



SUMMER 2005

HOUSING NEWS

Volume 21, Number 2

The Journal of the Florida Housing Coalition, Inc. NETWORK

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The CLT Model: A Tool for Permanently Affordable Housing and Wealth Generation

BY GUS NEWPORT

The gap between wealth and poverty is growing in the U.S., because policies to stabilize the lives of the poor and people of color do not focus on long-term solutions. Our economy is unstable, in an inflationary spiral that continues to raise the cost of basic goods, including food, gasoline, medicine and health care. Most depressing is the lack of affordable housing for the poor, working and unemployed, and seniors with limited retirement income. The severity of the shortage of affordable housing has multiplied in recent years. Barbara Ehrenreich demonstrated the stark reality of the situation facing low-income wage earners in her book *Nickel and Dimed in America*. She found from personal experience that in today's America, two incomes are required in order to live "indoors," let alone reside in safe, adequate housing. Insufficient affordable housing is being developed to fulfill the need, and most that is developed remains affordable only during the terms of the initial financing, due to relatively short-term subsidies, after which time it reverts to market rates. As a result, over the longer term, public affordable housing resources actually aid gentrification, eventually displacing the very people they were meant to assist.



THE CLT MODEL

Thirty-eight years ago, Bob Swann and Ralph Borsodi developed the Community Land Trust model, arising from their concerns related to poverty and land tenure. The model, drawn from the Indian *gramdan* land reform movement, was conceived as a democratically-controlled institution that would hold

land for the common good of any community, while making it available to individuals within the community through long-term leases. Over the years, the model has evolved and been applied primarily to the development of permanently affordable housing within intentional communities and more broadly in urban, suburban and rural communities across the country. Terms within the ground lease balance community interests with those of the individual, providing an opportunity for lower-income people to earn equity, while limiting appreciation to ensure affordability for future lower-income homebuyers.

According to the classic CLT model, the trust is a geographically defined, membership-based, nonprofit organization created to hold land for public purposes—usually for

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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 safe and affordable home and suitable living environment.

The Housing News Network is published by the Florida Housing Coalition as a service to its members and for housing professionals and others interested in affordable housing issues. Address questions and comments to: Sue Early, Interim Editor, Florida Housing Coalition, Inc., 1367 E. Lafayette Street, Suite C, Tallahassee, FL 32301.

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We are deeply appreciative.

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RECORD \$443 MILLION APPROPRIATED FOR HOUSING FROM THE HOUSING TRUST FUNDS



2005 LEGISLATIVE UPDATE

BY MARK HENDRICKSON

The legislature appropriated a record \$443 million for housing in FY05-06, with \$250 million of the spending for hurricane housing, and another \$193 million for ongoing affordable housing programs. Without the continued existence of the Housing Trust Funds and the dedication of doc stamp revenues to those funds, the monies would not have been available for these expenditures.



language that would classify the \$243 million as “recurring revenue”—the amount that is in the base appropriation level each year.

WHAT THIS MEANS IS THAT:

- \$443 million is appropriated for FY05-06;
- There is no cap on distributions to the Housing Trust Funds nor on housing expenditures for FY06-07; and,
- The cap for distributions to the Housing Trust Funds beginning in FY07-08 is \$243 million, \$50 million higher than current appropriations for ongoing programs.

While the \$443 million represents the largest annual appropriation in Florida’s history, the funding for existing programs remained at \$193 million. During the debate on HB 1889 (the cap on future distributions of doc stamp revenues to the Housing Trust Funds), several Senate and House members noted that there is no cap on housing expenditures for FY06-07, and that the legislature may appropriate amounts above \$193 million for that or future fiscal years.

HB 1889 capped future distributions to the Housing Trust Funds—but not until July 1, 2007. While an earlier version placed that cap at \$193 million per year, beginning July 1, 2006, with no annual increase—the final legislation enacted (Senate’s version) set the cap at \$243 million beginning July 1, 2007, with a very small annual increase related to doc stamp collections. The final bill also included technical

The success of housing funding and in achieving a better than proposed future cap was due in large part to the effective and unprecedented alliance of industry, local government, and advocacy groups—known in 2005 as the Workforce Housing Coalition. The Florida Association of Realtors, Florida Bankers Association, Florida Association of Counties, Florida League of Cities, Florida Legal Services, 1000 Friends of Florida, Florida Housing Coalition, Florida Catholic Conference, Florida Impact, Florida Association of Local Housing Finance Authorities, AARP Florida, and the Coalition of Affordable Housing Providers all worked in concert to achieve our successes, and to mitigate our setbacks.



While current and future funding levels were at the center of the housing debate in 2005, other legislation impacting housing was also passed during the session. A summary of funding and other legislation:

HURRICANE HOUSING FUNDING— \$250 MILLION

The Hurricane Housing Work Group, ably chaired by Lieutenant Governor Toni Jennings, provided the analysis of housing needs caused by the four hurricanes that hit Florida in 2004. The Work Group recommended \$354.4 million in one-time hurricane housing recovery funds, with detailed program recommendations that included monies for local governments, rental housing, farmworker housing, special needs housing, tax credits, and training and technical assistance. Governor Bush included the full \$354.4 million in his budget request to the legislature; however, the legislature funded only \$250 million of that request. As a result, only two of the recommended programs were funded:

- \$207.48 million to local governments for the Hurricane Housing Recovery Program, a SHIP-like block grant to counties most impacted by the hurricanes. See Table 1 for projected allocations for each of the 28 eligible counties. While extremely flexible, the program does have a general requirement that 65 percent of the funds go to homeownership and has an extremely low income component (15 percent of funds).
- \$42.0 million to Florida Housing Finance Corporation (“Florida Housing”) for the Rental Recovery Loan Program, a gap financing program that would provide rental housing with 50-year affordability restrictions in communities impacted by the hurricanes.
- \$520,000 (that was not part of the Work Group recommendations) was given to Florida Housing for monitoring.

No funding was appropriated for the Farmworker Housing Recovery Program (recommended at \$20 million), the Special Housing Assistance and Development Program (recommended at \$20.5 million), nor for Training and Technical Assistance (recommended at \$400,000).

HOUSING PROGRAM FUNDING— \$192.9 MILLION

The legislature appropriated the same level of funding for SHIP, Florida Housing Programs (including SAIL, PLP,

HAP, and Catalyst Training and Technical Assistance), Homeless Programs, and other ongoing programs. See Table 2 for details. “However, the Governor vetoed \$500,000 for the Low Income Emergency Home Repair Program with the Department of Community Affairs. This program funds emergency repairs for very low and low income homeowners, most often the elderly. The Governor vetoed a \$2 million appropriation for that program last year.”

CAP ON DISTRIBUTIONS OF DOC STAMPS TO HOUSING TRUST FUNDS—\$243 MILLION WITH DELAY UNTIL FY07-08

The session began with a proposal by the governor’s office to permanently cap distributions of doc stamp revenues to the Housing Trust Funds at \$193 million, with no annual increase for population growth or cost, effective July 1, 2006. The \$193 million was described as the “historical expectation” for funding, when in fact the historical expectation is 20 cents of doc stamp revenues, whatever dollar amount that may be.


In fact, \$193 million was the level of doc stamp transfers to the Housing Trust Funds in FY00-01; since that time the cost of an existing home has increased by over 71 percent while incomes have risen less than 10 percent. The need for funding has increased dramatically, as families that needed no assistance five years ago now need significant help to buy the same home they could have bought then with no assistance from state government, and working families who then needed only small downpayment assistance, now need subsidy in the tens of thousands of dollars.

The Workforce Housing Coalition was formed to educate legislators on the need for housing funding at higher levels, and to advocate for a cap (if one was to be enacted) at a level that reflected current housing costs, and which had an annual increase for both population and housing cost. The Coalition pushed for a cap at a level of \$331 million—reflecting the 71 percent increase in the cost of the median existing home in Florida between 2000 and 2004.

The House passed HB 1889, with a permanent cap at \$193 million (no increases for population or cost), effective July 1, 2006. Rep. Nancy Detert (R-Venice) offered an amendment that would have raised the cap to \$331 million, with annual increases for both population and housing cost; however, her amendment failed 71-43.

Continued on page 6

TABLE 1

 COUNTIES ELIGIBLE FOR HURRICANE FUNDING	Hurricane Housing Recovery Program Projected Allocation by County	Supplemental Funds for Extremely Low Income Households Projected Allocation	Supplemental Funds for Community Collaboration Projected Allocation
Bradford	\$378,475	\$75,695	\$50,463
Brevard	\$14,673,648	\$2,934,728	\$1,956,486
Charlotte	\$14,339,973	\$2,867,995	\$1,911,996
DeSoto	\$8,147,644	\$1,629,529	\$1,086,353
Dixie	\$451,839	\$90,368	\$60,245
Escambia	\$17,862,236	\$3,572,447	\$2,381,632
Glades	\$382,944	\$76,589	\$51,059
Hardee	\$5,924,895	\$1,184,979	\$789,986
Hendry	\$487,199	\$97,440	\$64,960
Highlands	\$2,326,849	\$465,370	\$310,247
Indian River	\$10,922,421	\$2,184,484	\$1,456,323
Lake	\$773,192	\$154,638	\$103,092
Lee	\$2,502,896	\$500,579	\$333,719
Levy	\$383,163	\$76,632	\$51,088
Marion	\$1,045,924	\$209,185	\$139,457
Martin	\$6,605,068	\$1,321,014	\$880,676
Okaloosa	\$1,004,135	\$200,827	\$133,885
Okeechobee	\$5,380,098	\$1,076,020	\$717,346
Orange	\$4,393,483	\$878,697	\$585,798
Osceola	\$3,986,312	\$797,262	\$531,508
Palm Beach	\$6,401,838	\$1,280,368	\$853,578
Polk	\$13,284,043	\$2,656,809	\$1,771,206
Putnam	\$789,079	\$157,816	\$105,211
Santa Rosa	\$10,930,493	\$2,186,099	\$1,457,399
Seminole	\$1,649,821	\$329,964	\$219,976
St. Lucie	\$16,417,481	\$3,283,496	\$2,188,997
Sumter	\$434,729	\$86,946	\$57,964
Volusia	\$3,730,122	\$746,024	\$497,350
TOTAL	\$155,610,000	\$31,122,000	\$20,748,000

