



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

**A Review of Supplemental Rental Assistance for Low-Income
Individuals and Families**

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Yinka Majekodunmi, CPA, Commission Auditor
Office of the Commission Auditor
111 N.W. First Street, Suite 1030
Miami, FL 33128
(305) 375-4354

Research Team

Phillip George Edwards, Esq., Senior Research Analyst (Lead Researcher)
Victor van der Weerden, MSc, Associate Research Analyst (Lead Researcher)
Mireidy Fernandez, PhD, Research Analyst
Maryse Fontus, JD, Research Analyst
Thomas B. Davis, Esq., Director of Policy and Legislation

The Office of the Commission Auditor, Miami-Dade Board of County Commissioners

The Office of the Commission Auditor (OCA) was established in September 2002 by Ordinance 03-2 to provide support and professional analysis of the policy, service, budgetary, and operational issues before the Miami-Dade Board of County Commissioners. The Commission Auditor's duties include reporting to the Board of County Commissioners (BCC) on the fiscal operations of County departments, as well as whether or not the fiscal and legislative policy directions of the Commission are being efficiently and effectively implemented.

This report, prepared in collaboration with the Miami Dade County departments as subject matter experts, is substantially less detailed in scope than an audit in accordance with the Generally Accepted Auditing Standards (GAAS). The Office of the Commission Auditor plans and performs the review to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our objectives; accordingly, OCA does not express an opinion on the data gathered by the subject matter expert.

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I. Introduction

a. Purpose

The Office of the Commission Auditor (OCA) prepared this report in response to a request from Commissioner Barbara J. Jordan, representing District 1, to conduct research regarding federal rental assistance programs and whether there are state and local programs to supplement such federal assistance.

b. Scope

The scope of this request encompasses a review of federal rental assistance programs overseen by the U.S. Department of Housing and Urban Development (HUD) and an assessment of the availability of statewide and local programs that address the gap between rising housing costs and declining federal assistance.

c. Methodology

To produce this report, OCA conducted qualitative and quantitative analytical research, i.e., reviewing statistical data and fact sheets from research and policy institutes, reports from think tanks, rental market studies, government websites, the Code of Federal Regulations and programmatic data from HUD.

II. The Affordable Housing Crisis

The United States is currently experiencing a housing affordability crisis at the national, state, and local level affecting its most vulnerable citizens, i.e., low-income households. For the purpose of this report, a household is defined as low-income if it earns less than 80% of the area median income (AMI), very-low income if it earns less than 50% of the AMI and extremely low-income if it earns less than 30% of the AMI.¹ According to the U.S. Census Bureau, the median national household income in 2018 was \$63,179, while the median household income in Florida was \$54,644, and the median household income in Miami-Dade County was \$49,758.² Household income is defined as the combined income of the householder and all other individuals 15 years old and over in the household, whether they are related to the householder or not.

Nationally, the supply of rental units affordable to very low-income renters, especially those with extremely low incomes, is inadequate. Only 37 homes are affordable and available for every 100 extremely low-income renter households, 58 homes for every 100 very low-income renter households, and 94 homes for every 100 low-income renter households.³ As of 2017, Florida only had 153,148 affordable rental units available for its 581,770 extremely low-income renter households according to the National Low Income

¹ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *FY 2015 Income Limits Documentation System*, https://www.huduser.gov/portal/datasets/il/il2015/2015summary.odn?states=%24states%24&data=2015&inputname=METRO33460M33460*Minneapolis-St.+Paul-Bloomington%2C+MN-WI+MSA&stname=%24stname%24&statefp=99&year=2015&selection_type=hmfa&trueSubmission=yes

² U.S. Census Bureau, Real Median Household Income in Florida [MEHOINUSFLA672N], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/MEHOINUSFLA672N>, January 15, 2020

³ Andrew Aurand, Dan Emmanuel, *THE GAP: A shortage for Affordable Homes*, NATIONAL LOW INCOME HOUSING COALITION (March, 2019) https://reports.nlihc.org/sites/default/files/gap/Gap-Report_2019.pdf

Housing Coalition.⁴ The numbers for the Miami Metropolitan Statistical Area (MSA) also reveal a shortage of affordable housing for the extremely low-income population, with only 44,919 units available for the 187,519 most vulnerable households.⁵ At the national level, extremely-low income groups account for nearly 73% of all severely cost-burdened renters, which is defined as households that spend more than 50% of income on housing.

Federal assistance has not adequately remedied the affordable housing shortage for the most vulnerable groups. The American Housing Survey reports that as of 2017, across the nation, only about 25%, or 4.5 million, of the 19 million renter-occupied housing units with household incomes of no more than 50% of AMI received housing assistance through federal spending programs.⁶ Only 17%, or 182,000, of the 1 million renter-occupied housing units with household incomes of no more than 50% of AMI received housing assistance through federal spending programs in the state of Florida. Similarly, only 18%, or 71,000, of the nearly 390,000 renter-occupied housing units with household incomes of no more than 50% of AMI received federal housing assistance in the Miami MSA.

Table 1 below shows the number of renter-occupied housing units eligible for federal rental assistance at the local, state, and federal level. Figure 1 shows the percentage of renter-occupied housing units eligible for federal rental assistance in the Miami MSA.

Table 1. Renter-Occupied Housing Units by Housing Assistance Status at National/State/County Level (Source: American Housing Survey, 2017)⁷

HUD-Assisted Status of Renter-Occupied Housing Units (thousands)			
PROGRAMS/DEMOGRAPHICS	GEOGRAPHIC AREA		
	United States	Florida	Miami MSA
HUD Assisted: Public Housing	968	29	12
HUD Assisted: Voucher	2,169	99	41
HUD Assisted: Multifamily	1,403	55	18
Individuals eligible, but not HUD-assisted, with income <50% of AMI	14,200	895	321
Individuals eligible, but not HUD-assisted, with income 51-80% of AMI	8,260	526	171
Individuals not eligible for HUD assistance due to income being >80% of AMI	16,990	1,122	291

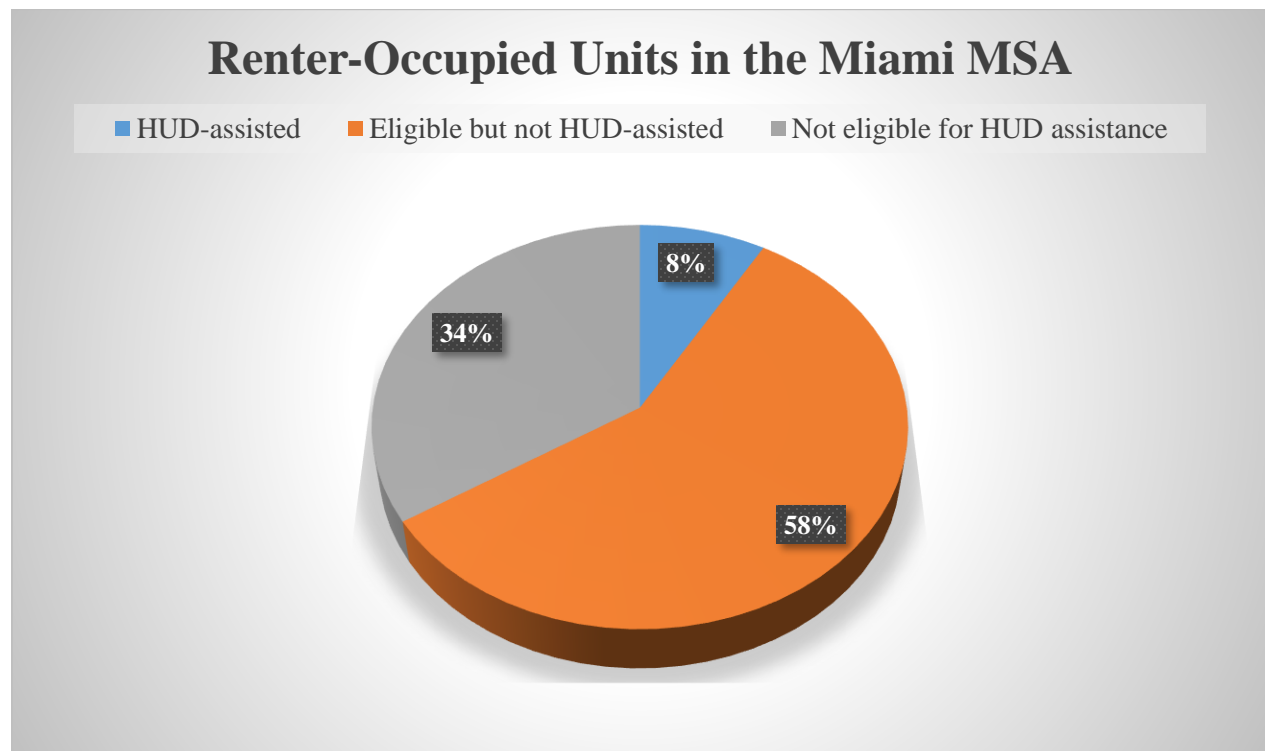
⁴ Data for Florida, NATIONAL LOW INCOME HOUSING COALITION (2017), <https://reports.nlihc.org/gap/2017/fl>

