



INFILL HOUSING INITIATIVE GUIDELINES



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I. PURPOSE

The purpose of the Infill Housing Initiative is to increase the availability of affordable homes for low and moderate income persons; maintain a stock of affordable housing; redevelop urban neighborhoods by eliminating the blight of vacant, dilapidated or abandoned properties; equitably distribute homeownership opportunities within the Infill Target Areas; and generate payment of ad valorem taxes. The Infill Housing Initiative provides incentives to encourage developers to build affordable housing. These incentives include free land for qualified developers, forgiveness of County liens on private lots, deferral and/or refund of impact fees and water and sewer connection charges and funding assistance in the form of second mortgages for qualified buyers.

The procedures established to carry out the goals of the Infill Housing Initiative are administered by the Department of General Services Administration through its Infill Housing Program.

II. DEFINITIONS

Affordable: Where the mortgage payment, including taxes and insurance, does not exceed 30 percent of the amount which represents the percentage of the median annual gross income for low and moderate income households. However, it is not the intent to limit an individual household's ability to devote more than 30 percent of its income for housing, and housing for which a household devotes more than 30 percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30 percent benchmark.

Certificate of Qualification: A certificate issued by MDHA or any other County or non-County agency that has been authorized by MDHA to qualify households. Certificates of Qualification shall be valid for 12 months.

Compliance Certificate: A certificate issued by the Infill Housing Program stating that the proposed conveyance, sale or transfer of the Property to the selected purchaser is in compliance with the rights, restrictions, covenants and agreements contained in the Affordable Housing Restrictive Covenant running with the land.

Control Period: The 20-year period during which the eligible home must remain affordable. The control period begins on the initial sale date of the eligible home and resets automatically every 20 years for a maximum of 60 years, except that in the event the home is owned by the same owner for an entire 20-year period, said home shall be released from the affordability restrictions.

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County Property: Property that is owned by Miami-Dade County which is made available to qualified developers for the development of affordable housing.

Dwelling Unit: A unit, whether detached or attached to another such unit, that houses a single family and that can be sold in fee simple ownership.

Eligible Housing or Eligible Home: Any dwelling unit that is: (i) located on an infill parcel; (ii) constructed or rehabilitated in accordance with this article; and (iii) used as the primary residence of a qualified household.

Eligible Person or Eligible Household: One or more natural persons or a family that has not owned or had an interest in a home during the previous three years and that has been determined by the County to meet the eligibility requirement of a low income or moderate income household according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household.

Impact Fees: Fees for Road, Fire and Emergency Services, Parks, Police and Educational Facilities that are paid as pre-development costs to help fund the additional expenses required for services for new development.

Infill Parcel: A parcel of land that is located within the infill target areas and is suitable for residential development of four (4) dwelling units or less.

Infill Target Areas: The areas of the County designated as the Urban Infill Target Area (UIA), as defined in Section 33G-3(26) of the Code, and the Targeted Urban Areas (TUA), as defined in Section 30A-129(2) of the Code. In addition, Infill Target Areas shall include those portions of Neighborhood Revitalization Strategy Areas not otherwise covered under the UIA and TUA and any geographic locations in Miami-Dade County which are designated by the Federal Government as empowerment zones shall be included in the definition of TUA at the time of such designation.

Liens: Encumbrances placed on property by the County or other municipality for failing to maintain property or pay for services rendered, i.e. lot clearing, trash pick up, demolition of unsafe structure, etc.

Low Income Household: Those households whose total annual adjusted gross income is 80% percent or less than the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within Miami-Dade County, whichever is greater as defined by HUD.

Moderate Income Household: Those households whose total annual adjusted gross income is greater than 80% and less than 140% percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within Miami-Dade County, whichever is greater as defined by HUD.

Private Property: Property that is not owned by Miami-Dade County.

Qualified Developer: Any person, firm, corporation, partnership, limited liability company, association, joint venture, community based organization, not-for-profit agency, or any entity or combination of entities, excluding any governmental entity, that has been qualified by the County as having the requisite experience and capacity to build affordable housing through the Infill Housing Program. For these purposes a community-based organization shall have among its purposes the provision of affordable housing to persons who have special needs or have low income, or moderate income within a designated area, which may include a municipality or more than one municipality or the County, and maintains, through a minimum of one-third representation on the organization's governing board, accountability to housing program beneficiaries and residents of the designated area.