Total Projected Allocation: \$207,480,000

The Senate took up its own version of the cap bill, SB 1110. In one committee, members voted to strip the cap on housing entirely. However, a cap on various trust funds was part of Senate President Lee's long-term budget management strategy, and a cap was going to be enacted—the only questions being how high, when, and with what annual increase. Sen. Ken Pruitt (R-Port St. Lucie) offered

amendments that increased the cap from the House's \$193 million to \$243 million, delayed the implementation until July 1, 2007, and included a modest annual increase related to increased doc stamp collections. Another part of the amendment by Sen. Pruitt is highly technical but very important. The \$243 million distributed to the Housing Trust Funds when the cap takes effect are treated as

TABLE 2

FY 2005-2006 BUDGET- SADOWSKI ACT FUNDING				
ADMINISTERING AGENCY	PROGRAM	TOTAL FUNDING	FUNDING FROM SADOWSKI	CHANGE IN SADOWSKI \$ FROM FY04-05
Florida Housing	SHIP	*\$130,886,000	*\$130,886,000	-0-
Florida Housing	SAIL HAP PLP HOME Match Guarantee Fund Catalyst Training Affordable Housing Study Commission	*\$55,906,623 <i>[Neither the appropriation act nor the budget backup has a breakout among these programs]</i>	*\$55,906,623	-0-
Florida Housing	Hurricane Housing Recovery Program <i>(Grants to Local Governments)</i>	\$207,480,000	\$207,480,000	+\$207,480,000
Florida Housing	Hurricane Rental Recovery Loan Program	\$42,000,000	\$42,000,000	+\$42,000,000
Florida Housing	Hurricane Program Monitoring	\$520,000	\$520,000	+\$520,000
Florida Housing	Housing Data Clearinghouse	\$251,725 <i>[50% from SHIP and 50% from Florida Housing's above listed appropriations]</i>	\$ 251,725	N.A.
Florida Housing	SHIP Monitoring	\$200,000	\$200,000	-0-
Florida Housing	Program Administration	N.A.	-0-	-0-
DCA	Low Income Emergency Home Repair	**\$500,000	-0-	N.A.
Department of Children and Family Services	Homeless Emergency Shelter Grants	\$5,840,050	\$900,000	-0-
Department of Children and Family Services	Homeless Housing Assistance Grants	\$5,000,000	\$5,000,000	-0-
TOTAL		\$448,332,673 <i>(\$447,832,673 after veto)</i>	\$442,892,623	+\$250,000,000

**Less Clearinghouse funding **Vetoed by Governor*

The Community Contribution Tax Credit Program was increased to \$12 million annually, up from \$10 million. The program provides tax credits to businesses that make donations to sponsors of various developments, with an emphasis on homeownership for low-and very low-income families. The Front Porch Florida initiative received \$3,180,332 of General Revenue appropriations of which \$180,322 is for DCA administration. The balance of Front Porch monies is used to fund liaisons in each community, and a group of grants programs. Additionally, Florida Housing received directly from the federal government HOME funding of over \$23.11 million and American Dream Downpayment funding of over \$705,000, neither of which is part of the Appropriation Act.

“recurring” revenues—meaning that the entire amount would be appropriated in a continuation budget. HB 1889 was amended to include Sen. Pruitt’s improvements, passed the Senate, and was returned to the House where the amended version was passed on the last day of the session.

THE REAL SCOOP ON THE CAP:

As advocates, we would love to continue a system with no cap, and with the full 20 cents (over \$400 million each year) of doc stamps dedicated to the Housing Trust Funds appropriated each year. However, in the real world the choice was between a \$193 million cap (proposed by the Governor and passed by the House), or the Senate/Senator Pruitt’s amendment: a \$243 million cap, delayed until 2007, with an annual increase formula (that can be modified in the future), and important technical language that would help translate a \$243 million cap into at least \$243 million of appropriations (\$50 million more than the appropriation for recurring programs over the last two years and the coming year). A summary of where we have gone in the past three years:

- In 2003, attempts were made by the Governor and House to eliminate the dedication of doc stamp revenues to the Housing Trust Funds, a move that would have gutted funding forever. The legislation was defeated.
- In 2004, the Housing Trust Funds had to be reauthorized by law, or they would have gone out of existence. The House and Senate unanimously passed the reauthorization legislation, and the Governor signed the bills into law.
- In 2005, the Governor and House moved to cap future distributions of doc stamp revenues to the Housing Trust Funds at \$193 million, with no mechanism for annual increases. The final bill that passed delayed the cap for two years, set it at \$243 million, and included a mechanism for annual increases.

COMMUNITY CONTRIBUTION TAX CREDIT—INCREASED TO \$12 MILLION FROM \$10 MILLION

SB 202 increased the Community Contribution Tax Credit by \$2 million, for a total of \$12 million annually. The tax credit is available to businesses and persons who make donations to certain low-income housing and community development projects. In addition to the increase in the credit, the program was extended until 2015, and revises the process by which the credits are allocated (including preference for homeownership).

PUBLIC HOUSING AUTHORITIES— GRANTED MORE FLEXIBILITY

SB 334 amended the statute that governs public housing authorities to grant more flexibility to PHA’s to create for-profit and not-for-profit subsidiaries, to enter into public-private partnerships, and to engage in mixed income financed developments.

GROWTH MANAGEMENT BILL— AFFORDABLE HOUSING GIVEN “SMALL SCALE AMENDMENT” STATUS; HOUSING ADVOCATE TO SERVE ON IMPACT FEE TASK FORCE

SB 360, the major growth management bill of the 2005 Session, impacts housing by granting the favorable “small scale amendment” status to tax exempt bond and tax credit developments, and by inclusion of an affordable housing advocate on the newly created Florida Impact Fee Review Task Force.

- Local government comprehensive plan amendments are generally limited to two times per year, except for “small scale amendments,” generally those of less than 10 acres. SB 360 clarifies that the limitation on density for small scale amendments (which are generally limited to a density of 10 units or less per acre or no more than the density allowed in the existing future land use category) does not apply to tax exempt bond and tax credit affordable housing developments. In other words, an affordable housing development can qualify for the beneficial small scale amendment process even though the density requested may exceed that which is generally permitted for a small scale amendment.
- SB 360 creates the Florida Impact Fee Review Task Force, which will have 15 members to be appointed by August 1, 2005, including two appointed by the Governor. One of those gubernatorial appointments will be “an affordable housing advocate who shall have no current or past direct relationship to local government, school boards, or the development or homebuilding industries.” The Task Force is charged with making a comprehensive report on the current state of impact fees including “methods used by local governments to ameliorate the effect of impact fee costs on affordable housing.” The Task Force report is due to the Governor, the Senate President, and Speaker of the House by February 1, 2006.





The Florida Community Land Trust Institute

While Florida's land values continue to climb, and as communities grapple with the complex issues of sustainable affordability, local governments and their nonprofit partners are examining alternative models for addressing the long term needs of residents least served by the prevailing market. A community land trust can benefit low-income families by providing access to affordable housing in high cost, service-industry dependent areas, while keeping housing affordable for future residents. Just as importantly, the CLT model can be used to capture the value of public investment for long-term community benefit.

WHAT IS A COMMUNITY LAND TRUST?

A community land trust refers to the vehicle of separating land from building (house) for the purpose of transferring title to the house without selling the land. It also denotes the nonprofit organization that holds title to the land and manages the ground leases on community land trust properties.









Homeownership becomes more affordable because the transfer of

title to the homeowner does not include a fee interest in the land; the sales price is based on the value of the improvements, without the value of the land. The land is owned by a 501(c)(3) corporation which provides a 99 year ground lease to the homeowner.

The ground lease has a resale provision which ensures the property will be affordable in perpetuity. The home must be sold to an income eligible buyer at an affordable price. The resale provision will typically provide a reasonable return to the homeowner but the appreciation may be far less than standard market appreciation. The resale provision will also typically provide a right of first refusal in favor of the CLT.

From the standpoint of the buyer, the CLT home provides homeownership in a market where the alternative is to rent or move away. From the standpoint of the local government, society, funders providing subsidy, and affordable housing advocates in general, the CLT provides a way of creating permanent housing stock with a single subsidy.

THE FLORIDA COMMUNITY LAND TRUST INSTITUTE PROVIDES ASSISTANCE WITH:

-  Assessing whether a community land trust is appropriate for your community and, if so, which model makes the most sense for your community
-  Understanding the terms of the ground lease and options for resale provisions
-  Start up for the nonprofit community land trust
-  Capacity building for the nonprofit community land trust
-  Homebuyer counseling for community land trust purchasers
-  Internal operations and marketing for the community land trust
-  Legal questions such as title and real property tax issues
-  All manner of real property development and financing issues

The Florida Community Land Trust Institute is a collaboration between two statewide 501(c)(3) organizations, 1000 Friends of Florida and the Florida Housing Coalition. The Florida CLT Institute is headed by Jaimie Ross, Attorney at Law, and Affordable Housing Director at 1000 Friends of Florida, a statewide nonprofit growth management organization. The training and technical assistance team is comprised of the staff of the Florida Housing Coalition, headed by Senior Technical Assistance Providers, Wight Greger and Stan Fitterman. For more information, call the Florida Housing Coalition at 850/878-4219, or email jaimieross@aol.com.

The CLT Model: *Continued from page 1*

the creation of permanently affordable housing. Like a conservation land trust, a CLT acquires land with the intention of holding it in perpetuity. A central feature of the model is a dual ownership structure whereby the CLT owns the land, but individuals, public or private organizations own the buildings located on the land. Through long-term, renewable ground leases, each party's ownership interest in the land is protected. The CLT retains the ability to repurchase any improvement on the land through a resale formula written into the lease, limiting resale value to maintain affordability. The lease also enables the CLT to impose further restrictions which maintain housing quality and neighborhood stability—such as requiring that homes be owner-occupied, preventing absentee landlordism. The ground lease is equally protective of the individual homebuyer's interests, providing long-term security, while at the same time providing an opportunity to build equity and benefit from a portion (typically 25 percent) of the appreciation on the home, should property values increase.

By removing the cost of the land from the home price and bringing further cost reductions through government-provided affordable housing subsidies, the CLT brings homeownership within the reach of lower-income families (CLTs generally seek to serve families earning less than 80 percent of area median income). The interests of the individual homebuyer are balanced with the desire to maintain a permanent stock of affordable housing for future families in need. The homebuyer gains the opportunity to earn equity through monthly mortgage payments, rather than building the equity of an absentee landlord through rental payments. However, rather than gaining a one-time windfall should the home value appreciate substantially, the seller forgoes this full capital gain in order to retain affordability for the next CLT homebuyer. The CLT's long-term interest in the land and property assures that this balance of interests is maintained and community wealth is retained. The value of public subsidies used to develop the affordable housing are permanently tied to the housing, thus recycling subsidy dollars from owner to owner, assuring long-term affordability and community benefit.

