

Memorandum



Date: May 17, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 8(K)(5)

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Resolution Approving the State Housing Initiatives Partnership Local Housing Assistance Plan for FY 2016-17, FY 2017-18, and FY 2018-19

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution to: (1) adopt the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) for FY 2016-17, FY 2017-18, and FY 2018-19; (2) authorize the County Mayor or the County Mayor's designee to execute any documents and certifications required by the Florida Housing Finance Corporation (FHFC) as related to the LHAP; and (3) authorize the County Mayor or the County Mayor's designee to do all things necessary and proper to carry out the terms and conditions of said program, as described in the attached LHAP. It is also recommended that the Board adopt the Affordable Housing Advisory Board's 2015 Report and Evaluation. It is noted that SHIP funding will continue to be awarded to for-profit and non-profit entities through a competitive process, and shall be subject to approval by the Board.

SCOPE

The impact of the SHIP LHAP is countywide.

FISCAL IMPACT/FUNDING SOURCE

This item will not have a negative fiscal impact on the County's General Fund. Approval of the three-year SHIP LHAP will not require additional resources, as it sets the strategies that the County will follow to allocate SHIP funds in FY 2016-17 through FY 2018-19.

The program's administrative costs are covered by SHIP funds, as allowed under the administrative cap requirement. These required administrative costs are included as part of the adopted budget for the Public Housing and Community Development Department (Department) and may not exceed 10 percent of the local housing distribution, plus five (5) percent of program income deposited into the trust fund, as per Resolution No. R-517-95 adopted by the Board on April 18, 1995.

TRACK RECORD/MONITORING

This program will continue to be operated by the County under the purview of Michael Liu, Department Director.

BACKGROUND

The SHIP program provides housing opportunities for very low-, low-, and moderate-income persons by encouraging the construction, rehabilitation, and purchase of affordable housing units. More specifically, the SHIP program provides funding to defray costs of land acquisition, site development, new construction, rehabilitation, and/or other costs associated with the development of single-family homeownership and affordable rental housing units. The SHIP program provides construction loans to developers, which have been awarded through a competitive Request for Application process and approved by the Board. In addition, SHIP funds provide soft second and third mortgages to homebuyers

and rehabilitation loans to homeowners, and also provides project-based rental subsidies to assist families with housing.

The Board approved the current SHIP LHAP on July 2, 2013 through Resolution No. R-522-13 and an amendment on October 21, 2014 through Resolution No. R-948-14. The current SHIP LHAP covers FY 2013-14, FY 2014-15, and FY 2015-16, in accordance with Florida Statute 420.9072(2)(b)2, which requires a Board approved resolution as part of the LHAP initial submission, as well as any subsequent amendments. Additionally, pursuant to the State of Florida rules, the initial plan and any amendments to the plan must be submitted to the State for approval prior to implementation. This plan must be submitted to the State by May 2, 2016 to meet the beginning of the State's fiscal year, which begins on July 1, 2016.

The LHAP does not incorporate new strategies or activities. It incorporates the recommendations of the Affordable Housing Advisory Board's 2015 Report and Evaluation, included as Attachment C. This report was provided to the Board of County Commissioners Members on February 2, 2016 and requires Board approval. The change to the proposed SHIP LHAP pertains to a description of how the County will establish and process its waiting list. The description below is included in Program Details, Section I:

A. Waiting List/Priorities:

A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status. Applicants will be maintained in an order that is consistent with the time applications were submitted as well as any established funding priorities as described in this plan.

Priorities for funding described here apply to all strategies unless otherwise stated in the strategy:

All applications are submitted by homeowners to the Community Action and Human Services Department (CAHSD) and placed on a waiting list on a first-come, first-served basis. When funds become available applicants are selected from the top of the waiting list. The waiting list is maintained by date of the applicant expressing interest in the program. Each time a group of applications are selected from the waiting list, processing priority will be given to elderly and disabled applicants.

On March 10, 2016, the Affordable Housing Advisory Board reviewed and approved, by a unanimous vote, the SHIP LHAP for FY 2016-17, FY 2017-18, and FY 2018-19.

Attachments



Russell Benford
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 17, 2016

FROM: Abigail Price-Williams
County Attorney

A handwritten signature in black ink, appearing to read "Abigail Price-Williams", is written over the printed name of the County Attorney.

SUBJECT: Agenda Item No. 8(K)(5)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(K)(5)
5-17-16

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN 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 COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; APPROVING THE AFFORDABLE HOUSING ADVISORY BOARD FISCAL YEAR 2015 REPORT AND EVALUATION; 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 State Housing Initiatives Partnership (SHIP) Act, sections 420.907-420.9079, Florida Statutes ("SHIP Act"), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year Local Housing Assistance Plan (LHAP) outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; 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; and

WHEREAS, the methodology used to establish the average area purchase prices and the purchase prices used are set forth in Section L of the LHAP and in Resolution No. 1324-08, which is attached hereto as Exhibit H; and

WHEREAS, as required by section 420.9075, Florida Statutes, it is found that five percent of the local housing distribution plus five percent of program income is insufficient to adequately pay the necessary costs of administering the LHAP; and

WHEREAS, the cost of administering the program may not exceed ten percent of the local housing distribution, plus five percent 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 \$350,000.00 may use up to ten percent of program income for administrative costs; and

WHEREAS, the Public Housing and Community Development Department has prepared a three-year LHAP for submission to the Florida Housing Finance Corporation; and

WHEREAS, the Affordable Housing Advisory Board Fiscal Year 2015 Report and Evaluation, was provided to Board Members on February 2, 2016 and requires Board approval; and

WHEREAS, this Board finds that it is in the best interest of the public for the Miami-Dade County to submit the 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 MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board hereby approves the Local Housing Assistance Plan, as attached hereto as Attachment A and incorporated herein by reference, for submission to the Florida Housing Finance Corporation as required by sections 420.907-420-9079, Florida Statutes, for Fiscal Years 2016-17, 2017-18, and 2018-19 and the Affordable Housing Advisory Board Fiscal Year 2015 Report and Evaluation, as attached.

Section 2. The County Mayor or the County Mayor's designee, is hereby directed and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dennis C. Moss
Sen. Javier D. Souto
Juan C. Zapata

Daniella Levine Cava
Audrey M. Edmonson
Barbara J. Jordan
Rebeca Sosa
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of May, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Shannon D. Summerset-Williams

MIAMI-DADE COUNTY PUBLIC HOUSING AND COMMUNITY DEVELOPMENT



AFFORDABLE HOUSING, HOMEOWNERSHIP AND REHABILITATION PROGRAM GUIDELINES



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INTRODUCTION

Miami-Dade County through Public Housing and Community Development (PHCD) implements a wide range of housing programs designed to enhance housing opportunities for low- and moderate-income individuals and families who are legal residents of Miami-Dade County (County). Pursuant to these Affordable Housing, Homeownership and Rehabilitation Program Guidelines (AHHRPG), assistance may be provided to developers, community development corporations, individuals and families through an array of programs encompassing acquisition, construction, rehabilitation, reconstruction, and permanent financing (in the form of mortgage assistance, including soft subordinate mortgages). Homeownership counseling is a component of all the homeownership programs. The following is a list of programs offered:

HOMEOWNERSHIP MORTGAGE ASSISTANCE

The homeownership mortgage assistance component provides funds to very-low, low- and moderate-income individuals and families to acquire newly-constructed or existing housing units.

Housing Rehabilitation

The housing rehabilitation program provides for expansion and upgrades to owner-occupied single family homes. These improvements are primarily geared to addressing health and safety issues, code violations which include roof repairs, plumbing and electrical as well as associated repairs and exterior painting. (See Single Family Rehabilitation Guidelines on page 19 for more details).

Housing Development

The housing development component provides funding to developers, as available, to defray the costs of new construction, rehabilitation and/or other costs associated with the development of single-family and multi-family housing. This component is intended to increase housing opportunities for persons by encouraging the creation and rehabilitation of affordable housing units.

Homebuyer Education and Counseling

The homebuyer education and counseling component provides education and counseling to individuals regarding purchasing and financing of single-family affordable housing units. The homebuyer counseling agencies are required to cover a variety of topics which include fair housing practices, credit counseling, budget and money management, financial literacy, proximity of schools, employment and transportation, home maintenance, the mortgage approval and post-closing process, selecting a neighborhood, locating a home, negotiating a purchase price, and finding appropriate financing. In accordance with Miami-Dade County Resolution No. R-1008-14, homebuyer counseling agencies shall cover additional topics, including the legal significance of buying a home using a purchase and sale agreement containing an "AS IS" clause, homebuyers' right to select their own title agent, and homebuyers' right to have the property inspected by an inspector of their choice. This resolution also requires frequent and random monitoring of these classes by Miami-Dade County to ensure that these new topics, as well as the previously required topics, are being taught. Applicants, spouse, and a third applicant, if applicable, must attend a counseling course from a U.S. Department of Housing and Urban Development (HUD) approved agency and provide proof of attendance in the form of a certificate.

Disaster Relief Assistance

The disaster relief assistance provides emergency disaster relief to homeowners whose locality has been impacted by a major man-made or natural disaster. Individuals in areas which have been declared/designated disaster areas by the federal, state and/or local government can be eligible to receive funding for rehabilitation or reconstruction of their homes. To be eligible for Disaster Relief Initiative (DRI) funding a person must be the homeowner and occupy the home, which is defined as the primary owned homestead and occupied dwelling of a single family. Rehabilitation or reconstruction costs will be limited to the real estate structure only. Funds can be provided for a first and/or subordinate mortgage to the homeowner based on the terms and conditions outlined in the Miami-Dade County AHHRPG. This assistance is provided as gap

assistance for any damage that insurance or Federal Emergency Management Agency (FEMA) does not cover.

Note: Eligible homeowners will be required to execute a restrictive covenant and in some cases a third party agreement.

Jumpstart Assistance

The Jumpstart assistance provides funding to assist disaster-affected homeowners, make a down payment on a new home, repair their current disaster-affected home or obtain a mortgage while awaiting a potential buyout from FEMA.

Down payment assistance to purchase a new home can be obtained in the form of a subordinate mortgage subsidy awarded on the current program guidelines to applicants who are able to qualify for a first mortgage amount. First mortgage assistance can be provided as an exception on a case by case basis.

FIRST TIME HOMEBUYERS

Eligible applicants are single individuals or two or more persons related by blood, marriage, adoption, guardianship or domestic partnership; and may include one or more individuals (under the age of 18) being domiciled with a parent or another person having legal custody of such individual. Where not restricted by federal, state or other funding regulations, designee of such parent or the person having such custody, with the written permission of such parent or other persons who occupied the same unit, may also be considered.

Note: Applicants must be residents of Miami-Dade County at the time of application, with the exception of the NSP Program.

With the exception of the Neighborhood Stabilization Program (NSP) and Havana Palms buyers*, the eligible household must be a first-time homebuyer. A first-time homebuyer is an individual who meets any of the following criteria:

- An individual or spouse who has had no ownership in a principal residence during the three year period ending on the date of purchase of the property (if either person meets the above test, they are considered first-time homebuyers).
- A single parent who has owned with a former spouse while married.
- An individual who has owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations.
- An individual who has owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.
- Program participation will be limited to a one time only occurrence per family.

Note: Family as defined at §570.3(m), means all persons living in the same household who are related by birth, marriage, or adoption. When such persons occupy the same housing unit they are considered as members of the family. Their incomes are to be aggregated for calculating family income.

- Miami-Dade County Resolution R-450-13 will also be utilized in this section of these guidelines to determine eligible applicants.

Initial Interview Process

The first step towards receiving assistance is the initial interview. The applicant must bring all documents requested including the signed sales contract, to the interview for review to determine eligibility for the subsidy. During the interview process, the applicant will be required to sign all disclosure forms for the program and will be given a predetermination eligibility letter which they will take to the first mortgage lender within 30 days.

The homeownership specialist schedules an interview with the applicant when the initial loan/lender package is received. Following the initial interview, updated documents may be

requested from the applicant, (bank statements, pay – stubs, credit reports etc.). When the first mortgage lender has approved the file, the lender must submit to PHCD the documents below via regular mail or courier; the documents cannot be submitted by applicant. The underwriting process must be completed before the commitment of funds.

Note: It is anticipated that secured electronic transmission of loan packages will be accepted in the near future. The Department does not have the email capacity to accept electronic loan packages at this time.

The loan package should consist of:

- a. Form 1003 - uniform residential loan application (signed and dated)
- b. Form 1008 - transmittal summary (signed)
- c. Escrow letter and proof of deposit
- d. Bank commitment letter
- e. Truth in lending
- f. Good faith estimate
- g. Appraisal
- h. Current credit report
- i. Single Family Residence – Insurance Quotes and Condo – Monthly (HOA)
- j. Soil Treatment Certificate and Certificate of Occupancy (For new properties)

When the file is approved by PHCD, a firm commitment letter will be issued to the homebuyer who will be required to sign and return the commitment letter to PHCD to initiate the request for funding.

Process for Closing:

A final settlement/statement (HUD-1) must be submitted to PHCD prior to closing for review and approval to enable funds to be requested and ensure that there are no excessive fees being charged to the applicant. Mortgage broker and/or developer fees are not allowed. See Attachment IV for a list of the allowable fees that can be charged to the applicant at closing.

Miami-Dade County requires a minimum of seven working days to process and disburse requested funds. Funds are payable and directed to the closing agents/title companies only. All closing agents/title companies MUST be approved by Miami-Dade County.

PHCD will review reasonableness of fees imposed by closing agents/title companies or fees of a third party before closing.

PHCD reserves the right to investigate and discuss the fees with the applicant, which may result in delaying the closing.

Closing agents/title companies who charge unreasonable fees are subject to removal from the approved list of approved closing agents/title companies.

Developers may be required to provide evidence of project approval from Fannie Mae and Federal Housing Administration (FHA) for condominiums. Project approval from Fannie Mae and/or FHA is required to accept subsidy financing.

ELIGIBILITY REQUIREMENTS

Occupancy Requirement/Ownership

The applicant must use the property as the primary residence which will be reflected by a deed restriction or a restrictive covenant and will be stated in the loan documents. Ownership must be in fee simple title. In cases of a 99-year leasehold interest, the remaining lease term must equal the term of the loan.

Ineligible Applicants

An applicant who is delinquent on a Federal debt or debt related to Miami-Dade County may become

eligible once the borrower brings the account current or enters into a satisfactory repayment plan with the respective federal agency.

- **ELIGIBILITY VERIFICATION (Surtax, HOME/CDBG, SHIP and NSP).**

Household occupants shall be verified by using any one or more of the following items:

- Birth certificates and Social Security cards on all household occupants (no birth cards).
- School records which give dependents' residing address.
- Court-ordered letters of guardianship/adoption.
- Copy of divorce decree and property settlement agreement.
- Children who live with parent for 50 percent of the year should be included among the members in a household (joint custody).
- In cases where the applicant claims to be separated from the spouse, the applicant must provide the following additional documentation for the spouse who will not occupy the property (IRS tax return; driver's license; voter's registration card; legal separation agreement; utility bills).
- A third party verification or regular cash contribution letter must be submitted for non-court ordered child support.
- A letter from the Department of Revenue/Child Support Enforcement office is required. The full amount of court ordered child support must be included in household income whether or not it is regularly received by the household. SHIP stipulation will apply.

Immigration Status

Applicants for any of the programs and/or activities mentioned herein are subject to immigration regulations and eligibility as determined by the United States Department of Housing and Urban Development (USHUD) and/or Miami-Dade County regulations. Benefits may be prorated based on the income of legal residents in a household.

For Documentary Stamp Surtax (Surtax) loans, proof of US permanent resident status or US Citizenship, and/or other related documentation (including special status such as Nicaragua Adjustment and Central American Release Act (NACARA Section 203), Cuban Adjustment Act and political asylum) must be current as of the date of application for assistance from the County.

For NSP, HOME, CDBG and SHIP, the applicants must be permanent residents of the United States or U.S. Citizens.

INCOME SECTION

Income Qualification

For subsidy purposes, annual income is the gross amount of income anticipated to be received by all adults in a family during the twelve (12) months following the effective date of the income determination.

When calculating income, note that SHIP, NSP, and HOME/CDBG funding require that the anticipated income be based on present income plus any income to be received in the next 12 months. Once the income certification is completed by PHCD staff, and executed by the SHIP administrator or designee, an award letter/commitment letter is issued. The commitment letter is valid for six months. Surtax allows for income averaging for the past two years for applicants who are self-employed earn commission, tips, bonuses, and overtime.

Florida property laws do not legally recognize separation as it relates to property ownership. Consequently, when an applicant is legally married but does not currently reside with the spouse, the spouse must sign the mortgage and the subsidy recapture provision, and his/her income must be counted as part of the annual household income. Florida property laws apply in cases of temporary separation, for example, when a spouse does not live in the house due to military service, attendance in college, offshore work, or other instances where a family member is temporarily residing in another location.

In some situations however, it seems clear that the applicant has no plan to reunite with the estranged spouse and the separation is permanent. The flexible nature of these programs is intended for local governments to determine the appropriate use of funds while 1) ensuring accountability, 2) to make a decision about a permanent separation 3) and to obtain as many details as possible to document the subsidy recipient. In cases of permanent separation where the applicant and the estranged spouse maintain separate residences and file separate tax returns the applicant must provide proof of separation by providing copies of the estranged spouse's IRS tax returns, driver's license, utility bills, etc. The estranged spouse does not need to be counted in the household size and his/her income should not be included in household income.

Qualifying Using Section 8 Voucher

If an applicant is purchasing using a Section 8 Housing Choice voucher, the Housing Assistance Payment (HAP) may not be added to the applicant's annual income to determine the maximum first mortgage amount, or the HAP may be deducted from the principal and interest of the first and/or subordinate mortgage, whichever provides the greatest benefit to the homebuyer. The HAP is the difference between the voucher amount and the applicant's portion of the rent.

Please note that this amount is subject to change, because it will be based on the property to be purchased. The revised amount must be approved and authorized by the Contract Administration Division. Consequently, it is recommended that all clients obtain lender pre-approval prior to contract execution.

Income Recertification

Annual income recertification is required of all homebuyers who purchase property using the Section 8 Housing Choice voucher.

INCOME RANGE OF APPLICANTS TO BE SERVED

The applicant's total household income may range from very-low to moderate-income depending on the funding source being invested in the property. Applicant's total household income must meet the income criteria at the time the applicant applies for mortgage assistance. (See Attachment I for current income limits).

A qualifying household income must meet the guidelines of the more stringent subsidy program being used by the applicant. Income must also be calculated based on the information provided in the Verification of Employment form. Income calculated for subsidy purposes may differ from income used for credit purposes by the lender.

	<u>FUNDING SOURCE</u>			
	Surtax	HOME/CDBG	SHIP	NSP
Maximum applicant income limits as a percentage of the area median income ("AMI")	140%	80%	120%	Min - Max 51% - 120%

Note: Funding source income limits may be further restricted by program guidelines.

