are determined to be significant deficiencies. Significant deficiencies may include reportable conditions in internal controls that are referred to in Section 215.97(8)(i), Florida Statutes. The auditor's determination of whether a deficiency in internal control is a significant deficiency is in relation to a type of compliance requirement for a major State project or an audit objective identified in the compliance supplement.
  - c. Material noncompliance with laws, regulations, and provisions of contracts or grant agreements related to a major State project. The auditor's determination of whether a noncompliance with laws, regulations, or provisions of contracts or grant agreements is material for the purpose of reporting an audit finding in this schedule is in relation to a type of compliance requirement for a major State project or an audit objective identified in the compliance supplement.
  - d. Known questioned costs that are greater than \$10,000 for a type of compliance requirement for a major State project. Known questioned costs are those specifically identified by the auditor. In evaluating the effect of questioned costs on the opinion on compliance, the auditor considers the best estimate of total costs questioned (likely questioned costs), not just the questioned costs specifically identified (known questioned costs). The auditor shall also report known questioned costs when likely questioned costs are greater than \$10,000 for a type of compliance requirement for a major State project. In reporting questioned costs, the auditor shall include information to provide proper perspective for judging the prevalence and consequences of the questioned costs.
  - e. Known questioned costs that are greater than \$10,000 for a State project that is not audited as a major State project. Except for audit follow-up, the auditor is not required to perform audit procedures for such a State project; therefore, the auditor will normally not find questioned costs for a project that is not audited as a major State project. However, if the auditor does become aware of questioned costs for a State project that is not audited as a major State project (e.g., as part of audit follow-up or other audit procedures) and the known questioned costs are greater than \$10,000, then the auditor shall report this as an audit finding.

- f. The circumstances concerning why the auditor's report on compliance for major State projects is other than an unmodified opinion, unless such circumstances are otherwise reported as audit findings in the schedule of findings and questioned costs relating to State financial assistance.
  - g. Known fraud affecting a major State project, unless such fraud is otherwise reported as an audit finding in the schedule of findings and questioned costs relating to State financial assistance. This does not require the auditor to make an additional reporting when the auditor confirms that the fraud was reported outside of the auditor's reports under the direct reporting requirements of government auditing standards.
  - h. Instances where the results of auditor follow-up procedures disclosed that the summary schedule of prior audit findings prepared by the auditee in accordance with Rule 10.656(3)(d)5. materially misrepresents the status of any prior audit finding.
- (i) "Summary Schedule of Prior Audit Findings" means a schedule that reports the status of any audit findings included in the prior audit's schedule of findings and questioned costs relating to State financial assistance. The summary schedule shall also include audit findings reported in the prior audit's summary schedule of prior audit findings except audit findings listed as corrected or no longer valid or not warranting further action. The schedule must include the reference number required by Rule 10.656(4)(a)7.
- 1. When audit findings were fully corrected, the summary schedule need only list the audit findings and state that corrective action was taken.
  - 2. When audit findings were not corrected or were only partially corrected, the summary schedule shall describe the planned corrective action as well as any partial corrective action taken.
  - 3. When corrective action taken is significantly different from corrective action previously reported in a corrective action plan, the summary schedule shall provide an explanation.
  - 4. When the auditee believes the audit findings are no longer valid or do not warrant further action, the reasons for this position shall be described in the summary schedule. A valid reason for considering an audit finding as not warranting further action is that two years have passed since the financial reporting package in which the finding occurred was submitted to the State awarding agency and the State awarding agency or pass-through entity is not currently following up with the auditee on the audit finding.

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General Authority and Law Implemented – Section 215.97, Florida Statutes.

History: New 06-30-01  
Last Amended 09-30-13

**10.655 SCOPE OF THE *FLORIDA SINGLE AUDIT ACT* AUDIT**

- (1) It is the intent of these Rules to make government auditing standards applicable in the State of Florida to audits of nonprofit and for-profit organizations required to be audited pursuant to Section 215.97, Florida Statutes.
- (2) Independent audits of nonprofit organizations conducted by certified public accountants in accordance with this Rule will include an examination of the financial statements, which shall be presented in accordance with the reporting standards set forth in Section 958-205 of the FASB *Accounting Standards Codification*. However, if the nonprofit organization is determined to be a governmental entity based on the guidance provided in the American Institute of Certified Public Accountants *Audit and Accounting Guide – Not-for-Profit Entities*, the audit will instead include a report on financial statements presented in accordance with reporting standards established by the GASB.
- (3) For those nonprofit organizations that have been determined to be governmental entities, the financial statements referred to in subparagraph (2), above, are basic financial statements as identified by Section 2200.102(b) of the GASB *Codification of Governmental Accounting and Financial Reporting Standards*. In addition, the basic financial statements should be accompanied by: (1) management's discussion and analysis, as identified by Section 2200.102(a) of the GASB *Codification of Governmental Accounting and Financial Reporting Standards* and (2) other required supplementary information, as identified by Section 2200.102(c) of the GASB *Codification of Governmental Accounting and Financial Reporting Standards*.
- (4) The scope of the audit shall include any additional activities necessary to establish compliance with the term "financial statement audit" as defined and used in government auditing standards.
- (5) When applicable, the scope of the audit shall encompass the additional activities necessary to establish compliance with the Federal *Single Audit Act Amendments of 1996*, Public Law 104-156 (31 U.S.C.A., ss. 7501 to 7507); United States OMB Circular No. A-133; and other applicable Federal law.

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General Authority and Law Implemented - Section 215.97, Florida Statutes.

History: New 06-30-01

Last Amended 09-30-13

**10.656 FINANCIAL REPORTING PACKAGE**

- (1) To the extent possible, the auditor shall combine required reports and schedules and shall avoid including duplicate findings in the various reports, schedules, and management letter.
- (2) Each financial reporting package shall comply with the applicable reporting standards as contained in the publications referenced in Rule 10.653.
- (3) Each financial reporting package submitted pursuant to Section 215.97(8)(g), Florida Statutes, and this Chapter, must be a single document and contain at least the following:
  - (a) A table of contents.
  - (b) The auditor's report on the basic financial statements and report on internal control and compliance. The reports must be based on an audit of the financial statements conducted in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in government auditing standards.
  - (c) Any other auditor's reports and related financial information required pursuant to the Federal *Single Audit Act Amendments of 1996*, Public Law 104-156 (31 U.S.C.A., ss. 7501 to 7507); United States OMB Circular No. A-133; and other applicable Federal law.
  - (d) Auditor's reports and related financial information required pursuant to the *Florida Single Audit Act* and these Rules as described below. These reports and information may be combined with the similar reports and information required by the Federal *Single Audit Act Amendments of 1996* or OMB Circular No. A-133; however, the State financial assistance and related findings shall be clearly distinguished from the Federal awards and related findings in such reports and information. *Florida Single Audit Act* reports and related financial information shall include:
    1. A schedule of expenditures of State financial assistance prepared in accordance with Chapter 69I-5, Rules of the Florida Department of Financial Services, Florida Administrative Code, *State Financial Assistance*. This schedule shall be included on the schedule of expenditures of Federal awards, where applicable.
    2. A report that includes an opinion (or disclaimer of opinion) as to whether the schedule of expenditures of State financial assistance is presented fairly in all material respects in relation to the financial statements taken as a whole. This report shall include the elements prescribed by the American Institute of Certified Public Accountants *Audit Guide – Government Auditing Standards and Circular A-133 Audits*, modified as appropriate to apply to an audit conducted in accordance with the *Florida Single Audit Act* and these Rules.
    3. A report on compliance with requirements that could have a direct and material effect on each major State project and on internal control over compliance. This report shall describe the scope of testing of internal control and the results of those tests and shall include an opinion (or

disclaimer of opinion) as to whether the auditee complied with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on a major State project. Where applicable, this report shall refer to the separate schedule of findings and questioned costs relating to State financial assistance (see Rule 10.654(1)(h)). The report shall include the elements prescribed by the American Institute of Certified Public Accountants *Audit Guide – Government Auditing Standards and Circular A-133 Audits*, modified as appropriate to apply to an audit conducted in accordance with the *Florida Single Audit Act* and these Rules.

4. A schedule of findings and questioned costs relating to State financial assistance (see Rule 10.654(1)(h)).
  5. A summary schedule of prior audit findings, unless there were no prior audit findings to be reported on, in which case the auditor shall so indicate in the schedule of findings and questioned costs (see Rule 10.654(1)(i)).
  6. A corrective action plan as defined in Section 215.97(8)(i), Florida Statutes.
- (e) The "management letter" required by Sections 215.97(9)(f), and 215.97(10)(d), Florida Statutes, and defined in Rule 10.654(1)(e), unless there are no items related to State financial assistance required to be reported in the management letter, in which case the auditor shall indicate such in the schedule of findings and questioned costs. The financial reporting package shall include a written statement of explanation or rebuttal, including corrective action to be taken, concerning deficiencies cited in the management letter.
- (f) The financial statements as described in Rule 10.655(2) and (3), as applicable.
- (4) Other reporting requirements:
- (a) Audit findings contained in reports, schedules, and management letters must include the following specific information.
    1. The criteria or specific requirement upon which the audit finding is based, including statutory, regulatory, or other citation.
    2. The condition found, including facts that support the condition identified in the audit finding.
    3. The cause, or the reason or explanation for the condition or the factor(s) responsible for the difference between the situation that exists (condition) and the required or desired state (criteria).
    4. The effect or potential effect (i.e., outcome or consequence) of the condition. This should include information to provide proper perspective for judging the prevalence and consequences of the audit findings, such as whether the audit findings represented an isolated instance or a systemic problem. Where appropriate, instances identified shall be related to the universe and the number of cases examined, and shall be quantified in terms of dollar value.

5. Recommendations to prevent future occurrences of the deficiency identified in the audit finding.
  6. Views of responsible officials of the nonprofit or for-profit organization when there is disagreement with the audit findings, to the extent practical.
  7. Reference numbers for each audit finding.
- (b) Audit findings included in the schedule of findings and questioned costs related to State financial assistance must include the following additional information:
1. State project identification including the Catalog of State Financial Assistance number and year, name of the State awarding agency, and name of any applicable pass-through entity. When any such information is not available, the auditor shall provide the best information available to describe the State financial assistance.
  2. Identification of questioned costs and how they were computed.

