



LEGISLATIVE WRAP UP 2014

FLORIDA HOUSING FUNDS BACK ON TRACK!

By Jaimie Ross and Mark Hendrickson

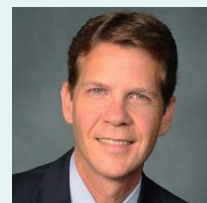
The biggest news for housing advocates from the 2014 Session is that we are back on track with the appropriation of \$167,660,000 from the Sadowski State and Local Housing Trust Funds. Florida is again using its dedicated revenue source for affordable housing to fund Florida's housing programs. This is the largest appropriation for housing we've seen in the past seven years.

The Florida Legislature and most especially, the leadership in the Senate from Senators Gardiner and Negron supported using all the housing trust fund monies for housing as early as the start of the 2014 session. We cannot overemphasize that their support for housing was a direct result of hearing from constituents in their districts before

the session began. When we coupled that local story with our facts and figures in the Home Matters for Florida Report about how well Florida's existing programs such as SHIP and SAIL can respond to the housing need, these Senators took action.

Now SHIP funds are back in the pipeline and SAIL is humming.

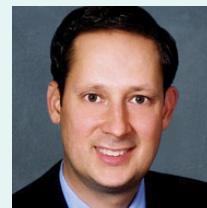
	GOVERNOR	SENATE	HOUSE	FINAL
SAIL	\$69,300,000	\$67,660,000	\$44,650,000	\$67,660,000
SHIP	\$20,000,000	\$158,470,000	\$44,650,000	\$100,000,000
TOTAL HOUSING	\$89,300,000	\$226,130,000	\$89,300,000	\$167,660,000
SWEEP	\$142,300,000	\$48,313,822	\$142,300,000	\$106,151,367



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PRESIDENT DESIGNATE

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DISTRICT: Parts of Brevard
and Orange Counties



SEN. JOE NEGRON
APPROPRIATIONS CHAIR

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Suite 204
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DISTRICT: Parts of Indian
River, Martin, Palm Beach,
and St. Lucie Counties



SHIP 2014-2015

\$100,000,000

LESS \$4 MILLION FOR HOMELESS AND \$5 MILLION HOLD BACK FOR DISASTER RELIEF

LOCAL GOVERNMENT	COUNTY TOTAL	"COUNTY SHARE/CITY SHARE"
ALACHUA	1,161,194	578,739
Gainesville		582,455
BAKER	350,000	350,000
BAY	801,654	633,066
Panama City		168,588
BRADFORD	350,000	350,000
BREVARD	2,525,188	1,405,268
Cocoa		80,301
Melbourne		356,304
Palm Bay		482,058
Titusville		201,257
BROWARD	8,147,463	1,752,520
Coconut Creek		245,239
Coral Springs		561,360
Davie		426,927
Deerfield Bch		346,267
Ft. Lauderdale		776,453
Hollywood		656,686
Lauderhill		305,530
Margate		252,571
Miramar		577,655
Pembroke Pines		710,459
Plantation		390,263
Pompano Bch		470,923
Sunrise		395,967
Tamarac		278,643
CALHOUN	350,000	350,000
CHARLOTTE	772,442	691,799
Punta Gorda		80,643
CITRUS	669,078	669,078
CLAY	907,269	907,269
COLLIER	1,545,449	1,454,731
Naples		90,718
COLUMBIA	354,491	354,491
DE SOTO	350,000	350,000
DIXIE	350,000	350,000
DUVAL	4,015,023	4,015,023
ESCAMBIA	1,397,139	1,155,015
Pensacola		242,124
FLAGLER	473,577	100,540
Palm Coast		373,037

