



SPRING 2007

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HOUSING NEWS

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NETWORK



Housing Day Rally at the Capitol April, 11, 2007. DCA Secretary, Tom Pelham, emceed the Sadowski Coalition's call for repeal of the cap on the state and local housing trust funds. Speakers included the League of Cities, the Florida Chamber of Commerce, and the AARP, speaking on behalf of its three million members in Florida. Special thanks to the Florida Association of Realtors, and to the city of Orlando for bringing a busload of housing advocates to Tallahassee.

Legislative Wrap - Up: 2007

BY JAIMIE ROSS AND MARK HENDRICKSON

The number one priority for housing advocates during the 2007 legislative session was to prevent the cap on state and local housing trust funds from going into effect. Unfortunately, we never came close.

Speaker of the House, Marco Rubio, could not be engaged to discuss repeal, repeatedly deferring to the analysis of his staff budget director to explain that Florida could not afford to repeal the cap. The primary argument proffered was this: Florida needs the housing trust fund revenues for general revenue expenses. But the appropriation of housing dollars in 2007 was not \$243million, but \$393.4 million. And the \$315.6 million balance of state and local housing trust fund monies was not used for general revenue expenses.



WHY WASN'T THE APPROPRIATION EQUAL TO THE CAP? AND WHY WASN'T THE TRUST FUND BALANCE SWEEPED INTO GENERAL REVENUE?

Because at \$243 million certain programs embraced by Florida legislators, such as CWHIP, could not be funded. If those popular programs could not be funded this year, it may have generated greater legislative concern over the cap. In other words, the cap could go into effect without having to feel its true impact: the dismantling of Florida's system that generates housing trust fund monies in direct proportion to the increase in housing prices. Until all the unappropriated housing monies are expended and no housing



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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.

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programs can be funded above \$243 million, lawmakers may not appreciate the true impact of the cap. The 2007 Legislature stayed its now four- year- course of leaving a substantial amount of housing trust monies in the trust funds, neither appropriated to housing nor swept to general revenue.

APPROPRIATIONS FOR FISCAL YEAR 2007- 08

PROGRAM	FUNDING LEVEL (from State and Local Housing Trust Funds)
Total Available for Appropriation	\$709,000,000
Florida Housing Basic Programs (SAIL, HAP, PLP, Catalyst Training & Technical Assistance, & Guaranty Fund)	\$70,500,000
SHIP	\$166,200,000
SHIP Monitoring	\$400,000
Homeless	\$5,900,000
Florida Housing Additional SAIL	\$60,000,000
Florida Housing Downpayment	\$10,000,000
CWHP	\$62,400,000
Extremely Low Income (ELI)	\$15,000,000
DCA Planning	\$400,000
Teacher Downpayment	\$1,000,000
Specific Project "Senior Demo"	\$1,600,000
TOTAL APPROPRIATED	\$393,400,000
TRUST FUND MONIES NOT APPROPRIATED	\$315,600,000

FLAWS IN THE ARGUMENT TO KEEP THE CAP

The basic premise used by the legislative staff to justify the cap is that the money would be needed to balance the budget, and that repeal of the cap would somehow prevent the budget from being balanced. This was a false dilemma. The cap is on distributions INTO the housing trust funds—once in the trust funds, the legislature can appropriate them as needed. If they are indeed needed to balance the budget, they can be used accordingly. There is no need to cap distributions into the trust funds in order to respond to potential budget problems when and if they ever happen.

The monies which are statutorily dedicated to the state and local housing trust funds are derived from the documentary stamp tax which was increased for the sole purpose of funding the state and local housing trust funds. In the 14 years that

the Sadowski Act has been enacted, there has been only one year that the monies from the state and local housing trust funds were needed to balance the budget—FY03-04—and in that year, a portion of the funds were diverted to general revenue. This proves conclusively that if the legislature needs the state or local housing trust funds for other purposes it is able to appropriate accordingly.

There is no reason to believe that Florida will now and forever after have a budget deficit. If that is indeed the projection, the Legislature needs to look at what the cause or causes of that deficit are and take corrective action. Designing a system for the unusual years when the trust funds will be needed to balance the budget is illogical—the system should be designed for the overwhelming majority of years when the money can be spent on housing.

Another component of the argument against repealing the cap was the new constitutional amendment which limits the amount of non-recurring revenue that can be spent on recurring general revenue expenditures. The premise was, that after all recurring “priorities” had been funding, there wasn’t enough money left unless the amount above the cap was not diverted directly to general revenue—thus becoming “recurring” general revenue.

Continued on page 4

“Speaker Marco Rubio would be wise to support lifting the cap in order to stimulate Florida’s economic competitiveness, hire and keep an essential workforce and, at the same time in this way, help ease the housing crisis.”

Tallahassee Democrat Editorial
March 18, 2007

“Legislators should ‘make a run at trying to get the funding back to fully fund the trust, to lift the arbitrary cap and have the opportunity for the Sadowski fund to do what it was intended to do,’ he said.”
(Gov. Charlie Crist)



Florida Times Union Editorial
March 20, 2007

“Has the Legislature lost its mind? The House is being especially obstinate, so leadership from Gov. Charlie Crist, who has expressed support, may be needed to force the issue.”

South Florida Sun-Sentinel Editorial
March 26, 2007



The diverse bipartisan coalition that spearheads this effort grew in 2007 to include the Florida Coalition for the Homeless, Associated Industries of Florida, the Florida Retail Federation, and the Florida Hospital Association. They added their memberships and lobbyists to the ranks of the most diverse alliance of bi-partisan interests, known as the Sadowski Workforce Housing Coalition.

This argument is flawed in that the analysis assumed that any and every recurring general revenue expenditure in last year's budget, plus another \$1.225 billion of new named priorities, plus another \$854 million for unnamed "other recurring priorities" all had to be funded before any consideration could be given to cap repeal. If housing is indeed a priority, then the cap could have been and can be repealed—it simply has to be a greater priority than any of the \$854 million of unnamed priorities.

CHAMPIONS FOR REPEAL OF THE CAP

Florida's affordable housing programs are an economic engine, supported by low income advocates as well as every major industry group and employer in Florida. Florida has developed an infrastructure of public private housing delivery that is the envy of the nation. By slashing the appropriation of housing funds to \$243 million per year (a level lower than the monies generated in 2002), Florida will dismantle that infrastructure and find itself wholly incapable of meeting anything close to the demand for affordable workforce housing. We will be unable to house the elderly, the infirm, or our essential services personnel.

Bills to repeal the cap were filed early in the session in both the House and Senate by Representatives Saunders, Fitzgerald, and Bucher, and Senators King, Geller, and Wilson. A special thanks is owed to Representative Ron Saunders who was loathe to take no for

Repeal of the cap is universally supported in Florida as reflected by every major newspaper and constituent group, including the low income advocates and industry groups that participate in the Sadowski Workforce Housing Coalition as follows:

- **1000 Friends of Florida**
- **AARP of Florida**
- **Associated Industries of Florida**
- **Coalition of Affordable Housing Providers**
- **Florida Association of Counties**
- **Florida Association of Homes and Services for the Aging**
- **Florida Association of Housing and Redevelopment Organizations**
- **Florida Association of Local Housing Finance Authorities**
- **Florida Association of Realtors**
- **Florida Bankers Association**
- **Florida Catholic Conference**
- **Florida Chamber of Commerce**
- **Florida Chapter American Planning Association**
- **Florida Coalition for the Homeless**
- **Florida Department of Community Affairs**
- **Florida Home Builders Association**
- **Florida Housing Coalition**
- **Florida Housing Finance Corp.**
- **Florida Impact**
- **Florida League of Cities**
- **Florida Legal Services**
- **Florida Retail Federation**
- **Florida Supportive Housing Coalition**
- **Florida United Way**

an answer and insisted on having a workshop in the House Council on Policy and Budget, inviting the Sadowski Workforce Housing Coalition to present the case in favor of



Representative Saunders

scrapping the cap. The Sadowski Coalition made a compelling presentation on April 13th, but unfortunately it was to a virtually empty room, as Council members quickly filed out of this workshop scheduled during the lunch hour, returning only when the next bill to be voted on was to be heard.

The diverse bipartisan coalition that spearheads this effort grew in 2007 to include the Florida Coalition for the Homeless, Associated Industries of Florida, the Florida Retail Federation, and the Florida Hospital Association. They added their memberships and lobbyists to the ranks of the unprecedented Coalition, known as the Sadowski Workforce Housing Coalition.

The good news is that housing advocates "never give up." We have the support of Governor Crist and Florida's Chief Financial Officer Alex Sink, and we continuously add allies to our ranks. Together we will mount a campaign with our champions in the legislature for reauthorization of the state and local housing trust funds without a cap in the 2008 legislative session.

HOUSING LEGISLATION THAT PASSED IN 2007

Representative Mike Davis, once again sponsored the omnibus housing bill, HB 1375. But unlike last year, housing legislation that passed this session was relatively of little moment, and contains a number of items that are more related to Developments of Regional Impact than to affordable housing. Many of these provisions were not in Representative Davis' original bill, but were sent over to the House from Senator Garcia's SB 780. The provisions unrelated to affordable housing in HB 1375 or which only apply to certain projects or areas of the state are not included in the summary below.

• Tax Deferral

Local governments are authorized to adopt an ordinance to permit ad valorem and non ad valorem taxes on affordable rental properties to be deferred. Similar to the deferment that exists for low income elderly, the deferred taxes accrue interest not to exceed 9.5%. At first blush this legislation may seem pro-affordable housing, but it seems likely to be of value only to those who intend to sell the affordable rental development for market rate uses in the future. Alternatively, this deferral could amount to an exemption if the property remains in the affordable stock. This provision was put in Representative Davis' bill by the Senate. See 197.307-197.3079, Florida Statutes. This is the bulk of the fifty page Housing Bill.

• CWHIP

The CWHIP program now requires less private sector investment and less leveraging of funds (down from 15% to 10% of total development cost or \$2 million, whichever is less). Revisions were made to the process for applications (no more Request For Proposals) and choosing winning CWHIP applications, including allowing three people to serve on the application review committee who are not employed by the Florida Housing Finance Corporation, and allowing applicants to cure errors in their applications. Also, all commitments can be evidenced by as little as a memorandum of understanding or "other written instrument" and local government regulatory incentives and public-private contributions no longer must be adopted, so long as the jurisdiction or public-private partnership is "committed to adopting" such incentive or contribution. SHIP funds can now be used for higher income residents (140% in high income and high growth counties, and 150% of area media income in Monroe County) provided it is for a CWHIP application.



On the last day of the session, HB 7203 was amended to provide that the CWHIP program be renamed "The Mike Davis Community Workforce Housing Innovation Pilot Program."

Comprehensive plan amendments to accommodate CWHIP projects are now exempt from the twice a year limitation on comp plan amendments. See 420.5095, F.S.

• Workforce Housing Plans

By July 1, 2008, each county in which the gap between the buying power of a family of four and the median county home sales price exceeds \$170,000 (this is basically the high cost counties for the CWHIP program) shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for housing up to 140% of area median income. If the plan is not adopted the local government will be ineligible to receive any state housing assistance grants, until the plan is adopted. See 163.3177 (6)(h) and(i), F.S.

• Transportation Concurrency

There is an exemption from transportation concurrency requirements for affordable housing (up to 140% of area median income) in Developments of Regional Impact that provide employee housing within 5 miles of an employment center. See 163.3180 (17), F.S.

• Expedited Comp Plan Amendments

An expedited comprehensive plan amendment process is available at the local and state level for comp plan amendments to accommodate affordable housing developments that are consistent with local housing incentive strategies in the SHIP plan, and which are identified in the comprehensive plan for that purpose. See 163.3184 (19), F.S.