The governance structure of the CLT is an important aspect of this stewardship. The classic CLT structure has a community-based membership open to all adult residents within its defined geographic region—often a neighborhood, city or county. The CLT is governed by an elected, tri-partite board that shares governance equally among leaseholders residing on CLT-owned land; nearby residents who do not live on CLT-owned land; and public officials, local funders, nonprofit professionals and others representing the public interest who

bring to the board essential skills and abilities needed for effective nonprofit administration.

THE DUDLEY STREET EXPERIENCE

I first became aware of the Community Land Trust model during my tenure as the Director of Boston's Dudley Street Neighborhood Initiative (DSNI). This initiative grew out of the community's concerns about a new Redevelopment Area plan which was being brought forth supposedly to raise the quality of life for the residents, through improvements such as housing, open space, recreation and cultural institutions. When this planning process became public, the community came out in large numbers to voice its opinion as to what the planning process ought to be, and why a method had to be imposed that would assure the community's input in all pertinent planning decisions and protect current residents' ability to enjoy the improvements into the future.

The majority of residents in the Dudley area were low-income, and many of them remembered previous redevelopment processes in the West End and South End of Boston, which had resulted in their displacement due to gentrification. The plans' promise of improvements to these neighborhoods was not realized by these residents, who were gentrified out due to rising housing costs and limited affordable rental housing. The Dudley area residents did not want to see this result repeated yet again, insisting on a process whereby they could participate in designing the community plan and improvements. At the heart of their concerns was the desire to promote homeownership opportunities for the lower-income residents of the neighborhood.

Through a series of policy firsts, DSNI became the first community nonprofit organization in the country to be awarded eminent domain powers over vacant land in a 1.3 square mile area of the city of Boston. Through a seldom-used statute on the books in Massachusetts known as "special study status," the community plan became the zoning plan for the area. Having received eminent domain rights over 30 acres of land, DSNI sought a mechanism to assure permanent affordability and discovered the Community Land Trust model. We invited the Institute for Community Economics, the national intermediary for CLTs, to assist us with the process.

What we learned was that the CLT did much more than provide a mechanism to hold the land. It provided a means to stabilize lives and the community through homeownership. As is the case for the majority of the nation's lower-income inner-city residents, the families of the Dudley Street neighborhood had little or no control over their own housing—

the most fundamental aspect of household security. With no opportunity to own their own homes, they were forced to live in substandard absentee-owned rental housing, subject to displacement when and if rents increased beyond their means. In addition to the stability of homeownership, Dudley area residents sought to take control of the neighborhood outside their windows—to deal with abandoned property, to stop illegal dumping, to stop providing havens for drug dealers and other criminal activity.

Dudley Street has become a renowned example of the power of truly participatory community-building for the long term, which addresses the fundamental policies and practices that have caused poverty and decline in cities across the country. Through the community-controlled land trust, the residents were able to create a vibrant multicultural community, developing hundreds of affordable homes and providing an opportunity for residents to personally benefit from the community revitalization they themselves planned. The land trust, with its ground lease and resale formula, has been proven to empower people by providing an opportunity for homeownership and equity generation that is normally out of reach for lower-income, largely minority residents.

THE RACIAL WEALTH GAP

In his highly acclaimed book, *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality*, Brandeis University sociologist Thomas Shapiro presents an extensive analysis of the wealth gap from a perspective of race and discrimination in America. His central argument is that family wealth/inherited assets are the key source of the wealth gap, as the black-white earnings gap due to income discrimination has narrowed considerably since the 1960s. As the primary asset for most families, housing is the most salient source of the wealth gap. Lacking the “transformative” asset of family wealth, African American families must rely on their income and personal savings to qualify for a home mortgage. In contrast to white families with a similar income level, who often benefit from their parents’ wealth through inheritance or other financial assistance when the time comes to buy their first homes, African American families do not have access to this “leg up.” They pay higher interest rates and incur additional costs for mortgage insurance, and as a result build less equity over time. With each successive generation this gap increases.

As schools and social services are tied to residence location, the wealth gap is effectively leading to ever greater racial segregation. The current way we fund and provide access to

services produces, in Shapiro’s words, a “privatized notion of citizenship in which communities, families and individuals try to capture or purchase resources and services for their own benefit rather than invest in an infrastructure that would help everyone.”

By creating shared stewardship of land and a mechanism for the wealth generated through housing appreciation to be shared from one lower-income family to another, the CLT offers an antidote for these interrelated problems. The land trust can, in effect, substitute for inherited wealth, and thus has the potential to address the racial wealth gap in this country. Examples like Dudley Street demonstrate the ability of the CLT to change the dynamics, to provide opportunity for all residents, to prevent displacement, gentrification and the associated racial segregation.

Faced with an administration that seems focused, more than any in recent memory, on increasing the wealth of the top few at the expense of the many, we have little choice but to find our own solutions and implement them. In my new role as Executive Director of the Institute for Community Economics, I hope to raise awareness about the potential for community land trusts to level the playing field, creating opportunities for people of color. Dudley Street is the quintessential melting pot, a laboratory where the CLT model has been tested and proven to provide opportunity across race lines.

I am particularly pleased to deliver the keynote address at the Florida Housing Coalition’s 2005 statewide annual conference in light of our partnership with the newly launched Florida Community Land Trust Institute. The efficacy of the model developed by ICE for CLTs depends upon the capacity of community based organizations and the support of local governments. I believe that when the CLT model is coupled with the professional training, technical assistance, and relationship building provided by the Florida Housing Coalition and its partners, the result will be CLTs successfully producing and preserving affordable housing throughout the state of Florida.



Gus Newport, gus@iceclt.org, is the newly appointed Executive Director of the Institute for Community Economics in Springfield, Mass. He is a former two-term (1979-86) Mayor of Berkeley, CA and Director of Boston’s Dudley Street Neighborhood Initiative. He has served on the faculty of University of California-Santa Cruz, University Mass.-Boston, Yale and Portland St. University.



(left) The green home standard of the Florida Green Building Coalition provides a framework that guides the construction of Alys Beach homes in terms of such issues as durability and energy-efficiency. (below) Casa Verde, located in the WCI Community of Venetian Golf and River Club in Venice Fla., is the house with the highest green score in the state.

GREEN BUILDING

BY ERIC MARTIN AND TEI KUCHARSKI

The latest collaboration in building to promote conservation has been the coupling of “green” building with energy efficient building. Housing developments in Florida are promoting sustainable communities with conservation as the long-term goal—conservation of resources, as well as energy. The benefits of sustainable building have far reaching implications.



eight nonprofit agencies, seven government agencies and four students. FGBC's mission is to “provide a statewide green building program with environmental and economic benefits”. To date the Coalition has certified over 150 homes built by over 30 different builders, and four land developments. Many more applications for certification are expected during the summer of 2005.

Helping our clients keep money in their pockets is one of the end results when we promote energy efficiency and sustainable building. To do this builders and developers alike need to pre-plan housing with conservation in mind. We know, the statements are cliché and often mistakenly connected with additional costs. However, upon examination of the words and coupling with sound business decisions, the statements can be put into action.



Green building has been gaining popularity across the country as well as in Florida. There are several housing developments around the State of Florida that are “going green,” such as Lakewood Ranch in Bradenton, Venetian in Venice, Verandah in Fort Myers, Alys Beach and East Bay in the Panhandle. The prices of these homes vary from approximately \$200,000 to the 6 million dollar range. Surprisingly enough, all economic incomes are interested in sustainable homes and are willing to pay a slight bit more.

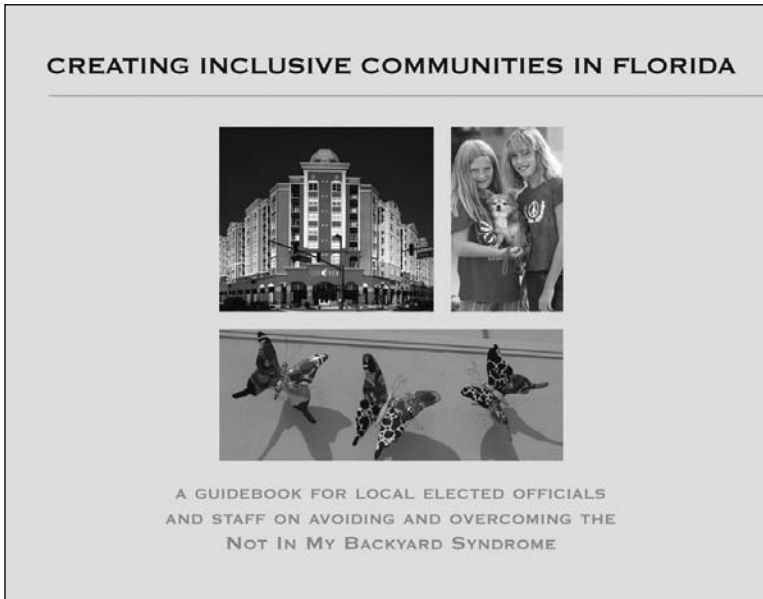
FLORIDA GREEN BUILDING COALITION

The Florida Green Building Coalition (FGBC) was founded in the year 2000 by a group of 10, including eight from the state university system, an architect and a green legal advocate. Since 2000 the Coalition has come a very long way. It has not only developed a green standard for homes, but has also developed green standards for commercial buildings, local governments and land developments. As a result of the work of the Coalition, interest, as well as membership has increased. Membership boasts 103 business members, 77 individuals,

ENTERPRISE GREEN COMMUNITIES™ INITIATIVE

One of the most interesting collaborations in the affordable housing sector is the partnering of the Florida Green Building Coalition, the Florida Community Loan Fund and the Enterprise Foundation to implement the Enterprise Green Communities™ Initiative in Florida. This national initiative, created by the Enterprise Foundation/Enterprise Social Investment Corporation in partnership with the

Continued on page 30



CREATING INCLUSIVE COMMUNITIES IN FLORIDA

A GUIDEBOOK FOR LOCAL ELECTED OFFICIALS AND STAFF ON AVOIDING AND OVERCOMING THE NOT IN MY BACKYARD SYNDROME

ABOUT THIS BOOK: *A Message to Local Elected Officials and Their Staff*

The Not In My Backyard Syndrome (NIMBYism) presents a particularly pernicious obstacle to producing affordable housing. Local elected officials are regularly barraged by the outcry of constituents' concerns over siting and permitting affordable housing. Consequences of NIMBYism include lengthy, hostile and unpleasant public proceedings, frustration of local comprehensive plan implementation, increased costs of development, property rights disputes, and inability to meet local housing needs. Local government elected officials are the linchpin in the NIMBY battle; it is essential that you get the information you need to avoid and overcome the negative impacts of NIMBYism.