LOCAL GOVERNMENT	COUNTY TOTAL	"COUNTY SHARE/CITY SHARE"
FRANKLIN	350,000	350,000
GADSDEN	350,000	350,000
GILCHRIST	350,000	350,000
GLADES	350,000	350,000
GULF	350,000	350,000
HAMILTON	350,000	350,000
HARDEE	350,000	350,000
HENDRY	350,000	350,000
HERNANDO	819,634	819,634
HIGHLANDS	473,577	473,577
HILLSBOROUGH	5,839,681	4,254,208
Tampa		1,585,473
HOLMES	350,000	350,000
INDIAN RIVER	660,086	660,086
JACKSON	350,000	350,000
JEFFERSON	350,000	350,000
LAFAYETTE	350,000	350,000
LAKE	1,406,126	1,406,126
LEE	2,956,635	1,907,917
Cape Coral		740,341
Ft. Myers		308,377
LEON	1,296,020	440,647
Tallahassee		855,373
LEVY	350,000	350,000
LIBERTY	350,000	350,000
MADISON	350,000	350,000
MANATEE	1,545,449	1,311,777
Bradenton		233,672
MARION	1,552,190	1,286,300
Ocala		265,890
MARTIN	700,536	700,536
MIAMI-DADE	7,463,905	4,838,850
Hialeah		664,288
Miami		1,213,631
Miami Beach		262,729
Miami Gardens		310,498
North Miami		173,909
MONROE	365,717	365,717
NASSAU	372,459	372,459
OKALOOSA	884,799	789,683
Ft. Walton Beach		95,116

LOCAL GOVERNMENT	COUNTY TOTAL	"COUNTY SHARE/CITY SHARE"
OKEECHOBEE	350,000	350,000
ORANGE	5,500,367	4,355,191
Orlando		1,145,176
OSCEOLA	1,345,457	1,048,380
Kissimmee		297,077
PALM BEACH	6,149,779	4,683,057
Boca Raton		392,971
Boynton Bch		320,403
Delray Beach		282,275
West Palm Bch		471,073
PASCO	2,183,628	2,183,628
PINELLAS	4,244,226	2,241,376
Clearwater		499,545
Largo		359,486
St. Petersburg		1,143,819
POLK	2,821,808	2,201,010
Lakeland		454,029
Winter Haven		166,769
PUTNAM	365,717	365,717
ST. JOHNS	947,719	947,719
ST. LUCIE	1,311,749	333,708
Ft. Pierce		194,664
Port St. Lucie		783,377
SANTA ROSA	747,727	747,727
SARASOTA	1,779,149	1,535,761
Sarasota		243,388
SEMINOLE	1,990,378	1,990,378
SUMTER	507,285	507,285
SUWANNEE	350,000	350,000
TAYLOR	350,000	350,000
UNION	350,000	350,000
VOLUSIA	2,298,230	1,619,103
Daytona Bch		285,440
Deltona		393,687
WAKULLA	350,000	350,000
WALTON	350,000	350,000
WASHINGTON	350,000	350,000
TOTAL	90,750,000	90,750,000
Compliance Monitoring		250,000
Disaster Relief Holdback		5,000,000
Homeless Funding		4,000,000
APPROPRIATION TOTAL		100,000,000

Florida Statute §393.063

“Developmental disability” means a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue

Florida Statute §420.0004(7),

“Disabling condition” means a diagnosable substance abuse disorder, serious mental illness, developmental disability, or chronic physical illness or disability, or the co-occurrence of two or more of these conditions, and a determination that the condition is:

- (a) Expected to be of long-continued and indefinite duration; and
- (b) Not expected to impair the ability of the person with special needs to live independently with appropriate supports.

PROVISO LANGUAGE IN THE APPROPRIATIONS ACT FOR THE \$100,000,000 IN SHIP IS:

That each local government must use a minimum of 20 percent of its allocation to approval to ensure that it meets these specifications.

serve persons with special needs as defined in section 420.0004, Florida Statutes. Before FHFC can distribute the SHIP funds from this appropriation the local government must certify that it will meet this requirement through existing approved strategies in the local assistance plan or

submit a new local housing assistance plan main independent in their own homes and strategy for this purpose to the FHFC for maintain their homeownership.

Florida Statute §420.0004

“Person with special needs” means an adult person requiring independent living services in order to maintain housing or develop independent living skills and who has a disabling condition; a young adult formerly in foster care who is eligible for services under s. 409.1451(5); a survivor of domestic violence as defined in s. 741.28; or a person receiving benefits under the Social Security Disability Insurance (SSDI) program or the Supplemental Security Income (SSI) program or from veterans’ disability benefits indefinitely.

