

Housing News

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Network

Florida Housing Coalition is 30

Sadowski Act is 20

25th Statewide Annual Conference

Ending Military Veteran Homelessness by 2015

Florida Nonprofit Housing Advocates Network at Work

Hardest Hit is Overhauled to Succeed

Celebration 2012

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The Florida Housing Coalition is a nonprofit, statewide membership organization whose mission is to act as a catalyst to bring together housing advocates and resources so that Floridians have a quality affordable home and suitable living environment. The *Housing News Network* is published by the Florida Housing Coalition as a service to its members, housing professionals and others interested in affordable housing issues. **Jaimie Ross**, Editor, with assistance from **Christine Call**, Communications Manager • Email: info@flhousing.org, Website: www.flhousing.org.



by Jaimie Ross


FROM THE EDITOR




Celebration 2012


The 25th Statewide Annual Housing Conference marks two critically important anniversaries for us: The Florida Housing Coalition began operations 30 years ago and the William E. Sadowski Affordable Housing Act was enacted 20 years ago. We will celebrate these anniversaries and address the challenges we share as housing professionals and advocates from across the state.

In addition to our core work of providing training and technical assistance to Florida's nonprofits and their public and private sector partners, our staff has been all over the country delivering Neighborhood Stabilization Program training and technical assistance. Since the close of the 2012 legislative session, the Florida Housing Coalition has been exceedingly busy:

 The national bank settlement brought us the Attorney General's call for ideas on how best to use approximately \$300 million in funds for housing. The Sadowski Coalition and the membership of the Florida Housing Coalition responded. We sent the message that using these monies for SHIP would be the most effective and efficient way to address Florida's housing needs. It is our hope and expectation that by the time we meet in September, the Attorney General's office will have distributed a substantial portion of these funds to Florida's SHIP offices.

 With the help of Wells Fargo and the Home Depot Foundation, we jumped in with both feet to join the national effort to end Veterans Homelessness by 2015. We produced two Symposiums in partnership with 1000 Friends of Florida, the Florida Supportive Housing Coalition, the Florida Coalition for the Homeless, and the Florida Association of Redevelopment and Housing Officials. Our Partner JP Morgan

CHASE Bank will sponsor two workshops at the conference on housing Veterans.

 The Florida Nonprofit Advocates Network met regularly to develop a set of recommendations for improving the tax credit allocation system to help nonprofits meet the needs of the at-risk and vulnerable populations they serve and we delivered those comments in June. We will be continuing this conversation at the conference in September, as rule development is expected to be finished shortly thereafter. The FHFC will have a new workshop at the conference this year focused entirely on how to access tax credits through the FHFC.

Preconference events this year feature two short courses: One for housing administrators on income qualification and one for nonprofit housing providers on demystifying financials. Conference highlights include an inspirational keynote address by nationally recognized civil rights advocate Judith Browne Dianis from the Washington, D.C. Advancement Project; a public policy plenary on Day 1 focused on the foreclosure crisis with state and national experts, including Sheila Crowley, the President of the National Low Income Housing Coalition, and a plenary session with the Sadowski Coalition on Day 3 kicked off by Ken Pruitt, former Florida Senate President and past recipient of the Housing Champion Award from the Florida Housing Coalition. The two plenary sessions on Day 1 and Day 3 bookend training and technical assistance covering the nuts and bolts of every aspect of affordable housing development from financial resources to property management. Complementing the nuts and bolts training, are workshops that address policy issues like the nonprofit role in civic engagement, and the use of REO properties in areas of opportunity to affirmatively further fair housing.

See you in September. [HNN](#)

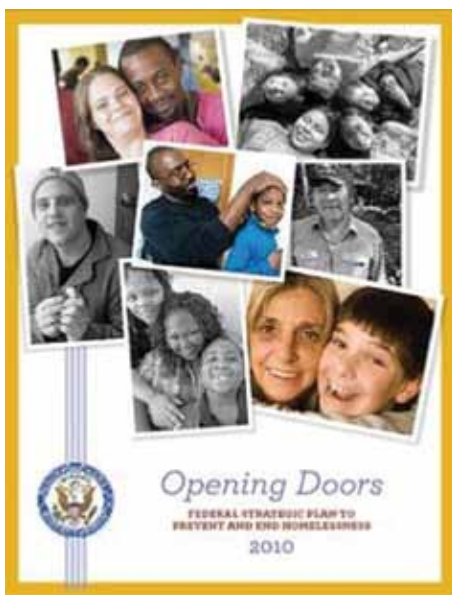
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Ending Military Veteran Homelessness by 2015

President Obama and Secretary of Veterans Affairs Shinseki have launched the country's plan to end Military Veteran homelessness by 2015. This is a data driven action plan which calculates progress annually. One year after the plan to end Veteran homelessness in America was put into action Veteran homelessness declined by 12% (*Veteran Homelessness: A Supplemental Report to the 2011 Annual Assessment Report to Congress*). The overarching mission is to reduce the number of homeless Veterans to zero. The strategy is transformed from temporary and shelter-based options to prevention, employment, and permanent housing solutions, with HUD-VASH as the largest most effective option. In addition to HUD-VASH, key elements in the plan are a set of housing and case management services, including Supportive Services for Veterans and Families (SSVF) and Grant & Per Diem described below.

To increase the efficacy of these initiatives the plan calls upon collaborative partnerships. According to Stacey Valdez, Deputy Director of Homeless Veteran Initiatives Office of Public and Intergovernmental Affairs, "community partnerships" is the pillar where the most assistance is needed. Because Florida has



the third largest population of homeless Veterans in the country and the Florida Housing Coalition is particularly well situated to bring together the necessary partnerships, the Florida Housing Coalition organized a statewide symposium to support community partnerships and explore ways in which we can use our existing resources to help meet the 2015 goal to end military Veteran homelessness. *Ending Veterans Homelessness in Florida: A Statewide Symposium* was held in

Tampa June 6 and June 28, produced by the Florida Housing Coalition and underwritten by Wells Fargo and the Home Depot Foundation, respectively. The symposiums were designed in partnership with 1000 Friends of Florida, the Florida Coalition for the Homeless, the Florida Supportive Housing Coalition, and Florida's Public Housing Authorities.

The Federal Plan is based on six integrated pillars:

1. Outreach/Education
2. Treatment Services
3. Prevention Services
4. Housing/Support Services
5. Income/Employment/Benefits
6. Community Partnerships

These forums brought together experts in Veteran issues, including the Florida Department of Veterans Affairs and Veteran Administration Medical Centers, with experts in affordable housing, including PHAs, local government housing administrators, nonprofits, and advocates. The goal of the symposiums was to cross

educate disciplines and build more effective pathways for housing homeless Veterans. It is worthy of note



Michelle Braun (L), Senior Vice President, Community Development Manager, Wells Fargo and Machel Maner (C), Senior Community Development Officer, Wells Fargo assisted in facilitation of break out groups and reporting at plenary; Ed Johnson (R), BBAHM, U.S. Army (Ret), Minority Affairs Specialist/Minority Veterans Program Coordinator, VAMC Orlando, shared his expertise on minority outreach. A disproportionate number of military Veterans suffering with homelessness are minorities.

that about one quarter of all the participants were themselves military Veterans. After a panel of experts in Veteran's affairs and a panel of experts in affordable housing covered the most pertinent programs within their respective disciplines, the day was spent sharing challenges and opportunities to work collaboratively to end military Veteran's homelessness by 2015. A brief overview of the primary programs being used to end Veteran homelessness are:

HUD-VASH

A joint program of HUD and Veterans Affairs. Homeless Veterans receive a Section 8 Housing Choice Voucher from a participating PHA that is coupled with case management and clinical services provided by VA at its medical centers and in the community. HUD-VASH is intended to serve the hardest to house Veterans, such as those with substance abuse problems. The HUD-VASH voucher is not time limited.

SSVF

VA's primary prevention program designed to help veterans and their families rapidly exit homelessness, or avoid entering homelessness. It provides grants to community-based organizations who serve veterans and their families



Nicki Barfield, VISN-8 Network Homeless Coordinator, VA Sunshine Healthcare Network, introduced VA specialists/contacts in the room from across Florida and brought a spitfire enthusiasm for meeting the 2015 goal.

with case management and temporary financial assistance to third parties for items such as rent, utilities, moving expenses, transportation, child care, and other one-time items that veterans need to maintain intact families and avoid homelessness. It can be used in conjunction with HUD-VASH, but is not intended for those hardest to serve Veterans.

Grant and Per Diem

VA's Homeless Providers Grant and Per Diem Program is offered to community agencies providing transitional services (up to 24 months) to homeless veterans. The goal is to help homeless Veterans achieve residential

stability, increase their skill levels and/or income, and obtain greater self-determination. This program is not suitable for Veterans with chronic substance abuse issues. **Grants:** Limit is 65% of the costs of construction, renovation, or acquisition of a building for use as service centers or transitional housing



SSVF expert, Jill van Heel, Southeast Regional Coordinator, Supportive Services for Veterans Families Program, National Center on Homelessness among Veterans.

for homeless veterans. **Per Diem:** Priority in awarding the Per Diem funds goes to the recipients of grants. Operational costs, including salaries, may be funded by the Per Diem Component. For supportive housing, the maximum amount payable under the per diem is \$38.90 per day per Veteran housed.



Jaimie Ross, President Florida Housing Coalition; Gladys Schneider, Technical Assistance Director, Florida Housing Coalition; Rayme Knuckles, CEO, Hillsborough Coalition for the Homeless; Debbie Johnson, Executive Director, Pinellas County PHA; Brad Beatty, Director of Health Services, Volunteers of America; Jack Humburg, Director of Housing Development and Americans with Disabilities Act Services, Boley Centers

2. A creative partnership with the Bay Area Apartment Association and the Pinellas County Low Income Housing Leadership Network, whereby private apartment owners with vacant units make those units available to homeless residents. We learned that a larger program of this sort is in operation in Central Florida with the Apartment Association of Greater Orlando.

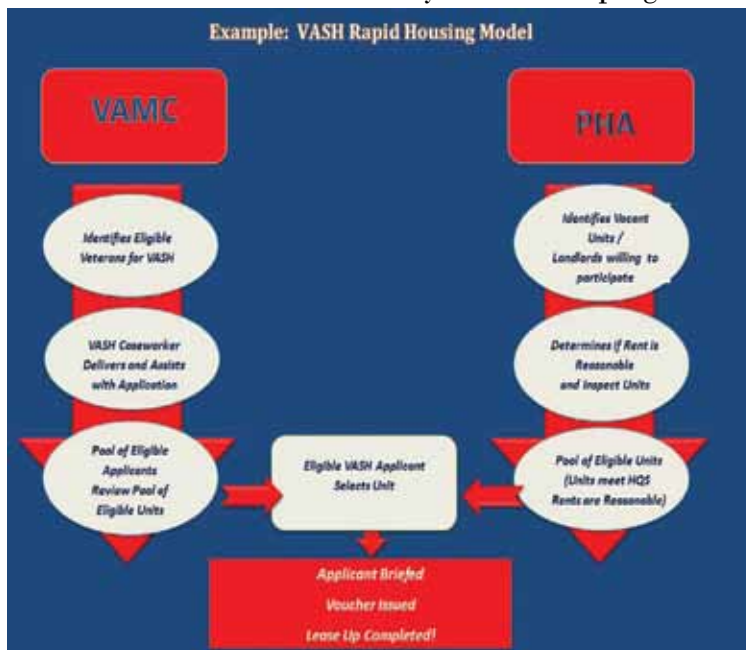
Symposium “Take-Aways”

Issues in HUD-VASH program—There are two sides to the process—one is the resident (the Veteran), the other is the housing unit. The VA works the Veteran side and the PHA works the unit side, but both the VA and the PHA need public and private sector partners to help them succeed. For example, one thing known to experts in HUD-VASH but not to everyone else at the symposium was that “hands down, the most common obstacle faced by veterans during the lease-up process, as described by HUD-VASH sites, is a lack of funds for security deposits and other move-in costs.” (HUD-VASH Best Practices, April 2012). The local housing administrators and experts in SHIP shared that those one time payments are permitted by the SHIP program, which is available in all 67

In addition to these core programs, Florida has one of only a handful of sites running a national pilot program known as the Veterans Homeless Prevention Demonstration Program. The Demonstration Program is a joint collaboration between VA, Department of Labor, and HUD. It is a three-year pilot program that provides early intervention to recently discharged veterans and their families.