The book also includes a comprehensive compilation of financial resources/subsidies for affordable housing in Florida with contact information and a bibliography of property value studies provided by the National Low Income Housing Coalition.

The Florida Housing Coalition, in conjunction with its primary subcontractor, 1000 Friends of Florida, has produced this guidebook pursuant to the Catalyst Program for Training and Technical Assistance, administered by the Florida Housing Finance Corporation and funded under the William E. Sadowski Affordable Housing Act.

This 100-page book is filled with color photos of affordable housing in Florida and covers the following topics:

CHAPTER ONE	What is Affordable Housing?
CHAPTER TWO	Who Lives in Affordable Housing?
CHAPTER THREE	Why Include Affordable Housing in Your Community?
CHAPTER FOUR	How is Affordable Housing Developed?
CHAPTER FIVE	How Should Neighbors be Included in the Process?
CHAPTER SIX	What Role does Design Play?
CHAPTER SEVEN	What is the Connection Between Affordable Housing and Fair Housing?
CHAPTER EIGHT	How can Local Government Avoid Legal Liability from NIMBYism?

This book is free to local governments.

Contact Sheila Freaney at the Florida Housing Finance Corporation (850) 488-4197; or sheila.freaney@floridahousing.org to obtain a copy.





Photo Courtesy of Miami Workers Center



Liberty Square Public Housing Project, Miami.

How Public Housing Agencies Are Coping With Dwindling Subsidies

BY COREY G. MATHEWS, CAE

The story of underfunded housing agencies is nothing new. There have never been sufficient resources to respond to the needs of families in this country who lack decent, safe, and sanitary housing. Yet now we find ourselves slipping further and further into the abyss as the U.S. Department of Housing and Urban Development and Congress fail to adequately fund subsidies for families being served.



changes would allow PHAs to be more entrepreneurial by forming for-profit and not-for-profit subsidiaries to develop new and self-sustaining affordable housing through public/private partnerships. Housing agencies gradually have come to realize there is no future in relying on federal subsidies. We will have to pursue mixed-income communities that are able to support themselves by servicing moderate-, low-, and extremely low-income families.

Housing agencies expect to be asked to do more with less, but now they are busy trying to do something with nothing. Despite these ongoing challenges, Florida's housing agencies continue to find innovative ways to serve as many families as possible, but that comes at a price. The most notable effort on this front has been their pursuit of changes to Chapter 421, Florida Statutes, recently passed by the Legislature and signed into law by the Governor. These

With regard to administrative expenses, PHAs long ago extracted the last of the fat, have since severed the meat, and are now into the bone. A study by the Shimberg Center for Affordable Housing conducted in 2004 noted that housing agency administrative expenses amounted to less than 11 percent of their revenue, better than most private companies. However, we have seen only further

strain put on administrative resources since then. Many agencies were able to live off their reserves for a while, but now are laying off much needed staff, reducing employee benefits, converting staff to part-time, re-bidding contracts regularly, and divesting equipment that is needed but costly to maintain.

When all other options for reducing expenses are exhausted, housing agencies have no choice except to turn to the programs they administer. There are essentially two choices: 1) divide the burden of insufficient subsidies across all residents; or 2) eliminate families from the program. The latter option is a last resort but, without serious changes, it is inevitable. In the interim, virtually every imaginable practice to implement the first option has already been pressed into service.

Some PHAs are freezing rents on housing choice vouchers. This practice prevents landlords from receiving increases at a time when the program is uncertain and market rents are soaring. The inevitable result is they will retreat from the program, as some already have.

Another option is reducing voucher payment standards, which means agencies will only pay a lower percentage of the area's fair market rent. On the other side of the equation, agencies sometimes have to establish or increase minimum rents, regardless of income. Many families find this prevents them from being able to use the voucher or having to settle for housing that meets only minimum standards.

Recent rule changes have allowed housing agencies to be more restrictive with portability (the ability to transfer vouchers from one community to another). In many cases, PHAs are refusing to accept "incoming ports" because they

do not have the resources to make the housing assistance payments while they wait on reimbursement from the issuing agency and they cannot afford to absorb the voucher. They also are forced to deny families the ability to "port out" to any area with a higher payment standard, unless the receiving agency is willing to absorb the voucher, because they cannot afford to pay the higher rent.



*Unfortunately, we
are well beyond
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a shrewd new idea
could make up
the difference.*

Finally, many PHAs are not reissuing vouchers when they are vacated because they cannot afford to fund them. Until recently, HUD aggressively encouraged housing agencies to use all available vouchers. Now, realizing the costs involved in full utilization, the department has changed direction in favor of allocating a certain budget to PHAs that will shoulder the burden of determining how many families get served. However, utilization rates and other standards are still part of the auditing standards applied to the agencies, resulting in decreasing scores through no fault of their own.

When I was asked to write this article, I think the hope was I would be able to shed light on new and innovative techniques employed by our members to manage the financial pressures from dwindling subsidies. Unfortunately, we are well beyond the days when deft management and a shrewd new idea could make up the difference. Our state's and our nation's housing agencies are now in dire straits, less and less able to accomplish their missions and, unless something drastically changes, they soon will be forced to serve only those families they can subsidize through their own means.



Corey G. Mathews, CAE, is the Executive Director of the Florida Association of Housing and Redevelopment Officials, a statewide nonprofit trade association serving Florida's 120 public housing agencies.

PHA ROUNDTABLE

September 14, 2005

Take advantage of a great opportunity to confer and network with your fellow public housing authority conference attendees on a wide range of challenging issues facing public housing authorities today. Make the most of this open roundtable discussion to share ideas, build consensus and collectively devise solutions that can benefit your authority and the residents you serve. Discussion topics include an array of pressing issues that the FHC has been reporting on such as proposed funding cuts for vital housing programs and more.



Housing Authorities and Advocates Must Join Together to Fight for Housing Assistance for the Most Needy

BY CHARLES ELSESSER

Corey Mathews' article aptly describes the severe funding dilemma facing Public Housing Authorities. At no time in their history have Public Housing Authorities faced a fiscal squeeze like they are now facing. The Housing Authorities built their public housing projects and offered their rental vouchers with an implicit promise that there would be funds available to maintain them. That promise is now being broken.



Mr. Mathews is also on point when he says that there is no good answer absent increased federal funding. Housing Authorities have exploited every efficiency and are now forced to alter their Section 8 voucher programs merely to stay afloat. All of the program changes mentioned by Mr. Mathews severely impact the ultimate beneficiaries of the Section 8 program and ultimately change the nature of the program itself. Freezing rents and lowering payment standards both dramatically reduce the rental stock available to voucher users. Voucher users find it much more difficult to locate a landlord that will accept the voucher and an apartment that is within the payment standard. When the voucher users are able to locate an apartment, it will increasingly be in the poorest and most segregated neighborhoods. Limiting portability will similarly prevent voucher users from moving to a neighborhood with decent schools and better job opportunities. It is incongruous that these federal budget decisions are forcing these changes on such a successful, bipartisan program, initiated by President Nixon with the specific intent of providing increasing housing choice to poor tenants and breaking their cycle of poverty.

In order to maintain the integrity of the program and its focus on extremely low income tenants, many Housing Authorities faced with these tough choices are sacrificing vouchers rather than further impacting the tenants. Miami-Dade County Housing Agency, one of the largest in the state, is anticipating not reissuing approximately 450 vouchers this year--almost 5 percent of its voucher stock. Jacksonville Housing Authority

is anticipating the retirement of a similar number--almost 10 percent of its stock. In order to accomplish this, they are not issuing new vouchers when a voucher turns over. Broward County Housing Authorities are doing likewise.

While not discussed by Mr. Mathews, HUD's attempts to change the substantive requirements of the Section 8 program confirm that these budget policies are simply attempts to accomplish by budgetary means what HUD has been unable, so far, to do legislatively. S. 771 and H.R. 1999, legislation written by HUD and recently introduced in both Houses of Congress, propose to eliminate the elements of the Section 8 program that are so central to the Housing Authorities' mission. S. 771 and H.R. 1999 would eliminate the targeting of the Section 8 vouchers to extremely low-income households, would decouple the calculation of rents from the tenant's income and would otherwise encourage the Housing Authorities' abandonment of their mission of serving the extremely low income. This federal message is not lost on local Housing Authorities. It is a tribute to the Housing Authorities' dedication to serving the most needy that they continue to struggle despite this message of continually decreasing resources and support.

Public Housing Authorities stand virtually alone among housing agencies in their central mission of serving the housing needs of the extremely low-income elderly, disabled and poor families. Many are struggling mightily to maintain that mission despite the lack of support from the federal government. It is important that all housing advocates join with these Housing Authorities in publicizing their dilemma and in fighting for sufficient resources so that they may continue to be focused on that mission.



Charles Elssesser is an attorney with Florida Legal Services, specializing in affordable housing litigation and policy advocacy. Chuck serves on the board of the National Low-Income Housing Coalition and the Advisory Council for the Florida Housing Coalition.



2005 CONFERENCE

SUCCESS STORIES

On the opening day of the Florida Housing Coalition's statewide annual conference each year, we highlight no more than three affordable housing success stories and initiatives from around the state. The following pages will give you a glimpse into two of the exemplary stories that will be more fully shared on September 12, 2005. The Art in Architecture initiative was featured in the Fall 2004 issue of the Housing News Network.



Preserving Affordable Housing: The Success Story of Villa Maria

When Roberto Datorre first saw the Villa Maria apartments in January of 2004 he knew it was the kind of affordable project that would be perfect to preserve. The 1924 building is a classic three-story Mediterranean structure with 34 one-bedroom and studio units located at 2800 Collins Avenue in Miami Beach. This beautiful historic property sits one block from the ocean in an urban setting among upscale condominiums. What the president of the Miami Beach Community Development Corporation (MBCDC) did not know was the battle he was about to encounter to acquire the site.

During the next 12 months Datorre and his band of preservationists used every means possible to keep Villa Maria from being demolished by the initial buyer of the property who planned to construct a six-story luxury condominium complex. Along the way he gained political support from the Miami Beach City Commission, its Historic Preservation Board and Housing Authority Commission, as well as the Miami-Dade County Unsafe Structures Board to keep the wrecking ball off the building and set up the MBCDC to eventually purchase the property.