The first priority of these special needs funds must be to serve persons with developmental disabilities as defined in section 393.063. Florida statutes, with an emphasis on home modification, including technological enhancements and devices, which will allow homeowners to re-

PROVISO LANGUAGE IN THE APPROPRIATIONS ACT FOR THE \$67,660,000 IN SAIL IS:

That the \$57,660,000 used to fund the construction or rehabilitation of units targeted to families, elderly persons, and persons who are homeless pursuant to section 420.5087 (3), Florida Statutes, must include not less than 5% and no more than 10% of its units designed, constructed, and targeted for persons with a disabling condition as defined in section 420.0004(7), Florida Statutes.

Each development is required to enter into an agreement with at least one designated supportive services lead agency, such as

the Local Center for Independent Living, the Agency for Persons with Disabilities, or any other such agency approved by the FHFC for the purpose of coordinating services and housing for persons with disabilities.

\$10,000,000 is to fund a competitive grant program for housing developments designed, constructed, and targeted for persons with developmental disabilities as defined in section 393.063, Florida Statutes. Mission based nonprofits are the eligible applicants for these funds.

ADDITIONAL HOUSING APPROPRIATIONS

In addition to the funding for SHIP and SAIL from the local and state housing trust funds, the Legislature made line item appropriations for affordable housing from the General Revenue Fund. Specifically:

- \$1 million for Building Homes for Heroes (this group also received another \$1 million from the SEED trust fund- see below). Building Homes for Heroes is nonprofit that takes donated bank properties (REOs) and rehabilitates/retrofits the homes to meet the needs of severely injured veterans.
- \$1 million is provided as pass through funds to the Florida Coalition for the Homeless for distribution to the local homeless coalitions throughout the state.
- \$250,000 is provided to the Transition House Homeless Veterans Program in Osceola County
- \$100,000 is provided to the Department of Children and Families to contract directly with the Citrus Health Network for the Safe Haven for Homeless Youth Program
- \$10,000 is provided for the capital startup of the Resource Center for the homeless in Pasco County
- \$100,000 is provided for the Emergency Services Center for the Homeless in Tallahassee
- \$100,000 is provided to the Manatee County One Stop Community

Resource Center for the Turning Points Homeless Program.

The Legislature also made line item appropriations for housing from the SEED (State Economic Enhancement and Development) Trust Fund. Specifically:

- \$1 million for Metropolitan Ministries – Pasco Housing initiative
- \$1 million for Building Homes for Heroes (for a total of \$2 million)

And from the General Revenue:

- \$1 million Rental housing for Low Income seniors- City of Crestview
- \$800,000 Hillsborough Homelessness Initiatives

The SEED Trust Fund is administered by the Department of Economic Opportunity, which means that each of these entities receiving an appropriation from the SEED Trust fund will need to enter into a contract with the DEO for its funding. The items we have listed in this article are only those that appear to be specifically for housing. There are many more line item appropriations, all subject to administration/contract with the DEO.

The Community Contribution Tax Credit is found in Section 220.183, Florida Statutes. It was due to expire in June, 2015 and has now been extended until June, 2016. The extension was included in the large tax package in HB 5601.

The Community Contribution Tax Credit Program provides a financial incentive (up to 50 percent tax credit or sales tax refund) to encourage Florida businesses to make donations toward community development and housing projects for low-income persons. Businesses located anywhere in Florida that make donations to approved community development projects may receive a tax credit related to Florida corporate income tax, insurance premium tax or as a refund against sales tax of up to 50 percent of the value of the donation

HOMELESS BILL CS/CS FOR HB 979 BECOMES LAWS OF FLORIDA, CHAPTER 2014-214.

Senator Jack Latvala (R) and Representative Kathleen Peters (R) Pinellas County, championed homeless legislation.

HB 979 (SB 1090) as it was originally filed, included a dedicated funding source carved from the Sadowski local government trust fund, but ultimately provided that the provisions of the Act are contingent upon specific legislative appropriation. Nonetheless, the legislature did make a specific legislative appropriation using the formula originally contained in the bill: of the \$100 million appropriated to the Sadowski local government trust fund (see table on page 2), 4% will be used to provide services to homeless persons. Of the \$4 million, \$3.8 million shall be transferred to the Department of Children and Families to fund the activities enumerated in Section 420.622, including the “Challenge Grants”. The remaining \$200,000 of the \$4 million for homeless assistance shall be used by the DEO to provide training and technical assistance regarding affordable housing to designated lead agencies of homeless assistance Continuums of Care.

