### POST-CONFERENCE EDITION



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# Housing, Hurricanes, and the Fight for Funding Begins

ith over 545 conference registrants, the Florida Housing Coalition's 17th Annual Conference, held in Tampa, Sept. 20-22<sup>nd</sup> was fortunate to have come off sandwiched between hurricanes and tropical storms. Forty registrants were unable to attend, because they were hard hit from hurricane devastation to their homes or offices. We missed them all, especially a few folks like long time board member Dan Horvath from CEII, and Florida Housing Coalition Partners for Better Housing; Janice Boone from AmSouth and Deanna

Lewis from SunTrust, all regular conference participants.

The Conference was a huge success-from the public policy plenary with a panel of national experts "Home debating Ownership... Is it for Everyone," the success stories across the state, the keynote by Darren Walker of the Rockefeller Foundation, bus tours of housing success

stories in St. Petersburg and Tampa, in-depth workshops, and roundtables for SHIP Administrators and Public Housing Authorities. The devastation from hurricanes and storms and the effect it has had on low-income families in Florida was abuzz.

In my opening comments at the conference, I stated: "If there is one silver lining that we can find in these storm clouds, it is that there should be no question that we should not have to fight too hard to get full funding from the Sadowski Act state and local housing trust funds in 2005."

But no sooner than that was said, the fight for full funding has definitely begun. The Sadowski Act Coalition is presently meeting

> to ensure that we do not see a repeat last year's diversion of more than 50% of our dedicated affordable housing dollars from the state and local housing trust funds in FY 2005-06. Advocates are also making a strong argument for recovering the \$221 million we lost in 2004-05 to assist the thousands of low income hurricane



Melvin Philpot, Board Chair delivering his welcome address.

disaster victims in Florida. Conference and hurricane coverage continues on pages 9 through 14. Many thanks to all of you who attended the 2004 Conference. We look forward to seeing you all again at next year's statewide conference in Orlando, Sept. 12<sup>th</sup>-14<sup>th</sup>, 2005.



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The Florida Housing Coalition is a nonprofit, statewide membership organization whose mission is to act as a catalyst to bring together housing advocates and resources so that Floridians have a safe and affordable home and suitable living environment.

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

Phone: 850-878-4219, Fax: 850-942-6312, E-mail: info@flhousing.org, Web site: www.flhousing.org

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The Florida Housing Coalition expresses its gratitude to our Gold Sponsor, WACHOVIA BANK for its ongoing sponsorship of our Board conference calls — a substantial savings to our statewide nonprofit.





# Public Housing Authorities and Other Housing Advocates Spent the Year Fighting to Preserve Full Funding for Section 8 Housing Vouchers

BY CHARLES ELSSESER

uring this past year, and likely in the years to come, the federal housing budget appropriation process has focused, and will continue to focus, on the Section 8 Housing Choice Voucher Program. Since its inception under President Nixon in 1974, the federal Section 8 Housing Choice Voucher Program has been one of the most successful and bipartisan housing programs serving the very lowest income households. For the first time in its existence, however, the

program is being threatened with reduced budget appropriations that will significantly reduce its effectiveness. Housing advocates nationwide, including Public Housing Authorities, have spent the past year educating both the public and lawmakers about the importance of this program in protecting the poorest and most vulnerable households' access to affordable housing. Those efforts will have to increase if this program is to continue to play a central role in federal housing assistance.

# WHAT IS THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM?

In 2001, the Millennial Housing Commission described the Section 8 voucher program as the "linchpin" of federal housing policy because it is "flexible, cost-effective, and successful in its mission" which is "providing very low-income renters access to the privately owned housing stock." Similarly, a 2002 study by the U.S. General



Accounting Office found the voucher program to be the most cost-effective of the federal housing programs examined in the study. The Voucher Program provides rental assistance directly to landlords, generally the difference between 30 percent of the household's income and the market rent. Tenant households can choose any apartment or house provided the landlord is willing to participate in the program and the market rent is less than HUD's Fair Market Rent for the local area. The program currently assists

roughly two million low-income families with children, senior citizens, and people with disabilities, but leaves about three-quarters of the eligible households unserved. Because the Voucher Program allows the tenant to pay rent based on the household income, it is one of the few housing subsidies that is able to serve extremely low income households – those making less than 30 percent of median income.

Local Public Housing Authorities administer the Section 8 voucher program, receiving funds from the federal government, and then entering into subsidy contracts with each individual landlord. Because the goal of the vouchers is to allow families to secure housing in the private market, in safer neighborhoods, with better schools and jobs, the program has enjoyed particularly strong bipartisan support. Congress has never, over the several decades of the program, failed to appropriate enough funds to renew all the existing vouchers for each fiscal year. In fact, given the monumental need, Congress, more often than not, expanded the number of existing vouchers each year.

# WHY ARE SECTION 8 HOUSING VOUCHERS IMPORTANT TO AFFORDABLE HOUSING ADVOCATES?

Section 8 Housing Vouchers are a vital component of every community's affordable housing strategy. They complement other subsidy programs by providing access to affordable housing for the very lowest income households. Most Public Housing Authorities depend on their Section 8 Housing Vouchers as their principal means of providing housing assistance to needy households. That dependence continues to increase as the "vouchering out" of public housing and other project—based subsidized housing has become increasingly common.

For tenants, their importance is also obvious. While vouchers may be difficult to use in some communities that lack a supply of existing housing, vouchers are, and hopefully will remain, the major source of housing assistance for very low income households. The demand for Housing Vouchers in Florida was dramatically illustrated in March 2001 when the Miami-Dade Housing Agency opened up its Section 8 waiting list for the first time in many years and received more than 63,000 applications for assistance in 10 days.

Recently, nonprofit developers have also begun to understand the importance of these housing vouchers. Acceptance of tenants using Section 8 Housing Vouchers allows developers to make Low Income Housing Tax Credit Projects more affordable to very low and extremely low income households. This allows for increased access by very poor households without threatening turnover or increased vacancies and increases the marketability of projects in poorer neighborhoods. In addition, Public Housing Authorities can now commit their Section 8 Housing Vouchers to specific project or "project base" the vouchers, which provides nonprofit housing developers with the only new source of project-based Section 8 income. Finally, recent changes in the regulations have permitted the limited use of Section 8 vouchers for home ownership which creates a new potential market for nonprofit homebuilders.

# THE FY 2004 SECTION 8 APPROPRIATIONS DEBATE

The broad bipartisan support for the Section 8 Housing Voucher program has been significantly tested during the past two years. The Administration's FY 2004 budget proposal requested a Section 8 funding level which, according to the Center for Budget and Policy Priorities, would have left 137,000 authorized housing vouchers unfunded. This proposal, if adopted, would have, for the first time, threatened existing Section 8 voucher tenants with the loss of their housing subsidy solely because of an inadequate appropriation of federal funds.

Because the Section 8 Housing Voucher program is a little more than 50 percent of the HUD Budget, much of Congress's FY 2004 HUD appropriations debate focused specifically on whether the appropriation would allow for the continued funding of all of the Section 8 vouchers already authorized by Congress and in use by Public Housing Authorities and their tenants. The Center for Budget and Policy Priorities, the National Low Income Housing Coalition, and others produced studies demonstrating the need for an appropriation sufficient to "fully fund" all Housing Vouchers already in use by Public Housing Authorities and the dire consequences any significant reduction in the appropriation would have on Public Housing Authorities and their tenants. Because vouchers serve the very poorest households, the loss or reduction of this housing assistance would force these tenants to either give up their housing or to divert scarce resources from basic needs, such as food, child care, and clothing, in order to pay for housing. Housing advocates spent many months in late 2003 educating members of Congress on the importance of continuing full funding for the Housing Choice Voucher program. Finally, in late January of 2004, these advocates were able to celebrate the passage of the final HUD budget bill with sufficient funds to support all authorized vouchers.

# FY 2004 BUDGET IMPLEMENTATION CRISIS AND THE FY 2005 BUDGET

Any celebration over the FY 2004 "full funding" victory, however muted, was extremely short lived. Immediately housing advocates were confronted with the Administration's FY 2005 Budget which proposed to reduce the funding for the Section 8 Housing Voucher Program by more than \$1 billion below the level of the FY 2004 Budget just approved by Congress. The Center for Budget and Policy Priorities, in an initial analysis of the proposed FY 2005 budget, estimated that the proposed funding level could cause the loss of housing benefits for more than 250,000 families, elderly or disabled households.