Comprehensive plan amendments that are consistent with the SHIP incentive strategies can be made outside of the two year limitation on comprehensive plan amendments. See 163.3187 (1) (p), F.S.

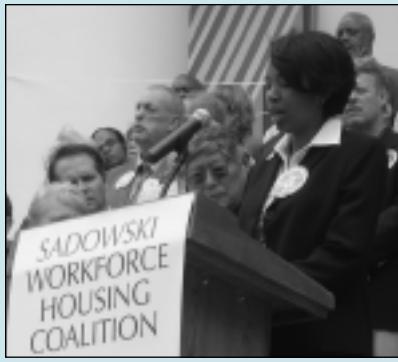
• SAIL

SAIL loans may be forgiven for that portion of the loan attributable to the units in a project reserved for extremely low income elderly non profit organizations, where the project has provided affordable housing for the elderly for 15 years or more. See 420.5087(3) (d), F.S.

• Predevelopment Loan Program

Predevelopment Loan Program funds can now go up to \$750,000 per applicant, rather than the maximum of \$500,000. See 420.526(7) (b), F.S.

(Continued on page 6)



Officer Anitra Highland, a law enforcement officer shared her personal story at the Housing Rally in Tallahassee on April 11th. The following are excerpts from her emotion-filled address:

"In 1997 I lost my mother in a traffic crash. When my mother died she left behind 7 children; I was the oldest, but only 19 at the time. The foundation and everything our mother had laid for us was gone. We didn't have a place to live or call home. I promised my mother, my siblings and myself, I would find a way to take care of my brothers and sisters.

By 2001 I obtained custody of my 5 siblings. As I looked at my financial situation, I felt there was no hope in us owning a home. At the time I was 23, a dispatcher for the Tallahassee police Department, student and raising 5 children alone. My siblings and I had been living in an apartment for years. Many times the thought crossed my mind, what if something happened to me? Where would my siblings go, where would they call home?

Home ownership went from being a dream to being a reality for me because of a combination of funding assistance from the State and Local Housing Trust Funds.

A combination of low interest mortgage money and down payment assistance from the State Housing Finance Corporation, and SHIP down payment assistance program leveraged my first mortgage with a local lender. And my mortgage payments became even more affordable because the City of Tallahassee waives water and sewer fees for affordable housing.

Since moving into my home, I have gone from being a telephone dispatcher with the Tallahassee Police Department to becoming a law enforcement officer. I am currently in school while working full-time and also parenting all the time.

Being able to purchase my own home is one of the greatest things that could have ever happened to me. I know being able to purchase a home, stabilized my life and the life of my siblings so we could accomplish the many things in our lives we have this far.

It is my honor and pleasure to give back to the City of Tallahassee through my work as a law enforcement officer and a parent. And I want others like me to have this same opportunity, so I truly hope the Florida Legislature will make sure these funds are available now and in the future."

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• PHA Insurance

Certain public housing authorities are authorized to create a self-insurance fund. See 624.46226, F.S.

• SHIP Advisory Committees

The nine member affordable housing incentive advisory committees are now eleven member committees, with the inclusion of one citizen who represents employers and another who represents essential services personnel, as that term is defined in the local housing assistance plan. This provision does not apply in those small counties which receive the minimum (\$350,000) SHIP allocation. See 420.9076, F.S.

The local advisory committees will now make a report every three years (minimum allocation counties are exempt from the triennial requirement) to recommend actions or initiatives to encourage or facilitate affordable housing, including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances, and other policies. At a minimum, each advisory committee shall submit a triennial report to the local governing body that includes recommendations on and evaluates the implementation of all the affordable housing incentives listed in 420.9076 (4) (a) (k). This statutory provision also expands the list of regulatory incentives to include "The support of development near transportation hubs and major employment centers and mixed-use developments. It also expands the duties of the advisory committees to include mentoring services and the creation of best practices for the development of affordable housing in the community. The advisory committee shall be cooperatively staffed by the local government department or division having authority to administer local planning or housing programs to ensure an integrated approach to the work of the advisory committee" See 420.9076

(8) and (9), F.S. Because these statutory revisions are fairly substantial, they are covered more comprehensively on page 30-31 of the Journal.

• Teacher Down Payment Money

A Teacher Down Payment Assistance Pilot Program (\$1,000,000), is created by in Section 45 of the Appropriations Implementing Bill (SB 2802). SHIP communities that want to apply for these funds will have to waive all impact fees on the teacher homes and provide a strategy for this program in their LHAP. The local school board will have to commit to provide verification of eligibility and compliance with the conditions for this program. The Teacher DAP provides for \$4,000 down payment assistance in the form of forgivable loans to: full time K-12 classroom teachers who are certified exceptional student education, mathematics, or science, who declare homesteaded residency and demonstrate a minimum 5-year commitment to teach in public school in the county where currently employed. Liens on the down payment assistance loans will be released upon fulfillment of all above criteria for five years.



JAIMIE ROSS is the Affordable Housing Director at 1000 Friends of Florida and the President of the Florida Housing Coalition. She initiated and facilitates the Sadowski Coalition. Jaimie is the Chair of the Affordable Housing Committee of the Real Property Probate & Trust Law Section of the Florida Bar.

MARK HENDRICKSON the president of The Hendrickson Company, is the immediate past Chair and serves as an Executive Committee member for the Florida Housing Coalition. He served as Executive Director of the Florida Housing Finance Agency from its inception in 1981 to 1994. As its first Chief Executive Officer, he led the way in creation of the Sadowski Act.



Economic Benefits of Sadowski Act State and Local Housing Trust Fund Monies (State Funding)

THE FOLLOWING IS AN EXECUTIVE SUMMARY OF A SADOWSKI ACT COALITION WHITE PAPER PREPARED FOR THE FLORIDA LEGISLATURE BY MARK HENDRICKSON. THE FULL REPORT IS AVAILABLE ON THE FLORIDA HOUSING COALITION'S WEBSITE WWW.FLHOUSING.ORG

SUMMARY OF FINDINGS:

Leveraging of State Funding with Private Sector Investment and Federal Funds: For every \$1 million of state funding for housing, over \$6.05 million of housing is built and/or sold.

Lost Federal Resources: Florida has lost \$520.9 million of federal tax exempt bonds and tax credit equity in just the last two years from the de facto cap on SAIL and/or SHIP. Repeal of the cap will prevent this massive loss from continuing.

Total Economic Impact—Multiplier Effect: Total Economic Activity Far Exceeds value of housing built:

Because of the multiplier effect and leveraging, for every \$1 million of state funding, \$10.36 million of economic activity is generated. As part of that economic activity, each \$1 million of state funding generates over \$4.05 million of earnings/income.

Job Creation: For every \$1 million of state funding, 106 jobs are created.

Tax Revenues: Every \$1 million of state funding generates almost \$100,000 of sales tax revenue to the state, directly attributable to purchase of construction materials.

ECONOMIC BENEFITS OF CAP REPEAL: INCREASED HOUSING PRODUCTION, ECONOMIC IMPACT, INCOME, JOBS AND TAX REVENUE					
State Housing Funding	Housing Units	Economic Activity	Income	Jobs	State Sales Tax Revenue
\$413.9 million: Total Impact	27,087	\$4.29 billion	\$1.68 billion	43,869	\$40,856,400
\$413.9 million vs. Cap	+11,184	+\$1.77 billion	+\$693 million	+18,114	+\$16,865,550
\$580.0 million: Total Impact	37,966	\$6.01 billion	\$2.35 billion	61,474	\$57,265,650
\$580.0 million vs. Cap	+22,063	+\$3.49 billion	+\$1.37 billion	+35,719	+\$33,274,800

The table shows total economic activity and the increase in each category from the cap of \$243 million to both \$413.9 million (the FY07-08 uncapped level) and \$580 million (the average annual uncapped level over the next 10 years. All numbers based upon the March 2007 Revenue Estimate, and the detailed analysis that follows in this paper.





Is There Linkage in Florida's Future?

BY JAMES C. NICHOLAS

Dr. Nicholas will be presenting the workshop on linkage/mitigation ordinances at the Florida Housing Coalition's statewide annual conference on Sept 6th, and will also be a panelist during the plenary session on the Economics of Housing on September 5th.

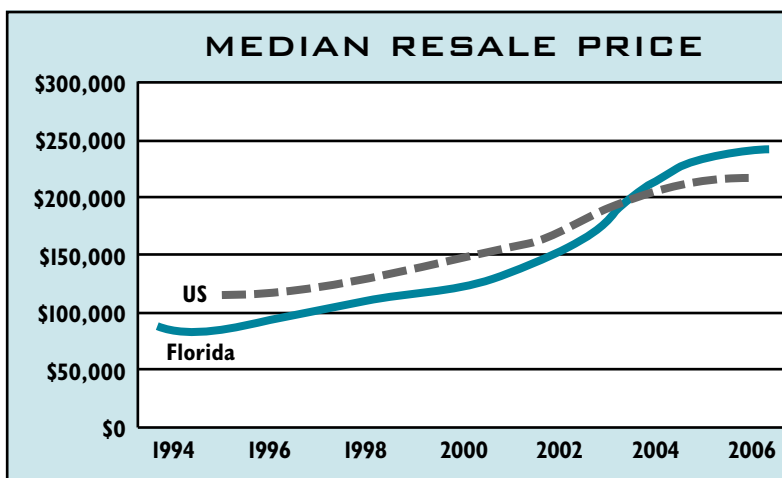
Something happened! Housing prices in Florida went from annual increases of 5 to 6% per year to 10 to 20% per year, and it can't be blamed on inflation. The same thing happened nationally, but the rates of increase were not as great. After 2000 prices simply took off. During 2006 and after prices have backed-off somewhat, but they are still substantially above historical levels. The objective here is not to try to explain what happened but to discuss some of the consequences of what happened.



A great deal of attention has been focused on the prices of homes and how those prices have gone up and then down. Little attention has been focused on the income of Florida households and the resulting affordability consequences of the precipitous increase in housing prices. The prices of houses, like any good, are set in the marketplace and respond to supply and demand. Clearly the sharp increases

TABLE 1 MEDIAN RESALE PRICES		
	FLORIDA	US
1993	\$87,100	
1994	\$86,200	
1995	\$87,900	\$110,500
1996	\$92,300	\$115,800
1997	\$95,800	\$121,800
1998	\$101,500	\$128,400
1999	\$106,900	\$133,300
2000	\$115,900	\$139,000
2001	\$126,600	\$147,800
2002	\$137,800	\$156,200
2003	\$158,400	\$178,800
2004	\$182,400	\$195,400
2005	\$235,200	\$219,600
2006	\$248,300	\$225,000

SOURCES: Florida Board of Realtors and National Association of Realtors, Websites.



in prices are not the result of higher incomes of Floridians. While the average rate of growth for housing prices has been 8.6%, the average rate of increase in household income has been 3.4%, less than half. While external factors have been increasing the prices of houses, Floridians and their local governments¹ have been left to deal with the consequences.

Incomes have not kept up with housing prices with the result being increasing numbers of households unable to find adequate housing. This situation will eventually result in labor shortages in addition to the social consequences commonly associated with inadequate housing. There are sound economic reasons to be concerned about this situation that are in addition to the social concerns. But, why not let the market solve the housing problem? The market is now solving the problem. Many households have left Florida. Many businesses find that they cannot hire needed labor and, without a supply a labor, Florida's economy will wither away regardless of how many inducements are given for business to relocate to or expand in Florida. Additionally, higher wages will also make Florida less attractive as a business location. Unaddressed, the market will solve the problem; whether we will like that solution is another matter.

Truly a picture is worth a thousand words. There was balance between housing prices and household incomes, but that exists no more. The leveling seen in 2006 and into 2007 has stopped, at least temporarily, any further increase in the affordability gap, but it had grown so big that to appears to be insurmountable.

