



# 2018 LEGISLATIVE Wrap-Up

By: Mark Hendrickson and Jaimie Ross

Republican Senator Kathleen Passidomo at press conference with Sadowski Coalition announcing her bill to stop the sweeps of the state and local housing trust funds.



**Yes, this should have been the year that all the Sadowski state and local housing trust funds were appropriated only for housing.** We started the session with the trifecta of a recommendation for full appropriation of the housing trust funds for housing from the Affordable Housing Workgroup; a bill filed by Republican Senator Kathleen Passidomo to stop the sweeps; and a Senate budget proposing that all the housing trust funds be used solely for affordable housing, approximately \$322 million. In the end the appropriation was approximately \$124 million. Many are sorely disappointed. But it could have been so much worse.

The Sadowski Coalition, comprised of 30 statewide organizations representing millions of members statewide together with over one thousand Sadowski Affiliates, met with legislators, provided facts about the need for affordable housing and the importance of Florida's housing programs. The Sadowski Education Effort, funded in large part by the Florida Association of Local Housing Finance Authorities, helped with Op Eds and Editorials in all the major news outlets in the state. While the Senate capitulated to the House level of funding, without the tremendous advocacy of the Sadowski Coalition and the Sadowski Affiliates we may have lost all housing funding.

Following the massacre at Marjorie Stoneman Douglas High School, it looked like all the housing trust funds might be swept for the legislature's response to the tragedy. The students demanded that assault style weapons be outlawed. The majority party would not outlaw assault weapons or even consider anything related to outlawing assault weapons. But they would provide a great deal of money for school security and some for mental health, and ultimately, they would take approximately two-thirds of the Sadowski state and local housing trust funds to help pay for it.

### **Crisis averted.**

Unless you were in the weeds of what was happening in Tallahassee (or attending our Sadowski Affiliate Webinars), you may not have known that up until the weekend extension of the session on March 10-11th, we came close to potentially losing the entire tax credit allocation for Florida. The pair of housing omnibus bills that began as HB 987 filed by Representative Cortes from Altamonte Springs and SB 1328 filed by Senator Perry from Gainesville, were amended late in the session to add a provision that would have effectively prohibited the Florida Housing Finance Corporation from requiring more than the minimally required term of affordability of 30 years.

Two years ago, the Florida Housing Coalition successfully campaigned against reducing long term affordability in the FHFC tax credit program through testimony and letters, making a compelling case for the importance of long term affordability. The FHFC agreed. Rather than continue that fight against long term affordability, a proponent of turning affordable housing into market rate housing tried to get the legislature to do what the FHFC would not do. The problem with that, in addition to the bad public policy, is that it is unlawful for any state legislature to mandate how tax credits are allocated. Section 42 of the United States Code requires the allocation plans be prescribed in the Qualified Allocation Plan, approved by the Executive branch, not the Legislative branch of government. Section 42 also requires that a preference in the allocation of tax credits be given to developments that provide the "longest" period of affordability. The House bill with the bad amendment had passed through the House and was on the Senate Special-Order Calendar in the very last hours of the session, but the bill was not brought up and therefore died.

The omnibus housing bills (HB 987 and SB 1328) also included some of the recommendations of the Hurricane Workgroup and the reenactment of the Hurricane Housing Recovery Program and Hurricane Housing Rental Program that had been used in other storms. The House appropriations proposal was to use all the SHIP and SAIL funds this fiscal year (2018-19) for the hurricane impacted areas and the House was proposing that only \$123 million be used for those programs, sweeping most of the funds.

The Senate budget proposal to use the traditional formula for funding SHIP and SAIL was ultimately accepted by the House. This was also a crisis averted. Natural disasters can and do happen in all parts of Florida. Having a housing office in all 67 counties is key to our recovery from natural disasters. We have

	GOVERNOR	SENATE	HOUSE	FINAL BUDGET
<b>Hurricane Recovery:</b> SAIL targeted only to counties with damage Line 2225	\$25,000,000	\$60,000,000	\$74,180,000	\$0
<b>Hurricane Recovery:</b> SHIP targeted only to counties with damage Line 2226	\$65,000,000	\$30,000,000	\$48,950,000	\$0
<b>Hurricane Recovery:</b> Farmworker Housing Line 2224	\$10,000,000			\$0
<b>Monroe County Land Authority</b> Line 2224		\$10,000,000		\$0
<b>FHFC: General Use</b> Line 2225	\$76,300,000	\$114,050,000 At least \$57.025 million SAIL \$10,000,000 grant for housing for persons with DD \$7.025 million undesignated		\$79,180,000 At least \$47.51 million SAIL \$15 million for Keys Workforce Housing \$25,000 Study on SAIL - Vetoed \$1.647 million undesignated
<b>FHFC: SAIL Workforce</b> Line 2225	\$20,000,000	\$40,000,000 (part of \$104.05 million above)		\$15 million (part of \$79.18 million above)
<b>SHIP</b> Line 2226	\$34,000,000	\$103,800,000		\$43,950,000
<b>Homeless</b> Line 2226	\$0	\$3,800,000	\$0	\$0
<b>Catalyst and Homeless Training</b> Line 2226	\$0	\$250,000 Catalyst \$200,000 Homeless	\$500,000 Catalyst	\$500,000 Catalyst
<b>TOTAL HOUSING</b>	\$230,300,000	\$322,100,000	\$123,630,000	\$123,630,000
<b>SHTF SWEEP</b>	\$0	\$0	\$54,600,000	\$54,600,000
<b>LGHTF SWEEP</b>	\$91,800,000	\$0	\$127,400,000	\$127,400,000
<b>TOTAL SWEEP</b>	\$224,000,000	\$130,000,000	\$182,000,000	\$182,000,000
<b>Unallocated SHTF</b>	\$0	\$0	\$4,910,000	\$2,600,000
<b>Unallocated LGHTF</b>	\$0	\$0	\$11,560,000	\$5,850,000