⁵ *Id.*

⁶ U.S. Census Bureau (2017). Household demographics, 2017 American Housing Survey 2-year estimates. Retrieved from https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00000&s_year=2017&s_tablename=TABLE8A&s_bygroup1=28&s_bygroup2=1&s_filtergroup1=1&s_filtergroup2=1

⁷ *Id.*

Figure 1. Renter-Occupied Housing Units by Housing Assistance Status in the Miami Metropolitan Statistical Area (Source: American Housing Survey, 2017)⁸



A number of programs currently exist at the federal level to create affordable housing, including housing vouchers, inclusionary zoning, low-income housing tax credits, and public housing. Each of these programs uses a central statistic – the AMI – to determine whether families are eligible for the program. Each year, HUD calculates the median income for every metropolitan region in the country using data from the American Community Survey – a national survey similar to the United States Census.⁹

HUD distinguishes between three types of households already described: low-income, very low-income, and extremely low-income.¹⁰ By including an entire region in its AMI calculation, HUD includes many wealthy suburbs within that area. As a result, the AMI of an entire region, (e.g., Miami-Fort Lauderdale-West Palm Beach, FL Metropolitan Statistical Area) tends to be artificially higher than if it were based only on the median income of the poorest neighborhoods in the area. The most impoverished families in a region earn substantially below 30% of the AMI in the region, yet decisions regarding who qualifies for affordable housing are based on that AMI calculation. To further complicate matters, rents are sometimes raised due to an increase in the AMI, while the residents living in affordable housing developments generally enjoy no corresponding increase in their income. Several federal, state, and local programs have been created to address this, helping affected residents pay for their housing costs.

⁸ *Id.*

⁹ Brian McCabe, *The Area Median Income (AMI) Explained*, GREATER GREATER WASHINGTON (September 1, 2016), <https://ggwash.org/view/42671/the-area-median-income-ami-explained>

¹⁰ *Id.*

III. Federal Rental Assistance

a. Background

Eligibility for federal rental assistance programs based on the percentage of AMI was introduced in the 1970s as part of the then new Section 8 program. Prior to the introduction of Section 8, public housing, in existence since the 1930s, provided housing for “low-income” families. While federal law governing public housing included rules regarding rent-to-income ratios, each Public Housing Authority (PHA) made the determination as to what was considered “low-income” for the area served.¹¹ Furthermore, two other multi-family housing programs enacted in the 1960s used different measures for income eligibility. The Section 221(d)(3) program generally based eligibility on costs to support a unit, but not to exceed AMI, while the Section 236 program set eligibility at 135% of public housing income limits.¹² Proposals to standardize eligibility using median income came from HUD.¹³

In 1970 and 1971, the Federal Administration sponsored bills proposed to simplify income eligibility for Federal Housing Administration (FHA)-insured multi-family housing programs, which at the time primarily consisted of the Section 236 program, by tying eligibility to a standardized median income calculation rather than local public housing income limits. The rationale was that the variability of public housing income limits resulted in regional disparities in determining eligibility for assistance in multi-family housing.¹⁴ The Administration's proposals to standardize income eligibility were not adopted. However, a few years later, Congress enacted the Housing and Community Development Act of 1974, incorporating AMI into the newly enacted Section 8 program eligibility guidelines, as well as Section 236, setting eligibility at 80% of AMI. The term “very low-income” was introduced at this time and defined as income that does not exceed 50% of AMI while “extremely low-income” was defined as income that does not exceed 30% of AMI.¹⁵

b. Federal Rental Assistance Programs

According to the Center on Budget and Policy Priorities (CBPP), between 2017 and 2018, 10.4 million people in 5.2 million households across the United States used some form of federal rental assistance to afford modest housing.¹⁶ This number represents only 25% of the more than 20 million very low-income households qualifying for federal rental assistance. This means that nearly 15 million low-income households eligible for federal rental assistance are currently unassisted. The primary assistance programs are Housing Choice Vouchers, Public Housing, Section 8 Project-Based, Supportive Housing for the Elderly and Disabled, and the HOME Investment Partnership Program.

¹¹ Maggie McCarty, *Introduction to Public Housing*, CONGRESSIONAL RESEARCH SERVICE (January 3, 2014), <https://fas.org/sgp/crs/misc/R41654.pdf>

¹² Libby Perl and Maggie McCarty, *Income Eligibility and Rent in HUD Rental Assistance Programs: Frequently Asked Questions*, CONGRESSIONAL RESEARCH SERVICE (March 28, 2017), <https://www.everycrsreport.com/reports/R42734.html>

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *United States Federal Rental Assistance Fact Sheet*, CENTER ON BUDGET AND POLICY PRIORITIES, (May 14, 2019), <https://apps.cbpp.org/4-3-19house/PDF/4-3-19house-factsheet-us.pdf>

The most vulnerable income groups are also the ones with the highest rental cost burdens. As of 2017, 23 million low-income people paid more than 50% of their income in rent.¹⁷ This statistic is concerning given the dual trend of increasing the cost of living, the median rent for an apartment in the United States rising 11% in the last 17 years, and stagnant real wage growth for low-income groups. The real wage of the bottom 10% of wage earners has increased by only 1.6% in the last 30 years.¹⁸ According to a study conducted by the Joint Center for Housing Studies at Harvard University, the rental housing affordability gap remains wide as rental costs rose 15% in real terms between 2000 and 2016 while median renter household income fell from \$38,000 to \$32,000.¹⁹ As housing and rental costs outpace real wage growth for the lowest income earners, the need for federal rental assistance for the remaining 15 million unassisted low-income households is more urgent than ever.

As of 2015, the federal government spends roughly \$45 billion on federal housing assistance to low-, very low-, and extremely low-income individuals broken down as follows: \$18 billion on the Housing Choice Voucher (HCV) program, \$7 billion on public housing, \$12 billion on project-based rental assistance (PBRA), and \$8 billion on other housing programs.²⁰ Figure 2 illustrates the six main HUD- administered rental assistance programs subsidizing rents for low-income families: the Public Housing Program, the Section 8 Housing Choice Voucher Program, the Section 8 Project-Based Rental Assistance Program; the Section 202 Supportive Housing for the Elderly Program, the Section 811 Supportive Housing for Persons with Disabilities Program, and the HOME Investment Partnership Program.

¹⁷ *Id.*

¹⁸ *Real Wage Trends, 1979 to 2018*, CONGRESSIONAL RESEARCH SERVICE, (July 23, 2019), <https://fas.org/sgp/crs/misc/R45090.pdf>

¹⁹ *American Rental Housing 2017*, JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, (2017), https://www.jchs.harvard.edu/sites/default/files/harvard_jchs_americas_rental_housing_2017_0.pdf

²⁰ *Federal Housing Assistance for Low-Income Households*, CONGRESSIONAL BUDGET OFFICE, (September 2015), <http://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/50782-lowincomehousing-onecolumn.pdf>

Figure 2. Department of Housing and Urban Development (HUD) Rental Assistance Programs



Typically, families are eligible for HUD assistance if their incomes are below certain thresholds. Unlike the poverty measurement used by some other federal benefits programs that target low-income populations, income eligibility for HUD assisted housing varies by locality and is tied to AMI. Income, for the purposes of eligibility, is defined as income from all sources earned by all members of the family, with some exclusions (e.g., income earned by minors). Once a family is determined eligible for HUD assistance and is selected to receive this assistance, the rent they pay is generally based on 30% of their adjusted income.²¹

²¹ Libby Perl and Maggie McCarty, *Income Eligibility and Rent in HUD Rental Assistance Programs: Frequently Asked Questions*, CONGRESSIONAL RESEARCH SERVICE, (March 28, 2017), <https://www.everycrsreport.com/reports/R42734.html>

Those adjustments include deductions for elderly and disabled families, certain medical costs, and certain childcare costs. Families' incomes, adjusted incomes, and contributions toward rent are typically recertified annually.

All six programs provide rental assistance in the form of below-market rent available to low-income individuals and families.²² Each program is governed by the same statute and regulations regarding tenant eligibility and rent, 42 U.S.C., Section 1437a, with the regulations residing at 24 C.F.R. Part 5, Subpart F (Section 5.601 et. Seq.).²³ Assistance provided under HUD programs falls into three broad categories: public housing, tenant-based and privately owned, project-based.