III. COUNTY SUBSIDY PROGRAMS

a) Homebuyer Assistance

The County offers financial assistance to eligible low and moderate income homebuyers through various County Programs including, but not limited to the following:

- **Housing Finance Authority (HFA)** provides low-interest rate mortgages and financial assistance to first-time low and moderate income homebuyers. In coordination with its non-profit partner, Miami Dade Affordable Housing Foundation, Inc., the HFA also provides homebuyer education and certification. For more information on programs offered by HFA visit their website at <http://www.miamidade.gov/hfa> or contact their office at (786) 331-5361.
- **Metro Miami Action Plan (MMAP)** administers the Homeownership Assistance Program (HAP) which provides low and moderate income families with down payment and closing cost assistance and serves as a primary conduit through which financial assistance expeditiously flows to ease the purchasing process. For more information on programs offered by MMAP-HAP visit their website at <http://www.miamidade.gov/mmap/hap.asp> or contact their office at (305) 372-7600.

b) Developer Assistance/Incentives

- **Office of Community and Economic Development (OCED):** OCED provides Community Development Block Grant (CDBG) funding to developers for the construction of affordable housing and other economic redevelopment projects. For more information about CDBG funding, visit OCED's website at http://www.miamidade.gov/ced/community_development.asp or contact their office at (305) 375-3422.
- **Building Permit Expedite Process:** Homes being developed in the Unincorporated Municipal Service Area (UMSA) through the County's Infill Housing Program qualify for the Building Department's expedite process. GSA provides developers a letter indicating that the lot is being developed through the Infill Housing Program. That letter must be presented to the Building Department when applying for a building permit in order to qualify for the expedite process.
- **Release of Liens:** Privately-owned lots that are accepted into the Program qualify to have County liens that existed on the Property prior to the developer's ownership released once the home has been built and sold to a qualified household and an Affordable Housing Restrictive Covenant has been recorded on the property.
- **Deferral / Refund of Impact Fees and Water and Sewer Connection Charges:** In order to reduce the developer's up front construction costs, the Infill Housing Program will defer the developer's obligation to pay the County impact fees (excluding School Board impact fees) and water and sewer connection charges until the developer closes on the sale of home. The Program will pay these fees on behalf of the developer at the time of permitting. However, the developer must reimburse the Program at the time of closing.

IV. MINIMUM ARCHITECTURAL AND SPACE REQUIREMENTS

a) Submittal

Any units constructed through the Infill Housing Program must comply with the space requirements and standards contained in this section.

Building design shall provide for safe, secure, healthful, and attractive living facility and environmentally suited to the social, economic, and recreational needs of resident families and individuals. It shall provide for ease of circulation and housekeeping; visual and auditory privacy; building code requirements for light, ventilation, fire and accident protection; economics in maintenance and use of space; accessory services; and sanitation facilities.

Roofs for one (1) and two (2) story buildings shall be (a) in compliance with the Florida Building Code (FBC) and (b) conform to the surrounding neighborhood. Class "A" fire rated SFBC covering if required. Aesthetically, variations of exterior elevations will be considered favorably.

b) Local Codes, State and Federal Regulations

These Infill Housing Program standards are not intended to serve as a building code. Such codes are primarily concerned with fractions of health and safety and not the many other aspects of design for functions, aesthetics and use. Where the Florida Building Code, local, state or federal regulations require lower standards, the Infill Housing standards as specified herein shall apply.

These standards shall not be construed as relieving the developer and/or the building of his responsibility for compliance with local ordinances, code and regulations including established requirements of a healthy authority having jurisdiction. The provision of handicapped accessibility and meeting design requirements of local, state or federal laws shall be the responsibility of the developer and/or architectural consultant whenever applicable.

The Infill Housing Program does not assume responsibility for enforcing or determining compliance with local codes and regulations or make interpretations regarding their application in any specific instance. The developer shall be responsible to obtaining all applicable building permits and inspections leading to obtaining a certificate of occupancy and/or final inspection from the proper building and zoning department according to the project location. These items will be a prerequisite to close on any home built through the Infill Housing Program.