Specifically, HB 979 as passed does the following:

1. Amends the Current Training and Technical Assistance Statute (Section 420.606 F.S.) to Include the Homeless:

Training and Technical Assistance from the state pursuant to Section 420.606, Florida Statutes and provided by the Florida Housing

Coalition, pursuant to Section 420.531, Florida Statutes is expanded from community-based organizations, staff of state and local governments to also include designated lead agencies of homeless assistance continuums of care to meet the needs of homeless persons. The details of the technical assistance available to homeless assistance providers under this year’s legislation have not yet been finalized, but beneficiaries may include current and potential partners of Continuum of Care lead agencies in addition to the lead agencies themselves.

2. Amends the State Office on Homelessness Statute (Section 420.622 F.S.) to:

- Specify that the award levels of the Challenge Grants shall be based upon the total population within the continuum



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of care catchment area and reflect the differing degrees of homelessness in the catchment planning areas. The grant award level shall be specified in the notice of the solicitation of grant application. There will be differing levels of grant awards; no change was made to the maximum of \$500,000 per lead agency.

- Require that the continuum of care plan must implement a coordinated assessment or central intake system to screen, assess, and refer persons seeking assistance to the appropriate service provider. The lead agency shall also document the commitment of local government and private organizations to provide matching funds or in-kind support in an amount equal to the grant requested.
- Enumerate eligible uses of the Challenge Grant to fund any of the housing programs, or service needs included

in the local homeless assistance continuum of care plan. The lead agency may allocate the grant to programs, services, or housing providers that implement the local homeless assistance continuum care plan. The lead agency may provide subgrants to a local agency to implement programs or services or provide housing identified for funding in the lead agency's application to the Department of Children and Families.

- Require that the lead agency submit a final report to the DCF documenting the outcomes achieved by the Challenge Grant in enabling persons who are homeless to return to permanent housing thereby ending such person's episode of homelessness.



Susan Pourciau, speaking on behalf of the Florida Coalition for the Homeless at the Home Matters Press Conference appealed to legislators saying, "The more money that is swept from SHIP, the more money is swept from the homeless – I urge the legislature to appropriate all the SHIP monies for SHIP. The SHIP program itself has been used to build and rehab permanent supportive housing for the homeless – now it may be able to provide additional monies directly to the Continuums of Care under SB 1090 filed by Senator Latvala – money that is sorely needed to address the crisis of homelessness in Florida."

ABOUT THE SADOWSKI COALITION



The Sadowski Coalition is a broad and diverse group of 26 statewide organizations, ranging from industry groups such as the Florida Realtors and Florida Home Builders Association, Florida business organizations, such as the Florida Chamber of Commerce and Florida AIG, to low income, special needs, and faith based advocates, such as the Florida Housing Coalition, Florida AARP, LeadingAge, Catholic Conference and Florida Impact, and local governments, including the Florida League of Cities and the Florida Association of Counties,

ABOUT THE AUTHORS



JAIMIE ROSS, attorney at law, is the Affordable Housing Director at 1000 Friends of Florida and the president of the Florida Housing Coalition. She initiated the Sadowski Coalition in 1991 and continues to facilitate the Sadowski Housing Coalition today. She is part of the state support team for legal service attorneys throughout Florida working under the Florida Bar Foundation grant to preserve affordable housing.



MARK HENDRICKSON, president of The Hendrickson Company, is a past Chair and serves as an Executive Committee member for the Florida Housing Coalition. He served as Executive Director of the Florida Housing Finance Agency from its inception in 1981 to 1994. As its first Chief Executive Officer, he led the way in creation of the Sadowski Act. The Hendrickson Company specializes in assisting clients in all areas of affordable housing, including finance and related legislative issues. His clients include for-profit and non-profit developers, the Florida Association of Local Housing Finance Authorities, and four County HFA's.