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General Authority and Law Implemented - Section 215.97, Florida Statutes.

History: New 06-30-01

Last Amended 09-30-13



**10.657 DELIVERY OF FINANCIAL REPORTING PACKAGE**

- (1) Copies of the financial reporting package required by Rule 10.656 shall be submitted to those charged with governance of the recipient organization, the State awarding agencies, and the Auditor General. Copies of a subrecipient's financial reporting package shall be submitted to the subrecipient organization, the recipient organization that provided the State financial assistance, and to the Auditor General. One paper copy and one electronic copy of the financial reporting package shall be provided to the Auditor General.
  
- (2) The financial reporting package required to be submitted pursuant to Section 215.97(8)(g), Florida Statutes, must be submitted to the Auditor General and the State awarding agencies within 45 days after delivery of the financial reporting package to the auditee, but no later than 9 months after the end of the fiscal year of the auditee. The date that the financial reporting package was delivered to the auditee shall be indicated by that organization in correspondence accompanying the financial reporting package submitted to the Auditor General.

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General Authority and Law Implemented - Section 215.97, Florida Statutes.

History: New 06-30-01  
Last Amended 09-30-08

**10.658**      **EFFECTIVE DATE**

These Rules shall take effect for fiscal years ending September 30, 2013, and thereafter.

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General Authority and Law Implemented - Section 215.97, Florida Statutes.

History:      New 06-30-01

                Last Amended 09-30-13

**RESOLUTION NO. 2013 - 228**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, ESTABLISHING APPLICATION SCREENING CRITERIA FOR COLLIER COUNTY ADMINISTERED FEDERAL AND STATE GRANTS.**

**WHEREAS**, the Board of County Commissioners (Board) desires to prevent the award of grants to entities that may pose a risk to Collier County's compliance with Federal and State grants; and

**WHEREAS**, the Board has determined that application screening criteria is an effective tool to avoid fraud, abuse, poor performance, noncompliance and other misconduct by the recipients of these grants; and

**WHEREAS**, the Board believes that the past conduct of an entity as well as its employees, officers, and directors is a good indicator of the entity's ability to perform; and

**WHEREAS**, the Board desires to establish the application screening criteria set forth below for all future County review of applications for Collier County administered Federal and State grants.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA** that:

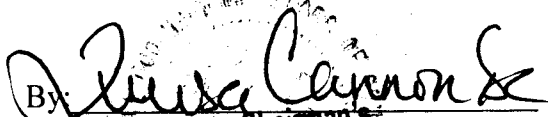
1. Application screening shall include review of the past conduct of the applying entity as well as its employees, officers, and directors.
2. Collier County administered Federal or State grants will not be awarded to applicants if one or more of the following offenses has occurred during the three years prior to grant application:
  - a. Debarment;
  - b. Real or apparent conflict of interest;
  - c. Falsification of documents; or
  - d. Substantial non-compliance or non-conformance with performance under a grant.

3. Collier County staff shall take all actions necessary to implement this direction and is not precluded from establishing other initial screening criteria to further the goals and objectives of this Resolution.

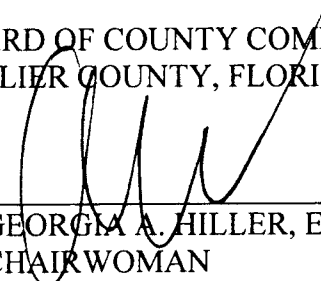
**BE IT FURTHER RESOLVED** that this Resolution shall be effective upon adoption.

**THIS RESOLUTION ADOPTED** after motion, second, and majority vote favoring same this 8th day of October, 2013.


ATTEST:  
DWIGHT E. BROCK, Clerk

By:   
Attest as to Chairman's  
signature only.  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

By:   
GEORGIA A. HILLER, ESQ.  
CHAIRWOMAN

Approved as to form and legality:

  
Jennifer A. Belpedio  
Assistant County Attorney

**COLLIER COUNTY**  
**AND**  
**CITY of NAPLES**



**STATE HOUSING INITIATIVES PARTNERSHIP (SHIP)**  
**LOCAL HOUSING ASSISTANCE PLAN (LHAP)**

**FISCAL YEARS COVERED**  
2010-11; 2011-12; 2012-13

**ADOPTED BY RESOLUTION: 2010-84**  
**AMENDED BY RESOLUTION:**

Public Services Division  
Housing, Human and Veteran Services  
3339 E Tamiami Trail, Suite 211  
Naples, Florida 34112  
[www.colliergov.net](http://www.colliergov.net)

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**I. PROGRAM DESCRIPTION:**

- A. Name of the participating local government:  
Collier County Board of County Commissioners and  
Interlocal Agreement with: City of Naples

A copy of the Interlocal Agreement is attached as: **Exhibit H.**

- B. Purpose of the program:  
Creation of the Local Housing Assistance Plan (LHAP) is for the purpose of meeting the housing needs of the very low, low and moderate income households, to expand production of and preserve affordable housing, and to further the housing element of the local government comprehensive plan specific to affordable housing.

- C. Fiscal years covered by the Plan:  
2010-11; 2011-12; 2012-13

- D. Governance:  
The County has established their SHIP Program in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37 Florida Administrative Code. The County SHIP Program does further the housing element of the Collier County Comprehensive Plan. Cities and Counties must be in compliance with these applicable statutes and rules.

- E. Local Housing Partnership:  
The County SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

- F. Leveraging:  
The County Local Housing Assistance Plan increases the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs, including local match to obtain federal housing grants or programs.

- G. Public Input:  
The Affordable Housing Advisory Committee public meetings are advertised, open to the public and may be televised; attendees are welcome to speak. Public input is also solicited through the local newspaper when advertising the Notice of Funding

Availability and the County website and Board Agenda when noticing the Local Housing Assistance Plan and Annual Report. Staff additionally request input from housing providers, social service agencies, and local lenders and realtors throughout the year.

H. Advertising and Outreach:

Collier County advertises with a Notice of Funding Availability in the local newspaper of general circulation serving ethnic and diverse neighborhoods and the County website, at least 30 days before the beginning of the application period unless there is no funding available due to a waiting list.

I. Discrimination:

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

J. Support Services and Counseling:

Collier County offers free HUD approved Homebuyer Pre-purchase class instruction to prospective SHIP applicants. The County also offers information and referral services to local support service organization including, but not limited to credit counseling, tenant counseling and transportation.

K. Purchase Price Limits:

The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

- Independent Study (copy attached)
- U.S. Treasury Department
- Local HFA Numbers

The purchase price limit for new and existing homes is shown on the **Housing Delivery Goals Charts: Exhibit C**

L. Income Limits, Rent Limits and Affordability:

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by Florida



Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 F.S. However it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

M. Welfare Transition Program:

Should an eligible sponsor be used, the County has developed a qualification system and selection criteria for applications for awards to eligible sponsors, this includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

N. Monitoring and First Right of Refusal:

In the case of rental housing, the County shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored at least annually for 15 years or the term of assistance, whichever is longer, unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

O. Administrative Budget:

A detailed listing of the line-item budget for proposed Administrative Expenditures is attached as Exhibit A. These are presented on an annual basis for each State fiscal year submitted in the LHAP.

Collier County and the City of Naples finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:**

“A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:**

“The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.”

The County and City have adopted the above findings in the attached resolution, **Exhibit E**.

P. Program Administration:

Administration of the local housing assistance plan is the responsibility of Collier County. Should a third party entity or consultant contract for all or part of the administrative or other functions of the program the County will provide in detail the duties, qualification and selection criteria.

Q. Essential Service Personnel:

Counties and eligible municipalities are required to include a definition of Essential Services Personnel as noted in Rule Chapter 67-37.002(8) F.A.C., Chapter 67-37.005(10), F.A.C. and Section 420.9075(3), F.S.

Collier County’s definition of “**Essential Service Personnel**” includes, but is not limited to, teachers and educators, other school district, community college, university employees, police and fire personnel, health care personnel, and skilled building trade personnel.

R. Section 420.9075(3)(d), F.S.:

Innovative design, green building principles, storm resistant construction or other elements that reduce long term costs relating to maintenance, utilities or insurance. Provide a brief description as required:

Collier County Homeownership Education classes provide curriculum on cost cutting measures that homeowners can use to reduce energy consumption. Collier County also encourages the use or inclusion, when appropriate, of the following: energy star appliances; low-E windows; additional insulation (for increased R-value); ceramic tile; tank-less water heater; 14 and 15 SEER air conditioning units; stucco; florescent light bulbs; impact resistant windows and doors.

## II. LHAP HOUSING STRATEGIES:

### A. Name of the Strategy: Purchase Assistance

#### a) Summary of the Strategy:

The Collier County Purchase Assistance Program is designed to assist first-time homebuyers with the purchase of a new or existing single family home or condominium. Funding, which is provided as a second or subordinate mortgage loan, may be used for down payment, closing costs and principal buy-down as needed for affordable home ownership. SHIP funds may be used in conjunction with a first mortgage loan obtained from a participating lender, not-for-profit developer, Florida Housing Finance Corporation's Bond Program or Rural Development.

Applicants who purchase an existing home are encouraged to select a home that has had code repairs, accessibility modifications or energy efficient upgrades within one year of purchase.

#### b) State Fiscal Years Covered: 2010-11, 2011-12, 2012-13

#### c) Income Categories to be served:

Applicants assisted must be income certified as very low, low, and moderate income, including persons with special needs as defined in *Florida Administrative Code, 67-37.002 Definitions (21) Persons Who Have Special Housing Needs.*

#### d) Maximum Award:

The maximum award will be 20% of the purchase price, not to exceed \$20,000. In the event that another funding source, such as CDBG or HOME is used in conjunction with SHIP, the total amount of assistance from all sources will not exceed the maximum award as stated herein.

The maximum award is intended to promote affordability, enabling the household to have a monthly payment not exceeding 30% of their income. Additionally, the maximum award is not automatically provided. It is not the intent of the County to over subsidize a household, where in the absence of subsidy, a household would be able to afford the level of debt associated with the home that they are seeking to obtain, based on normal underwriting practices.

#### e) Terms, Recapture and Default:

Funds are secured with a recorded fifteen (15) year, zero interest, and deferred payment second mortgage loan and note forgiven at the end of the 15 year period if all conditions have been met. The County will take a third position if FHFC funds are used in addition to SHIP or at the discretion of the Department Director.