INCOME VERIFICATION

Applicant's income will be verified using one or more of the following documents:

- Last two (2) pay stubs from employer and past two (2) years of complete tax returns (all schedules)
- Tax returns must be signed by the applicant(s)

- If self-employed, past two (2) years of tax returns will be required, and a current profit or loss statement
 - Verification of employment, (Federal National Mortgage Association (FNMA) form or third party form included in these guidelines are acceptable, provided that the form is filled out completely)
 - Other sources of income that can be readily verified (i.e., social security, pension retirement, and child support)
 - Social Security income may be subject to federal restrictions, which may limit its use
 - Interest, dividends, and other net income
 - Any other form of verification as required by funding
 - Cash contribution letter for non-court ordered child support
 - A letter from the Child Support Enforcement Division whether child support is being received or not.
- In addition to Federal income Tax returns, the number of household occupants shall be verified using one (1) of the following items:

- Birth certificates and Social Security cards on all household occupants (no birth cards).*
- School records which give the parents' name and address.
- Court-ordered letters of guardianship/adoption.
- Copy of final divorce decree and property settlement agreement.

**Note: If a dependent is listed on the tax return, then copies of birth certificates can be sufficient. However, if a copy of the birth certificate is in the file and the dependent is not listed on the tax return, we may request copies of school records to verify that the individual resides on the property.*

Income Inclusions and Exclusions for Eligibility Purposes for
Subsidy/HOME/SHIP/CDBG/NSP

Annual Income Inclusions	Annual Income Exclusions
Annual Income Inclusions defined under USHUD 24 C.F.R. Section 5.609(b) are listed as follows:	The most common types of excluded annual income include:
<ul style="list-style-type: none"> • The gross amount (before any payroll deductions) of wages, salaries, overtime pay, commissions, fees, tips and bonuses, and any other compensation for personal services received by all eligible household members; • the net income from the operation of a business or profession; • Interest, dividends, and other net income of any kind from real or personal property; • the full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits; • payment in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay; • welfare or other need-based payments to families or individuals that are made under programs funded separately, or jointly by federal, state or local governments; • periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling; • all regular pay, special pay and allowances of a member of the Armed Forces; and • SSI income may be subject to federal restrictions 	<ul style="list-style-type: none"> • Income from employment of children (including foster children) under the age of eighteen (18) years; • payments received for the care of foster children or adults; • lump-sum additions to family assets, such as inheritances, insurance payments; • reimbursement for the cost of medical expenses for any family member; • Income of a live-in aid; • the full amount of student financial assistance paid directly to the student or to the educational institution; • the special pay to a family member serving in the Armed Forces who is exposed to hostile fire; • Income from training programs funded by HUD; • temporary, nonrecurring or sporadic income (including gifts); • reparation payments paid by a foreign government to persons who were persecuted during the Nazi era; • Income from earnings in excess of \$480 for each full-time student eighteen (18) years or older (excluding the head of household and spouse); • adoption assistance payments in excess of \$480

<p>which may limit its use.</p> <p><i>Note:</i> Surtax allows for Income averaging for the past two years for applicants that are self-employed, or earn commission, tips, bonuses, and overtime.</p>	<p>per adopted child;</p> <ul style="list-style-type: none"> deferred payments received in a lump sum; refunds or rebates for property taxes paid on the dwelling unit; or <p>services and equipment needed to keep a developmentally disabled family member at home</p>
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Income Inclusions for Credit Purposes

CREDIT DOCUMENTATION		
Surtax	HOME/CDBG	SHIP/NSP
Two (2) most recent Paystubs containing YTD Information; if unsatisfactory or unable to provide will require Verification Of Employment (valid for (3) three months)	Verification of employment (valid for (90) ninety days).	Verification of employment (valid for 90 days from the date received. If the Information is orally updated by the source, the VOE will remain in effect for an additional 30 days). Third Party Verification of Employment is required by SHIP, (attachment III)
Tax returns and W-2 for the previous two (2) years or IRS Form 1722 (which gives the applicant's income and filing status may be requested). Returns must be signed & dated by applicant.	Same as Surtax.	Same as Surtax.
If self-employed year-to-date, profit and loss statement as of the date of application.	Same as Surtax.	Same as Surtax.
Six (6) months of bank statements or bank's computer printout reflecting a balance for each month.	Same as Surtax.	Same as Surtax.
Tri-merged credit report (valid for 3 months)	Same as Surtax.	Same as Surtax.
Verification of Assets - Retirement Account	Same as Surtax.	Same as Surtax.

Homeownership Loan Ratios

Minimum front end ratios may be lower at the discretion of Miami-Dade County.

Loans to applicants allow for the following ratios:			
Funding Source:	Surtax	HOME/CDBG	NSP/SHIP
Minimum Monthly Housing Debt	29 - 35 %	29 - 35 %	29 - 35 %
Maximum Total Debt-to-income	45%	45%	45%

INCLUDING OUTSTANDING CREDIT OBLIGATIONS

LOAN PROCESSING FOR MORTGAGE ASSISTANCE

Lenders, developers, and realtors must perform a pre-screening of their applicants to ensure that they have documentation required by the program before making an appointment to meet with a homeownership specialist. The lender, developer, and realtor will provide the checklist of documents to

their applicants (see Attachment II). After the lender, developer, and realtor has pre-screened the applicant, he/she will instruct the applicant to contact PHCD to set an appointment for an interview with the homeownership specialist assigned to the case. The lender will be advised of the homeownership specialist assigned to the case.

NOTE: Due to the limited availability of funds, all funds will be made available for interested applicants on a first-come first-serve basis. However, an applicant must meet all program requirements to close.

Property Standards

Detached single-family units, condominium units, approved manufactured homes, studios, twin homes (must evidence a Declaration of Condominium documents recorded in the Public Records disclosing separate folio numbers), and town homes are eligible properties. Properties with swimming pool are acceptable on a case-by-case basis except for HOME, SHIP & CDBG funding. For HOME/CDBG loans only, ineligible properties are those properties leased to a tenant which would trigger a relocation of that tenant.

NSP properties must be owned by a lender or investor (e.g. FNMA Freddie Mac). Properties must be located in a priority area and documented in the loan file. The program does not require applicants be first time home buyers. NSP Spot Loans not acquired through GSA must meet the 100% appraised value stipulation. All NSP compliance documents should be completed and executed as warranted.

Condominium Conversions and Time Share properties are not eligible for Homeownership Assistance.

Purchase Price

The maximum purchase price for the Affordable Housing Program is \$205,000. At a minimum, the property must be appraised for the contracted purchase price, however, if the appraised value is less than the purchase price, PHCD will not provide subsidy financing above the appraised value.

Note: For maximum subordinate mortgage amounts for low to moderate-income individuals and families, income and mortgage limits. (See attachment I)

Credit Requirements

PHCD housing programs do not have a minimum credit score requirement or threshold; the Department however reserves the right to ask for explanations of any derogatory or negative items contained in the credit report. In situations whereby a collection appears on the credit report, whether or not those collections require repayment prior to the loan closing is left to the discretion of PHCD. All collection items related to a County Program or, including a County medical collection, must be paid prior to closing.

Non-Applying Spouse

Non-applicant spouse can have an ownership interest in the property at the time of settlement without executing the promissory note.

The credit history of the non-applicant spouse is not considered as a reason to deny a loan application. However, the non-applicant spouse's income will be used to determine the appropriate subsidy.

DOWN PAYMENT / CLOSING COSTS

Down payment requirements are as follows:

- Minimum down payment requirement of three percent (3%) and a minimum of one percent (1%) must be from the applicant's own funds.

- Down payment required by US HUD for Section 8 Homeownership Program is three percent (3%) of the purchase price, of which one percent (1%) of the purchase price must be from the applicant's own funds.
- Minimum down payment for the Infill Housing Initiative is one percent (1%) of the purchase price from the applicant's own funds.

The combined loan-to-value ratio "CLTV" of all mortgages including closing cost assistance shall not exceed one hundred-five percent (105%) of the purchase price. All developers and community development corporations (CDCs) awarded funding are required to pay the following closing costs for the applicants:

- Abstracting costs
- Owner's and lender's title insurance
- Cost of boundary survey
- Documentary stamps on the warranty deed

Note: In addition, developers and CDCs shall also pay any agreed to additional costs.

GIFTS

An applicant can satisfy part of the cash requirement for closing with funds received as cash gifts from relatives, or cash savings clubs. For underwriting purposes, a relative is defined as a spouse, parent, stepparent, legal guardian, grandparent, brother, sister, or child. In general, before using funds from gifts, an applicant needs to use his or her own funds to make a down payment toward the sales price of a property.

To verify a gift, the applicant must obtain a signed letter from the donor that includes:

- Specific dollar amount of the gift and date the funds were deposited/transferred to the Borrower's bank account;
- Donor's name, address, telephone number, and relationship to the applicant; and
- Statement from the donor saying that no repayment is expected.

In cases where the gift funds have already been transferred, staff must verify that sufficient funds to cover the gift have been transferred from the donor's account to the applicant's account or that the donor's account has adequate funds to cover the amount of the gift.

ASSET LIMITATIONS

Any excess liquid assets over \$10,000 (*excluding pensions, annuities, 401K, etc.*) must be used for a higher down payment up to five percent or to cover closing costs. This asset limitation does not apply to retired persons over the age of 62 or permanently disabled persons.

For HOME/CDBG and SHIP only, applicants who have assets in excess of \$5,000 must include in the income calculation the greater of (I) the actual income earned on those assets, or (II) the income calculated using the current LIBOR rate as set by HUD.

FIRST MORTGAGE FINANCING

All first mortgage loans approved under this program must have a fixed interest rate. Miami-Dade County will not approve subordinate mortgage financing for loans whose first mortgage is a balloon payment, has an adjustable rate, carries an unusually high interest rate, or includes prepayment penalties.

The lender must use the tax estimator from the Miami-Dade County Property Appraiser website to estimate the taxes and calculate the insurance at 2% of the purchase price if a quote cannot be obtained prior to submitting the loan package.

Note: Developer buy downs are permitted as long as the buy down is not recorded as a lien against the property, and there is a restrictive covenant that has been reviewed and approved by the county.

Monthly Payments to PHCD Assistance

The monthly payments for SHIP/Surtax/NSP loans will be as follows:

Income Level	Interest *Rate*	Years 1 to 5	Years 6 to 30
Low Income	0-3%	\$100 monthly payment This is applied towards principal.	Fully amortized remaining balance amortized over the 25 years at note rate, as applicable.
Moderate Income	4-6%	\$100 monthly payment This is applied towards principal.	Fully amortized remaining balance amortized over the 25 years at note rate, as applicable

HOME/CDBG - Loans are deferred mortgages; No payments are required.

Note: Low income subsidy amounts range from an average of \$50k to \$80k. PHCD reserves the right to restructure the payments:

*Interest rate will be determined on a case-by-case basis.

Options

1. \$100.00 for the first five years. The remaining balance to be amortized for remaining 25 years, at the applied interest rate.
2. Fully amortized for the entire loan.

A calculation example is provided below:

OPTION #1	OPTION #2
Moderate Income Family \$50,000 loan @ 4% Years 1-5 Payment \$100.00 per month Years 6-30 Balance* \$44,000.00 New payment \$232.25	Years 1-30 Balance \$50,000 loan @ 4% New Payment \$238.71

The option of a fully amortized subordinate mortgage is available.

Inspection

Participants in Miami-Dade County's Second Mortgage Loan Program for first-time homebuyers are required to obtain an inspection by a qualified home inspector of the home they intend to purchase in accordance with Miami-Dade County Resolution No. R-1008-14. A qualified home inspector is one who has a valid home inspection license issued by the State of Florida through the home inspection services licensing program. Prior to commencing a home inspection, the home inspector shall provide a copy of their license to practice home inspection services in the state of Florida to the homebuyer. The home inspection is intended to prevent hardships on

homebuyers and can be useful in preventing homebuyers from purchasing homes with structural or other building problems. The breadth of the home inspection shall be sufficient to alert homebuyers of significant defects in the home, including structural problems, and identify whether the home is in compliance with the Miami-Dade County Building Code. The Department has the discretion to deny a homebuyer loan on a particular property based upon substantial negative findings in the home inspection upon a determination that denying a loan is in the best interest of the County. The payment of said inspection can be from the homebuyer in cash or using the funds loaned to the homebuyer from the County. If the property does not pass inspection and the homebuyer does not close on that property, PHCD will reimburse the homebuyer for the cost of the inspection.

A Hold Harmless Affidavit will also be required to be signed by the applicant(s) at time of application that states the County is not responsible for code violations, liens, open permits, or illegal structures. Sellers are required to disclose code violations, illegal structures or additions. Miami-Dade County will not award subsidy financing if any of these conditions exists.

Housing Quality Standards (HQS) inspection will also be required and will be conducted by PHCD staff and the cost will be absorbed by the Department. Additionally, inspections of the roof, septic tank and for termites shall be performed by a State of Florida licensed inspector specializing in each of these areas. These three inspections shall be paid for by the homebuyer regardless of the outcome of the inspection and are valid for 30 days from the date of the inspection.

If the property was constructed prior to 1978, a lead based paint inspection will be required by an Environmental Protection Agency (EPA) Certified Inspector, EPA Certified Risk Assessor and/or EPA Certified Firm prior to closing and is to be paid for by the homebuyer. The report must show a negative outcome for lead based paint. Where lead based paint is uncovered, abatement must be completed prior to closing. All construction projects must obtain a certificate of occupancy, a loan closing will not take place with a temporary certificate of occupancy.

All federal funded loans (HOME, CDBG and NSP) also require an Environmental Review Clearance which will be conducted by PHCD staff.

FOR HOME FUNDED PROGRAMS ONLY

Homebuyer Resale Provision. Resale provisions are applicable if the housing is assisted with HOME funds and the assisted housing does not continue to be the principal residence of the family for the duration of the period of affordability. PHCD requires the assisted housing is made available for a subsequent purchase only to a buyer whose family qualifies as a low-income family and will use the property as its principal residence.

Homebuyer Repayment. PHCD will provide zero percent (0%) interest deferred payment, (_____ lien position) mortgage loan in an amount of up to \$_____ until the first to occur of the following events: (1) Home Buyer sells, transfers or deposes of the assisted unit (either by sale, transfer, bankruptcy or foreclosure, etc.), (2) the Home Buyer no longer occupies the unit as their principal residence, (3) the Home Buyer dies, or if a married couple, survivor dies or (4) the affordability period for this loan ends.

Loan Servicing

All homeownership loans will be serviced by PHCD Loan Servicing Unit or a Miami-Dade County approved private firm specializing in mortgage loan servicing. All costs associated with the servicing of homeownership loans shall be paid out of the loan program operating budget. The minimum payment and any other payments required herein can be waived by PHCD for up to one (1) year in hardship situations.

All homes purchased using financing must be used and occupied as the family's primary residence. The property may not be rented, leased, or otherwise used as an income or investment property at any time that the loan remains in effect. If at any time it is discovered that the property has been rented or leased, the County may accelerate the remaining balance due on the loan and demand immediate payment in full.

If the family sells, transfers, rents or vacates the property, the balance of the mortgage loan, including accrued interest, will be due upon vacating, selling, renting or transferring of the property. All loans are assumable. A new buyer, if income eligible, may qualify for and assume the remaining balance of the loan, with approval.

Upon sale, refinance, or transfer of title in any other manner within the affordability period, the homeowner will pay Miami-Dade County the principal amount of the Loan, together with a share of the appreciation in the value of the property. The share shall be determined by applying (1) the percentage which represents the ratio of the original principal amount of the loan to the original certified appraised value at the time of this security agreement in connection with the purchase of the property (The "Principal to Original Appraised Value Ratio") to (2) the amount if any, by which the appraised value upon refinance or transfer of the property exceeds such original appraised value. If the Loan is not evidenced by funds but by a benefit conferred by the lender (Miami-Dade County) or other public agency on the seller of the property, and the homeowner is not in default under this note or the Subordinate Security Instrument, the share of appreciation due to the Lender herein shall be reduced by the sum of (a) the amount of any cash down payment from the applicant's own funds for the purchase of the property, (b) the reasonable and customary costs of sale of the property paid by the homeowner, including any broker's commission, and (c) the value of any documented, permanent improvements to the property that are in compliance with any applicable requirements established by the lender. The affordability period (See table below) and the original certified appraised value, at the time of security agreement, are entered appraised value at closing.

Refer to the NSP Restrictive Covenant for details.

SHIP	Loan Term 30 years or until the property is sold, transferred, leased or otherwise disposed of.
Surtax	Loan Term 30 years or until the property is sold, transferred, leased or otherwise disposed of.
HOME/CDBG	< \$15,000 = 5 years \$15,000 to \$40,000 = 10 years >\$40,000 = 20 years For HOME Loans only. If FHA, Insured mortgage 15 years

Miami-Dade County Resolution R-450-13 will also be utilized in this section of these guidelines as applicable.

PARTICIPATING FIRST LENDERS

Spot Loans

The Purchase and Sales Contract should reflect a 60-day period to closing. When the loan is submitted by the first lender, PHCD should be allowed up to 30 days from the date all required documents and information are received from underwriting to closing.

NSP Program Guidelines

Must be used to purchase a foreclosed property	Homebuyer's Counseling • 8 hours HUD approved
Income Limits • 51%-120% AML	Maximum Purchase Price • \$205,000
Employment & Credit	Soft Seconds

<ul style="list-style-type: none"> • Satisfactory Credit History • 24 months of verified employment 	<ul style="list-style-type: none"> • Based upon AMI • \$50,000 - \$70,000
Citizenship <ul style="list-style-type: none"> • Must be a US citizen or permanent resident alien 	Loan Terms <ul style="list-style-type: none"> • 30 years
Down-payment <ul style="list-style-type: none"> • 3% • 1% from own funds 	Loan Rate <ul style="list-style-type: none"> • 0% - 6%
Minimum Debt to Income <ul style="list-style-type: none"> • 30- 35% Maximum Debt to Income <ul style="list-style-type: none"> • 45% 	Occupancy <ul style="list-style-type: none"> • Primary

INCOME AND MORTGAGE LIMITS
Adjusted for Family Size

FAMILY SIZE	30%	50%	80%	Median 100%	120%	140%
	< E. LOW	<- V. LOW	<-LOW/MOD >			
1	\$14,250	\$23,700	\$37,950	\$47,400	\$56,880	\$66,360
2	\$16,250	\$27,100	\$43,350	\$54,200	\$65,040	\$75,860
3	\$20,080	\$30,500	\$48,750	\$61,000	\$73,200	\$85,400
4	\$24,250	\$33,850	\$54,150	\$67,700	\$81,240	\$94,780
5	\$28,410	\$36,600	\$58,500	\$73,200	\$87,840	\$102,480
6	\$32,570	\$39,300	\$62,850	\$78,600	\$94,320	\$110,040
7	\$36,730	\$42,000	\$67,150	\$84,000	\$100,800	\$117,600
8	\$40,890	\$44,700	\$71,500	\$89,400	\$107,280	\$125,160

(MEDIAN INCOME IS \$49,900.00 FOR MIAMI-DADE COUNTY)

SHIP limited to 120 % (Subject to periodic revisions by US HUD Effective **June 1st, 2015**)

(Income and Mortgage Limits REVISED **June 1st, 2016**)

SUBSIDY LEVELS BASED ON MEDIAN INCOME and FAMILY SIZE

MAXIMUM Subsidy Table

Percentage of AMI	50% or below	80% or below	100% or below	Above 100%
Properties within entitlement cities providing assistance* up to:	\$60,000	\$50,000	\$40,000	\$30,000
Properties out of entitlement cities (unincorporated Miami-Dade) ¹ up to:	\$80,000	\$70,000	\$60,000	\$50,000

* Cities that provide homeownership assistance. ¹ If the entitlement city does not have funding available or the borrower does not income qualify for the entitlement city funding, the borrower will receive the maximum amount allowed. Entitlement cities include Miami, Miami Beach, North Miami, Hialeah (Miami Gardens is in the process of becoming an entitlement city). On a case by case basis at the discretion of the PHCD, the amount of subsidy can be increased for very low income borrowers (at or below 50% of median).