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c) Site Requirements – In Conformance with the Florida Building Code Requirements

- 1) Landscaping shall include solid sod at all non-paved areas and shrubs and trees as required by the local building departments.
- 2) The Site plan shall indicate all required parking in conformance with the zoning code. Driveway approaches and parking pads are to be asphalted. Concrete driveways and parking pads shall be viewed favorably.
- 3) Single-family homes with enclosed carports or garages will be viewed favorably.
- 4) Landscaping, including tree removals and replacements, shall conform to all local codes.
- 5) Developer will provide the necessary site development improvements including street signs, sidewalks, curb cuts and all required utilities services to the unit(s) including water and sanitary sewer.
- 6) Developer will be required to provide landfill and grading as necessary to meet both local and federal requirements on floor elevations and drainage.
- 7) All utility companies and agencies requirements (i.e., electrical, gas, water and sewer, Public Works, DERM, telephone, fire departments, post office, etc.) must be met.
- 8) All main entrance doors must have concrete stoops of 4' x 4' minimum dimensions or larger as required by the door with dimensions. Secondary exterior doors must also have concrete stoops of 3' x 3' minimum dimension or larger as required by door width dimensions.

d) Minimum Net Space Requirements for New Construction

▪ **Living / Sleeping Space Requirements by Unit Size (Square Feet)**

	1-BR UNIT	2-BR UNIT	3-BR UNIT	4-BR UNIT	*MINIMUM DIMENSIONS
Living Room	160	160	170	180	11'-6"
Dining Room	100	100	110	120	8'-6"
Kitchen	60	70	80	90	7'-0"
Living/Dining	210	210	230	250	12'-0"
Kitchen/Dining	120	130	140	160	10'-0"
Bedroom #1 (Master)	125	125	125	125	10'-0"
Bedroom #2	--	100	100	100	10'-0"
Bedroom #3	--	--	100	100	10'-0"
Bedroom #4	--	--	--	100	10'-0"

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▪ **Bedroom Closet Dimensions (feet)**

Bedroom Closets	Minimum Dimensions
Bedroom #1 (Master)	2'-0" x 6'-0"
Bedroom #2 thru #4	2'-0" x 4'-0"

▪ **Linen Storage shall be provided as follows:**

- 1) Minimum shelf area: 10 sq. ft. for 1 and 2 bedroom units;
- 2) 15 sq. ft. for three or more bedroom units.
- 3) Spacing of movable shelving: not less than 12 in. other closets.
- 4) Location as close as possible to bathrooms.

▪ **General Storage**

Usable general storage space shall be provided for the storage of items and equipment essential to the use of the occupants. Laundry connections may be placed in this space. This storage shall be in addition to required bedroom and linen closets and kitchen storage. The minimum total square footage of general storage for each living unit shall conform to either column 1 or column 2 of the following chart.

General Storage Requirements (Square Feet)

	Column 1 (1)	Column 2 (2)
1 BR Unit	17	34
2 BR Unit	17	34
3 BR Unit	22	50
4 BR Unit	22	50

Note: Column (1) This storage shall be located entirely within living unit.

Column (2) At least one half of this storage shall be located within the living unit.

Attic space, if provided, may only count as 20% of this storage requirement. Appropriate access panel is to be provided. Boards or plywood panels shall be nailed to roof trusses all around the opening inside the attic space to minimum width of 2'-6", to facilitate the storage surface to the owner. Minimum height available around opening inside attic space shall be 4'-0".

▪ **Bathrooms**

- 1) Units having one or two bedrooms must be furnished with a bathtub.
- 2) Units having 3, 4, or more bedrooms should have at least two full baths, with a minimum of one bathroom containing a bathtub.
- 3) Split level units with the bedrooms on the upper level will require a half bath on the lower level, in addition to other bathroom requirements. If a bedroom is on the ground floor, a full bathroom is required.