Monthly payments are not required.

Repayment of the loan is required in full when one of the following conditions is met, whichever occurs first:

- a. Sale;** if proceeds are not sufficient to pay off the mortgage note then the homeowner may contact the County regarding a settlement amount of the SHIP loan that is outlined in the County's "Short Sale Policy".
- b. Title transfer,** either voluntarily or by operation of law, divested of title by judicial sale, levy or other proceedings, including foreclosure or Deed in Lieu.
- c. Refinance to access equity;** a refinance of the first mortgage may be approved without repayment if the request is submitted in writing and the refinance is at a lower fixed rate with no cash out in accordance with the "Refinance Policy".
- d. Home is no longer primary residence, leased or rented.** In the event that all mortgage holders are deceased, the loan will be forgiven.

The County reserves the right to foreclose if the homeowner does not repay the loan as noted above.

The County has determined the following terms and provisions for program income versus recaptured funds:

- Program Income is a source of SHIP revenue received from the following sources: bank interest, amortized loan payments and any associated interest and penalties, loan proceeds due to repayment of a loan under the condition of refinancing, death of recipient, sale or transfer of title, property is no longer the client's primary residence.
- Recaptured funds is a source of SHIP revenue, received when a SHIP recipient loses his or her house to foreclosure/tax deed sales or the County repays funds that assisted an ineligible client.

All funds are deposited into the Local Housing Trust Fund and reported as Program Income or Recaptured Funds in the State Fiscal Year they are received as appropriate for Annual Reporting purposes.

**f) Recipient Selection Criteria:**

An applicant may submit a completed application for SHIP Purchase Assistance to the County for a determination of eligibility at any time. Applicants are required to provide all documentation requested for income, eligibility, and qualification determination. Applications are processed on a first received, first qualified (income and lender approved) first served by income category. Funds will be reserved and awarded to applicants that have met all of the County requirements, are SHIP Income Certified and have a mortgage loan approval from a participating Lender

In the event there are more applications than can be processed due to lack of funding, a waiting list will be maintained. Applications will be sorted by income category; very low, low or moderate. Applicants will be placed on the appropriate income category list in numerical order. As funding becomes available for a specific income category, the applicant with the lowest number within that category will be contacted and processed.

Applicants must attend a county approved Homeowner Education Program and provide a copy of the certificate to the Department. The Certificate must be dated within one year of County application date.

Persons that qualify for SHIP assistance will be required to contractually agree to all SHIP program guidelines, County SHIP mortgage requirements, repayment provisions, and certify that the unit assisted will be their primary residence.

**g) Sponsor Selection Criteria:** Not Applicable.

**h) Additional Information:**

- a. Units assisted must be within the incorporated or unincorporated area of Collier County.
- b. Mobile or manufactured homes are not a category of eligible housing for the County at this time.
- c. Completion of the Homebuyer Education Program is mandatory prior to closing.
- d. First mortgage must be at a fixed rate; no ARM's, prepayment penalty, negative amortization, balloon loan, owner financing or other non-affordable loan terms are allowed.
- e. Financial Institutions must be approved by the County in order to participate in the SHIP Program.

**B. Name of the Strategy:** Disaster Relief Grant Assistance

**a) Summary of the Strategy:**

The Disaster Strategy provides assistance to households following a natural disaster as declared by the President of the United States or Governor of the State of Florida. This strategy will only be implemented in the event of a natural disaster using any funds that have not yet been encumbered or additional disaster funds issued by Florida Housing Finance Corporation. SHIP disaster funds may be used for items such as, but not limited to:

- Tree and debris removal to make individual housing units habitable;
- Interim repairs to avoid further damage to home;
- Emergency supplies to weather proof damaged home;
- Building permits;
- Post disaster assistance with non-insured repairs;
- Insurance deductibles;

Expenses to prevent flooding of home such as sand bags, sand, pump rental, etc.; and construction of wells or repair of existing wells where public water is not available.

**b) Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013

**c) Income Categories to be served:** Very low, low and moderate-income households and persons with special needs as defined in Florida Administrative Code, 67-37.002 Definitions (21) Persons Who Have Special Housing Needs.

**d) Maximum Award:** Specific award information is located in the Housing Delivery Goals Charts at **Exhibit C.**

**e) Terms, Recapture and Default:**

All SHIP funds provided to eligible households will be in the form of a grant and not subject to recapture. Persons that qualify for SHIP assistance will be required to sign a grant agreement, contractually agreeing to all SHIP program guidelines

Applicants will be required to complete an application and provide documentation to as required for income certification. If authorized by Florida Housing Finance Corporation, the County will utilize the Corporation's DISASTER SELF-CERTIFICATION OF INCOME FORM.

**f) Recipient Selection Criteria:**

The household assisted must be certified as very low, low or moderate-income and located in Collier County.

Completed applications from affected homeowners will be accepted on a first received, first served basis by income category and processed expediently.

- Applicants are required to provide all documentation requested for income and eligibility determination.
- The unit assisted must be owner-occupied and homesteaded as the primary residence.

**g) Sponsor Selection Criteria:** Not applicable

**h) Additional Information:**

- SHIP funds at all times must be used for eligible applicants and eligible housing.
- SHIP disaster funds may not be used for the purchase or rehabilitation of mobile homes unless authorized within the Executive Order.

**C. Name of the Strategy: Owner-Occupied Rehabilitation**

- a) **Summary of the Strategy:** The program is designed to assist income eligible homeowners that own and occupy their home by providing SHIP funds to assist with necessary repairs to correct code violations or emergency repairs that impact their health, safety and welfare. The home must be suitable for rehabilitation and located within the unincorporated and incorporated areas of Collier County. Loans for assistance may include costs related to all eligible repairs, inspections, work write-ups, and closing costs.
  
- b) **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013.
  
- c) **Income Categories to be served:** Applicants assisted must be income certified as very low or low income which includes persons with special needs as defined in Florida Administrative Code, 67-37.002 Definitions (21) Persons Who Have Special Housing Needs.
  
- d) **Maximum award:** Maximum award of up to \$30,000.
  
- e) **Terms of the award; Recapture and Default:** Funds will be secured with a recorded fifteen (15) year, zero interest, deferred subordinate mortgage on the property in the amount of the subsidy used in the project. If all conditions of the loan are met, one-third of the loan will be forgiven in five year increments so that at the end of the fifteenth year the loan is forgiven. Monthly payments are not required.

Repayment of the loan is required in full when one of the following conditions is met, whichever occurs first:

- a. **Sale;** if proceeds are not sufficient to pay off the mortgage note then the homeowner may contact the County regarding a settlement amount of the SHIP loan that is outlined in the County's "Short Sale Policy".
- b. **Title transfer,** either voluntarily or by operation of law, divested of title by judicial sale, levy or other proceedings, including foreclosure or Deed in Lieu.
- c. **Refinance;** a refinance of the first mortgage may be approved without repayment if the request is submitted in writing and the refinance is at a lower fixed rate with no cash out in accordance with the "Subordination Policy".
- d. **Home is no longer primary residence,** abandoned, leased or rented. In the event that all mortgage holders are deceased, the loan will be forgiven.



The County reserves the right to foreclose if the homeowner does not repay the loan as noted above.

The County has determined the following terms and provisions for program income versus recaptured funds:

Program Income is a source of SHIP revenue received from the following sources: bank interest, amortized loan payments and any associated interest and penalties, loan proceeds due to repayment of a loan under the condition of refinancing, ., sale or transfer of title, property is no longer the client's primary residence.

Recaptured funds is a source of SHIP revenue, received when a SHIP recipient loses his or her house to foreclosure/tax deed sales or the County repays funds that assisted an ineligible client.

All funds are deposited into the Local Housing Trust Fund and reported as Program Income or Recaptured Funds in the State Fiscal Year they are received as appropriate for Annual Reporting purposes.

**f) Recipient Selection Criteria:** An applicant may submit a completed application for SHIP Owner-Occupied Rehabilitation to the County for a determination of eligibility at any time. Applicants are required to provide all documentation requested for income, eligibility and qualification determination. Applications are processed on a first served, first qualified, by income category basis. Applicants will receive a pre-approval letter and their file will be submitted to the Sponsor for unit eligibility.

Persons that qualify for SHIP assistance will be required to contractually agree to all SHIP program guidelines, County SHIP mortgage requirements, repayment provisions, and certify that the unit assisted will be their primary residence.

However, the County at its option may procure the services of a non-profit Sponsor to administer all or a portion of the Owner Occupied Rehabilitation Strategy.

**g) Sponsor Selection Criteria** and duties, if applicable  
The County will issue a Request for Proposals requesting applications for

Construction Management services from non-profit organizations. The County at its option may also include or procure separately, the services of a non-profit

Organization to provide the Application intake and certification of households applying for Owner Occupied Rehabilitation.

Organizations must submit the proposal as outlined in the RFP and initially provide information including, but not limited to, application intake process, income certification experience with SHIP, contractor selection and bid process or prior rehabilitation and/or income certification experience with references. Additional information will be obtain such as resumes, construction oversight, construction agreements, accounting and financial information for project tracking and payment, organization experience, audit reports, financial statements, and income documentation for evaluation of sponsor eligibility.

- h) Additional Information:** Mobile or manufactured homes are not a category of eligible housing for the County at this time.

### **III. LHAP INCENTIVE STRATEGIES:**

In addition to Strategy A and Strategy B, include all adopted incentives with the policies and procedures used daily for implementation as provided in Section 420.9076, F.S.:

#### **Name of the Strategy:** Expedited Permitting

Collier County will expedite permits as defined in Sec. 163.3164(7) and (8), F.S. for affordable housing projects to a greater degree than other projects. Affordable housing projects will be identified as those projects assisted with state or federal housing funds.

- a. Provide a description of the procedures used to implement this strategy:

Collier County Board of County Commissioners adopted Resolution No.2007-176 on July 24, 2007, superseding and replacing Resolution 2005-408, amending the procedures for expediting the development review process for qualified affordable-workforce housing including community workforce housing innovation program (CWHIP) projects.

Initially, a qualification meeting is called with the developer and staff to determine if the project meets the affordable housing requirements. Those projects that demonstrate compliance will be issued a certificate to allow the expedited review process for all development orders. Planning and Zoning will provided expedited status by assisting these developments first throughout the process from application through Certificate of Occupancy.