Funding Source for all funds	Surtax	SHIP	HOME/CDBG
Income Limit	Low income and moderate income households at or below 140% of AMI	Low income and moderate income households at or below 120% of AMI	Low Income Families at or below 80% of AMI
Maximum purchase price of property allowed by program (subject to change)	90% of the area median purchase price established by the United States Treasury Department. (Code of Miami-Dade County, §29-7(E)(1))	90% of the area median purchase price established by the United States Treasury Department. (Fla. Stat. §420.9075(5)(c))	Single Family Mortgage Limits Under Section 203(b) of the National Housing Act. (24 CFR §92.254)
Purchase Price Limits for Spot Loans	\$205,000	\$205,000 †	\$205,000
INFILL PROPERTIES County infill lot provided to Developer without cost is \$175,000.	\$205,000	\$205,000	\$205,000
County Funded Developments	\$205,000	\$205,000	\$205,000

ALL UNITS MUST MEET THE CRITERIA SUBMITTED TO THE COUNTY IN THE RFA FOR WHICH THEY WERE AWARDED FUNDING (i.e., Purchase price, unit size, number of units, etc). NO EXCEPTIONS.

Loan Documentation Checklist

Lender Name			
Loan Officer/Processor	Phone	Fax	Email
Title Company	Address		Email
Contact Person	Phone	Fax	Email
Applicant's Name			
Co-Applicant's Name			
Current Address	City,	State,	Zip Code
Daytime Phone	Evening Phone	Mobile Number	Email
Property Address			
Developer			
Contact Person for Inspection			
Name			
Phone / Email			

**Miami-Dade County Public Housing and Community Development
Conflict of Interest Form**

Please check the following item(s) that apply; required to be completed

_____ Miami-Dade County employee
Provide explanation below

_____ Relative to Miami-Dade County employee
Provide explanation below

_____ Relative to Miami-Dade Board of County Commissioner
Provide explanation below

_____ None of the above

Explanation _____

All documentation listed below, if applicable, must be submitted as part of the lender package.
Failure to do so may delay the application process.

REQUIRED DOCUMENTATION AT TIME OF PHCD INTERVIEW

- Fully executed sales contract with at least 60 days remaining before expiring
- Two (2) years signed and dated Income tax returns and W-2's and/or 1099's with all applicable schedules for all adult and household members.
- If applicable: Award letters for all other income: Social Security pension/retirement/SSI/welfare/disability.
- If applicable: Pay stub for the last 30 days if VOE has not been obtained. (Evidence of VOE request by lender)
- **APPLICANTS CONTINUE TO SUBMIT UPDATED STATUS OF EMPLOYMENT UNTIL LOAN IS APPROVED.**
- Proof of legal residence: Resident Alien Card, INS Employment Authorization, I-94 (Cuban Citizens only).
*Note: Documents must be current at time of application and show proof of Miami-Dade County residency for all household members.
- Picture ID (i.e., Driver License, Employment ID, etc.) and social security cards of all household members.
- Most current six months bank statement for all accounts.
- Birth Certificate(s) for all household members, letter from guardianship/adoption (if applicable) and/or school records.
- If applicable: All Marriage Certificates, Divorce Decrees and Property Settlement Agreements; Proof of receipt of child support for the prior 12 consecutive months; Provide proof of non-receipt and "good faith" effort to collect and avoid inclusion in annual income figure.
- If applicable: Third Party Verification of Regular Cash Contribution Letter for non-court ordered child support; If the applicant is not receiving court-ordered child support, a letter from the Department of Revenue, Child Support Enforcement Office is required.
- If applicable: Alternative credit letters of verification from the following utilities: Bellsouth, FPL, Auto/Life Insurance, and Furniture – Only if applicant has limited credit or no established credit.
- Certificate of Completion of Homebuyers Training Program (CERTIFICATE IS GOOD FOR ONE YEAR ONLY).

THE BELOW ITEMS ARE REQUIRED FROM THE BANK

- First Lender and all other participating Lenders' Commitment Letters
- Executed 1003 and 1008 (Transmittal Summary), Truth In Lending (TIL) and Good Faith Estimate
- Appraisal Long Form – Original with pictures or acceptable electronic color copy
- Current Tri-merged credit report
- Legible Copy of Fully executed Sales contract
- FHA Loans (Executed & Dated Forms HUD 92900-A, 92900-LT and 92800-5B) Addendum to Universal Residential Loan Application.

Please be advised that the purchase contract must contain the below clauses:

- Subject to loan approval by Miami-Dade County, Department of Public Housing & Community Development.
- Subject to a Code or HQS (Housing Quality Standard) Inspection conducted by Miami-Dade County, Department of Public Housing & Community Development with assign result.

THIRD-PARTY VERIFICATION OF EMPLOYMENT

State and/or Federal Regulations require PHCD to verify employment history and income information for the person that has provided authorization below, in order to determine their eligibility for program assistance. Your cooperation in providing the requested information below is most appreciated. You may fax to 786-469-2266 or mail to the address below.

Authorization:

I hereby authorize the release of requested information. A copy of the executed "Authorization for the release of information" is attached which indicates my agreement with the release of information requested for the sole purpose of determining eligibility for program assistance.

Signature of Applicant Print Name Date

Signature of Co-Applicant Print Name Date

Please return information to:

Public Housing and Community Development
701 NW 1st Court, 14th Floor
Miami, FL 33136
786-469-2100

Attn: _____

Please provide information about anticipated employment income during the next 12 months:

Company Name: _____

Position: _____ Length of Time Employed: _____

Pay Rate: _____ Pay Frequency (Hr, Wk, Mo): _____

Overtime Pay Rate: _____ Average Overtime Hours/Wk: _____

Total Annual Base-Pay Earnings: _____ Total Overtime Base-Pay Earnings: _____

Amount and frequency of other Compensation (bonus, raise, commission, tips): _____

Vacation Pay(Y or N): _____ If yes, number of days: _____

Retirement Account (Y or N): _____ Amount Accessible to Employee: \$ _____

Total Gross Annual Income, including other compensation, for next 12 months: \$ _____

Signature of authorized representative: _____

Printed Name: _____ Title: _____

Date: _____ Phone: _____

Warning: Florida Statute 817 provides that willful false statements or misrepresentation concerning income, asset or liability information relating to financial condition is a misdemeanor of the first degree, punishable by fines and imprisonment provided under Statutes 775.082 or 775.83.

Note: For ALL applicable Household Members 18 years or over, obtain a signed copy of this form for each verification to be completed. Send form directly to the appropriate employment source; do not send form through applicant. Upon receiving verification, date-stamp, and compare information to that received on application. Make any necessary notations, date and initial. If significant differences exist between amount reported and verified, obtain a written explanation from applicant and attach to file.

SCHEDULE OF ACCEPTABLE FEES TO BE CHARGED TO APPLICANT

The interest rate to be charged on the first mortgage will be the Freddie Mac, FNMA, or FHA net 30 day rate for 30 years and shall be locked in for a period of at least 60 days. If the loan is not closed within 60 days, the interest rate will be the prevailing rate to be determined not less than 5 days before closing. The rate shall be locked in at the time of loan approval with a "float down" feature if the rates should go down.

The term of the first mortgage loan shall be 30 years fixed.

The maximum allowable fees to the applicant are as follows:

Lenders have the option of charging individual fees to cover their charges, or can charge a 2% loan origination fee to cover these lender charges. This 2%, is based upon the first mortgage amount, and can be used to cover the following fees:

- Document Prep fee
- Courier
- Underwriting fee
- Processing fee
- Closing fee
- Application fee
- Settlement fee
- Notary fee

Miami-Dade County, PHCD Loan Set-Up Fee must be disclosed and charged on the HUD-1.

If the lender chooses to disclose these fees as separate line items on the HUD1 and GFE, the total of these fees cannot exceed 2% of the first mortgage loan amount. Lenders are not permitted to charge both the 2% origination fee and the fees listed above.

Lenders are allowed to charge the following fees when compliant with the first mortgage loan:

Tax Service Fee	Prevailing Lender Cost
Flood Certification	Prevailing Lender Cost
Appraisal Fee	Prevailing vendor Cost
Credit Report	Prevailing vendor Cost
Re-certification Fee	\$100.00 Maximum
Final Inspection	\$100.00 Maximum
Roof/Termite Inspection	Prevailing Vendor Cost
Recording Fees	Per State Regulations
Septic Tank Inspection	Prevailing Vendor Cost 2

Developer Fees are not permitted to be charged to the applicants.

**MIAMI-DADE COUNTY
PUBLIC HOUSING AND COMMUNITY DEVELOPMENT
SINGLE FAMILY-HOMEOWNER REHABILITATION GUIDELINES**

LOAN ASSISTANCE PROGRAM GUIDELINES

INTRODUCTION

Miami-Dade County has programs that provide homeowners with low-interest rate loans to assist in making necessary repairs to their home and/or to protect their home with the installation of hurricane shutters or impact windows.

SCOPE

These guidelines cover only owner-occupied single family homes, including cluster homes, town homes with the exclusion of common areas, condominiums, and mobile homes are not allowed.

DEFINITIONS

1. Completion of Rehabilitation: occurs when all inspections have passed and all permits have been closed for all the work performed.
2. Disabled: anyone in the household who has proof of disability, regardless of age.
3. Dwelling Unit: a residential space which qualifies as a place of permanent habitation for one family which contains a living room, kitchen area, bathroom(s) and bedroom(s). An efficiency apartment (studio) is considered a one bedroom unit.
4. Elderly: an applicant who is ≥ 62 years old.
5. Family: an individual or two or more persons related by blood, marriage, adoption, guardianship or operation of law; or are not so related; and may include one or more individuals (who have not attained the age of 18) being domiciled with a parent or another person having legal custody of such individual or the designee of such parent or the person having such custody, with the written permission of such parent or other persons who occupy the same dwelling unit.
6. Income Classifications: These limits shall be adjusted automatically whenever the federal government (US HUD) periodically updates the median income for Miami-Dade County.
 - Low Income means a family whose gross income is below 80% of the median income for Miami-Dade County.
 - Moderate Income means a family whose gross income is greater than 80% and not to exceed 140% of the median income for Miami-Dade County.
7. Owner: the individual(s) who holds valid legal title to the property to be rehabilitated.
8. Owner Occupied: a residential property containing one dwelling unit in which the owner resides on a full-time basis.
9. Rehabilitation: the repair of a structure or facilities in connection with a structure, and may include the provision of sanitary or other facilities.
10. Single Family Property: property devoted solely to residential use and consisting of one dwelling.
11. Work Write – Ups: the itemization of all rehabilitation work to be done on a property, including such directions and specification for workmanship and materials as may be necessary for the job to be bid and constructed properly and to pass all inspections by Miami-Dade County.

LOAN PROGRAMS AND AMOUNTS

~~Surtax Rehabilitation Single Family to Include State and Federally Funded Programs~~

- A rehabilitation loan may be made to an eligible applicant for the purpose of fully bringing the property up to current building code and/or to make the home barrier-free for disabled persons. It is used to repair roofs, perform other structural, electrical or sanitation related repairs.
- Surtax Rehabilitation Loan Program
The maximum total loan amount shall not exceed \$35,000 (up to \$45,000) if the applicant is elderly (62 years and older) or the homeowner or a household member is certified disabled the homeowner must complete the Community Action and Human Services Single Family Rehabilitation Loan Program Disabled Certification Form (See Attachment A).
- State Housing Initiatives Partnership (SHIP) Program
The maximum total loan amount shall not exceed \$35,000 (up to \$45,000) if the applicant is elderly (62 years and older) or the homeowner or a household member is certified disabled the homeowner must complete the Community Action and Human Services Single Family Rehabilitation Loan Program Disabled Certification Form (See Attachment A).
- CDBG/HOME Funded Programs
The maximum loan amount is based on funding availability or up to \$40,000.00, whichever is less. All federal programs or activities are subject to regulations and eligibility as determined by U.S. HUD.

~~Surtax Beautification Loan Program~~

The Beautification Home Loan Program assists homeowners of single-family detached residences with exterior home painting and/or landscaping.

- Surtax Beautification Loan Program
The maximum total loan amount shall not exceed \$5,900.00 per home.

~~Surtax Paint and Shutter Loan Program~~

This program assists low- to moderate- income homeowners with single family detached residences with exterior home painting and/or the installation of hurricane impact shutters approved by Miami-Dade County.

- Surtax Paint/Shutter Loan Program
The maximum loan amount for paint and shutters is \$10,000.00; if the combined amount exceeds \$10,000.00, the homeowner must select paint or shutter assistance.

~~Eligibility Areas~~

- Surtax Single-Family Rehabilitation Loan Program
Encompasses properties located within Miami-Dade County.
- CDBG/HOME Senior Housing Assistance Repair Program (SHARP) & Elderly Residential Energy Conservation Program (ERECP) Loans Programs for seniors. Encompasses Un-Incorporated Miami-Dade County and the participating municipalities of The City of Opa-Locka, South Miami, Sweetwater, North Miami Beach, Hialeah Gardens, El Portal and West Miami.
- Additional CDBG/HOME Programs
The programs will be administered based on U.S. HUD Guidelines. The following Seven (7) entitlement jurisdictions' residents are not entitled to participate in the County's program: City of Miami, Miami Gardens, Hialeah, Miami Beach, North Miami, Florida City and Homestead.
- Surtax Beautification Loan Program
Currently encompasses Commission Districts 1 and 2 (see attached).

- Surtax Paint/Shutter Loan Program
Encompasses properties located within Miami-Dade County.

Eligible Properties

- Surtax - Single-Family Rehabilitation Loan Program
Owner-occupied single family residences, cluster homes, townhomes, twin homes, manufactured homes (must evidence a Declaration of Condominium documents recorded in the Public records disclosing separate folio numbers), condominium unit (with the exception of common areas), duplexes, studios, and mobile homes are not allowed.
- SHIP - Single-Family Rehabilitation Loan Program
Owner-occupied single family residences, cluster homes, townhomes, twin homes, manufactured homes (must evidence a Declaration of Condominium documents recorded in the Public records disclosing separate folio numbers), condominium unit (with the exception of common areas), duplexes, studios, and mobile homes are not allowed.
- Surtax Beautification, Paint/Shutter Loan, and CDBG/HOME Funded Programs
Single-Family detached residences only.
- The property must be in need of rehabilitation and may not have any illegal additions and/or any serious building code violations that exceeds the loan amount to bring up to code.
- Property must be free of any foreclosure action.
- Property cannot be assessed according to the tax rolls at more than \$205,000.00. In case an appraisal is available, PHCD cannot exceed \$205,000.00.
- No Tax Deferments.
- Loan modification must be completed and provide evidence of the last three months of on time modified mortgage payments.
- Adjustable rate, reverse mortgages, balloon mortgages and owner held mortgages are not allowed; except that adjustable rate mortgages are allowed to the Beautification, Painting and Shutter Loan Program.
- Lead based paint inspection required depending on the funding source.

Applicants-All Programs

- Applicants must be a U.S. Citizen or have current U.S. permanent legal resident status.
- Applicants must be a Miami-Dade County resident.
- The applicant must be an individual or family who owns and occupies a single-family residence and the property must be their Homestead Exemption at time of application. The amount of the homestead exemption must be reflected on Miami-Dade County's website.
- Applicant can only apply once for the program per program activity.
- Applicant must not own more than one property.
- An applicant must select a contractor from CAHSD Contractor Rotational List. The selection of contractors is completed through a competitive bid process and awarded to the lowest responsible bidder.
- An applicant must be the legal owner of the property for at least one year prior to the application date; six months for the Beautification and Paint/Shutter Programs.

- Inherited property with multiple owners, life estates, inter vivos trust or living trust and beneficiary deed can be accessed on a case-by-case basis.
- Real estate taxes must be paid and current.
- If applicable, association/maintenance fees must be paid and current.
- If applicable, mortgage(s) must be paid and current.
- Title search or a recent review of recorded ownership information.
- Credit Report(s) is required, except for Rehab, Paint/Shutter assistance. The County has the right to deny rehabilitation assistance based on delinquent and/or derogatory information contained in the credit report.
- Recent FPL and Water Bill is required; FPL bill for the Beautification and Paint/Shutter Program assistance.
- Applicants are required to have property insurance coverage or purchase such insurance coverage after the repairs have been completed. For seniors or very-low-income homeowners the insurance cost should not exceed the market value of the loan.
- Homeowners Insurance is not a requirement for the Beautification and Paint/Shutter Loan Program.
- Flood insurance is required for CDBG/HOME/SHIP programs (properties defined within the Special Flood Hazard area).
- Adult(s) residing in the household not receiving income will be required to request a verification of non-filing of tax returns from the Internal Revenue Services.
- Chapter 7 Bankruptcy – two years must have elapsed since the date of the discharged bankruptcy. The applicant must have re-established credit or chosen not to incur new obligations. Provide a written explanation that led to the bankruptcy including copies of the discharge with all pages and schedules. All bankruptcies will be reviewed and a decision will be made on a case-by-case basis.
- The County reserves the right to deny encumbrances that prevents the County from protecting their interest.
- Total cash assets cannot exceed \$10,000. Retirement accounts for elderly and disabled applicants are not considered assets. However, for HOME, CDBG, and SHIP loans assets in excess of \$5,000 must include the income calculator the greater of (i) the actual income earned on those assets, or (ii) the income calculation using the current LIBOR rate as specified by US HUD.
- Applicant must submit all paperwork requested for financing. (See Attachment II)
- For CDBG/HOME loans; after rehabilitation, the value must not exceed 95% of the median purchase price for the area as published by US HUD.
- The applicant must be either a low or moderate income person or family and the maximum household income cannot exceed the following chart:

HOUSEHOLD SIZE	MAXIMUM INCOME LIMIT* (SURTAX)	MAXIMUM INCOME LIMIT** (CDBG/HOME)	MAXIMUM INCOME LIMIT* (SHIP)
1	\$64,120	\$36,650	\$54,960
2	\$73,360	\$41,850	\$62,880
3	\$82,460	\$47,100	\$70,680
4	\$91,560	\$52,300	\$78,480
5	\$98,980	\$56,500	\$84,840
6	\$106,260	\$60,700	\$91,080
7	\$113,540	\$64,900	\$97,320
8	\$120,960	\$69,050	\$103,680
* Effective February 7, 2013 Subject to HUD Revision		**Effective March 15, 2013	* Effective February 7, 2013 Subject to HUD Revision

Income Inclusions and Exclusions for Eligibility Purposes for
SURTAX/HOME/SHIP/CDBG/NSP

Annual Income Inclusions	Annual Income Exclusions
<p>Annual income inclusions defined under USHUD 24 C.F.R. Section 5.609(b) are listed as follows:</p> <ul style="list-style-type: none"> • The gross amount (before any payroll deductions) of wages, salaries, overtime pay, commissions, fees, tips and bonuses, and any other compensation for personal services received by all eligible household members; • the net income from the operation of a business or profession; • Interest, dividends, and other net income of any kind from real or personal property; • the full amount of periodic amounts received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits; • payment in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay; • welfare or other need-based payments to families or individuals that are made under programs funded separately, or jointly by federal, state or local governments; • periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from organizations or from persons not residing in the dwelling; • all regular pay, special pay and allowances of a member of the Armed Forces; and • SSI income may be subject to federal restrictions which may limit its use. <p><i>Note:</i> Surtax allows for income averaging for the past two years for applicants that are self-employed, or earn commission, tips, bonuses, and overtime.</p>	<p>The most common types of excluded annual income include:</p> <ul style="list-style-type: none"> • income from employment of children (including foster children) under the age of eighteen (18) years; • payments received for the care of foster children or adults; • lump-sum additions to family assets, such as inheritances, insurance payments; • reimbursement for the cost of medical expenses for any family member; • income of a live-in aid; • the full amount of student financial assistance paid directly to the student or to the educational institution; • the special pay to a family member serving in the Armed Forces who is exposed to hostile fire; • income from training programs funded by HUD; • temporary, nonrecurring or sporadic income (including gifts); • reparation payments paid by a foreign government to persons who were persecuted during the Nazi era; • income from earnings in excess of \$480 for each full-time student eighteen (18) years or older (excluding the head of household and spouse); • adoption assistance payments in excess of \$480 per adopted child; • deferred payments received in a lump sum; • Refunds or rebates for property taxes paid on the dwelling unit; or services and equipment needed to keep a developmentally disabled family member at home.

