

MEMORANDUM

PHCSC

Agenda Item No. 2(A)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 10, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to conduct a study to determine if a housing emergency currently exists in Miami-Dade County that is so grave as to constitute a serious menace to the general public and that stabilizing rents to remain affordable is necessary and proper to eliminate such grave housing emergency; and requiring a report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kionne L. McGhee.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 5, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No.

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO CONDUCT A STUDY TO DETERMINE IF A HOUSING EMERGENCY CURRENTLY EXISTS IN MIAMI-DADE COUNTY THAT IS SO GRAVE AS TO CONSTITUTE A SERIOUS MENACE TO THE GENERAL PUBLIC AND THAT STABILIZING RENTS TO REMAIN AFFORDABLE IS NECESSARY AND PROPER TO ELIMINATE SUCH GRAVE HOUSING EMERGENCY; AND REQUIRING A REPORT

WHEREAS, Miami-Dade County has a current shortage of affordable and workforce rental housing and anticipates this shortage will worsen in the coming years; and

WHEREAS, housing is affordable when it costs no more than 30 percent of a household's income; and

WHEREAS, households which pay more than this amount are considered housing cost-burdened; and

WHEREAS, according to a 2020 study by the Florida Housing Coalition (the "study"), of Florida's 3.15 million low-income households, close to 2 million (1,997,040) are cost-burdened, which represents 63 percent of low-income households and 26 percent of all Florida households; and

WHEREAS, the study also found that of these low-income, cost-burdened households in Florida, over 1.16 million are severely cost-burdened; and

WHEREAS, the study also found that of all low-income, cost-burdened households in Florida, 669,811 are headed by seniors (age 65 or older), and for low-income households that have members with one or more disabilities, 596,088 are cost-burdened; and

WHEREAS, while many low-income households in Florida are cost-burdened, the problem is especially acute in Miami-Dade County; and

WHEREAS, according to the study, Florida's cost-burdened cities are concentrated in South Florida, with the Miami-Dade, Fort Lauderdale, and West Palm Beach metropolitan statistical areas topping the list of most cost-burdened urban areas; and

WHEREAS, according to United States census data, household median income from 2015 to 2019 in Miami-Dade County was \$51,347.00, which was \$4,313.00 less than the Florida median of \$55,660.00; and

WHEREAS, the homeownership rate in Miami-Dade County is also lower than the state average, meaning more renters and greater demand for rental housing; and

WHEREAS, from 2015 to 2019, the homeownership rate in Miami-Dade County was only 51.2 percent, over 14 percent lower than the Florida average of 65.4 percent, according to United States census data; and

WHEREAS, in Miami-Dade County, 65 percent of renter households are cost-burdened, with alarming percentages of cost-burdened households in lower income levels, according to the Miami-Dade County Housing Data Appendix dated June 2020, prepared by the University of Florida Shimberg Center for Housing Studies (the "UF analysis"); and

WHEREAS, according to the UF analysis, in Miami-Dade County, 87 percent of renter households with incomes less than \$20,000.00, 81 percent of renter households with incomes between \$20,000.00 and \$34,999.00, and 66 percent of renter households with incomes between \$35,000.00 and \$49,999.00 are cost-burdened; and

WHEREAS, some municipalities within Miami-Dade County, such as the City of Miami, are ranked as some of the most severely housing cost-burdened in the country; and

WHEREAS, according to the study, the average City of Miami household is cost-burdened, paying 39 percent of their income for housing costs; and

WHEREAS, according to the University of Miami, Miami-Dade County's geographical location between two national parks also results in a shortage of developable land that can be used to construct new housing and increase the housing supply; and

WHEREAS, these alarming statistics demonstrate that there is a critical shortage of housing in the County that is evidence of a housing emergency; and

WHEREAS, as a result of the cost burden and the critical housing shortage, tenants in Miami-Dade County are unable to find decent and safe housing at affordable rent levels, resulting in some renters paying rent increases by foregoing expenses on other basic necessities of life, including food, transit, and healthcare; and

WHEREAS, the foregoing housing and economic conditions create a detrimental effect on tenants in Miami-Dade County and are a threat to the public health, safety, and welfare; and

WHEREAS, this Board desires to have the ability to enact local legislation affecting the rents landlords can charge residential tenants as part of this Board's efforts to curb the housing shortage and emergency affecting Miami-Dade County residents; and

WHEREAS, this Board desires to address increasing rental costs within the County to promote neighborhood and community stability; to protect the County's tenant population; and to stabilize and make more predictable future rent increases, all while remaining in conformance with Florida law, and ensuring that landlords within the County receive a fair return on investment; and

WHEREAS, among other benefits, studies have found that stabilizing rents to remain affordable helps: (1) protect tenants from experiencing huge rent spikes; (2) reduce displacement in booming economies by allowing vulnerable residents to stay in their neighborhoods; (3) prevent retaliatory rent increases whereby a landlord increases the rent to evict a tenant where a tenant has

asked for improvements or reported a code violation; (4) encourage tenants to maintain and improve their own units since they will be residing there for a longer term; and (5) support the affordable housing stock; and

WHEREAS, accordingly, this Board wishes to direct the County Mayor or County Mayor's designee to conduct a study to determine if a housing emergency currently exists in Miami-Dade County that is so grave as to constitute a serious menace to the general public and that stabilizing rents to remain affordable is necessary and proper to eliminate such grave housing emergency,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board directs the County Mayor or County Mayor's designee to conduct a study to determine if a housing emergency currently exists in Miami-Dade County that is so grave as to constitute a serious menace to the general public and that stabilizing rents to remain affordable is necessary and proper to eliminate such grave housing emergency. The study should include, but is not limited to, the following information: (1) whether there is a critical housing shortage in Miami-Dade County, including data showing the supply of rental housing as opposed to the demand for rental housing countywide; (2) the County Commission districts with the greatest need for affordable and workforce housing; (3) the average rents countywide and by County Commission districts; (4) an analysis of the average costs of rental housing versus the average wages in Miami-Dade County based on United States Census data and other sources; (5) data demonstrating the increase in rent in the last five years countywide and also specifically in

lower-income neighborhoods such as Wynwood, Little Havana, Little Haiti, Allapattah, and Edgewater; and (6) an analysis that shows the impacts of the rising cost of rental housing on lower-income households and communities in Miami-Dade County, including the elderly and the disabled.

Section 3. The County Mayor or County Mayor's designee shall provide the report to this Board within 30 days of the effective date of this resolution and place the completed report on an agenda of the full Board without committee review pursuant to Ordinance No. 14-65. The report should include a copy of the study required by section 2 of this resolution.

The Prime Sponsor of the foregoing resolution is Commissioner Kionne L. McGhee. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Jose "Pepe" Diaz, Chairman	
Oliver G. Gilbert, III, Vice-Chairman	
Sen. René García	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of April, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Melissa M. Gallo
Terrence A. Smith