In 2010-2011, Collier County refined the building permit process and performance measures were developed to facilitate the expedited performance and allow the county to closely monitor its performance and adherence to this policy. The current building permit process is 5, 10, 15 days, however single family permits that are using state or federal funding will be moved to the top of the permit process.

#### **Name of the Strategy:** Ongoing Review Process

Collier County requires all items which have the potential to increase the cost of housing to be prepared and presented to the Collier County Board of County Commissioners with the amount of the increase or decrease mentioned in the executive summary.

- a. Provide a description of the procedures used to implement this strategy:

The process, by which items are prepared for the BCC Agenda includes a vast approval hierarchy to ensure that all proposed actions impacting affordable housing are reviewed on an ongoing basis. Furthermore, the Collier County Affordable Housing Advisory Committee regularly forms subcommittees to review impediments to affordable housing, as well as new affordable housing incentives.

**Name of the Strategy:** Increased Density for Affordable Housing

Collier County allows developers to request increased density when including a certain percentage of affordable housing in the proposed development.

- a. Provide a description of the procedures used to implement this strategy:  
An Affordable Housing Density Bonus Agreement must be submitted and approved by the Collier County Board of County Commissioners as provided for in the Collier County Land Development Code, ss. 2.06.00.

**Name of the Strategy:** Inventory of Locally Owned Public Lands Suitable for Affordable Housing.

- a. Provide a description of the procedures used to implement this strategy:  
Collier County prepares an inventory of all real property owned by Collier County that may be appropriate for use as affordable housing in accordance with Sec. 125.379 F.S. every three years.

Collier County Resolution No. 2007-172, adopted June 26, 2007, permits properties identified as appropriate for use as affordable housing may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

**IV. EXHIBITS:**

- A. Administrative Budget for each fiscal year covered in the Plan. Exhibit A.
- B. Timeline for Encumbrance and Expenditure: *Chapter 67-37.005, F.A.C.* A separate timeline for each fiscal year covered in this plan is attached as Exhibit B. Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the Plan: Completed HDGC for each fiscal year is attached as Exhibit C.
- D. Certification Page:  
Signed Certification is attached as Exhibit D.
- E. Adopting Resolution:  
Original signed, dated, witnessed or attested adopting resolution is attached as Exhibit E.
- F. Program Information Sheet:  
Completed program information sheet is attached as Exhibit F.
- G. Ordinance: If changed from the original ordinance, a copy is attached as Exhibit G.
- H. Interlocal Agreement:  
A copy of the Interlocal Agreement if applicable is attached as Exhibit H.

Title: LHAP Template 2009

**Exhibit A Admin Budget**

No. 001

Fiscal Year 2010-2011		67-37.005(1), F.A.C.
		Effective Date: 11/09
Salaries and Benefits		\$257,000
Office Supplies and Equipment		\$8,000
Travel Perdiem Workshops, etc		\$8,000
Advertising		\$2,000
Professional Services		\$3,297

Fiscal Year 2011-2012		Allocation \$430,987
Salaries and Benefits		\$43,098
Office Supplies and Equipment		\$0
Travel Perdiem Workshops, etc		\$0
Advertising		\$0
Professional Services		\$0

Fiscal Year 2012-2013		Allocation \$127,908
Salaries and Benefits		\$12,790
Office Supplies and Equipment		\$0
Travel Perdiem Workshops, etc		\$0
Advertising		\$0
Professional Services		\$0









**FLORIDA HOUSING FINANCE CORPORATION**  
**HOUSING DELIVERY GOALS CHART**  
 STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2011-12

Please check applicable box	
New Plan:	
Amendment: x	13-Apr
Fiscal Yr. Closeout:	

Name of Local Government: COLLIER COUNTY

Estimated Funds: \$715,987.00

Strategy # From Plan Text	HOME OWNERSHIP STRATEGIES (strategy title must be same as the title used in plan text.)	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	A	B	C	D	E	F
		Units	Award	Units	Award	Units	Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units
1	Purchase Assistance	10	\$20,000	11	\$20,000	4	\$20,000	\$0.00	\$308,000.00	\$200,639.00	\$508,639.00	71.04%	25
2	Disaster Assistance	0	\$5,000	0	\$5,000	0	\$5,000	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
3	Owner Occupied Rehabilitation	3	\$30,000	2	\$30,000	0	\$0	\$0.00	\$150,000.00	\$0.00	\$150,000.00	20.95%	5
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 1 (Home Ownership)</b>	13		13		4		\$0.00	\$458,000.00	\$200,639.00	\$658,639.00	91.99%	30

	RENTAL STRATEGIES	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	A	B	C	D	E	F
		Units	Award	Units	Award	Units	Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units
	Not Applicable										\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 2 (Non-Home Ownership)</b>	0		0		0		\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
	Administration Fees										\$43,098.00	6.02%	
	Admin. From Program Income										\$14,250.00	1.99%	
	Home Ownership Counseling										\$0.00	0.00%	

<b>GRAND TOTAL</b>		13		13		4		\$0.00	\$458,000.00	\$200,639.00	\$715,987.00	100.00%	30
<small>Add Subtotals 1 &amp; 2, plus all Admin. &amp; HO Counseling</small>													

**Percentage Construction/Reh**

Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.

106%

Maximum Allowable Purchase Price:

**New**

\$300,000.00

**Existing**

\$300,000.00

**Allocation Breakdown**

**Amount**

**%**

Very-Low Income	\$289,639.00	40.5%
Low Income	\$289,000.00	40.4%
Moderate Income	\$80,000.00	11.2%
<b>TOTAL</b>	\$658,639.00	92.0%

Projected Program Income:

\$285,000.00

Projected Recaptured Funds:

\$0.00

Distribution:

\$430,987.00

**Total Available Funds:**

\$715,987.00

Max Amount Program Income For Admin:

\$14,250.00

**FLORIDA HOUSING FINANCE CORPORATION  
HOUSING DELIVERY GOALS CHART**

STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2012-13

Please check applicable box	
New Plan:	
Amendment:	x
Fiscal Yr. Closeout:	13-Apr

Name of Local Government: COLLIER COUNTY

Estimated Funds: \$327,908.00

Strategy # From Plan Text	HOME OWNERSHIP STRATEGIES (strategy title must be same as the title used in plan text.)	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	A	B	C	D	E	F
		Units	Award	Units	Award	Units	Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units
1	Purchase Assistance	1	\$20,000	3	\$20,000	4	\$20,000	\$0.00	\$40,000.00	\$115,118.00	\$155,118.00	47.31%	8
2	Disaster Assistance	0	\$5,000	0	\$5,000	0	\$5,000	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
3	Owner Occupied Rehabilitation	3	\$30,000	2	\$30,000	0	\$0	\$0.00	\$150,000.00	\$0.00	\$150,000.00	45.74%	5
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 1 (Home Ownership)</b>	4		5		4		\$0.00	\$190,000.00	\$115,118.00	\$305,118.00	93.05%	13

	RENTAL STRATEGIES	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	A	B	C	D	E	F
		Units	Award	Units	Award	Units	Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units
	Not Applicable										\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 2 (Non-Home Ownership)</b>	0		0		0		\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0

Administration Fees		\$12,790.00	3.90%
Admin. From Program Income		\$10,000.00	3.05%
Home Ownership Counseling		\$0.00	0.00%

<b>GRAND TOTAL</b> <small>Add Subtotals 1 &amp; 2, plus all Admin. &amp; HO Counseling</small>	4		5		4		\$0.00	\$190,000.00	\$115,118.00	\$327,908.00	100.00%	13
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**Percentage Construction/Reh** Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.

149%

**Maximum Allowable  
Purchase Price:**

**New**

\$300,000.00

**Existing**

\$300,000.00

Allocation Breakdown	Amount	%
Very-Low Income	\$105,000.00	32.0%
Low Income	\$120,118.00	36.6%
Moderate Income	\$80,000.00	24.4%
<b>TOTAL</b>	\$305,118.00	93.0%

Projected Program Income:	\$200,000.00
Projected Recaptured Funds:	\$0.00
Distribution:	\$127,908.00
<b>Total Available Funds:</b>	\$327,908.00

Max Amount Program Income For Admin: \$10,000.00

**CERTIFICATION TO  
FLORIDA HOUSING FINANCE CORPORATION**

Name of Local Government: Collier County

- (1) The local government will advertise the availability of SHIP funds pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for awards.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if the local government (or interlocal entity) will be unable to comply with the provisions the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments to the approved Local Housing Assistance Plan shall be provided to the Corporation with in 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities such as interest earned on loans.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation as soon as available.

**Exhibit D**

Certification

- (13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation as soon as possible.
- (14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.
- (15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- (17) Rental Units constructed or rehabilitated with SHIP funds shall be monitored at least annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)
- (18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.
- (19) The provisions of Chapter 83-220, Laws of Florida has or **X** has not been implemented.

(note: Miami Dade County will check "has")

Fred W. Coyle 04/27/2010  
Chief Elected Official or designee

Witness

Witness

Fred W. Coyle – Chairman  
Type Name and Title

Date

OR

ATTEST:  
DWIGHT E. BROCK, Clerk

By: [Signature]  
Attest as to Chairman's signature on:

Attest:  
(Seal)

Approved as to form & legal sufficiency

Colleen Greene  
Colleen Greene,  
Assistant County Attorney

RESOLUTION No. 2013- 106

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA AMENDING THE 2010-2013 LOCAL HOUSING ASSISTANCE PLAN FOR CONSISTENCY WITH THE 2013-2015 LOCAL HOUSING ASSISTANCE PLAN AND INCORPORATING CHANGES TO THE INCENTIVE STRATEGIES AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CHAIRMAN TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE AMENDED LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

**WHEREAS**, the SHIP Act requires local governments to amend their Local Housing Assistance Plan when an addition or deletion of a local housing assistance strategy or local housing incentive strategy is made; and

**WHEREAS**, the State Housing Initiatives Partnership (SHIP) Act, Subsections 420.907-420.9079, Florida Statutes (1992), and Chapter 67-37, Florida Administrative Code, requires local governments to forward amendments to their Local Housing Assistance Plans to the Florida Housing Finance Corporation for review; and

**WHEREAS**, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

**WHEREAS**, as required by Section 420.9075, Florida Statutes, it is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in Section 120.52(17), Florida Statutes, and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs; and

**WHEREAS**, the Housing, Human and Veteran Services Department has prepared an amended 2010-2013 Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the citizens of Collier County for it to submit an amended Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:**

Section 1: The Board of County Commissioners of Collier County hereby approves the amendment to the 2010-2013 Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by Subsections 420.907-420-9079, Florida Statutes, for fiscal years 2010-11, 2011-12 and 2012-13.