 $Continued\ on\ page\ 28$ 





Children served by the Homeless Assistance Center on the former site of the Homestead Airbase.

# Federal Surplus Property for the Homeless: An Opportunity Advocates Should Not Miss

BY: PETER SLEASMAN & SHELBI DAY

### INTRODUCTION

n 1994, the Federal Government closed Homestead Air Force Base as part of the national base closure and Lreorganization effort. As a result of the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 (BRAC)1, the Miami-Dade County Homeless Trust was able to acquire 84 acres of vacant land in a suburban area in Miami-Dade County. The Trust, along with several other local homelessness providers use this property free of charge to provide housing, transitional housing, healthcare, job training, and day care to more than 300 homeless individuals and families each day and over 2000 clients annually. There are plans to expand the services to include substance abuse programs and other social service programs. The conversion of unused military property to facilities and programs that assist the homeless was a success because of the cooperative effort of a coalition of homeless providers, local government, and the business community.

In 2001, the Federal Government listed a former navel housing complex in Pensacola, Florida, as federal surplus

property. The property consisted of 198 duplex homes, which until approximately 2000 had been used as housing. It was declared surplus property when the Navy upgraded its minimum square footage requirements for family housing. The old, but sturdy, brick homes had been refurbished by the Navy in the late 1990s and were in good condition with relatively new appliances and fixtures. Pursuant to the requirements of the Stewart B. McKinney-Vento Homeless Assistance Act of 1987 (McKinney Act),2 the government made the property available to local homeless providers for use to assist the homeless. In response, several local and outof-state homeless assistance organizations expressed an interest in the property. Yet, because these efforts were not planned, coordinated, or adequately funded, the providers' proposals quickly crumbled in the face of opposition by the local government and residents. None of the local homelessness organizations managed to even file a completed application. As a result, none of the 198 homes were utilized for the benefit of the approximately two thousand homeless people in Escambia County. Because no homeless providers claimed the property, it was turned over to the County, which demolished the homes to make way for a park.

While there were many factors that led to the differing results in the examples above, the two situations aptly illustrate some common themes in utilizing federal law to obtain federal surplus property. First, federal law can provide homeless providers with a once in a lifetime opportunity to obtain land, buildings, and other facilities to assist the homeless at a relatively modest cost. Second, in order for homeless organizations to do so, they must be able to plan quickly, coordinate with other organizations, and develop the resources necessary to carry out their proposed project. Although the obstacles can be great, the benefits, as shown by the Miami-Dade experience, can be immeasurable. This article aims to make homeless providers aware of existing opportunities under federal law by briefly explaining the basics of how non-profit organizations and state and local government agencies can obtain federal surplus property at no cost, to use for services and facilities to assist homeless individuals.

Surplus federal property is obtained under the McKinney Act and the BRAC. Since 1994, closed military bases are regulated by BRAC under a different process. An overview of both are provided below.

### THE MCKINNEY ACT

Under Title V of the McKinney Act 3, homeless service providers can obtain surplus property that has been deemed suitable for such use, at no cost to the organization. The types of federal property that are available under the Title V program are: housing, warehouses, child care centers, office buildings and vacant land. Once obtained, the property can be used for facilities such as: shelters, transitional housing, job training, mental health care, substance abuse treatment, child care, soup kitchens, food pantries, health care and administrative services. Unfortunately, under HHS policy, such property cannot be used for permanent housing.

In accordance with Title V, the General Services Administration (GSA) is responsible for canvassing to find unused federal property, and the Department of Housing and Urban Development (HUD) determines whether the property is suitable for use to assist homeless individuals. The property is available on an "as-is" basis. Occasionally, however, HUD incorrectly designates such property as unsuitable for use for homeless services; thus, the National Law Center for Homelessness and Poverty (NLCHP) urges interested organizations to contact them in the event that there is unused federal property that has not been designated as suitable. Every Friday, HUD publishes a list of suitable federal surplus

properties in the Federal Register, which may be found at local libraries or online at <a href="http://www.gpo.gov/su\_docs">http://www.gpo.gov/su\_docs</a>, by calling the HUD Title V toll-free hotline at 1-800-927-7588, or by contacting the Property Disposal Division of the GSA at an area regional office. As a practical matter, in advance of official publication in the Federal Register, organizations that are interested in finding surplus property may be able to confirm suspicions that an existing piece of federal property will become available by contacting GSA or the property holding agency for the specific piece of property. As in the Pensacola case, such information is sometimes available prior to official listing.

Property listed in the Federal Register is "frozen" for 60 days and is only available to homeless providers during that time. During the 60-day period, organizations that are interested in applying for surplus property must submit a formal written expression of interest, called a notice of intent to apply for a property, to the United States Department of Health and Human Services (HHS). The notice of intent can be a single letter stating that the organization is a non-profit organization seeking to acquire the property under the McKinney Act for use to assist homeless people. Although notices of intent may be submitted after the 60-day period, HHS is only obligated to consider them if the property is still available.

Upon receipt of an organization's notice of intent for surplus property, HHS will send the organization an application and instruction packet. Organizations must submit the completed application to the Secretary of HHS no later than 90 days from the date on which HHS receive the organization's notice of intent. According to the NLCHP, applications, which can be extensive depending on the size of the proposed project, must include: (1) a description of the organization, including proof that it is a 501(c)(3) organization or a state or local government agency; (2) a description of the proposed program; and (3) proof of the organization's ability to finance the program. One factor that should not be overlooked is that surplus property may need renovations, the costs of which can be substantial. Significantly, where the available surplus property is large, organizations can partner with eligible agencies or organizations.

After investigating the feasibility of the proposal, HHS approves or denies the completed application within 25 days. According to HHS, if the application is approved, "[the property] must be placed into its intended use within 12 months of transfer, or within 16 months where construction or major renovation is contemplated."

After approval, the organization or agency enters into either a long-term lease or transfer of deed with the landholding agency. After transfer, all non-profit organizations acquiring surplus property under Title V must submit a yearly report to HHS on their progress in implementing the program proposed in their application. Significantly, property that is obtained by a non-profit for homeless assistance cannot be sold or used for other purposes, and must be transferred back to the Federal

Government when the proposed program ceases or the property is no longer needed. The organization may be responsible for costs associated with transfers, such as property insurance, surveys, appraisals, and closing costs.

# BRAC: BASE CLOSURE PROPERTY

While military base closures were initially included under the

McKinney Act, the BRAC removed base closures from the McKinney Act, but incorporated many of its requirements. When a military base is closing, the Department of Defense (DOD) is responsible for designating a Local Redevelopment Agency (LRA) to convert a closed military base to nonmilitary use. The LRA must publish information about base closures in both the local newspaper and the Federal Register. Organizations attempting to obtain base closure property for homeless assistance must apply directly to the LRA. To do so, organizations submit a notice of interest to the LRA for specific buildings and property within the set deadline-a date that is set three to six months after the LRA is "recognized" by the DOD or where it was previously recognized, three to six months after it was declared surplus property. The notice of interest must include the following information: an identification of the property, a description of the homeless assistance proposed, a demonstration of the need for the proposed program, the extent of coordination with other providers in the area, a financial plan, the organizational or fiscal capacity of the applicant, and the estimated amount of time it will take for implementation of the proposed plan. Such plans should be considered in the broader context of the LRA's reuse plan.

While in some respects, the BRAC is more complicated than the McKinney Act, it allows for broader use of surplus property and is more flexible. Specifically, surplus property that is available under the BRAC can be used for temporary or permanent housing and its use is not limited to homeless people. Thus, facilities and services can be proposed that

> assist both homeless and low-income communities. In addition to obtaining the property directly, homeless providers may negotiate agreements to provide resources and assistance. For example, as was recently done in Philadelphia, money from the sale of a property may be put into a trust fund to provide services for homeless people. Moreover, while the McKinney Act leaves decisions up to the Federal Government, the BRAC localizes



Camillus House- providing transitional housing for homeless families on the former Airbase.

decision-making process in many ways, giving the community a voice in the reuse plan.