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Bathrooms shall be provided with the following accessories:

- 1) Securely mounted soap dish and towel bar with holders at tub and shower.
- 2) Shower curtain rod at tub. Enclosure at shower.
- 3) Soap dish at lavatory (soap dishes may be integral with the fixture).
- 4) Toothbrush holder at lavatory.
- 5) Toilet paper holder accessible from water closet.
- 6) Medicine cabinet with mirror. (Fixed wall mounted mirror in addition is optional).
- 7) Two towel bars with holders, outside tub and shower.

Each half bath shall be provided with above items 3, 4, 5, and 6.

Shower stalls shall have a minimum area of at least 3' x 3'.

Ceramic or vinyl tile floors shall be provided. Walls around showers or tub-showers shall be a full ceiling height from the tub or bottom of the shower.

Lighting and ventilation to comply with current building code requirements.

▪ **Kitchen**

Kitchen Minimum Space Requirements (square feet)

	1 BR UNIT	2 BR UNIT	3 BR UNIT	4 BR UNIT
Wall and Base Cabinets	30	35	40	45
Drawer	5	6	7	8

* Usable storage drawer in cooking range or under sink may be counted in the total spacing needed.

Pantry Closets: Same requirements as linen closet. However, must have a minimum of six moveable shelves.

Kitchen Appliances and Equipment Requirement

- 1) Refrigerator with a minimum size of 18 cubic feet.
- 2) Range with a minimum width of 30 inches
- 3) Stainless steel double sink for each unit.
- 4) Re-circulating range hood fan with light in naturally ventilated kitchens.
- 5) Exterior vented range hood exhaust fan with light in other kitchens.

▪ **Other Requirements**

- 1) Smoke Detector - As per the FBC.
- 2) Exterior door viewer/knocker (Door bell is optional).
- 3) Water heater drain pans if located on the 2nd floor.
- 4) Energy conservation measures to comply with state energy code.
- 5) HVAC - provide energy efficiency rating as per the SFBC.
- 6) Units must meet present fire exit code requirements dealing with minimum window dimensions and height.
- 7) Main pedestrian entrance must have a minimum 4'-0" roof overhang.
- 8) Secondary pedestrian entrances must have a minimum 3'-0" roof overhang.
- 9) Evidence of building and zoning final inspection and/or C.O.
- 10) 100% building warranty by developer from date of closing, as per state or county law whichever is more stringent.

V. PROCESS TO DEVELOP COUNTY-OWNED LOTS

a) Selecting Qualified Developers

County-owned lots that are ready for development are offered to the Infill Housing Developer Pool, at no cost, as lots become available. The Infill Housing Developer Pool is selected through a Request for Qualifications (RFQ) process that is issued by the Department of Procurement Management. Qualified Developers are selected based on the following criteria:

- Proposer's past performance and experience;
- Proposer's construction financial capability;
- Proposer's approach to meeting time schedule and budgets;
- Proposer's marketing skills and ability reach eligible households.

b) Awarding County Lots

County lots that are determined to be ready for development are made available to the pool of qualified developers through a Work Order Proposal Request (WOPR). The WOPR specifies the lots that are being made available as well as the targeted income level of the buyer. Only developers in the pool will be given the opportunity to respond to the WOPR. Award of the lots will take into account the following criteria:

- **Architectural Design:** The developer must provide a site plan, floor plan and front, side and rear elevations for each model being proposed. All homes must comply with the Minimum Architectural and Space Requirements found in Section IV herein and any and all other City, County and Florida Building Code requirements.
- **Unit Price:** The proposed sales price for each unit shall be based on cost of development (including hard and soft costs and a reasonable profit) and can not exceed the Program's maximum sales price, which is currently \$225,000. Once the lot has been awarded, the developer **shall not** increase the price of the home, unless approved in writing by the Program. Price increases will only be allowed under **extraordinary** circumstances such as a natural disaster or fire. Failure to adhere to the sales price will result in a one-year suspension from the pool for the first incident and removal from the pool after the second incident.

c) County Deed:

The County will transfer title of the lots to the selected developer via a County Deed with the restriction that the property must be developed with affordable housing in accordance with the Infill Housing Initiative Guidelines. Failure to do so will result in the recapture of the lots and any and all improvements made thereto, without any rights to monetary compensation.