What to do? Option number one is, Don't Worry, Be Happy, or let the market solve it. Another option being considered is housing linkage. Linkage programs look to the sources or causes of a problem, in this case a housing affordability problem, to mitigate that problem. Housing linkage is

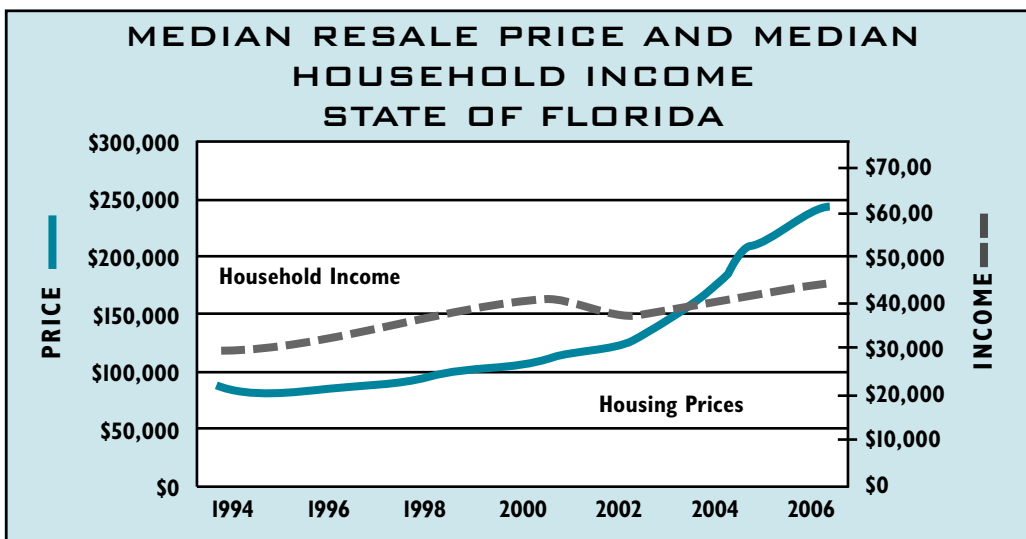
**TABLE 2
MEDIAN RESALE PRICES AND
MEDIAN HOUSE
HOLD INCOME, STATE OF
FLORIDA**

	FLORIDA	US
1993	\$87,100	\$28,550
1994	\$86,200	\$29,294
1995	\$87,900	\$29,745
1996	\$92,300	\$30,641
1997	\$95,800	\$32,455
1998	\$101,500	\$34,909
1999	\$106,900	\$35,831
2000	\$115,900	\$38,856
2001	\$126,600	\$36,421
2002	\$137,800	\$38,024
2003	\$158,400	\$38,972
2004	\$182,400	\$40,535
2005	\$235,200	\$42,990
2006*	\$248,300	\$43,665

<http://www.census.gov/hhes/www/income/histinc/> Projected

commonly associated with California but it has been seen much earlier than the recent California enactments

and also in many other places. Employers assisting their employees with housing have existed throughout the history of this country. Today it is becoming increasingly common for employers to provide a variety of housing assistances to their employees as fringe benefits. Linkage programs require those new businesses that aggravate housing affordability problems to provide some mitigation of those problems. This mitigation can be in the form of employer assisted housing, such as down-



payment grants, low interest loans or assumption of part or all of the closing costs. To the extent that employers cannot or will not provide employee housing assistance, linkage programs will require them to do something about the problem.

Linkage programs begin with a nexus study. This is a study that establishes the nexus, or the linkage, between new developments and the need for housing for the additional employees of those establishments. This linkage is established by studying employment and wage statistics together with development data. The employment data are taken

from the Florida Agency for Workforce Innovation, which are available on-line. These data report how many people are employed, what industry they are employed in and what those employees earn. These data allow the determination of employee ability to afford housing by industry of employment. Development or land use data come from building and property appraiser records. Putting these data together will make a statistical link between new development, by type of development, the number of additional jobs that the new developments will create and the expected earnings of those employees. For Florida the numbers look like this:

TABLE 3
EMPLOYMENT AND HOUSEHOLD EARNINGS BY INDUSTRY
FLORIDA 2007

INDUSTRY TITLE	INDIVIDUAL EARNINGS	HOUSEHOLD INCOME	AFFORDABILITY LIMIT	AFFORDABILITY GAP
Total, All Industries	\$38,526	\$57,074	\$190,247	(\$58,053)
Goods-Producing	\$40,183	\$58,731	\$195,772	(\$52,528)
Agriculture, Forestry, Fishing & Hunting	\$22,425	\$40,973	\$136,575	(\$111,725)
Construction	\$39,985	\$58,533	\$195,111	(\$53,189)
Manufacturing	\$44,377	\$62,925	\$209,750	(\$38,550)
Service-Providing	\$38,233	\$56,781	\$189,271	(\$59,029)
Trade, Transportation, & Utilities	\$35,802	\$54,350	\$181,166	(\$67,134)
Wholesale Trade	\$55,221	\$73,769	\$245,896	(\$2,404)
Retail Trade	\$26,853	\$45,401	\$151,337	(\$96,963)
Transportation & Warehousing	\$41,182	\$59,730	\$199,100	(\$49,200)
Information	\$54,724	\$73,272	\$244,239	(\$4,061)
Financial Activities	\$55,890	\$74,438	\$248,125	(\$175)
Finance and Insurance	\$62,608	\$81,156	\$270,520	\$22,220
Real Estate & Rental & Leasing	\$42,497	\$61,046	\$203,485	(\$44,815)
Professional & Business Services	\$42,335	\$60,883	\$202,943	(\$45,357)
Education and Health Services	\$39,560	\$58,108	\$193,695	(\$54,605)
Educational Services	\$37,322	\$55,870	\$186,234	(\$62,066)
Health Care & Social Assistance	\$40,934	\$59,482	\$198,275	(\$50,025)
Leisure and Hospitality	\$20,411	\$38,959	\$129,863	(\$118,437)
Accommodation & Food Services	\$17,960	\$36,508	\$121,692	(\$126,608)
Other Services	\$27,007	\$45,556	\$151,852	(\$96,448)
Public Administration	\$46,077	\$64,626	\$215,418	(\$32,882)

SOURCE: Florida Labor Market Statistics, March 2007.

Here are projected 2007 earnings by individual employee and by the households of those employees by industry. The affordability limit is calculated using the 30% rule. Only households employed in financial activities above the affordability limit, using the 2006 median resale price of \$248,300. Note may be taken of the size of the gap for those associated with tourism.

Let's take someone employed in retail trade. The average 2007 individual earnings is \$26,853 (\$12.91 per hour), converting to a household income of \$45,401. This household can afford to pay \$151,337 for housing, substantially below the median of \$249,300. These are the input data for a linkage study. The next step in the process is to determine how many retail sales employees will there be for each new retail establishment. If we use 1.5 employees per 1,000 feet of floor area, there is a shortage of \$145,445 per 1,000 square feet of retail floor area. But perhaps \$248,300 is not the appropriate housing target. Let's try \$200,000 as the target. The household shortage is now \$48,663 and the shortage per 1,000 feet is \$72,995.

These calculations are only illustrative and use statewide data. All calculations would have to be done for individual communities and the results may be higher or lower than those shown here.

A completed linkage or nexus study will show the number of workforce housing units needed per unit of new development, thus validating an inclusionary housing percentage and the amount of assistance that would be required to make some defined level of housing affordable. A linkage ordinance could then require workforce housing to be provided at those ratios or that a fee in lieu be paid if actual housing is not provided. The preferred alternative would be for affordable housing actually to be provided, perhaps through employer assisted housing².

But do linkage programs actually deliver affordable housing? An actual example may answer this question. The City of Sacramento in 1990 adopted a schedule of linkage "fees" that are to be paid if the developer does not otherwise satisfy the City's requirement for adequate



A COMPLETED LINKAGE OR NEXUS STUDY WILL SHOW THE NUMBER OF WORKFORCE HOUSING UNITS NEEDED PER UNIT OF NEW DEVELOPMENT, THUS VALIDATING AN INCLUSIONARY HOUSING PERCENTAGE AND THE AMOUNT OF ASSISTANCE THAT WOULD BE REQUIRED TO MAKE SOME DEFINED LEVEL OF HOUSING AFFORDABLE.

housing. Those electing not to provide employer assisted housing pay a fee in lieu when construction is permitted. The proceeds are transferred to the Sacramento Housing and Redevelopment Agency and used to fund affordable housing. As of 2005, the City of Sacramento had produced 2,000 affordable housing units by this program³. This program has been in place since 1990, thus averaging 133 units per year. The linkage program is combined with other city efforts to have created over 14,000 affordable housing units in Sacramento. Let there be no doubt that there are still unmet housing needs in Sacramento, but those needs are 2,000 less because of their linkage program.

Florida has several inclusionary housing programs – Tallahassee, Key West and Palm Beach County – but no linkage programs, other than the city of Winter Park, which has had a linkage fee ordinance for more than fifteen years. Several linkage studies are underway – Collier, Lee and Palm Beach counties and the cities of Boca Raton, Destin, Islamorada and Marathon. Whether these efforts will ever become enacted is not known. But, given the lack of success of other efforts, linkage is a possibility and it is one that is now evolving in Florida.



JAMES C. NICHOLAS is emeritus professor of urban & regional planning and emeritus professor of law at the University of Florida. He was associate director of the Environmental and Land Use Law Program in the Levin College of Law at the University of Florida from 1997 to 2006. He received his undergraduate education in business administration at the University of Miami, Florida, graduating in 1965. He earned a doctorate in economics from the University of Illinois in 1970. From 1969 to 1985 he was at Florida Atlantic University, Boca Raton, Florida, as professor of economics and acting and co-director of the Joint Center for Environmental and Urban Problems. He has published widely on the subject of fiscal aspects of growth management. He has also worked with a large number of nation, state and local governments on issues of growth management.

1. The State of Florida was purposefully excluded here because the state, the Legislature, has reallocated funds away from affordable housing for general revenue.

2. This discussion focuses on ownership, but the affordability of rental housing can also be addressed.

3. City of Sacramento, "State of the City, 2005," page 7.



Going Green in the Sunshine State

For more than a decade, the Florida Housing Coalition has been promoting energy efficiency and sustainable development to make housing more affordable for the homeowner or renter. Because building green is directly related to the economics of housing, we will once again highlight the Green Communities Initiative at this year's conference. The training workshop we facilitated entitled "Where's the Green for your Next Affordable Housing Project?" served as a pre-conference event for the annual Green Trends conference in Gainesville, and highlighted the work of the Green Communities Initiative in Florida. In 2005, the Florida Green Building Coalition and the Enterprise Foundation, announced the beginning of their Florida initiative, and in 2006 they reported on a year of productive efforts by featuring nonprofit developers who had decided to build green in their single-family development work during a workshop at the Coalition's conference. We are pleased to partner with the Enterprise Foundation and the Florida Community Loan Fund in promoting the Green Communities Initiative throughout Florida.

Mention environmental sustainability at your next cocktail party and watch the eyes glaze over with notions of complex systems and carbon caps. But raise the topic with Larry Warner, the architect and green building expert who designed an exciting new housing development in Bonita Springs, and sparks are likely to fly. Warner is passionate about sustainability. And for him, it is simply "a sense of community."

A simple yet elegant change in conventional design promises to make community an organic component of Renaissance at Rosemary Park. With garages and shared driveways in the rear of the homes, children will be able to run and play safely across yards, while adults will exit their front door onto a common sidewalk and perhaps even meet a neighbor or two instead of making the usual dash for the driver's seat.

"The average family lives in a house 7.1 years because there's no community," observes Warner. "If you create spaces where people can interact with neighbors, it's harder to leave because people are invested."

Green building means thinking differently about how people live and interact to cultivate pride and connectedness, while promoting a more ecologically healthy lifestyle. Of course, it also encompasses design and construction elements like solar hot water heaters, enhanced insulation and energy-efficient lighting, native tropical plants, healthier ventilation, greater density and other environmentally friendly details large and small.