Under BRAC, homeless providers are not given federal preference in obtaining surplus property. The LRA must only consider the needs of homeless people in determining the overall reuse plan for the base. However, the LRA must conduct outreach and consult with and representatives of homeless people in evaluating appropriate uses for the property at the base. In other words, the LRA must consult with representatives of homeless people in preparing a reuse plan. Because, Congress instructed HUD to consider the needs of both the homeless community and the community at large, it is important for homeless providers to include in its letter of interest information and data about the nature of the homeless population, the need for additional homeless facilities and programs, and how the proposed use will work with the other development proposals for the entire base. Once a reuse plan is developed, the LRA must provide the public with information and an opportunity to comment, then it submits the plan to HUD. HUD has 60 days to

### HOUSING NEWS NETWORK

review the reuse plan and application. If HUD rejects a proposed reuse plan, it must notify the LRA of its decision and reasons therefor, and it has 90 days to resubmit a new plan. HUD has 30 days to review the revised reuse plan. Upon approval of a reuse plan, HUD notifies the DOD and then transfers the real and personal property in accordance with the plan. Similar to the McKinney Act, all transferred properties are free to homeless providers. However, once the proposed use of the property ceases, it must be transferred back to the government.

At this point in time, BRAC is particularly significant because there will be another round of military base closures in 2005. Approximately 25 percent of existing military bases

will be closing at that time in an expedited process-all of the closures will take place within 18 to 24 months of the initial announcement. Additionally, closed and closing military installations represent the greatest single source of surplus federal assets available since the inception of the McKinney Act. As the NLCHP instructs, it is essential that homeless service providers who are interested in obtaining property under the BRAC plan in advance so that they can submit a timely notice of interest with the LRA. While this process affords a little more flexibility than the procedure under the McKinney Act, service providers will be up against local government and private organizations with interest in the property.

Unfortunately, there is no "official" way to find out in advance of official publication if a particular military base is slated for closure. NLCHP is monitoring the 2005 base closures in Congress and will provide interested groups with information about closures in their area as soon as possible. In addition, local newspapers may pick up advance information about a base rumored to be closing. Nevertheless, it is advisable that groups interested in acquiring base closure property treat any military base in their community as a possible closure and start to plan accordingly.

### CONCLUSION

This article is merely an overview, and in many respects an oversimplification, of the McKinney Act and the BRAC, aimed at creating awareness of existing opportunities. While both Acts afford excellent opportunities for homeless providers to obtain federal surplus property, at no cost, for homeless related services, advanced planning and

organization is key. To be sure, once surplus property is announced, time is limited and the application procedures under both Acts require the presentation of a feasible and necessary proposal. As such, we recommend that service providers who are interested in obtaining surplus property begin now in planning for the availability of surplus property and check the Federal Register regularly. Beyond that, providers may occasionally be able to identify the existence of federal surplus property that will come available in the future, prior to its official publication, simply by looking or listening for such information around the area. Pensacola case, for example, long before its publication in the Federal Register, it was common knowledge in the community that the homes would become surplus.

suspicions arise that a particular piece of property owned by the government may become "surplus," a call to HUD may confirm such suspicions by contacting HUD at: HUD Headquarters Office, Kathy Burruss, Office of Special Needs Assistance Programs, Office of Community Planning and Development, of Housing Department and Urban Development, Room 7262, 451 7th Street, SW, Washington, DC 20410. Tel: (202) 708-1234.

Finally, we highly recommend consulting legal counsel for a better understanding of what is required under each law. Southern Legal Counsel and the NLCHP are happy to provide assistance.

Southern Legal Counsel, Inc., is a non-profit public interest law firm located in Gainesville, Fl, that can provide legal assistance to organizations seeking to obtain available surplus property. Please contact Peter Sleasman at peter.sleasman@southernlegal.org or (352) 271-8890.

Peter Sleasman is an attorney at Southern Legal Counsel, specializing in civil rights and fair housing litigation. Shelbi Day is an attorney and Equal Justice Works Fellow at Southern Legal Counsel.

Most of the information used to compile this article came from publications issued by the NLCHP, located in Washington, D.C. The NLCHP monitors federal agency compliance with the McKinney Act and provides technical assistance to law firms and individuals seeking to obtain federal surplus property through the McKinney Act and the BRAC. For assistance or more information, contact Becky Troth, at rtroth@nlchp.o Additional articles, reports, and information, including the NLCHP's new report entitled "Acquiring Federal Property to Serve Homeless People," can be accessed on their website http://www.nlchp.or

In compiling this article, we relied on the following materials:

United States Department of Health and Human Services, Brochure: How to Acquire Federal Surplus Real Property for Public Health Purposes (2001).

NLCHP, Securing Housing for Homeless Individuals: Options and Obstacles (April 2004)

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Hallinan, Lauren and Catherine Bishop, Military Base Closures and Reuse Planning: Representing the Poor (National Clearinghouse for Legal Services, Inc 1995).

AT THIS POINT

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IN 2005.



BY ROBERT C. STROH, SR., PH.D., AIC, DIRECTOR SHIMBERG CENTER FOR
AFFORDABLE HOUSING AND ASSOCIATE DEAN FOR RESEARCH
COLLEGE OF DESIGN, CONSTRUCTION & PLANNING, UNIVERSITY OF FLORIDA

he nagging question about mobile homes: Are they safe? The short answer is, it depends which mobile homes you are talking about. The manufactured homes industry has maintained that manufactured homes built to the standards of the late 90s are just as safe as "stick built" housing. The disasters of a quadruple hurricane season have put this question to the test.

The U.S. Department of Housing & Urban Development, the Florida Department of Highway Safety and Motor Vehicles, the Florida Manufactured Housing Association, and the Institute for Business and Home Safety are busy pouring over data collected during on-site inspections following Charley and Frances. Teams of experts from these organizations have visited manufactured home parks throughout the track of the hurricanes for the purpose of documenting the damage and the characteristics of the housing units. More data will be collected in the Florida panhandle communities ravaged by Ivan.

The evaluation of performance centers on the age of the manufactured units relative to major changes in the building codes which dictate how units are produced and tied down:

- Units produced before 1976.
- Units produced after 1976 when the Federal Manufactured Home Construction and Safety

Standards (FMHCSS) were adopted by Congress. Manufactured units produced under the Standards became known as "HUD-Code" units.

- Units produced after 1994 when the FMHCSS were updated following Hurricane Andrew in order to reflect increased wind-load requirements.
- Units produced and set after 1999 when Florida issued more stringent installation and tiedown standards and licensing of installers.

A team from the Manufactured Housing Institute (MHI) accompanied the HUD damage inspection team following Hurricane Charley when they inspected six manufactured housing communities near Punta Gorda. In *MHI's Just the Facts* published August 23, 2004 it was reported that the wind speeds in the six communities ranged from 100 to 145 mph depending on the location. The homes built

prior to the 1976 HUD Code did not perform well in two of the communities. The damages were attributed to inadequate anchors, corroded anchors, or penetrations of the exterior walls and windows of the units by wind-borne debris. Car ports that had been attached to the units failed due to wind forces and tore off portions of the walls and roof. These wall penetrations and those resulting from wind-borne debris allowed internal pressure to increase and destruction of the home resulted. The only homes that survived without considerable damage were protected by nearby tree lines.

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Ventura Lakes is located in Punta Gorda, directly in the path of the eyewall.

The Budweiser Plant photographed is about 1/4 mile from Ventura lakes and was built to the new Florida Commercial Building Code



Ventura Lakes Home – No Damage. Indicative of the entire Ventura Lakes Community.

Most of the damage experienced by manufactured units built according to the 1976 HUD Code, but before the 1994 changes, was related to the failure of attached carports that pealed away siding and roof covering exposing the home to increased internal pressure. Wind-borne debris impact was also observed as a cause of damage. A small number of homes were observed to have shifted off their foundations. Many homes were saved from serious damage by being equipped with hurricane shutters. In general, it was concluded that most of the homes could be repaired and would still be livable.

Homes that were built after the 1994 HUD Code, with its wind-load updates, performed well. Most of the units had storm shutters that likely prevented buildup of internal pressure. Wind-borne debris damage was observed on siding and roofs. Where attached garages failed, collateral damage to the units was limited to small wall or roof areas. Movement on the foundation was observed in very few units and was considered to be easily repairable.

No homes built after the 1994 HUD Code updates and in accordance with the 1999 Florida installation standards were found displaced from their foundations. The tougher installation and tie-down safety standards for Florida's mobile homes required the use of more tie-downs. Today, a typical manufactured home might have as many as 45 tie-downs compared with just 10 for a pre-Andrew manufactured unit. Most damage that was observed was related to the loss of attached carports, the impact of windborne debris, or siding failure.