THE SPONSOR

Founded in 1981 by the Miami Design Preservation League, MBCDC encouraged the economic revitalization of the Art Deco District, the reinvestment of private capital with public funding and the resulting transformation of South Beach into a world-class tourist destination. The nonprofit organization works throughout Miami Beach to help rehabilitate affordable housing while working to preserve the extraordinary architecture found in many of the now distressed neighborhoods. MBCDC's success with other apartment projects in balancing historic preservation with the maintenance of affordable elderly housing provided the impetus to tackle Villa Maria.

MARKET FORCES VS. LOW-INCOME ELDERLY HOUSING

As Datorre universally states: "Rising property values make it difficult to maintain affordable housing" but in South Florida, and particularly Miami Beach, it is painfully acute. The market area of Miami Beach, a 10-mile long barrier island, holds a population of 87,933, of which over 28 percent is 55 years or older. Households that are 65 and older total in excess of 6,800 in the Miami Beach market area. The unprecedented revival of the South Beach submarket in the late 1980s has affected land values throughout Miami Beach. As real estate prices have dramatically risen for existing properties in the past decade, many commercial and residential buildings have either been rehabilitated or razed to make way for more expensive developments, especially condominiums. This market trend has swept north into the Villa Maria neighborhood in recent years and continues to reduce the number of low-income elderly units.

Unlike many properties for the elderly, Villa Maria is currently under a project-based Section 8 contract with the Housing and Urban Development (HUD) and the Miami Beach Housing Authority that is not scheduled to expire until 2012. Without the rent subsidies provided by the Section 8 program, the elderly tenants who occupy 100 percent of the units could not afford the increased housing costs. As many of these tenants have been living in Villa Maria for over 20 years, their ability to find alternative housing is nearly impossible. "When you live 23 years in the same place, you have an affection for it," said 102-year-old Maria Rodriquez, who has resided at the complex since 1982.

*The unprecedented
revival of the
South Beach
submarket in the
late 1980s has
affected land
values throughout
Miami Beach.*

CONDEMNATION BATTLE

About the time that MBCDC became interested in Villa Maria, the seller was reviewing an engineering report obtained by the initial purchaser stating that there was substantial deterioration in the building and that it should be condemned. Although this report cited some structural weakness that could be repaired by the owner, it was evidently clear that the expedient solution for both parties was demolition. If it was accepted by the city and county boards, Villa Maria would be demolished to make way for a six-story luxury condominium development. Without the funds or access to purchase the property, Datorre turned to the Florida Housing Coalition for assistance. Soon he began working with the

Legal Services of Greater Miami, Inc., as well as attorney Chuck Elsesser of Florida Legal Services, to build a case in support of saving Villa Maria.

The legal services lawyers successfully helped the tenants to oppose this condemnation plan. As part of their advocacy the attorneys participated in a July 2004 meeting between HUD and the owner, during which they convinced HUD not to approve the owner's request to cancel the Section 8 contract. The alternative plan laid out to HUD involved MBCDC purchasing Villa Maria so that it could be substantially rehabilitated and preserved as affordable for the tenants.

While HUD agreed to this preservation option, the owner and initial buyer pursued a hardball strategy with the City of Miami Beach's Building Department and the Miami-Dade County Unsafe Structures Board, whose approval was necessary before demolition could occur. Armed with another engineering report stating that the building met the definition of an unsafe structure, Villa Maria was posted by a Miami Beach building inspector on Aug. 30, 2004—officially commencing the County's Unsafe Structures Board process.

THE TENANT'S ROLE

After the City declared the building unsafe the attorneys appeared before the Unsafe Structures Board on behalf of the tenants to argue for additional time for MBCDC to purchase the property. Amid a lawsuit by the initial purchaser to enforce his contract and HUD determining that the building's condition was the owner's fault, a reprieve was granted by the County Board. From the tenants' perspective the additional time gave them hope despite all the threats of losing their

home. As if these uncertain legal proceedings were not a sufficient test of their resolve, the tenants were moved twice to temporary shelters and back again due to hurricane evacuation orders. As Datorre would state many times, “the tenants are the key to preserving Villa Maria.”

By this time MBCDC was able to secure HOME funding from the city of Miami Beach to assist with the purchase of Villa Maria in the event the initial purchaser was unable to close. An additional deferral of 30 days was granted by the county and by the end of December the initial purchaser had withdrawn its lawsuit and an amicable resolution for

transferring the property to MBCDC was negotiated with the owner. In fact, MBCDC was able to work out seller financing of Villa Maria for several years until the original owner is taken out with additional city, county and state funding. Once the majority of the financing is in place, a temporary relocation plan will be implemented for the tenants to allow the rehabilitation of the building to be completed over the next 18 months. This time the move will not be such a surprise and will provide a safer shelter at the right price until they can move back to their rehabilitated historic home.



Revitalizing A Winter Park Neighborhood: The Success Story of Hannibal Square Community Land Trust



In 1990 the City Commission of the City of Winter Park determined that the public, health, safety and general welfare required the implementation of an Affordable Housing Program in the City of Winter Park. To fund this effort, the City implemented a linkage fee program, assessing a modest one-time fee at the time of permitting for all proposed commercial and residential developments. Fees collected are deposited into the Affordable Housing Trust Fund to further affordable housing and community development activities.












Since 1994, the Affordable Housing Program fee has generated \$1,230,075 for the city’s affordable housing development initiatives, which include developing 40 affordable single-family homes and 22 units of affordable rental housing. The city was able to assemble the financing and forge the partnerships necessary to provide these homes. Among those partners are the Habitat for Humanity, Orlando Neighborhood Improvement Corporation, the Orange County Housing Finance Authority, Florida Community Partners, Florida Community Capital Corporation, the Orange County Housing and Community

Development Department and the Winter Park Housing Authority.

In addition to providing the financing for the construction of the new homes, city staff and neighborhood residents developed architectural guidelines for the project, and worked with the Art in Architecture team (consisting of local architectural firms committed to traditional neighborhood design) to further refine the housing design. These guidelines were ultimately adopted into the city’s land development code.

The Canton Park Redevelopment Committee was established by the Community Redevelopment Agency for the purpose of deciding how best to develop a city-owned property and to explore mechanisms for fostering affordable homeownership opportunities for current and former residents of this westside Winter Park neighborhood. With extensive input from area residents, and with the support of the city of Winter Park, the committee decided to establish the Hannibal Square Community Land Trust and to develop 10 high-quality, for sale homes to be offered to low and moderate income buyers.

Hannibal Square Community Land Trust Partners include:

-  **Art in Architecture**, (*foundation established by the Orlando Regional Realtors Association*)
-  **Central Florida Chapter of the American Institute of Architects**
-  **City of Winter Park**
-  **Fannie Mae Community Partnership Office of Central Florida**
-  **Florida Housing Finance Corporation**
-  **HANDS of Central Florida**
-  **Orange County Division of Housing and Community Development**
-  **Rollins College MBA Program**
-  **SunTrust Community Development**

The Hannibal Square Community Land Trust has played an integral part of this neighborhood revitalization effort. In addition to working closely with all aspects of the design, its Board and Executive Director have conducted extensive outreach into the west Winter Park neighborhood in order to engage residents in the revitalization strategy. The CLT has also developed an application selection process and is working diligently with potential homeowners to ready them for homeownership. The City of Winter Park has committed general revenue to fund operating expenses during the CLT's start-up phase.

The Florida Housing Coalition has been providing assistance with financing to the partners involved with the community land trust and organizational capacity building assistance to the staff and Board of the Hannibal Square CLT. When the City and its lending partners found that some of the Florida Housing Finance Corporation programs would not accommodate the community land trust model, Coalition staff drafted recommendations for administrative rule revisions which were recently approved by the FHFC, now paving the way for CLT homebuyers in Florida to access HOME and other Homeownership Loan Program monies from the FHFC.

Hannibal Square's Executive Director, Bedilia Campbell, believes that the Community Land Trust model is ideal for this neighborhood. "I believe that people want to be a part of something, and to provide for each other. It's all about relationship building," she enthuses.



INTERVIEW WITH BEDILIA CAMPBELL



Q: How did you become interested in the CLT model?

A: I became interested in the concept when I was looking for a home in Winter Park and wanted to live in a place where people were not just neighbors, they looked after each other. I had heard that there was some interest in starting this type of organization, and researched it and attended meetings of area residents. I liked the idea of empowerment borne from a community's willingness to examine a new way of doing things.

Q: Have there been many challenges to implementing this community's vision through the formation of the CLT?

A: There have been some, mostly from people who are fearful of what they do not understand. The nay-sayers try to pull you off course, away from your goals. They told us that it couldn't be done. But those challenges helped us to grow and made our community stronger.

Q: What advice would you give to communities who are looking at starting a CLT?

A: Whatever a community does for self improvement, it should be in collaboration with all types of people, where all groups of interested persons can come together to agree on a common goal. To be successful, you should organize the community around the plan, and when you disagree, embrace that disagreement as a way to look at things differently.

Bedilia Campbell is Executive Director of Hannibal Square CLT. Bedilia has a strong background in community organizing and is a long-time Florida resident. Originally from Costa Rica, Bedilia received her Bachelor's degree in Communications from the University of Miami. Bedilia resides with her sons Omari and Jabriel in Winter Park.



Affordable Housing Study Commission Examines Preservation Issues

BY NANCY MULLER

Early in 2005 Florida's Affordable Housing Study Commission took up a comprehensive review of preservation of affordable rental housing. In 2001 Florida Housing Coalition's Melanie Greene began to educate Florida's affordable housing community about preservation. As she explained, the affordable housing stock throughout the nation is aging, and affordability agreements on thousands of units are ending. When the Commission examined the issue of serving extremely low income households last year, it found that many of the nation's oldest units with expiring federal subsidies serve this particular population.



- Demand in hot markets driving prices up, promoting conversion of modestly priced market rate rentals into for-sale condominiums and creating land scarcities;
- Deferred maintenance, especially in weak markets, running properties down;
- Aging property owners who have no easy way to move out of their transactions;
- Capital, which has disappeared out of properties, leaving them without the ability to leverage funding for rehabilitation;
- The American perception that new is better than re-used or rehabilitation;
- Competition between funding for new construction and rehabilitation; and
- The disappearance of federal funding except for FHA insurance and, for the moment, year-to-year rental subsidies.