The symposium brought in locally designed program examples that are being used to end homelessness and can certainly also be used to end Veteran homelessness. Two that were highlighted:

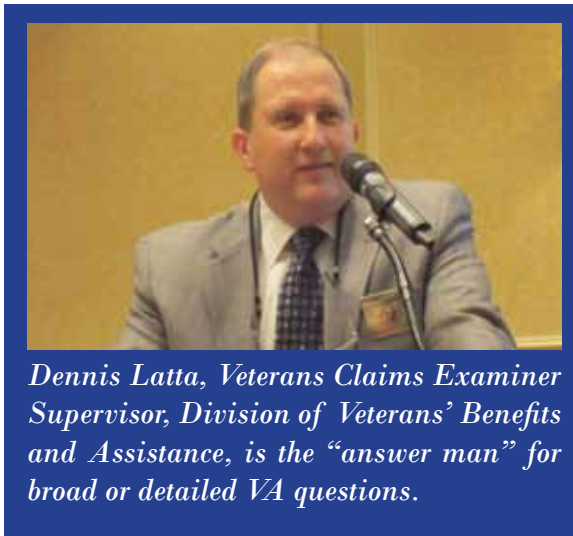
1. A creative partnership with the Hillsborough Housing Finance Authority and the local homeless coalition. The local HFA provides the rent subsidy and the Hillsborough Coalition for the Homeless uses its network of partners to provide case management services to help the person or family return to their former ability to pay rent without subsidy.



counties. We appear to have a perfect marriage—so long as SHIP is funded. The HUD-VASH Express model explained by Debbie Johnson from the Pinellas HFA paints the clearest picture of how the process works (see diagram at left).

While the PHA is readying the units, the VA is readying the Veteran resident. Ken Muller from the Orlando VA Medical Center reported the results from

the recently held Rapid Results Boot Camp. The purpose of the Boot Camp was to reform practices that are slowing down the time it takes to get a homeless Veteran out of the woods or from under a bridge and into permanent supportive housing. The following are models, best practices, and ideas that can be implemented throughout Florida.



Dennis Latta, Veterans Claims Examiner Supervisor, Division of Veterans' Benefits and Assistance, is the "answer man" for broad or detailed VA questions.

Best Practices:

Using Housing First model to provide a rapid response to homelessness, and to help Veterans with a long history of homelessness access permanent, supportive housing. Housing First is an approach that centers on quickly providing homeless people with housing that is not time limited and then providing services as needed.

A central tenet of the Housing First approach is that social services can be more effective when people are in their own home.

Leveraging resources and building community partnerships (this

is the last but not least of the six pillars—a collective focus on Veterans to provide multiple resources to meet individual needs).

On the FHC Vet Symposium Website you will find HUD-VASH Best Practices—A Working Document published April 2012 by HUD. It covers strategies including expediting applications and leasing, PHA management, VA management, assistance with security deposits, furniture and household items, recruiting landlords and finding units, ensuring Veteran retention and positive attrition, and collaborations with the public and private sectors.



- 🇺🇸 Designating PHA staff to focus on HUD-VASH. Setting aside at least one day of the week for HUD-VASH intake and orientation
- 🇺🇸 Providing space for VA case manager in PH offices
- 🇺🇸 Recruiting and informing property owners to make their units available to HUD-VASH veterans
- 🇺🇸 Implementing HUD-VASH express processing and pre-inspections.
- 🇺🇸 Connecting Veterans with the Family Self Sufficiency (FSS) Program. The FSS program coordinates existing resources in the community to promote self-sufficiency while providing an avenue for building assets.

Amy Sawyer, the Southeast Regional Director from the United States Interagency Council on Homelessness, (www.usich.gov), summed it up this way: We need to understand the scope of available resources; apply a housing-first, Veteran-centric, targeted approach; reach out to others working with veterans; and measure and report out on progress.

In 2011, Florida counted 5,655 homeless veterans. To reach zero by 2015 we need to house approximately 1,410 homeless Veterans each year. Would you like to help the effort? We can all assist in ending

Veteran homelessness. We will be continuing this conversation at the statewide housing conference in September with a track on Housing Veterans. **HNN**

All the materials and PPT presentations from the Symposium are accessible from the Florida Housing Coalition's website, a portion of which has been dedicated to this effort, including contact information for the presenters and participants at http://www.flhousing.org/?page_id=2839

Developer Turns Veteran Housing Advocate



by Gladys Schneider

D&O General Contractor, for-profit builder headed by Dan O’Loughlin and Lucy Brownlee, purchased a rundown apartment complex in Decatur, Illinois with the intention to rehab it for low income tenants. The developer applied for local HOME funds but at the public hearing on the funding award, NIMBY objections killed local council support for the project. Without the HOME funds, D&O did not have sufficient financial backing to rehabilitate the property.

After the hearing, Dan and project manager Lucy were approached by a member of the local Homeless Council who described the hardships confronting the many homeless veterans living on the streets of Decatur. In general the overall problem was not being addressed in a coherent fashion, and specifically, there was a lack of local knowledge or effort to help the homeless vets obtain HUD-VASH vouchers or other rental assistance.

The plight of the veterans struck a nerve with Dan and Lucy. To generate local support and to raise awareness of the problem they joined with others in forming an informal group, the Coalition for Veterans Concerns (CVC), which brought together a variety of organizations, churches, and veterans and other persons who shared a concern for homeless veterans. The CVC proved to be a driving force in securing assistance for the homeless vets in Decatur. At a supportive housing informational event at the Salvation Army, Dan and Lucy learned about the Neighborhood Stabilization Program (NSP 1) Notice of Funding Available (NOFA) that the State of Illinois had issued. The NOFA was broadly drafted welcoming for profit contractors to apply for funding to be used in the designated NSP target areas. The abandoned apartment building which had

been purchased by Dan and Lucy was located in the Decatur target area and qualified for the program.

They applied and D&O was awarded a \$1.1 million NSP1 grant from Illinois Housing Development Authority (state HFA) to rehab the abandoned 16-unit apartment complex (converting it to 12 units) and to acquire and rehab four single family homes. All of the housing is reserved for homeless veterans. As planned, eight of the apartments are one bedroom, one bath and four are two bedrooms, two baths; four of the units are fully ADA accessible. The single family homes are two bedrooms and two baths. Because HUD-VASH vouchers had not been made available in Decatur by the VA, D&O turned to the Decatur Housing Authority (the local public housing authority) who committed to providing 16 project-based vouchers for the apartments and the houses.

Recognizing the need for supportive services, a partnership was formed with Lutheran Child and Family Services of Illinois. LCFS applied to the state Human Services agency and received funding to provide those services. The case manager for the project focuses on building life skills to help the veterans maintain stability in housing as well as in other areas of their lives.

North Street Commons soon had a waiting list of 30 homeless veterans. Working with the CVC, temporary lodging for these vets has been found in apartments and with families. At this date, the apartment complex is about 50 per cent completed with an estimate of \$898,000 in costs of rehabilitation. The four single family homes are completed. The cost to acquire each of the homes, from Fannie Mae and HUD, was about \$19,000 with the rehab at \$35,000 each. D&O is proud of the thorough rehab and high quality work done on the units. An added bonus to the residents, the apartments and the houses come fully furnished with donations from the CVC members and supporters.



NSP 1 funds are taking North Street Commons from concept to reality by providing affordable housing to homeless veterans. The apartments on the left include four units fully ADA accessible. The single-family home above has two bedrooms and two baths and is home to a veteran and her child. The Coalition for Veteran Concerns has plans for more supportive housing projects.

The experience with the North Street Commons has encouraged the formation of Better Life Housing, a nonprofit organization, with the intention of it becoming certified as a Community Housing Development Organization (CHDO) by the City of Decatur and providing additional veterans housing in the locale. Better Life Housing will serve a population of former service personnel more expansive than that included under VA jurisdiction. For example, persons who served in the Reserve for an extended period but were not called for active duty are not eligible for services under the VA. Better Life Housing will include all those soldiers, sailors, and airmen who made their lives available for duty now suffering homelessness.

In the course of searching for solutions to homelessness for the Decatur veterans, Jennifer Gerrib, the VA outreach representative from the Veterans In Service Network, which includes Illinois, worked closely with the Decatur group. However, VA representatives are spread far too thin to provide adequate services to veterans and their families on a consistent basis. For example, in those areas where HUD-VASH vouchers are available, because they are portable, there is a major challenge presented in keeping current with the location of the voucher holder. And, it is important to remind the legislators who allocate monies for veterans housing programs that it is not just those who served in the Iraq and Afghanistan theaters who are in need but the Vietnam vet as well. There are many Vietnam

veterans who have been in need of services for so long that they are now considered “lost.”

There are federal initiatives which speak directly to veterans housing such as the Supportive Services for Veterans and Families which published a NOFA in 2011 and awarded grants at the beginning of 2012. Through the VA, 800 million dollars were committed to ending homelessness for America’s veterans by 2015.

As to the homeless vets in Decatur who the Coalition for Veterans Concerns speaks for, the Decatur Housing Authority is willing to provide more vouchers for future housing units.

The Home Depot Foundation has committed 10 million dollars for each of three years for housing projects for homeless veterans.

Dan and Lucy could not have anticipated that a single proposal by D&O for funding of a low income housing development would become the genesis for a veterans housing initiative demanding skills at community organizing and resourceful advocacy far beyond their construction expertise. Earlier this year, on February 14, the first tenant at the North Street Commons, a veteran and her child, moved into their home. The community of Decatur, Illinois through the Coalition for Veterans Concerns learned something of what it takes to serve the heroes who so bravely served our nation. **HNN**

NIMBYism: Overcoming Community Opposition to Affordable Housing




by Jaimie Ross

Excerpts from original article published by the National Low Income Housing Coalition in the 2012 Advocates Resource Guide.

The Not in My Backyard syndrome (NIMBYism) connotes objections made to the siting of affordable housing for reasons such as fear and prejudice. This is in contrast to objections over the real threat of an incompatible neighboring use, such as the siting of a hazardous waste facility near a residential area.


NIMBYism presents a particularly pernicious obstacle to producing affordable housing. Local elected officials are regularly barraged by the outcry of constituents with concerns over the siting and permitting of affordable housing. Consequences of NIMBYism include lengthy, hostile, and unpleasant public proceedings; frustrated consolidated plan implementation; increased costs of development; property rights disputes; and an inability to meet local housing needs. There are tools advocates can use to avoid or overcome these objections, usually to the eventual satisfaction of all parties.

 **Know the law.** When discrimination against an affordable housing development is in fact discrimination on the basis of race, color, national origin, religion, familial status or disability, it violates the federal Fair Housing Act (42 U.S.C. Sec. 3601-Sec. 3631). Litigation is usually not a meaningful remedy because housing funding cycles are short and court cases can take years to resolve. Often, all advocates need in order to benefit from the protections of civil rights statutes is a working knowledge of the law and a willingness to make the law known to local elected officials and government attorneys. In those cases where discrimination is clear and local elected officials act in disregard of that discrimination, advocates may request that the U.S. Department of Justice take the case. When the plaintiff is the

United States of America, the defendant takes notice and it tends to make future dealings with local opposition much easier.

Florida affordable housing developers and advocates have the additional legal advantage of a state fair housing law protection: In 2000, the Florida Fair Housing Act (the state's substantial equivalent to the federal Fair Housing Act) was amended to include affordable housing as a protected class (Section 760.26, Florida Statutes). Decision makers and their staffs must be aware of the law if it is to be helpful to the cause. The expansion of the state fair housing act to include affordable housing in Florida has been successful when housing advocates have been conscientious about ensuring that local government lawyers know about the statutory change. It is now commonplace in those jurisdictions for a city or county attorney to inform the elected body during a heated public hearing that they would run afoul of the state's fair housing law if they deny the affordable housing developer's application.

If nonprofits are reluctant to challenge a local government over land use issues because the local government provides funding to the organization, a local legal services office or other advocate for the public interest can argue on behalf of the future tenants or residents who would be directly impacted by the land use decision. Developing relationships with such organizations before problems arise can be an effective way to fight NIMBYism.

 **Educate elected officials.** Once a NIMBY battle ensues, it is often too late to educate. Advocates should anticipate the value of and the need to build relationships with elected officials and their staff members before a NIMBY issue arises. Education should include the importance of affordable housing in general and in particular its importance to the health of the entire community. Advocates

should include allies in the education process. Learning about the elected officials' interests will help to inform the advocate about which of its allies are best to bring to the meeting. For example, a particular elected official may be impressed from hearing from a local business about the need for employee housing, while another may be moved by hearing from local clergy about the needs of homeless veterans or the elderly and disabled. Whenever possible, advocates should invite elected officials to visit completed developments and should share credit with them at ribbon cuttings and when speaking with the media.


In regard to a pending development, whether advocates can meet with elected officials depends upon the ex parte rules in each jurisdiction. If advocates discover that community opposition is meeting with elected officials about a development, advocates should try to do the same.

 **Garner allies from a broad range of interests.**

Too often, the only proponents of the affordable housing development are the developers themselves. Whenever possible, advocates should ask members of the business community, clergy, and social service agencies to stand up for an affordable development. Potential beneficiaries of the development, like future residents, can also be effective advocates.

The media can also be an important ally throughout the process of development approval. Whenever advocates foresee a potential NIMBY problem, it

is best for them to contact the media first so that they understand the development plans, the public purpose, and the population to be served.