Section 2: The Chairman is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and the Director of Housing, Human and Veteran Services, as the Program Administrator is designated and authorized to do all things necessary and proper to carry out the term and conditions of said Plan.

Section 3: This resolution shall take effect immediately upon its adoption.

This Resolution adopted this 14 day of May, 2013, after motion, second and majority in favor of passage.

ATTEST:  
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF COLLIER COUNTY, FLORIDA

By: [Signature]  
Attest as to Chairman's  
signature only.  
CLERK

By: [Signature]  
GEORGIA A. HILLER, ESQ.  
CHAIRWOMAN

Approval for form and legal Sufficiency:

[Signature]  
Jennifer B. White  
Assistant County Attorney  
5/2/13

State of Florida  
County of COLLIER  
I HEREBY CERTIFY THAT this is a true and correct copy of a document on file in Board Minutes and Records of Collier County  
WITNESS my hand and official seal this  
21st day of May, 2013

DWIGHT E. BROCK, CLERK OF COURTS  
[Signature] D.C.

**STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM  
PROGRAM INFORMATION SHEET**

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The following information must be furnished to the Corporation before any funds can be disbursed.

<b>Local Government</b>	Collier County Government
<b>Chief Elected Official</b>	Chairwoman, Georgia A. Hiller, Esq.
<b>Address</b>	3299 Tamiami Trail East, Naples, Florida 34112
<b>SHIP Administrator</b>	Kristi Sonntag, Manager Federal/State Grants
<b>Address</b>	3339 E. Tamiami Trail, Suite 211, Naples, Florida 34112
<b>Telephone</b>	239-252-2486
<b>EMAIL</b>	<a href="mailto:KristiSonntag@colliergov.net">KristiSonntag@colliergov.net</a>
<b>Alternate SHIP Contact</b>	Priscilla Doria, Grant Coordinator
<b>Telephone</b>	239-252-5312
<b>EMAIL</b>	<a href="mailto:PriscillaDoria@colliergov.net">PriscillaDoria@colliergov.net</a>
<b>Interlocal Agreement (list other local governments in interlocal)</b>	City of Naples
<b>Local Government Employer Federal ID #</b>	85-8015966531C-1
<b>Disbursement (list bank account information if changed from previous)</b>	
<b>Other Information</b>	Kimberley Grant, Interim Director <a href="mailto:KimberleyGrant@Colliergov.net">KimberleyGrant@Colliergov.net</a>



**EXHIBIT G**

**NOT APPLICABLE**

INTERLOCAL AGREEMENT  
SHIP FUNDS

THIS INTERLOCAL AGREEMENT (the “Agreement”) made and entered into this 27<sup>th</sup> day of April, 2010, by and between Collier County, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners, and the City of Naples, a municipal corporation created and existing under the laws of the State of Florida, acting by and through its City Council.

WITNESSETH:

WHEREAS, Section 420.9072, *Florida Statutes* (the “State Housing Initiatives Partnership Program” or “SHIP”), authorizes monies in the Local Government Housing Trust Fund (the “Fund”) to be distributed to Collier County and eligible municipalities within Collier County pursuant to an interlocal agreement; and

WHEREAS, Collier County is an approved county and the City of Naples is an eligible municipality within Collier County; and

WHEREAS, the parties desire to jointly utilize SHIP allocations pursuant to this Agreement; and

WHEREAS, the parties have determined that SHIP funds can be more efficiently utilized and managed when the parties work cooperatively to address the community’s affordable housing needs.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties agree as follows:

1. The monies in the Fund which are to be distributed to the County as provided in Section 420.9073, *Florida Statutes*, shall be allocated jointly to the County and the City for the purposes identified in the approved Local Housing Assistance Plan.

The City of Naples may distribute a portion of its allocation to housing activities within the Urban Housing Assistance Area as defined in the July 1994 Interlocal Agreement adopted by Collier County and the City of Naples, a copy of which is attached hereto.

2. Unless otherwise extended, this Agreement shall expire on June, 30, 2013.

3. The parties direct that the Florida Housing Finance Corporation distribute and allocate the monies in the Fund in accordance with this Agreement and authorize the Corporation to rely on their stated intent and their authority to execute this Agreement.

4. During the term of this Agreement, both parties agree that they will not do anything to jeopardize the other party's right to receive its allocation from the Fund.

5. The parties understand that the statute requires an incentive plan for providing affordable housing and they agree to cooperate in ensuring that the requirements and spirit of the statute are satisfied.

6. The parties recognize the contributions of the joint City/County Affordable Housing Advisory Committee and agree to appoint members to this Committee. The County's Housing and Human Services Department will be responsible for the overall administration of the programs assisted with SHIP funds and shall receive administration monies from the SHIP allocation. This allocation shall not exceed 10% of the total SHIP allocation in accordance with Section 420.9075 (7), *Florida Statutes*. The County will establish, administer, and audit a Local Housing Assistance Trust Fund in accordance with Ordinance No. 93-19, as amended, and SHIP requirements. In addition, the County will submit the required annual report on behalf of the interlocal entities.

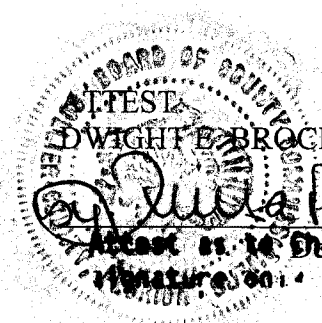
7. During the term of this Agreement, any party may give the other party ninety days written notice that it wishes to renegotiate the terms of this Agreement, to be effective on the first day of the next fiscal year. If the parties fail to reach a new agreement prior to the commencement of the next fiscal year, this Agreement shall terminate and be of no further force or effect, and the funds shall be allocated according to population pursuant to Section 420.9072 and Section 420.9073, *Florida Statutes*.

8. If either party shall cease to be eligible for allocation and distribution, such party's allocation of the funds shall remain in the Fund to be used by the Corporation. Both parties acknowledge the SHIP enabling legislation, the rules

promulgated to implement same, and that the Statute and the rules are incorporated herein as if they were reprinted.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officials.

DATED: April 27, 2010

  
ATTEST:  
DWIGHT E. BROCK, CLERK  
*Dwight E. Brock*  
By: *Dwight E. Brock*  
Dwight E. Brock, Clerk  
Signature

BOARD OF COUNTY COMMISSIONERS  
OF COLLIER COUNTY, FLORIDA

By: *Fred W. Coyle*  
Fred W. Coyle, Chairman

Approved as to form and  
legal sufficiency:

*Colleen M. Greene*  
for Colleen M. Greene  
Assistant County Attorney

DATED: 6-24-10

CITY OF NAPLES, a Municipal  
Corporation

ATTEST:

*Jessica R. Rosenbueg*  
By: Jessica R. Rosenbueg, Deputy, City Clerk

By: *Bill Barnett*  
Bill Barnett, Mayor

Approved as to form and legal  
sufficiency:

*Robert D. Pritt*  
Robert D. Pritt, City Attorney

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COLLIER COUNTY

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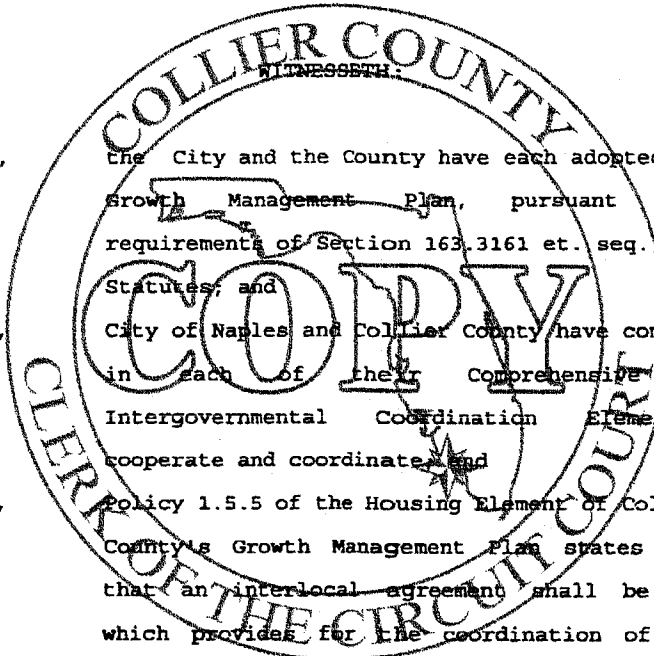
This agreement, made and entered into this 19<sup>th</sup> day of July, 1994, by and between the Board of County Commissioners of Collier County, Florida, hereinafter called the "County", and the Mayor and City Council of the City of Naples, Florida, hereinafter called the "City", is to ensure coordination between the County and the City regarding the development of affordable housing in the urban area.