1. Public Housing

Public housing was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities. Public housing comes in all sizes and types, from scattered single-family houses to high rise apartments. There are approximately 1.2 million households living in public housing units, managed by some 3,300 Housing Authorities (HA).²⁴ In public housing, local housing agencies receive allocations of HUD funding to build, operate, or make improvements to housing. The housing is owned by the local agencies. Public housing is a form of project-based subsidy because households may receive assistance only if they agree to live at a particular public housing project.²⁵ As of 2018, there were 955,100 households participating in the public housing program nationwide.²⁶

2. Tenant-Based Programs

The Section 8 Housing Choice Voucher (HCV) Program is enacted in Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f) (also referred to as the tenant-based voucher program). It is the federal government's flagship program for assisting very low-income families, the elderly, and persons with disabilities to afford decent, safe, and sanitary housing in the private market. A housing subsidy is paid directly to the landlord by the public housing agency (PHA) on behalf of the participating family. The family then pays the difference between the actual rent charged by the landlord and the amount subsidized by the program.²⁷ At least 75% of the families admitted to the HCV Program must be considered extremely low-income.²⁸ The remaining funding priority is given first to those classified as very low-income and then to low-income. As of 2018, there were 2,233,400 households nationwide participating in the HCV Program.²⁹

²² *Id.*

²³ Code of Federal Regulations, *Title 24: Housing and Urban Development*, (April, 2017),

<https://www.govinfo.gov/content/pkg/CFR-2017-title24-vol1/xml/CFR-2017-title24-vol1-part5.xml>

²⁴ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *What is Public Housing?* (2019)

https://www.hud.gov/program_offices/public_indian_housing/programs/ph

²⁵ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *Assisted Housing: National and Local*, (2009-2018) <https://www.huduser.gov/portal/datasets/assths.html>

²⁶ *United States Federal Rental Assistance Fact Sheet*, CENTER ON BUDGET AND POLICY PRIORITIES, (May 14, 2019), <https://apps.cbpp.org/4-3-19housing/PDF/4-3-19housing-factsheet-us.pdf>

²⁷ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *Programs of HUD: Major Mortgage, Grant, Assistance, and Regulatory Programs*, (2018), <https://www.hud.gov/sites/dfiles/Main/documents/HUDPrograms2018.pdf>

²⁸ *Id.*

²⁹ *United States Federal Rental Assistance Fact Sheet*, CENTER ON BUDGET AND POLICY PRIORITIES, (May 14, 2019), <https://apps.cbpp.org/4-3-19housing/PDF/4-3-19housing-factsheet-us.pdf>; see 24 C.F.R. § 982 for regulations

3. Privately Owned, Project-Based Programs

The following is a list of project-based rental assistance programs currently in place at the federal level.

Section 8 Project-Based Rental Assistance Program. The Section 8 program assists more than 1.2 million extremely low-, low- and very low-income families obtain decent, safe, and sanitary housing. The project-based rental assistance makes up the difference between what an extremely low-, low-, or very low-income household can afford and the approved rent for an adequate housing unit in a multifamily project. Eligible tenants must pay the highest of 30% of adjusted income, 10% of gross income, or the portion of welfare assistance designated for housing.³⁰ Income eligibility requirements limit occupancy to very low-income families (i.e., families whose incomes do not exceed 50% of AMI), which includes extremely low-income families (i.e., families whose income does not exceed 30% of AMI). A limited number of available units may be rented to low-income families (i.e., families whose incomes do not exceed 80% of the AMI).³¹ As of 2018, there were 1,204,500 households nationwide participating in the Section 8 Project-Based Rental Assistance Program.³²

Section 202 Supportive Housing for the Elderly Program. The Section 202 program expands the supply of affordable housing with voluntary supportive services for very-low income elderly persons as well as capital advances and project rental assistance contracts to eligible applicants.³³ Section 202 capital advance funds must be used to finance the development through new construction, rehabilitation, or acquisition with or without rehabilitation. Occupancy for Section 202 projects is open to very low-income households, which include at least one person 62 years of age or older.³⁴

Section 811 Supportive Housing for Persons with Disabilities Program. Section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013) provides very low- and extremely low-income persons with disabilities options allowing them to live independently with the availability of voluntary support activities such as cleaning, cooking, transportation, etc.³⁵ Under the Section 811 Project Rental Assistance Program, HUD also provides project rental assistance to state housing agencies, covering the difference between the HUD approved operating cost of the project and the tenants' contributions toward rent.³⁶ Occupancy is open to very low- and extremely low-income persons with disabilities who are at least

³⁰ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *Programs of HUD: Major Mortgage, Grant, Assistance, and Regulatory Programs*, (2018), <https://www.hud.gov/sites/dfiles/Main/documents/HUDPrograms2018.pdf>

³¹ *Id.*

³² *United States Federal Rental Assistance Fact Sheet*, CENTER ON BUDGET AND POLICY PRIORITIES, (May 14, 2019), <https://apps.cbpp.org/4-3-19housing/PDF/4-3-19housing-factsheet-us.pdf>; see 24 C.F.R. § 5-886

³³ See 24 C.F.R. § 891

³⁴ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *Programs of HUD: Major Mortgage, Grant, Assistance, and Regulatory Programs*, (2018), <https://www.hud.gov/sites/dfiles/Main/documents/HUDPrograms2018.pdf>; see 12 U.S.C. 1701q § 202 and Public Law 113-76

³⁵ For regulations See 24 C.F.R. § 891

³⁶ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, *Programs of HUD: Major Mortgage, Grant, Assistance, and Regulatory Programs*, (2018), <https://www.hud.gov/sites/dfiles/Main/documents/HUDPrograms2018.pdf>

18 years old and less than 62 years of age. As of 2018, there were 155,100 households collectively participating in the Section 202 Supportive Housing for the Elderly and Section 811 Supportive Housing for Persons with Disabilities Programs.³⁷

Home Investment Partnerships Program (HOME). The HOME program provides formula grants to states and localities that communities use, often in partnership with local nonprofit groups, to fund a wide range of activities, including building, buying, or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people.³⁸ HOME is the largest federal block grant to States and local governments providing approximately \$2 billion each year designed specifically to create affordable housing units for low-income households. States are automatically eligible for HOME funds and receive either their formula allocation or \$3 million, whichever is greater. Local jurisdictions eligible for at least \$500,000 under the formula (\$335,000 in years when Congress appropriates less than \$1.5 billion for HOME) also can receive an allocation. The formula allocation considers the relative inadequacy of each jurisdiction's housing supply, its incidence of poverty, its fiscal distress as well as other factors.³⁹ Participating jurisdictions may use HOME funds to provide tenant-based rental assistance contracts of up to two years if this activity is consistent with their Consolidated Plan and justified under local market conditions. This assistance may be renewed by an application. HOME assisted rental housing must comply with certain rent limitations published each year by HUD. The eligibility of households for HOME assistance varies with the nature of the funded activity. For rental housing and rental assistance, at least 90% of benefiting families must have incomes that are no more than 60% of the HUD adjusted median family income for the area. In rental projects with five or more assisted units, at least 20% of the units must be occupied by families with incomes that do not exceed 50% of the HUD-adjusted median.⁴⁰ The incomes of households receiving HUD assistance must not exceed 80% of AMI.

IV. Florida Rental Assistance

a. Background

Approximately 17%, or 182,000, of the roughly 1 million extremely low-income and very low-income households eligible for federal housing assistance in the state of Florida receive this assistance. That leaves more than 800,000 eligible households potentially one paycheck away from homelessness and without access to federal rental assistance to prevent it. According to the 2019 Rental Market Study by the Shemberg Center for Housing Studies, households with incomes at or below 60% of AMI who are cost-burdened renters, made up 70% of the total growth of Florida's cost burdened renter households between 2000 and 2019.⁴¹ As of 2019, in the State of Florida, 795,605 individuals had an income at or below 60% of AMI who are cost-burdened renters.⁴² There is a significant lack of affordable and available rental units for extremely low-income, very low-income, and low-income households throughout the state. A housing unit

³⁷ *Id.*

³⁸ For more information see: U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, Home Investment Partnerships Program, (2019), https://www.hud.gov/program_offices/comm_planning/affordablehousing/programs/home/

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ 2019 Rental Market Study, SHIMBERG CENTER FOR HOUSING STUDIES, (May, 2019) https://www.floridahousing.org/docs/default-source/press/newsroom/publications/rental-housing/2019-rental-market-study.pdf?Status=Temp&sfvrsn=eadc107b_2

⁴² *Id.*

is classified as affordable for a specific income group if rental costs do not exceed 30% of household income and available if it is either vacant or occupied by households with an income at or below the group's defined income level.⁴³

In 2017, Florida had only 26 affordable and available units for every 100 extremely low-income renter households, 36 affordable and available units for every 100 very low-income renter households, and 78 affordable and available units for every 100 low-income renter households.⁴⁴ For the most vulnerable 581,700 extremely low-income renter households, the total available rental units in 2017 was 153,148 units.⁴⁵ These numbers are especially alarming, considering that Florida's public and assisted housing stock of 286,335 affordable rental units is expected to decline in the next 10 years. Statewide, 268 developments with 27,659 units, including 88 Florida Housing sponsored developments with 15,735 affordable units, are at risk of losing affordability due to certain subsidies expiring by the end of 2030: 4% and 9% Low Income Housing Tax Credit (LIHTC), State Apartment Incentive Loan Program (SAIL), HOME Investment Partnerships Program (HOME), and Florida Housing Bonds.⁴⁶