 **Address all legitimate neighborhood and community opposition.** Key to overcoming community opposition is addressing the opposition's legitimate concerns. Legitimate, non-discriminatory concern around issues like traffic or project design may lead advocates to make some adjustments to a proposed development.

Concern over property values are often the root of neighborhood opposition. The full article published in the 2012 NLIHC Advocates Resource Guide contains a bibliography of property value studies based on statistical and empirical analysis and covering hundreds of case studies from throughout the nation. Virtually without exception, affordable housing developments have been found to have no negative effect on neighboring market rate property values, and in some instances have increased the value of neighboring property. Local government elected officials and their staffs can use these studies as evidence to counteract homeowner fears about loss of property value. See <http://nlihc.org/library/other/guides/2012>

The key point is this: once all legitimate concerns are addressed, if opposition persists, it can be stated with certainty that the opposition is illegitimate and is therefore opposition that would be inappropriate, arbitrary, capricious, or unlawful for the local government to consider in making its land use decision.

Inclusionary housing policies assist in overcoming neighborhood opposition because those policies require a certain percentage of the housing within a particular geography to be affordable. In other words, the not in my backyard argument fails because the law requires affordable housing in that backyard. An inclusionary housing ordinance provides local elected officials and affordable housing advocates a clear public interest directive to weigh against neighborhood opposition. In that balance, the proponents of preservation or development of affordable housing should be able to overcome the opposition. HNN





New Urbanism Need Not Compromise Its Principles

by Jaimie Ross

The Congress of New Urbanism (CNU) held its national conference in Palm Beach County in May, drawing over 1500 participants from around the country and the globe. As a presenter on the panel *Gentrification without Displacement*, I delivered this message: “Florida is the poster child for the proposition that New Urbanism must be coupled with an inclusionary housing requirement or it will not serve very low income populations.”

The CNU advocates smart growth and adheres to a set of principles that includes ensuring a mix of incomes. But with the exception of HOPE VI projects which have a legal requirement to serve lower income populations (they use land which is the site of former public housing), Florida’s approximate sixty new urbanism developments have failed to provide any housing for Florida’s very low income residents. The CNU philosophy to create communities with a mix of incomes has clearly not been realized.

New Urbanism, also known as Traditional Neighborhood Design (TND) development, began with Seaside in the Florida Panhandle. No one knew at that time what a success the new urbanism design would be. The developer included small cottages in the design of Seaside and fully expected those to serve as employee housing. But as the desirability of new urbanism or TND grew, so did the home prices. Even the smallest cottages would only be affordable to the wealthy. One of the most egregious failures to include housing for low income Floridians in a new urbanism development is Baldwin Park in Orlando. This large TND without any housing for very low income residents sits on the former site of a Navy Base, which could have been used to house the homeless in accordance with the Congressional priority for housing the homeless in base re-use plans. The national CNU conference was held in Palm Beach, which boasts CityPlace, another example of New Urbanism in Florida without housing opportunities for the people who work at CityPlace in the lovely retail stores and restaurants.

But this failure to realize the goal of providing diverse neighborhoods has a remedy. When local governments change land use to permit New Urbanism/TND development or transit oriented development (TOD), that change in land use should come with a requirement that affordable housing is included within the development. For that land use requirement to be effective it must be long term and enforceable. If it is not long term, the affordable unit will only remain affordable for the first residents who will ultimately sell the unit at whatever price the market will bear. Long-term affordability can be secured through a land use restriction agreement or by using a community land trust.

Why should the local government put an affordable housing requirement on the New Urbanism/TND developer or the developer of a TOD? When local governments rezone or grant a land use change to permit these developments they have used their official powers to increase the property value and wealth of private land owners. These public office holders have an obligation to act in the best interests for the health, safety, and welfare of the public and to recapture some of the land value they have created for the private sector to ensure that the current and anticipated population of low income residents in their jurisdiction are included within the community. In Florida, the obligation to ensure the provision of housing for all income groups is found in our comprehensive planning laws (see Section 163.3177, Florida Statutes). And while most developers may not endorse land use requirements to provide affordable housing, this one will help New Urbanists to finally realize their goal of inclusive communities. **HNN**

Jaimie Ross, Attorney at Law, is the Affordable Housing Director for 1000 Friends of Florida, a statewide nonprofit smart growth organization. Her position is funded primarily from a grant from the Florida Bar Foundation. jross@1000FOF.org

BIG Changes to HUD'S HOME Program



by Lisa Hoffmeyer

It has been more than 20 years since any real revisions were made to the HOME Program, and this past March HUD unveiled some significant changes to the Final Rule and solicited public comments. Visit <http://www.hud.gov/offices/cpd/affordablehousing/homeproposedrule/index.cfm> to

see a copy of the proposed rule. While most of these changes have yet to be finalized, some major revisions have already taken effect and must be applied to projects receiving 2012 HOME funds. Below is a summary of the changes, more detailed guidance has been issued through CPD Notice 12-007 available at: <http://www.hud.gov/offices/cpd/affordablehousing/lawsandregs/notices/>

CHDO Staff Experience

A Community Housing Development Organization's (CHDO) mission is to produce affordable housing units, either as an owner, sponsor or developer. In the past, some CHDOs have relied on the use of consultants to provide the development expertise needed to complete a project. The new guidance requires CHDOs acting as a Developer to have internal development capacity via a staff person rather than relying on a consultant's credentials. The staff person must have development experience equal to the size, scope and level of complexity of the proposed HOME funded project. For example, an employee who has expertise in single family new construction would likely not meet the experience requirement for a 20 unit rental rehabilitation project. These staff members must be responsible for day to day operations of the CHDO and cannot be board members, volunteers or consultants.

This may be problematic for CHDOs who are seeking to expand their business lines and don't have in house development staff with wide ranging experience. One

solution is, of course, to hire new staff, but that might be difficult due to budget constraints. Another option is to partner with another CHDO that does meet the staff experience requirement, or to think about actually merging with another nonprofit or CHDO, strengthening both agencies as a result.

The Participating Jurisdiction (PJ) has the ultimate responsibility of determining CHDO capacity. PJs must now develop and implement written policies and procedures for the capacity evaluation and CHDOs may wish to be a part of this process. The PJ must also retain capacity determination documentation as well as certify the experience requirement in IDIS.

Four Year Project Completion

All HOME projects must be completed within four years of the commitment date. HUD will require repayment of HOME funds for projects that do not meet this deadline! The commitment date is the date the HOME funding agreement/contract is fully executed. Completion date means that all necessary construction work is done and a Certificate of Occupancy (CO) is issued or, in the absence of a CO, a local certification is obtained that shows construction or rehabilitation is complete and the property is ready for occupancy. In the case of an owner occupied rehab, a final inspection must be performed by the PJ or its designee and the owner must approve and accept the work via a signoff.

HUD will distribute reports to PJs based on IDIS data to identify any projects in danger of not reaching the 4 year completion deadline. PJs should also develop an internal tracking system to monitor the status of projects so they know which projects are stalled and why so that technical assistance can be provided as soon as possible.

A PJ may request a one year extension from HUD on a case-by-case basis. If approved, the extension will be 12 months from the date the written agreement

was executed, not the funding date entered into IDIS. Extensions will only be available to projects that have been delayed for reasons beyond the PJs control.

Assessment of Project Underwriting, Developer Capacity and Market Need

The best defense is a good offense, so to prevent funds from being recaptured, PJs should carefully evaluate proposed projects and commit dollars only to financially viable and marketable projects undertaken by organizations and developers with sufficient expertise to see them through completion in four years.

PJs must now do a complete evaluation of 2012 HOME acquisition, construction, rehabilitation and down payment assistance activities projects prior to committing funds. They must:

- ◆ Underwrite the project or evaluate underwriting done by another funder;
- ◆ Assess the development capacity of the developer;
- ◆ Evaluate fiscal soundness of the developer;
- ◆ Consider market conditions to ensure project need; and
- ◆ Following the evaluation, if favorable, complete the certification in IDIS.

Projects not meeting PJ prescribed benchmarks for the above should not be funded. Activities involving only Tenant Based Rental Assistance, Homeowner Rehabilitation and CHDO operating assistance are exempted from the new requirements.

PJs must develop written policies and procedures surrounding the above criteria. The policies should be both quantitative and qualitative. There should be threshold items (Example–Applicants who have defaulted on a Federally funded project in the past 5 years are not eligible for HOME funding) as well as a scoring mechanism (Example–5 points for 5+ years’ experience, 3 points for 2 years, 1 point for less than 2 years). These factors and others should be evaluated by PJ staff and/or selected third parties who have a good understanding of real estate development, program and project analysis and who have no conflicts of interest. A good practice is to have the review team score each project independently, and then average to obtain a final score.

Here are some of the things which must be considered before committing funds:

- ◆ Is there a market for this product? If it’s built/

rehabbed will it sell or rent? At what price? To what income bracket or demographic group? How long will it take to rent or sell? Will the target market want to live in this location? In this type of housing? In a unit of this size?

- ◆ Does the developer have the financial capacity to complete the project? A complete evaluation of financial statements is warranted. What other documents will be reviewed? Does PJ staff have the ability to do this or will you need to contract with someone else to do this work? What measurable criteria will be used to evaluate fiscal soundness?
- ◆ Does the developer have the necessary experience and capacity to complete the project? Who is on staff and what is their work experience? Who will be the managing the project? What is the organization’s track record? What size and type of development have they successfully completed in the past? Is that experience relevant to the HOME project being proposed?
- ◆ Is the project financially viable? What sales prices /rents need to be attained? How does this square with the market? Are proformas and budgets accurate? Are reserves funded? What debt service coverage ratio is acceptable? Are vacancy rates acceptable? Is the time frame to complete reasonable? What other funding sources are proposed? Are there firm commitments? If not, are the funding sources realistic? What is the developer fee? Is it reasonable and customary for your market and the type and size of the project? What type of return is the developer receiving and is it reasonable?

When PJs are unable to underwrite these sometimes complicated deals, experienced third party underwriters and market analysts can be, and often are, contracted to do this work, and the cost can be paid from HOME funds.

Conversion of Homebuyer Units to Rental Units

It will be more important than ever that developers only undertake homeownership projects that will meet a market need. Any 2012 HOME funded homebuyer unit that has not been sold to an eligible homebuyer within six months of completion, must be converted to a HOME rental unit. “Sold” is defined as having a ratified

TO DO LIST

Staff Experience:

CHDOs

- ❑ Assess current staff capacity and experience
- ❑ Evaluate current and proposed development projects
- ❑ Meet with board to weigh options (hire, partner, merge...)
- ❑ Meet with PJ regarding capacity criteria and required documentation

PJs

- ❑ Develop CHDO experience guidelines and document
- ❑ Meet with CHDOs to discuss

Four Year Project Completion:

PJs

- ❑ Develop tracking system to monitor status of projects
- ❑ Determine course of action for stalled projects

Developers, Nonprofits, CHDOs

- ❑ Review all future projects to determine if they really can be completed in 4 years
- ❑ Research other sources to fill funding gaps that frequently cause completion delays (ie, write grants, fundraise, meet with lenders to discuss availability of credit ...)

Assessment of Project Underwriting, Developer Capacity and Market Need:

PJs

- ❑ Develop written policies and procedures
- ❑ Determine in house underwriting capacity
- ❑ Contract with third parties as needed
- ❑ Craft project scoring guidelines
- ❑ Meet with potential future HOME applicants to discuss new requirements

CHDOs, Developers, Nonprofits

- ❑ Evaluate staff capacity, adjust as needed
- ❑ Meet with PJ to discuss new procedures and future funding criteria
- ❑ Plan future projects according to new policies
- ❑ Evaluate your market
- ❑ Explore other funding sources

Conversion of Homebuyer Units to Rental Units:

PJs

- ❑ Develop tracking system for homebuyer projects
- ❑ Identify potential property management partners should units convert to rental
- ❑ Select and fund homebuyer projects carefully

CHDOs, Developers

- ❑ Plan, develop and price homebuyer projects in accordance with market analysis
- ❑ Develop rental strategy just in case

sales contract within six months of completing project construction. "Completion of project construction" means all necessary construction work is done, project has a CO or other local certification indicating that construction or rehab is complete and the project is ready for occupancy.

This has big ramifications for organizations who cannot comply, as owning and operating rental housing is a completely different business than selling homebuyer units. In the next Capacity Corner we will highlight ways to help your organization adapt to these new requirements. HUD will identify 2012 HOME funded homebuyer

activities that are in final draw per IDIS or that have more than 90% of funds drawn, yet no draws in the past six months. Reports detailing these activities will be posted on the HUD website.