The summary statements published by the MHI stated: "Overall, performance of homes built to the post-1994 HUD Code wind changes was very good. Homes built to the pre-

1994 HUD Code faired well. Homes built to the 1976 HUD Code failed at an alarming rate."

Another damage assessment of the manufactured home damage related to Hurricane Charley was conducted by the Florida Department of Highway Safety and Motor Vehicles, Division of Motor Vehicles. This team visited 77 manufactured housing parks and assessed the damage to 11,800 housing units located in Polk, Charlotte, DeSoto, Hardee, Lee, Highlands and Orange Counties. The goal of the team was to assess the effectiveness of the 1994 HUD Code with its updates to improve the wind resistance of the units. Out of all the units observed, 2,422 (20.5%) were either destroyed or damaged to the point of not being repairable. Focusing only on the 2,883 post-1994 HUD Code homes that were observed, none of the units were seriously damaged. The damage observed to these units was related to the loss of attached carports and screen rooms, siding and shingle loss, broken windows, and siding/roof damage caused by wind-borne debris or falling trees.

### SUMMARY

The findings reported by the damage assessment teams indicate that the strengthened Federal Manufactured Home Construction and Safety Standards are improving manufactured housing structural performance during highwind events. Similarly, the administrative rules implementing a mobile home installation standards, materials testing, and installer training and licensing program has had a positive effect on the stability of manufactured units during high-wind events.

A comprehensive report of the HUD damage assessment teams is anticipated to be published later this year.



# Hurricanes and Housing Assistance



Nancy Muller, Housing Policy Director, Florida Housing Finance Corporation

he joint SHIP/PHA Breakfast Roundtable, sponsored by the Florida Housing Finance Corporation at the Florida Housing Coalition Conference on Sept. 22<sup>nd</sup>, began with a presentation from Nancy Muller, Policy Director at FHFC. She addressed a number of hurricane related issues, including funding and rule changes.



Nancy was introduced by Florida Housing Coalition President, Jaimie Ross



Sue Early

The Florida Housing Coalition Board of Directors wants to express its gratitude to Sue Early. Sue has agreed to fill in as editor of the Housing News Network Journal for the next two issues, while Jaimie Ross enjoys her James A. Johnson Fannie Mae Foundation Community Fellowship. Sue Early provides the following information regarding the hurricanes and housing.

n the aftermath of Hurricanes Charley, Frances, Ivan and Jeanne, numerous federal and state initiatives have been

announced to address the urgent and aggravated need for housing in the most devastated areas of the state:

### FINANCIAL ASSISTANCE:

- \$40 million to fund vouchers that can be used to cover the difference between HUD fair market rents and actual post-hurricane rents;
- \$21 million in "Home Again" program funds for the repair, reconstruction or replacement of homes;
- \$15 million in vouchers for families displaced from HUD properties, including public housing units and multifamily projects;

- \$15 million in HOME funds available for tenant-based rental assistance and home repairs;
- \$10 million for senior facility emergency repair grants in amounts up to \$500,000 for HUD Section 202 facilities;
- \$5 million in State Housing Initiatives Partnership (SHIP) Program funds to Charlotte, DeSoto and Hardee Counties;
- \$4.5 million in Community Development Block Grant (CDBG) for housing repair for those impacted by Hurricane Charley, and \$150 million requested through a federal supplemental appropriation;
- \$100,000 in Emergency Community Services Block Grant (CSBG) funding for farmworker housing needs; and
- \$25,000 in cash grants per individual or household





Representative Leslie Waters

through the Federal Emergency Management Agency (FEMA) Individuals and Households Program (IHP).

### **OTHER INITIATIVES:**

- State Representative Leslie Waters was appointed by Speaker-Designate Allan Bense to chair a Hurricane Preparedness Workgroup;
- State Representatives Randy Johnson and Ed Jennings hosted a hurricane relief housing roundtable in Orlando following Hurricane Charley;
- The Internal Revenue Service temporarily suspended income restrictions on properties financed using Low-Income Housing Tax Credits (Housing Credits);



Representative Randy Johnson

- The Florida Housing Finance Corporation (FHFC) compiled a statewide list of vacant units that could be available for rent to individuals displaced by the storms;
- FHFC published emergency rules for SHIP to provide for

- greater flexibility and accelerated disbursement of funds to local governments;
- FHFC requested temporary relief from requirements related to Single-Family Mortgage Revenue Bonds to provide for greater flexibility;
- FHFC has proposed targeting of 2005 Housing Credits to applications for sites located in Charlotte, DeSoto, Hardee, St. Lucie, Martin, Escambia and Santa Rosa Counties;



Representative Ed Jennings

- HUD directed all Single-Family FHA-approved lenders to provide relief to families with FHA insured mortgages affected by Hurricane Charley;
- HUD made available its Section 203(h) single-family home mortgage insurance program and its 203(k) loan program for damaged or destroyed properties; and
- HUD is providing flexibility and Section 108 loan guarantees for its CDBG program.
- The Affordable Housing Study Commission was asked to make recommendations on long-term recovery strategies related to affordable housing;



# Affordable Housing Study Commission Recovery Recommendations

he Affordable Housing Study Commission was created by the legislature to make recommendations to improve public policy, stimulate community development and promote the production, preservation and maintenance of safe, decent and affordable housing for all Floridians. Each year the commission, which is comprised of 21 citizens appointed by the governor to represent various interests, prepares a report addressed to the governor and the legislature.

At the Oct. 1, 2004 meeting of the commission, Lieutenant Governor Toni Jennings requested that the commission provide recommendations related to hurricane recovery efforts for affordable housing in Florida. While Commission Chair Helen Hough Feinberg reports that the commission welcomes the opportunity to incorporate a full set of recommendations into its 2005 annual report, the commission has thus far released two sets of interim recommendations.



Lieutenant Governor Jennings with Commission Chair Helen Hough Feinberg and Orlando Cabrera, Executive Director of Florida Housing Finance Corp.

The first set of interim recommendations, issued October 5, 2004, represents ways in which the Department of Housing and Urban Development (HUD) may assist affordable housing providers to efficiently repair, rehabilitate or develop affordable housing stock in hurricane disaster areas:

- 1. State/Local HUD Representative: The commission recommends the creation of a temporary locally staffed position at HUD with the authority necessary to make decisions and seek waivers in order to coordinate storm recovery efforts in the state of Florida.
- 2. Relief From Selected Requirements Applicable to Programs Funded by HUD: The commission recommends that the state seek waiver from or modification of the following HUD requirements to expedite the process and maximize the number of affordable units placed in service:

- **▶** DAVIS-BACON WAGE
- > Environmental Review
- ➤ Uniform Relocation Assistance
- > LEAD BASED PAINT

The second set of interim recommendations, issued Oct. 25, 2004 represents ways in which the Treasury and Congress can better promote the production of affordable housing units in hurricane disaster areas, at little or no cost to the federal government:

# **3. Designation as Difficult Development Areas (DDAs):**The Commission recommends that the state work with HUD

The Commission recommends that the state work with HUD and the appropriate committees in Congress to grant special consideration of the hurricane impacted areas in our state as DDAs under the Housing Credit program.

- **4. Waiver of 10 Year Rule:** The commission recommends that the state request legislation permitting a waiver of the "10 Year Rule" under the Housing Credit program for federally declared disaster areas within Florida.
- **5. Relief for First Time Home Buyers and Home Owners:** The Commission recommends that the State request legislative relief for a period of two years from: a) the first time home buyer requirement for individuals and families whose homes have been damaged by the storms, and b) the \$15,000 limit on Home Improvement Loans. For example, legislative relief from the first time home buyer requirement could be achieved by amending section 143(k)(11) to apply to bonds issued in 2005 and 2006. The Commission suggests that the dollar limit on Home Improvement Loans be increased to \$100,000.

# Private Sector Disaster Response

he response to the hurricanes has been enormous—it has involved individuals donating their personal their time and resources (something we heard a great deal about at the conference), as well as substantial responses from organizations such as Florida Legal Services and the local legal services offices around the state. And as usual, in times of distress, it has garnered the assistance of the collective human resources in churches and faith-based organizations. Arnold Andrews, Executive Director for Catholic Charities in St Petersburg, Fl., was one of those who spent a large part of his time before the conference assisting in Florida's hurricane devastated counties and abroad. We were honored to have Mr. Andrews give a presentation on the role of churches and faith-based organizations in affordable housing at the 2004 conference, highlighting the success of the San Jose Mission. See page 16 for story.



Arnold Andrews, Executive Director, St. Petersburg Catholic Charities, presenting at Coalition conference.