VI. PROCESS TO DEVELOP PRIVATELY-OWNED LOTS

a) Applying to the Program

The County may encourage private property owners to rehabilitate or redevelop their properties as infill housing through the release of County liens that predate the private property owner's date of ownership. Private property owners who wish to develop their properties through the Infill Housing Program may do so by filing an "Application for Private Lots" with the Infill Housing Program. Staff will verify that the property falls within the Program boundaries and that it is properly zoned.

b) Declaration of Restrictive Covenant

The private property owner/developer will be required to execute and record a Declaration of Restrictive Covenants which states that the property will be developed with affordable housing in accordance with the Infill Housing Initiative Guidelines. The covenant will become a contractual obligation of the owner/developer. Upon receiving proof of compliance with all the restrictions the Infill Housing Program will furnish the owner an appropriate instrument acknowledging that they have complied with the requirements of the covenant and are released from said covenant. Said instrument shall be in a form recordable in the Office of the Clerk of the Circuit Court of Miami-Dade County, Florida. Failure to comply with the requirements will result in the owner forfeiting all rights to have County liens released.

c) Architectural Plans Review

Prior to applying for a building permit, the developer must provide a copy of the site plan, floor plan, and front, side and rear elevation plans of the home to the Infill Housing Program who will review them for compliance with the Minimum Architectural and Space Requirements.

VII. MONITORING CONSTRUCTION

All homes constructed through the Infill Housing Program are monitored by GSA's Infill Housing staff. Developers are provided a schedule that they are required to adhere to. Failure to adhere to the schedule may result in forfeiture of the lot and incurred costs, in the case of County lots, or elimination from the Program in the case of Private lots. Extension may be granted by GSA, however, only under the following circumstances:

- Regulations change after the developer enters the Program
- A variance of Zoning or DERM regulations is required
- Platting is required
- Complications with water/sewer connections

The Infill Housing Program staff is available to assist developers with any problems they may encounter during the construction process. Should the developer encounter problems that may result in a delay in the project, it is essential that they immediately notify the Infill Housing Program staff and request an extension, if necessary.

VIII. BUILDING PERMIT EXPEDITE PROCESS

Building permit applications for homes being built in the Unincorporated Municipal Service Area (UMSA) through the Infill Housing Program qualify for the Building Department's expedite process. GSA provides developers a letter indicating that the lot is being developed through the Infill Housing Program. That letter must be presented to the Building Department when applying for a building permit in order to qualify for the expedite process.

IX. QUALIFYING ELIGIBLE HOUSEHOLD/HOMEBUYER

Every dwelling unit created as a result of the Infill Housing Program must be sold to a qualified household to be used as his or her own primary residence. A household is deemed qualified once the following requirements have been met:

a) Homeownership Counseling:

The eligible household must complete a homeownership training course through a participating counseling agency that provides financial management, credit counseling and other related technical services to participating families for the purpose of financing a single-family home and has received a certificate verifying that he/she has successfully completed the course. A list of participating counseling agencies can be found on the County's website at: <http://www.miamidade.gov/housing/homebuy-counsel.asp>.

b) First Time Homebuyer Requirements:

The eligible household must be a first-time homebuyer. A first-time homebuyer is an individual who meets any one of the following criteria:

- An individual who has had no ownership interest in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers); or
- A single parent who has only owned a home with a former spouse while married; or
- An individual who is a displaced homemaker and has only owned with a spouse; or
- An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations.

c) Income Verification:

Developer shall submit a mortgage commitment letter qualifying the family as a low or moderate income affordable home buyer from the Miami Dade County Housing Finance Authority (HFA) or other non-County lending agency; authorized by the County to qualify households. For a list of participating lending agencies visit the County's website at: http://www.miamidade.gov/housing/bank_partnership.asp.

Once documentation has been provided to the Infill Housing Program confirming that all of the aforementioned requirements have been met, the Infill Housing Program will issue a Certificate of Qualification which states that the buyer meets all of the eligibility requirements of the Infill Housing Program.

X. SALES PRICE OF AFFORDABLE HOME

The Infill Housing Program sets a maximum sales price for homes built through the Program. Said maximum sales price **may or may not** be the same as the maximum sales price set by County funding programs such as Surtax or SHIP. In the event said maximum sales prices shall differ, the overriding maximum sales price shall be the maximum sales price allowed by the Infill Housing Program. Participating developers will be notified of any price adjustments.