Table 2 depicts state and federally-funded housing units in Florida that are at risk of losing affordability status due to the expiration of the above mentioned subsidies at the end of 2030. Several aging assisted units may also be at risk due to physical deterioration. As of 2019, Florida had 743 public and assisted housing developments with 67,759 units being at least 30 years old, as well as 707 developments with 82,683 units were 15 to 29 years old.⁴⁷

⁴³ Andrew Aurand, Dan Emmanuel, *THE GAP: A shortage for Affordable Homes*, NATIONAL LOW INCOME HOUSING COALITION (March, 2019) https://reports.nlihc.org/sites/default/files/gap/Gap-Report_2019.pdf

⁴⁴ *Data for Florida*, NATIONAL LOW INCOME HOUSING COALITION (2017), <https://reports.nlihc.org/gap/2017/fl>

⁴⁵ *Id.*

⁴⁶ *2019 Rental Market Study*, SHIMBERG CENTER FOR HOUSING, (May, 2019) https://www.floridahousing.org/docs/default-source/press/newsroom/publications/rental-housing/2019-rental-market-study.pdf?Status=Temp&sfvrsn=eadc107b_2

⁴⁷ *Id.*

Table 2. Developments and Units at Risk due to Subsidies Expiring by 2030 - State of Florida⁴⁸

		Florida Housing	HUD
Property and Unit Counts	At-Risk Properties	88	163
	At-Risk Units	15,735	13,125
	HUD/RD Rental Assistance Units	174	10,281
	% of Funders' Units at Risk	8%	18%
Target Population	Family	92%	43%
	Elderly	8%	52%
	Other	-	5% (Persons with Disabilities)
	Average Tenant Income	\$28,534	\$11,365
Location	Large County	65%	65%
	Medium County	34%	32%
	Small County	1%	3%
	Counties with the Most Affected Units	Orange, Miami-Dade, Hillsborough, Osceola	Miami-Dade, Duval, Hillsborough

Note: Percentages refer to share of assisted units in risk category unless otherwise noted. For example, in the columns entitled "Types of Assisted Housing," the value 92% means that 92% of at-risk housing units serve families. Because a small number of properties have expiring subsidies from more than one funder, some properties and units are included in more than one column.

Table 3 below shows the differing composition of renters statewide versus Miami-Dade County. In Miami-Dade County, the average renter would need to make \$22.06 an hour or \$45,880 to afford a one-bedroom apartment while the median household income is only \$49,758.

⁴⁸ *Id.*

Table 3. Wage Earner Facts: Florida vs. Miami Dade County (2019)⁴⁹

Number of Households	Florida	Miami-Dade County
TOTAL	7,510,882	858,289
RENTER	2,642,055	410,278
PERCENT RENTERS	35%	48%
Housing Wage	Florida	Miami-Dade County
ZERO-BEDROOM	\$16.18	\$18.29
ONE-BEDROOM	\$18.41	\$22.06
TWO-BEDROOM	\$22.86	\$27.96
THREE-BEDROOM	\$30.80	\$37.19
FOUR-BEDROOM	\$37.05	\$45.27
Fair Market Rent	Florida	Miami-Dade County
ZERO-BEDROOM	\$841	\$951
ONE-BEDROOM	\$957	\$1,147
TWO-BEDROOM	\$1,189	\$1,454
THREE-BEDROOM	\$1,602	\$1,934
FOUR-BEDROOM	\$1,927	\$2,354
Annual Income Needed to Afford	Florida	Miami-Dade County
ZERO-BEDROOM	\$33,649	\$38,040
ONE-BEDROOM	\$38,294	\$45,880
TWO-BEDROOM	\$47,542	\$58,160
THREE-BEDROOM	\$64,067	\$77,360
FOUR-BEDROOM	\$77,072	\$94,160
Minimum Wage	Florida	Miami-Dade County
MINIMUM WAGE	\$8.46	\$8.46
RENT AFFORDABLE AT MINIMUM WAGE	\$440	\$440
Renter Wage	Florida	Miami-Dade County
ESTIMATED MEAN RENTER WAGE	\$16.67	\$18.17
RENT AFFORDABLE AT MEAN RENTER WAGE	\$867	\$945
Supplemental Security Income (SSI) Payment	Florida	Miami-Dade County
SSI MONTHLY PAYMENT	\$771	\$771
RENT AFFORDABLE TO SSI RECIPIENT	\$231	\$231
Income Levels	Florida	Miami-Dade County
30% OF AREA MEDIAN INCOME (AMI)	\$19,620	\$16,470
ESTIMATED RENTER MEDIAN HOUSEHOLD INCOME	\$37,819	\$33,810
Rent Affordable at Different Income Levels	Florida	Miami-Dade County
30% OF AREA MEDIAN INCOME (AMI)	\$491	\$412
ESTIMATED RENTER MEDIAN HOUSEHOLD INCOME	\$945	\$845

⁴⁹ *Out of Reach 2019: Florida*, NATIONAL LOW-INCOME HOUSING COALITION (2019), <https://reports.nlihc.org/oor/florida>

b. Florida Rental Assistance Programs

The State of Florida has several programs aimed at assisting eligible income households in covering the cost of rent. Such programs, to varying degrees, respond to the widening gap between rising housing costs and declining federal assistance. In the state of Florida, approximately 182,000 million households with an income of less than 50% of AMI received a federal rental assistance subsidy. However, more than 818,000 households below the same threshold are income-eligible but do not receive federal rental assistance. Set forth below are statewide programs that can be used to address the shortage of federal rental assistance for eligible individuals in Florida.

1. Florida Housing Finance Corporation (Florida Housing)

Florida Housing Finance Corporation (Florida Housing) is a public corporation of the state of Florida and is the state's principal housing finance agency.⁵⁰ It was created 35 years ago by the state legislature to assist in providing a range of affordable housing opportunities for Florida residents. As a financial institution, Florida Housing administers both state and federal resources providing affordable homeownership and rental housing options for citizens residing in Florida. The only resource Florida Housing administers directly, that may be used for rental assistance, is the Federal HOME Program. HOME funding may be used to finance the development of rental housing or to provide short-term rental assistance for up to two years.⁵¹ Florida Housing primarily uses this resource to assist in financing rental developments in small counties and more rural communities. Florida Housing does not administer any federal long-term rental assistance related to the HUD Section 8 Program. Florida Housing currently administers rental assistance, homeownership assistance, and foreclosure prevention programs.⁵²

2. Florida Housing State Apartment Incentive Loan Program (SAIL)

The Florida Housing SAIL Program provides low-interest loans on a competitive basis as gap financing to leverage mortgage revenue bonds or competitive Low-Income Housing Tax Credit (Housing Credit) resources. This allows developers to obtain the full financing needed to construct or rehabilitate affordable rental units for very low-income families. SAIL dollars are available to individuals, public entities, not-for-profit, or for-profit organizations that propose construction or substantial rehabilitation of multifamily units. A minimum of 20% of the development's units must be set aside for families earning 50% or less of AMI. Developments that use housing credits in conjunction with this program must set-aside a minimum of 40% of the units for residents earning 60% of the AMI. Loan interest rates are set at 0% for those developments that maintain 80% of their occupancy for farmworkers, commercial fishing workers, or homeless people. The interest rates are set at 1% for all other developments. Loans are issued for a maximum of 15 years, and in most cases, SAIL loans cannot exceed 25% of the total development cost and can be used in conjunction with other state and federal programs.⁵³

⁵⁰ For further information see: *State Apartment Incentive Loan*, FLORIDA HOUSING FINANCE CORPORATION, (2019) <https://www.floridahousing.org/programs/developers-multifamily-programs/state-apartment-incentive-loan>

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

3. Multifamily Mortgage Revenue Bonds

The Multifamily Mortgage Revenue Bonds Program (MMRB) uses both taxable and tax-exempt bonds to provide below-market rate loans to nonprofit and for-profit developers who set aside a certain percentage of their apartment units for low-income families.⁵⁴ Proceeds from the sale of these bonds are used to construct or acquire and rehabilitate multifamily rental properties.

4. HOME Investment Partnerships Program

HOME Investment Partnerships Program (HOME) is typically paired with MMRB as gap funding or is designed as primary financing for smaller developments, particularly those located in more rural areas of the state.⁵⁵ It provides non-amortizing, low-interest rate loans to developers who acquire, rehabilitate, or construct housing for low-income families. Twenty percent of HOME assisted units are occupied by families whose annual incomes do not exceed 50% of the median family income for the area, and the balance of HOME-assisted units must be occupied by families whose annual incomes do not exceed 60% of the median family income for the area. All HOME loans must comply with 24 CFR, Part 92.⁵⁶

5. Low Income Housing Tax Credits (LIHTC)

The competitive (9%) and non-competitive (4%) Low Income Housing Tax Credit Program provides nonprofit and for-profit organizations with equity, based on a dollar-for-dollar reduction in federal tax liability, for investors in exchange for equity to finance the acquisition, rehabilitation or new construction of affordable rental housing. The original LIHTC standard required that a minimum of 20% of the units in the property be affordable to households earning 50% or below the AMI or that a minimum of 40% of the units must be affordable to households earning 60% or below the AMI. The Consolidated Appropriations Act of 2018 amended this standard. Households earning up to 80% of the AMI are now allowed in LIHTC assisted units if the average income of all households in assisted units is 60% of the AMI or below.⁵⁷

6. Link to Permanent Housing Initiative (Link)

Since 2009, Florida Housing has implemented the Link Initiative to enhance the ability of extremely low-income households with special needs to access and retain affordable rental housing in their communities.⁵⁸ Through Link, Florida Housing offers scoring incentives to developers who set aside a portion of a property's units for special needs households receiving community-based supportive services and are referred by a recognized supportive services lead agency in the community where the property is located.