WITNESSETH:

WHEREAS, the City and the County have each adopted a Growth Management Plan, pursuant to the requirements of Section 163.3161 et. seq. Florida Statutes; and

WHEREAS, City of Naples and Collier County have committed in each of their Comprehensive Plan's Intergovernmental Coordination Elements to cooperate and coordinate and

WHEREAS, Policy 1.5.5 of the Housing Element of Collier County's Growth Management Plan states in part that an interlocal agreement shall be adopted which provides for the coordination of efforts between the jurisdictions to improve and develop housing opportunities for LMI (low, moderate income) residents; and



RETURN TO CLERK  
TO BOARD - 8406



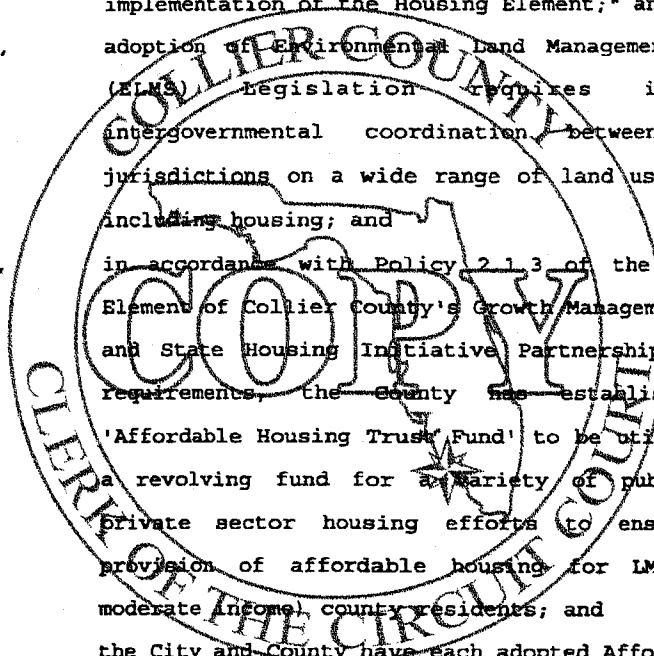
WHEREAS, Policy 2-4 of the Housing Element of the City of Naples' Comprehensive Plan states "coordinate and cooperate with Collier County in seeking sites and funding for low and moderate income housing, mobile home areas and relocation housing;" and

WHEREAS, Objective 5 of the Housing Element of the City of Naples' Comprehensive Plan states "coordinate housing programs with other government jurisdictions and the private sector for the implementation of the Housing Element;" and

WHEREAS, adoption of Environmental Land Management Study (ELMS) legislation requires improved intergovernmental coordination between local jurisdictions on a wide range of land use issues including housing; and

WHEREAS, in accordance with Policy 2.1.3 of the Housing Element of Collier County's Growth Management Plan and State Housing Initiative Partnership (SHIP) requirements, the County has established an 'Affordable Housing Trust Fund' to be utilized as a revolving fund for a variety of public and private sector housing efforts to ensure the provision of affordable housing for LMI (low, moderate income) county residents; and

WHEREAS, the City and County have each adopted Affordable Housing Development Standards; and



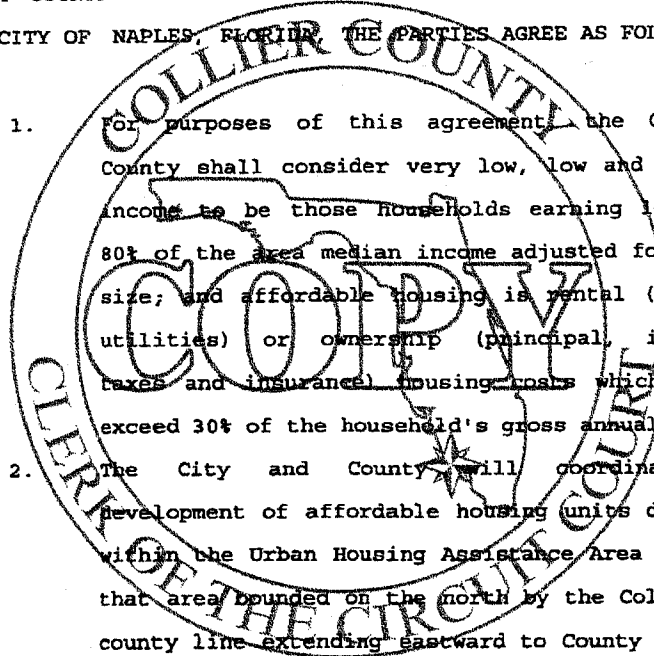
WHEREAS, affordable housing located within the City of Naples and the urban area of Collier County mutually benefits the citizens of both jurisdictions; and

WHEREAS, intergovernmental coordination and cooperation will encourage the development of affordable housing;

NOW, THEREFORE, IN RECOGNITION OF THE APPROVAL GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY AND THE COUNCIL OF THE CITY OF NAPLES, FLORIDA, THE PARTIES AGREE AS FOLLOWS:

SECTION 1. For purposes of this agreement, the City and County shall consider very low, low and moderate income to be those households earning less than 80% of the area median income adjusted for family size; and affordable housing is rental (rent and utilities) or ownership (principal, interest, taxes and insurance) housing costs which do not exceed 30% of the household's gross annual income.

SECTION 2. The City and County will coordinate the development of affordable housing units developed within the Urban Housing Assistance Area which is that area bounded on the north by the Collier-Lee county line extending eastward to County Road 951 and more specifically including the City of Naples and the following Collier County Planning



Communities: North Naples, Central Naples, Golden Gate, East Naples, South Naples, Marco and the Urban Estates as shown in Map Exhibit "A" and;

SECTION 3. The City and County agree to set a joint goal of permitting a minimum of 500 affordable dwelling units for rent or ownership during each calendar year. These units would be those permitted within the area described in Section 2. and Map Exhibit "A"; and would be available to very low, low and moderate income households at a rent or sales price which does not exceed the affordability limits defined in Section 1, and for the purposes of this agreement, permitting shall be defined as the issuance of a building permit.

SECTION 4. City and County staff will provide an annual report to the Board of County Commissioners and City Council by March 31st of each year which will identify the number of affordable rental and ownership units permitted during the preceding calendar year.

SECTION 5. The City of Naples agrees to waive impact fees for all affordable housing projects in the City limits. City parks and recreation, fire, police and general government impact fee ordinances provide for the waiver of impact fees for affordable housing developments. Any future City impact fees shall be waived if so provided by the



impact fee ordinance. The City agrees to waive City administrative planning review fees and building permit fees for projects meeting the affordable housing standards of Section 110-83 of the Code of Ordinances of the City of Naples.

SECTION 6. The County agrees to waive or defer impact fees for affordable housing as provided for in each County impact fee ordinance.

SECTION 7. For the development of affordable housing projects, the County and City agree to utilize alternative funding sources to waive or defer, whenever deemed appropriate, impact fees which are not waived by the adopting impact fee ordinances.

SECTION 8. The County agrees that the County's affordable housing activity administrative expenses, including but not limited to staff salary, travel expenses, paper products, computer equipment and other operational expenses will be funded through the County-wide general fund. The City is currently paying 25.5% of this fund, which shall be considered the City's proportional share contribution.

SECTION 9. The City and County can mutually agree to use other sources of funding for specific projects that are determined to be mutually beneficial.

SECTION 10. Within one year from the date of the adoption of this Interlocal Agreement, the City and County

will have adopted revisions to their respective Housing Elements in their Growth Management Plans. These revisions will direct the City and County to establish additional mechanisms for coordinating housing efforts in the urban area.

SECTION 11. By January 1996, or whenever Collier County is designated an entitlement county by the U.S. Department of Housing and Urban Development, or whichever occurs first, the County will adopt a five-year Comprehensive Housing Affordability Strategy (CHAS) which will be compatible with the City's five-year CHAS.

SECTION 12. The County agrees to encourage projects utilizing density bonuses, in accordance with the Affordable Housing Density Bonus Ordinance No. 90-89, to develop within the urban area which is bounded on the north by the Collier-Lee County line and includes the City of Naples, and the County Planning Communities of North Naples, Central Naples, Golden Gate, East Naples, South Naples, Marco and the Urban Estates as shown in Map Exhibit "A".

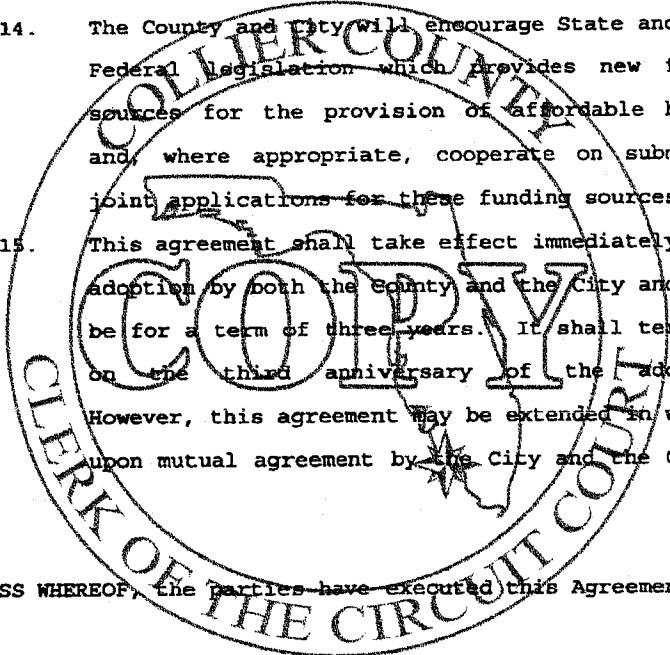
SECTION 13. The County has developed an Affordable Housing Trust Fund as required by the Collier County Comprehensive Plan and the State Housing Initiatives Partnership program. This trust fund

includes, but shall not be limited to, City and County SHIP funds which can be used to: (1)waive or defer County road impact fees and other similar County and City impact fees; (2)financially assist in the cost of the construction of affordable housing, including but not limited to land cost and infrastructure costs; (3)provide first time homebuyer's downpayment and closing costs assistance; or (4)other programs adopted by the Board of County Commission or City Council.

SECTION 14. The County and City will encourage State and Federal legislation which provides new funding sources for the provision of affordable housing and, where appropriate, cooperate on submitting joint applications for these funding sources.

SECTION 15. This agreement shall take effect immediately upon adoption by both the County and the City and shall be for a term of three years. It shall terminate on the third anniversary of the adoption. However, this agreement may be extended in writing upon mutual agreement by the City and the County.

IN WITNESS WHEREOF, the parties have executed this Agreement



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on the date and year first above written.