XI. CLOSING PROCESS

Prior to closing on an eligible home, the developer shall provide copies of following documentation to the Infill Housing Program:

- 1) Certificate of Qualification for the Homebuyer
- 2) HUD Closing Statement
- 3) "Affordable Housing Restrictive Covenant" executed by buyer
- 4) Copy of Warranty Deed transferring title from the developer to the buyer. **Said deed shall contain the following language:**

"This property is subject to an "Affordable Housing Restrictive Covenant" recorded simultaneously herewith, which states that the property shall remain affordable during the "Control Period." The "Control Period" commences on the initial sale date of the eligible home, which is the date the deed is recorded transferring title from the developer to the first qualified household, and resets automatically every 20 years for a maximum of 60 years. In the event Grantee wishes to sell or refinance the home during the Control Period, Grantee shall obtain prior written approval from the County. Any such sale, transfer or conveyance, shall only be to a qualified household as defined in Section 17-122(n) of the Miami-Dade County Code at or below the maximum sales price as calculated in the restrictive covenant. Should Grantee own this home for twenty consecutive years, Grantee shall automatically be released from the Affordable Housing Restrictive Covenant."

The Infill Housing Program will issue a Compliance Certificate stating that the sale meets the requirements of the Program. Said Certificate shall be recorded in the public records along with the deed and restrictive covenant.

XII. RELEASE OF COUNTY LIENS

Privately-owned lots that are accepted into the Program qualify to have County liens that existed on the Property prior to the developer's ownership released once the home has been built and sold to a qualified household and an Affordable Housing Restrictive Covenant has been recorded on the property. To request the release of County liens an "Application to Release Liens and Citations" must be filled out and submitted to the Infill Housing Program along with the required documentation. The Infill Housing Program will prepare and execute a "Special Release of Lien Relative to the Infill Housing Initiative" and record it once all of the required documentation is received by the Infill Housing Program. Failure to receive all of the required documentation within the stated time-frame may delay the recording of the Special Release of Lien.

XIII. DEFFERAL / REFUND OF IMPACT FEES AND WATER AND SEWER CONNECTION CHARGES

a) Deferral of Impact fees and Water and Sewer Connection Charges

In order to reduce the developer's up front construction costs, the Infill Housing Program will defer the developer's obligation to pay the County impact fees (excluding School Board impact fees) and water and sewer connection charges until the developer closes on the sale of home. The Program will pay these fees on behalf of the developer at the time of permitting. However, the developer must reimburse the Program at the time of closing. In order to ensure that the fees are paid back, the Program will record a mortgage in the amount of the fees which must be satisfied at closing. To request the deferral of these fees, the developer must submit a "Deferral of Impact Fees and Water and Sewer Connection Charges Application" to the Infill Housing Program.

b) Refund of Impact fees

Pursuant to Chapter 33 of the Code of Miami-Dade County, new homes that are sold to a low-income household (**80% or less of median income**) qualify to have County impact fees for road, fire and emergency services, parks and police services refunded. This includes homes that have been built through the Infill Housing Program and have been sold to a low income household. To request a refund of these fees, the developer must fill out an "Impact Fee Refund Application" and submit it to the Infill Housing Program. Once the Program has verified that all of the Program requirements have been met, the application will be forwarded to the Department of Planning and Zoning for processing.

XIV. RESALE PROCESS

a) Notice of Sale

When the owner or any successor in title to the owner shall desire to sell, dispose of or otherwise convey the property, or any portion thereof, the owner shall notify the County in writing of the owner's intent to sell the Property. Said notification is referred to as the "Notice of Sale." Said notice shall be sent to the GSA's Infill Housing Program, 111 NW 1 Street, Suite 2460, Miami, FL, 33128. The County shall determine the Maximum Resale Price which the owner may receive for the sale of the property as calculated below.

The County shall have 60-days from receiving the Notice of Sale from the Owner to enter into a Purchase and Sale Agreement at or below the Maximum Resale Price or provide the owner with written notification of County's intent to waive its right of first refusal.