⁵⁴ For further information see: *Multifamily Mortgage Revenue Bonds*, FLORIDA HOUSING FINANCE CORPORATION, (2019) <https://www.floridahousing.org/programs/developers-multifamily-programs/multifamily-mortgage-revenue-bonds>

⁵⁵ For further information see: *HOME Investment Partnerships Program*, FLORIDA HOUSING FINANCE CORPORATION, (2019) <https://www.floridahousing.org/programs/developers-multifamily-programs/home-investment-partnerships>

⁵⁶ *Id.*

⁵⁷ Corianne Payton Scally et al., *Low Income Housing Tax Credit*, URBAN INSTITUTE, (July 2018), https://www.urban.org/sites/default/files/publication/98758/lithc_how_it_works_and_who_it_serves_final_2.pdf

⁵⁸ For further information see: *Link to Permanent Housing Initiative*, FLORIDA HOUSING FINANCE CORPORATION, (2019) <http://www.floridahousing.org/FH-ImageWebDocs/SpecialNeeds/Special%20Needs%20Presenation%20for%20Link%20Referral%20Agencies.pdf>

7. State Housing Initiatives Partnership (SHIP)

The SHIP Program provides funds to local governments on a population-based formula as an incentive to produce and preserve affordable housing for very low-, low-, and moderate-income families.⁵⁹ When SHIP funds are appropriated, they are distributed on an entitlement basis to all 67 counties and 52 Community Development Block Grant (CDBG) entitlement cities in Florida. SHIP funds may be used for emergency repairs, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buydowns, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling. A minimum of 65% of the funds must be spent on eligible homeownership activities; a minimum of 75% of funds must be spent on eligible construction activities; at least 30% of the funds must be reserved for very-low income households; an additional 30% must be reserved for low-income households, and the remaining funds may be reserved for households up to 140% of the AMI.⁶⁰

8. Sadowski State and Local Housing Trust Funds

The Florida Home Builders Association (FHBA) and the Florida realtors were intent on creating jobs in the housing construction industry and getting more low- and moderate-income families into home ownership. They asked two things of the Florida Legislature. The first was to increase the transfer fee on all real property transactions by 10% and dedicate that increment to the state and local housing trust funds referred to as the “Sadowski State and Local Housing Trust Funds” (Sadowski). Secondly, they asked for a re-allocation of 10 cents on the dollar of existing documentary stamp tax revenues from general revenue funds to the Sadowski trust funds.⁶¹

The Local Government Housing Trust Fund receives about 70% of the total Sadowski housing trust funds appropriated each year for the State Housing Initiatives Partnership (SHIP) Program. These monies fund housing programs in all 67 counties and larger cities for rehabilitation and renovation of existing housing stock, first-time home ownership with down payment and closing cost assistance. The State Housing Trust Fund receives the remaining 30% of the total Sadowski housing trust funds for Florida Housing Finance Corporation programs such as the State Apartment Incentive Loan (SAIL) Program.⁶²

9. The State Office on Homelessness

Created in 2001, the Office on Homelessness (Office) was established as a central point of contact on homelessness issues within state government. The Office on Homelessness coordinates services of the various state agencies and programs to better serve individuals or families who are homeless.⁶³ The Office

⁵⁹ For further information see: *State Housing Initiatives Partnership (SHIP)*, FLORIDA HOUSING FINANCE CORPORATION, (2019) <https://www.floridahousing.org/programs/special-programs/ship---state-housing-initiatives-partnership-program>

⁶⁰ *Id.*

⁶¹ *Frequently Asked Questions*, SADOWSKI HOUSING COALITION, (2019), <https://www.sadowskicoalition.org/sadowski-state-and-local-housing-trust-funds-faq/>

⁶² *Id.*

⁶³ FLORIDA DEPARTMENT OF CHILDREN AND FAMILY, *What is a Homelessness*, (2019), <https://www.myflfamilies.com/service-programs/homelessness/>

is responsible for coordinating resources and programs across all levels of government and with private providers. It also manages targeted state grants to support the implementation of local homeless service continuum of care plans. Specifically, the Office on Homelessness designates local entities to serve as lead agencies for the homeless assistance Continuum of Care (CoC) systems throughout Florida. These local entities provide a wide range of support services, including emergency, transitional, and permanent housing. Lead agencies play an instrumental role in the creation and implementation of community-based plans that address the unique conditions and challenges of each local area. The lead CoC agency for Miami-Dade County is the Miami-Dade County Homeless Trust.⁶⁴

The types of projects available through each local CoC include:

The Emergency Solutions Grant (ESG) Program

ESG Program is a federally funded program authorized by 24 CFR 576 and awarded to the State of Florida through HUD. The purpose of the ESG Program is to fund short-term rental assistance to prevent homelessness and help move homeless persons back into permanent rental housing.⁶⁵

Homelessness Prevention Grant

The Homelessness Prevention Grant Program is authorized by Section 414.161, Florida Statutes, providing emergency financial assistance to families with children facing the loss of their housing due to a financial or other crisis. The intent of the program is to provide case management and financial assistance for overdue rent or mortgage payments and overdue utility bills to enable families to remain stably housed after receiving assistance.⁶⁶

Challenge Grant

The Challenge Grant Program is authorized by Section 420.622(4) Florida Statutes, to assist the local homeless CoC lead agencies and address local needs of individuals and families experiencing homelessness identified in the CoC Plan.

V. Miami-Dade County Rental Assistance

a. Background

Miami-Dade County experiences the same affordable housing crisis trends found at the state and federal level: insufficient federal housing assistance coverage, insufficient affordable housing, and low-income households, and median housing cost growth disproportionately higher than median income growth in the same period. The American Housing Survey reports that as of 2017, only 18%, or 71,000 of the 390,000 eligible low-income households received federal rental assistance in Miami MSA the majority of low-income households do not have access to affordable housing units. In fact, affordable housing units in the Miami (MSA) were less available to households with incomes less than 80% of AMI than in both Florida

⁶⁴ *Id.*

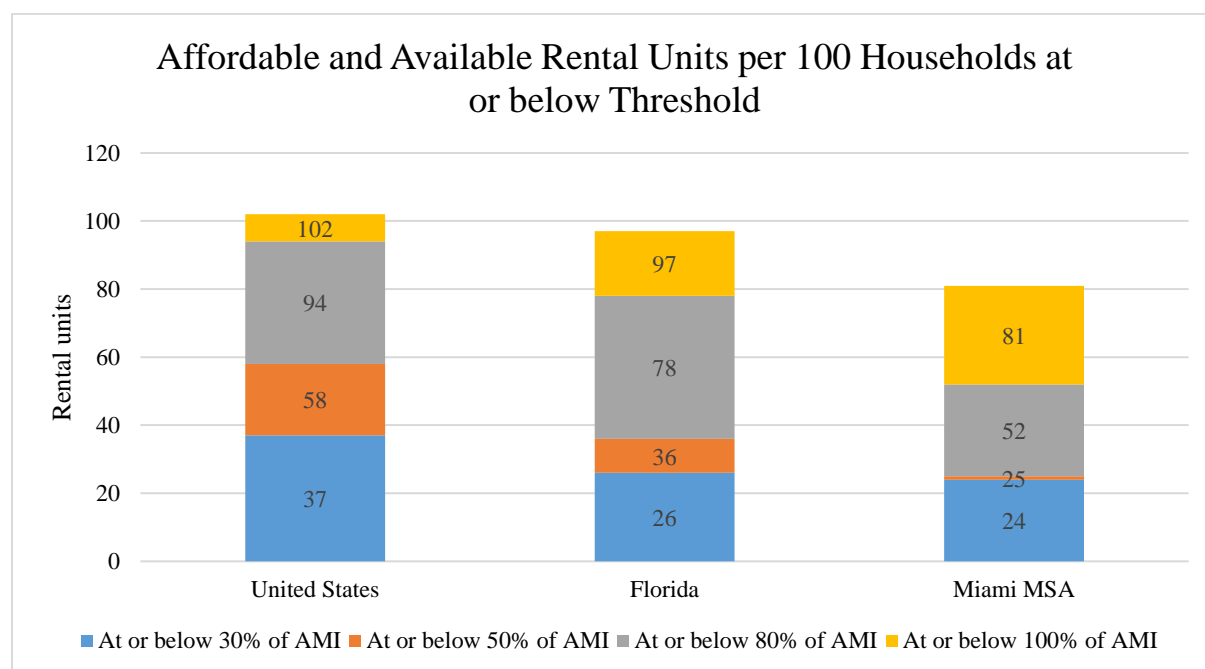
⁶⁵ FLORIDA DEPARTMENT OF CHILDREN AND FAMILY, *Grants*, (2019), <https://www.myflfamilies.com/service-programs/homelessness/grants.shtml>