Income Inclusions for Credit Purposes

CREDIT DOCUMENTATION		
Surtax	HOME/CDBG	SHIP/NSP
Two (2) most recent Paystubs containing YTD Information; if unsatisfactory or unable to provide will require Verification Of Employment (valid for (3) three months)	Verification of employment (valid for (90) ninety days).	Verification of employment (valid for 90 days from the date received. If the Information is orally updated by the source, the VOE will remain in effect for an additional 30 days). Third Party Verification of Employment is required by SHIP, (attachment III)
Tax returns and W-2 for the previous two (2) years or IRS Form 1722 (which gives the applicant's Income and filing status may be requested). Returns must be signed & dated by applicant.	Same as Surtax.	Same as Surtax.
If self-employed year-to-date, profit and loss statement as of the date of application.	Same as Surtax.	Same as Surtax.
Six (6) months of bank statements or bank's computer printout reflecting a balance for each month.	Same as Surtax.	Same as Surtax.
Tri-merged credit report (valid for 3 months)	Same as Surtax.	Same as Surtax.
Verification of Assets - Retirement Account	Same as Surtax.	Same as Surtax.

FUNDING SOURCES

SURTAX Single-Family Rehabilitation Loan Program

- If the Applicant's Total Debt to Income Ratio (TDTI) is less than 45% repayment and terms shall be as follows:
 - 20-year fully amortized payment is assessed based on US HUD's AMI matrix. First payment is due and payable one month after completion of rehabilitation. A Certificate of Completion is required.
- If the Applicant's TDTI is more than 45% repayment and terms shall be as follows:
 - 20-year loan term \$50.00 principal only per month is assessed. The remaining unpaid principal balance is forgivable after 20 years.
 - First payment is due and payable one month after completion of the rehabilitation. A Certificate of Completion is required.

SHIP Single-Family Rehabilitation Loan Program

Rehabilitation Loan Terms for General Population:

Non-elderly, non-disabled Income-eligible applicants (meaning owners 61 and younger who have no disabled household members) are offered repayment terms dependent upon total debt to income ratio. Specifically at ratios exceeding 45%, the mortgage term is 20 years with a \$50.00 monthly payment. The remaining principal is forgivable after 20 years. For applicants whose total debt to

Income ratio is no greater than 45%, a payment is assessed in the form of an amortized loan based on the HUD median income using an interest rate of 0 – 6% on a 20-year term.

Rehabilitation Loan Terms for Elderly and Disabled:

Elderly population applicants are defined as owners 62 and older who have no disabled household members. Repayment terms are dependent upon total debt to income ratio. Specifically at ratios exceeding 45%, the mortgage term is 20 years with a \$50.00 monthly payment. The remaining principal is forgivable after 20 years. For Elderly applicants whose total debt to income ratio is no greater than 45%, a payment is assessed in the form of an amortized loan based on the HUD median income using an interest rate of 0 – 6% on a 20-year term.

Disabled population applicants are defined as anyone in the household is disabled. For all disabled applicants the mortgage term is 20 years. Repayment terms are dependent upon total debt to income ratio. Specifically at ratios exceeding 45%, the mortgage term is 20 years with a \$50.00 monthly payment. For applicants whose total debt to income is no greater than 45%, a payment is assessed in the form of an amortized loan based on the HUD median income using an interest rate of 0-6% on a 20 year term.

First payment is due and payable one month after completion of the rehabilitation. A certificate of completion is required.

The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available after the first mortgage from a private lender (if any) has been repaid.

CDBG/HOME Rehabilitation Program

- The homeowner will be required to execute the HOME homeowner's written agreement. (HOME LOANS only)
- Loan terms and affordability periods are based on US HUD Home Investment Per Unit and Minimum Affordability period. The loans are deferred and forgiven.
- Repayment and forgiveness of loan. The loan term and recapture provision will be based on the dollar amount of assistance received. The amount of the mortgage will be based on the HOME loan amount. Payments are not required on the mortgage unless the homeowner defaults on the stipulated agreement during the loan term. However, if the homeowner defaults on the stipulated agreements before the HOME loan term expires, the homeowner must repay PHCD a prorated share of the HOME loan. PHCD will provide zero percent (0%) interest, deferred payment, (_____llen position) mortgage loan in an amount of up to \$_____ until the first to occur of the following events; (1) homeowners sells, transfers or disposes of the assisted unit (either by sale, transfer, bankruptcy or foreclosure, etc.) (2) The homeowner no longer occupies the unit as their principle residence, (3) the homeowner dies, or if married couple, the survivor dies, or (4) until the affordability period for this loan ends.
 - PHCD agrees to forgive a percentage of the original loan principle amount for each year after the date of such loan is executed, in which the Homeowner makes its principal place of residence the retrofitted property as defined in the HOME promissory note.
 - Upon the death of the owner, the loan shall become due and payable in full unless ownership of the property passes to the heirs of owner and those heirs meet the following criteria: (a) live in the property, (b) earn no more than the maximum percentage AMI funding activity at the time of transfer, and (c) execute appropriate documents as required by Miami-Dade County.

- Homeowner Recapture Provision: recapture provisions are used to ensure that PHCD recoup all or a portion of the HOME assistance, if the assisted housing does not continue to be the principal residence of the family for the duration of the period of affordability. In recapturing the HOME investment, the owner's investment (down payment and capital improvements are made by the owner since purchase) may be returned to the owner before recapturing the HOME investment.
- The TDTI is not applicable to CDBG/HOME funded programs.

Surtax Beautification Loan Program

- 5 year deferred/forgivable loan; forgiven 20% per year. The TDTI is not applicable; no monthly payment required.
- If the owner sells the property, refinances, changes title, ceases to use the home as his primary residence, the balance of the loan shall become due and payable in full by the owner.
- Upon the death of the owner, the loan shall become due and payable in full unless ownership of the property passes to the heirs of owner and those heirs meet the following criteria: a) live in the property, b) earn no more than the maximum percentage AMI funding activity at time of transfer, and c) execute appropriate documents as required by Miami-Dade County.

Surtax Paint/Shutter Loan Programs

- Paint or Shutter – 5 years deferred/forgivable loan forgiven 20% per year. The TDTI is not applicable; no monthly payment required.
- Paint and Shutter – 10-year deferred/forgivable loan forgiven 1/10 per year. The TDTI is not applicable; no monthly payment required.
- If the owner sells the property, refinances, changes title, ceases to use the home as his primary residence, the balance of the loan shall become due and payable in full by the owner.
- Upon the death of the owner, the loan shall become due and payable in full unless ownership of the property passes to the heirs of owner and those heirs meet the following criteria: a) live in the property, b) earn no more than the maximum percentage AMI funding activity at time of transfer, and c) execute appropriate documents as required by Miami-Dade County.

The County reserves the right to restructure loan payments.

LOAN INTEREST RATES

Surtax Single-Family Rehabilitation Loan Program

The loan interest rate is 0.00% – 6.00% (AMI); household below 80% of Median Income, interest rate is 0.00% – 3.00%; household between 81% and 140% Median Income, interest rate is 4.00% – 6.00%.

- If the owner sells the property, refinances, changes title, ceases to use the home as his primary residence, the balance of the loan shall become due and payable in full by the owner.
- Upon the death of the owner, the loan shall become due and payable in full unless ownership of the property passes to the heirs of owner and those heirs meet the following criteria: (a) live in the property, (b) earn no more than the maximum percentage AMI funding activity at time of transfer, and c) execute appropriate documents as required by Miami-Dade County.

SHIP Single-Family Rehabilitation Loan Program

The interest rate is 0.00 - 6.00% (AMI); households below 80% of Median Income, interest rate is 0.00% - 3.00%; households between 81% and 120% Median Income, interest rate is 4.00% to 6.00%.

- If the owner sells the property, refinances, changes title, ceases to use the home as his primary residence, the balance of the loan shall become due and payable in full by the owner.
- Upon the death of the owner, the loan shall become due and payable in full unless ownership of the property passes to the heirs of owner and those heirs meet the following criteria: (a) live in the property, (b) earn no more than the maximum percentage AMI funding activity at time of transfer, and c) execute appropriate documents as required by Miami-Dade County.

CDBG/HOME Program

The interest rate is 0.00%; household must be 80% or below AMI.

Surtax Beautification Paint/Shutter Loan Program

The interest rate is 0.00%; household income not to exceed 140% AMI.

Security Instruments

- All loans shall be secured by a mortgage or similar security instrument.
- Any mortgage used as security for a loan may not be transferred or assigned by the owner to another person without the prior written approval by the County.
- For HOME funded activities the Homeowner must execute a HOME Homeowners Written Agreement.

Security Positions

- The rehabilitation loan may be subordinate to an existing mortgage if adequate equity is established on the property to be rehabilitated.

LOAN PROCESSING AND APPROVAL

All loans will be processed and underwritten according to the funding activity. All loans shall be reviewed, approved and denied by the PHCD Department Director or his/her designee. A Work-Write Up and Contractor/Homeowner Agreement will be required. The Lead Based Paint EPA Renovation, Repair and Painting Rule form will be required for CDBG/HOME and SHIP Funded Programs. The County reserves the right to deny encumbrances that prevent the County from protecting their interest.

SUPPLEMENTS

An additional rehabilitation supplemental loan may be approved by the PHCD Department Director or his/her designee when, during rehabilitation, work items which were not anticipated or are necessitated by change in local codes or ordinances, are subsequently required and the work exceeds the loan amount. The supplemental loan shall not exceed \$5,000. However in extreme, exceptional and hardship cases this limit may be waived by the PHCD Director or his/her designee.

WAITING LIST

All applications are submitted by homeowners to the Community Action & Human Services Department (CAHSD) and placed on a waiting list on a first-come, first-served basis. When funds become available applicants are selected from the top of the waiting list, the waiting list is maintained by date, the applicant expressing interest in the program. Each time a group of applications are selected from the waiting list, processing priority will be given to elderly and disabled applicants.

LOAN SERVICING

All loans will be serviced by the Loan Servicing unit in Public Housing and Community Development (PHCD). A \$100.00 loan servicing set up fee is required and included as part of the closing costs associated with the loan amount. Loan Fees and Cost are subject to change. Public Housing and Community Development reserves the right to sell the loan if deemed feasible by the Department.

LOAN FEES

All loan fees are included as part of the closing costs associated in the loan amount.

EFFECTIVE DATE

These guidelines take effect April 1, 2014. Any revisions or amendments will modify the effective date accordingly. Any changes/updates to the program requirements for any funding source, will be automatically incorporated into these guidelines.

**MIAMI-DADE COUNTY
SINGLE FAMILY
LOAN PROGRAM DISABLED CERTIFICATION FORM**

1. APPLICANT SECTION:

Name of the person applying for the loan:

Last Name: _____ First Name: _____ Mid: _____

Street Address: Apt. #: _____

City: _____ State: _____ Zip Code: _____ Home Phone: _____

Are you the person with a disability _____ yes _____ no?

If no, please specify who in your household has a disability (i.e. parent, spouse, child, etc.)

A. DESCRIBE THE TYPE OF ACCESSIBILITY THAT IS NEEDED such as: wheelchair ramp, lower kitchen counters, grab bars in shower or roll-in shower, wider doorways to get into bathroom or bedroom, etc.: (BE SPECIFIC)

B. DESCRIBE ANY ASSISTIVE TECHNOLOGY THAT IS NEEDED such as: products that enable people with disabilities to accomplish daily living tasks or assist them in communication. Examples: mechanical lifts for transfers, visual or tactile alerting systems, adapted appliances such as a front-loading washer or remote controlled appliances.

C. WOULD A CERTIFIED ENVIRONMENTAL ACCESSIBILITY CONSULTANT BE HELPFUL TO ASSESS THE NEEDS OF THE PERSON WITH A DISABILITY? If you are newly disabled, you might not know the types of structural or technological elements that would make your home more comfortable to you. A certified environmental accessibility consultant can help people with disabilities identify their specific needs and how those needs can be met. (The first visit with the consultant is free of charge.) _____ yes _____ no

2. APPLICANT'S RELEASE:

The following information is requested to determine disability certification for homeowners interested in participating with the Miami-Dade County CAHSD Single Family Rehabilitation Loan Program (SFRLP) and to receive disabled preference as per the guidelines of the program. I understand that the information about my disability contained in this application will be kept confidential and shared only with professionals involved in evaluating my eligibility. I certify that, to the best of my knowledge, the information in this form is true and correct. I understand that providing false or misleading information could result in my eligibility status being re-examined as well as prosecution to the maximum extent allowed by the laws of the State of Florida. I hereby authorize my medical representative to release any and all information required by the Miami-Dade County SFRLP regarding my medical condition for the purpose of determining my eligibility and preference to participate in the SFRLP.

Applicant's Signature: _____ Date: _____

If applicant is unable to sign this form, he/she may have someone sign and certify on applicant's behalf.

Signature for applicant: _____ Date: _____

Print Name: _____ Relationship to applicant: _____

If someone assisted the client to complete this form, please specify:

Name: _____ Relationship: _____ Phone: _____

If you need to have information given to you in an accessible format, please check one:
☐ Braille ☐ Large Print ☐ Audio ☐ Computer Disk (ASCII)

I understand to complete this application that I must obtain medical verification signed by a Florida licensed medical doctor (MD) or doctor of osteopathic medicine (DO) See page 3.

MAIL IN YOUR COMPLETED APPLICATION TO:

Single Family Rehabilitation Loan Program
Miami-Dade County Community Action & Human Services Department
701 NW 1st Court; 10th Floor
Miami, FL 33136
(786) 468-4730

MEDICAL VERIFICATION:

To be completed by a Florida licensed medical doctor (MD) or doctor of osteopathic medicine (DO)

Medical Practitioner's Letterhead or Prescription Form Requirement:

In order to process this applicant's request to become a certified disabled SFRLP participant, we require that the medical certification section of this form be completed, and a letterhead stationery or prescription form with the name and address of both the medical practitioner and the applicant be attached to this application.

A. INDICATE THE NATURE OF THE INDIVIDUAL'S DISABILITY

1. _____ MOBILITY IMPAIRMENT: (Check as many as applicable)
Type of wheelchair: ☐ Manual ☐ Motorized ☐ Scooter (Three wheeled)
Use of cane ☐ walker ☐ other ☐

2. _____ NEUROLOGICAL DISABILITY. (Motor dysfunction.)

3. _____ VISUAL DISABILITY

4. _____ HEARING DISABILITY

5. _____ OTHER

- Do you believe your patient is a person with a disability which substantially limits one or more major life activities? _____ yes _____ no
- Do you believe this Miami-Dade program, which rehabilitates homes to provide greater access for persons with disabilities, will benefit your patient? _____ yes _____ no

IN SIGNING, I ACKNOWLEDGE THAT, TO THE BEST OF MY KNOWLEDGE, THE INFORMATION IN THIS EVALUATION FORM IS TRUE AND CORRECT. I UNDERSTAND THAT PROVIDING FALSE OR MISLEADING INFORMATION COULD RESULT IN THE REEXAMINATION OF THE ELIGIBILITY STATUS OF THE APPLICANT AS WELL AS PROSECUTION TO THE MAXIMUM EXTENT ALLOWED BY THE LAWS OF THE STATE OF FLORIDA.

Print or Type Name of Physician: _____

State of Florida License: _____

Signature: _____

Address, City, State, Zip Code: _____

Telephone / Fax: _____

The Single Family Rehabilitation Loan Program, funded through the Miami-Dade Department of Public Housing and Community Development and administered through the Miami-Dade Community Action & Human Services Department, is a program to help low income homeowners receive forgivable loans to fund home repairs. Part of this program is designed to help homeowners or members of their households who are disabled to obtain loans to cover the cost of removing barriers and installing accessibility features in addition to home repairs. Accessibility features may include wheelchair ramps, lowered counters, wider doorways, transfer lifts, wheelchair accessible showers, or adapted appliances. The goal of this program is to not only make repairs but also to enable people with disabilities to independently live in and enjoy the use of their own homes. To be eligible for funds dedicated to help people with disabilities, the applicant must be low income, disabled and also need accessible elements that have a direct relationship to their disability. If the applicant doesn't need accessibility but needs regular home repairs such as a new roof, they may qualify for a loan through the conventional part of the program. However, people with disabilities seeking removal of barriers and the installation of access features will be given higher priority and may qualify for additional funds.

If you have accessibility needs, please state clearly what you believe your needs are and what you need to enable you to independently use your home. If you have recently become disabled or don't know what accessibility modifications you need, you might want to consider working with a Certified

Environmental Accessibility Consultant. The consultants have training and credentials which make them qualified to assess a person's specific needs as related to their disability. The consultants work with persons who are disabled, visit them in their homes, evaluate their needs and functional limitations, and make recommendations regarding home modifications and assistive technology designed to meet the applicant's needs. This service is free to the homeowner and the fee will not be added to the cost of the loan.

I understand the information provided to me and the specific criteria that will be used to evaluate my request.

Signature

Date

REQUIRED DOCUMENTATION

1. Valid Florida driver's licenses or State ID card for adults.
2. Warranty or quit claim deed of property.
3. Last four pay stubs; current retirement, un-employment compensation, social security award letter, pensions, if applicable.
4. Third party verification.
5. Copy of social security cards of homeowners.
6. Proof of US citizenship or current permanent legal residency.
7. Last 6 months bank statements, all pages and schedules.
8. Cash Contribution Form (i.e. regular family assistance, alimony, etc.)
9. Mortgage payment must be current and provide copy of mortgage statement.
10. Birth Certificates on all household members regardless of age. No Birth Cards accepted.
11. Last 2 years Income Tax Returns including W-2's, all pages and schedules. If tax return reflects business income, provide current profit or loss statement.
12. SSA-1099 form.
13. Proof of hazard insurance, flood insurance (if applicable) not required for the beautification loan program.
14. Utility Bills (light and water bill)
15. Copy of Discharged Bankruptcy including all schedules and pages
16. INCOME QUALIFICATION

Annual income is the gross amount of income anticipated to be received by all adults in a family during the twelve (12) months following the effective date of the income determination.