Members of the Housing Partnership of Northeast Florida worked with Enterprise to incorporate green standards into its "Paint the Town" home rehabilitation program in Northwest Jacksonville.

Renaissance at Rosemary Park (see sidebar, page 15) is one of several affordable green developments sprouting up around Florida and the nation as part of the Green Communities initiative launched by Enterprise

in 2004. The initiative is a \$555 million commitment to bring affordable housing into the green fold by creating more than 8,500 homes that deliver significant health, economic and environmental benefits for low-income families and communities.

Enterprise has partnered with the Natural Resources Defense Council, the American Institute of Architects, American Planning Association and a host of other organi-

zations in this effort to provide financing, equity and grants to developers building or preserving for-sale and rental homes that not only promote health and conserve energy and natural resources, but also enhance access to jobs, schools and services. Key partners also include funders like Bank of America, Fannie Mae, the Home Depot Foundation, Kresge Foundation and the Citigroup Foundation.

A NEW WAY OF DOING BUSINESS

The urgency of making green buildings the norm – specifically for low-income residents who have the most to gain from healthier living conditions – has never been greater. Climate change is a serious and worsening problem; current global CO2 levels are the highest in 650,000 years. The environmental impact of buildings, by far the biggest consumers of energy, is seriously undermining the affordable housing movement's efforts to develop vibrant, thriving communities. Low-income people sacrifice medical and dental care, miss rent payments, and even go without food just to keep up with rising utility costs. Poorly sited and designed housing makes low-income children and adults vulnerable to chronic asthma, obesity and other health consequences, while isolating residents from job opportunities and needed supports and services.

In part, Green Communities aims to bridge the environmental, public health and community development sectors. At a national conference in 2004 sponsored by Enterprise and the National Center for Healthy Housing, participants from all three sectors laid the groundwork for a consolidated standard for healthy, sustainable housing that would be environmentally responsible but also within reach of affordable housing developers.

Two individuals proved invaluable to the creation of Green Communities: Jonathan F.P. Rose, a trustee of both NRDC and Enterprise, and an award-winning developer of mixed-used green projects; and Gregory H. Kats, a preeminent authority on the costs and benefits of green development. Enterprise also worked with its diverse partner organizations to develop a national standard for cost-effective, environmentally sustainable affordable homes called the Green Communities Criteria – a comprehensive and holistic set of siting, planning, design, construction and maintenance guidelines.

“We wanted an affordable-housing developer to be able to pick up these standards and put them into practice at minimal cost, knowing they would actually save money in

the long run,” says Dana Bourland, senior director of the national Green Communities initiative.

The overwhelming response to Green Communities suggests that the criteria are, indeed, user-friendly and cost-effective. Green Communities is well within reach of its targets, with more than 7,000 sustainable homes underway in 159 developments in 23 states. Of the \$555 million committed, \$350 million has already been invested. More than 2,700 affordable housing professionals have been trained in green community standards and practices.

To date, the initiative has spurred more than four times as much production as initially forecast, with aggregate investment 61 percent higher than anticipated. The astounding progress demonstrates how “developers have been thinking about green building, talking about it, and trying to get it funded,” says Bourland. “When this initiative came along, developers were clearly ready to take action.”

The success of Green Communities hinges not just on the number of projects it supports, but on how the affordable housing community pursues and practices its work and continues learning and demonstrating the human and economic benefits of green development. “We want to help every new green developer become an advocate, a trainer and a leader in the industry,” she says.

Case in point: Renaissance at Rosemary Park is the first green project for the Bonita Springs Area Housing Development Corporation – and it has set a vital new course for the organization. Says Executive Director Diane Ledford: “The hardest part is making a commitment to go green, and we’ve done that.”

FLORIDA GREEN COMMUNITIES

Ledford's organization received a \$42,000 grant through Florida Green Communities, a collaborative effort of Enterprise, the Florida Green Building Coalition and the Florida Community Loan Fund, which provides low-cost capital and free technical assistance to support affordable housing, economic development, nonprofit community facilities and essential social services. The initiative has invested more than \$27 million worth of incentives to help build or renovate at least 300 homes in Florida that promote health, conserve energy and natural resources, and provide easy access to jobs, schools and services.

Florida Green Communities helps developers committed to building green affordable housing by providing grants, technical assistance and flexible low-cost funding. Planning and construction grants are available up to \$50,000 per project. Additional grant funds and below-market rate loans are available to nonprofit developers working with the Florida Community Loan Fund.

Incentives through Florida Green Communities include: More than \$2.5 million in total discounted green loans to developers of affordable residential or supportive housing Grants totaling \$230,000 to help cover costs associated with green building Technical assistance at no cost through the Florida Solar Energy Center to help developers apply the most cost-effective green strategies and identify local design professionals with green-building expertise. Competitively priced equity through the Low-Income Housing Tax Credit Developers seeking grants and financing must meet the Green Communities Criteria as adapted for Florida. In addition, homeownership developments must make at least 15 units affordable to people earning 80 percent of area median income; multifamily or supportive housing developments must make at least 25 units affordable to people earning 60 percent of area media income.

PROGRESS ON THE POLICY FRONT

Few people probably know that Florida became the first state in the nation to operate a certified green convenience store when the Pantry Inc.'s Kangaroo Store opened its doors near the University of Gainesville. But Florida's distinction in the green building movement is nevertheless garnering attention.

Notably, the Florida Green Affordable Housing Standard streamlines participation in both Green Communities and the Florida Green Building Coalition. The nonprofit member organization has established an array of detailed standards to promote the economic and environmental benefits of green building among all kinds of developers. Developers who meet the standard have access to technical assistance, grants, low-interest loans and tax-credit equity.

Florida's foresight on creating a statewide green building program reflects a growing trend nationwide. Sustaining momentum in the green movement requires much more than one initiative or group of funders can accomplish. It requires significant changes in laws, policies, and regulations at the federal, state and local levels to make green communities the standard for doing business.

Beyond Florida, significant efforts are occurring in Massachusetts, Michigan and Ohio. At the municipal level, San Francisco and Washington, D.C., are leading the charge. In August 2005, San Francisco Mayor Gavin Newsome announced that the city would apply "environmentally sustainable development principles to all new affordable housing developments." That unprecedented commitment has helped spawn projects that are creating some 600 healthy, sustainable apartments for low-income and formerly homeless individuals and families. And last December, D.C.'s City Council passed a landmark bill requiring all major construction and rehabilitation projects to meet sustainability standards by 2012. Giving special attention to affordable housing, the law directs all projects with 15 percent or more public financing to meet Enterprise's Green Communities Criteria by fall 2008.

Among states, two standouts include Minnesota – which is committed to making all affordable housing projects green by embedding green criteria into the standards used to select projects for funding – and Washington, where, beginning July 1, 2008, all developments receiving support from the state's Affordable Housing Trust Fund must meet Enterprise' Green Communities Criteria.

Closer to home, the Housing Finance Authority of Miami-Dade County introduced a sustainable housing initiative earlier this year that calls for:

- Phasing in Florida Green Homes Standards for all sponsored new construction and rehabilitation projects
- Rehabilitating six homes to Florida Green Homes Standard in 2007-2008
- Commissioning a study to examine codifying sustainable standards vs. offering developer incentives
- Promoting an increase in a state-sponsored subsidy and incentives for sustainable projects
- Inviting the national nonprofit Global Green to conduct strategic planning and presentations
- Identifying a celebrity partner to help champion and publicize sustainability

'NO TURNING BACK'

The robust response to Green Communities clearly shows that the field is eager to create and strengthen systems for building green affordable housing. Enterprise and its partner organizations in Florida and nationwide are committed to making sustainable development the mainstream approach among affordable housing developers – and spreading knowledge of how to do that far and wide.

From Key West to Miami Beach and Arcadia, Florida's affordable housing developers large and small have some 300 units of sustainable housing underway that will deliver healthier, energy-efficient homes to lower-income residents.

**BONITA SPRINGS AREA HOUSING
DEVELOPMENT CORPORATION**

When Enterprise invited us to participate in building an affordable green community in Southwest Florida, "Our first question was, 'What is a green community?'" recalls Mary Sorge, then-executive director of the Bonita Springs Area Housing Development Corporation. The result of that inquiry — reported in this publication in fall 2005 — and the months of hard work that followed is a robust transformation occurring in the heart of urban Bonita Springs, where an attractive new development is bringing green affordable housing to this vibrant coastal community.

Renaissance at Rosemary Park will feature 39 single-family homes. As the city has seen the economy improve, jobs have become increasingly plentiful here, but affordable housing is scarce. Renaissance at Rosemary Park reflects a trend to ensure quality affordable homes for the city's service sector and others earning low and moderate incomes.

With 8.5 homes per acre, the compact development will help to reduce erosion and lower the cost of improving roads, sewer systems and other public infrastructure. The project also promotes healthy, "walkable" neighborhoods close to services and amenities, including a bus line, school, library, recreation center and shopping.

The houses will have metal roofs that offer tremendous long-term savings in cooling costs. The homes' natural cooling systems feature doors at each end of the house and no windows opening to direct sunlight. The new development also uses "xeriscaping," bypassing traditional landscaping for native tropical plants that require minimal care and yield huge savings in water.

**THE HOUSING PARTNERSHIP OF NORTHEAST
FLORIDA**

The Housing Partnership worked with Enterprise to incorporate green standards into its Paint the Town home rehabilitation program in Northwest Jacksonville. The program's customers typically are seniors with low to moderate incomes. Rehabilitation is provided through a combination of the program's own professional construction staff, subcontractors and volunteer labor. Over the past 11 years, the Housing Partnership has rehabilitated nearly 2,300 homes.

Through a partnership with the Jacksonville Electric Authority, every home participating in this year's Paint the Town event will receive a pre-energy audit. The audits will provide a baseline to measure home improvements. The authority will also provide a homeowners workshop on energy conservation.

The average amount spent on rehabilitation per Paint the Town house is \$40,000. Much of the repair work is done in the months leading up to the annual spring event. During the actual "Rehab Week," hundreds of volunteers donate thousands of hours of painting and landscaping the selected homes. Thanks to the program's new standards, residents will soon see the benefits of green in their own homes.

HOMES IN PARTNERSHIP

Homes in Partnership (HIP) will take its green building efforts to new heights with its first Green Communities project near Orlando in Orange County.

HIP's Self-Help Program purchases and develops land, and brings families together to participate in the construction of their homes. The program spurs economic and neighborhood development, while building pride of ownership. HIP also works to ensure that its growth and development meet the goals of the community as a whole as well as the county's comprehensive plan. With support from a Green Communities grant, HIP will develop 15 infill lots within four miles of each other in the Tangerine and Mount Dora communities to create single-family homes for low-income residents.

Since 1975, HIP has provided housing opportunities for more than 3,500 very low and low-income families. Energy efficiency and improved ventilation are especially critical to its constituents, who stand to benefit most from lower utility bills, improved air quality, and fewer maintenance-related costs and worries.

"We are devoted to sharing our lessons and using them to refine and expand our support to green projects," says Green Communities' Dana Bourland. "Our experience shows community-based developers can build healthy, environmentally responsible projects on a cost-effective basis, and there's no turning back."



The Florida Housing Coalition thanks the staff of Enterprise Community Partners for submitting this article and for its continuing partnership with the Florida Housing Coalition. The Coalition will highlight Enterprise's Green Communities Initiative within the conference workshop "The Economics of Green Housing" scheduled from 10:45 a.m. to 12 p.m. on Sept. 6, 2007.



To learn more about Green Communities, visit www.greencommunitiesonline.org and www.greencommunitiesonline.org/florida.