### CONFERENCE HIGHLIGHTS



Darren Walker of the Rockefeller Foundation delivered his keynote address and received a standing ovation.



The public policy plenary, "Home Ownership... Is it for Everyone?" featured a panel of national experts, from right to left, (Scott Keller, Deputy Chief of Staff HUD, Shelia Crowley, President of the National Low Income Housing Coalition, Mark Hendricskon- moderator, David Gasson, VP Boston Capital, Buzz Roberts, Sr. VP LISC).



Andrew O'Malley is presented with an award for his work as the Chair of the Pro Bono Committee of the Real Property Section of the Florida Bar. Andrew works with the Florida Housing Coalition to connect volunteer lawyers with nonprofit affordable housing providers.



WAMU delivers its \$1,000 check to Janice Johnson of the Gainesville Neighborhood Housing and Development Corporation, the winner of its raffle open to Florida 501(c)(3)s.



Raffle Host Michael Chaney outdoes himself year after year.



Mark Hendrickson receives an award from the Florida Housing Coalition for his more than twenty years of accomlishments in affordable housing.



Mark Hendrickson (far right) presented Legislative Awards to (from right to left), Rep. Randy Johnson, Sen. Mike Bennett, Speaker Designate Allan Bense, Rep. Bill Galvano, Rep. Nancy Detert, Sen. Ken Pruitt, Rep. Ed Jennings.



Catherine Brozowski receives the Platinum Partner Award on behalf of Washington Mutual.

# The Legislative Reception was sponsored by:

The Carlisle Group
The Coalition of Affordable Housing Providers
Florida Association of Realtors
Florida Home Builders Association
Florida Manufactured Homes Assoc.
The Gatehouse Group
LCA Development, Inc.
Pinnacle Housing Group

Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A.
Wendover Housing Partners

### CONFERENCE HIGHLIGHTS



Rob Dearduff addresses the SHIP Roundtable.



The engaged participation of conference attendees is a critical part of the success of our workshops.



Florida Housing Coalition Executive Director, Michael Davis.



2004 was the kickoff year for the Public Housing Authority Roundtable. An event we anticipate incorporating into each conference, similar to the SHIP Roundtable.



Networking is an important and fun time at every conference.



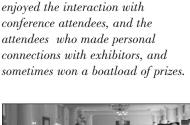
John Sebree, Florida Association of  $Realtors\ with\ Senate\ Appropriations$ Chair, Ken Pruitt.



Robin Grantham, FHFC

AMSOUTH B





The Expo was a big success from the

standpoint of the exhibitors who





And the comment heard most often "This is the best conference yet... I don't know how you will ever top this one." But somehow we do, so...



A good time was had by all at the legislative reception.



# SAVE THIS DATE

The Florida Housing Coalition's 18TH ANNUAL STATEWIDE AFFORDABLE HOUSING CONFERENCE September 12th-14th, 2005

Omni Orlando Resort at ChampionsGate



# SAN JOSE MISSION

The Role of Churches and Faith-Based Organizations in Affordable Housing was a well attended workshop at the Florida Housing Coalition's 17th Annual Statewide Conference. Churches throughout Florida have substantial resources to bring to the table. Those resources include the ability to outreach and be trusted in the communities they serve, and to garner the support of human and financial resources in the form of volunteerism and donations. Most importantly, churches frequently own land. The success of churches and faith-based organizations is highly dependent on partnerships. The Florida Housing Coalition works with churches and faith-based organizations to assist them in developing partnerships, and providing them with technical assistance through programs well suited for their needs, such as the Florida Community Loan Fund and Florida Housing Finance Corporation's Pre-Development Loan Program.

### BY ARNOLD ANDREWS

### EXECUTIVE DIRECTOR, CATHOLIC CHARITIES, ST PETERSBURG

ctober 15, 2003 will be a day long remembered in the strawberry fields of Dover/Plant City. It will be remembered as the day when 300 people from all walks of life came together in solidarity to celebrate a successful, decade-long effort to provide safe, affordable and dignified homes for farmworker families.

The San Jose Mission is a residential community and education/social services campus for farmworker families. The Mission is located in the rural agricultural community of Dover, near the Plant City area, known worldwide for its delicious strawberries.

The Mission currently hosts a community partnership of health, education, and social services agencies that provide a day care center for 90 children (operated by Redlands Christian Migrant Association); an adult education and literacy program (provided by Hillsborough County Schools); a parish nurse (provided by St. Joseph's/Baptist Hospital); and a food/clothing pantry (operated by the St. Vincent de Paul Society). Catholic Charities provides professional counseling and case management for children, families, and

individuals. In addition, Catholic Charities, in collaboration with the Catholic Medical Association, operates a Mobile Medical Unit staffed by volunteer physicians and nurses.

The Mission currently offers 80 units of affordable rental housing with 42 more units under construction. Funding

> for the housing was made possible by the State of Florida DCA, the U.S. Department of Agriculture, Hillsborough County, HUD, the Florida Community Loan Fund, and the Federal Home Loan Bank, with SunTrust as participating lender.

> The San Jose Mission has been recognized as a national model by

of the prestigious Achievement Citation for Extraordinary Programs Award for the year 2002 from the Catholic

USDA, HUD, the Catholic Health Association and Catholic Charities USA. It is the recipient Health Association.



The San Jose Mission illustrates how ALL OF US... working together... as a government; a faith community; and people of good faith can cultivate a small seed of compassion to create a model of justice and dignity for farmworkers.



# DCA Revises Fiscal Impact Model: Affordable Housing is Treated as "Infrastructure - Like"

BY TRACY SUBER, DEPARTMENT OF COMMUNITY AFFAIRS,
SPECIAL PROJECTS COORDINATOR, DIVISION OF COMMUNITY PLANNING

### DEVELOPMENT OF FIAM

n its 2001 final report, Governor Bush's Growth Management Study Commission recommended that Florida develop a method to determine the true costs of development and provide it to local governments as a tool to improve local land-use decision-making. During 2002, the Department of Environmental Protection awarded a contract

to Fishkind and Associates of Orlando to develop the model, and created a multidisciplinary work group representing diverse interests in growth management to guide the effort. Following initial development, the model was tested in seven pilot communities: Hollywood, Orlando, Panama City, Sarasota, and Orange, Sumter and Palm Beach Counties.

The model's methodology is incorporated into an Excel spreadsheet and estimates the costs and revenues associated with land-use decisions using a modified per capita approach. The model is location sensitive and capable of determining the costs of development on either a jurisdiction-wide or project-specific basis.

The model is designed for use by local governments with land-use responsibilities, primarily cities and counties. The model estimates cost and revenue impacts of local land use decisions on school districts and on the state roadway network. The application of FIAM in a particular jurisdiction requires input of data specific to that locality, or "calibration." Fishkind and Associates worked closely with each pilot community to complete calibrated models for each. Then, the model was tested.

Following completion of initial development and testing, responsibility for additional research and preparations for implementation was transferred to the Department of Community Affairs (DCA). During 2003, the model was further refined in response to feedback from pilot communities.

### AFFORDABLE HOUSING MODULE



As part of ongoing research, the engaged Fishkind and Associates to incorporate a module to analyze affordable housing. While it is well recognized that affordable housing requires public investment, affordable housing advocates expressed concern that FIAM would be inappropriately used to deny approval of affordable housing developments. If the proposed affordable housing development were to be evaluated

using an approach that considered only the ad valorem revenue generated by the development offset by the costs of public infrastructure, affordable housing would appear to have a negative fiscal impact. Coupled with the requirement that comprehensive plans be financially feasible, this approach could have had a detrimental effect on the development of affordable housing.

The DCA organized a housing working group to engage the active participation of a number of people with expertise in this area. In its very first meeting, the working group concluded that affordable housing is "infrastructure-like," recognizing that affordable housing is a necessary part of a community's infrastructure, like roads, water and sewer. The group concluded, therefore, that FIAM should not be applied to determine the fiscal impact of a proposed affordable housing development just as FIAM would not be applied to a roadway project. The DCA agreed to provide written guidance to local governments to make clear that FIAM should not be applied when making a permitting decision about a proposed affordable housing development. In addition, to address the comprehensive plan requirement for financial feasibility, the DCA will include a statement in the model, training materials, and regulations that the requirement that a local government evaluate the financial feasibility of its

comprehensive plan, shall not relieve a community from its obligation to plan for and facilitate creation of a housing stock that is affordable to citizens of all economic levels, including those of very-low-income, low-income, and moderate-income.