When calculating income, please note that HOME/CDBG, and SHIP funding require that the anticipated income be based on present income plus any income to be received in the next twelve (12) months. Once the income certification is completed by county staff, and executed by the PHCD administrator or designee, an award letter/commitment letter is issued. The commitment letter is valid for three (3) months. Surtax allows for income averaging for the past two (2) years for applicants who are self-employed; earn commission, tips, bonuses, and overtime.

Florida property laws do not legally recognize separation as it relates to property ownership. Consequently, when an applicant is legally married but does not currently reside with the spouse, the estranged spouse must sign the mortgage and the subsidy recapture provision, and his or her income must be counted as part of the annual household income. This always applies in cases of temporary separation when a spouse does not live in the house due to military service, attendance in college, offshore work, or other instances where a family member is temporarily residing in another location.

In some situations, it seems clear that the applicant has no plan to reunite with the estranged spouse and the separation is permanent. The flexible nature of these programs is intended for local governments to determine the use of funds while ensuring accountability, to make a decision about a permanent separation and to obtain as many details as possible to document the subsidy recipient. In cases of permanent separation, the applicant and the estranged spouse maintain separate residences and file separate tax returns. The applicant must provide proof of separation by providing copies of the estranged spouse's IRS tax returns, driver's license, legal separation agreement, utility bills, etc. The estranged spouse does not need to be counted in the household size and his or her income should not be included in household income.

Required documentation when applicable:

1. Separated spouse to provide evidence of not occupying the subject property.
2. Self-employed individuals to provide current profit and loss statement.
3. Adult dependents to provide evidence of school transcript or employment.
4. Copy of divorce decree including all pages and property settlement agreement. Joint custody: the children live with the parent for fifty-percent (50%) of the year; the children should be included as the household members.
5. Child support payments; third party verification of regular cash contribution letter for non-ordered child support; If the applicant is not receiving court ordered child support, a letter from the Department of Revenue, Child Support Office is required.
6. Un-employment affidavit.
7. Copy of death certificate.
8. Adoption letter and assistance payments. Court ordered letters of guardianship/adoption will be required if applicant is not the birth parent of household members.
9. Any applicant seeking assistance, requiring assistance from family members or others must execute the PHCD authorization form.
10. Any other form of verification as required by funding.
11. School records to reflect the residing address of the property.

**Miami-Dade County
Public Housing and Community Development
Affordable Housing Development Guidelines**

The affordable housing development component provides funding to developers, as available, to defray the costs of new construction, rehabilitation and/or other costs associated with the development of single-family and multi-family housing. This component is intended to increase housing opportunities for persons by encouraging the creation and rehabilitation of affordable housing units.

INTRODUCTION

Miami-Dade County, Department of Public Housing and Community Development (PHCD) reviews Request for Applications (RFA) binders submitted for a funding allocation for approved housing activities, which includes new construction and rehabilitation of permanently financed multifamily affordable housing developments. The documents and exhibits presented in the RFA binder are reviewed and analyzed to complete a Credit Underwriting Report. The Report includes an analysis of the information available in the submitted RFA binder related to the development and renders a written recommendation in favor of or opposed to proceeding with the underwriting of the proposed development.

The number of developments recommended for funding shall be limited by the funds available for the RFA. There shall be no developments ranked beyond those that are recommended for funding.

In accordance with Resolution No. R-345-15, Miami-Dade County has established a cap on the number of additional funding applications that an agency can submit for Documentary Stamp Surtax funds if the project has been awarded gap funding for its first application. No more than one application is permissible for the same project. Any additional application will not be considered unless extenuating circumstances exist. The determination of whether "extenuating circumstances" exist shall be at the sole and absolute discretion of the County.

In accordance with Resolution No. R-346-15, Miami-Dade County has established a Maximum Development Cost per Unit to construct, rehabilitate or acquire Affordable Housing with County funds as \$225,000.00, except for construction of High-Rise projects for which the Maximum Development Cost per Unit shall be \$250,000.00. "High-Rise" means Affordable Housing structures which are seven or more stories in height. The "Maximum Cost per Unit" means the Total Development Cost divided by the total number of units. Total Development Cost means the total cost of completing the entire project, from acquisition to the issuance of Certificate of Occupancy, including, but not limited to, the cost of design, planning, zoning, variances, financing costs, legal costs, construction, and permitting. For construction and rehabilitation projects, the cost of land acquisition shall be deducted from the Total Development Cost.



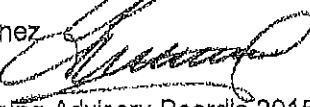
Miami-Dade County Department of Public Housing and Community Development (PHCD)
LOAN TERMS AND CONDITIONS FOR SURTAX and SHIP - FY 2015

FUNDING SOURCE	TYPE OF DEVELOPMENT	TYPE OF DEVELOPER	RATE	CONSTRUCTION PERMANENT TERMS	AFFORDABILITY	NOTES
SURTAX & SHIP	Multi-family rental developments	For Profit	0% during construction, yrs. 1-2. 2% accrual in years: 3-30.	2 years for construction completion.	<ul style="list-style-type: none"> - Subject to rental regulatory agreement for set aside units during the entire 30 year term - Subject to Florida Housing Finance Corporation terms. - Subject to subsidy layering review 	<p>Minimum debt service ratio 1.0. Maximum 1.6</p> <p>The County will require a minimum of 1.15% debt ratio in year 15 for tax exempt bond transactions*</p> <p>Ten percent of the developer fee must be deferred provided that it can be paid back in 12 years.</p>
SURTAX & SHIP	Multi-family rental developments	Not-for-Profit	0% during construction, yrs. 1-2. 2% accrual in years: 3-30.	2 years for construction completion.	<ul style="list-style-type: none"> - Subject to rental regulatory agreement for set aside units during the entire 30 year term - Subject to Florida Housing Finance Corporation terms. - Subject to subsidy layering review 	<p>Minimum debt service ratio 1.0 Maximum 1.6.</p> <p>The County will require a minimum of 1.15% debt ratio in year 15 for tax exempt bond transactions</p> <p>Ten percent of the developer fee must be deferred provided that it can be paid back in 12 years.</p>
SURTAX & SHIP	Homeless and Public Housing	For Profit	0% during construction, yrs. 1-2. 2% accrual in years 3-30	2 years for construction completion. Public Housing projects can carry debt based on operating subsidy. Not on real estate carrying debt.	<ul style="list-style-type: none"> - Subject to rental regulatory agreement. - Subject to a 30 year affordability and occupancy restriction period. - Subject to Florida Housing Finance Corporation terms. - Subject to subsidy layering review 	If borrower ceases its use of the property as a homeless facility, then or at any time, upon written notice from the County, the loan, including any accrued interest, if any, shall become immediately due and payable.

SURTAX & SHIP	Homeless and Public Housing	Not-for-Profit	0% during construction, yrs. 1-2. .5% accrual in years 3-30	2 years for construction completion. If the project complies with all loan conditions, then the principal shall be forgiven in equal increments equal to twenty-five percent (25%) of the loan amount in years 27 through 30.	<ul style="list-style-type: none"> - Subject to rental regulatory agreement. - Subject to a 30 year affordability and occupancy restriction period. - Subject to Florida Housing Finance Corporation terms. - Subject to subsidy layering review 	If borrower ceases its use of the property as a homeless facility, then or at any time, upon written notice from the County, the loan, including any accrued interest, if any, shall become immediately due and payable.
SURTAX & SHIP	Homeownership	Not-for-Profit For Profit	.5%	Principal and .5% due at point of sale but, no later than one year.	20 year restrictive covenant per PHCD's Affordable Housing Guidelines.	Must adhere to PHCD Affordability Housing Guidelines.

Memorandum



Date: February 2, 2016
To: Honorable Chairman Jean Monestime
 and Members, Board of County Commissioners
From: Carlos A. Gimenez
 Mayor 
Subject: Affordable Housing Advisory Board's 2015 Report and Evaluation

This memorandum to the Board of County Commissioners (Board) serves as the 2015 Report and Review by the Affordable Housing Advisory Board (AHAB) of Miami-Dade County's local affordable housing development incentive strategies, regulatory barriers, and implementation of AHAB recommendations previously adopted by the Board. The 2015 Report contains recommendations in response to such review. Transmission of the report does not necessarily constitute endorsement of the recommendations contained therein. The Board must consider the AHAB's recommendation and adopt an amendment to the Local Housing Assistance Plan (LHAP) to incorporate the local housing incentive strategy recommendations it will implement within 90 days of receipt of this report. It is anticipated Public Housing and Community Development staff may proffer additional recommendations for amendment to the LHAP to include affordable housing policies recently adopted and under consideration by the Board.

Background

Pursuant to Section 17-106 of the Miami-Dade County Code, the AHAB serves as the Affordable Housing Advisory Committee (AHAC) to the Board to meet the requirements in Section 420.9072 and Section 420.9076 of the Florida Statutes.

The AHAB is required under Section 420.9076 of the Florida Statutes to review the County's established policies and procedures, ordinances, land development regulations, and comprehensive plan, and to submit a report to the Board with recommendations for specific actions or initiatives that will encourage or facilitate affordable housing development (known as "local housing incentive strategies"). Thereafter, the AHAB is required to review such strategies and the implementation of those adopted recommendations on a triennial basis. The AHAB also has an ongoing role in reviewing local policies, ordinances, regulations, and plan provisions prior to adoption and identifying new incentive strategies.

The AHAB's review focuses on existing regulatory incentives for the development of affordable housing, including, but not limited to, impact fee exemptions, expedited plan and permit review, parking reductions, increased density, and provides recommendations for improvements or enhancements to such incentives, as well as removal of regulatory impediment to affordable housing development and new development incentives such as tax abatement.

On December 10, 2015, following public notification and advertisement in accordance with Section 420.9076 of the Florida Statutes, the AHAB held a public hearing to adopt its review of existing affordable housing development incentives, regulatory barriers, and implementation of adopted strategies, as well as its 2015 incentive strategy recommendations.

Under Section 420.9076 of the Florida Statue, the AHAB's review and recommendations must be submitted to the Board no later than December 31 of the year proceeding Miami-Dade County's submission of its three-year Local Housing Assistance Plan (LHAP) for its allocation of State Housing Initiative Program (SHIP) funds. Within 90 days of receipt, the Board must consider AHAB's recommendations and adopt an amendment to the LHAP to incorporate the local housing incentive strategy recommendations it will implement. At a minimum, local governments are required to implement the two (2) incentive strategies included in the LHAP Template: Expedited Permitting and Ongoing Review Process.

The Board has adopted recommendations from the previous report in 2012 for expedited permitting and an ongoing review process. In its 2015 Report, the AHAB sets forth recommendations to address their implementation.

Evaluation of Local Housing Incentive Strategies

The results of the AHAB's review and its 11 recommendations are attached as Exhibit A. This exhibit also indicates strategies and/or incentives that remain under the AHAB's review.

PHCD provided the State with a copy of the 2015 report on January 8, 2016. There will be an opportunity for review and final Board action on the report prior to the State's May 2, 2016 deadline. Below is a timeline for the development and submission of the report:

- August 25, 2015 – AHAB requested that Apple Tree Perspectives, Inc. be engaged to prepare the report.
- September 9, 2015 – Departmental approval for engagement of Apple Tree Perspectives, Inc. was given after review of the procurement policy and existing purchase order for the task.
- September 10, 2015 – Ms. Apfel of Apple Tree Perspectives, Inc. attended the first AHAB meeting and commenced working on the report.
- October 9, 2015 – A timeline for completion of the report was provided to the AHAB Board.
- October 22, November 12, and December 10, 2015 – Follow-up meetings were held to clarify and continue development of the report.
- December 10, 2015 – The AHAB approved the report with final revisions.
- December 16, 2015 – The final revised report was provided to PHCD.

If you have and questions regarding this report, please contact Michael Liu, Director of PHCD, at 786-469-4106 or via email at mliu88@miamidade.gov.

Attachment

- c: Abigail Price-Williams, County Attorney
Russell Benford, Deputy Mayor, Office of the Mayor
Jack Osterholt, Deputy Mayor, Office of the Mayor
Michael Liu, Director, Public Housing and Community Development
Jennifer Moon, Director, Office of Management and Budget
Charles Sims, Chairperson, Affordable Housing Advisory Board

Miami-Dade County Affordable Housing Advisory Board (State SHIP Advisory Committee)

2015 Affordable Housing Incentives: Implementation Review of Recommendations
Adopted by the Miami-Dade County Board of County Commissioners
And Current Regulatory Barriers to, and Incentives for, Affordable Housing Development

AFFORDABLE HOUSING STRATEGIES AND INCENTIVES	ADOPTED POLICIES AND STATUS OF IMPLEMENTATION	AFFORDABLE HOUSING ADVISORY BOARD (AHAB) NEXT ACTION STEPS	AHAB RECOMMENDATIONS TO MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS (BCC)
<p>(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.</p>	<p><u>Expedited Zoning and Permitting Review</u></p> <ol style="list-style-type: none"> 1. <u>Proto-Type Development</u> The County has implemented a "Cookie Cutter" Program designed to expedite plan review for the construction of a model home that is built repetitively. Once a model is initially approved, subsequent reviews are only required related to site location. Fees to cover the cost of services that include plan review and inspections still apply. 2. <u>Infill Housing Program</u> Policy to expedite permitting for the Infill Housing Program has been implemented by adoption of Administrative Order 3-44. 3. <u>Urban Center Districts</u> All site plan and architectural review applications for development within an Urban Center District (except for individual single-family homes and duplexes) are subject to administrative review to be completed within 21 days unless the Department extends another 21 days for additional information or at the request of the applicant (Section 33-284.88 of the County Code). No public hearing is required. Applications must be 	<p><u>AHAB Action Step</u> AHAB will review the Mayor's Report in response to Resolution 709-13, which describes implementation measures to improve the inspection process across different County Departments.</p> <p>AHAB will hold a workshop with affordable housing developers to review implementation and seek input as to whether additional expediting measures are warranted in the inspection processes to facilitate Affordable, Workforce and Infill Housing development.</p>	<p><u>BCC Recommendation</u> Within ninety (90) days, RER will submit an amendment to AO 4-120 for adoption providing for expedited permit review for Affordable and Workforce Housing and incorporating specific timetables for such review. Furthermore, RER will submit an amendment to AO 3-44 governing the Infill Housing Program that also incorporates specific timetables for expedited permit review. Such timetables shall address permit review by RER, Miami-Dade Fire Rescue, Public Works and Waste Management, and the Water and Sewer Department. RER will work with the Affordable Housing Advisory Board (AHAB) to develop the amendments. AHAB will hold workshop(s) with Affordable, Workforce and Infill Housing Developers ("Developers") to seek their input into the development of such timetables.</p>

<p>(b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.</p>	<p>Impact Fee Exemptions Under Chapter 33 of the Code of Miami-Dade County, residential developments, which provide affordable housing, or the portion thereof, are exempt from most impact fees.</p> <p>Exemptions are available from road, park, police services, and fire and emergency medical services impact fees (collectively referred to hereafter as "Impact Fee Ordinances"). However, administration of the exemption under the code provisions operates differently depending upon whether the developer is a CBO or CDC receiving County or state funding.</p> <p>The following Fire impact fee exemption language is similar to that found under other impact fee code provisions.</p> <p><u>Section 33J8(f)</u> The following development shall be exempt from the requirement that impact fees be paid, subject to an application by the feepayer to the Department of Planning and Zoning Director and a determination by the Department of Planning and Zoning Director that the proposed development activity is consistent with the CDMP and fits within one (1) or more of the following categories:</p> <p>(1) Any residential development activity, or portion thereof, which provides affordable housing as defined in the "Florida Affordable Housing Act of 1986," Section 420.602(3)(a) or (b), Florida Statutes, (1987) and amendments thereto.</p> <p>[(2) and (3) not provided]</p> <p><u>Section 33J8(i)</u> An exemption must be claimed by the feepayer prior to paying the impact fee. Any exemption not so claimed shall be deemed to have been waived by the feepayer. If an exemption is sought pursuant</p>	<p>AHAB Action Step #1 AHAB representatives will be meeting with RER, PHCD and their attorneys to address verification of PHCD's approval of the affordable housing development.</p> <p>AHAB Action Step #2 AHAB will review other affordable housing incentive programs that offer waiver or deferral of plan and permitting review fees.</p>	<p>BCC Recommendation #1 The County should utilize other municipalities' streamlined administrative methods as models of providing inter-departmental verification of County- and state-funded affordable housing development to allow affordable housing developers who qualify for upfront impact fee waiver to secure such waiver prior to issuance of permits.</p> <p>BCC Recommendation #2 For affordable housing developments that are not funded with County or state funds, the impact fee code provisions should be revised to allow an upfront waiver, not refund, subject to recordation of a restrictive covenant with an affordability period, at time of permitting.</p> <p>BCC Recommendation #3 To promote inclusion of units affordable to extremely low income households in residential projects provided impact fee exemptions, the County should offer a robust package of incentives and deeper subsidies for housing development serving extremely low-income households. An ELI Affordable Housing Development Program would bundle deep capital subsidies and/or rental density bonuses, parking reductions, set-back reductions, impact fee exceptions, waiver or deferral of review fees, expedited permit and plan review, County land (when available) and other incentives which may be adopted.</p> <p>BCC Recommendation #4 An administrative mechanism should be established, and funded, for occupancy monitoring for non-County or state funded affordable housing developments provided impact fee exemptions. Occupancy monitoring procedures should be consistent with other affordable housing programs, such as the County Surtax or state housing credit programs.</p>
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to Section 33J-8(g)(1), (2), or (3) impact fees shall be paid prior to the issuance of the building permit. However, the fee payer shall be entitled to a refund pursuant to this chapter upon submitting a formal application for a refund to and receiving approval from the Department of Planning and Zoning Director in accordance with the provisions of the manual. Application for a refund under this section shall be made within one (1) year of the later of: (1) the effective date of this ordinance or (2) the issuance of a certificate of completion or a certificate of use for the building. Failure to apply for a refund by the fee payer, within the above referred one-year period shall invalidate the right for a refund under this section.

Notwithstanding the aforesaid, if an exemption is sought pursuant to Section 33J-8(g)(1), community development corporations (CDC) as defined in Section 290.033(2) [Florida Statutes] and community-based organizations (CBO) as defined in Section 420.602(5), Florida Statutes (1991) ² that have received assistance from Miami-Dade County or the State of Florida in funding predevelopment costs to provide affordable housing to low and very low income families shall have the option of executing a covenant running with the land, in a form approved by the Department of Planning and Zoning Director, in lieu of payment of impact fees prior to the issuance of the building permit. Joint ventures of either a CDC or CBO with a for-profit developer, whose proposed affordable housing development has been approved by the Miami-Dade County Office of Community Development, shall also have the right to execute the aforesaid covenant.

¹ Appears to be a scrivener's error in the Code as Section 33J-8(g) states: "Parking garages are exempt from the impact fees when the structure is accessory to a primary use structure."