The experts at the Florida Housing Coalition are available to provide technical assistance to help get you prepared for these big changes to HOME. We can assist with program design, project development, policies and procedures, feasibility analyses and more. Call us at 850-878-4219 or email: info@flhousing.org and let us help you! **HNN**

Riviera Beach Heights in Bloom

Community Dissolved to Community Involved



by Annetta Jenkins



by Toccarra Nicole Thomas

The 2001 CRA Redevelopment Plan-- Inlet Harbor Plan-- was an aggressive and unsustainable plan that relied on eminent domain and existing market conditions for success. With the demise of eminent domain in Florida for redevelopment/private purposes and the bursting of the housing market bubble, it was clear that the Inlet Harbor Plan had to be recast. This led to a successful and well attended (over 200 residents) Public Charrette process in 2007. This week long charrette, facilitated by the Treasure Coast Regional Planning Council, resulted in the City of Riviera Beach Community Redevelopment Plan, adopted July 20, 2011. This plan calls for a holistic and focused redevelopment process, while remaining accountable to the resident's wishes and vision expressed during the charrette. The redevelopment plan examines the 858 acres of the redevelopment area not as one monolithic swath, but more appropriately, in redevelopment priority areas.

With each area having its own unique redevelopment needs, this allows for much more focused efforts and

the ability to accomplish more with fewer resources. In 2010, the Riviera Beach Heights neighborhood, as the largest neighborhood in the CRA, was designated as a redevelopment priority area. The Riviera Beach CRA is comprised of 858 acres. The redevelopment of waterfront properties at the Atlantic Ocean (Ocean Mall) and Intracoastal Waterway (Municipal Marina) have long been our focus. The residents in the CRA have complained that the Agency lacks a neighborhood development strategy at the same level of priority it has planned for waterfront development. The Riviera Beach Heights Neighborhood Revitalization Study changes this outlook. In response, the CRA facilitated several community meetings as well as engaged consultants— Song + Associates and Land Developers Consortium— to lead the creation of a RBH Implementation Plan.

This bold plan was supported by several key actions taken by the CRA:

1. Adoption of the plan and its immediate and future strategies for redevelopment;
2. Creation of a CHDO-eligible, community development corporation; and
3. Allocation of more than \$3 million in cash and in kind support for the new nonprofit.

The Planning Study recognized that Riviera Beach Heights is a hodgepodge of disconnected parts in an



The CRA holds a planning meeting with community residents to work on Riviera Beach Heights neighborhood solutions.

area that drives significant regional economic benefit to the County except for this adjacent neighborhood. These benefits have not sparked any economic vitality in Riviera Beach Heights where residents have long felt ignored. The neighborhood is one of the poorest areas in the City evidenced by high rates of unemployment and residents living below poverty rates. Yet, this same community is surrounded by 5,000 jobs at the Port of Palm Beach and the nearby industrial park area. The adverse impact of foreclosures and high rates of rental properties have made the neighborhood undesirable in key blocks and these factors serve to destabilize the neighborhood.

The Quilt – Site Plan Conceptual Design



Impact on the Community

The Plan is designed to have an immediate and measurable impact to the community:

- 1. Empower Residents:** By forming the CDC to meet community accountability guidelines under HUD, residents have been empowered to manage change and hold the CRA and their neighbors accountable.
- 2. Create Beautiful Transitions into the Neighborhood:** The Port and FEC railroad, which borders the neighborhood, gives the community a rust-belt appearance. By working together, the CRA and Port will create a beautiful transition from the Port into the neighborhood. We plan to extend a Tri-Rail stop (commuter rail between Palm Beach,

- Broward and Dade counties) in this neighborhood with plans for a transit oriented development.
- 3. Create a Dramatic Neighborhood Design:** Working with FDOT, the CRA will leverage the multi-million dollar SR 710 expansion with infrastructure investments for streets, sidewalks and other amenities. In working with the County, the CRA will embark upon an aggressive neighborhood revitalization and stabilization program to attract homeowners and eliminate blighted conditions. Riviera Beach is not an “entitlement city” and thus redevelopment funds from HUD must come through the county.
- 4. Create and Sustain a Vital Neighborhood Business District:** A welcoming environment will attract thousands of cars along Old Dixie Hwy to stop & shop to support businesses in this neighborhood. The CRA proposes to invest into a micro-loan fund to attract new businesses and help bolster existing businesses. **HNN**



Annetta Jenkins is the Neighborhood Development Director for the Riviera Beach CRA and formerly the Assistant Director for Miami-Dade County Department of Housing and Community Development and the Executive Director for South Florida LISC.

Tocarra Nicole Thomas is a Planner for the Riviera Beach Community Redevelopment Agency's Neighborhood Development Services Department.



Florida Housing Coalition's Statewide Annual Affordable Housing Conference

Celebrating Anniversaries and Addressing Challenges

State of the State Keynote Speakers



Steve Auger,
Executive
Director for
Florida Housing
Finance
Corporation



Sheila Crowley,
President and
CEO for the
National Low
Income Housing
Coalition



Ken Reecy,
Director of Division
of Housing and
Community
Development,
Florida Department
of Economic
Opportunity

Public Policy Plenary

Forging Through Florida's Foreclosure Crisis

Florida is leading the nation in numbers of foreclosures. Almost a billion dollars are earmarked to help unemployed Floridians avoid foreclosure and we commonly acknowledge that recovery of the housing market is a key ingredient in our state's economic recovery. But it appears to many that we are forging at a snail's pace rather than swiftly moving into rapid recovery mode. National and state experts will share their views during the Public Policy Plenary on how best to recover from the foreclosure crisis. Join us for a lively debate about programs and policies.



Mark Hendrickson
Panel Moderator
President of The
Hendrickson
Company



Jon Greenlee
Deputy Director of
Enterprise Regulation
with the Federal
Housing Finance
Agency



Robert Grossinger
Vice-President
of Enterprise
Community Partner's
National Community
Revitalization
Initiative



Jennifer Newton
Consumer Law
Attorney with Florida
Legal Services, Inc.



Jim Rokakis
Director of Thriving
Communities
Institute with
Western Reserve
Land Conservancy



Keynote Address

Judith Browne Dianis
Co-Director of the Advancement Project

Judith Browne Dianis is a nationally recognized civil rights lawyer in the areas of voting, education, housing, and employment. Dianis protected the housing rights of Hurricane Katrina survivors. She led the charge to stop the demolition of habitable public housing in New Orleans and worked with Congress to ensure the right to return for these families. Her efforts to stop the exploitation of immigrant reconstruction workers led to the establishment of the New Orleans Workers Center for Racial Justice.

Dianis is a recipient of the distinguished Skadden Fellowship. Prior to the Advancement Project, she served as Managing Attorney in the Washington, D.C. office of the NAACP Legal Defense & Educational Fund, Inc. She is a graduate of Columbia University School of Law, served as a Tobias Simon Eminent Scholar at FSU Law School, and is currently an Adjunct Professor of Law at Georgetown University Law Center. She was named one of the "Thirty Women to Watch" by *Essence Magazine* and has written and commented extensively in the media about race issues, appearing several times on CNN and on MSNBC's *Hardball*, *PoliticsNation*, and *The Ed Show*.



Keynote Address

Shaun Donovan
Secretary of HUD

Secretary Donovan's tenure as HUD Secretary has reflected his commitment to making quality housing possible for every American. Sworn in at a time when the foreclosure crisis had devastated American families, under his leadership: HUD has helped stabilize the housing market; worked to keep responsible families in their homes; and instituted reforms that have solidified the Federal Housing Administration's financial position and protected the taxpayer against risk, while still preserving FHA's mission of providing responsible access to homeownership.

His distinguished career in public service includes: Commissioner of the New York City Department of Housing Preservation and Development; visiting scholar at New York University, specializing in the preservation of federally-assisted housing; consultant to the Millennial Housing Commission; Deputy Assistant Secretary for Multifamily Housing in the Clinton Administration; acting FHA Commissioner during the Clinton/Bush presidential transition; and working at the Community Preservation Corporation in New York City, a nonprofit lender and developer of affordable housing. Secretary Donovan holds a B.A. and Master's degrees in Public Administration and Architecture from Harvard.

The 501(c)(3)\$1,000 Raffle



Immediately following the Keynote address, PNC and Wells Fargo will each present a \$1,000 check to whichever 501(c)(3) organization has its business card pulled from the raffle bowl - just put your card in to win!





Housing Administrators and Their Partners Keynote Address: Senator Ken Pruitt

Former Florida Senate President Ken Pruitt is assisting the Sadowski Housing Coalition with its mission to ensure that the 2013 state and local housing trust funds monies are appropriated for housing.

Senator Pruitt will kick off the 20 year anniversary celebration of the passage of the 1992 William E. Sadowski Affordable Housing Act. Following his remarks, the Sadowski Coalition will have a panel discussion followed by a participatory forum to ready Housing Administrators and their private sector partners to secure full appropriations of SHIP funding from the Florida legislature in 2013.

We encourage all local government officials, housing administrators, bankers, Realtors, developers, nonprofits and faith based groups, business groups, lawyers, and housing advocates of every kind to participate. This may be the last session of the conference, but it is definitely one of the most important sessions.



The well-attended NSP Expert Tables provided 2011 Conference attendees the opportunity to discuss specific questions and get answers on a wide array of topics. Representatives from HUD were available for one-on-one consultation.

SHIP and NSP Table Talk

Following the Sadowski Coalition panel and participatory preparation for the 2013 Session, Housing Administrators (SHIP and NSP) together with their partners are invited to meet at table rounds with HUD reps and other technical assistance experts for peer to peer discussions on a variety of topics. Table topics will be up to the minute situations where questions and answers are exchanged. Join these dynamic conversations and drop in on tables of special interest such as program design, program income, multifamily matters, single family redevelopment exit strategies, plan amendments, and close-out concerns. This is a great time to schedule technical assistance, speak your mind, or keep up your connections with the best SHIP and NSP resources available.

THANK YOU PARTNERS

The Florida Coalition gratefully appreciates all our Partners for Better Housing. We also give a special recognition to **Bank of America Charitable Foundation, Inc.** for its support.

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WELLS FARGO





FLORIDA HOUSING COALITION

25th Annual Conference: Florida's Premier Statewide Affordable Housing Training and Technical Assistance Event

<p>Sunday, September 9*</p> <p>1:30 - 5:30 p.m.</p> <p>Preconference Short Courses</p> <p>I. Financial Statements Demystified</p> <p>This short course will benefit Nonprofit CEOs, Directors and Managers at all levels including those in program and nonfinancial areas seeking to make better decisions by understanding financial information and its implications.</p> <p>2. Section 8 Income Qualification</p> <p>This short course is for PJs, CHDOs, Developers and Subrecipients.</p> <p>SPECIAL OFFER</p> <p>Stay at the Rosen Shingle Creek Resort Sunday night and attend one of the above preconference short courses FREE – saving you an additional \$65.00!</p>	<p>Monday, September 10*</p> <p>7:30 a.m.</p> <ul style="list-style-type: none"> Continental Breakfast <p>8:30 a.m.</p> <ul style="list-style-type: none"> State of the State <p>10:30 a.m.</p> <ul style="list-style-type: none"> Public Policy Plenary with National and State Experts: Forging Through Florida's Foreclosure Crisis <p>12:15 p.m.</p> <ul style="list-style-type: none"> Lunch and Raffle <p>Partner Meetings / Caucuses 2:15 p.m. - 5:00 p.m.</p> <ul style="list-style-type: none"> FAHRO and FRA Caucus Florida CLT Institute and Florida Nonprofit Housing Advocates Network Caucus Foreclosure Counselors Caucus Habitat for Humanity Caucus SHIP Administrators Caucus Utility Companies and Green Partners Caucus <p>6:00 p.m.</p> <ul style="list-style-type: none"> Reception 	<p>Tuesday, September 11*</p> <p>7:30 a.m.</p> <ul style="list-style-type: none"> Continental Breakfast <p>9:00 a.m.-10:15 a.m. Trainings</p> <ul style="list-style-type: none"> Accessing Low Income Tax Credits from FHFC Housing Resources for Individuals with Developmental Disabilities Green Housing - New Codes NSP Magic for Permanent Supportive Housing Overcoming Challenges of Small Scale and Scattered Site Rentals Housing Programs for Veterans** <p>10:45 a.m. - 12:00 p.m.</p> <ul style="list-style-type: none"> Energy Conservation through Building Performance Civic Engagement and Voterization Property Management for Nonprofits NSP's Impact on Local Markets Resources for Preservation of Affordable Housing Housing Programs for Veterans** <p>12:15 p.m.-1:45 p.m.</p> <ul style="list-style-type: none"> Lunch and Keynote Address <p>2:00 p.m.-3:15 p.m.</p> <ul style="list-style-type: none"> EAH: A Unique Approach to Address Local Workforce Housing Challenges Housing Finance Florida's Implementation of the Mortgage Settlement Agreement Arriving at the NSP Expenditure Benchmark The Connection between Fair Housing and Affordable Housing <p>3:45 p.m.-5:00 p.m.</p> <ul style="list-style-type: none"> Financing for Nonprofits Survey of Federal Funding Resources Making it Green and Saving Energy with NSP From Data to Action: Understanding Florida's Housing Markets, Neighborhoods and Tenants Social Media for Nonprofits Successes in Neighborhood Revitalization - Partnerships with Habitat for Humanity <p>** Sponsored by JPMorgan Chase</p>
<p>Wednesday, September 12</p> <p>9:00 a.m. - 12:00 p.m.</p> <ul style="list-style-type: none"> Housing Administrators and Partners Roundtable 		

* Agenda subject to change. Check: www.flhousing.org for updates

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Name: _____ Signature: _____

Organization: _____ Title: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ County: _____

Phone: (____) _____ Fax: (____) _____ Email: _____

Have dietary, access, or participation requirements (please explain) _____

Florida Housing Coalition Conference Registration (Separate form required for each registrant)

Member Rates

- Early Registration \$335 (Received by August 8)
- Regular Rate \$385
- At The Door \$435
- Preconference Course 1 2 \$ 65 (free w/ Sun hotel stay)

Non-Member Rates

- Early Registration \$535 (Received by August 8)
- Regular Rate \$585
- At The Door \$635
- Preconference Course 1 2 \$ 65 (free w/ Sun hotel stay)

Please remit all payments and send registration forms to the Florida Housing Coalition



Florida Nonprofit Housing Advocates Network

The Florida Nonprofit Housing Advocates Network (FNHAN) was launched in fall 2010 to further our vision that Florida have at least one community-based nonprofit housing provider working in every jurisdiction. Beginning in January 2012, the FNHAN met regularly to develop a comprehensive set of recommendations to address our concern that too many community/mission-based nonprofits are not willing to enter the multifamily arena under the current tax credit allocation system and that the current system is making it too difficult for the community-based nonprofit to survive, leaving some of those organizations with no choice but to joint venture with large for-profit developers to stay in business.