Moreover, it was agreed that the FIAM should be modified to determine the impact of all other development on the demand for affordable housing. As originally designed, the model did not assess the effects of land-use decisions, such as commercial and residential development on the need to provide affordable housing. This overstated the fiscal benefit from commercial, industrial, and even residential development.

### PEER REVIEW

The DCA also engaged the Urban Land Institute (ULI) to conduct third-party review as part of continuing research and development of the model as a tool to help communities determine the true costs of development. To help assure that further investment in the model is sound, the Department sought an independent analysis of its validity, reliability and credibility. In June 2004, the Department of Community Affairs received a preliminary report from the Urban Land Institute (ULI) on its recently completed peer review of Florida's Fiscal Impact Analysis Model (FIAM). ULI characterized the model as "excellent."

The evaluation found that Florida should:

- Endorse the model, package it, and make it available for land-use decisions;
- Provide incentives to local governments and developers to use the model;
- Provide training and technical assistance to local governments in using the model; and
  - Develop a monitoring program to determine whether use of the model leads to better land use decisions and increased sustainability of development.

The evaluation also confirmed a recommendation from initial research: FIAM should not be used as the sole basis for a decision, but rather as a tool to inform and guide better land-use decisions. This finding validates the intent of the Growth Management Study Commission that such a model be used to make Florida a better place, not to add additional layers of government regulation.

### **NEXT STEP**

Although the modified FIAM, (which now addresses the impact of development on the demand for affordable housing), is substantially complete, the important aspect of implementation, user support, training and certification, is not yet in place. DCA will be formulating specific proposals for implementation. Once the implementation plan including user training and support is in place, DCA will make the model widely available for use by local governments and the development community. The Department of Community Affairs will provide updated information in its publication, Community Planning.

For more information contact Tracy Suber, (850) 922-1819 or SC 292-1819, email: tracy.suber@dca.state.fl.us.

# HOUSING WORK GROUP MEMBERS:

**Susan Caswell**, East Central Florida Regional Planning Council

Michael Davis, Florida Housing Coalition

Jaye Epstein, City of Hollywood

**Marcus Hepburn**, Division of Housing and Community Development, DCA

**Valerie Hubbard**, Division of Community Planning, DCA

**Nancy Muller**, Florida Housing Finance Corporation

**Bill O'Dell**, Shimberg Center for Affordable Housing

**Jaimie Ross**, 1000 Friends of Florida

**Tracy Suber**, Division of Community Planning, DCA

**Brian Teeple**, Northeast Florida Regional Council

Michael Timmerman, Feasonomics



The Florida Housing Coalition maintains a focus on the housing needs of people with disabilities

# Increasing Community-Based Affordable Housing Opportunities for People with Disabilities



South Florida Grassroots delegates discuss housing needs.

# BY MICHAEL CHANEY FLORIDA HOUSING COALITION

he Florida Housing Coalition maintains a focus on the housing needs of people with disabilities. Since 1997, the Coalition has worked in partnership with the Florida Developmental Disabilities Council with the goal of increasing community-based affordable housing opportunities for people with disabilities. During the past year, a series of housing workshops for the disability community and ongoing technical assistance have helped sustain a great momentum for the understanding of what specific strategies are needed to accomplish this goal.

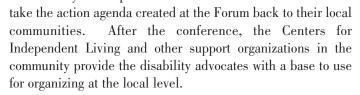
There have been several important developments on the subject during the past Summer and Fall. First, advocates from the disability community converged on Orlando during



the Grassroots Forum conference in July. At the state level, the Florida Legislature created the new Agency for Persons with Disabilities. In addition, the governor created the Developmental Disabilities Blue Ribbon Task Force, which will generate recommendations to help the new agency successfully serve people with disabilities.

### GRASSROOTS FORUM

On July 11-13, 2004, over 300 people with disabilities attended the Florida Grassroots Forum, the fourth statewide conference planned by and for persons with disabilities. Modeled after similar conferences in Pennsylvania and Kansas, the concept of the Florida Grassroots Forum was established in 1997 by the Florida Independent Living Council. The biennial forum offers Floridians with disabilities an opportunity to meet others who share their concerns about four subject areas: affordable housing, education, employment and transportation. Conference participants are called delegates and make a two-year commitment to advocacy work. They are expected to



Michael Chaney from the Coalition participated in the Forum as one of the "content experts" on the subject of housing. The content experts took turns meeting with delegates, who were organized into four regions across the State. A number of housing challenges for people with disabilities were identified and discussed. Many delegates, especially in South Florida, discussed the importance of Section 8 vouchers for securing affordable rental housing. They voiced concern about the long waiting lists for vouchers and the need for additional funding to create new vouchers. The housing content experts discussed how some local public housing authorities have amended their administrative plans to offer priority attention on people with disabilities on waiting lists for vouchers. The content experts also discussed the impact of the Florida Housing Finance Corporation's programs in financing the development of more affordable rental units. Delegates were informed about the Rule Development workshops for the Housing Credits, SAIL, HOME and Multifamily Bond programs. These workshops provide a forum for delegates to advocate for increased attention on the housing needs of people with disabilities specifically.

The forum delegates also considered several housingrelated action steps to undertake at the local level. Many voiced an interest in participating in the planning process for their communities' comprehensive and consolidated



Jack Humburg talks with Florida Independent Living Council Director Beth Schultz at the Grassroots award luncheon.

plans. In addition, delegates learned about the SHIP local housing assistance plan and discussed how to advocate for the creation of new SHIP strategies focused solely on assisting people with disabilities.

A large number of other potential advocacy issues

were discussed. One visually impaired delegate stressed the importance of educating rental property managers on the assistance provided by Service Animals to avoid paying a large pet deposit. Others identified a need for educating city and county housing inspectors about the Americans with Disabilities Act (ADA) and fair housing building requirements. In the end, all these potential advocacy issues have been summarized and prioritized into a final report. This document, as well as guidance for contacting forum delegates in your area, is available from the Florida Independent Living Council, (850) 488-5624.

# FHC BOARD MEMBER RECEIVES GRASSROOTS FORUM AWARD

The importance of affordable housing was emphasized on the final day of the Grassroots Forum, when the Florida Independent Living Council presented its "Outstanding Community Advocate" award to housing professional Jack Humburg. As a Florida Housing Coalition board member and the housing development director for Bolev Centers for Behavioral Healthcare, Jack works to address the lack of affordable, accessible housing for very low income people with disabilities. On several occasions, Jack has battled NIMBY opposition from neighborhood and condo associations fighting to keep "those people" out of their communities. Ever the advocate, Jack's knowledgeable voice of reason has prevailed every time, even in one case that was heard in Federal Court. Humburg has helped many cities throughout Florida with their ADA compliance efforts, authorizing the ADA Transition



Jack Humburg accepts his award at the Grassroots Forum.

# DEVELOPMENTAL DISABILITIES BLUE RIBBON TASK FORGE

Plans of Hillsborough County and the City of West Palm Beach among others. He also provides consultation and training to private employers, advocacy organizations, and individuals with disabilities

throughout the Southeast. This level of dedication impressed the Florida Independent Living Council enough to give Jack public recognition and a heart-felt "thank you."

### A NEW AGENCY IS CREATED

Last Spring, the Florida Legislature approved the creation of the Agency For Persons with Disabilities. Starting on July 1, the Developmental Disabilities Program—which had been located at the Department of Children and Families—became a stand-alone agency, although the transition to the new agency was only fully implemented on Oct. 1, 2004.

Shelly Brantley, director for the Agency for Persons with Disabilities, notes that the agency has about 3,800 employees and serves 32,000 Florida residents with developmental disabilities, including persons with cerebral palsy, mental retardation, spina bifida, autism and Prader-Willie syndrome. The focus also will not change: to help Floridians with developmental disabilities live as independently as possible.

The creation of this agency is a victory for social service advocates who have worked for years for a separate state agency to help disabled Floridians. From their perspective, the unique needs of Floridians with developmental disabilities often received too little attention within the large Department of Children and Families. With the governor's support, the legislature has now established a separate agency with a director who reports directly to the governor and a \$1.2-billion budget.

Concurrent with the creation of

a new agency, Governor Bush has also established the Blue Ribbon Task Force (BRTF) on Inclusive Community Living, Lifelong Transition, and Employment of Persons with Developmental Disabilities. This task force is designed to assist the new agency with its mission by developing a recommended plan of action for expanding and improving inclusive community living options, coordinating the provision of transition services for student with developmental disabilities when they leave school and seek employment, and improving opportunities for competitive, inclusive employment.