² Section 420.602(4), Florida Statutes

"Community-based organization" means a private corporation organized under chapter 617 [Florida Not-For-Profit Corporation Act] to assist in the provision of housing and related services on a not-for-profit basis in a designated area, including a municipality, county, or area of more than one municipality or county.

	<p><u>2015 Review</u></p> <ul style="list-style-type: none"> • AHAB finds continuing concern by CDC/CBO developers with the verification process required by RER to allow the upfront waiver of impact fees. The focus of concern is the form of PHCD approval of the affordable housing development. • AHAB finds improvement can be made to the administration of impact fee exemption as set forth in the code provisions. 		
<p>(c) The allowance of flexibility in densities for affordable housing.</p>	<p><u>Voluntary and Mandatory Inclusionary Zoning Programs</u></p> <p>1. <u>Voluntary Workforce Housing Development Program</u></p> <p>Under the voluntary Workforce Housing Development Program, the County provides density bonuses to private developers in exchange for a commitment of Workforce Housing units in residential development or if they make a monetary contribution to the Affordable Housing Trust Fund in lieu of setting aside Workforce Units.³</p> <p>Workforce Housing units target households whose total income is between 65% to 140% of Area Median Income. (Ord. No. 07-05; Chapter 17, Article IX and Chapter 33, XIA of the Code of Miami-Dade County; and Implementation Order No. 3-60).</p> <p>The Workforce Housing Units are administered by PHCD following RER approval of density under the Program.</p>	<p><u>AHAB Action Step</u></p> <p>The AHAB will review the draft Multifamily Infill Housing Development Program Ordinance with the assistance of RER staff and provide comment. AHAB will provide recommendation(s) to the BCC, if warranted.</p>	<p><u>BCC Recommendation #1</u></p> <p>AHAB recommends that any proposed ordinance changing the Voluntary Workforce Housing Program to a mandatory inclusionary zoning program incorporate the following provisions:</p> <ul style="list-style-type: none"> • Require an affordability term of 30 years, compared to the 20-year affordability now imposed under the Voluntary Workforce Housing Program, particularly for rental property. • Provide density bonuses utilizing a tiering structure, offering increasing densities for inclusion of units affordable to low and very low-income households. • In addition to density bonuses, provide a more robust package of incentives and deeper subsidies for housing development serving extremely low-income households. An ELI Affordable Housing Development Program would bundle deep capital subsidies and/or rental subsidies along with a menu of incentives such as density bonuses, parking reductions, set-back reductions, impact fee exceptions, waiver or deferral of review fees, expedited permit and plan review, County land (when

³ Off-site construction is subject to public hearing and certain conditions.

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	<p>2. <u>Urban Center 12.5% Inclusionary Workforce Housing Program</u></p> <p>Unless otherwise specified in the District regulations, all residential or mixed-use developments that: (a) are located within the Core or Center Sub-districts of an urban center district adopted by the Board or County Commissioners after July 10, 2007, and (b) have more than four (4) residential units, must provide a minimum of twelve and a half (12.5) percent of their units as Workforce Housing Units. Such units are restricted to households whose income is up to 140% of median area income. (Sec. 33-284.83(A)(3) of the Code of Miami-Dade County).</p> <p>Urban centers subject to the Standard Urban Center District Regulations are: Leisure City Community Urban Center; Model City Urban Center District; North Central Urban Area District; Palmer Lake Metropolitan Urban Center District; Bird Road Corridor Urban Area District; and Country Club Urban Area District (as of October 6, 2015).</p> <p>The program is administered by RER.</p>	<p>available) and other incentives which may be adopted.</p> <p>BCC Recommendation #2 Consistent with the administration of the Voluntary Workforce Housing Program, AHAB recommends the following:</p> <ul style="list-style-type: none"> • Ensure that PHCD is tasked with the responsibility for administering the Workforce and Affordable Housing Units produced under the current Urban Center 12.5% Inclusionary Workforce Housing Program and, when implemented, Multi-Family Infill Housing Development Programs. • Identify funding source to support PHCD's occupancy monitoring during affordability period under these programs.
<p>3. <u>Density Bonus Affordable Housing Programs under Comprehensive Master Development Plan ("CDMP")</u>: The CDMP was amended in May 2009 to allow residential developers to:</p> <p>a. Receive a 17% density bonus if 30% of the housing units are made affordable to very low and low-income households.</p> <p>b. Receive a 30% density bonus for affordable/workforce multi-family infill housing where at least 30% of the total residential units will be</p>		

	<p>affordable to households at 140% or less of AMI and no less than 20% of the total units will be affordable to households at or below 80% for a period of no less than thirty years. A 60% density bonus may be given in the event of a not-for-profit or government/public sponsored affordable housing providers or the application site is publically owned and made available for development of affordable/workplace housing. This is known as the 30% and 60% Density Bonus for Affordable Housing.</p> <p><u>2015 Review</u></p> <ul style="list-style-type: none"> - AHAB has been informed that converting the Voluntary Workforce Housing Program into a mandatory workforce housing development program is currently under consideration. • AHAB also understands that zoning code provisions governing the Urban Core 12.5% Inclusionary Zoning Program may be subject to modification as part of any legislation to extend mandatory inclusionary zoning throughout unincorporated Miami-Dade. • RER has prepared a final draft of the Multifamily Infill Housing Development Program Ordinance incorporating the above 30% and 60% Density Bonus for Affordable Housing. The draft has been has been provided to the AHAB. 			
<p>(d) The reservation of infrastructure capacity for housing for very-low income persons, low-income persons, and moderate-income persons.</p>	<p><u>Water and Sewer Capacity</u></p> <p>Sections of unincorporated Miami-Dade County do not have any, or inadequate, infrastructure to tie into the Miami-Dade County's Water and Sewer system. Early development relied upon well water and septic tanks.</p>	<p><u>AHAB Action Step</u></p> <p>AHAB will conduct review of Water & Sewer infrastructure and capacity as it relates to affordable housing development. AHAB will forward its findings and any recommendations to the BCC following such review.</p>	<p>No recommendations at this time.</p>	

	<p><u>2015 Review</u></p> <p>AHAB has identified concern regarding absence of water and sewer capacity in unincorporated Miami-Dade, including within Urban Districts as well as single-family infill, necessary to support affordable housing development. In particular, AHAB would like to address priorities for W&S expansion and improvements to support affordable housing development.</p>		
<p>a) The allowance of affordable accessory residential units in residential zoning districts.</p>	<p><u>Accessory Units Under CDMP and Zoning Code</u></p> <p>The County's CDMP Land Use and Housing Elements provide for accessory dwelling units.</p> <p><u>2015 Review</u></p> <p>RER reports that it is preparing a draft Ordinance to implement accessory dwelling units consistent with CDMP objectives. RER will provide the final draft to AHAB for review and comment.</p>	<p><u>AHAB Action Step</u></p> <p>AHAB will review and comment on the draft Ordinance to implement accessory dwelling units upon receipt from RER.</p>	<p>No recommendations at this time.</p>
<p>(f) The reduction of parking and setback requirements for affordable housing.</p>	<p><u>Parking Reductions</u></p> <p>1. <u>Public Transit-Based Parking Reduction Ordinance:</u></p> <p>On December 1, 2015, the BCC adopted an ordinance expanding public transit-based parking reductions. This ordinance reduces parking requirements for housing development, whether affordable or market-rate housing.</p> <p>The "Ordinance Regarding Zoning and Other Land Development Regulations Pertaining to the Fixed-Guideway Rapid Transit System Development Zone, The Standard Urban Center District Regulations, The Downtown Kendall Urban Center District Regulations and The Palmer Lake Metropolitan Urban Center District Regulations" provides for:</p>	<p><u>AHAB Action Step #1</u></p> <p><u>Parking Reductions</u></p> <p>AHAB will continue to work with Planning & Zoning and housing developers to identify additional parking reduction incentives to promote affordable housing development. AHAB will forward recommendations to the BCC.</p> <p><u>AHAB Action Step #2</u></p> <p><u>Set-Back Requirements</u></p> <p>AHAB will provide review and make comment on proposed changes to set-back reductions/modifications.</p>	<p>No recommendations at this time.</p>

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	<p>i. no minimum parking requirements within the Rapid Transit Zone in the Dr. Martin Luther King, Jr. Corridor Subzone and within the Rapid Transit Zone for non-Metrorail development within the City of Miami;</p> <p>ii. Increased allowable parking reductions for non-residential, mixed-use, multi-family residential parcels located near rail stations and bus stops in the Downtown Kendall Urban district, Standard Urban Center district and the Palmer Lake Metropolitan Urban Center district regulations; and</p> <p>iii. multi-story garages, parking lots and on-street parking count toward parking requirements for detached single-family residences, courtyard and sideyard houses, rowhouses, urban villas, or duplexes within the Standard Urban Center district.</p>		
	<p>2. The zoning code provisions provide parking reductions to developments housing the elderly and persons who are disabled.</p> <p>3. The Urban Center 12.5% Inclusionary Workforce Housing Program provides reduction in the parking requirement.</p>		
	<p>2015 Review</p> <ul style="list-style-type: none"> • AIHAB monitored the Public Transit-Based Parking Reduction Ordinance through the legislative process. 		

	Setback Requirements and 2015 Review: RER is currently reviewing additional setback reductions/modification options to provide for affordable housing development. RER will bring proposed zoning changes to AHAB for input.			
(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.	Zero-Lot Line The Miami-Dade County Zoning Code allows for zero-lot-line configurations to allow for more efficient use of land and make available needed housing at a more affordable cost. 2015 Review None required.			No recommendations at this time.
(h) The modification of street requirements for affordable housing.	Street Requirements Modification of street requirements for affordable housing remains under AHAB's review.	AHAB Action Step Following review of street requirements, AHAB will forward recommendations to the BOC if warranted.		No recommendations at this time.
(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.	Impact of Proposed Land Development on Infrastructure Legislation on Affordable Housing Development The following recommendations were adopted by the Board of County Commissioners in 2009. 1. An affordable housing cost impact review for legislation that relates to land development and infrastructure in connection with housing development must be performed and the Board must be notified of the cost of impact at first reading or public hearing, as required. 2. AHAB should review any current and future CDMP amendments or zoning changes that may impact affordable housing and provide recommendations, if necessary. 2015 Review • Implementation of an affordable housing	AHAB Action Step AHAB is reviewing currently proposed draft amendments to the Zoning Code, which have been prepared by RER. RER staff will continue to bring proposed changes to procedures, ordinances, regulations, or plan provisions that relate to housing development to AHAB for review and comment.		No recommendations at this time.

<p>(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.</p>	<p>cost impact review remains under discussion with AHAB and staff.</p> <ul style="list-style-type: none"> AHAB is reviewing currently proposed draft amendments to the Zoning Code, which have been prepared by RER. RER staff will continue to bring proposed changes to procedures, ordinances, regulations, or plan provisions that relate to housing development to AHAB for review and comment. 		
<p>(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.</p>	<p><u>Lists of County-Owned Property Suitable for Affordable Housing Development</u> Resolution R-347-09 requires that AHAB be provided a list of locally-owned public lands suitable for affordable housing development and the status of development on those lands on an annual basis. In addition, Section 125.379 of the Florida Statutes requires the County to prepare a list every three years inventorying all property within its jurisdiction to which the County holds fee simple title that is appropriate for use as affordable housing.</p> <p>This list is utilized to support the County's Infill Housing Initiative Program and the development of large-scale multi-family affordable housing in partnership with private developers.</p> <p><u>2015 Review:</u></p> <ul style="list-style-type: none"> <u>Infill Housing</u> The list of properties suitable for infill single-family housing was last compiled in October 2012. PHCD Infill Housing Initiative Program staff is currently updating this list in compliance with state law and IO 3-44 governing the Infill Housing Program. This list will be provided to the Infill Housing Pool of developers. 	<p><u>AHAB Action Step</u> AHAB will review the Mayor's Report in response to Resolution 996-14, which required a report on impediments which may delay or frustrate the implementation of the Infill Housing Initiative Program.</p> <p>AHAB will work with staff to identify measures which expedite: (a) determination of the appropriateness of a County-owned lot's development under the Infill Program and (b) corrective zoning actions or removal of other impediments to a lot's development prior to, or soon after, award to an Infill Developer and allow for disclosure of remaining development impediments at time of its Infill Program Property listing.</p>	<p><u>BCC Recommendation</u> The process by which County-owned lots are evaluated for single-family development under the Infill Housing Program should be expedited to allow the Infill Property list to be updated more frequently than every three years.</p>

	<ul style="list-style-type: none">Multi-Family Parcels Parcels suitable for large-scale multi-family development have been identified and targeted for use.			No recommendations at this time.
(k) The support of development near transportation hubs and major employment centers and mixed-use developments.	<p><u>Policies Supporting Development Near Transit Hubs and Major Employment Centers and Mixed-Use Developments</u></p> <ul style="list-style-type: none">The CDMP's Housing Element includes objectives to promote development near transportation hubs and major employment centers and mixed-use developments.Affordable housing development near transportation hubs and major employment centers and through mixed-use development is supported by the County's various funding programs (e.g. HOME, Surtax and General Obligation Bond Programs). <p>2015 Review The following implemented and proposed measures support affordable housing consistent with the above objective.</p> <ul style="list-style-type: none">The Urban Center 12.5% Inclusionary Workforce Housing Program within designated Districts under the County Code. The zoning standards for the Districts' Urban Centers are intended to encourage development near transit hubs as well as the development of future employment centers.PHCD-Funded Transit-Oriented Development (TOD) Projects.The Public Transit-Based Parking Reduction Ordinance eliminates or reduces parking requirements related to rapid transit stations, rail and bus stops. This ordinance positively impacts the financial feasibility of affordable housing	<p>AHAB Action Step AHAB will monitor implementation of measures supporting affordable housing and the development hubs and major employment centers as well as mixed-use development and make recommendations as warranted.</p>		

	projects, thereby encouraging such development near such transportation hubs such as rapid transit and rail stops.		
(i) Identification of Other Affordable Housing Incentives or Recommendations (Per County Ordinance Responsibility)		<p>AHAB Action Step #1 AHAB will develop and assist in disseminating material informing developers of Miami-Dade affordable housing development incentives and other housing development policies which positively impact the feasibility of affordable housing development.</p> <p>AHAB Action Step #2 AHAB will facilitate developer input into development of affordable housing incentives and removal of regulatory barriers through AHAB workshops.</p> <p>AHAB Action Step #3 AHAB will review other municipalities' affordable housing development incentives and provide recommendations to the BCC following such review.</p>	<p>BCC Recommendation #1 Miami-Dade County should employ a property tax abatement program to promote workforce and affordable housing for low to extremely income households and pursue state legislation as necessary to allow tax relief.</p> <p>BCC Recommendation #2 Miami-Dade County should coordinate its efforts to incentivize affordable housing development with those of municipalities within the County.</p> <p>BCC Recommendation #3 The County should coordinate its planning and zoning policies with those of municipalities along shared boundaries and incorporate those which promote affordable housing development.</p>

LHAP 2016

Exhibit A

67-37.005(1), F.A.C.

MIAMI-DADE COUNTY

Estimated Allcoation for Calculating:	\$	8,715,571.60
Fiscal Year 2016-2017		
Salaries and Benefits	\$	415,670.00
Office Supplies and Equipment	\$	7,000.00
Travel Perdiem Workshops, etc	\$	1,100.00
Advertising	\$	6,600.00
Other (Rent, Audit Fees,)	\$	49,000.00
Total	\$	479,370.00
Fiscal Year 2017-2018		
Salaries and Benefits	\$	415,670.00
Office Supplies and Equipment	\$	7,000.00
Travel Perdiem Workshops, etc	\$	1,100.00
Advertising	\$	6,600.00
Other (Rent, Audit Fees)	\$	49,000.00
Total	\$	479,370.00
Fiscal Year 2015-2016		
Salaries and Benefits	\$	415,670.00
Office Supplies and Equipment	\$	7,000.00
Travel Perdiem Workshops, etc	\$	1,100.00
Advertising	\$	6,600.00
Other (Rent, Audit Fees)	\$	49,000.00
Total	\$	479,370.00

TIMETABLE FOR STATE FISCAL YEAR 2016-2017

Miami Dade County

Mark each box below that corresponds with each activity for that month																																																		
Program Activities	2016-2017												2017-2018												2018-2019												2019-2020													
	Year												Year												Year												Year													
Month	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6		
Start Program Year	X																																																	
Advertise Availability of Funds																																																		
Application Period(On-Going)		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Annual Report														X																																				
Mid-Year Review/Adjustments																																																		
End-Year Review/Adjustments													X																																					
Encumbrance Deadline																																																		
Expenditure Deadline																																																		
Final Program Review																																																		
Other																																																		
Other																																																		

CERTIFICATION TO FLORIDA HOUSING FINANCE CORPORATION

Local Government: Miami-Dade County, Florida

- (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 within 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.

- (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 X has or has not been implemented.
(note: Miami Dade County will check "has")

Witness

Chief Elected Official or designee

Witness

Carlos A. Gimenez, Mayor
Type Name and Title

Date

OR

Attest:
(Seal)

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum



Date: December 2, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Amended
Agenda Item No. 8(K)(1)(A)

Resolution No. R-1324-08

Subject: Setting of the Maximum Sales Price for Homes Sold under the County's Affordable Housing Development Programs.

This item was amended at the December 2, 2008 meeting of the Board of County Commissioners to reflect that the maximum monthly payment cannot exceed 45 percent, rather than 40 percent, of the borrower's gross monthly income.

RECOMMENDATION

It is recommended that the Board of County Commissioners ("Board") approve the attached resolution which authorizes a change in policy to set a maximum sales price for homes sold under the County's affordable housing development programs or purchased with the assistance of the County's Homebuyer Mortgage Assistance Program. Under such policy, the maximum purchase price would be \$205,000; however, the maximum sales price would be capped at \$175,000 under the Infill Program in cases where the County provided the Infill lot to the developer without cost. Otherwise, the \$205,000 maximum sales price would apply.

Staff will review the maximum purchase price every two years and recommend changes to the Board if necessary. The maximum purchase price will be applied prospectively once the attached resolution becomes effective.

SCOPE

The applicability of the new maximum sales price is applicable to all homeownership units in Miami-Dade County where County funds have been used for construction subsidy or for homeownership mortgage assistance.

FISCAL IMPACT

The setting of a new maximum sales price, which is lower than the existing cap, will have no fiscal impact to the County.

BACKGROUND

Through the Infill Program and the Affordable Housing Development Program, the County subsidizes the construction of affordable housing units and also provides soft second mortgages to assist moderate- and low-income households purchase homes.

At the April 24, 2007 meeting of the Board, a policy was adopted to set the maximum sales price formula for potential homeowners seeking mortgage assistance from the County. Under this policy, the maximum price was tied to a price limit formula based on federally published median sales prices for Miami Dade County, which was well over \$350,000 in July 2007. However, that policy did not remove the existing \$225,000 cap on units where construction subsidy was to be provided.

