

FIRST TIME HOMEBUYER AND EMERGENCY HOUSING PAYMENT ASSISTANCE PROGRAMS



Purpose

In 2022, the Board of County Commissioners adopted Resolutions R-219-22 and R-445-22 which directed the Mayor to evaluate the feasibility of and provide recommendations for developing a Miami-Dade County (MDC) employee first time homebuyer assistance program (“First Time Homebuyer Program”), which will assist employees to purchase their first home, and emergency housing payment assistance program (“Emergency Housing Assistance Program”), to assist those who may be experiencing unexpected financial hardships or emergencies that threaten the stability of their housing situation.

Scope

This policy applies to all MDC employees. MDC reserves the right to modify this policy at any time in its sole discretion to adapt to housing market conditions.

Eligibility

An employee is eligible for the First Time Homebuyer Program, if he/she meets one of the following criteria :

- Has had no ownership in a principal residence during the three-year period ending on the date of purchase of the property;
- Is a single parent who has owned with a former spouse while married;
- Has owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations;
- Has owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

Additionally, for both the First Time Homebuyer Program and the Emergency Housing Assistance Program:

- Employees must be employed by the County for at least three years.
- Only annual leave can be cashed out, and at least 80 hours must remain in the employee’s annual leave bank.
- Employees may participate in both Programs, but only once in either Program during their County career.

Purpose of Funds

First Time Homebuyer Program

Eligible employees will be allowed to cash out annual leave up to a value of \$25,000 gross, which will be subject to applicable federal taxes and included as Florida Retirement System (FRS) wages. Proceeds must be used exclusively for the payment of closing costs and/ or downpayment for the employee’s first home and proof of the transaction must be furnished to the Departmental Personnel Representative (DPR) or designee.

Emergency Housing Assistance Program

Eligible employees will be allowed to make an irrevocable cash out of annual leave not to exceed \$12,000 gross, which will be subject to applicable federal taxes and included as FRS wages. Only rent or mortgage payments on a property which is the **primary** residence shall be permitted. Funds must be used exclusively to pay current or past due rent or mortgage payments, with proof of payment verified by the DPR or designee.

Procedure

Documentation

Employees must submit proper documentation as indicated below to the DPR or designee who may request other relevant documentation, as necessary, to determine eligibility.

First Time Homebuyer Program

The employee must initially submit:

- Completed application form, and
- Purchase contract, and
- Either 1) Loan Estimate or 2) Closing Disclosure. By law, lenders are required to provide the Closing Disclosure three business days before the scheduled closing.

After successful closing, a copy of the Settlement Statement must be provided to the DPR or designee within two weeks after closing, in order to verify that the funds were used in accordance with Resolution R-219-22.

Emergency Housing Assistance Program

The employee must initially submit:

- Completed application form, and
- Copy of driver's license (address must match the address on the lease or mortgage statement), and
- Copy of rental agreement indicating the monthly payment. If in arrears, appropriate proof of the period of time in arrears, or
- Copy of mortgage statement or letter, indicating the monthly payment and amount in arrears.

Within two weeks after payment to the appropriate party is made, proof must be provided to the DPR or designee in order to verify that the funds were used in accordance with Resolution R-445-22.

Business Process

The application form and relevant documentation must be submitted to the DPR or designee who will review and approve. The approved package will then be forwarded by the DPR to the Human Resources Department (HR), Personnel Time and Attendance Division for processing. If the request is received in HR by Thursday of non-payweek, the funds, less applicable taxes, will be included in the next paycheck.

Revocability

First Time Homebuyer Program

In the event that the employee does not successfully close, the cash out of annual leave for this Program will be revocable. To initiate restoration of annual leave, the employee must submit a request in writing to the DPR or designee, The request shall be reviewed and upon approval, forwarded to HR for processing. A lump sum re-payment will be required in order to restore all the annual leave. Partial restoration of leave will not be permissible.

Alternatively, if the employee does not close on the property and keeps the funds with the sole intent of purchasing another home, proof must be provided to the DPR or designee within six months of receipt of funds, that in accordance with Resolution R-219-22, the proceeds were used exclusively to pay for closing costs and/or downpayment on the home. Said proof must be furnished to the DPR or designee within two weeks after the successful closing.

If the employee is unsuccessful in closing on a home within the six month period, the entire amount must be repaid in full and the employee's annual leave restored. Repayments are not subject to the overpayment articles and/or practices of the employees' collective bargaining agreement. Failure to do so may result in discipline, up to and including termination.

Emergency Housing Assistance Program

The cash out of annual leave for the Emergency Housing Assistance Program is irrevocable.

Resources

Public Housing and Community Development Affordable Homeownership Program

<https://www.miamidade.gov/global/housing/affordable-homeownership-program.page>

Public Housing and Community Development Infill Housing Homebuyer

<https://www.miamidade.gov/global/housing/infill-housing-homebuyers.page>

Miami-Dade Economic Advocacy Trust Homeowner Assistance Program

https://www.miamidade.gov/global/service.page?Mduid_service=ser1532378258174440

Community Action and Human Services Rental and Other Assistance

https://www.miamidade.gov/global/service.page?Mduid_service=ser1497555806798351

Consumer Financial Protection Bureau

<https://www.consumerfinance.gov/>

<https://www.consumerfinance.gov/owning-a-home/>