EMPLOYER ASSISTED HOUSING

In order to ensure the economic vitality of Florida's communities there must be affordable housing options in place for our workforce

Working creatively to increase the supply of affordable housing is critical. EAH programs offer an innovative mechanism for leveraging public and private funds to make housing affordable for working families. EAH programs have been shown to help attract and retain workers, and, ultimately, enhance the economic stability of communities across the entire nation.

But the abundance of job opportunities is offset by the lack of housing opportunities in many areas. Housing production has failed to keep pace with job growth, sending housing prices sky-high. Frustrated employers can't find workers, and workers can't find affordable housing without the economic and time burdens of commuting.

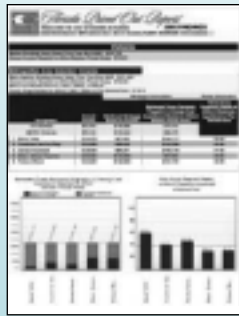
Municipal, state, and federal government entities are also using EAH programs to provide housing solutions for teachers, firefighters, and police. A nationwide shortage of teachers has prompted municipalities and school boards to provide both homeownership and rental assistance.

Local governments seem to be particularly inclined to support EAH programs given that these programs promote regional economic development and often leverage private dol-



PUBLISHER OF FLORIDA'S PRICED OUT REPORT FOR FLORIDA EMPLOYERS

www.PricedOutReport.org



Presents wage information for more than 60 occupations for 18 Florida Metropolitan Areas. The purpose of Florida's Priced Out Report is to:


- Allow analysis of annual incomes for workforce employees within 18 Metropolitan Areas
- Calculate the maximum mortgage amount that workforce employees can afford based on market supported variables
- Compare how much down payment and closing cost assistance each workforce employee needs to afford a home in their community based on your inputted home price





lars to support housing. Fannie Mae, the nation's largest purchaser of home mortgages, sees EAH programs as good for business and has developed a specialized EAH mortgage product. The U.S. Department of Housing and Urban Development (HUD) has successfully tied in employer assisted housing with HOME block grants and other federal housing programs.

WHAT EXACTLY IS EAH?

Employer-assisted housing can be described as any employer sponsored housing benefit, which could include down payment assistance or rental assistance, home buyer education and counseling, low-interest mortgages to name a few. Specifically, EAH programs can close the homeownership and rental affordability gap and allow workers to live in the communities they serve.







WHAT BENEFITS ARE THERE FOR STAKE-HOLDERS OF AN EAH PROGRAM?

 The employer enjoys the benefits of a more stable workforce when employees live near work. Improved morale, less turnover and reduced recruitment result in bottom line savings.




-  Can serve as incentives for employee recruitment and retention depending on how the assistance is structured.
-  The employee, beyond receiving financial support from an employer to buy a home closer to work, also gains extra time – formerly spent in traffic – for family or community life.
-  And the surrounding community gratefully trades in a portion of its traffic congestion for the new investment and property taxes, as former commuters buy homes near the jobsite.
-  The more partners work together to develop affordable housing programs/opportunities for local employees, the more these partners are recognized as essential to the economic health of the region.

HOW WOULD AN EMPLOYER START AN EAH PROGRAM?

Although developing and implementing a basic program is relatively simple, many employers choose to contract with a local community organization to provide homeownership counseling and administer other aspects of the programs. This model works well when there are multiple participating employers in a concentrated geographic area.

-  Set up a partnership of the County, municipalities, employers—especially public agencies, lenders, development interests and local housing providers.
-  Meet on an on-going basis to discuss employee needs. Participating employers are usually the health care industry, education, local government and utilities. However, it is not limited to these groups and others may find it more beneficial to participate in a pool of assistance rather than create their individual programs.
-  A partnership or one entity can immediately launch a program to work with local employers to (1) notify all employees with attention to those who may not have immediate access to information (2) conduct informal sessions and post information through flyers, and websites. This can lead to a greater participation of employers if they see interest among their employees.
-  Decide on the type/amounts of assistance i.e. matching local government assistance with employer dollars on a per unit basis, based on income level of applicant. For example, a \$75,000 subsidy could use a \$5,000 or \$10,000 employer subsidy.
-  Decide on what type of resale formula or retention method to use to keep the property in the affordable housing inventory.
-  Decide on the income level for eligibility.

OTHER ASPECTS TO CONSIDER:

-  Administrative aspects such as qualifying and counseling individuals may be considered the work for a third party in order to reduce an employee's hesitation in providing financial information to his/her employer.
-  Tracking for numbers served and timelines will be important to assess program progress/ effectiveness.
-  Oversight in adhering to any regulatory requirements

EMPLOYER ASSISTED HOUSING EXAMPLES

- **Martin County - Growth Management Department** Evaluated employer assisted housing possibilities and developed a strategic plan to guide the county in supporting its local employers who wish to provide housing assistance. The Coalition sponsored a workshop for employers to provide information about finance and meeting targeted housing needs.
- **Sanibel Community Housing Resources:** The Coalition has assisted this nonprofit housing provider to develop a strategy for building affordable housing in partnership with a large health care provider who is facing employee losses due to the escalating cost of land and housing in the vicinity.
- **Lee County: The Bonita Bay Group & Lee County School Board - Down payment Assistance Program** Subsidy of up to \$5,000 for the purchase of a home held by a deferred second mortgage that amortizes over time The Bonita Bay Group and Lee County School Board (Florida): A partnership established to purchase sixty condominiums for School District employees. The Lee County Housing Development Corporation provides the technical and counseling support.
- **Hendry County Citrus Growers:** A citrus grower developed rental housing for employees on a private basis to provide decent and affordable housing in this rural area with proximity to the workplace.

The Florida Housing Coalition will assist employers with establishing successful Employer Assisted Housing programs by coordinating partnership meetings, performing on-site trainings and providing clinics on topics including way employers may use land donation, low-interest construction financing and down payment assistance to attract and retain reliable employees in their area. To learn more, contact the Coalition office today at (850) 878-4219.

The Florida Housing Coalition's 2007 Statewide Annual Conference is **"THE ECONOMICS OF HOUSING"**


In addition to our traditional sessions covering the nuts and bolts of how to finance and build affordable home ownership and rental housing in Florida, you will be engaged in workshops that specifically address the **ECONOMIC IMPACT** of a variety of cutting edge tools:

 **Inclusionary Housing Policies**

 **Accessory Dwelling Units**

 **Green Housing**

 **Linkage Fee/Mitigation Policies**

 **Housing the Homeless and the Extremely Low Income**

 **Local Government Support for Affordable Housing**

 **Factory and Systems Built Housing**

 **Employer Assisted Housing**

 **Mixed Income Development**

 **Smart Growth and Regulatory Reform**

 **Mobile Home Park Closures**

 **Housing Preservation**

 **Foreclosure Prevention**

 **Community Land Trusts**

 **Housing & Hurricanes**

 **Rental Housing**



KEYNOTE SPEAKER

The Honorable Alex Sink, Florida's Chief Financial Officer

Florida Chief Financial Officer Alex Sink is a dynamic financial and civic leader whose professional experience and community service have molded her into a champion for fiscal responsibility and accountability.

In 2006 Alex Sink was elected Florida's Chief Financial Officer and is responsible for monitoring the state's fiscal health and managing more than \$74 billion in tax revenue coming in and out of state government annually. As a Cabinet officer, the CFO is one of four members of the Financial Services Commission who oversee the appointed commissioners of insurance regulation and financial regulation. As head of the Department of Financial Services, her mission is to help consumers with financial service issues, including banking,



securities and insurance. CFO Sink also serves as State Fire Marshal.

For nearly 30 years, CFO Alex Sink has been a trailblazer in the financial profession, with her distinguished career culminating in the presidency of Florida's largest bank, Bank of America. For seven years as president she managed more than \$40 billion in customer deposits while supervising more than 9,000 employees in 800 branches and earning a reputation for credibility, integrity and fair dealing.

Prior to her banking career, Sink was a mathematics school teacher in West Africa for three years.

CFO Sink's accomplishments in the financial world have been complemented by her strong commitment to public service through civic and community leadership.

SEPTEMBER 5-7, 2007



The Florida Housing Coalition's
20TH ANNUAL STATEWIDE AFFORDABLE
HOUSING CONFERENCE

Omni Orlando Resort at ChampionsGate



September 6th The Florida Community
Land Trust Institute Networking
Reception for Community Land
Trusts from 5:30- 7:30 pm



FEATURING

State of the State Address
Tom Pelham, Secretary,
Florida DCA



and
Steve Auger,
Executive Director,
FHFC



In addition to our traditional expo showcasing a variety of financial resources for affordable housing, we will have a factory built and alternative systems and materials expo. Contact the Florida Housing Coalition at 850/878/4219 if you are interested in reserving an exhibit space.

The Florida Housing Coalition's 20th annual Statewide Affordable Housing Conference is the premier training and networking opportunity for affordable housing professionals in Florida, with more than 650 housing professionals in attendance.

WE WILL ALSO FEATURE:

Expo, Success Stories, Affordable Housing Study Commission, SHIP Breakfast Roundtable, and the Fabulous Raffle!

THANK YOU

Our annual conference would not be possible without our Partners for Better Housing at all levels. We especially recognize our

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Tampa Bay CDC

 Incorporated in 1982, Tampa Bay Community Development Corporation (CDC) is a 501 (c)(3) nonprofit organization and a HUD-approved Housing Counseling Agency which successfully promotes homeownership opportunities to low and moderate income families in Pinellas, Pasco and Hillsborough Counties.

Funded and sponsored by Pinellas, Pasco and Hillsborough Counties, the cities of Clearwater, Largo, and St. Petersburg and the U.S. Department of HUD, Tampa Bay CDC effectively administers the Homeownership Opportunity Program through down payment and closing cost assistance and small scale new subdivision development.

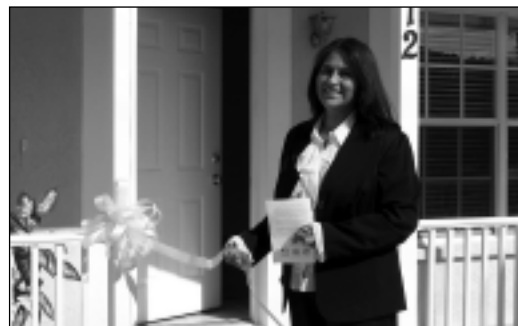
The work of Tampa Bay CDC's dedicated staff, along with that of the Largo Area Housing Development Corporation (LAHDC), a Community Housing Development Organization (CHDO) and the City of Clearwater, recently resulted in 11 three bedroom, two bath homes for low and moderate income families located at Woodlawn Street and Tioga Avenue in Clearwater.

"We couldn't have completed this project without the help we received from the city and Tampa Bay CDC," said Duke Tieman, president of LAHDC. "Without them, this project may never have become a reality."

Tieman said Tampa Bay CDC provided guidance on financing, acquisition, zoning and loan processing assistance on the new homes. They helped to identify the available land for development and purchase from five different owners who held control of the parcels that would eventually become Woodlawn Oaks.



Tampa Bay CDC helped establish these three bedroom, two bath homes for low and moderate income families in Clearwater's Woodlawn Oaks subdivision.



Consuelo Ruiz, pictured above, was the first homebuyer to purchase a home in the Woodlawn Oaks subdivision.

Tampa Bay CDC and the Housing Finance Authority of Pinellas County provided construction financing for the homes now occupied by local families. Each homebuyer was approved for permanent financing and the City of Clearwater committed \$60,000 as secondary financing toward each purchase. With this commitment, the city then required homebuyers to enroll in Tampa Bay CDC's HomeBuyers Club, said Gregg Schwartz, president of Tampa Bay CDC, which emphasized financial literacy, budgeting and post-purchase counseling to buyers.

In addition, said Schwartz, each buyer will receive information for two years following their purchase with "buyer beware" tips. Buyers are welcome to remain in the HomeBuyers Club as long as counseling is needed.