Staff has reconsidered setting the maximum price based on the median sales prices because housing prices have become volatile and inconsistent, and recommend utilizing a formula which considers the average median income for metropolitan Miami-Dade county. In addition to average median income, two additional factors apply in setting a new maximum sales price under the County's affordable housing programs:


- The maximum monthly payment, meaning the house payment (mortgage, insurance and taxes), plus all outstanding debts (installment loans, revolving credit cards, and child care expenses, etc.) cannot exceed 45 percent of the borrower's gross monthly income. Furthermore, no more than 29 percent of the borrower's monthly income can go towards the direct payment of the principal and interest. This factor will ensure that a participating household does not purchase a home beyond its means.
- The last factor is the maximum amount of subsidy available. Soft second mortgage assistance is subject to policy set forth in the County's Local Housing Assistance Plan as adopted by the BCC and submitted to the State of Florida. Attachment A sets forth the maximum amount of mortgage subsidy available based on household percent of area median income.

Using the 120 percent average median income for a family of four as the standard test for the formula, a 40 percent overall debt ratio (including no more than 29 percent for mortgage principal and interest payments), a first mortgage interest rate of 6.75 percent, and the highest subsidy allowed by the County, the sales price maximizes to approximately \$205,000 (see attachment). Anything higher would yield too great a risk to the homebuyer and the County.

Staff recommends that the maximum sales price for any homeownership unit constructed with County funds or purchased through County funded spot loans as soft second mortgages be capped under the Homebuyer Mortgage Assistance Program. Thus, the \$205,000 maximum sales price would apply to homeownership mortgage assistance and any construction lending applied towards the purchase or development of these homes. In the case of the Infill Program, staff recommends that the maximum sales price be capped at \$175,000 in cases where the County provided the infill lot to the developer without cost.

At the October 2, 2008 meeting of the Community Affordable Housing Strategies Alliance (CAHSA) Advisory Board, the \$205,000 purchase price cap was discussed and a motion to approve same and forward to the Board of County Commissioners was seconded and approved. The CAHSA Advisory Board further asked staff to continue its review as to whether there is a need for a subsidy increase for very large families and to come back upon completion of its review. Should a recommendation result in either approving a larger subsidy level or an exception to the purchase price, a recommendation from CAHSA will be forwarded to the Board.

Attachment


Cynthia W. Curry
Senior Advisor to the County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

DATE: December 2, 2008

FROM: 
R. A. Suevas, Jr.
County Attorney

SUBJECT: Amended
Agenda Item No. 8(K)(1)(A)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Mayor's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Amended
Agenda Item No. 8(K)(1)(A)
12-2-08

RESOLUTION NO. R-1324-08

RESOLUTION SETTING THE POLICY TO ESTABLISH THE
MAXIMUM SALES PRICE FOR THE HOMEOWNERSHIP
SECOND MORTGAGE PROGRAM AND HOMEOWNERSHIP
UNITS DEVELOPED UNDER THE INFILL AND HOUSING
DEVELOPMENT PROGRAMS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the policy of establishing a maximum sales price based on medium income for the County's affordable housing development programs or the homebuyer mortgage assistance program. It is further authorized the maximum sales price be capped at \$205,000 for all homes sold under the Housing Development programs and \$175,000 in cases where the County has provided the infill lot to the developer without cost, otherwise, \$205,000 will serve as the maximum sales price under the Infill Program.

The foregoing resolution was offered by Commissioner Rebeca Sosa who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

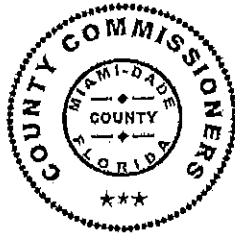
Bruno A. Barreiro, Chairman	aye
Barbara J. Jordan, Vice-Chairwoman	aye
Jose "Pepe" Diaz	aye
Carlos A. Gimenez	aye
Joe A. Martinez	aye
Dorrian D. Rolle	aye
Katy Sorenson	aye
Sen. Javier D. Souto	aye
Audrey M. Edmonson	aye
Sally A. Heyman	aye
Dennis C. Moss	aye
Natacha Seijas	aye
Rebeca Sosa	aye

Resolution No. R-1324-08
Amended
Agenda Item No. 8(K)(I)(A)
Page No. 2

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of December, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: Kay Sullivan
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Shannon D. Summerset

Calculation for Setting Maximum Sales Price

Financial Background of Applicant

A	Annual Income	\$70,000.00	Average income of 4-member family earning 120 percent of AMI
B	Monthly Income	\$5,833.33	Average income divided by 12 months
C	Front Ratio (Mortgage payment cannot exceed 29% of monthly income)	\$1,681.67	Mortgage payment amount should not exceed (29% of monthly income)
D	Taxes and Insurance	\$600.52	Taxes and insurance estimated on home with value of \$205,000
E	Mortgage Payment less taxes and insurance	\$1,081.15	Front Ratio minus Taxes and Insurance (C - D = E)
F	Maximum Mortgage Loan (First Lender)	\$168,202.94	Value of \$1,081.15 monthly mortgage payment with a fixed 6.75 percent interest rate amortized over 30 years
G	County Subsidy Level (Second Mortgage)	\$30,000.00	BOC approved subsidy level based on AMI
H	Total Mortgage Amount	\$198,202.94	(F + G = H)
I	Down Payment Requirement of Three Percent on Home Value	\$6,150.00	Based on three percent of \$205,000
J	Maximum Purchase Price of Home	\$204,352.94	(H + I = J)

Miami-Dade County, Florida

SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

2016-2017, 2017-2018 and 2018-2019

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B. Timeline for Estimated Encumbrance and Expenditure	
C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan	
D. Signed LHAP Certification	
E. Signed, dated, witnessed or attested adopting resolution	
F. Ordinance: (If changed from the original creating ordinance)	
G. Interlocal Agreement	

I. Program Details:

A. Name of the participating local government:

*Miami-Dade County, Florida*Is there an Interlocal Agreement: Yes _____ No X

If "Yes", name local government(s) in the Interlocal Agreement:

B. Purpose of the program:

1. To meet the housing needs of the very low, low and moderate income households;
2. To expand production of and preserve affordable housing; and
3. To further the housing element of the local government comprehensive plan specific to affordable housing.

C. Fiscal years covered by the Plan: 2016-2017, 2017-2018 and 2018-2019

D. Governance:

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code.

Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

E. Local Housing Partnership:

The SHIP Program encourages building active partnerships between government, lending institutions, builders and developers, not-for-profit and community based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

Through administration of the SHIP, Federal and local Documentary Surtax programs, Miami-Dade County partners with affordable housing developers to increase affordable housing stock. Special consideration is made for developers who incorporate sustainable, green initiatives within the design.

Miami-Dade County has developed partnerships with area lenders to encourage lending to

very-low, low income and moderate income homebuyers. Additionally, the County has implemented a foreclosure prevention program that provides post-homebuyer counseling for new homeowners as well as grants to mitigate foreclosure actions. These programs work in conjunction with lenders to purchase the loan in the event of default or in the alternative, serve to bring homebuyers current in the outstanding debt. In that way, the County can protect its investment in the property, and perhaps restructure the loan to fit the homeowner's financial situation.

The County has contracted with several homebuyer counseling entities that provide pre-homebuyer counseling, budgeting, and money management services. Completion of a homebuyer counseling program is a homeownership requirement of the Miami-Dade Affordable Housing Program.

F. Leveraging:

The Plan is intended to increase 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 and to provide local match to obtain federal housing grants or programs.

Miami-Dade County has developed partnerships with local lenders to leverage SHIP funds successfully. The County provides subordinate mortgage financing on behalf of the homebuyer that makes up the difference between what the banks lend and the property's purchase price. Participating lenders have also agreed to limit the cost of the loan to the homebuyer. The County meets regularly with the lenders and their staff to keep them abreast of program guidelines and loan process. In specific cases, the County will provide additional mortgages to supplement the loan as needed on a case by case basis.

Through extensive coordination with other community resources, local SHIP funds are highly leveraged to reduce the cost of housing. For example, first mortgage funding is provided by participating lenders, while SHIP funds are being utilized for subordinate mortgages or additional supplements with lower interest rates. This results in lower monthly payments with a combined lower interest rate. Also, local SHIP funds have been used in addition to local, state and federal housing dollars for multi-family developments and for providing housing to special needs and homeless populations. Miami-Dade County may provide construction loans to CDC's and private developers with the goal of developing the affordable housing stock of Miami-Dade County. Moreover, SHIP loans are used to fund private developers with the goal of preserving and maintaining our existing affordable housing stock. Loans are available for both homeownership and rental projects, as well as rehabilitation of the existing housing stock. The rate and term of each loan will vary in accordance with the funding source availability and the respective program restrictions.

G. Public Input:

Public input was solicited through face to face meetings with housing providers, social service providers and local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

During the last 12 months, public input was solicited for the development of the Local Housing Assistance Plan primarily through one-on-one meetings with Private Developers, Community Development Corporation (CDC's), For Profit, Non-Profit Developers, realtors and participating lenders in ascertaining housing needs within the community. These agencies provided extensive comments and made recommendations to Miami-Dade County on both programmatic and implementation issues which resulted in a number of enhancements to the prior year programs.

Pursuant to Ordinance 07-122, the Miami-Dade County Affordable Housing Advisory Board (AHAB) consists of fifteen (15) members. The composition of the voting members is required to be ethnically, racially, geographically and gender balanced and is composed of the following members.

1. The Board of County Commissioners appoints thirteen (13) members.
 - a. One citizen actively engaged in the residential home building in connection with affordable housing, one citizen in the banking or mortgage banking industry in connection with affordable housing, one citizen in areas of labor actively engaged in home building in connection with affordable housing, one citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing, one citizen who is actively engaged as a for-profit provider of affordable housing, one citizen who is actively engaged as a not-for-profit provider of affordable housing, one citizen who is actively engaged as a real estate professional in connection with affordable housing, one citizen who actively serves on the local planning agency, one citizen who resides within the jurisdiction of the local governing body making the appointments, one citizen who represents employers within the jurisdiction, and one citizen who represents essential service personnel as defined in this LHAP.
 - b. For the remaining two (2) member positions, the Board of County Commissioners may consider the appointment of a member of the construction industry, a local community development corporation, attorney, architect, engineer or planning professional.
2. The Mayor appoints one member who is a member of the construction industry, local community development corporation, attorney, architect, engineer, planning professional.
3. The Overall Tenant Advisory Council (OTAC) appoints one of its members.

The Affordable Housing Advisory Board is required to meet at least six (6) times during the county's fiscal year where the developers and the public have an opportunity to address the Board with their concerns. In addition, the Board of County Commissioners (BCC) has two public meetings that the developers as well as the individuals can attend before the BCC awards funding allocations.

H. Advertising and Outreach:

SHIP funding availability shall be advertised 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.

Miami-Dade County will advertise fund(s) availability in area newspapers with general circulation, participate in public information programs and housing fairs, make information available on the County's website, and issue public service announcements to the print and broadcast media. To further announce the program's availability, the County distributes information brochures to the general public and through local community based groups, lenders, and neighborhood organizations.

In addition, the County administers a virtual one-stop housing center which describes available housing assistance programs as well as offers a real-time, searchable listing of affordable homes for rent or purchase. Housing units funded in part by SHIP and other resources must be listed on this web-based housing locator service.

Notice of the competitive process employed to select for-profit and not-for-profit entities for participation in SHIP-funded programs is advertised in three (3) local newspapers, in multiple languages, and on the County's website thirty (30) days prior to the beginning of the application period.

I. Waiting List/Priorities:

A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status. Applicants will be maintained in an order that is consistent with the time applications were submitted as well as any established funding priorities as described in this plan. Priorities for funding described/listed here apply to all strategies unless otherwise stated in the strategy: Owner-Occupied Rehabilitation.

All owner-occupied rehabilitation applications are submitted by homeowners to the Community Action and Human Services Department (CAHSD) and placed on a waiting list on a first-come, first-served basis. When funds become available applicants are selected from the top of the waiting list. The waiting list is maintained by date of the applicant expressing interest in the program. Each time a group of applications are selected from the waiting list, processing priority will be given to elderly and disabled applicants.

J. Discrimination:

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

Miami-Dade County complies with the Fair Housing Act.

K. Support Services and Counseling:

Support services are available from various sources. Available support services may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling, Foreclosure Counseling and Transportation.

Miami-Dade County has contracted with several homebuyer counseling entities that provide pre-homebuyer counseling, budgeting, and money management services. Completion of an 8

hour homebuyer counseling program is a homeownership requirement of the Miami-Dade Affordable Housing Program. Miami-Dade County has expanded its counseling services to include foreclosure prevention and mitigation.

L. 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:

 X U.S. Treasury Department
 Local HFA Numbers

The purchase price limit for new and existing homes is shown on the Housing Delivery Goals Charts. The program currently allows for a purchase price of up to 90% of the average area purchase price, however, due to the recent foreclosure crisis, the Board of County Commissioners has set the maximum purchase price to \$205,000 (see Exhibit H attached).

Homeownership Strategy – New Construction and Rehabilitation for Homeownership

The County has identified a need to generate extremely affordable housing stock through new construction or rehabilitation. Therefore, the purchase price for any homeownership unit for which SHIP funds were awarded to a for-profit or non-profit developer to defray development costs may not exceed \$205,000 with extremely favorable interest and/or repayment plans. For those individuals eligible under a special housing assistance category, to include elderly, homeless, migrant farm workers, and persons with disabilities, subordinate mortgage assistance for rehabilitation of an existing unit is considered forgivable after a certain period of time.

Homeownership Strategy – Homeownership Assistance Program

Subordinate mortgage assistance to homebuyers is available to households with incomes up to 120% of area income for those who utilize SHIP funding. The County has other sources that reach 140% AML. Eligible homebuyers may utilize the Program's subordinate mortgage assistance to purchase affordable homes available on the private market as well as those produced under the County's capital award programs. For those individuals eligible under a special housing assistance category, to include elderly, homeless, migrant farm workers, and persons with disabilities, subordinate mortgage assistance for home purchase is considered forgivable after a certain period of time.

To maximize homeownership opportunities under the Homebuyer Assistance Program, the maximum purchase price limit under the Homeownership Assistance Program may be adjusted annually at the same time each year at the start of the SHIP Program fiscal year

(July 1). The maximum purchase price shall be ninety percent (90%) of the Single Family Mortgage Limit under Section 203(b) of the National Housing Act in effect as of July. The County will adjust the maximum purchase price annually, consistent with the above formula, for the Homebuyer Assistance Program. The County has imposed a \$205,000 maximum purchase price. This will be monitored annually.

M. Income Limits, Rent Limits and Affordability:

The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at www.floridahousing.org.

“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.

Although the applicant’s income level may not exceed 120% of the Miami-Dade County area median income adjusted for family size, preference will be given to families with an annual income of under 80% of median.

Through a competitive Request for Applications (RFA), issued annually, SHIP funds are awarded to non-profit and for-profit builders/developers towards new construction or rehabilitation of homeownership and rental units. By local policy, units constructed or rehabilitated for sale to eligible households may not exceed a sales price of \$205,000. Multi-family rental units must be affordable as defined above.

N. Welfare Transition Program:

Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

Not applicable.

O. Monitoring and First Right of Refusal:

In the case of rental housing, the staff and any entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic 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 \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 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.

Miami-Dade County monitors Developers/Owners for both programmatic and project-related compliance. A Field Officer conducts an annual on-site visit to ensure that proper procedures, tenant files and forms are in accordance with program requirements. In addition, a Housing inspector will conduct an annual on-site inspection of the assisted units to ensure that they meet Housing Quality Standards (HQS) requirements.

During the monitoring visit, the Field Officer will verify that the maximum monthly rents and the utility allowances charges are consistent with the rental regulatory agreement and revisions thereof. In addition, during the affordability period, the Field Officer will monitor the tenant annual income for compliance with the number of units set aside for the very-low, low and moderate income families as stated in the rental regulatory agreement.

Developers/Owners must conduct an annual on-site inspection for compliance with Federal HQS. Failure to maintain the property as per Federal HQS during the affordability period may result in the County declaring the Developer/Owner in default and calling the Note due and payable.

P. Administrative Budget:

A line-item budget of proposed Administrative Expenditures is attached as Exhibit A.

Miami-Dade County 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 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." The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

Q. Program Administration:

Administration of the local housing assistance plan will be wholly performed and maintained by the Miami-Dade County.

Or

A third party entity or consultant will be contracted for all of part of the administrative of the program. The name of the entity is: N/A .

The administrative duties they will provide are:

Miami-Dade County, through the Department of Public Housing and Community Development is responsible for the following:

1. Overseeing the receipt and expenditures of SHIP program funds in accordance with the criteria set forth in the State Housing Initiatives Partnership Act and the Local Housing Assistance Plan.
2. Coordinating Miami-Dade County's efforts to promote the construction and development of affordable housing with state agencies, municipalities within the County and other public and private entities.
3. Evaluating the effectiveness of the County's Local Housing Assistance Program and providing recommendations to the Board of County Commissioners on an annual basis as to the performance of the Program.
4. Writing and managing the Annual Consolidated Plan for the allocation of SHIP funds.
5. Servicing of the subordinate mortgage loans currently amortized and on file with the department.
6. Monitoring set-aside units for tenant income, rent restrictions and housing standards for the SHIP funded Multifamily Rental developments.

The cost of administering Miami-Dade County's Local Housing Assistance Program shall not exceed ten percent (10%) of the County's distribution of SHIP Program funds. Miami-Dade County will require approximately five percent (5%) of program income not to exceed ten percent (10%) of the SHIP allocation.

- R. Project Delivery Costs: In addition to the administrative costs listed above, the county will charge a reasonable project delivery cost to cover inspections performed by non-county employees for rehabilitation projects. The fee will not exceed 2% of the contracted SHIP award and will be included in the amount of the recorded mortgage and note

S. Essential Service Personnel Definition:

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.

Miami-Dade County defines "essential service personnel" as follows:

"Essential Service Personnel" means emergency personnel, including firefighters, health care workers, teachers, and law enforcement and criminal justice personnel

- T. Describe efforts to incorporate Green Building and Energy Saving products and processes:

For proposed developments involving new construction units, regardless of the development category of the application, the applicant must commit that (i) each new construction unit in the proposed development that is eligible for the energy star new homes (Florida standard)

will achieve a home energy rating system (HERS) index of 75 or below, and (ii) each new construction unit in the proposed development that is not eligible for the Energy Star new homes will include, at a minimum, the energy features outlined in MDC Green Code through Ordinance No. 07-65. The applicant will also adhere to all the requirements of said ordinance.

U. Describe efforts to meet the 20% Special Needs set-aside:

The special needs category is a priority for Public Housing and Community Development (PHCD). The Department will continue to work in conjunction with Community Action and Human Services Department (CAHSD) in identifying the 20% special needs set-aside. CAHSD provides an outreach program using referral from supportive services agencies for elders and people with disabilities who may have difficulties finding housing that is safe, affordable, and permanent. PHCD will continue to provide funding with rehabilitation and helping homeowners to remain independent in their own homes.

The Homeownership Unit identifies disabled and special need applicants at face-to-face interview. Their applications for second mortgage financing are prioritized.

V. Describe efforts to reduce homelessness:

The Miami-Dade County Homeless Trust was created by the Miami-Dade Board of County Commissioners to oversee the use of their portion of the Food and Beverage Tax for Homeless activities and to establish and then implement policies based on the Miami-Dade County Community Homeless Plan. The Plan is a comprehensive continuum of care system to serve homeless persons in Miami-Dade County. The Plan calls for the development of the following three stages of housing:

- Temporary Care: to provide immediate short term (7 to 30 days) housing and basic support services at Homeless Assistance Centers to persons residing in public spaces.
- Primary Care: transitional housing (6 to 9 months) with a focus on treatment and rehabilitation (e.g. substance abuse treatment, vocational training, skills building, mental health treatment, and basic education).
- Advanced Care: supported long term housing, including supported single room occupancy residence and assisted apartment or other residential arrangements.