⁶⁶ FLORIDA DEPARTMENT OF CHILDREN AND FAMILY, *What is a Homelessness*, (2019), <https://www.myflfamilies.com/service-programs/homelessness/>

and the United States. As of 2017, the Miami MSA had only 24 units for every 100 extremely low-income renter households, 25 units for every 100 very low-income renter households, and 52 units for every 100 low-income renter households.⁶⁷

Figure 3 below shows the number of affordable rental units available to various income groups at the local, state, and federal level. For the most vulnerable 187,519 extremely low-income renter households, the total rental units in 2017 was only 44,919 units. More worrying, the lack of availability of affordable housing has been on the downward trend. According to Harvard University's Joint Center for Housing Studies, the stock of low-rent units priced under \$800 in the Miami MSA shrank 39.3% between 2011 and 2017, while the number of low-income renters dipped only 1.82%.⁶⁸

Figure 3. Affordable Rental Units Available to Various Income Groups at the Local, State, and Federal Level Source: 2019 Gap Report, National Low-Income Housing Coalition⁶⁹



⁶⁷ Data for Florida, NATIONAL LOW INCOME HOUSING COALITION (2017), <https://reports.nlihc.org/gap/2017/fl>

⁶⁸ The low-rent stock in most metros has declined substantially since 2011. JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, (2019), <https://www.jchs.harvard.edu/son-2019-low-rent-units-map>

⁶⁹ Andrew Aurand, Dan Emmanuel, *THE GAP: A shortage for Affordable Homes*, NATIONAL LOW INCOME HOUSING COALITION (March, 2019) https://reports.nlihc.org/sites/default/files/gap/Gap-Report_2019.pdf

b. Miami-Dade County Rental Assistance Programs

1. Miami-Dade County Homeless Trust

In the early 1990s, Miami's homelessness crisis was spiraling out of control. More than 8,000 people were camping on the streets and sidewalks of Miami-Dade County, compromising public health and safety. Created by Miami-Dade County pursuant to Ordinance No. 94-66 in 1993, the Miami-Dade County Homeless Trust was formed to administer proceeds of a 1% food and beverage tax to implement the local continuum of care plan called the Miami-Dade County Community Homeless Plan and to serve in an advisory capacity to the Board of County Commissioners on issues involving homelessness. The Homeless Trust organizes and directs the Miami-Dade County Homeless Plan. The Trust is not a direct service provider but rather is responsible for the implementation of policy initiatives developed by a 27-member Miami-Dade County Homeless Trust Board. The Trust also monitors contract compliance by agencies contracted with the County for the provision of housing and services for homeless persons.⁷⁰ The Miami-Dade County Homeless Trust provides more than 3,300 temporary beds every day to homeless individuals and families as well as emergency help to households on the brink of homelessness.

2. Emergency Food and Shelter Assistance

The Emergency Food and Shelter Program (EFSP) helps eligible residents experiencing a one-time crisis that interrupts their ability to pay utility bills, rent, or mortgage or secure necessary food.⁷¹ The program also aids with temporary shelter on a limited basis. Program participants must be able to document the crisis and show the ability to maintain expenses after the receipt of the emergency assistance.⁷²

3. Housing Assistance Network of Dade (HAND)

The Housing Assistance Network of Dade (HAND) provides temporary financial assistance and housing relocation and stabilization services to individuals and families who are homeless or at risk of becoming homeless. Citrus Health Network is the lead agency in the HAND Program, a multi-agency partnership between Miami-Dade County and local municipalities trying to prevent homelessness by providing temporary rental assistance for eligible low-income individuals and families. To qualify for HAND assistance, an individual or family must be currently homeless or in housing but at risk of becoming homeless (as proven by court-filed eviction, foreclosure, or discharging institution) and in need of temporary rent or utility assistance to prevent them from becoming homeless and with a household income at or below 30% of the AMI.

⁷⁰ MIAMI DADE COUNTY HOMELESS TRUST, *About the Homeless Trust* (2019), <http://www.homelesstrust.org/about-homeless-trust.asp>

⁷¹ MIAMI DADE COUNTY, *Rental and Other Assistance for the Homeless or Evicted* (2019), https://www.miamidade.gov/global/service.page?Mduid_service=ser1497555806798351

⁷² *Id.*

4. Miami-Dade County Housing Assistance

Individuals facing homelessness or who have been evicted may receive help with the first month's rent payment, security deposit, mortgage, utility bills, emergency shelter, or food from Miami-Dade County Housing Assistance. Eligible individuals may receive a single type of assistance per year. The maximum amount individuals may receive is \$800 for rent or \$1,200 in mortgage assistance. The following housing assistance is available: (1) homeless or recently evicted individuals can apply for a first month rental assistance with a maximum value of \$800 if they provide a lease agreement stating the terms of occupancy; (2) rental assistance of up to \$800 a month provided the individual submits a three-day notice, court eviction (5-day notice) or 24-hour notice to their caseworker; and (3) mortgage assistance of up to \$1,200 a month. The housing assistance is provided via checks that are paid to the landlord or management company. If the maximum payment does not satisfy the payment requirements of the landlord, the individual is required to pay the balance and security deposit (payment receipt required).

5. South Florida Community Land Trust

South Florida Community Land Trust (CLT) is a non-profit corporation that protects land to keep housing affordable indefinitely. With a mission “to provide and preserve quality, sustainable, affordable housing for underserved populations in South Florida,” the group is committed to ensuring that individuals and families – particularly low-income households – can afford housing without compromising on quality or location.⁷³ The CLT is the only established organization in Miami-Dade and Broward Counties committed to the long-term affordability of housing. The CLT acquires land and serves as the permanent repository and steward for the residences. Unlike traditional affordable housing strategies, the land is never resold but is held forever in trust and works toward both homeownership and rental strategies.

6. Carrfour Supportive Housing

Carrfour Supportive Housing was founded in 1993 by the Greater Miami Chamber of Commerce to develop and manage affordable housing, providing residents with a range of supportive services to help achieve self-sufficiency and minimize the chances of formerly homeless falling again into homelessness.⁷⁴ Carrfour, in collaboration with various nonprofit organizations and for-profit developers, has been a leading provider of supportive housing in Florida. Since its inception, Carrfour has assembled more than \$200 million in financing, tax credits and subsidies to develop and manage affordable housing units across Miami-Dade County. Carrfour currently oversees an inventory of 2,000 units in Miami-Dade County, with 250 additional units expected to be built.⁷⁵

7. Housing Finance Authority of Miami-Dade County

The Housing Finance Authority (HFA) of Miami-Dade County, is a public body created to address a housing shortage in Miami-Dade County by stimulating the construction and rehabilitation of housing. Through HFA's Multifamily Rental Program, developers of multifamily housing receive low-interest rate

⁷³ *Who We Are*, SOUTH FLORIDA COMMUNITY LAND TRUST, (2019) <https://southfloridactl.org/who-we-are/>

⁷⁴ *Mission & Vision*, CARRFOUR SUPPORTIVE HOUSING, (2019), <http://carrfour.org/about-us/mission-vision-2/>

⁷⁵ *Id.*

loans to construct new or rehabilitate existing housing and agree to provide rents at affordable rates for persons of low and moderate income in Miami-Dade County.⁷⁶

VI. Nationwide Comparison of Rental Assistance Programs

Despite evidence of the extensive need for more rental housing affordable to low-income households, the resources provided by the federal government help only about 25% of eligible households. Moreover, these programs have been subjected to budget cut proposals by President Trump's Administration.⁷⁷ Some state and city governments are trying to fill the gap by spending their own resources on affordable rental housing. The following section is a selection of various state and local rental assistance programs in existence today. The type of housing assistance provided can be generally categorized as short-term assistance, transitional assistance, on-going assistance, and annual tax relief programs. Rental assistance programs at the national level can be roughly grouped into four types of programs:

Short Term Assistance. Short term rental assistance is designed to give small, temporary payments to people who are on the brink of homelessness. This assistance is an important source of aid for many low-income households, which can fall behind in housing payments after any number of financial emergencies, such as illness or car and home repairs.⁷⁸ Some programs provide assistance that can be thought of as "eviction prevention" measures that can include emergency rental payments. Other programs are aimed at getting families into more appropriate housing through loans, guarantees for security deposits, and providing moving costs following an eviction or condemnation. Many programs also assist with utility payments. All short-term programs provide little more than a small, one-time payment.⁷⁹