**NOTE:** This Chart reflects the Appropriations from the State and Local Housing Trust Funds

plenty of experience from the series of storms that hit Florida in 2004 and 2005 to know that it was the ability of SHIP offices to deploy federal disaster assistance that led to the successful recovery. If the Legislature fails to fund the SHIP program on an ongoing basis, we will lose SHIP offices in the rural parts of the state. And when those areas are hit by a storm, there will be no housing agency to deploy federal assistance. Of course, regardless of natural disasters, SHIP should be funded as intended.

Affordable housing can and should be a nonpartisan campaign issue between now and November. Florida is going to elect a new Governor. Will he or she ensure that all the housing trust fund monies are budgeted for Florida's housing programs? Every member of the Florida House is up for election in November – all 120 members. It's time to educate each candidate about the importance of using all the housing trust fund monies for housing and ask whether the candidate intends to sponsor or support a bill to stop the sweeps. **HNN**

## ADDITIONAL HOMELESS FUNDING

Item	Amount & Use	Line Item	Source	Agency
Challenge Grants	\$4,107,206	345	Grants & Donations TF*	DCF
Federal Emergency Shelter Grant Program	\$7,803,393	346	Federal Grants TF & Welfare Transition TF	DCF
Homeless Housing Assistance Grants	\$3,590,000	347	GR	DCF
Homeless Housing Assistance Grants Proviso	\$150,000 from line 347 for National Veterans Homeless Support Housing Assistance	347	GR — Senate Form 2193	DCF
Homeless Housing Assistance Grants Proviso	\$300,000 from line 347 for The Transition House - Bradford County	347	GR — HB 3283	DCF
Homeless Housing Assistance Grants Proviso	\$140,800 from line item 347 for Citrus Health Network	347	GR — HB 3343	DCF
Miami-Dade County Homeless Trust	\$250,000	372	GR — Senate Form 2351	DCF
Five Star Veterans Center Homeless Housing & Reintegration Project	\$150,000	577A	GR — Senate Form 1775	Veterans' Affairs

\*Historically transferred from LGTF; however, there was no proviso language in the Appropriations Act moving this money from LGTF to DCF.

## OTHER MEMBER PROJECTS

Item	Amount & Use	Line Item	Source	Agency
Habitat for Humanity Neighborhood Infrastructure	\$276,783	2233A	Senate Special Employment Security Administration TF Form 1892	DEO
Building Homes for Heroes	\$1,000,000 Building or renovating homes for veterans Statewide	2216	GR — Senate Form 2100	DEO
Casa Familia Housing for Adults with Intellectual and DD	\$250,000	2216	Senate Special Employment Security Administration TF Form 1421	DEO
City of Hialeah Elderly Housing Building Improvements	\$2,100,000	2216	Special Employment Security Administration TF Senate Form 1868	DEO



JAIMIE ROSS

**Jaimie A. Ross** is the President & CEO of the Florida Housing Coalition. She initiated the Sadowski Coalition in 1991 and continues to facilitate the Sadowski Coalition today. Ms. Ross served as the Affordable Housing Director at 1000 Friends of Florida, a statewide nonprofit smart growth organization, from 1991-2015. Prior to her tenure at 1000 Friends of Florida, Ross was a land use and real property lawyer representing for profit and nonprofit developers and financial institutions with a law firm in Orlando. Ross is the past Chair of the Affordable Housing Committee of the Real Property Probate & Trust Law Section of the Florida Bar.