DATED: July 19, 1994 BOARD OF COUNTY COMMISSIONERS  
ATTEST: COLLIER COUNTY, FLORIDA

DWIGHT E. BROCK, Clerk

By: Ellie [Signature]

BY: [Signature]  
Timothy J. Constantine, Chairman

Approved as to form and  
legal sufficiency

[Signature]  
Heidi F. Ashton  
Assistant County Attorney

DATED: 7/20/94  
ATTEST:

[Signature]  
Janet Cason, City Clerk

CITY OF NAPLES, FLORIDA

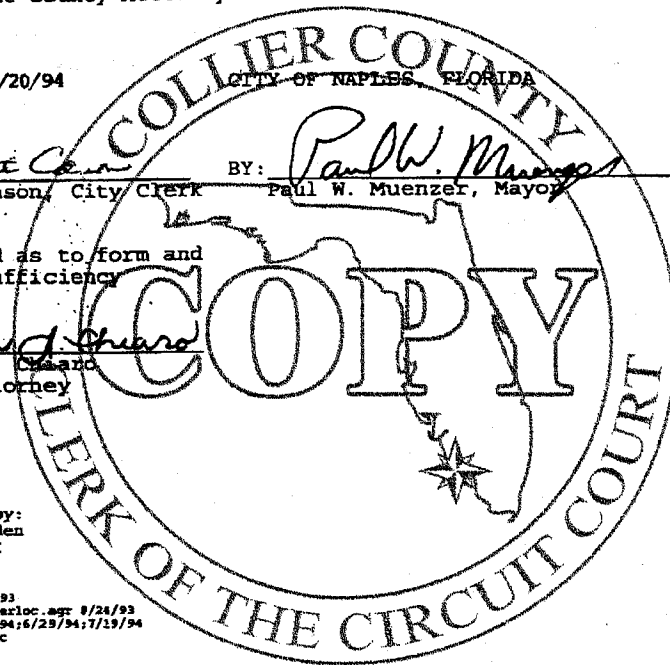
BY: [Signature]  
Paul W. Muenzer, Mayor

Approved as to form and  
legal sufficiency

[Signature]  
Maria J. Cason  
City Attorney

Prepared by:  
Susan Golden  
Planner II

7/26/91  
revised: 2/8/93  
k:\afford\interloc.sgr 8/28/93  
revised: 5/3/94;6/29/94;7/19/94  
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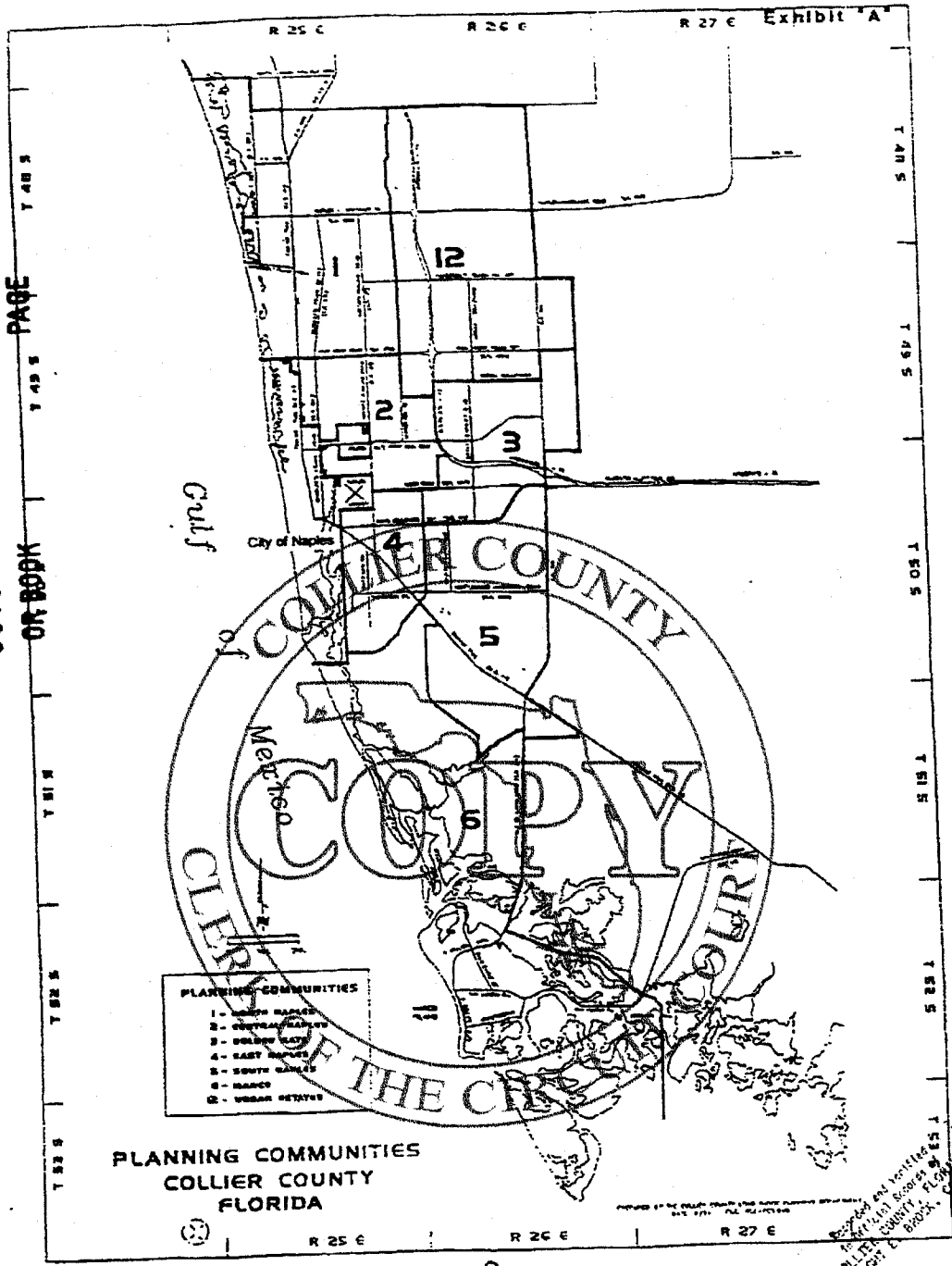


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**PLANNING COMMUNITIES  
COLLIER COUNTY  
FLORIDA**

- PLANNING COMMUNITIES**
- 1 - NORTH BAYVIEW
  - 2 - CENTRAL BAYVIEW
  - 3 - BAYVIEW EAST
  - 4 - EAST BAYVIEW
  - 5 - SOUTH BAYVIEW
  - 6 - HANCOCK
  - 12 - URBAN RETIRED

Approved and verified by  
 the Florida State Board of  
 Collier County, Florida  
 District L Book 1000

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**COLLIER COUNTY  
AND  
CITY of NAPLES**



**STATE HOUSING INITIATIVES PARTNERSHIP (SHIP)  
LOCAL HOUSING ASSISTANCE PLAN (LHAP)**

**FISCAL YEARS COVERED  
2013-14, 2014-15 and 2015-16**

**ADOPTED BY RESOLUTION: 2013-94**

**Housing, Human and Veteran Services  
Public Services Division  
3339 E Tamiami Trail, Suite 211  
Naples, Florida 34112  
[www.colliergov.net](http://www.colliergov.net)**

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**I. PROGRAM DESCRIPTION:**

- A. Name of the participating local government:  
Collier County Board of County Commissioners and  
Interlocal Agreement with: City of Naples

A copy of the Interlocal Agreement is attached as: **Exhibit H.**

- B. Purpose of the program:  
Creation of the Local Housing Assistance Plan (LHAP) is for the purpose of meeting the housing needs of the very low, low and moderate income households, to expand production of and preserve affordable housing, and to further the housing element of the local government comprehensive plan specific to affordable housing.

- C. Fiscal years covered by the Plan:  
2013-14; 2014-15; 2015-16

- D. Governance:  
The County has established their SHIP Program in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37 Florida Administrative Code. The County SHIP Program does further the housing element of the Collier County Comprehensive Plan. Cities and Counties must be in compliance with these applicable statutes and rules.

- E. Local Housing Partnership:  
The County SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

- F. Leveraging:  
The County Local Housing Assistance Plan increases the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs, including local match to obtain federal housing grants or programs.

- G. Public Input:  
The Affordable Housing Advisory Committee public meetings are advertised, open to the public and may be televised; attendees are welcome to speak. Public input is also solicited through the local newspaper when advertising the Notice of Funding



Availability and the County website and Board Agenda when noticing the Local Housing Assistance Plan and Annual Report. Staff additionally request input from housing providers, social service agencies, and local lenders and realtors throughout the year.

H. Advertising and Outreach:

Collier County advertises with a Notice of Funding Availability in the local newspaper of general circulation serving ethnic and diverse neighborhoods and the County website, at least 30 days before the beginning of the application period unless there is no funding available due to a waiting list.

I. Discrimination:

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

J. Support Services and Counseling:

Collier County offers free HUD approved Homebuyer Pre-purchase class instruction to prospective SHIP applicants. The County also offers information and referral services to local support service organization including, but not limited to credit counseling, tenant counseling and transportation.

K. Purchase Price Limits:

The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

- Independent Study (copy attached)  
 U.S. Treasury Department  
 Local HFA Numbers

The purchase price limit for new and existing homes is shown on the **Housing Delivery Goals Charts: Exhibit C**

L. Income Limits, Rent Limits and Affordability:

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by Florida

Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 F.S. However it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

M. Welfare Transition Program:

Should an eligible sponsor be used, the County has developed a qualification system and selection criteria for applications for awards to eligible sponsors, this includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

N. Monitoring and First Right of Refusal:

In the case of rental housing, the County shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored at least annually for 15 years or the term of assistance, whichever is longer, unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

O. Administrative Budget:

A detailed listing of the line-item budget for proposed Administrative Expenditures is attached as Exhibit A. These are presented on an annual basis for each State fiscal year submitted in the LHAP.

Collier County and the City of Naples finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:**

“A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:**

“The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.”

The County and City have adopted the above findings in the attached resolution, **Exhibit E**.

P. Program Administration:

Administration of the local housing assistance plan is the responsibility of Collier County. Should a third party entity or consultant contract for all or part of the administrative or other functions of the program the County will provide in detail the duties, qualification and selection criteria.

Q. Essential Service Personnel:

Counties and eligible municipalities are required to include a definition of Essential Services Personnel as noted in Rule Chapter 67-37.002(8) F.A.C., Chapter 67-37.005(10), F.A.C. and Section 420.9075(3), F.S.

Collier County’s definition of “**Essential Service Personnel**” includes, but is not limited to, teachers and educators, other school district, community college, university employees, police and fire personnel, health care personnel, and skilled building trade personnel.

R. Section 420.9075(3)(d), F.S.:

Innovative design, green building principles, storm resistant construction or other elements that reduce long term costs relating to maintenance, utilities or insurance. Provide a brief description as required:

Collier County Homeownership Education classes provide curriculum on cost cutting measures that homeowners can use to reduce energy consumption. Collier County also encourages the use or inclusion, when appropriate, of the following: energy star appliances; low-E windows; additional insulation (for increased R-value); ceramic tile; tank-less water heater; 14 and 15 SEER air conditioning units; stucco; florescent light bulbs; impact resistant windows and doors.