Howie Carroll, who worked as the housing director of the City of Clearwater during the time when the subdivision first began developing, said Tampa Bay CDC truly proved their community commitment during this project.

"We jumped through a lot of hurdles in building these homes. It was a long process of rezoning and getting the funding lined up for acquisitions, and then replatting the subdivision," said Carroll. "And through it all I can honestly say working with Tampa Bay CDC staff was a rewarding experience. They truly showed they cared about this project."

Be sure to join the Florida Housing Coalition conference attendees September 5th at the statewide affordable housing conference in Orlando as we hear first hand accounts from those who worked to make Woodlawn Oaks subdivision a true success story.



Neighborhood Housing Services

Neighborhood Housing Services (NHS) is a non-profit 501(c)(3) organization that turns housing dreams into reality by providing affordable housing and neighborhood revitalization services throughout Miami-Dade County. Distinctive in its lending services, NHS offers a comprehensive set of training and lending options for first-time homeowners.

Today, as a certified full-cycle lender, NHS provides a comprehensive homebuyer procurement and education system designed to increase access to homeownership, especially for first-time and low- to moderate-income buyers. These educational services are available throughout Miami-Dade County to prospective homebuyers, as well as private and public sector partners, including other community development corporations (CDC).

But the current success of the organization was preceded by several years of funding woes and an unfocused organizational mission, according to NHS President Arden Shark, hired in 2001.

“I remember telling the three beleaguered staff during the first few weeks I was there that NHS would be known as the best homeownership training, counseling, and lending organization in the county before long,” said Shark. “They laughed.”

Through the years the organization, spearheaded in 1978, worked to complete homes in the local Infill Housing Development program and became a certified Community Housing Development Corporation (CHDO), but earned a



Participants in NHS' Homebuyer Education classes receive training from real estate agents, insurance agents, and NHS homeownership counselors.

NHS began as a community revitalization organization in 1978. It was spearheaded by a group of residents, lenders and county government representatives in the West Little River neighborhood of Miami-Dade County, and as part of a national network founded by the Neighborhood Reinvestment Corporation, a public corporation chartered by the United States Congress.




NHS staff is committed to promoting neighborhood revitalization and affordable housing for low-to-moderate income residents in Miami Dade.

poor reputation with lenders, local government and other CDC's, said Shark.

To begin repairing their reputation, Shark guided the organization's focus away from misconstrued efforts on a variety of unrelated community topics toward an organization specifically focused on building the best homebuyer training, counseling, and lending production possible. “All other goals we're put on hold,” said Shark.

To make this redefined focus a reality, Shark tapped into resources provided by the Carver Policy Governance system, NeighborWorks America, Kennedy School at Harvard and Success Measures Pilot. Each of these sources provided invaluable support, assisting with objectives like identifying outcomes and fine-tuning operating plans for NHS. NHS also became a certified NeighborWorks Homeownership Center and a chartered member of the NeighborWorks network, which grouped NHS with 245 other trained and certified CDC's

working in more than 4,400 communities nationwide.

To ensure NHS continues success into the future, the organization has set goals for itself including increasing the number of new homeowners it assists, expanding their network of developers, real estate, religious, and community development corporation partners, and continuing to build new homes. To hear about these goals and the success of NHS, join us for the Success Stories segment of the Florida Housing Coalition's 20th Annual Statewide Affordable Housing Conference September 5th in Orlando. 

Boley Centers, Inc.

THE 128 PLACE APARTMENTS

Tucked along First Avenue North, in the Grand Central Business District of St. Petersburg, sits an 18-unit apartment complex that looks more like the high-end town homes down the block than “affordable” housing. The 128 Place Apartments are rented to individuals with mental illnesses who have incomes at or below 50% of the area median income. These apartments are part of a growing inventory of affordable housing owned and managed by Boley Centers, Inc. Funding for these one bedroom units came through a combination of U.S. Department of Housing and Urban Development (HUD) Section 811 Capital Advance financing, the City of St. Petersburg HOME dollars and the Federal Home Loan Bank of Atlanta, with some extras funded by the Bessie Boley Foundation.

Boley Centers, Inc. is a private non-profit organization founded in 1970 by Bessie Boley and a small group of women concerned about their children with mental illnesses. That initial group home has grown into an organization that today employs over 250 people and provides services, in addition to housing, to over 1,200 individuals annually. Boley Centers and its sister organization, Pinellas Affordable Living, Inc., own and manage 380 units in 36 different locations throughout Pinellas County. In addition, Boley Centers acts as a public housing authority by managing over 375 vouchers for individuals with disabilities, persons living with HIV and AIDS, and those who are homeless. Available services include vocational evaluation and assistance with job placement including job coaching. In addition, tenants can take advantage of mental health counseling, supportive housing services, psychiatric treatment and other services aimed at helping individuals stay stable and out of the hospital or jail.

Through close partnerships with the City of St. Petersburg, Pinellas County and HUD, Boley Centers has slowly become one of the major providers of housing for individuals and families with extremely low incomes in the area. “Most of our



The 128 Place Apartments.

tenants are well-below 30% of area median income,” says housing manager Angelia Waller. The organization was founded to provide services for persons who are mentally ill, but has expanded to serve other persons in need, including a growing homeless program. Boley Centers was recently awarded a Homeless Prevention contract by the Pinellas

County Board of County Commissioners to provide homeless intervention services including help for those in danger of becoming homeless. This adds to Boley Centers’ other homeless programs that include transitional housing, permanent homeless housing (integrated into the other permanent housing developments under the Boley banner) and a newly opened Safe Haven (*see page 26*).

Boley Centers currently has four projects under development including another Safe Haven in mid-Pinellas County. Additionally, they have an eighteen unit apartment complex under construction, forty three unit apartment complex in the design phase in St. Petersburg and another forty three unit mobile home park conversion under development in unincorporated Pinellas County.

THE PINELLAS COUNTY SAFE HAVEN

In April of 2007 a new 25-bed “Safe Haven” opened in the Palmetto Park neighborhood of St. Petersburg. “Safe Haven” is a HUD term used to describe a residential treatment program for individuals who are “chronically homeless” and who have not succeeded in other programs. The Safe Haven is considered permanent housing because tenants can stay as long as they like and have their own space with a lease and a guarantee that their bed will still be there when they return from work or school. (*Continued on page 26*).

Be sure to join the Florida Housing Coalition conference attendees September 5 at the statewide affordable housing conference in Orlando as we hear first hand accounts from those who worked to make The 128 Place Apartments and Safe Haven a true success story.





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. For more information, call the Florida Housing Coalition at 850/878-4219, or email jaimieross@aol.com.



John Parvensky overcame NIMBY attitudes by gaining broad community support, culminating in the siting of housing for the homeless across from City Hall; the Mayor stated, "If these projects can't be in our own city/county backyard, how can it be expected for other sectors of the community to do so?"



Jaimie Ross facilitates discussion with national experts, Sharon Lee and John Parvensky as they explain a few keys to their success such as a reliable source of project funding and operating subsidy, excellent support services, and property management.



Sharon Lee's Low Income Housing Institute developed the Green Communities award winning Denny Park Apartments, a tax credit project that consists of 50 apartments and support services for homeless and extremely low income individuals, couples and families in Seattle, Washington.

Homeless and Extremely Low Income Housing Leadership Forum

BY LYDIA BELTRÁN
FLORIDA HOUSING COALITION

A forum to address housing the homeless and extremely low income held in late March was designed by the Florida Housing Coalition in collaboration with the Florida Coalition for the Homeless, the Supportive Housing Coalition, and the Florida Housing Finance Corporation. The Leadership Forum featured John Parvensky, Executive Director of the Colorado Coalition for the Homeless, and Sharon Lee, Executive Director of the Low Income Housing Institute in Seattle, Washington. A caucus was held the second day of the Forum for a roundtable discussion to address overcoming obstacles to producing housing for the homeless and extremely low income in Florida.



public sources for operating and supportive services. It owns or manages approximately 48 properties consisting of approximately 1,600 units, including more than 500 designated for homeless persons. Seventy-five percent of the units are provided for families or individuals earning less than 30 percent of the area median income.

COLORADO COALITION FOR THE HOMELESS (CCH)

CCH has developed over 1,000 affordable housing units across eleven housing communities in the Denver Metro area. The CCH is the lead agency in the Denver Housing First Collaborative whose mission is based on a nationwide initiative to implement the "housing first model" with support from the Interagency Council on Homelessness. The CCH is able to be the lead agency given its program design to collaborate with various service providers in providing services such as professional counseling and a vocational services program to assist in a person's transition to employment.

Mr. Parvensky provided insight into the struggles and successes of its mission driven goals to provide affordable housing and services. He attributes some of the successes to its capacity building over the years and overall leveraging

LOW INCOME HOUSING INSTITUTE (LIHI)

In addition to revitalizing neighborhoods and stabilizing communities, the LIHI is engaged in advocacy work to increase affordable housing opportunities and end homelessness through leadership efforts by Sharon Lee. Since 1991, the organization has grown from a staff of one, Ms. Lee, into a staff of 110, which includes housing, finance, property management and resident services departments.

Since its inception, the LIHI has developed over 3,000 units and generated over \$260 million in capital from private and

of service dollars with housing dollars. At its inception, in 1984, the CCH was in the business of health care because the homeless did not have health care services. CCH then found that comprehensive services were needed to address additional needs and therefore implemented mental health services and a drug treatment program. Although these services were of benefit to the homeless, the CCH found that housing options were very limited for the persons they were assisting. As a result housing providers were sought but the CCH found that it was not an effective way to address the housing problem. CCH decided to expand into housing development and eventually incorporated a property management component. To this end they have been successful in stabilizing homeless individuals and families and integrating them into the general population.

Throughout the Forum, John and Sharon shared common themes in their project and advocacy successes, including:

- Cross subsidizing (lower rents with higher rents from other projects, reduce costs by matching supportive services funds);
- Reducing parking requirements;
- Work with Housing Authority to secure Section 8 vouchers;
- Establish relationships with Housing Authorities for Section 8 vouchers, and referral agencies and services agencies so that advocacy and support is not just from the developer side;
- Seek matching funds from Foundations;
- Consider underutilized motels, businesses and abandoned buildings (illegal occupations can be mediated with owner with an option to purchase to maintain as low income housing);
- Establish services agreement specific to needs and compare with cost to create business in-house. Assess whether services are working and have a back-up plan because the break down of services can affect the entire project; and
- The housing planning process must include homeless advocates
- They also shared tips for newcomers















The ELI forum was facilitated by: Jaimie Ross, President, Florida Housing Coalition. (Pictured from left to right), Bill Aldinger, Vicki Robinson, Nancy Muller, Steve Auger, John Parvensky, Sharon Lee, Jaimie Ross.


ELI CAUCUS

The Forum included a round-table discussion of next steps in addressing barriers to homeless and extremely low income project development. It was a

particularly productive conversation because it included key staff from the Florida Housing Finance Corporation, including Steve Auger, Executive Director, Nancy Muller, Policy Director, Vicki Robinson, Director of Multi-family Housing Programs, and Bill Aldinger, Supportive Housing Coordinator. Participants exchanged the following ideas:

-  Establish a source(s) to provide project operating funding; (in the state of Washington a document recording fee is used to fund operating expenses for homeless projects)
-  Need on-going funding for homeless projects (not part of Universal Cycle);
-  Nonprofits need a way to find experienced consultants to ensure competitiveness in the application process. As an alternative, learn through the competitive scoring process. FHFC can host an application review follow-up to assess why applications were not funded;
-  Capacity building: Nonprofits need to see model projects of what has worked in the past including a fully functional project;
-  Demonstration Loan Report summarizing challenges and barriers of these projects;
-  Capacity building through housing rehab under the housing preservation set-aside;
-  Housing experience required for smaller nonprofits in the FHFC Universal Cycle is too demanding. Consider the possibility to count the development experience of some board members in a nonprofit developer organization and/or requiring less experience for those proposing smaller projects;

-  Allow inexperienced nonprofits to be funded provided they are required to have technical assistance (similar to PLP program);
-  Address weaknesses in Florida not being competitive in 811 applications;
-  Create outstanding and award winning design to gain public acceptance for homeless and extremely low income housing (anti-NIMBY strategy);
-  Review local land use codes to assess whether reform is needed to support the development of housing for the homeless and special needs populations;
-  Include periodic discussions similar to the caucus format to address next steps and include in Florida Housing Coalition's development based workshops and/or in conference roundtable and incorporate Continuum of Care based projects in the overall discussion; and

-  Summarize ideas/concerns into policy recommendations and assure that policy recommendations are considered by FHFC.