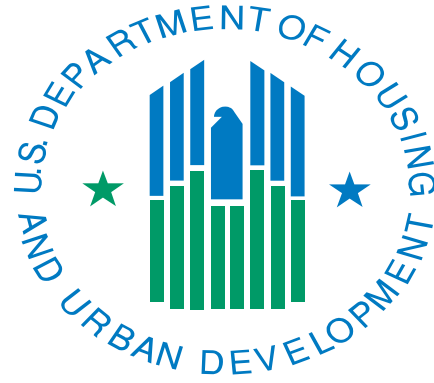
The recommendations developed to improve opportunities for community-based nonprofit housing providers to meet the needs of Florida's most vulnerable residents were approved by the board of the Florida Housing Coalition. The full set of recommendations can be found on the Florida Housing Finance Corporation's website, www.floridahousing.org. Core recommendations in regard to the tax credit allocation include:

- Maintain the 15% set aside for nonprofits and rank 100% nonprofit deals first, followed by joint ventures with nonprofits that receive no less than 50% of the developer fee. Details are provided in regard to ensuring material participation by the nonprofit partner.
- Applications should be substantially complete at the time of initial submission. This means an end to shell applications and the arduous appeals process that disadvantages a small scale developer. There should be an opportunity to cure minor errors.



- The preservation set-aside should be well over 50%. Preservation should be separated into two types: the first for project based subsidized properties serving Florida's most vulnerable populations (at or below 30% of area median income) and the second for acquisition/substantial rehabilitation of existing stock or repurposing of abandoned or foreclosed properties. If the preservation set-aside is raised to 90%, it should also include redevelopment of public housing properties that need to be demolished and rebuilt, provided that a majority of those units built serve residents at or below 30% of area median income.
- Special Needs developments and preservation of federally subsidized projects should be exempt from Location A (now known as LDA), if Location A/ LDA is to be retained at all.
- There should be a goal for at least two Special Needs properties.
- Point structures/policies that clearly steer tax credit awards to only one or two geographies in the state should not be used.
- The rate of job creation in the new definition of substantial experience from HB 639 should under no circumstances be used to penalize smaller developments.

The FNHAN will meet in person September 10th at the Florida Housing Coalition Conference. All Florida Housing Coalition nonprofit members are invited to participate. [HNN](#)



Florida Community Land Trust Institute

Impending Changes to FHA Rules for Deed Restricted and CLT Properties

When the Florida Community Land Trust Institute launched in January 2000 most community land trust homes in Florida were being financed by community banks and serviced in-house. As the CLT movement grew concurrent with the housing boom plans for bringing community land trust development to scale emerged. Financial institutions could not be expected to portfolio the growing number of loans; the CLT loans needed to be saleable on the secondary market. Fortunately, the Fannie Mae Lease Rider gave lenders the ability to sell CLT loans on the secondary market. The operative provision in the Fannie Mae Lease Rider that makes these loans saleable on the secondary market is that the resale restrictions do not survive foreclosure. A number of larger and mid-level lenders in Florida found that the Fannie Mae Lease Rider would enable them to originate community land trust loans. But many of the plans to bring community land trusts to scale stalled as the housing market nosedived and community land trusts found the homes they intended to sell considerably below market rate were now competing with short-sales and foreclosures at prices equal to or less than the community land trust home.

But with every challenge we find opportunities in the housing market. For example, the Neighborhood Stabilization Program (NSP) has provided funding to rescue abandoned housing and create sustainable long-term affordable housing opportunities. The Florida Housing Coalition showcased the Lake Worth NSP program at the 2011 Conference - a brilliant partnership to restore a neighborhood and create a permanent stock of affordable homes through a community land trust. Unfortunately, housing finance

for affordable homeownership today is limited to FHA. And to-date, FHA has been problematic for funding deed restricted or community land trust properties.

On May 8, 2012, the Federal Housing Administration held an Affordable Homeownership Roundtable in Washington, DC to solicit input on the challenges and impediments to the provision and financing of affordable homeownership using FHA insurance.

The conversation primarily focused on changes to FHA's rules that would provide buyers of permanently affordable homeownership models, such as CLTs and deed-restricted programs, with better access to FHA-insured mortgages. Florida was represented by the FHFC, the Florida Housing Coalition, 1000 Friends of Florida, and the Pinellas Housing Department.



After Acting FHA Commissioner Carol Galante opened the meeting, Arlene Nunes, Director for Home Mortgage Insurance Division, announced that FHA is preparing a waiver of some of the existing rules that have prevented FHA from being used for deed restricted and community land trust properties. That waiver will go into effect as soon as it is released (estimated to be in July); it will be in effect for one year and is renewable for a second year. FHA is also working on a permanent rules change which will take 18-24 months to implement, including the public comment period.

The Florida Community Land Trust Institute will hold a meeting at the Conference September 10 with invited lenders to talk about next steps in lending for community land trust homebuyers in Florida using FHA. See you there! [HNN](#)

A Florida-Specific Federal Update from the NLIHC



by Sheila Crowley

In Florida, there are only 23 affordable and available rental units for every 100 extremely low income households and 77% of those extremely low income households pay more than half of their incomes for housing.

The 112th Congress of the United States is well into the second year of its two-year session. With fall elections looming and the ongoing shortage of affordable housing for the lowest income households, housers are wondering what Congress might accomplish in the coming months. The federal fiscal year begins October 1. While eager to have a spending bill for the Department of Housing and Urban Development completed before the new fiscal year, House and Senate appropriators will likely miss this deadline for enacting a new spending bill. The Senate Committee on Appropriations passed its HUD funding bill, S. 2322, but it's unclear when the full Senate will take up this measure.

The Senate's S. 2322 would fund Florida's project-based Section 8 contracts representing more than 41,000 units for their full 12 month cycles, would increase funding for Florida's 36,000 public housing units but still leave public housing severely underfunded, and would almost fully renew each of Florida's more than 88,000 housing choice vouchers in FY13. Advocates are working with appropriators and HUD to make sure the final voucher renewal level is sufficient to renew every voucher. Following the President's request, the Senate's bill would increase funding for homeless assistance programs. The Senate Committee's bill would slightly increase funds for Community Development Block Grant (CDBG) formula grants but retain the historically low FY12 funding for the HOME program into FY13.

House action on FY13 HUD appropriations is expected to begin in June with subcommittee action. Representative Mario Diaz-Balart (R-FL) is the lone Floridian on this critical HUD funding subcommittee. The appropriations subcommittee that funds HUD programs also funds the Department of Transportation and some smaller agencies. In the House, this subcommittee has \$1.8 billion less than its Senate counterpart did. The result is expected to be a very tight HUD spending bill in the House.

Of course, an issue looming over all of HUD programs is the sequester, or across the board cut, scheduled to take place in January 2013. Unless Congress votes to eliminate the planned sequester, all discretionary programs, including housing, would be dealt an across the board cut of about 8.5% in January. If successful, ongoing efforts by Republicans to exempt defense programs from the sequester would only result in deeper cuts to nondefense discretionary programs, like housing. The cuts imposed by the sequester would be on top of another \$1 trillion in cuts to discretionary programs to be imposed from 2013 through 2021. Both the \$1 trillion and cuts and the sequester's across-the-board cuts were agreed to by Congress in the Budget Control Act of 2011.

Housing advocates are also focused on funding the National Housing Trust Fund (NHTF). President Obama's FY13 budget request included \$1 billion in mandatory funding for the National Housing Trust Fund (NHTF) without identifying a specific offset. One proposed offset was offered by Senator Jack Reed (D-RI) and Representative Elijah Cummings (D-MD). The Preserving Homes and Communities Act of 2011, S. 489, and its companion bill, H.R. 1477, would provide \$1 billion for the NHTF from profits made on the sale of "warrants," basically IOU's from banks that received bailout funds. Among the House

bill's 50 cosponsors are Representatives Corrine Brown (D-FL), Alcee Hastings (D-FL) and Frederica Wilson (D-FL). The bills do not have Republican cosponsors, making it unlikely that they will advance during the 112th Congress.

Mortgage Interest Deduction (MID) reform continues to be the avenue for fully funding the NHTF. Representative Keith Ellison (D-MN) is working on legislation to fund NHTF with savings to be gained from MID reform, a position endorsed by the NHTF campaign. The NHTF campaign supports a proposal to reduce the size of a mortgage eligible for a tax break from \$1 million to \$500,000, and to convert the deduction to a non-refundable tax credit set at 15%. This would generate approximately \$30 billion in annual savings for the NHTF. Mr. Ellison's draft proposal is similar to the NHTF campaign's position, and would provide for a five-year phase-in period.

The large housing reform bill, previously called SEVRA (the Section 8 Voucher Reform Act) and SESA (the Section 8 Savings Act), is now called the Affordable Housing and Self-Sufficiency Improvement Act (AHSSIA) in its most recent draft House incarnation. The House Committee on Financial Services may vote on the measure in June. Florida Representative Bill Posey (R) sits on this Committee.

Overall, the bill includes provisions to generate more than \$700 million in savings and major programmatic improvements. It would establish firm voucher renewal funding guidelines; make several enhancements to the project basing of vouchers; simplify rent setting and income determination policies for residents, housing agencies and owners while maintaining the Brooke rent affordability standard; improve access to private apartments by people with disabilities; and make improvements to HUD's Family Self Sufficiency program.

The major issue that previously has stalled the bill continues: whether, and how, to expand the Moving to Work (MTW) demonstration program (see related article in Memo found at www.nlihc.org). The most recent version of AHSSIA, circulated on April 13, incorporates broad stakeholder agreement on MTW expansion. But, it is unclear if the MTW stakeholder

agreement has sufficient Republican support for the bill to move forward as is.

The bill also includes an increase to monthly minimum rents. To soften its certain and adverse impact on lowest income households, it would allow housing agencies and owners to opt out of the increases for good cause and greatly expand the efficacy and scope of existing hardship exemptions from minimum rent policies.

The Senate has yet to act on a housing reform bill during the 112th Congress, but Senate staff report that the Senate may proceed with its own housing reform bill following House consideration.

Housing advocates are also focused on making the Protecting Tenants at Foreclosure Act (PTFA) permanent. The protections provided by PTFA are set to expire in the end of 2014, well before any analysis believes the foreclosure crisis will be over. With the enactment of the PTFA in 2009, most tenants now have the right to remain in the home for the remainder of their lease, or at least 90 days. The PTFA requires the immediate successor in interest at foreclosure to provide bona fide tenants with a notice 90 days before requiring them to vacate the property, and allows tenants with leases to occupy the property until the end of the lease term. Representative Keith Ellison (D-MN) has introduced legislation that would eliminate the PTFA's sunset, H.R. 3619. There are no cosponsors to this bill from Florida; advocates should urge their House members to cosponsor this important bill. [HNN](#)

Sheila Crowley is the President and CEO for the National Low Income Housing Coalition (NLIHC). We are honored to have her address the plenary session at the Florida Housing Coalition's statewide annual conference at its opening, the morning of September 10, 2012.

The NLIHC is dedicated solely to achieving socially just public policy that assures people with the lowest incomes in the United States have affordable and decent homes. Find out more at www.nlihc.org.