In addition to older HUD and Rural Development properties, rental units financed through Florida's own programs are now aging and, in some cases, have expiring affordability periods. While 70 percent of the stock financed by Florida Housing Finance Corporation is under ten years old, 20,000 units are over 15 years old and probably in need of some level of rehabilitation. Federally subsidized units are generally older. All of these units have varying affordability periods, some tied to their loan terms, and some, as in the case of many units funded through HUD programs, with project-based rental subsidies that are congressionally appropriated year to year.

Along with expiring affordability periods, the Commission has identified additional preservation pressures:

States are being left to determine how they will manage the lion's share of preserving existing units while also continuing to fund construction of new units to meet population growth. Over the next year the Commission will develop comprehensive recommendations on new financing tools and how to build capacity across the affordable housing delivery system to handle preservation transactions.



Nancy Muller is the Policy Director at Florida Housing Finance Corporation, which staffs the Affordable Housing Study Commission. Previously at the Florida Department of Community Affairs, she served as Staff Director of the Commission.

AFFORDABLE HOUSING STUDY COMMISSION STAKEHOLDERS MEETING


September 14, 2005

The AHSC is a 21-member body that studies and makes recommendations on public policy changes to the Governor and Legislature to promote the production, preservation and maintenance of decent affordable housing in Florida. This event gives you an opportunity to learn about the current work of the Commission, and to assist the Commission, its staff, and the administrators by sharing your priorities and ideas. The Commission's 2005 work topic is **preservation**, so you won't want to miss this discussion. Breakfast is included and open to all conference attendees.



Preserving Mobile Home Parks: Don't Forget “Who Brought You To The Dance”

BY JUSTIN JOSEPH

 Years ago when Florida was developing its tourism trade, many people came to visit in those long silver, hot dog-looking trailers. Some decided to congregate for longer periods of time, resulting in the birth of “trailer parks”. From those trailer parks, different mobile home communities developed when the homes were never transported back once placed on the land. They became winter homes for northern residents or vacation homes for people who lived elsewhere. Eventually, that style of living became increasingly popular and affordable for more and more people. The parks began to spring up in areas that were rural in nature, such as orange groves and desolate areas, where the land was relatively inexpensive, and open to these communities. After a while, businesses were attracted to those areas, and a support system for the people who lived in them began to develop. Throughout the years the residents of these communities have spent their tax dollars in those communities, have sustained businesses, have been involved in promoting the areas in which they live, and have



been influential in the development of areas around their parks. The parks served as a tax basis for growing and emerging cities and were, in many cases, the beginning communities that developed into the larger urban areas we see today throughout Florida.

These very same mobile home parks that served as a catalyst for their communities are now in danger of extinction, largely due to the highly desirable locations that they were so instrumental in shaping. Everywhere you look in Florida, mobile home parks are being threatened with land use changes. If a mobile home park is located in an aesthetically appealing area, the land on which it sits is being targeted for the placement of townhouses, condominiums, apartments, or residential neighborhoods. If a mobile home park is on a major artery with high traffic counts and visibility, the park is particularly attractive to commercial and retail developers for use as strip centers, shopping malls, office complexes, and other commercial businesses in need of large tracts of

land. In fact, the land has become so valuable that the “highest and best use” for the site is generally considered to be something other than a manufactured home community.



Chapter 723, Florida Statutes, provides the regulations that govern mobile home parks and the relationship between park owners and park residents. Within that chapter it states that a land use change of a mobile home park to some other type of zoning is a sufficient basis to evict all the residents of the park upon six months notice. There are, however, substantial protections for the residents in the form of a right of first refusal to purchase the park, provided there is a homeowner association, and a requirement that the local government make a determination that there are adequate alternative facilities for the relocation of the mobile home park residents. Unfortunately, in practice, these protections have thus far provided little success in preserving mobile home parks. Typically, when a mobile home park owner chooses to change the land use, the end result is that the owners residing in those parks either abandon their units and leave them there or title them over to the park owner as they are driven from the area receiving only a nominal amount of money from the Florida Mobile Home Relocation Corporation.



Sadly, many of those displaced from the mobile home parks are seniors and what might be called “super seniors”, having lived in these parks for the last 20, 30, or 40 years. This is their home, the only home they have, and the only one they can typically afford. In most cases, they do not encumber or request the local community organizations for assistance, because the communities in which they live

have internal resources and support systems, such as self-contained recreational facilities and social events. They have neighbors in their community who look out for each other, by providing meals, transportation, security, and all the things that the frail and elderly need when on their own, without having to ask for support or assistance from the government or the larger community.

It appears that many local governments have lost their conscience and loyalty to these citizens who created the communities for which these commissioners are now responsible. They forgot how the communities were developed; how the area businesses have been supported; how taxes

were raised; and the contributions that these people have made to local industries. They don't consider that when they close these mobile home parks it can take several years for the new residential community to develop, having a deleterious effect on the businesses that surround these communities. They don't consider the fact that many of the senior citizens that live in these mobile home parks are the ones that work at the local groceries and other stores, laboring for minimum wage. These senior citizens will be difficult to replace. The lack of concern for displacing a person after so many years, particularly in their golden years, shows a profound lack of compassion. In essence, it shows “they forgot who brought them to the dance.”



Justin G. Joseph is Practitioner Owner in the Law Office of Justin G. Joseph, in Tarpon Springs. He serves as Corporate and Legal counsel for Federation of Manufactured Home Owners of Florida, Inc., and authors a monthly Legal Question and Answer column for the FMO News, among other articles on mobile home issues, mediation, and mobile home park homeowners association matters.

PRESERVING MOBILE HOME PARKS

At the Florida Housing Coalition's statewide annual conference on September 13, we will have a two-part workshop on Preserving Mobile Home Parks which will include a discussion of enforcing the legal protections for preserving mobile home parks for the residents who live there as well as land use and financing strategies for resident control of mobile home parks. There are approximately 2,600 mobile home parks in Florida, providing affordable housing for an estimated 600,000 Floridians. We cannot afford to lose this affordable housing stock. *Come join the discussion.*



HOUSING PRESERVATION

SEPTEMBER 12-14 • OMNI ORLANDO RESORT at CHAMPIONSGATE

PRE-CONFERENCE SUNDAY, SEPTEMBER 11

EARLY REGISTRATION & EXPO SET-UP

Beat the Monday rush, stop by and pick up your name badges, conference bag and notebook. The Omni Orlando Resort is located a few minutes from the Disney gate and minutes from plenty of fun things to do, so come early and enjoy the weekend prior to the conference.



SUCCESS STORIES

A conference favorite, this year's Success Stories will highlight the Villa Maria senior housing development in Miami Beach and the collaboration among the Art in Architecture initiative, the City of Winter Park, and the Hannibal Square Community Land Trust.

PUBLIC POLICY SYMPOSIUM - PLENARY

PUBLIC POLICY PLENARY

For the past two decades the primary vehicle for affordable home ownership has been public investment in private development. A fairly small amount of trust fund subsidy has enabled Florida's lower paid workforce to obtain home ownership through down payment and closing cost assistance. For the most part, that subsidy is forgiven over five to ten years, or recaptured if the first time homebuyer

has sold the home soon after purchase. But what can local governments or non-profits do with that recaptured subsidy? They certainly can't use it to get another family into first-time homeownership when the same house now

DAY ONE

MONDAY, SEPTEMBER 12

CONTINENTAL BREAKFAST

OPENING PLENARY

WELCOME FROM MELVIN PHILPOT

STATE OF THE STATE OF HOUSING

- Thaddeus Cohen, Secretary of Department of Community Affairs
- Orlando Cabrera, Executive Director of the Florida Housing Finance Corporation



Melvin Philpot
*Chairperson,
FHC*



Thaddeus Cohen
*Secretary,
DCA*



Orlando Cabrera
*Executive Director,
FHFC*

costs 200 percent more than it did five years ago. The enormous escalation in real property prices over the last five years has left nonprofits, local governments, and financing authorities asking “should we be using public dollars to provide affordability for just one family?” Long-term or permanent affordability creates a permanent stock of affordable housing—a community asset. But while a home restricted in its resale is an asset for the community, it is not the wealth-building asset enjoyed by families without resale restrictions on their homes. The public policy panel will air these issues in a lively debate about permanent affordability pros and cons for homeownership and rental developments in Florida.

CONFERENCE RECEPTION

DAY TWO

TUESDAY, SEPTEMBER 13

CONTINENTAL BREAKFAST

BUS TOUR

City View is described as ‘The fusion of urban life and simplicity.’ Take this bus tour of City View and learn how the merging of mixed-use and mixed-income has turned into sure success and is the National Headquarters for a Fortune 500 company. Next we will venture to Winter Park to see how the City has helped a Community Land Trust triumph using creative financing and CRA. Included in the tour will be visits to prime examples of Art in Architecture initiatives in the city of Orlando and Winter Park.



HOUSING 101

An overview of public programs to subsidize housing cost is presented by the Deputies and department heads of our most important programs, including Federal Home Loan Bank of Atlanta, Housing Credits, SAIL, HOME Homeownership, HOME Rental, HAP, PLP, Multifamily and Single Family Bonds, and Small Cities CDBG. Lending programs that further improve housing affordability also will be addressed.

FORECLOSURE PREVENTION

For homebuyer education providers, homeownership counselors and all housing counselors, this workshop is designed to prepare you for educating homeowners and potential homebuyers about homeownership retention, foreclosure prevention, loan servicing and loss mitigation. National presenters share the lessons they have learned in an easy-to-understand format that you can share with your clients. Receive guidance on how to assess client loan documents and provide post purchase counseling. You will receive expert advice from these practitioners on early delinquency servicing requirements, loss mitigation program requirements and the foreclosure process. Learn the best methods for avoiding foreclosure by knowing the options available to your clients—refinancing, reinstatement, Deed in Lieu and legal recourse. This workshop will give you insights and practical advice for assisting your homeowners in taking control of the outcome of their financial situation.

PRESERVING HOUSING CREDIT PROJECTS

Housing Credit-financed affordable housing communities are approaching the ripe old age of 15 years. Since year 10 the Limited Partners are not receiving any more credits, they are anxious to leave the scene and go to the next great investment. You are a General Partner, Not-for-Profit Sponsor, or Local Government official interested in preserving affordability of housing in your community. What do you do? When do you start working on the next phase of these developments? What are the potential strategies for maintaining this valuable stock in your community? These and other issues will be discussed at this workshop.