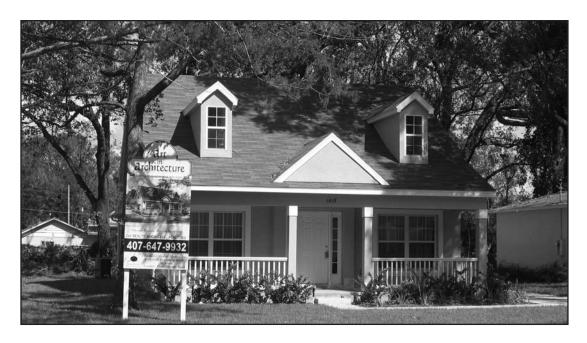
The issue of most interest to housing professionals is the task force's attention on community living options. There are still many people living in nursing homes and other institutions who have the ability and an interest in living in a less institutionalized setting. They may wish to locate an affordable apartment to rent, purchase a home, or live with one or more roommates. The Florida Housing Coalition and the Florida Housing Finance Corporation are assisting the task force as it considers recommendations to expand community living options.

The task force is comprised of individuals with disabilities and their families, advocacy groups, private service providers and representatives of the Department of Education, the Department of Vocational Rehabilitation, the Agency for Health Care Administration and Department of Elder Affairs. Since June, the BRTF has been meeting on a monthly basis. The task force must deliver its recommended plan of action to the governor by Dec. 15, 2004.

Taken together, all these developments over the past months illustrate progress on the subject of community-based housing options for people with disabilities. For more information on the subject, contact the Coalition at (850) 878-4219.



# Art in Architecture

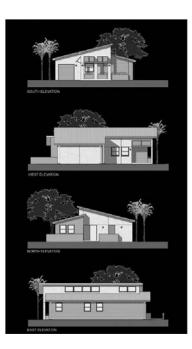


The National Association of Realtors, in convention in Orlando in November, has planned a tour of the "Art in Architecture" homes and a seminar to promote the use of the concept with the hope that other Realtor associations around the nation will institute an Art in Architecture program in their communities.

he Florida Housing Coalition had an interview with Art in Architecture's founder, Realtor, Steve Chitwood and Architect, John Erhig, FAIA.

# FHC: WHAT IS ART IN ARCHITECTURE AND HOW DID IT GET STARTED?

**CHITWOOD:** Art in Architecture is a program designed to promote good architecture and unique design at an affordable price, as well as an effort to combat NIMBYism. As a member of the Orlando Regional Realtors Association's Board of Directors, I proposed that we do something pro-active to support affordable housing, a growing problem in the Orlando area, which has a high percentage of lower paid workers employed in the service and hospitality centers. The ORRA Board



approved the program unanimously and provided \$60,000 to purchase four lots in the Holden Heights area, near downtown Orlando.

The concept was to showcase four homes with new and creative designs that would provide architecturally significant change to the standard concrete block box, which we have often seen as affordable housing. The designs would be such that they could be built using currently available and cost effective materials, for a total price that was within the range of affordability for those residents whose incomes were no more than 80 percent of the Orlando area median family income. The four houses were designed by AIA architects, built by members of the Metro Orlando Homebuilders Association,

# 

### ART IN ARCHITECTURE





decorated by members of the local interior design community and sold by members of the Orlando Regional Realtors Association.

### FHC: How Did You Get Architects on Board?

**CHITWOOD:** I contacted John Erhig of the local AIA chapter and asked him if his organization would be willing to donate their architectural services by providing four new and unique home designs as a donation to the program. John enthusiastically contacted four well-know architects and they all committed to the program, donating their time and expertise.

### FHC: How Did You Get the Builders on Board?

**CHITWOOD:** I contacted four members of the homebuilders association that were or had been active in the production of affordable housing and they all committed to the program.

# FHC: What is the Future For the Art in Architecture Program?

The Orlando Regional Realtors Association has established a 501(c)(3) foundation (The Florida Real Estate Foundation) to continue the Art in Architecture program and promote its growth. The funds initially supplied to purchase the first four lots will come back to ORRA at the closing on the sale of each of the homes. The board of directors has pledged those funds along with additional funds, and a line of credit, to purchase additional lots and to build more homes for those in the low-to moderate-income ranges.

Affordable housing is a BIG need in Orlando. The Art in Architecture program has promoted the awareness of the affordable housing crisis and has supplied a vehicle for those professional organizations invested in housing, to help solve the problem. The Orlando Regional Realtors Association and its commitment to support affordable

### HOUSING NEWS NETWORK





housing supplied the necessary impetus to get the project started. Its agreement to fund the initial lot purchase and to promote the concept gave the program the credibility to move forward. The commitment by its staff and its membership to carry through and expand the program has benefited the Orlando metropolitan area citizens and has helped to place a "spotlight" on the needs of our low-to-moderate income citizens in their search to find a home they can afford. The first four houses are completed and stand as an example of GREAT design and an inspiration for others to produce quality affordable housing and 10 more homes are underway.

# FHC: How Can Builders Benefit From the Architect's Work in The Art in Architecture Program?

**CHITWOOD:** At this point, the Art in Architecture program has nine different affordable plans that can be used by any builder, for a nominal fee, to produce affordable single-family homes that, for all practical purposes, can be placed almost anywhere within the metro area and which will blend into the neighborhood without looking like an "affordable" home.

We have received many calls and questions concerning the program from outside the Orlando area. ORRA has spent the necessary funds to "package" the program with all of its logos, signage, guidelines, etc., and is making that package

available to the local Boards of Realtors throughout the nation as a program to support affordable housing.

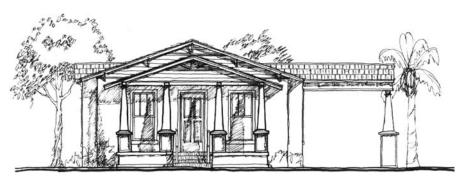
The support from architects, such as Don Evans of The Evans Group, as he rallied his fellow architects and challenged them during the process was wonderful. The willingness of the builders to accept the challenge and agree to build the houses with only a 10 percent supervision fee, the eagerness of the interior designers to accept the challenge of showing what can get done on a limited budget was inspiring. I have been constantly amazed as the willingness of the "building industry" to rally and work to produce these homes.

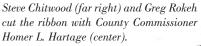
# FHC: ONCE STEVE CHITWOOD GOT THE LAND, HE NEEDED ARCHITECTS TO COME UP WITH AFFORDABLE HOUSING DESIGNS. HOW DID THAT WORK?

**EHRIG:** Steve contacted the AIA Orlando and asked if there would be any interest from the local architects to provide "pro bono" design services to create better looking and well designed housing for a local neighborhood. After a few phone calls, I found four architects to provide the designs. The firms included The Evans Group, Fugleberg Koch Architects, Nasrallah Fine Architectural Design, and a group of young professionals from the Young Architects Forum.

The teams of architects were then paired up with several local builders who agreed to construct the designs on a cost plus basis, with a 10% markup for overhead. The builders included











The Watson Group, Westar Homes and the Dye Companies, Inc. The builders and architects worked side-by-side during the design phase to develop the most cost effective approach to each design, taking into account the individual builders standard construction methods and materials.

### FHC: TELL US ABOUT THE DESIGNS.

EHRIG: The homes vary in size from approximately 950 square feet to 1396 square feet. The sale prices ranged from \$105,000 for a two bedroom, two bath unit to \$126,000 for the five bedroom, two and half bath home including a 50 x 135 foot lot. The designs included a variety of approaches from the Neo-traditional to contemporary, each with its own character. The solution from the Young Architects Forum for a two bedroom, two bath empty nester home turned out to be a local favorite.

The largest unit, designed by the Evans Group, has the special feature of being a multi-generational home. The plan provides a separate suite down stairs for grandma and/or grandpa while the upstairs has four bedrooms for mom and dad and the kids.

As the design process evolved, several community groups started working with potential buyers in credit counseling and mortgage qualification. Local banks got involved providing construction funds after the initial funding source had a change of heart. There were also several permitting

issues that had its challenges. But through the efforts of a number of individuals including County Commissioner Homer Hartage issues were solved one by one.