Transitional Assistance. Programs providing transitional assistance can last anywhere from a few months to three years. Less prevalent than short-term assistance, transitional assistance programs tend to be directed at homeless individuals and those coming out of prison, state hospitals, or exiting some form of the federal assistance program. The goal of most transitional assistance programs is to return the household to self-sufficiency on an accelerated schedule by providing a higher level of more regular assistance and additional services compared with short-term assistance programs. Some transitional assistance programs require a recipient household to develop and live by a self-sufficiency plan.⁸⁰

On-Going Assistance. Rental assistance is considered ongoing if it is possible for a household to remain eligible to receive regular assistance for more than three years. Most of these ongoing rental assistance programs are designed to address the persistent gap between household earnings and market rental costs. Many programs with the potential to provide more than three years of assistance are still governed by time or funding caps. Similarly, a few of these programs are formally restricted to households on a waiting list for a federal or other housing program.⁸¹

Annual Tax Relief Programs. Because low-income households tend to have higher housing costs as a percentage of income, it stands to reason that their property tax burden would be higher relative to income

⁷⁶ *About Us*, HOUSING FINANCE AUTHORITY OF MIAMI-DADE COUNTY, (2019), <https://www.hfamiami.com/about-hfa-miami>

⁷⁷ Elayne Weiss, *The Trump Administration's Impact on Public and Assisted Housing*, AMERICAN BAR ASSOCIATION, (October 2019)

⁷⁸ *Housing Assistance for Low-Income Householders: States Do Not Fill the Gap*, NATIONAL LOW INCOME HOUSING COALITION, (October 2008), <http://nlihc.org/sites/default/files/Housing-Assistance-2008.pdf>

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

as well. To address this concern, some states offer low-income housing assistance through tax relief. Less well known are programs that provide renters similar relief. Renters also pay property taxes, but in their case, it is indirectly through their rent payments to landlords. These programs reduce renters' taxes to offset the taxes they pay. Tax programs tend to limit eligibility to specific populations, most often seniors.⁸²

a. Rental Assistance Programs

Below are several samples of state and city funded rental housing programs outside the State of Florida.

1. Tucson, Arizona, El Portal Program

The City of Tucson owns and operates 271 affordable housing units through the El Portal Program. Operating costs are funded by rents. Units include both single-family and multi-unit dwellings, and rents are set below the fair market rent for comparable units in the community. The units are available to any low-income households with a good credit history and need. The program is city-funded, and operating costs are funded by rents.⁸³

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Project based	On-going	80% of AMI or less	General

2. Colorado Property Tax/Rent/Heat Rebate Program

The Property Tax/Rent/Heat/Rebate Program provides tax relief for renters 65 years and older, who are disabled or who are a surviving spouse of 58 years and older. Qualified applicants can receive a rebate of up to \$792. To qualify, renters must be living in the State of Colorado for a full year and pay property taxes, rent, or heating bills. The Colorado program is state funded.⁸⁴

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tax relief	Annual	\$17,146 a year or less for joint filers; \$12,720 a year for singles.	Elderly, persons with disabilities or special needs

3. Connecticut's Elderly Rental Assistance Program

Elderly residents 62 years and older or persons with disabilities already residing in State-subsidized housing are eligible for rental assistance through the Elderly Rental Assistance Program (ERAP). Housing in this program is part of Connecticut's public housing program for which the state funded the initial construction costs. Individual tenants are eligible if they currently pay above 30% of their income toward rent. The

⁸² *Id.*

⁸³ *Tucson El Portal Program*, NATIONAL LOW INCOME HOUSING COALITION, (May 2016), <https://reports.nlihc.org/rental-programs/catalog/tucson-el-portal-program>

⁸⁴ *Property Tax/Rent/Heat Rebate Program*, NATIONAL LOW INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/property-taxrentheat-rebate-program>

ERAP program pays the difference between 30% of the tenant's income and the unit's actual base rent. A total of 1,344 households were served in FY 2013-2014. The program is state-funded with funding from the State General Fund and allocated \$2.3 million annually.⁸⁵

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tenant based	On-going	80% of AMI or less	Elderly, persons with disabilities or special needs

4. Connecticut's Rental Assistance Program

The Rental Assistance Program is run by the Connecticut Department of Housing. This program is similar to the federal Section 8 housing voucher program, with the difference being that family households pay 40% of their income toward rent. Elderly or disabled individuals pay 30% of their income for rent. The Connecticut Department of Housing opened the waiting list for this program in the summer of 2015, receiving 75,000 applications for 2,000 slots. The Connecticut Rental Assistance Program is state funded.⁸⁶

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tenant based	On-going	50% of AMI or less	Persons with disabilities, special needs or Families with children

5. District of Columbia Emergency Rental Assistance Program

The Emergency Rental Assistance Program (ERAP) provides emergency assistance to avoid eviction or homelessness. The program provides rental assistance, including security deposits and pending debt obligations in the form of a one-time payment with a maximum benefit of \$4,250. This stipulation can be waived in extreme situations. ERAP is administered by the Department of Human Services, which provides funding to non-profit organizations administering the program.⁸⁷

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tenant based	Short-term	125% of the federal poverty line or less	Elderly, persons with disabilities, special needs, families with children or risk of homelessness

⁸⁵ *Elderly Rental Assistance Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/elderly-rental-assistance-program>

⁸⁶ *Rental Assistance Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/rental-assistance-program-0>

⁸⁷ *Emergency Rental Assistance Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/emergency-rental-assistance-program-erap>

6. Chicago, Illinois' Rental Subsidy Program

A component of Chicago's Low-Income Housing Trust Fund, the Rental Subsidy Program, serves households with incomes at 30% of AMI or less. Participating landlords sign an agreement with the City of Chicago to receive rental subsidies and reduce rents to levels affordable to the target population. Many of the properties funded through this program serve people with special needs, including those with HIV/AIDS or those who were formerly homeless. The Rental Subsidy Program receives funding from Chicago corporate revenues and Illinois property recordation fees.⁸⁸

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Project based	On-going	30% of AMI or less	General including persons with disabilities, special needs or risk of homelessness

7. Illinois Housing Advocacy and Cash Assistance Program

The Housing Advocacy and Cash Assistance Program assists families whose children are at risk of placement in substitute care or who cannot be reunited with their parents because the parents are unable to meet the children's subsistence needs. Under this program, there are no additional income requirements. Families are assisted in locating and securing permanent and affordable housing and may receive other housing advocacy assistance as needed. In addition, cash assistance is used to purchase items that a family needs, but cannot afford, allowing the child to return home or avoid foster care. Cash assistance can be used for first month's rent, security deposits, utility deposits or charges, food, clothing, and other subsistence needs. While there is no specific income threshold, participants must demonstrate need. Staff work with families to submit budgets, including income and expenses. Housing Advocacy Assistance typically covers counseling support services during the search for affordable housing.⁸⁹

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tenant based	Short-term	None	Families with children

8. Illinois Rental Housing Support

The Rental Housing Support program has provided rental assistance. Since 2005, the Illinois Housing Development Authority (IHDA) uses Local Administering Agencies to identify eligible housing units and match them with potential tenants. Tenants must pay 30% of their income toward rent, with IHDA paying

⁸⁸ *Rental Subsidy Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <https://reports.nlihc.org/rental-programs/catalog/chicago-rental-subsidy-program>

⁸⁹ *Housing Advocacy and Cash Assistance Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/housing-advocacy-and-cash-assistance-program>

the remainder. Approximately 2,500 households are assisted each year. Rental Housing Support funding is derived from a \$10 surcharge on real estate document recordings, amounting to approximately \$18 million annually.⁹⁰

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Project based	On-going	100% for 30% of AMI or less	General

9. Iowa's Rent Reimbursement Program

The Rent Reimbursement Program refunds the portion of rent (up to 23%) assumed to cover property tax aid on the unit. Each household can receive a rebate of up to \$1,000 per year. There were 29,802 claims in Fiscal Year 2012, and the same year a total of \$18 million was paid out of the State general funds.⁹¹

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tax relief	Annual	\$22,011 a year or less	Elderly, persons with disabilities or special needs

10. Maryland's Rental Allowance Program

The Rental Allowance Program provides fixed and short-term monthly assistance payments to eligible people who are homeless and lower-income persons and households at risk of homelessness, who cannot be assisted by a federal or more cost-effective state housing assistance programs. Neighborhood Revitalization, an agency of the Maryland Department of Housing and Community Development, is authorized to make grants for disbursement as Rental Allowance Program payments. Monthly payments are fixed amounts depending on family size and location of rental housing. The duration of the program is generally 12 months, but the time period can be extended for six more months in special circumstances.⁹²

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tenant based	Transitional	Higher of 30% or less; or 30% of State Median Income or less	General

11. Maryland's Renter's Tax Credit Program

⁹⁰ *Rental Housing Support*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/rental-housing-support-rhs>

⁹¹ *Rent Reimbursement Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <http://nlihc.org/rental-programs/catalog/rent-reimbursement-program>

⁹² *Rental Allowance Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <https://reports.nlihc.org/rental-programs/catalog/rental-allowance-program>