Should the County not exercise its right of first refusal, the County shall assist the owner in identifying an eligible purchaser ready, willing and able to purchase the property at or below the Maximum Resale Price. The owner shall fully cooperate with County's efforts in assisting owner identify an eligible purchaser.

Should the owner be unable to identify an eligible purchaser within 120-days of the County receiving the Notice of Sale, the owner shall have the right to require that the County purchase the property at or below the Maximum Resale Price, provided the owner has made a good faith effort to sell the property to an eligible purchaser, to include agreeing to reasonable terms and conditions in a purchase and sale agreement. The County shall have the right to extend the 120-day period if, in their opinion, the owner has not made a good faith effort to sell the property or has not cooperated with the County in identifying and selecting an eligible purchaser.

b) Maximum Resale Price Multiplier Formula

To calculate the resale price multiplier, you divide the original home's purchase price by the current HUD Area Median Income for the Metropolitan Areas in Florida. (Contact the Infill Housing Program to obtain the current median income.)

Example:

Original Purchase Price in 2006	\$175,000.00
2006 HUD Area Median Income for Metropolitan Area	\$55,600.00
Resale Price Multiplier (175,000/55,600)	3.147

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c) Maximum Resale Price Formula:

To calculate the maximum resale price of a home you need to determine what the HUD Area Median Income is when the contract is executed and multiply it by the established resale multiplier (3.147), then add any approved costs for capital improvements. The following example calculates the resale price of the home used in the resale price multiplier example above in the year 2008.

Example:

2008 HUD Area Median Income for Metropolitan Area	\$60,000.00
Multiplied by the Resale Price Multiplier	3.147
Net Resale Price in 2006	\$188,849.00
Costs for Capital Improvements	<u>\$10,000.00</u>
Maximum Resale Price	\$198,849.00

d) Capital Improvements:

Costs for capital improvements that are eligible for consideration are defined as documented commercially reasonable costs of structural improvements made to the property by the owner which increase the total square footage of the home.

e) Closing Process

Prior to closing on an eligible home, the Current Owner (Seller) shall provide a copy of following documents to the County:

- 1) Certificate of Qualification for the Homebuyer
- 2) HUD Closing Statement
- 3) Copy of Warranty Deed transferring title from developer to the eligible buyer.

Said deed shall contain the following language:

“This property is subject to an “Affordable Housing Restrictive Covenant” recorded in Official Record Book _____ Page ____ of the Public Records of Miami-Dade County, which states that the property shall remain affordable during the “Control Period.” The “Control Period” commences on the initial sale date of the eligible home, which is the date the deed is recorded transferring title from the developer to the first qualified household, and resets automatically every 20 years for a maximum of 60 years. In the event Grantee wishes to sell or refinance the home during the Control Period, Grantee shall obtain prior written approval from the County. Any such sale, transfer or conveyance, shall only be to a qualified household as defined in Section 17-122(n) of the Miami-Dade County Code at or below the maximum sales price as calculated in the restrictive covenant. Should Grantee own this home for twenty consecutive years, Grantee shall automatically be released from the Affordable Housing Restrictive Covenant.”

The County will issue a Compliance Certificate stating that the proposed conveyance, sale or transfer of the property to the selected purchaser is in compliance with the rights, restrictions, covenants and agreements contained in the Affordable Housing Restrictive Covenant. Said certificate shall be recorded along with the deed for all subsequent sales.

XV. ENFORCEMENT

Pursuant to Article VII Section 17-128 of the Code of Miami-Dade County which governs the Infill Housing Initiative, violations by all agents, successors and assignees of a qualified household of this article shall be punishable by a civil fine not to exceed ten thousand dollars (\$10,000.00) and shall be punishable by a criminal fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail for a period not to exceed sixty (60) days, or by both such fine and imprisonment, in the discretion of the county court. Any continuing violations may be enjoined and restrained by injunctive order of the circuit court in appropriate proceedings instituted for such purpose.

XVI. INFILL HOUSING PROGRAM CONTACT INFORMATION

General Services Administration
Infill Housing Program
111 NW 1 Street, 19th Floor
Miami, FL 33128-1994
Contact Name: DeWayne Little, GSA Urban Land Manager
Main Number: (305) 375-4400
Fax Number: (305) 375-3545