Verde Gardens: Carrfour Supportive Housing Creates Oasis



by Aida Andujar

Hurricane Andrew, one of most destructive hurricanes in U.S. history, destroyed the Homestead Airforce base in 1992. Nineteen years later, out of that rubble, Verde Garden emerges. Developed by Carrfour Supportive Housing, Verde Gardens, is a community of 145 town homes, 22 acres of farmland

for growing crops and raising farm animals, a farmers market, a kiddie park, and a mediation center.

Verde Gardens was featured in *TIME Magazine* as an example of innovative developments that combine housing for the formerly homeless within environmentally friendly communities in which residents are able to participate and benefit from unique agricultural programs.

This 145-unit townhome development has sixty (60) two bedroom, two bath units, fifty (50) three bedroom two bath units and thirty five (35) four bedroom two bath units. The maximum rent for a four bedroom is \$627.00, for a three bedroom \$563.00; and a two bedroom \$487.00. Tenants pay 30% of their adjusted gross income minus utility allowance and each household must include a child under 18, one household member who has a disability and one person who was formerly homeless. All units are LEED certified and fully accessible for individuals with disabilities.

Verde Gardens is part of the Homeless Trust Continuum of Care and is located next to the Chapman Partnership homeless shelter in Homestead, across from the Airforce Reserve Park near the Florida Turnpike. It is located next to Mandarin Lakes elementary school for children K-8. There is a Publix grocery store within walking distance and bus stops all around the area. Onsite case management is provided to residents by Citrus Health Network staff who are available to meet with the families on a regular basis and provide counseling and referral services. All residents receive

random drug testing to remain eligible to occupy the property. They must also be involved in the programs designated by case workers which include the children going to school or parents seeking employment. The ultimate goal is to lead the residents to achieve self-sufficiency and independence.

A resident council serves as liaison between the residents and management. They meet on a monthly basis to hear concerns from the residents and plan activities for those that reside in the project.

Unique Agricultural Program

The project includes 22 acres of farm land that is currently being managed by Earth Learning (<http://earth-learning.org/>). Earth Learning was founded in 2003 in response to a grassroots effort to put Earth literacy into action. Earth Learning emerged as a result of the work of the Earth Literacy network between Miami Dade College's Earth Ethics Institute, Genesis Farm (Blairstown, NJ), St. Thomas University's Center for Healing the Earth (Miami), and the Narrow Ridge Earth Literacy Center (Washburn, TN), which all continue today. This organization provides hands-on training to residents on how to grow their own fruits and vegetables and then allows them the opportunity to sell those products at their markets.

Residents have the opportunity to farm an area as small as 4' x 8'. Earth Learning teaches residents how to grow fruits and vegetables on that parcel of land. They provide the seeds, tools, courses and oversight. Residents are allowed to volunteer and Earth Learning has recently hired two residents of Verde Gardens who started as project volunteers. There are chickens and goats raised on the farm and fresh eggs and goat's milk are also sold at the Homestead Farmers Market. The homestead harvest market (<http://harvestmarkets.org/page.asp?id=28>) provides a location for residents to purchase and sell local, sustainably-grown produce, artisanal foods and crafts, healthy eats, green products, healing arts, and much more. The market is open Every

Friday from 2 p.m. to 8 p.m. and every Saturday from 8 a.m. to 1 p.m. It is hoped that eventually all 22 acres will be managed by the residents. Everything on the farm is organic and they make their own compost and fertilizer. Classes are provided to the children that reside in the community as well and parents are encouraged to bring their children to the farm. Earth Learning incorporates programs on recycling and the reuse of products. It provides residents with vocational and micro-enterprise training to help them learn to farm and develop business skills to market the products they grow.

The Residents

Maria Bermudez, the mother of 16-year-old Kiara and 11-year-old Lizmary found herself homeless in October 2011. Because the shelter she applied to was full, the City of Miami paid for her to stay in a hotel for two months. After the two months in a hotel she was assigned to a shelter in Homestead. She stayed there for 1 month before her case worker referred her to Verde Gardens. Maria met the criteria for Verde Gardens since she has a disability, has children under 18 and was homeless. Maria felt it was her destiny to eventually live in Verde Gardens. She is extremely grateful to the property managers and case workers, who constantly motivated her, helped her obtain the resources she needed, and guided her through the process. She feels she could not have done it alone. Her daughters have a new appreciation for their new home after having lost everything to homelessness. She feels they have matured quickly and are grateful that they now have a home.

Xavier Wright is a framers apprentice working for Earth Learning. He volunteered for several months on the farm while he was living at Verde Gardens before he was hired. He is a veteran who lives with his son who has a learning disability. He is so grateful for the work and the skills that he is learning on the farm. His child has also learned to appreciate nature and how things grow. He is positive about the future and is excited about teaching others what he is learning. **HNN**



Project Funding		Annually Carrfour applies for and receives US HUD Supportive Housing Funds from the Miami Dade County Homeless Trust, the lead agency for the Continuum of Care in Miami Dade County.
Miami Dade County General Obligation funds	\$15.7 Million	
Miami Dade HOME Funds	\$ 3 Million	
Homeless Housing Assistance Grant	\$ 750,000	
City Foundation	\$170,000	
Other Grants	\$145,000	

Carrfour was founded in 1993 by The Homeless Committee of the Greater Miami Chamber of Commerce (GMCC) and is part of the Continuum of Care for the homeless coordinated by the Homeless Trust. Carrfour's commitment to ending homelessness in Miami-Dade County is founded on providing affordable housing together with wrap-around services to help residents achieve self-sufficiency and independence. It currently serves approximately 1,000 residents living in approximately 700 units.

For more information, visit <http://www.carrfour.org/main.html>

Developing Affordable Housing on Brownfields – A Natural Connection



by Jason Lichtstein

Affordable housing developers naturally understand the value of urban infill sites to their projects, given their central location and proximity to existing infrastructure, population, and community amenities already in place.

Designed to encourage the cleanup and redevelopment of Brownfield sites – including as affordable housing – the State of Florida offers a strong range of incentives to spark the interest of affordable housing fans. As a result, if you’re developing or putting together a new affordable housing development, you may want to take a close look at Florida’s Brownfield incentives.

Background on Brownfields

In the 1990s, the “Brownfield movement” arose to bring greater ease and predictability to the acquisition and development of impacted land, recognizing that its redevelopment and reuse is good for the environment, the community, and the economy. Begun in 1997, Florida’s Brownfield program is now a leader in the nation, offering a creative mix of financial and regulatory incentives.

Florida broadly defines a “Brownfield” and enables flexible Brownfield designations by local governments. Under Florida’s Brownfields Redevelopment Act, “Brownfield areas” are determined and designated by cities or counties, at the local government’s initiative or upon request. “Brownfield sites” are defined as “real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination.”¹ A Brownfield site, thus, need not be contaminated. In turn, a “Brownfield area” is defined as “a contiguous area of one or more brownfield sites, some of which may not be contaminated.” Brownfield areas can also include – but don’t need to – all or part of existing CRAs, enterprise zones, or empowerment zones.²

So, while a “Brownfield area” must include at least one Brownfield site, a Brownfield area can also be quite large and include many other non-contaminated sites.

In Florida, there are more than 270 Brownfield areas, and many Brownfield areas cover large parts of some cities, usually as an economic development tool. This provides a real opportunity for affordable housing developers, because even if you are developing on a site without contamination, your project may be eligible for a Brownfield incentive because the site is located in a Brownfield area.

Florida’s Main Financial Incentives for Affordable Housing on Brownfield Sites

1. Sales Tax Refund for Building Materials

A Florida sales tax refund is available for building materials purchased and used in the construction of a “housing project” or a “mixed-use project” located in a Brownfield area.³ On a single affordable housing development, this incentive can result in several hundred thousand dollars back. After the project has been constructed and completed, developers or owners apply for and receive a full, lump sum state sales tax refund for “building materials” purchased, which are defined as “tangible personal property that becomes a component part of a housing project or a mixed-use project.”

A “housing project” is defined by statute as:

- The conversion of an existing manufacturing or industrial building to housing units in an urban high-crime area, enterprise zone, empowerment zone, Front Porch Community, designated brownfield area, or urban infill area and in which the developer agrees to set aside at least 20 percent of the housing units in the project for low-income and moderate-income persons or
- The construction in a designated brownfield area of affordable housing.

Establishing refund eligibility for affordable housing constructed in a Brownfield area is much simpler than demonstrating that an existing manufacturing or industrial building has been converted to housing. “Conversion” from a previous use can be difficult to show.

Alternatively, a “mixed-use project” is also eligible for the sale tax refund, which is defined as:

- The conversion of an existing manufacturing or industrial building to mixed-use units that include artists’ studios, art and entertainment services, or other compatible uses.
- A mixed-use project must be located in an urban high-crime area, enterprise zone, empowerment zone, Front Porch Community, designated Brownfield area, or urban infill area, and the developer must agree to set aside at least 20 percent of the square footage of the project for low-income and moderate-income housing.

Sales tax refund applications are to be submitted to the Florida Department of Revenue within six months after the project is deemed to be “substantially completed.” Refund applications must include (i) a copy of the building permit; (ii) certification by the local building code inspector that the project is substantially completed; and (iii) a statement from the general contractor (or owner) that lists the building materials used, their actual cost, the amount of sales tax paid on these materials, and copies of invoices reflecting payment of sales tax.

2. Voluntary Cleanup Tax Credit

Affordable housing developers can also benefit from state environmental tax credits under Florida’s Voluntary Cleanup Tax Credit (VCTC). Under the VCTC program, a tax credit on eligible costs for environmental cleanup work is available for sites located in a Brownfield area and governed by the terms of a Brownfield cleanup agreement. A 50% state tax credit is provided, up to a maximum annual \$500,000 per site. Applications are handled by the Florida Department of Environmental Protection. While the VCTC tax credit is available against state corporate income tax, there is also an active third-party market for their sale and transfer.

There is a large additional tax credit bonus for affordable housing sites.⁴ A one-time VCTC bonus is available for affordable housing constructed on Brownfields—25% of the environmental costs incurred and paid over the project’s lifetime, up to a maximum \$500,000 award. To receive this bonus:

- The project must qualify as affordable housing under Florida law (for either extremely low-income, very low-income, low income, or moderate-income persons); and
- The applicant must provide “a certification letter from the Florida Housing Finance Corporation, the local housing authority, or other governmental

agency that is a party to the use agreement indicating that the construction on the brownfield site has received a certificate of occupancy and the brownfield site has a properly recorded instrument that limits the use of the property to housing.”

For sites with contamination, VCTC is a lucrative incentive, returning to developers 50 cents on the dollar for eligible environmental costs—and for affordable housing, a 25% bonus. Recognizing the strength of the VCTC program, the Florida Legislature in 2011 increased the annual VCTC amount available from \$2 million to \$5 million.

3. Other Brownfield Incentives

- If environmental work is necessary at an affordable housing site to address contamination, a Brownfield cleanup agreement may be attractive, in the form a Brownfield Site Rehabilitation Agreement (BSRA) with FDEP or a local delegated program. The BSRA governs the terms of the site’s cleanup and entitles the signatory to expedited agency review of submissions and state law liability protections. A BSRA is also necessary for VCTC eligibility.
- State Brownfield job bonus refunds—up to \$2,500 per new job created—are also available if applicable criteria are met, including that at least 10 new, permanent full-time Florida jobs are created (excluding construction and environmental jobs).
- Florida’s Brownfield program offers state loan guarantees for Brownfield projects—including affordable housing—up to a total of \$5 million in state loan guarantees for a maximum of five years.

Overall, Florida’s Brownfield program offers a strong mix of incentives to facilitate and promote the cleanup and redevelopment of Brownfields into affordable housing. Tapping these incentives can result in real dollars for you and your project, bringing housing and environmental benefits to the community. **HNN**

¹ Fla. Stat. § 376.79(3).

² Fla. Stat. § 376.79(4).

³ The statutory discussion in this section relates to Fla. Stat. § 212.08(5)(o).

⁴ Fla. Stat. § 376.30781(3)(d).

Jason Lichtstein is an environmental attorney, specializing in Brownfields, at the Akerman Senterfitt law firm in Tallahassee, a Past President of the Florida Brownfields Association and a current member of its Board of Directors. Contact him: jason.lichtstein@akerman.com.

Florida's Online Resource to Locate Affordable Rental Housing



by Michael Chaney

Since its inception seven years ago, FloridaHousingSearch.org, a statewide housing locator, has provided enormous benefits to those seeking affordable housing in Florida. The number of affordable rental units listed on the website has grown tremendously, as have the types of housing-search assistance available. FloridaHousingSearch.org

is a central resource that is included in the Coalition's upcoming *Housing in Florida: A Resource Guide for Individuals with Developmental Disabilities*. The locator offers information and assistance that is especially helpful for individuals with disabilities seeking affordable rental housing. Its call center, operated by staff at the nonprofit Socialserve.com, is available to help those without internet access or requiring more detailed assistance.