The Renter's Tax Credit Program provides a tax credit of up to \$750 based on renter housing cost burden. The program is open to renters over the age of 60 and those with disabilities. To qualify, rent must exceed specific levels depending on income. Income must not exceed \$30,000 for renters over age 60, and rent must not exceed \$1,044. Renters under age 60 with dependents under the age of 18 and who do not receive other housing subsidies are also eligible. Eligibility is based on household income. For example, for a household with four members, the income limit is \$23,012.⁹³

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Tax Relief	Annual	Varies, depending on age, rent paid, income and household size	Persons with disabilities or special needs

12. New York Rent Control and Rent Stabilization

New York State has two rent regulation programs: Rent Control and Rent Stabilization. Rent Control applies to buildings constructed before 1947 and is occupied continuously by the same tenant, while Rent Stabilization applies to buildings built before 1974. Since 1983, the New York State Division of Housing and Community Renewal (DHCR) has been responsible for rent regulation across the State. Rent Guideline Boards in each municipality that participate in the program set annual maximum allowable rates for rent increases under rent stabilization, the more common of the two regulatory tools. In addition, tenants with disabilities can receive exemptions from rent increases through the Disability Rent Increase Exemption. Income eligible seniors can qualify for an exemption from rent increases if they pay above 30% of their income toward rent through the Senior Citizen Rent Increase Program. Tenants with disabilities and senior citizen tenants may apply for rent exemptions through the NYC Department of Finance in New York City, or through DHCR outside of New York City if their municipality operates the program.⁹⁴

Program Type	Classification	Duration	Income Targeted	Population Targeted
Rental assistance	Project based	On-going	\$29,000 a year or less	Elderly persons with disabilities or special needs

⁹³ *Renter's Tax Credit Program*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <https://reports.nlihc.org/rental-programs/catalog/renter-s-tax-credit-program>

⁹⁴ *Rent Control and Rent Stabilization*, NATIONAL LOW-INCOME HOUSING COALITION, (May 2016), <https://reports.nlihc.org/rental-programs/catalog/rent-control-and-rent-stabilization>

VII. Conclusion

According to the American Housing Survey (AHS) conducted by the United States Census in 2017, approximately 25%, or 4.5 million of the 19 million eligible very low-income households nationwide received housing assistance through federal spending programs.⁹⁵ At the state and local level, federal rental assistance is even more inadequate. Only 17%, or 182,000, of the 1 million eligible very low-income households received housing assistance through federal spending programs in the state of Florida.⁹⁶ The Miami metropolitan area came in at 18%, or 71,000, of the 390,000 eligible very low-income households receiving federal rental assistance.⁹⁷ The issue of eligible households not receiving federal rental assistance is compounded by affordable homes not being available to the lowest income renter households due to the shortage of affordable housing units. For every 100 extremely low-income renter households in the state of Florida, only 26 affordable homes are available for rental.⁹⁸ For every 100 extremely low-income renter households in the Miami MSA, only 24 affordable homes are available for rent.⁹⁹

Figure 4. NATIONWIDE – United States

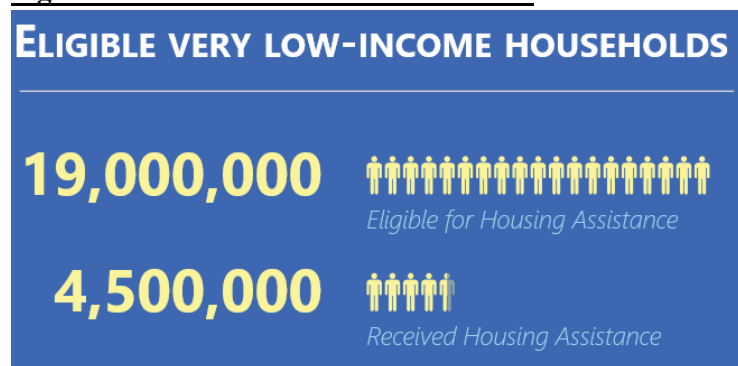
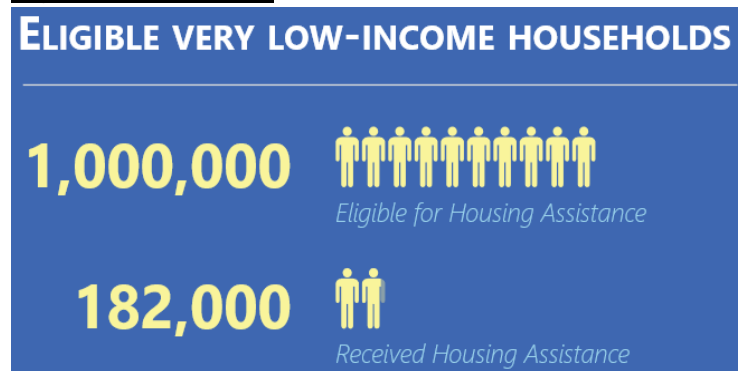


Figure 5. FLORIDA



⁹⁵ U.S. Census Bureau (2017). Household demographics, 2017 American Housing Survey 2-year estimates. Retrieved from https://www.census.gov/programs-surveys/ahs/data/interactive/ahstablecreator.html?s_areas=00000&s_year=2017&s_tablename=TABLE8A&s_bygroup1=28&s_bygroup2=1&s_filtergroup1=1&s_filtergroup2=1

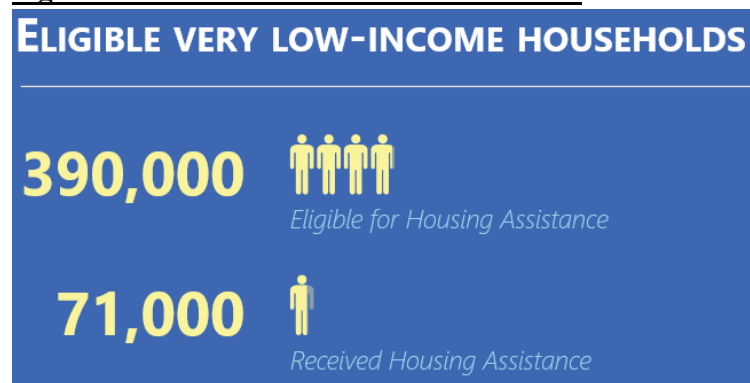
⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Data for Florida*, NATIONAL LOW INCOME HOUSING COALITION (2017), <https://reports.nlihc.org/gap/2017/fl>

⁹⁹ *Id.*

Figure 6. MIAMI METROPOLITAN AREA



Closing the gap between the demand and supply of affordable housing has been more urgent in the last decade as housing and rental costs have outpaced real wage growth for the lowest income earners. Nationwide, rental costs increased 15% in real terms between 2000 and 2016, while median renter household income fell from \$38,000 to \$32,000.¹⁰⁰ In the state of Florida, households with incomes at or below 60% of AMI who are cost-burdened renters made up 70% of the total growth of cost-burdened renter households between 2000 and 2019.¹⁰¹ Meanwhile, for Miami-Dade County, the median wage for the entire region sits at just over \$30,000 (\$31,702), significantly less than the median wage for the nation (\$36,693) and the third-lowest of a large U.S. metropolitan area.¹⁰² Median home value in Metro Miami exceeded \$400,000 as of October 2018, making it the 11th most-expensive metropolitan area in the United States.¹⁰³ In response to this growing gap between an increasing demand for and inadequate supply of affordable housing, the state of Florida and Miami Dade-County have worked to narrow the gap by spending their own resources on affordable rental housing.

The Office of the Commission Auditor’s research has reviewed a variety of programs designed to offer rental assistance to extremely low-income, very low-income, and low-income groups in Florida as well as Miami-Dade County. OCA’s discoveries indicate that most of these programs are designed to give temporary rental assistance to individuals on the brink of homelessness rather than offering more permanent forms of rental assistance. However, the County can leverage elements from a number of programs described in this report to develop a plan that would be used for that purpose. In light of the magnitude of the affordable housing crisis in the United States, a comprehensive housing assistance strategy at the federal, state, and local levels is needed to address the affordable housing needs of cost-burdened households.

¹⁰⁰ *American Rental Housing 2017*, JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, (2017), https://www.jchs.harvard.edu/sites/default/files/harvard_jchs_americas_rental_housing_2017_0.pdf

¹⁰¹ *2019 Rental Market Study*, SHIMBERG CENTER FOR HOUSING STUDIES, (May, 2019) https://www.floridahousing.org/docs/default-source/press/newsroom/publications/rental-housing/2019-rental-market-study.pdf?Status=Temp&sfvrsn=eadc107b_2

¹⁰² Richard Florida and Steven Pedigo, *Miami’s Housing Affordability Crisis*, FLORIDA INTERNATIONAL UNIVERSITY’S COLLEGE OF COMMUNICATION, ARCHITECTURE + THE ARTS (CARTA), (2018) https://carta.fiu.edu/mufi/wp-content/uploads/sites/32/2019/03/Miamis_Housing_Affordability_Crisis_FNL.pdf

¹⁰³ *Id.*