PRESERVING AND PRODUCING ACCESSIBLE HOUSING: FAIR HOUSING AND ADA LAW

Federal law prohibits an otherwise qualified individual with a disability from being discriminated against in any program using federal assistance. State civil rights law further addresses the subject of housing for people with disabilities. The workshop presenters will discuss rehabilitation and new construction methods that offer a sensible and affordable means of complying with Fair Housing and ADA requirements. This training will also teach how to spot discrimination, respond to complaints, and make accessible design a regular part of your housing services.

PRESERVING MOBILE HOME PARKS

Noses may turn up at the mention of mobile home parks, but the fact is there are over 2,600 mobile home parks in Florida providing homes primarily for our elderly and very low income workforce. As real property values in Florida skyrocket, mobile home parks are rapidly lost as the park owners change the land use and sell the property for “higher and better” economic uses. The loss of mobile home parks is now exacerbated by the hurricanes and what land owners, developers, and local governments view as a financial opportunity in turning mobile home parks into land for upscale residential or commercial development. What can affordable housing advocates do to preserve mobile home parks? Learn about legal and financial strategies for preventing the loss of mobile home parks and preserving mobile home park land for the benefit of the mobile home park residents. This workshop will also include a conversation with key players about further work needed, and next steps to preserve mobile home parks in Florida for those in the legal, government, financing, and advocacy communities.

2005-2006 FUNDING CYCLES

The session will begin with a discussion on the lessons and outcomes of the 2005 rental cycle, and potential changes for the 2006 cycle. Florida Housing Finance Corporation staff will present their analysis, and the session will then move to a give-and-take discussion on both the 2005 and 2006 cycles. Affordable housing developers and advocates will have the opportunity for a candid exchange of views and ideas with key FHFC staff.

PRESERVING AFFORDABLE HOUSING IN GENTRIFYING AREAS

Florida’s urban communities are rapidly aging, creating opportunities for reinvestment unprecedented until recently. Creating opportunities for affordable housing in an environment rich in assets can be a challenge. This workshop will focus on cost considerations, feasibility analysis, and financing structures for preserving existing housing, including using public and private resources. Our expert practitioners will provide guidance and practical knowledge on this important aspect of preservation.

PRESERVING AFFORDABLE HOUSING WITH GREEN BUILDING

Presenters from the Florida Green Building Coalition and the Enterprise Foundation will discuss their current work to streamline implementation of the Green Communities

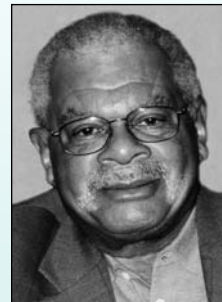
Initiative in the State of Florida. The Green Communities Initiative is a five-year, \$550 million initiative to build more than 8,500 environmentally healthy homes for low-income families. Created by the Enterprise Foundation in partnership with the Natural Resources Defense Council, Green Communities will transform the way America thinks about, designs, and builds affordable communities. The initiative provides grants, financing, tax-credit equity, and technical assistance to developers who meet Green Communities criteria for affordable housing that promotes health, conserves energy and natural resources, and provides easy access to jobs, schools, and services.

DAY TWO

TUESDAY, SEPTEMBER 13

KEYNOTE SPEAKER

Gus Newport is the Executive Director of the Institute for Community Economics (ICE); he joined the Institute for Community Economics (ICE) as its Executive Director in June 2004. Innovative leadership in community development and municipal government, and strategic vision for nonprofit capacity building are the constant denominators throughout his professional career, which includes two terms as the mayor of Berkeley, California. From 1988 to 1992, Mr. Newport served as the Executive Director of the Dudley Street Neighborhood Initiative in Boston. Under his leadership, this major neighborhood redevelopment project, now a national success model, distinguished itself from other community development projects in three key strategies: resident control and permanent affordability through use of the Community Land Trust; intense engagement of neighborhood residents in project plans and operation; and use of eminent domain authority. Acquiring eminent domain authority from the city of Boston was a first and allowed the project to acquire vacant and abandoned properties for active use in the community.





INNOVATIONS AND IDEAS FOR ASSISTING SPECIAL NEEDS POPULATIONS

This workshop will consider ideas for providing housing for people with disabilities, former prison inmates, and extremely low income (ELI) households in general. The Governor's Affordable Housing Study Commission has devoted its recent work to the housing needs of ELI households. A Commission member will share several of the recommendations outlined in the Commission's 2003/2004 report, focusing attention on the specific needs of people with disabilities, who often have extremely low-income levels. The training will also outline an innovative approach to financing affordable rental housing. Presenters will outline the use of an operating deficit reserve for two Florida multifamily projects currently in development, and will discuss their organization's work helping former prison inmates successfully transition back into the community.

DEVELOPING SINGLE FAMILY HOUSING FOR HOMEOWNERSHIP

Learn what is involved in developing single-family housing for homeownership with a step-by-step orientation, including what issues and challenges you should be aware of that could hold up your development process. Should you form a homeowner's association and what pitfalls you will run up against in the process. Learn where can you find funding and grants for your development.

PREDATORY LENDING

Nothing is sadder than a proud first-time homeowner or long-time elderly homeowner losing their home to foreclosure from predatory lending practices. Consumers are bombarded with offers to drain the equity from their home. This educational program provides information to homeowners to assist them in avoiding abusive lending practices, understanding their rights and responsibilities, knowing what local resources are available when a homeowner gets into financial trouble; and making good choices in equity borrowing.

RENTAL DEVELOPMENT PROCESS

Deal killers, funding cycles, program rules, changing politics, and Florida's unique development environment each can affect any housing development process. But what is the fundamental development process? For state and local housing officials, funders and developers, this workshop is designed to take you through the concept, pre-development, financing, construction, and occupancy

stages of housing development. In this workshop you will learn, not only the basics of sound development, but also how successful developers integrate multiple funding criteria, changing program rules, and challenging construction requirements into housing that meets local needs.

COMMUNITY LAND TRUST

The enormous gap between what land costs and what low and moderate income Floridians earn is leaving developers and local governments asking: How can we continue to meet the goal of homeownership? In this workshop we will explain the vehicle of a community land trust for providing homeownership and preserving that homeownership in perpetuity. We will address the details of lending and appraisal for community land trust properties, as well as legal issues around taxes and title. Participants will be introduced to the work of the Florida Community Land Trust Institute and the Florida Legal Manual for Community Land Trusts, presently underway by the Affordable Housing Committee of the Real Property and Probate Section of the Florida Bar.

PERSEVERING HOUSING FROM NATURAL DISASTERS

What a difference a year makes! The year 2004 will go down as one of the most costly and active years on record in this country in terms of natural disasters. And that does not include maintenance-related property losses, such as those from water damage. Do not be discouraged; there are organizations in the State of Florida who envision safe, strong and affordable homes to keep its citizens and their property safe from natural disasters. Affordable housing advocates will have a chance and an opportunity for a candid exchange of views and ideas with key people from these organizations.

ENERGY EFFICIENCY

A representative of the Florida Solar Energy Center, working with the U.S. Department of Energy on the Building America program, will discuss the need for improved construction techniques for manufactured homes to enhance their sustainability and energy efficiency. Hear ideas from this current project and general housing construction practices that are specific to Florida's hot and humid climate, including proper installation of House Wrap as a vapor barrier, application of flashing to prevent water intrusion around windows, and proper sizing for air conditioners.

GRANT OPPORTUNITIES FOR NON-PROFITS

This workshop will focus on looking for funding in the right places, including nontraditional and unusual educational, finance, health care, technology and telecommunication institutions and industries. You will learn how to be effective when approaching potential funders, as well as some key elements of proposal development. Donor recognition, reporting, and continued support will also be discussed.

MIGRANT FARMWORKER HOUSING

In the aftermath of the hurricanes, Florida Legal Services began working on a two-pronged approach to the perennial problem of inadequate housing for Florida's farmworkers. With the help of Design Corps, an affordable manufactured housing unit has been developed, specifically designed to meet the needs of the largely migrant harvest work force, on which Florida agriculture depends. The response to migrant farmworker housing needs also includes new models of funding involving partnerships between agricultural employers and non-profit organizations to reach this hard-to-serve population. In this workshop housing advocates, local governments, funders and anyone interested in farmworker housing will get a look at this demonstration project now underway with the assistance of the Florida Housing Finance Corporation.

DAY THREE

WEDNESDAY, SEPTEMBER 14

THE AFFORDABLE HOUSING STUDY COMMISSION STAKEHOLDERS BREAKFAST MEETING WITH SHIP AND PHA ADMINISTRATORS

This year the Affordable Housing Study Commission stakeholders meeting will take the form of a breakfast roundtable meeting prior to the SHIP and PHA roundtables. All conference attendees are invited to participate in the breakfast and the discussion. The AHSC is a 21-member body that studies and makes recommendations on public policy changes to the Governor and Legislature to promote the production, preservation and maintenance of decent affordable housing in Florida. This event gives you an opportunity to learn about the current work of the

Commission, and to assist the Commission, its staff, and the administrators by sharing your priorities and ideas. The Commission's 2005 work topic is **preservation**, so you won't want to miss this discussion.

SHIP ADMINISTRATORS ROUNDTABLE

This year we are pleased to offer the SHIP Breakfast Roundtable in conjunction with Affordable Housing Study Commission. As always we will provide an update on upcoming legislative issues, as well as hear from Florida Housing Finance Corporation staff. In addition, this year's Roundtable will include information on the hurricane funding authorized by the 2005 Florida Legislature. We will have discussions and updates on how our communities are rebuilding after the 2004 hurricane season and what mechanisms have been implemented toward storm mitigation. As always there will be roving microphones for input and questions.

PHA ADMINISTRATORS ROUNDTABLE

This year we are pleased to offer the PHA Breakfast Roundtable in conjunction with Affordable Housing Study Commission. Take advantage of a great opportunity to confer and network with your fellow public housing authority conference attendees on a wide range of challenging issues facing public housing authorities today. Make the most of this open roundtable discussion to share ideas, build consensus and collectively devise solutions that can benefit your housing authority and the residents you serve. Discussion topics include an array of pressing issues that the FHC has been reporting on, such as proposed funding cuts for vital housing programs and more.