FloridaHousingSearch.org is a centralized, continually updated housing listing and locator for the state of Florida. The service – available online and via tollfree call center, phone, fax, mail and email – is funded by Florida Housing Finance Corporation. Website and call center services are available in English and Spanish. The website's accessibility features and call center make this service easy to use and available to everyone. Searching and listing on the service are 100 percent free.



FloridaHousingSearch.org was created in the fall of 2006. Initially the website contained only the database of rental properties financed by one or more of Florida Housing Finance Corporation's programs. In the aftermath of Hurricane Katrina, the need for affordable rental housing and the number of housing searches significantly increased. As a result, the website began increasingly listing private sector rental units, although it only includes subsidized and private market-rate rental units that are affordable for those households that earn up to 120 percent of the area median income.

Property owners complete a free registration to list on FloridaHousingSearch.org. A vetted system of email and call center procedures keeps listings in the system current. Current housing information is a vital aspect of FloridaHousingSearch.org; it means less wasted time for renters and caseworkers, a clearer picture of local housing inventory for policymakers, and fewer unwanted calls for property owners on rented properties.

The website has grown in popularity since its inception. Currently, the service averages between 75,000 and 95,000 visitors per month. The site has almost 160,000



FloridaHousingSearch.org, also known as the Housing Locator, is a user-friendly website.

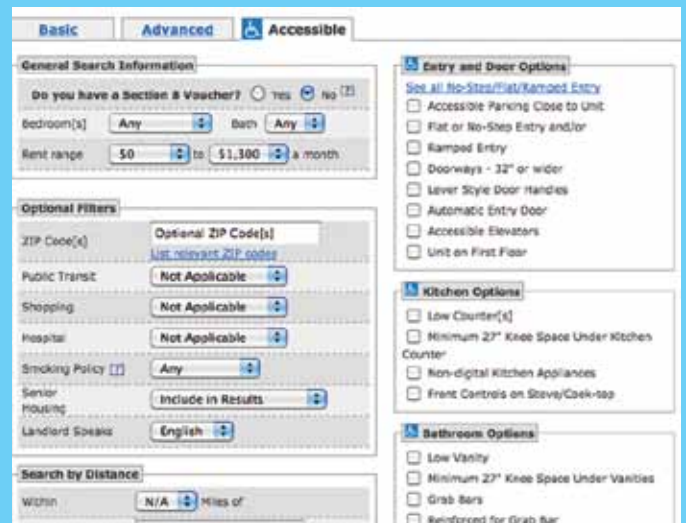
rental units registered and on an average day, between five to nine percent of these units are listed as available to rent. The nearly 10,000 Florida property providers using the service report that at least 20% of tenants are finding their rentals using this free resource.

Socialserve.com, the national nonprofit that manages FloridaHousingSearch.org, provides housing locator services in 32 states. The Socialserve.com network currently serves more than two thirds of the US population. Like Florida, each region's housing locator has its own customized website address, resources and design.

Florida's website is user friendly, and rental listings include photos, map links and information about rent, deposits and neighborhood amenities such as parks, schools and shopping. Printer-friendly search results can be sorted by preferences such as location and date available. A median income calculator and rent-affordability tool helps renters locate safe, decent properties that they can afford. Search results can be displayed on a map, and a proximity search helps locate properties within a selected distance from desired locations such as work, school or a family member's house. Landlord contact information is prominently displayed so individuals or their caseworkers can contact property managers to discuss renter requirements and determine if a property will successfully meet those needs.

Housing Seekers with Disabilities

FloridaHousingSearch.org will be highlighted as a key resource in the *Housing in Florida: A Resource Guide for Individuals with Developmental Disabilities*, which will be published this fall. In partnership with the Florida Developmental Disabilities Council, the Florida Housing Coalition is producing the *Residential Options Guide*, a Florida-specific publication with county-by-county listings of housing resources. It is specifically written to assist individuals with disabilities, but all Floridians with an interest in affordable housing can benefit from learning about the housing options covered in the *Guide*. The upcoming *Guide* explores the housing option offered by apartments where rent is made affordable through upfront subsidy. It also addresses how to apply for monthly rent payment assistance. Financing and assistance for other housing options are explored, like buying a home or receiving owner-occupied repair assistance.



Using the website's accessibility tab, one can learn of the accessibility features of listed units.

FloridaHousingSearch.org offers information and assistance that is especially helpful for individuals with disabilities. The accessibility tab is a central search feature that provides a wealth of information about the accessibility features of the entrance areas, kitchens and bathrooms of listed units. When clicked, the accessibility tab reveals a 24-point checklist of accessibility features like no-step entry, ramped access and lever-style door handles. The ability to search based on detailed accessibility specifications is valuable, because people with disabilities have differing degrees of accessibility need. Some individuals, for example, need only walk-in showers that are fairly large and have grab bars. Other housing seekers use wheelchairs and require ramps, room for turning and other accessibility features. Searches can also identify listings on a Paratransit Route.

The housing locator website is ADA-compliant and meets web accessibility standards. This means easier navigation of online tools with assistive technology like screen-reader and speech-recognition software. Housing seekers search anonymously, which may help to prevent Fair Housing violations in the early stages of the housing search. In addition, an entire section of FloridaHousingSearch.org is devoted to listings for Adult Living Facilities (ALFs) and Adult Family Care Homes (AFCHs). These types of rental housing are designed to provide the accessibility and support services some individuals with disabilities need.

Finally, the Special Needs Search is a website service to help locate housing for individuals with disabilities

Guide Coming this Fall



The Coalition's upcoming *Housing in Florida: A Resource Guide for Individuals with Developmental Disabilities*

addresses housing assistance available for a variety of housing options.

Using the real experiences of people with disabilities in the *Guide* helps illustrate the benefits of each housing option. For example, **Roque Cespedes**, featured on the left, lives in the **Park Place Apartments** (above) in Hialeah, which offers below-market rents made affordable with construction subsidy from HOME, SHIP and Miami-Dade Surtax funds. Mr. Cespedes uses a wheelchair, and has benefited from the accessibility features in his home: automatic entrance doors, accessible mailboxes, a barrier-free bathroom with roll-in shower, and an accessible kitchen. Park Place was built and is managed by the nonprofit organization Spinal Cord Living-Assistance Development, Inc. (SCLAD). More than half of the apartment units are occupied by households with one or more members with a disability.



or others with specific housing needs. This service lets landlords privately offer their units to special-needs groups such as Veterans, individuals with disabilities, emancipated youth, seniors and ex-offenders. Trained, authorized caseworkers are given access to search for listings for specific populations and can work with landlords to make sure client needs are met.

The Call Center

The Socialserve.com call center is available 11 hours each weekday for live support. As part of its nonprofit mission, Socialserve.com hires people as they are getting back on their feet and recovering from a period of economic instability and housing unaffordability. With this diversity of staff backgrounds, call center representatives are adept

at assisting people seeking housing solutions. The work of the call center has earned public commendation and praise, with Los Angeles County and Greensboro County, North Carolina, issuing awards of excellence for service.



The call center's staff is available 11 hours each weekday to assist housing seekers and property owners.

With no time limit placed on calls, call center staff are able to take time to answer questions and make sure that callers are helped as much as possible. They can conduct detailed housing searches for renters and can refer callers to local resources as needed. Staff will fax and email results if needed.

At the same time, staff is also available to assist property owners with listings. Staff

closely monitors listings added to the system. This screening process identifies the occasional example of discriminatory language, Fair Housing violation, or inconsistency in listing details.

The quality of the staff managing FloridaHousingSearch.org is often documented by feedback from those who use this service. One recent testimonial from D. Linton, a property manager in Jacksonville, offers a shining recommendation: "It has been a long, long time since I have been helped by such an intelligent, insightful, and communicative person who thoroughly understood every aspect of the process.... She is the best contact I frankly ever remember having in 30+ years of working with folks in a variety of institutions and businesses." **HNN**



Yajaira Valencia is a call center representative.

The Mortgage Resolution Fund



The Mortgage Resolution Fund (MRF) Program consists of a partnership of four national organizations, **MercyPortfolioServices, Enterprise Community Partners, The Housing Partnership Network, and National Community Stabilization Trust**, deeply engaged in the stabilization and revitalization of communities hit by foreclosure to keep families in their homes and stabilize neighborhoods.

MRF is holistic in its approach by bringing each qualifying household's mortgage debt into alignment with current home values while also requiring the household to bring all forms of debt in line with traditional and sustainable debt-to-income ratios.

MRF keeps families in their homes and stabilizes communities by:

- Using HHF to purchase nonperforming loans (NPLs) in targeted geographic markets at its current discounted market value.
- Making housing payments affordable by reducing mortgage payments to sustainable levels that

start immediately during a Trial Modification Program period.

- Working through local nonprofit organizations to provide high-touch local resolution specialists to assist homeowners address their mortgage delinquency and nonmortgage debts.
- Right-sizing underwater borrowers with substantial principal reduction based on current property values, their ability to pay and their successful completion of MRF's Trial Modification Program.
- Creating a safety net for the homeowner and for the distressed property if loan refinancing is not feasible with support through property disposition and transition to new housing.
- Through the sale of the re-performing loans and homes for those not able to be modified, recycle the funds to help more households until the end of the program in 2017 when the uncommitted funds are returned to the taxpayers. **HNN**

Mercy Housing, Enterprise Community Partners, and Housing Partnership Network made a well received presentation to the FHFC Board last fall. Following the presentation, the Board asked its staff to move forward through a series of meetings with the MRF partnership to design a program for Florida. The MRF program will provide a crucial piece in Florida's multi-faceted foreclosure recovery. Because Floridians were so hard hit by the foreclosure crisis, the Treasury made \$1 billion available to help Floridian's in foreclosure. With the much needed changes recently made to the Hardest Hit program (see article on page 34), many more Floridians will find that they are eligible to keep their homes while they secure adequate employment.

But it will not be enough. The MRF addresses the needs of underwater homeowners head-on, writing down the principal on outstanding mortgages to a level that is in keeping with the current value of the home and within the homeowners financial ability to make monthly payments over the long term.

Rob Grossinger, from Enterprise Partners, is one of the panelists on the Public Policy Plenary and will speak about MRF. **Scott Fergus**, from Mercy Housing in Chicago, will also join us and be available to answer questions during the Foreclosure Counselors Caucus at the Conference on September 10th. Please join us for this exciting conversation.

Hardest Hit is Overhauled to Succeed



After more than a year of experience in implementing the Florida Hardest-Hit

Fund (HHF) program, revisions to the program became effective June 18. The US Treasury Department (Treasury) and Florida Housing Finance Corporation (FHFC) Board of Directors have approved changes to the eligibility criteria and program benefits provided to homeowners who are experiencing challenges making their mortgage payments as a result of unemployment or underemployment.

Increased Financial Assistance

The amounts and length of time HHF assistance can be used by an eligible applicant has increased. The Unemployment Mortgage Assistance Program (UMAP) will provide up to 12 months of mortgage payment assistance paid directly to the lender, which is up from six months, capped at \$24,000 (an increase from \$12,000). Additionally, up to \$18,000 is available up-front to bring a delinquent first mortgage current prior to the UMAP payments being made. So, for the UMAP, a total of \$42,000 is available to an eligible homeowner.

At the same time, homeowners who are in need of funds to bring their first mortgage current can benefit from the Mortgage Loan Reinstatement Payment (MLRP) program. The MLRP assistance has increased from \$6,000 to \$24,000 as a one-time payment to the lender for eligible homeowners who are recovering from unemployment or underemployment and only need financial assistance to pay the arrearage on the mortgage.

Changes to Eligibility Criteria

There have also been significant changes to the eligibility criteria for the Florida HHF program.

- The requirement that an applicant must be no more than 180 days past due at the time of application has been eliminated. This means the loan servicer/lender will determine if an applicant is too delinquent to be HHF eligible. Those servicers following Fannie Mae and Freddie Mac guidelines are likely to deem homeowners HHF eligible because they are required to accept HHF funds. Even if an applicant is currently in the legal foreclosure process, HHF funding is to be accepted on behalf of the homeowner at any point up to seven days prior to the foreclosure sale.
- The requirement that the homeowner's combined Loan to Value (CLTV) ratio be less than 200 percent was removed, which better aligns the HHF with the recent changes to the Home Affordable Refinance Program (HARP 2.0), in which homeowners can refinance regardless of how "underwater" they are. With historically low interest rates, HARP 2.0 can result in their new payment becoming less than paying rent.
- The requirement for condo owners to have their condo listed on either the FHA or Fannie Mae list of properties that were assessed and deemed eligible for further lending was eliminated. Instead, HHF staff will review condo association financial statements supplied by applicants to determine the financial health of their condos.
- The requirement that an applicant's mortgage must have originated before January 1, 2009, was eliminated. This will now allow homeowners to apply regardless of when their mortgage was originated.



As soon as the HHF changes were made, the Florida Housing Coalition and FHFC held three workshops to help hardest hit counselors and agencies implement the changes.

The workshops held around the state were attended by more than 250 people.

Michael Chaney, with the blue wig, used humor during a “game show” exercise at the latest HHF workshop.