This list is a summary and not an exhaustive recount of the ideas that came out of the caucus. The Florida Housing Coalition, together with the Florida Coalition for the Homeless, the Supportive Housing Coalition, and the Florida Housing Finance Corporation will use this as a springboard to make improvements in our current system so that Florida can better house the homeless and the extremely low income.



Editor's Note-Update from 2007 Legislative Session:

The \$30 million dollar appropriation for the extremely low income in 2006 was cut in half in 2007; the appropriation for the extremely low income was \$15 million. At the same time, the appropriation for the CWHIP program (serving 140 % of area median income) increased from \$50 million in 2006 to \$65 million in 2007.

THE PINELLAS COUNTY SAFE HAVEN

In April of 2007 a new 25-bed "Safe Haven" opened in the Palmetto Park neighborhood of St. Petersburg. "Safe Haven" is a HUD term used to describe a residential treatment program for individuals who are "chronically homeless" and who have not succeeded in other programs. The Safe Haven is considered permanent housing because tenants can stay as long as they like and have their own space with a lease and a guarantee that their bed will still be there when they return from work or school.

Boley Centers was approached in 2001 by the Pinellas County Homeless Coalition with a request to open and operate a Safe Haven in south Pinellas County. That request led to a three-year search for an appropriate site. Along the way, several buildings were considered including a site that looked like a good match near the downtown but not too close, with a commercial kitchen and enough space for 25 units, etc. After a neighboring business caught wind of the potential use of the site, the owner stepped in and purchased the building to stop the deal from proceeding. Eventually, a vacant boarded-up nursing home was identified on 31st Street South in



Jack Humburg,
Director of
Housing
Development &
ADA Services

St. Petersburg. The building required extensive rehabilitation including creation of individual rooms for 19 of the 25 tenants.

The Pinellas County Safe Haven is a collaborative effort with local matching funds coming from the City of St. Petersburg, Pinellas County and Boley Centers. The building was purchased with funds from the City of St. Petersburg's HOME program. Rehabilitation of the building was accomplished with funds from Pinellas County, the Federal Home Loan Bank of Atlanta, the State of Florida's Homeless Housing Assistance Grant and the Bessie Boley Foundation. Operating funds come from HUD through the Pinellas County Homeless Coalition with the local match provided by the City of St. Petersburg and Pinellas County with a small portion contributed by tenant rents.

Today, the Pinellas County Safe Haven is providing services and supports to 17 men and eight women who would otherwise be on the streets of our community. Boley Centers would like to offer thanks to all the partners that have made this happen. Boley Centers can be reached at (727) 821-4819 or at www.boleycenters.org.



Pictured at the signing ceremony are, Front Row, left to right - Mike Cuscaden, President, CHR; Peter Dys, President, Shell Point Back Row left to right Scott Marcelais, Executive Director CHR & Coast&Islands Community Land Trust, Inc.; Allen Myers, Treasurer CHR; Phil Marks, President Cost& Island Community Land Trust, Inc.; Gladys Schneider Florida Housing Coalition Technical Advisor; Bob Janes, Chairman Lee County Board of Commissioners; Tim Ficker, Vice President, Shell Point; Rita Southern, Sell Point Director of Assisted Living.

Surplus Lands for Affordable Housing

Sanibel Island to most is a tropical paradise. Its also where over 4,200 employees commute to work from over 40 miles per day. With the island at build-out, Community Housing Resources, Inc. (CHR) ventured off island to partner with Shell Point Retirement Community to join forces in seeking the donation of surplus land from Lee County's inventory. This parcel was identified in a survey of county lands. With their eye on a 20 acre parcel just off the island's causeway, CHR formed a subsidiary, Island Coast Community Land Trust and signed a two year exploratory agreement with Shell Point to develop a variety of housing types from to serve both island and Shell Point workers who are burdened by lengthy commutes and a shortage of affordable housing. CHR is applying for a Predevelopment Loan and receiving technical assistance from the Florida Housing Coalition to complete its due diligence and engineering work on the surplus county land.

**BY GLADYS SCHNEIDER
FLORIDA HOUSING COALITION**

It is a year since Omnibus Affordable Housing Bill (HB 1363) created what is commonly known as the surplus lands bill. We are quickly approaching July 1, 2007- the date by which all counties and municipalities in Florida are to have completed their respective inventory of public lands to further the development of affordable housing.

The Florida Housing Coalition recently conducted an informal survey to assess how communities are faring with the surplus lands initiative. In our sample, just over one third were finalizing their inventories of available properties to be submitted for commission approval. In one community, the list had already been approved and six homes had been constructed. Many who had made the effort to identify properties had run into title problems or found that most local government owned parcels were unsuitable for housing.

For those who had not begun the inventory, some were unaware of the surplus lands initiative; they did not know about the statutory changes made last year. Our survey yielded more questions to us than we had asked, including "What is that law? What do we do with the list once approved? What is the definition of permanent housing? Is there a sample resolution available? What happens in the event of non-compliance?"

Locating suitable land for affordable housing can be a daunting challenge. But surplus public land is a valuable resource and it is essential to have in place guidelines to ensure that that these parcels are properly identified and put to use for affordable housing. The surplus lands initiative is a strategy for local governments to implement the housing elements of their comprehensive plans and will dovetail neatly with the work of the Advisory Committees which had new life breathed into them in the 2007 Legislative session, see article on page 30.

THE SURPLUS LANDS FOR AFFORDABLE HOUSING LAW

To begin- here is the law (combined for counties and municipalities, broken apart, bulleted, and numbered for ease of reading). See Section 125.379, Florida Statutes for counties and Section 166.0451, Florida Statutes for municipalities:

By July 1, 2007, and every 3 years thereafter, each county and municipality shall prepare an inventory list of all real property within its jurisdiction to which the county or municipality holds fee simple title that is appropriate for use as affordable housing.

- The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved.
- The governing body of the county or municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing.
- Following the public hearing, the governing body of the county or municipality shall adopt a resolution that includes an inventory list of such property.
- The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county or municipality may be offered for sale and the proceeds:
 - (1) may be used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or
 - (2) may be sold with a restriction that requires the development of the property as permanent affordable housing, or
 - (3) may be donated to a nonprofit housing organization for the construction of permanent affordable housing.

Alternatively, the county or municipality may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

FLORIDA HOUSING COALITION RECOMMENDATIONS

There are at least three components to the surplus lands for affordable housing initiative. First is the identification of properties that are appropriate for use as affordable housing. The second is remediation efforts to make properties suitable for affordable housing. The third is disposition of those properties for affordable housing. The Florida Housing Coalition recommends that comprehensive land banking guidelines be developed to ensure an effective program. The following is a brief description of the process of creating a dedicated land program. A land bank is both an inventory and functional program to identify, remediate, and dispose of publicly (and privately) owned land suitable for affordable housing. The land bank is an ongoing program; to be truly effective it must receive staff resources and become an integral part of the housing planning process.

LAND BANK GOALS

The goals of land bank program may vary, but in general the following would be appropriate:

- Return properties with liens or title problems to the tax rolls and productive use
- Create a permanent stock of affordable housing
- Reduce the cost of development of affordable housing
- Create mixed income neighborhoods
- Improve the quality of life in redevelopment areas through removal of blight
- Improve the economic health of the community by ensuring that workers can reside near their places of employment

ACTION PLAN

An action plan can be developed to guide the formation of a land bank. This could involve the establishment of an oversight committee or a sub-committee. Staff will need to be dedicated to assist with the program. An Action Plan might include the following steps:

- Appoint an oversight committee or ask the affordable housing task force to initiate the land bank.
- Appoint staff to implement the program.
- Prepare an inventory of all publicly owned land.
- Review all outstanding code liens.
- Review list of properties available for taxes
- Consider inclusion of escheated properties.
- Compile properties into a spreadsheet format that includes the parcel identification, legal description,

address, ownership, site dimensions, known tax or code liens, type of deed (tax or otherwise) current zoning and land use and a comment on suitability.

- Solicit offerings of properties from the private sector; conduct due diligence, add to Land Bank for future purchase consideration.
- Categorize or prioritize parcels for quiet title action.
- Provide funding for legal services to conduct legal proceedings.
- Hold annual dispositions by grouping of parcels identified as suitable.
- Solicit proposals from qualified non-profit housing partners.
- Convey parcels to projects that can be occupied within 24 months with appropriate long term affordability through land trust, deed restrictions or mortgages.

Greater commitment to finding or creating appropriate parcels can render the surplus lands initiative more successful. For example, oftentimes, local government obtains title to environmentally sensitive properties for conservation, but not all the land obtained in a particular transaction is environmentally sensitive or important for conservation. In that instance, lands for affordable housing may be derived from separating non-sensitive lands from environmental acquisitions.

REMEDIATION

Just as local governments have facilitated first time homeownership with credit repair and homebuyer clubs to get buyers ready for first time homeownership, so can local governments facilitate putting publicly owned lands into use for affordable housing with programs to remediate issues like title problems. Clearing up credit issues and clearing up title issues both take some time and effort and both are important programs for furthering affordable housing.

Land Bank activities can also include acquisition of abandoned or tax foreclosed properties. Some communities that have large platted lands may hold title to hundreds of lots that have escheated to the county. Sarasota County was one such jurisdiction. Some of these were sold to raise funds for public projects and some were dedicated to affordable housing. There are special legal procedures for returning escheated properties to the tax rolls, which is why the city or county attorneys are essential partners in this process, as

well as title clearing efforts.

Publicly owned lands are reviewed to identify parcels that are not earmarked for other projects. Each parcel is reviewed for its appropriateness including the following:

- **environmental concerns**
- **title problems**
- **size and dimensions**
- **access to roadways**
- **presence of utilities**
- **land use and zoning**

In cases where lots located within a municipality have escheated to the county, special legal procedures apply. In cases where the property has escheated pursuant to F.S. 592(3) the county is required to convey the property to the city in which the land is located but only if certain conditions apply. In the event the city does not accept title to the property, the disposition of the property would be at the county's discretion. This underscores the importance of a policy for affordable housing land banking.

DISPOSITION

The disposition of properties identified as appropriate for affordable housing use should proceed as quickly as practicable once the inventory is adopted by local government resolution. This will entail establishing priorities for disposition. For example, parcels may be reserved for those recipients who are part of ongoing affordable housing partnerships. Projects assisting extremely low, very low, low, or moderate income households are all eligible, but local government may decide it is best to prioritize use for those most in need or for uses identified as priorities in the comprehensive plan. Local governments throughout Florida are currently faced with the displacement of mobile home park residents; putting public surplus lands into the hands of a nonprofit to provide permanent housing for displaced mobile home park residents may be ideal for many communities.

Generally, the use and disposition of surplus lands should further the goals of the Local Housing Assistance Plan and the Housing Element of the Comprehensive Plan. This program will work best with an enthusiastic legal team, a vibrant housing development program, and plenty of patience.



