

First Time Homebuyer and Emergency Housing Assistance Programs Frequently Asked Questions (FAQ)

These Frequently Asked Questions (FAQ) are intended to provide additional guidance for the First Time Homebuyer Program and the Emergency Housing Assistance Program, which were adopted by the Board of County Commissioners under Resolutions [R-219-22](#) and [R-445-22](#), respectively. This will be periodically updated.

GENERAL QUESTIONS

1. Q. Who is eligible for these Programs?

A. *These Programs apply to all Miami-Dade County employees. Additionally:*

- *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.*

2. Q. How much annual leave am I able to cash out and for what purposes can the proceeds be used?

A. *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 **primary residence**. A primary residence is legally considered to be the principal or main home you live in for most of the year. You can only have one primary residence at a time: This is usually the address listed on your driver's license, tax returns and other official government documents. Your primary residence can be any dwelling where you live for a majority of the year that is considered your permanent address, including a single-family home, an attached or multifamily home, a condominium, a townhouse or an apartment or rental unit.*

B. *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. All other types of payments related to homeownership such as Homeowner's Association fees, property taxes, home maintenance and repairs, and insurance payments are not permitted under this Program.*

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3. Q. My spouse and I both work for Miami-Dade County. Will we both be able to apply for the Programs?

A. *Yes, both you and your spouse will be able to apply separately for up to the maximum, provided eligibility requirements are met by each of you individually. Therefore, your family may qualify for up to \$50,000 for the First-Time Homeowners Program and \$24,000 for the Emergency Housing Assistance Program.*

4. Q. How do I apply for the Programs?

A. *You must submit proper documentation, as indicated below, to your DPR or designee.*

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 your 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

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Division for processing. If the request is received in HR by Thursday of non-pay week, the funds, less applicable taxes, will be included in the next paycheck.

FIRST TIME HOMEBUYER PROGRAM

5. Q. What is the definition of a first-time homebuyer?

- A. *A first-time homebuyer is an employee who meets any 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.*

6.Q. I applied for the First Time Homebuyer Program, was approved and received the funds which I had planned to use for the closing costs. Unfortunately, I was not able to close on this particular house and have decided to defer purchasing a home for another year. Can I request to restore my leave? Will I be eligible to reapply next year?

- A. *Restoration of annual leave is allowed under the First Time Homebuyer Program. To initiate restoration of your leave, you must submit a request in writing to your DPR or designee, The request shall be reviewed and upon approval, forwarded to central 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.*

Yes, you will be able to re-apply next year when you are ready again to purchase a home.

7.Q. I applied for the First Time Homebuyer Program, was approved and received the funds which I had planned to use for the closing costs. Unfortunately, I was not able to close on this particular house but am actively looking for another house. What should I do?

- A. *Since you did not close on the property, and you intend to purchase another home, you may keep the funds. However, once the new home is identified, updated documentation e.g purchase contract must be submitted to your DPR or designee. This process may be repeated multiple times during a six-month period. Once closing is successful on a property, within two weeks, proof must be provided to the DPR or designee that in accordance with Resolution R-219-22, the proceeds were used exclusively to pay for closing costs and/or downpayment on the home.*

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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.

8.Q. I am purchasing a home that is currently under construction. The builder expects the home to be completed and ready to be closed on in six months. Am I able to use the First Time Homebuyer Program for the downpayment and/or closing costs of this home?

A. Yes, it may be used for this purpose provided eligibility requirements are met. Please ensure that your DPR is apprised of any delays in closing which may risk timely submittal of proof of closing on the home.

EMERGENCY HOUSING ASSISTANCE PROGRAM

9. Q. I am planning to cash out \$10,000 under the Emergency Housing Assistance Program to pay my current mortgage payment of \$2,000/ month and to use the remainder to cover future payments. Is that allowed?

A. Under the Emergency Housing Assistance Program proceeds may be used only for current payments and/or payments in arrears. Please be reminded that proof of these payments must be provided to your Departmental Personnel Representative and may also be subject to an audit.

10.Q. I own an investment property for which I am currently four months in arrears on my mortgage payment. Will I be able to use the Emergency Housing Assistance Program for this purpose?

*A. No, only mortgage payments on a property which is the **primary** residence shall be permitted for the Emergency Housing Assistance Program.*

11.Q. I am behind in both my Homeowner's Association fees and property taxes for my primary residence. Will I be able to use proceeds from the Emergency Housing Assistance Program to pay these two obligations?

A. No, although this is your primary residence, only rent or mortgage payments are permitted under the Emergency Housing Assistance Program.

12.Q. I have been advised that I need to replace the roof of my primary residence. Can I utilize the Emergency Housing Assistance Program for this purpose?

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- A. *No, only rent or mortgage payments are permitted for the Emergency Housing Assistance Program.*

13.Q. I currently rent and plan to move to a new apartment next month. The rent for the new apartment will be \$1,800 per month and the landlord is requiring first and last month's rent (\$3,600) as well as a security deposit (\$1,800) upon execution of the lease. Can I utilize the Emergency Housing Assistance Program for this purpose?

- A. *No, the Emergency Housing Assistance Program will not be able to be utilized for this purpose based on the parameters established in Resolution 445-22.*

14.Q. I am renting from an individual, not a Property Management Company, and I am two months behind in my rent payment. My landlord has not provided me with any formal statement or document stating as such; he has only been calling and texting me. What document can I provide as proof that I am behind in paying my rent so that I can apply for the Emergency Housing Assistance Program?

- A. *A notarized letter or affidavit from your landlord which states the property address, your name, the period of time for which you are in arrears and the amount owed would be required. The name and signature on the notarized letter or affidavit should match the one on the lease.*