- As in the past, homeowners must document qualifying hardships that caused them to face the risk of foreclosure. An applicant must either be unemployed or underemployed (in the case of UMAP) or recovering from unemployment or underemployment (in the case of MLRP). The new changes bring an adjustment to the threshold for what constitutes substantial financial hardship, as applicants must now document at least a 10 percent reduction in income for the borrower or co-borrower to constitute a hardship under the HHF program.

Changes in Effect and Expected to Make an Impact

Treasury approved these changes to the Florida HHF program term sheet on May 30, 2012, and the changes became effective June 18. In May and early June, Florida Housing prepared for the changes by updating

procedures and the program’s application and file maintenance system. The Florida Housing Coalition joined FHFC staff in providing face-to-face training workshops for the Advisor Agency staff from more than 80 agencies that contract with Florida Housing to implement HHF statewide.

The changes may affect past, existing, and new HHF applicants. HHF Advisor Agencies are currently reviewing homeowners formerly deemed to be ineligible to see if they now qualify under the new program eligibility requirements. They are also helping current HHF recipients with the transition to the new rules, and assessing if previous HHF recipients qualify for additional assistance. At the same time, the news of the changes and local outreach by HHF Advisor Agencies have increased awareness of the program, resulting in an increase in new applications.

The impact of these changes should be substantial. The ability to receive 12 months of mortgage assistance offers homeowners more time to become re-employed or get back on their feet with increased income. With the changes to eligibility criteria, we expect the Florida HHF program to serve many more people. **HNN**



At a recent Bank of America event for delinquent homeowners, staff from Florida Housing Finance Corporation completed onsite eligibility determination for Hardest Hit assistance.

Hardest Hit Agencies and Counselors will meet September 10th from 2:15-5:00 p.m. at the Foreclosure Counselors Caucus at the Annual Conference in Orlando to share questions and experiences. Please join the conversation.

STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM



by Michael Chaney

Q: During the 10/11 state fiscal year, SHIP jurisdictions did not receive a SHIP allocation. However, I realized recently that our jurisdiction

still did receive some SHIP-related revenue during this fiscal year. First, we collected bank interest on the SHIP local housing trust fund. Second, we received some repayments when formerly assisted applicants sold their homes and triggered the SHIP deferred payment loans on their properties. Considering that we didn't receive an allocation in 10/11, how should I track and report this money?

A: Even though jurisdictions did not receive an annual allocation, during the 10/11 period they may have received pay offs from SHIP liens and they likely received bank interest like you did. On rarer occasions, some might also have received recaptured funds or proceeds from the sale of a foreclosed home. Any SHIP-related funds you receive during the 10/11 state fiscal year should be tracked and reported separately from funds received in other fiscal years. This September, your annual report must document that all SHIP money received

in 10/11 is encumbered for some specific project, if not already fully expended. Take a moment to visit the SHIP report website at <http://www.FloridaHousing.org/SHIPAR>. You will see that it is set up so that each jurisdiction creates a separate report for 10/11.

Some jurisdictions have only a small amount of 10/11 SHIP funds to account for on their annual reports. Sometimes it is too small an amount to fully assist even one SHIP applicant. In such cases, any 10/11 funds not expended on 'admin from program income' should be shown to be carried forward to the 11/12 distribution on the annual report this September. In this way, you will essentially combine 10/11 SHIP funds with 11/12 funds to provide full assistance to one household.

The bank interest and repayments you have received are sources of SHIP program income. In fact, almost every type of SHIP money you could have received in 10/11 is program income. The exception is when a jurisdiction receives Recaptured Funds, which is the type of repayment when funds were not used for assistance to an eligible household for an eligible activity. Such repayments are usually received from a sponsor when there is a default on the terms of a grant award or loan award.

Since it is likely that a majority of each jurisdiction's 10/11 SHIP funds

are program income, it is important to remember that they offer a notable benefit. Program income does not need to be spent in compliance with the homeownership and construction/rehab set-asides. Although the SHIP statute includes a rule that 65 percent of funds must be used for ownership, it only pertains to money from the annual allocation and recaptured funds. Program income, by contrast, can be spent on non-homeownership activities like building or repairing rental housing, or helping to finance a homeless shelter, for example. The same is true for the construction/rehab set-aside, so program income can be spent on assistance that neither constructs or repairs housing—for example, rent deposit assistance or down payment assistance for buying an existing house.

Your first task is to ensure that none of your 10/11 SHIP funds remain unencumbered and that all funds have been committed or expended in compliance with the income set-aside. Track these funds on their own spreadsheet and prepare to complete a 10/11 annual report by the September 15th deadline.

Q: Right now, I meet many SHIP eligible households who need help as they are facing foreclosure. How can a SHIP strategy help us address the foreclosure crisis? I also see an increased need for helping homeless veterans, so how can SHIP assist?

A: SHIP funds may be used for foreclosure prevention. Consider limiting assistance to owners in default through no fault of their own, for reasons like the loss of a job, a death or illness in the family, or a reduction of work hours and pay. Furthermore, focus on those who document that they have recovered from their hardships, are now able to

Farewell to Darlene Raker



FHCF's longtime SHIP coordinator has retired after 15 years of service to Florida's housing network of professionals. **Darlene Raker** has been a valued colleague and collaborator with the Coalition and its members. We will miss her professionalism, caring and 'can do' attitude. Thank you, Darlene, for always listening and helping us find smart solutions. You helped make the SHIP program a big success over the years.

At her farewell party, Darlene received an appreciations memory book and heartfelt goodbyes from the FHCF staff.

Do you have a question about the SHIP program? Free telephone technical assistance is available to help you successfully implement your SHIP funded work. Call the Florida Housing Coalition’s SHIP hotline at (800) 677-4548, M-F 8:30-5:00.

afford their monthly payments, and need SHIP help to pay off past due amounts and reinstate their mortgages. Establish a policy about what stage of the foreclosure process an applicant may be in before becoming eligible for help. Can they be only 30 days delinquent, or 60 days, or do applicants have to provide written notice from the mortgage provider that the foreclosure process has started?

Consider what recapture policy to establish for your strategy. Some communities offer smaller amounts of assistance—generally less than \$5000—as a grant. Other communities offer assistance only as SHIP deferred payment loans requiring a lien against the property. Many communities have terms from 5-15 years for this type of assistance, and a longer term is avoided out of concern about the length of time it will take homeowners to build up their own equity in their homes.

This type of foreclosure prevention strategy is not intended or designed to help with every type of foreclosure situation. Some SHIP eligible homeowners in crisis may lose their homes to foreclosure. They need affordable rental housing. Many SHIP jurisdictions have rental housing construction strategies that address this. A smaller number of jurisdictions offer rental deposit assistance that can include a one-time security deposit and first and last month’s rent. Renters can further benefit from a utility deposit. This can also be provided by SHIP, and all this assistance could be included in one SHIP strategy.

Homeless Veterans also need this type of rental assistance. You could offer SHIP security and utility deposit assistance to a veteran receiving assistance from the HUD-VASH program. HUD-VASH combines Section 8 Housing Choice Vouchers with case management

and clinical services provided by the Department of Veterans Affairs (VA). The VA provides these services for participating Veterans at VA medical centers and community-based outreach clinics.

You may also provide SHIP financing to groups developing supportive housing for veterans. For example, the developer sponsors you work with may be nonprofits that own and manage a rental property while providing residents with a comprehensive set of resources to assist in addressing the multifaceted needs of homeless veterans.

When providing any of this type of rental assistance, it is important to remember a lesson from the SHIP Clip above. Program income does not need to be spent in compliance with the homeownership and construction/rehab set-asides. It can be spent on non-homeownership activities like the rental assistance outlined here, as well as the repair of rental housing or the development of a homeless shelter.

Q: When I work to determine the income eligibility of an applicant, I sometimes find situations when I am unsure whether or not to count certain individuals as household members in order to properly determine the size of the household. Where can I look for guidance when these questions come up?

A: It is important to accurately determine the size of a household, since the household’s income eligibility is adjusted for family size. Start the process of determining household size by reviewing the household members that the applicant has listed on the application form. Consider individuals who will permanently live in the household during the next 12 months. You count individuals even if

they are not relatives of the applicant—for example, an applicant may have a boyfriend who lives in the house. He is a household member and his income must be included in the calculation of overall household income.

Chapter 3 of the HUD Handbook 4350.3 provides written guidance on many situations where you may be unclear about whether or not to count an individual. Section 3-6, subsection E, provides a list of types of individuals to count or exclude as household members. This section notes, for example, that household members include “unborn children” of pregnant women, as well as children in the process of being adopted. Conversely, the Handbook notes that you will not count foster children or foster adults, since they are only temporarily living with the household. Some household members may be counted even if they are temporarily absent from the home for a work assignment, training or some other reason. The Handbook even outlines a case involving persons permanently confined to a hospital or nursing home. This is the only instance in which the Handbook gives the SHIP applicant a choice as to whether or not to include the person as part of the household. Naturally, if the person is counted, then his or her income will be added to overall household income.

Determining the correct size of an applicant’s household can sometimes be a complicated matter. The HUD Handbook 4350.3 offers written guidance on several other scenarios, including, children with joint custody, live-in aids and children who are away at school but who live with the family during school recesses.

The Coalition is also available for consultation on this subject. Call (850) 878-4219 with your questions. **HNN**

About The Coalition



The Florida Housing Coalition, Inc. is a Florida nonprofit and 501(c)(3), statewide membership organization whose mission is to act as a catalyst to bring together housing advocates and resources so that all Floridians have a quality affordable home and suitable living environment.

The Coalition provides professional consultation services through training and technical assistance on affordable housing and related issues to nonprofit organizations, local governments, and their private sector partners.

We support community-based partnerships in leveraging resources; and advocate for policies, programs and use of funding resources that maximize the availability and improve the quality of affordable housing in Florida. The Coalition carries out this mission recognizing that decent and affordable housing is a human necessity and an integral part of community revitalization and economic development.



OUR VISION

Every Florida community, large and small, practices a community ethic reflecting a belief that access to

housing that is decent, safe, affordable and of a person's own choosing, is a fundamental right and that at least one active, viable community-based organization plays an important role in delivering affordable housing and related services in each community.

OUR TEAM

The administrative office for the Florida Housing Coalition is housed in Tallahassee, with seven professional technical advisor offices throughout Florida.

Our technical assistance team consists of a highly skilled and geographically dispersed network of full-time professional staff providing technical assistance in all areas of affordable housing planning, finance, and development.

Our professional technical assistance team also includes the expertise of our 25-member Board of Directors.

The FHC Technical Assistance Team can help with every aspect of locally-administered housing programs, from internal controls to capacity building for nonprofit partners. We can work with you one-on-one at your office or arrange larger workshops to assist you with implementation of your housing programs. [HNN](#)



Contact FHC for your training and technical assistance needs:
info@flhousing.org or (850) 878-4219



MEMBERSHIP APPLICATION

PARTNERS FOR BETTER HOUSING

Partners for Better Housing membership support Florida Housing Coalition's work by making a tax deductible donation of \$500 or more. Membership benefits include:

- Complimentary conference registration (Patron Level or higher only, quantity indicated)
- Unlimited membership-rate conference registrations
- Free job vacancy posting service on the Coalition's website
- Access to the Coalition's e-newsletter *Member Update*

\$20,000 Platinum Sponsor (20 comps)

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ADDITIONAL BENEFITS FOR PLATINUM, GOLD & SPONSOR

- Subscriptions to *Housing News Network Journal* (up to 20)
- Logo displayed on Coalition's website
- Logo displayed in all conference-related publications, on Coalition's website and in each triennial issue of *Housing News Network Journal*
- Complimentary booth at conference expo (*if reserved by July 31*)

ADDITIONAL BENEFITS FOR CO-SPONSOR, PATRON & CONTRIBUTOR

- Subscriptions to *Housing News Network Journal* (up to 8)
- Name displayed in all conference-related publications and on Coalition's website
- Co-Sponsor and Patron Partners included in each triennial issue of *Housing News Network Journal*

BASIC MEMBERSHIP

Basic membership is for anyone who wishes to subscribe to *Housing News Network*, post job vacancy announcements free on the Coalition's website and receive membership-rate conference registrations. An **individual member** receives one subscription and one member-rate registration. **Organizational members** receive up to five subscriptions and five member-rate registrations. All memberships are on a unified membership cycle, memberships are due on August 1st and expire on July 31st of each year. (Please indicate additional names, addresses and phone numbers on an attached sheet.) Each membership is entitled to be represented by one voting member at the Coalition's annual meeting as designated below.

\$25 Student

\$75 Individual

(*payment by personal check only*)

\$150 Nonprofit Organizations

\$200 Government Agencies

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Authorized Representative (please print or type):

Title: _____ Signature: _____

Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ County: _____

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Make check payable to:

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For more information, e-mail Johnitta Richards Wells at the Florida Housing Coalition at richards@flhousing.org.