If your community has not begun the inventory process or would benefit from technical assistance, the Coalition is available for on-site assistance in the design and implementation of your surplus land inventory and policies. For more information, call the Florida Housing Coalition at **1-800-677-4548**.



Affordable Housing Advisory Committees Return

BY STAN FITTERMAN
FLORIDA HOUSING COALITION

Up until now, affordable housing advisory committees were only statutorily required to develop an initial affordable housing incentive plan. Once this plan was complete, many communities disbanded their committees. With HB 1375, passed in the 2007 legislative session, the committees are back and bigger than before.



A key improvement to the process is a new requirement that the advisory committee be cooperatively staffed by the local housing department and the local planning department to ensure an integrated approach to the work of the advisory committee.

Now, after the initial review of established policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan and recommending specific actions or initiatives to encourage or facilitate affordable housing, each committee must submit a report every three years that includes recommendations on and evaluates the implementation of, affordable housing incentives in eleven specific areas.

1. The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
2. The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
3. The allowance of flexibility in densities for affordable housing.
4. The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
5. The allowance of affordable accessory residential units in residential zoning districts.
6. The reduction of parking and setback requirements for affordable housing.
7. The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
8. The modification of street requirements for affordable housing.

9. The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
10. The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
11. The support of development near transportation hubs and major employment centers and mixed-use developments. The advisory committee recommendations may also include other affordable housing incentives identified by the advisory committee.

COMMITTEE STRUCTURE CHANGED

The law now requires the committees to have eleven members in various categories, up from the previous nine (this does not apply in small counties). In addition to the nine categories previously included in the SHIP statute, each committee must also have as members one citizen who represents employers within the jurisdiction and one citizen who represents essential services personnel, as defined in the local housing assistance plan. The committee must include:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.

- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to s. 163.3174.

- (i) One citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) One citizen who represents employers within the jurisdiction.
- (k) One citizen who represents essential services personnel, as defined in the local housing assistance plan.

OPTIONAL COMMITTEE ACTIVITIES ADDED

At the request of the local government, the advisory committees may provide:


- The provision of mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties.
- The creation of best practices for the development of affordable housing in the community.



THE ADVISORY COMMITTEE
RECOMMENDATIONS MAY
ALSO INCLUDE OTHER
AFFORDABLE HOUSING
INCENTIVES IDENTIFIED
BY THE ADVISORY
COMMITTEE. LOCAL
GOVERNMENTS THAT
RECEIVE THE MINIMUM
ALLOCATION UNDER THE
STATE HOUSING
INITIATIVES PARTNERSHIP
PROGRAM SHALL PERFORM
THE INITIAL REVIEW,
BUT MAY ELECT TO
NOT PERFORM THE
TRIENNIAL REVIEW.

The Florida Housing Finance Corporation will begin rulemaking shortly to implement these changes.

TECHNICAL ASSISTANCE AVAILABLE

The Florida Housing Coalition is uniquely qualified to provide assistance in all areas addressed by the statutory changes, including how to best structure the committee's review process, incentives, partnerships, and all aspects of development and financing of development. The workshop trainings will be directed to local government staff, committee members and their partners. The Florida Housing Coalition will also be available for on-site technical assistance with both local government staff and committee members, as well as their private sector partners. Call 1-800-677-4548 for assistance. 



Frequently Asked SHIP Questions

Q: *Is a monthly payment of \$1,500 from a 401K retirement account included among sources of household income when calculating the income eligibility of an applicant?*

A: The 401K is an asset owned by the applicant. The monthly payment is, therefore, income from an asset. The monthly payment will be included as income unless the applicant can demonstrate that the amounts received do not exceed the amount of the original 401K investment. HUD Handbook, 43350.3, Section 5-6 (N) addresses the topic of “Withdrawal of Cash or Assets from an Investment.” The withdrawal of cash or assets from an investment received as periodic payments should be counted as income unless an applicant can document that the amounts withdrawn are reimbursement of amounts invested. When an applicant is making regular withdrawals from an account in which he/she has made an investment, the withdrawals will count as income only after the amount invested has been totally paid out. An example to consider is as follows:

Josefina and Rodrigo Gomez have received \$300 a month from an annuity for 9.5 years. The Gomez’s paid \$36,000 for the annuity when they purchased it years ago. Six months after the current annual recertification becomes effective, the Gomez’s will have reclaimed the full amount of their investment. For the second 6 months of the coming year, therefore, the owner will include the \$300

monthly payment from the annuity as income.

Remember, this \$300 monthly payment is income from an asset and must be documented properly. On the income certification page, list the 401K among the household’s assets on the bottom of the first page. List the cash value of this retirement account and then list the actual income from the asset. In this case, \$300 x 6 months = \$1,800.

Q: *Does a jurisdiction have to show that all program income is encumbered along with the HHRP distribution by the June 30, 2007 reporting deadline? Our jurisdiction receives a considerable amount of program income on a monthly basis but we will still not know how much program income will be earned in the next year before the expenditure deadline.*

A: This is a valid concern since any funds “not encumbered” by June 30, 2007, shall be re-offered by the Florida Housing Finance Corporation to eligible jurisdictions with remaining hurricane housing needs. However, in consultation with Florida Housing Finance Corporation, the encumbrance deadline applies to the original allocation only. According to HHRP Rule Section 67ER04-05 (10) funds for recapture or any other funds must remain in a separate account for the life of the HHRP program (must end by June 30, 2009). After termination of the HHRP fund,

the balance will go into the regular SHIP fund.

Please be reminded that this determination does not affect the required encumbrance deadline for the original allocation. Once an HHRP jurisdiction demonstrates its compliance with the encumbrance deadline the next task is working towards meeting the expenditure deadline. Like SHIP, the HHRP rule indicates that funds must be expended within three years. Yet it also includes a solution for jurisdictions struggling with this deadline as evidenced by HHRP Rule, Section 67ER04-05 (9) which states the following:

“Eligible counties and eligible municipalities shall have two years to encumber funds for their intended use, and an additional year to fully expend the funds. If a local entity shows that it has been unable to fully expend the funds after this period, it may request a one year extension to this timeframe pursuant to subparagraph 67-37.005(6)(f)2., F.A.C. The Corporation shall grant that local entity an additional year to expend the funds upon receipt of the request.”

Q: *Do the requirements that 65 percent of all SHIP funds be used for ownership activities and 75 percent for construction activities apply to program income?*

A: No, program income is not required to be included in the homeownership and construction/

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.



Lydia Beltrán

rehabilitation set-asides. According to Section 420.9075(4) (k), funds from the local housing distribution not used to meet the criteria established in paragraph (a) or paragraph (b) or not used for the administration of a local housing assistance plan must be used for housing production and finance activities, including, but not limited to, financing the purchase of existing units, providing rental housing, and providing home ownership training to prospective home buyers and owners of homes assisted through the local housing assistance plan. Notwithstanding the provisions of paragraphs (a) and (b), program income as defined in s. 420.9071(24) may also be used to fund activities described in this paragraph.

Q: *Our jurisdiction has a barrier removal grant strategy which provides up to \$3,000 of modifications for a rental unit. Does the applicant's current rent have to fall at or below the rent level listed in the rent limits chart for my jurisdiction?*

A: Yes, the applicant's rent must be within the level allowed by the Rent Limits Chart. You may find that the applicant is eligible based on income and household size; and yet the monthly rent exceeds the allowable rent in the chart. In such a case, this rental unit is not eligible for SHIP modification assistance. It is important to note that annual monitoring and determination of tenant eligibility is not required for an original loan or grant in the

amount of \$3,000 or less as stated in Section 420.9075(3)(e). However, in the rental example provided, the total amount may exceed \$3,000 if more than one unit was assisted.

Q: *Our jurisdiction has a rental development strategy and we are considering funding a 12 unit project. How many units would have to be set aside for very low income tenants in order to comply with the statutory requirement to serve very low income?*

A: 420.9075(5) (d) 2 of the Florida Statutes states: "At least 30 percent of the funds deposited into the local housing assistance trust fund must be reserved for awards to very-low-income persons or eligible sponsors who will serve very-low-income persons and at least an additional 30 percent of the funds deposited into the local housing assistance trust fund must be reserved for awards to low-income persons or eligible sponsors who will serve low-income persons, at least 30% of the funds must be reserved for very low income and 30% must be reserved for low-income persons or eligible sponsors who will serve these income groups." In other words, the statutory income set asides are applied to all of the funds deposited into the local housing trust fund. There is no statutory requirement that every development funded have at least 30 percent of the units reserved for very low income households.

Jurisdictions should use the housing delivery goal charts completed for each fiscal year to determine the amount of money from each strategy which will be used for the various targeted income levels. They must then track expenditures by income level throughout the year to make sure they are meeting these targets.

Q: *An applicant owns a mobile home that has a house built around it. Can I provide SHIP repair assistance to such a dwelling?*

A: No, this unit does not meet the definition of 'eligible housing' under the SHIP program. It has not been built to the Florida Building Code. Staff at the Codes and Standards office at the Florida Department of Community Affairs has determined that a structure built around a mobile home cannot comply with the state building codes since it will not comply with structural, plumbing and wiring standards.

Q: *An applicant wants to purchase a house and needs a co-signer. Is this allowable for a SHIP-assisted buyer?*

A: Yes, it is not uncommon for SHIP-assisted buyers to have co-signers. Co-signers are not household members unless they will live in the home being purchased or unless they are the spouse of the applicant.




COALITION NEWS

The Florida Housing Coalition welcomes the newest professional member to its training and technical assistance team.


AIDA ANDUJAR has over 25 years of experience and training in the area of affordable housing, including responsibility for administration and implementation of state, federal and local housing grants awarded to the City of Hialeah. She has worked with various state and federal programs including the CDBG, HOME and SHIP Programs. Her



experience includes working with lenders, nonprofit organizations, community development organizations, homebuyer counseling providers, Hialeah Housing Authority, Florida Housing Finance Corporation and other local government organizations. She speaks and writes fluent Spanish. She is a licensed Realtor and holds a master's and bachelor's degree in public administration from Florida International University. 

Florida Housing Coalition Executive Director, Michael Davis and Florida Housing Coalition Board Member, Chuck Elsesser, made legislative visits in Washington, DC to encourage Florida's Congressional Delegation to



adequately restore Public Housing Authority funding levels and not to forsake Florida's most vulnerable citizens. 


SPOTLIGHT ON SHIP

On April 12-13, 2007, Florida Housing Coalition (FHC) staff provided technical assistance to Pinellas County Community Development (PCCD) staff. The PCCD has undergone staff changes and requested training related to the SHIP Application Intake process, Income Certification, Verification process and monitoring. One of the staff changes included a promotion for **Ms. Daphne Johnson** from Community Planning Specialist-Underwriter to a Senior Community Planning Specialist-Compliance/SHIP Administrator. Ms. Johnson is a certified HOME Specialist and looks forward to working with all federal and state funding.



FHC staff learned that Ms. Johnson was instrumental in streamlining the administrative procedures including electronic versions of all SHIP intake documents. In addition, it was also learned that Ms. Johnson joined the PCCD after working for a nonprofit agency and becoming a first time homebuyer through the City of Clearwater's SHIP program. Her experiences with the SHIP program inspired her to pursue a career in the administration of affordable housing programs. Ms. Johnson is an inspiration to us all including her children and grandchildren.



Florida Housing Coalition provided technical assistance to Seminole County Housing and Finance staff regarding the SHIP Annual Report and Tracking system in the Fall of 2006. The Housing staff works closely with the Clerk's financial staff and the Fiscal Service's Budget division to track and report funding so it was important that all staff be included in the training. Ms. Suzie Montgomery, Accounting Specialist, Community Assistance, stated that "since the training, we all have an improved understanding of SHIP reporting requirements" and that they "have good teamwork in planning for the Annual Report including tracking expenditures for set aside limits." We commend the Seminole County Housing and Finance staff. 



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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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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