**Florida Housing Coalition's
18th Annual Statewide Affordable Housing Conference**
September 12th through 14th, 2005
Omni Orlando Resort at ChampionsGate
1500 Masters Blvd. - Champions Gate, FL 33896 - (407) 390-6600



Frequently Asked SHIP & Hurricane Housing Recovery Questions

Q: *I know that many of Florida's counties will soon receive money from the new Hurricane Housing Recovery program. I have heard that this program is very similar to the SHIP program. In what specific ways is it the same? How does it differ from SHIP?*

A: The Florida Legislature recently created the Hurricane Housing Recovery (HHR) program based on recommendations from the Hurricane Housing Work Group that was chaired by Lt. Governor Toni Jennings. The Legislature has appropriated \$208 million of HHR funds for the 28 counties most severely affected by the Hurricanes according to FEMA data. This new funding is provided to assist with general housing recovery efforts. The program does not require households applying for assistance to document that their housing needs are a direct effect of the hurricanes, although a community receiving HHR funds may choose to prioritize assistance to such applicants.

The Hurricane Housing Work Group has recommended modeling the HHR program on many design aspects of the SHIP program, another state-funded housing program with a record of success. However, housing administrators are cautioned against simply regarding the HHR program as a supplemental SHIP appropriation to be spent on the current housing strategies in their communities' SHIP plans. HHR is a distinct program that requires a separate housing assistance plan and housing delivery goals chart, as well as separate tracking and annual reporting. Furthermore, considering that many communities will receive a very sizeable

allocation of funds--eight communities will each receive over \$10 million and another 14 communities will receive more than \$1 million--the HHR program offers an opportunity for housing strategies that may have never before been feasible.

While recognizing that HHR funds will likely be spent in a manner that is distinct from a community's ongoing SHIP program, it is notable how similar HHR rules and requirements are in comparison with SHIP. The programs share the same encumbrance and expenditure deadlines. Both programs are implemented in accordance with similar locally created housing assistance plans and housing delivery goals charts. The income eligibility of HHR applicants is calculated using the same income qualification procedures required by the SHIP program. The same general documentation must be assembled in the files of both SHIP and HHR applicants.

In several ways, however, HHR program requirements are different than SHIP. For example, each eligible community may request supplemental HHR funds that can only be expended to assist "extremely low income (ELI) households" with incomes below 30 percent of the area median income. HHR also includes a distinct provision related to rental housing. The local government will not be required to monitor a rental unit so long as no more than \$10,000 per unit (in contrast to \$3,000 per project for SHIP) has been provided to assist the unit, and the housing unit is located in a census block group in which more than 51 percent of the households have incomes at or below 80 percent of the area median income.

The HHR program outlines a different type of compliance with the requirements known as the "SHIP set-asides". A minimum of 65 percent of SHIP funds must be expended on homeownership activities. The separate HHR funding allocated for ELI households, for contrast, is entirely exempt from this homeownership set-aside requirement. Furthermore, a local entity may expend less than 65 percent of its base HHR allocation and supplemental community collaboration funds on homeownership activities if it provides information that justifies and supports the need for greater funding for a rental strategy. Each HHR jurisdiction must spend its HHR funding in compliance with the "income set-aside", with the exception of the supplemental ELI funds that may only assist extremely low income households. Finally, Section 4 of the HHR Rule states "with the exception of the income requirements and home ownership requirements, counties and eligible municipalities shall be allowed to apportion their funds across their housing strategies as dictated by local needs." This essentially exempts the HHR program from compliance with the "construction/rehabilitation set-aside" that reserves 75 percent of funds for new construction or rehabilitation activities. While this makes the program extremely flexible, it is anticipated that given the extensive damage caused by the storms, most communities will spend at least 75 percent of their funds on construction related activities.

In a very notable departure from SHIP requirements, HHR funds may be used to purchase, rehabilitate and relocate post-1994 manufactured homes. Even pre-1994 manufactured homes may be repaired or relocated on a case-by-case

Have you got 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 telephone line at (800) 677-4548.



Michael Chaney

basis. Another noteworthy distinction involves the HHR “supplemental community collaboration funds”. These funds are designed to offer communities a financial incentive for bringing together business interests, government, social service, civic and faith-based organizations to assist in recovery efforts. By contrast, SHIP encourages such partnerships but does not require collaboration nor offer any financial incentive for forming such partnerships.

Each eligible jurisdiction must submit an annual report for its HHR funds that is separate and distinct from its SHIP report. Although the HHR report form is almost identical to the SHIP report, it requires each jurisdiction to provide the names and addresses of HHR recipients. The amount of funds available for administrative expenses is also different. Up to 15 percent of HHR funds may be used for administration, in contrast to the 5-10 percent permitted by the SHIP program. It is important to remember that each jurisdiction must independently track the administrative expenses associated with implementing its SHIP and its HHR programs.

The Hurricane Housing Recovery program is brand new, with an implementation rule that is effective on July 1 when funds are made available. Staff members at the Florida Housing Finance Corporation and Florida Housing Coalition are still considering all the specifics of how the program will operate, considering that some aspects of the program are different than SHIP. If you have questions about how the HHR program will operate in your community, call the Florida Housing Coalition at (850) 878-4219.

Q: **Follow-up Question:** *So Hurricane Housing Recovery funds may be used on manufactured homes (also called mobile homes). What is the significance of the “post-1994” distinction? What’s the best way to tell if a manufactured home was constructed after 1994?*

A: In the aftermath of last summer’s hurricane season, research of housing damage concluded that manufactured homes built after 1994 had an impressive record of resisting the storms. They weathered the hurricanes with damage levels comparable to stick-built homes. July 13, 1994, is a significant date for manufactured homes. All manufactured homes built after this date are constructed to a significantly improved standard. Since 1976, all manufactured homes have been built to construction and safety standards established by the U.S. Department of Housing and Urban Development. After the destruction caused by Hurricane Andrew in 1992, however, HUD recognized the need to improve this standard. The most significant improvement addressed wind resistance. The southern portion of Florida was upgraded to a “Wind Zone 3” region, and the HUD standard dictated that new manufactured homes must be engineered and constructed to resist a much more powerful wind load.

With regards to the HHR program, the most important lesson about manufactured homes relates to determining when a specific home was constructed. You cannot easily

determine a mobile home’s construction date based on a visual inspection. The HUD standard is a “performance code”, unlike Florida’s prescriptive code. There are few standard and prescribed construction methods that may be inspected to easily determine if the home was constructed before or after July 1994. Instead, the many manufacturers of these units in Florida may each create a slightly different construction approach that must ultimately perform in accordance with the HUD standard.

An easy option for learning a home’s construction date may be available, however. Each manufactured home must contain a “data plate” located in a closet or inside a kitchen cabinet door when it is constructed and sold. The data plate is an 8.5 by 11-inch piece of paper that includes the construction date and other information, including a list of appliances, roof loading specifications, the wind zone that the home was built to, and the unit’s serial number. After the home is initially sold, however, there is no guarantee that the occupants will not remove the data plate. If it is absent, you must consult the manufactured home’s title to learn the year of its construction.

Many housing administrators have no previous experience working with manufactured homes and may have additional questions. More information on this topic is available by contacting the Florida Department of Motor Vehicle’s Mobile Home Bureau in Tallahassee at (850) 413-7600.



Green: Continued from page 11

(Right) The study, which features reclaimed river logs as the bookcase.

(Below) The learning lab at Casa Verde, which demonstrates the various green features in the house.



economic benefits. Developing a mechanism that includes the FGBC Green Home Standard would build upon a program that is already familiar to many Florida builder/developers, as well as an infrastructure to provide training, certification, and technical assistance. It also enables projects to benefit

Natural Resources Defense Council, is intended to transform the way America thinks about, designs, and builds affordable communities. It stems from growing awareness about the links among buildings, health and evolving spatial needs, and calls for a commitment to green and adaptable affordable housing.

The initiative provides grants, financing, tax-credit equity, and technical assistance to developers who meet Green Communities™ criteria for affordable housing that promotes health, conserves energy and natural resources, and provides easy access to jobs, schools, and services. Since the program is national in scope, the criteria and principles of qualification were developed to generally apply to new and rehab affordable housing projects located anywhere in the U.S. However, with the assistance of the Florida Green Building Coalition, a streamlined approach is being developed for projects in Florida.

PARTNERSHIP TO CREATE SINGLE GREEN STANDARD

The Enterprise Foundation, Florida Community Loan Fund and the Florida Green Building Coalition are working together to merge the Green Communities™ criteria with the FGBC Green Home Standard, which has been available since 2001. The partnership seeks to create a single green standard for affordable communities, which fulfills the intent of both programs, and results in greater environmental and

from existing green incentives tied to the FGBC standard that are offered in Gainesville, Sarasota, and Miami-Dade. It is expected that other similar incentives tied to the FGBC Green Home Standard will continue to emerge throughout the state in the future.

Partnerships which are created for the greater good promoting healthy, sustainable and efficient communities are a win-win situation for the present and future generations to come. We should strive to leave a legacy that our grandchildren and their grandchildren can enjoy.

Should you wish to learn more about the Florida Green Building Coalition, the Enterprise Foundation or the Florida Community Loan Fund, please access the following links, www.floridagreenbuilding.org, www.fclf.org, or www.enterprisefoundation.org



Eric Martin is a Senior Research Engineer in the Buildings Research Division at the Florida Solar Energy Center. He serves as secretary of the Board of Directors for the Florida Green Building Coalition, and is a member of the Building America Industrialized Housing Partnership, sponsored by the US Department of Energy.

Tei Kucharski is the Program Director of the Energy Gauge Office of the Florida Solar Energy Center in Cocoa. She is a member of the Board of Directors for the Florida Housing Coalition.

Learn more about green building at the Florida Housing Coalition's annual conference. On September 13, representatives of the Florida Green Building Coalition and the Enterprise Foundation will discuss the current initiatives for "Going Green."



MEMBERSHIP APPLICATION

PARTNERS FOR BETTER HOUSING MEMBERSHIP

Partners for Better Housing Membership is for those who wish to support the work of the Florida Housing Coalition by making a tax deductible donation of \$500 or more. Partners for Better Housing members receive subscriptions to *Housing News Network*, free job vacancy posting service on the Coalition's web page and unlimited membership rates for registration at the conference. Partners at the Patron Level or higher receive one or more complimentary conference registrations (comp, indicated below). Partners also receive recognition at the conference, in all conference-related publications, the Coalition's Web page and in each quarterly issue of *Housing News Network*.

- | | | | |
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| <input type="checkbox"/> \$20,000 | Platinum Sponsor (20 comps) | <input type="checkbox"/> \$2,500 | Co-Sponsor (3 comps) |
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BASIC MEMBERSHIP

Basic membership is for those who wish to subscribe to *Housing News Network*, post job vacancy announcements free of charge on the Coalition's Web page and receive membership rate registrations at the annual conference. 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 and 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 annual meeting as designated below.

- | | |
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