## II. LHAP HOUSING STRATEGIES:

### A. Purchase Assistance

#### a) Summary of the Strategy:

The Collier County Purchase Assistance Program is designed to assist first-time homebuyers with the purchase of a new or existing single family home or condominium. Funding, which is provided as a second or subordinate mortgage loan, may be used for down payment, closing costs and principal buy-down as needed for affordable home ownership. SHIP funds may be used in conjunction with a first mortgage loan obtained from a participating lender, not-for-profit developer, Florida Housing Finance Corporation's Bond Program or Rural Development.

#### b) State Fiscal Years Covered: 2013-14, 2014-15, 2015-16

#### c) Income Categories to be served:

Applicants assisted must be income certified as very low, low, and moderate income, including persons with special needs as defined in *Florida Administrative Code, 67-37.002 Definitions* (21) Persons Who Have Special Housing Needs.

#### d) Maximum Award:

The maximum award will be 20% of the purchase price, not to exceed \$20,000. In the event that another funding source, such as CDBG or HOME is used in conjunction with SHIP, the total amount of assistance from all sources will not exceed the maximum award as stated herein.

#### e) Terms, Recapture and Default:

Funds are secured with a recorded fifteen (15) year, zero interest, and deferred payment second mortgage loan and note forgiven at the end of the 15 year period if all conditions have been met. The County will take a third position if FHFC funds are used in addition to SHIP or at the discretion of the Department Director. Monthly payments are not required.

Repayment of the loan is required in full when one of the following conditions is met, whichever occurs first:

1. **Sale**; if proceeds are not sufficient to pay off the mortgage note then the homeowner may contact the County regarding a settlement amount of the SHIP loan that is outlined in the County's Policies.
2. **Title transfer**, either voluntarily or by operation of law, divested of title by judicial sale, levy or other proceedings, including foreclosure or Deed in Lieu.
3. **Refinance to access equity**; a refinance of the first mortgage may be

approved without repayment if the request is submitted in writing and the refinance is at a lower fixed rate with no cash out in accordance with the "Refinance Policy".

4. **Home is no longer primary residence, leased or rented.** In the event that all mortgage holders are deceased, the loan will be forgiven.

The County reserves the right to foreclose if the homeowner does not repay the loan as noted above.

The County has determined the following terms and provisions for program income versus recaptured funds:

- a. Program Income is a source of SHIP revenue received from the following sources: bank interest, amortized loan payments and any associated interest and penalties, loan proceeds due to repayment of a loan under the condition of refinancing, sale or transfer of title, property is no longer the client's primary residence.
- b. Recaptured funds is a source of SHIP revenue, received when a SHIP recipient loses his or her house to foreclosure/tax deed sales or the County repays funds that assisted an ineligible client.

All funds are deposited into the Local Housing Trust Fund and reported as Program Income or Recaptured Funds in the State Fiscal Year they are received as appropriate for Annual Reporting purposes.

**f) Recipient Selection Criteria:**

An applicant may submit a completed application for Housing Assistance to the County for a determination of eligibility at any time. Applicants are required to provide all documentation requested for income, eligibility, and qualification determination. Applications are processed on a first received, first qualified (income and lender approved) first served by income category. Funds will be reserved and awarded to applicants that have met all of the County requirements, are SHIP Income Certified and have a mortgage loan approval from a participating Lender.

In the event there are more applications than can be processed due to lack of funding, a waiting list will be maintained. Applications will be sorted by income category; very low, low or moderate. Applicants will be placed on the appropriate income category list in numerical order. As funding becomes available for a specific income category, the applicant with the lowest number within that category will be contacted and processed.

Applicants must attend a county approved Homeowner Education Program and provide a copy of the certificate to the Department. The Certificate must be dated within one year of County application date.

Persons that qualify for SHIP assistance will be required to contractually agree to all SHIP program guidelines, County SHIP mortgage requirements, repayment

provisions, and certify that the unit assisted will be their primary residence.

**g) Sponsor Selection Criteria:** Not Applicable.

**h) Additional Information:**

- i. Units assisted must be within the incorporated or unincorporated area of Collier County.
- ii. Mobile or manufactured homes are not a category of eligible housing for the County at this time.
- iii. Completion of the Homebuyer Education Program is mandatory prior to closing.
- iv. First mortgage must be at a fixed rate; no ARM's, prepayment penalty, negative amortization, balloon loan, owner financing or other non-affordable loan terms are allowed.
- v. Financial Institutions must be approved by the County in order to participate in the SHIP Program.

## **B. Disaster Relief Grant Assistance**

### **a) Summary of the Strategy:**

The Disaster Strategy provides assistance to households following a natural disaster as declared by the President of the United States or Governor of the State of Florida. This strategy will only be implemented in the event of a natural disaster using any funds that have not yet been encumbered or additional disaster funds issued by Florida Housing Finance Corporation. SHIP disaster funds may be used for items such as, but not limited to:

- Tree and debris removal to make individual housing units habitable;
- Interim repairs to avoid further damage to home;
- Emergency supplies to weather proof damaged home;
- Building permits;
- Post disaster assistance with non-insured repairs;
- Expenses to prevent flooding of home such as sand bags, sand, pump rental, etc.; and
- Construction of wells or repair of existing wells where public water is not available

### **b) Fiscal Years Covered:** 2013-14, 2014-15, 2015-16

### **c) Income Categories to be served:** Very low, low and moderate-income households and persons with special needs as defined in Florida Administrative Code, 67-37.002 Definitions (21) Persons Who Have Special Housing Needs.

### **d) Maximum Award:** Specific award information is located in the Housing Delivery Goals Charts at **Exhibit C**.

### **e) Terms, Recapture and Default:**

All SHIP funds provided to eligible households will be in the form of a grant and not subject to recapture. Persons that qualify for SHIP assistance will be required to sign a grant agreement, contractually agreeing to all SHIP program guidelines

Applicants will be required to complete an application and provide documentation to as required for income certification. If authorized by Florida Housing Finance Corporation, the County will utilize the Corporation's DISASTER SELF-CERTIFICATION OF INCOME FORM.

### **f) Recipient Selection Criteria:**

The household assisted must be certified as very low, low or moderate-income and located in Collier County.

Completed applications from affected homeowners will be accepted on a first received, first served basis by income category and processed expediently.

Applicants are required to provide all documentation requested for income and eligibility determination.

The unit assisted must be owner-occupied and homesteaded as the primary residence.

**g) Sponsor Selection Criteria:** Not applicable

**h) Additional Information:**

SHIP funds at all times must be used for eligible applicants and eligible housing.

SHIP disaster funds may not be used for the purchase or rehabilitation of mobile homes unless authorized within the Executive Order.



### III. LHAP INCENTIVE STRATEGIES:

In addition to Strategy A and Strategy B, include all adopted incentives with the policies and procedures used daily for implementation as provided in Section 420.9076, F.S.:

Name of the Strategy: **Expedited Permitting**

Collier County will expedite permits as defined in Sec. 163.3164(7) and (8), F.S. for affordable housing projects to a greater degree than other projects. Affordable housing projects will be identified as those projects assisted with state or federal housing funds.

- a. Provide a description of the procedures used to implement this strategy:

Collier County Board of County Commissioners adopted Resolution No.2007-176 on July 24, 2007, superseding and replacing Resolution 2005-408, amending the procedures for expediting the development review process for qualified affordable-workforce housing including community workforce housing innovation program (CWHIP) projects.

Initially, a qualification meeting is called with the developer and staff to determine if the project meets the affordable housing requirements. Those projects that demonstrate compliance will be issued a certificate to allow the expedited review process for all development orders. Planning and Zoning will provided expedited status by assisting these developments first throughout the process from application through Certificate of Occupancy.

In 2010-2011, Collier County refined the building permit process and performance measures were developed to facilitate the expedited performance and allow the county to closely monitor its performance and adherence to this policy. The current building permit process is 5, 10, 15 days, however single family permits that are using state or federal funding will be moved to the top of the permit process.

Name of the Strategy: **Ongoing Review Process**

Collier County requires all items which have the potential to increase the cost of housing to be prepared and presented to the Collier County Board of County Commissioners with the amount of the increase or decrease mentioned in the executive summary.

- a. Provide a description of the procedures used to implement this strategy:

The process, by which items are prepared for the BCC Agenda includes a vast approval hierarchy to ensure that all proposed actions impacting affordable housing are reviewed on an ongoing basis. Furthermore, the Collier County Affordable Housing Advisory Committee regularly forms subcommittees to review impediments to affordable housing, as well as new affordable housing incentives.

Name of the Strategy: **Increased Density for Affordable Housing**

Collier County allows developers to request increased density when including a certain percentage of affordable housing in the proposed development.

- a. Provide a description of the procedures used to implement this strategy:  
An Affordable Housing Density Bonus Agreement must be submitted and approved by the Collier County Board of County Commissioners as provided for in the Collier County Land Development Code, ss. 2.06.00.

Name of the Strategy: **Inventory of Locally Owned Public Lands Suitable for Affordable Housing.**

- a. Provide a description of the procedures used to implement this strategy:  
Collier County prepares an inventory of all real property owned by Collier County that may be appropriate for use as affordable housing in accordance with Sec. 125.379 F.S. every three years.

Collier County Resolution No. 2007-172, adopted June 26, 2007, permits properties identified as appropriate for use as affordable housing may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

**IV. EXHIBITS:**

- A. Administrative Budget for each fiscal year covered in the Plan. Exhibit A.
- B. Timeline for Encumbrance and Expenditure: *Chapter 67-37.005, F.A.C.* A separate timeline for each fiscal year covered in this plan is attached as Exhibit B. Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year  
Covered in the Plan: Completed HDGC for each fiscal year is attached as Exhibit C.
- D. Certification Page:  
Signed Certification is attached as Exhibit D.
- E. Adopting Resolution:  
Original signed, dated, witnessed or attested adopting resolution is attached as Exhibit E.
- F. Program Information Sheet:  
Completed program information sheet is attached as Exhibit F.
- G. Ordinance: If changed from the original ordinance, a copy is attached as Exhibit G.
- H. Interlocal Agreement:  
A copy of the Interlocal Agreement if applicable is attached as Exhibit H.