MARK HENDRICKSON

**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.

# DISTRIBUTION ESTIMATES: FY 2018/19

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE	LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE	LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/ CITY SHARE
<b>ALACHUA</b>	455,095	227,866	<b>GILCHRIST</b>	350,000	350,000	<b>PALM BEACH</b>	1,887,024	1,430,741
Gainesville		227,229	<b>GLADES</b>	350,000	350,000	Boca Raton		122,468
<b>BAKER</b>	350,000	350,000	<b>GULF</b>	350,000	350,000	Boynton Bch		98,691
<b>BAY</b>	358,880	284,664	<b>HAMILTON</b>	350,000	350,000	Delray Beach		87,747
Panama City		74,216	<b>HARDEE</b>	350,000	350,000	West Palm Bch		147,377
<b>BRADFORD</b>	350,000	350,000	<b>HENDRY</b>	350,000	350,000	<b>PASCO</b>	760,188	760,188
<b>BREVARD</b>	846,038	468,029	<b>HERNANDO</b>	360,447	360,447	<b>PINELLAS</b>	1,326,437	692,931
Cocoa		27,919	<b>HIGHLANDS</b>	350,000	350,000	Clearwater		156,785
Melbourne		119,122	<b>HILLSBOROUGH</b>	1,843,577	1,344,889	Largo		113,012
Palm Bay		162,693	Tampa		498,688	St. Petersburg		363,709
Titusville		68,275	<b>HOLMES</b>	350,000	350,000	<b>POLK</b>	953,595	744,090
<b>BROWARD</b>	2,457,924	439,968	<b>INDIAN RIVER</b>	350,000	350,000	Lakeland		150,191
Coconut Creek		75,212	<b>JACKSON</b>	350,000	350,000	Winter Haven		59,314
Coral Springs		167,139	<b>JEFFERSON</b>	350,000	350,000	<b>PUTNAM</b>	350,000	350,000
Davie		131,991	<b>LAFAYETTE</b>	350,000	350,000	<b>ST. JOHNS</b>	416,821	416,821
Deerfield Bch		102,250	<b>LAKE</b>	544,551	544,551	<b>ST. LUCIE</b>	501,121	122,825
Ft. Lauderdale		234,978	<b>LEE</b>	999,621	635,859	Ft. Pierce		73,063
Hollywood		193,193	Cape Coral		250,505	Port St. Lucie		305,233
Lauderhill		93,401	Ft. Myers		113,257	<b>SANTA ROSA</b>	354,701	354,701
Margate		75,950	<b>LEON</b>	490,251	167,323	<b>SARASOTA</b>	638,154	552,514
Miramar		178,691	Tallahassee		322,928	City of Sarasota		85,640
Pembroke Pines		213,839	<b>LEVY</b>	350,000	350,000	<b>SEMINOLE</b>	696,584	696,584
Plantation		116,260	<b>LIBERTY</b>	350,000	350,000	<b>SUMTER</b>	350,000	350,000
Pompano Bch		143,543	<b>MADISON</b>	350,000	350,000	<b>SUWANNEE</b>	350,000	350,000
Sunrise		120,438	<b>MANATEE</b>	590,577	503,053	<b>TAYLOR</b>	350,000	350,000
Tamarac		83,815	Bradenton		87,524	<b>UNION</b>	350,000	350,000
Weston		87,256	<b>MARION</b>	567,303	470,408	<b>VOLUSIA</b>	782,940	550,251
<b>CALHOUN</b>	350,000	350,000	Ocala		96,895	Daytona Bch		98,102
<b>CHARLOTTE</b>	355,746	316,934	<b>MARTIN</b>	350,000	350,000	Deltona		134,587
Punta Gorda		38,812	<b>MIAMI-DADE</b>	2,228,408	1,437,101	<b>WAKULLA</b>	350,000	350,000
<b>CITRUS</b>	350,000	350,000	Hialeah		191,866	<b>WALTON</b>	350,000	350,000
<b>CLAY</b>	391,491	391,491	Miami		380,166	<b>WASHINGTON</b>	350,000	350,000
<b>COLLIER</b>	576,606	544,028	Miami Beach		75,320	<b>TOTAL</b>	<b>38,838,875</b>	<b>38,838,875</b>
Naples		32,578	Miami Gardens		92,033	Disaster Relief Holdback		5,111,125
<b>COLUMBIA</b>	350,000	350,000	North Miami		51,922	Compliance Monitoring		
<b>DE SOTO</b>	350,000	350,000	<b>MONROE</b>	350,000	350,000	Catalyst		500,000
<b>DIXIE</b>	350,000	350,000	<b>NASSAU</b>	350,000	350,000	<b>TOTAL ESTIMATED APPROPRIATION</b>		<b>44,450,000</b>
<b>DUVAL</b>	1,294,383	1,294,383	<b>OKALOOSA</b>	374,419	334,431			
<b>ESCAMBIA</b>	521,800	431,789	Ft. Walton Bch		39,988			
Pensacola		90,011	<b>OKEECHOBEE</b>	350,000	350,000			
<b>FLAGLER</b>	350,000	74,550	<b>ORANGE</b>	1,762,917	1,387,592			
Palm Coast		275,450	Orlando		375,325			
<b>FRANKLIN</b>	350,000	350,000	<b>OSCEOLA</b>	551,276	437,052			
<b>GADSDEN</b>	350,000	350,000	Kissimmee		114,224			

Projected SHIP based on most recent Conference information (Less: \$5 million Disaster Relief holdback, Monitoring, & Catalyst funding)