A competitive process will be utilized to select builders/developers for participation in the program. Funds specified as set aside for Homeless Rental Housing Rental Housing Development can be applied toward either: 1) the development of a homeless-only housing development; or 2) the development of units set-aside to serve homeless persons within a mixed-use development.

SHIP funds may also be utilized for rental subsidies using a "Rapid Re-Housing" Program model. Funds will be awarded to renters that are in need of a one-time payment to assist with in obtaining a lease on a rental unit. This may include utility deposits, security deposits and rent equal to no more than 24 months' rent. The proposed project must target the

Continuum's priority sub-populations for Rapid Re-Housing:

- Chronic homeless
- Homeless veterans
- Homeless families and unaccompanied homeless youth

Section II. LHAP Strategies:

A.

<i>Owner Occupied Rehabilitation</i>	<i>Code 3</i>
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a. Summary of Strategy:

The Miami-Dade County Housing Development strategy will direct funds toward rehabilitation of owner-occupied existing housing units. Additional SHIP funding may be used for health/safety issues related to disability or barrier-free modification and rehabilitation of properties.

b. Fiscal Years Covered: 2016-2017, 2017-2018 and 2018-2019

c. Income Categories to be served: Very-low, low and moderate

d. Maximum award:

Program guidelines allow loans up to a maximum of \$35,000. However, elderly or disable borrowers may be eligible for loans up to \$45,000. A subordinate loan may be approved by the Director or his/her designee when, during rehabilitation, work items not anticipated or are necessitated by change in local codes or ordinance, are subsequently required and the work exceeds the standard maximum loan amount, however, such subordinate loan shall not exceed \$5,000. In extreme exceptional and hardship cases, this limit may be waived by the Director of Public Housing and Community Development (PHCD) or his/her designee.

e. Terms:

1. Loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded subordinate mortgage and note.
2. Interest Rate: For general population (non-elderly, non-disabled income-eligible applicants), repayment terms are dependent upon total debt to income ratio. Specifically at ratios exceeding 45%, the monthly payment is \$50.00 with the remaining principal is forgivable after 20 years. For applicants whose total debt to income ratio is no greater than 45%, payment is assessed in the form of an amortized loan based on an interest rate of 0-6% for 20 years.
3. Term: 20 years

4. Forgiveness/Repayment: For elderly population applicants and disabled population applicants, the monthly payment is \$50.00 with the remaining principal forgivable after 20 years.
5. Default/Recapture: The loan will be determined to be in default if any of the following occurs during the loan term: sale, or transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance of the loan will be due and payable.

The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available after the first mortgage from a private lender (if any) has been repaid.

- f. Recipient Selection Criteria: The applicants are selected on a first-come, first qualified basis, with priority given to elderly and disabled households, and to the extent permitted by law, on a basis that promotes fair housing opportunities based on need after the availability of program funds or activity as advertised.

Exceptions on a case by case are made on the basis of emergency factors (i.e. disability accessibility emergencies or any circumstance that imminently impacts health, safety or sanitation).

- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information: SHIP funds allocated for this strategy will be leveraged with private funds, CDBG, HOME, other federal funds, or local Documentary Surtax Homeownership Assistance Loan Program (HALP).

B.

Purchase Assistance	Code 2
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- a. Summary of Strategy:

The Miami-Dade Homeowner Assistance Program will provide funds to very-low, low- and moderate-income persons to acquire newly-constructed or existing affordable homeownership units. All potential homebuyers must be pre-qualified by participating lenders for the affordable housing program. The program also requires potential homebuyers to receive homebuyer counseling and to complete approved homebuyer education training. The education training will cover such topics as: choosing a realtor, selecting a home, qualifying for mortgage financing to include PHCD homeownership programs, a comprehensive home inspection, entering a purchase/sale contract, maintaining a home, handling credit affairs and other skills needed for homeownership.

b. Fiscal Years Covered: 2016-2017, 2017-2018 and 2018-2019

c. Income Categories to be served: Very-low, low and moderate

d. Maximum award:

Very Low:	\$80,000
Low	\$70,000
Moderate	\$60,000

e. Terms:

1. Loan/deferred loan/grant: Funds will be awarded as a subordinate loan secured by a recorded subordinate mortgage and note.
2. Interest Rate: Interest rate and monthly payments are tiered based on income as set forth in the Program Policies found in **Attachment A**.

Income Level	Interest *Rate*	Years 1 to 5	Years 6 to 30
Low Income	0-3%	\$100 monthly payment This is applied towards principal.	Fully amortized remaining balance amortized over the 25 years at note rate, as applicable.
Moderate Income	4-6%	\$100 monthly payment This is applied towards principal.	Fully amortized remaining balance amortized over the 25 years at note rate, as applicable

3. Term: 30 years

4. Forgiveness/Repayment: If the family sells, transfers, rents or vacates the property, the balance of the mortgage loan, including accrued interest, will be due upon vacating, selling, renting or transferring of the property. Upon sale, refinance, or transfer of title in any other manner within the thirty-year affordability period, the homeowner must pay to Miami-Dade County the principal amount of the loan, together with a proportionate share of the appreciation in the value of the property.

As set forth in Program Policies found in **Attachment A**, such share shall be determined by applying (1) the percentage which represents the ratio of the original principal amount of the Loan to the original certified appraised value at the time of this security agreement in connection with the purchase of the property (The "Principal to Original Appraised Value Ratio") to (2) the amount if any, by which the appraised value upon refinance or transfer of the Property exceeds such original appraised value. If the Loan is not evidenced by funds but by a benefit conferred by the Lender (Miami-Dade County) or other public agency on the seller of the property, and the

homeowner is not in default under this note or the Subordinate Security Instrument, the share of appreciation due to the Lender herein shall be reduced by the sum of (a) the amount of any cash down payment from the borrower's own funds for the purchase of the property, (b) the reasonable and customary costs of sale of the property paid by the homeowner, including any broker's commission, and (c) the value of any documented, permanent improvements to the Property that are in compliance with any applicable requirements established by the Lender.

The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available after the first mortgage from a private lender (if any) has been repaid.

All loans are assumable. A new buyer, if income eligible, may qualify for and assume the remaining balance of the loan with approval.

5. Default/Recapture: The loan will be determined to be in default if any of the following occurs: Failure to make the required payments, sale, transfer, or conveyance of property, conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

- f. Recipient Selection Criteria: Applicants are assisted on a first-come, first serve basis after the availability of program funds or activity as advertised. Applicants seeking assistance are pre-qualified by first mortgage lenders and then referred by the lender to the County.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: Applicants must secure a first mortgage by an approved lender. SHIP funds allocated for this strategy will be leveraged with private funds, HOME, other federal funds and/or local Documentary Surtax Homeownership Assistance Loan Program (HALP).

C.

<i>Rental Development – Rehabilitation for Homeownership</i>	<i>Codes 14, 21</i>
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- a. Summary of Strategy:

Funds will be provided to defray the costs of land acquisition, new construction, rehabilitation and/or other costs associated with affordable rental housing units developed or rehabilitated by County departments, for-profit and not-for-profit builders/developers. SHIP awards to for-profit and not-for-profit builders/developers will be made through the County's competitive Consolidated Plan Request for

Applications (RFA) or other competitive process unless waived by the Board of County Commissioners.

A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half person per bedrooms shall be used. Notice of the competitive process is advertised in three (3) local newspapers thirty (30) days prior to the beginning of the application period.

- b. Fiscal Years Covered: 2016-2017, 2017-2018 and 2018-2019
- c. Income Categories to be served: Very-low, low and moderate
- d. Maximum award:

A competitive process will be utilized to select not-for-profit and for-profit builders/developers for participation in the program. A limit restricting the amount of assistance per builder/developer will be established in order to expand the level of participation and diversity of the products.

- e. Terms:

1. Loan/deferred loan/grant: Funds will be awarded as a loan secured by a recorded subordinate mortgage and note.

Funds are awarded through the Consolidated Plan RFA or other competitive process. Upon Board of County Commissioners' approval of awards, the developer enters into a contract with the County in which the terms of the contract and scope of services are outlined and finalized. The County maintains the SHIP funds until a SHIP construction loan has closed. The developer must submit formal draw requests as construction work is completed. If the developer fails to meet the SHIP rules and requirements, the County will recapture the funds and funds are reallocated to a different strategy or developer as needed.

2. Interest Rate: Tax credit projects and non-tax credit projects will pay 0% interest for the period of construction (1-2 years). After the construction period ends, principal and interest payments will begin at 2%-6% interest rate for the remainder of the loan term.

Final determination of rate and term will be made by PHCD staff depending on project feasibility.

3. Term: 30 years
4. Forgiveness/Repayment: Loans require monthly principal and interest payments in years 3-30.
5. Default/Recapture:

Loans 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 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 non-profit organizations for purchase at the current market value for continued occupancy by eligible persons.

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.

f. Recipient Selection Criteria:

Housing units developed under this strategy will be marketed to SHIP-eligible households through listing in the County's online housing locator system. Tenants are selected on a first-come, first qualified basis and to the extent permitted by law, on a basis that promotes fair housing opportunities.

g. Sponsor/Developer Selection Criteria:

A competitive process will be utilized to select not-for-profit and for-profit builders/developers for participation in the program. A limit restricting the amount of assistance per builder/developer will be established in order to expand the level of participation and diversity of the products. A sponsor must be in good standing with Miami-Dade County to be recommended for an award of SHIP funds.

h. Additional Information:

SHIP funds allocated for this strategy will be leveraged with local CDBG, HOME, Documentary Surtax Homeownership Assistance Loan Program (HALP), or the Neighborhood Stabilization Program (NSP).

D.

Foreclosure Prevention and Mitigation

Code 7

a. Summary of Strategy:

Funds will be provided to assist qualified homeowners with retaining their home and preventing foreclosure action of the first mortgage. Applicants must be delinquent at least two full monthly mortgage payments, in receipt of a letter from the mortgage lender notifying the applicant of delinquency and/or intent to foreclose.

- b. Fiscal Years Covered: 2016-2017, 2017-2018 and 2018-2019
- c. Income Categories to be served: Very-low, low and moderate
- d. Maximum award: \$7,500.00

Eligible expenses include delinquent mortgage payments (principal, interest, taxes and insurance), special assessment fees from condominium and/or neighborhood associations, late fees and other customary fees associated with delivery costs (but excluding brokerage fees).

e. Terms:

1. Loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded subordinate mortgage and note.
2. Interest Rate: 0%
3. Term: 5years
4. Forgiveness/Repayment: The loan will be forgiven at the end of term provided the owner continues to occupy the home as their principal residence.
5. Default/Recapture: Repayment of the full amount shall become due if any of the following occurs within the deferred loan term:
 - Homeowner sells, transfers, or disposes of the property by any means, including bankruptcy, foreclosure, or deed in lieu of foreclosure;
 - Homeowner no longer occupies the unit as their principal residence;
 - Homeowner fails to meet any of the terms of the Public Housing and Community Development's Subordination Policy.

An heir may assume the debt as long as said heir becomes the owner occupant and meets income guidelines.

f. Recipient Selection Criteria:

- This strategy is designed to assist individuals who have fully amortizing conventional mortgages;
- Applicants may receive funding under this program only one time.
- Applicants must attend and complete a budget/credit/debt reduction course through an approved counseling agency,
- Applicant must show their ability to (i) keep the house out of default and (ii) must show they can make monthly mortgage payment. Criteria as follows may be used as listed below:
 - i. Current income analysis
 - ii. Current income analysis; general care of the home; credit history on other payment requirements; other obligations; job history; payment

- history; income to debt ratio;
 - iii. Other factors that may serve to assist the administration of the program to determine worthiness of the applicant
 - Foreclosure prevention applicants must show that the nonpayment of their mortgage is due to the following eligible reasons:
 - i. Loss of employment
 - ii. Sudden medical expenses
 - iii. Divorce or separation
 - iv. Death in a family
 - v. Unforeseen home repair bills
- g. Sponsor/Developer Selection Criteria:
Eligible sponsors will be selected utilizing the selection criteria as approved by the local government.
- h. Additional Information:
SHIP funds allocated for this strategy may be leveraged with federal, state, local, private funds and volunteer labor.

E.

<i>Disaster Response Strategy</i>	<i>Code 16</i>
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- a. Summary of Strategy:
This is an initially un-funded contingency strategy to be utilized in the event of a declaration by Executive Order by the Governor of the State of Florida and/or federal government of a disaster or resolution of the Board of County Commissioners in response to a disaster. In the case of a natural or man-made calamity, priorities must be changed to meet emergency conditions. In an effort to maximize the effect of funds utilized for disaster recovery and mitigation, funds not contractually committed for rehabilitation, construction, design, homeownership purchase or other activity will be redirected to the post-disaster recovery and mitigation effort. In an effort to maximize the effect of funds utilized for disaster recovery and mitigation, Miami-Dade County reserves the right to suspend any waiting lists developed before the occurrence of a disaster and redirect funds to areas of worst damage. This Assistance is provided as gap assistance for any damage that insurance or FEMA does not cover. These funds will be used for the following activities:
 - Purchase of emergency supplies to waterproof damaged homes.
 - Interim repairs to avoid further damage, such as tree and debris removal required to make individual housing units habitable.

- Payment of insurance deductibles for rehabilitation of homes covered under homeowners' insurance policies.
- Removal of incipient hazards that may damage a structure.
- Relocation costs for displaced households.
- Jumpstart Assistance consisting of:
 - Rehabilitation loans in absence of insurance for very low-income households or as gap funds if necessary.
 - Down-payment assistance in the form of a subordinate mortgage awarded under current program guidelines to applicants who are able to qualify for a first mortgage to purchase a home pending FEMA buy-out.
 - First mortgage assistance under exceptional circumstances on a case-by-case basis.
- Other activities as proposed by the federal government, counties, and eligible municipalities and approved by the Florida Housing Finance Corporation.

b. Fiscal Years Covered: 2016-2017, 2017-2018 and 2018-2019

c. Income Categories to be served: Very-low, low

d. Maximum award:

Awards will be consistent with FEMA reimbursement guidelines.

e. Terms:

1. Loan/deferred loan/grant: A grant may be issued for assistance related to disaster response strategies other than rehabilitation loans. For rehabilitation loans, assistance provided under this strategy will be in the form of either a low-interest or deferred payment loan, consistent with the Owner-Occupied Rehabilitation Loan Program as follows:

Rehabilitation Loan Terms for General Population:

Non-elderly, non-disabled income-eligible applicants (meaning owners 61 and younger who have no disabled household members) are offered repayment terms dependent upon total debt to income ratio. Specifically at ratios exceeding 45%, the mortgage term is 20 years with a \$50.00 monthly payment. The remaining principal is forgivable after 20 years. For applicants whose total debt to income ratio is no greater than 45%, a payment is assessed in the form of an amortized loan based on an interest

rate of 0 – 6% on a 20-year term.

Rehabilitation Loan Terms for Elderly and Disabled:

Elderly population applicants are defined as owners 62 and older who have no disabled household members. The mortgage term is 20 years with a \$50.00 monthly payment. The remaining principal is forgivable after 20 years.

Disabled population applicants are defined as anyone in the household that is disabled. For all disabled applicants the mortgage term is 20 years. The term is 20 years with a \$50.00 monthly payment. The remaining principal is forgivable after 20 years.

The SHIP proceeds repaid to the County will be used by the County for other SHIP assistance. In the event that the proceeds from the sale are insufficient to repay the outstanding SHIP subsidy, the County will recapture whatever proceeds are available after the first mortgage from a private lender (if any) has been repaid.

2. Interest Rate: 0% for disaster assistance
3. Term: N/A
4. Forgiveness/Repayment: N/A
5. Default/Recapture: N/A

f. Recipient Selection Criteria:

Eligible recipients will be selected using method(s) that the County may develop to expedite the distribution of disaster response resources during disaster periods

g. Sponsor/Developer Selection Criteria:

Eligible Sponsors will be selected using the County's Consolidated Plan RFA or any other method(s) that the County may develop to expedite the selection of Eligible Sponsors during disaster periods.

h. Additional Information: N/A

III. LHAP Incentive Strategies

In addition to the **required Incentive Strategy A and Strategy B**, include all adopted incentives with the policies and procedures used for implementation as provided in Section 420.9076, F.S.:

- A. Name of the Strategy: **Expedited Permitting**
Permits as defined in s. 163.3177 (6) (f) (3) for affordable housing projects are expedited to

a greater degree than other projects.

Provide a description of the procedures used to implement this strategy:

By Resolution 347-09, the BCC adopted the AHAB's recommendation that the Building Department's informal expedited process for affordable housing be formalized through legislative action. An existing Administrative Order governing permitting review will be amended through BCC adoption that will incorporate expedited permit review for affordable housing development. By direction of the BCC, the expedited review process also will be incorporated into the Department's standard operating procedures.

B. Name of the Strategy: Ongoing Review Process

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

Provide a description of the procedures used to implement this strategy:

- By Resolution 347-09, the BCC adopted the AHAB's recommendation that an affordable housing cost impact review for legislation that relates to land development and infrastructure in connection with housing development be performed and the BCC be notified of the cost impact at first reading or public hearing, as required.
- Pursuant to Resolution R-347-09, AHAB must review any current and future Comprehensive Development Master Plan (CDMP) amendments or zoning code changes that may impact affordable housing and provide recommendations, as it deems necessary.

C. Name of the Strategy: County-Owned Land Identified for Affordable Housing Development

Maintain an inventory of locally owned public lands suitable for affordable housing development and make such land available to non-profit and for-profit developers to increase affordable housing.

a. Provide description of the procedures used to implement this strategy:

The County's Public Housing and Community Development and General Services Administration are responsible for development of this inventory as well as tracking and monitoring development on the sites.

By Resolution R347-09, the BCC adopted AHAB's recommendation that AHAB and a second advisory board to the BCC, the Community Affordable Housing Strategies Alliance, be provided a list of these public sites and the status of development on an annual basis in order to monitor and report on the

implementation of this strategy.

D. Name of the Strategy: Promote CDMP Affordable Housing Objectives

Promote affordable housing development objectives contained in the Housing Element of the County's Comprehensive Development Master Plan (CDMP)

a. Provide description of the procedures used to implement this strategy:

Pursuant to Resolution 347.09, this strategy will be implemented by:

Giving preference in County funding processes to affordable housing projects (whether on County-owned land or not) located within transit corridors or designated employment centers.

To the extent possible, giving priority to the development of affordable rental housing on County-owned parcels suitable for multi-family housing development and located within transit corridors or designated employment centers. Units are to be affordable to a mix of household incomes (i.e. ELI, VL, low- and moderate-income households).

IV. EXHIBITS:

- A. Administrative Budget for each fiscal year covered in the Plan.
- B. Timeline for Estimated Encumbrance and Expenditure.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.
- D. Signed LHAP Certification.
- E. Signed, dated, witnessed or attested adopting resolution.
- F. Ordinance: (If changed from the original creating ordinance).
- G. Interlocal Agreement.
- H. Other Documents Incorporated by Reference.