The finishing touch for each home was added by a group of interior designers and decorators who took on the challenge to complete the design with the furniture and finishes that were required. Each had a modest budget of between \$1,500 and \$2,500 to do the whole job. The interiors were completed by Faun Carlson, Sharon De Rousha, Sharon Neace and Cissy Poirer. Through the gracious donation of a local developer, Westgate Resorts, the designers had three warehouses of furniture to pick from. After the grand opening the new home owner could keep all the donated articles.

## FHC: Do you feel the Art in Architecture program has been a success?

EHRIG: You bet. The four homes in Holden Heights were open to the public on Aug. 12, 2004, just one day before Hurricane Charley blew through Orlando. When the clouds cleared and rain ceased the houses were standing tall with no damage. We were truly blessed. The story doesn't end here. Art in Architecture II is well under way in Winter Park and another in Orlando is on the drawing boards. This collaborative effort of hundreds of people was the dream of one man (Steve Chitwood) who had the vision and courage to seek to improve the lives of low income families by providing affordable and beautiful homes is making its way to other parts of America.



### Frequently asked SHIP questions

# DISASTER RELIEF EFFORTS USING SHIP MONEY

Excerpts from FHFC's Web site.

**Question:** Is there a cap on how much SHIP money can be used toward disaster relief, and do we have to advertise?

**Answer:** No cap. No advertisement required. See 67ER04-22 NOFA

**Question:** Can we use unencumbered funds from open fiscal years?

Answer: Yes. See 67ER04-19

**Question:** Can insurance deductibles be paid using disaster funds?

Answer: Yes. See 67ER04-21

**Question:** Can disaster funds be used to pay for hotel rooms?

Answer: No

**Question:** Can pay stubs and bank account information be used for income qualification purposes rather than third party verification?

**Answer:** Yes, 67ER04-20 Income Verification

(1) Recipients of SHIP funds under a local government's disaster strategy shall be required to verify income by executing a Disaster Self Certification of Income Form (08/04), hereby adopted and incorporated by reference or a local government's form that requires the same information. A copy is available on

the corporation's web site at *www.floridahousing.org* or by contacting the Florida Housing SHIP Staff at (850) 488-4197.

(2) Pay check stubs and other forms of proof are required, if available. Other documentation required for SHIP income qualification may be waived if unavailable. The county or eligible municipality shall make every effort reasonable to insure that the recipients of SHIP funds are income qualified.

**Question:** Can disaster funds be used to pay rent?

**Answer:** Yes, rent may be paid for the term of the executive order. The latest executive order (Hurricane Jeanne) will expire on Nov. 24, 2004.

For further information, visit the Florida Housing Finance Corporation's Web site at *www.floridahousing.org*, follow the links to the SHIP program and click on "Disaster Documents." You can also contact the Florida Housing Coalition at (800) 677-4548.

### INCOME FROM AN IRA

A SHIP client has an IRA rollover account which provides her with \$300 on income each month. I am accustomed to recording IRAs as assets, but is this case different? Should I record this \$300 of monthly income among other sources of straight income, like social security payments or employment income? Or should I count the IRA as both an asset and a straight income source?

At first glance, this scenario might seem to be a case where you have to record the IRA as both an asset and as a source of a steady stream of income. Yet you should only record the IRA as an asset. On the first page of the income certification form, list the cash value of the IRA. You must also record the actual income from the asset—in this case, the actual income is the \$300 monthly payment that the applicant receives from the IRA.

If the total value of this and the applicant's other assets is over \$5000, you will also need to calculate the imputed income from this asset. In the end, you will record either the actual income or the imputed income (whichever is greater) as one of the household's sources of income on the second page of the income certification form. In most cases, like the one you discuss, the amount of actual income paid by the IRA will be a larger sum of money than the imputed income from the asset, so the actual income will be reported on the second page of the income certification form as the income from this asset.

### WASHERS AND DRYERS

A rehabilitation applicant has asked if the SHIP program can purchase a washer and dryer for her home. Is this an eligible expense, and have other SHIP jurisdictions used their funds in this manner?



Have you got a question about the SHIP program? Free telephone technical assistance is available to help you successfully implement your SHIP funded work. Call the Florida Housing Coalition's SHIP telephone line at (800) 677-4548.



Michael Chaney

Ultimately, SHIP funds must be used to provide eligible housing for eligible persons. Section 67-37.002(12) of the SHIP Rule states that "rehabilitation means repairs or improvements which are needed for safe or sanitary habitation, correction of substantial code violations, or the creation of additional living space. Local plans may more specifically define local rehabilitation standards."

This definition justifies the purchase of refrigerators and stoves, which are often considered necessary for safe and sanitary habitation. Washers and dryers, however, do not pass this same standard of justification. The Coalition is not aware of any SHIP jurisdiction that purchases washers and dryers with SHIP funds as part of its rehabilitation strategy, although some use their funds to purchase refrigerators and stoves.

# LEARNING MORE ABOUT THE "120 DAY CLOCK"

Please help me clarify my understanding of the "120 day clock" used during the SHIP income qualification process. My co-worker believes that an award letter stops the 120 day clock, but that the income qualification work she has completed for a household only remains updated and accurate for the next 12 months. Is this true?

Your co-worker's approach is considered a "best business practice." To understand why, it is important to first review the role of the "120 day clock." The "120 day clock" refers to the period of time during

which third party income and asset verification forms are considered to be up-to-date and valid. If more than 120 days passes from the time that you have received a verification form, you must get a new, updated verification form. For a more detailed explanation of the 120 day clock, read the SHIP FAQ on the Coalition's Web site: www.flhousing.org.

Often, a SHIP administrator will issue the eligible applicant an award letter to "stop the clock" and allow the administrator to proceed with the other activities involved in helping the applicant. Remember, however, that you must re-calculate income eligibility if you learn about a change in household income before the applicant has been assisted with SHIP funds—even if you have already issued an award letter.

Now consider your question: What if an applicant has still not received SHIP assistance a year after receiving an award letter? It is a "best practice" for SHIP staff to re-verify that a household is income eligible for SHIP assistance if more than 12 months have elapsed since the city presented the household with an award letter. This makes sense: ultimately, you can only provide assistance to income eligible households. Income can change in a year-you would be wise to re-verify that an applicant is still eligible if he or she has been waiting for such a long period of time.

### FOLLOW-UP QUESTION:

I understand the best practice that you describe. However, adopting this practice would greatly affect the way we implement our

local SHIP program. When we receive a new SHIP allocation each summer, we accept a larger number (over 50) of new applications for assistance. We determine each applicant's income eligibility on the front end and issue award letters. With so many households requesting assistance, however, some people with award letters will not receive assistance for well over a year. How can we avoid the extra and required work that you describe for re-calculating a household's eligibility?

In the future, you could implement an alternative practice: Place people on a waiting list, but do not complete the formal income verification and certification process on all these applicants at one time. Instead, perform the income qualification process on the first five or 10 people on this list, and provide them assistance in a timely manner. When you are almost finished assisting them, perform the income qualification process on the next handful of applicants on the list... and so on. In this manner, you will issue award letters only to the applicants who will receive assistance within the next month or two.

With less time transpiring between the determination of income eligibility and the provision of SHIP assistance, it will be less likely that the applicant's income has changed. This should reduce the time you devote to updating and re-calculating an applicant's income eligibility.

Caveat: Explain to those put on the waiting list that they have not been approved for SHIP funding until the formal income qualification process is complete.

### HOUSING NEWS NETWORK

### Section 8: Continued from page 4

These analyzes of the budget proposal had just begun to circulate when the other shoe dropped. On April 22, 2004, HUD issued a notice that, for the first time, set forth HUD's novel interpretation of what advocates thought was the FY 04 "full funding" of the Housing Choice Voucher Program. In a notice to the 2,500 Public Housing Authorities that manage the Housing Voucher program, HUD explained that the Housing Authorities would no longer be paid based on the current costs of the vouchers they administer, but instead payment would be based on the cost of vouchers under lease just prior to Aug. 1, 2003, with an adjustment

for inflation. Voucher costs at many of these Housing Authorities have risen since August 2003 at a faster rate than the inflation factor utilized by HUD (which is often based on inflation in a region encompassing several states). In addition Public Housing Authority expenses can increase for legitimate reasons not included in the inflation factor, such as reductions in tenant income due to layoffs, reduced work hours or health factors. For most Housing Authorities, this new formula meant a significant reduction in the monthly payments by HUD to the Housing Authorities.

In addition, the April 22<sup>nd</sup> HUD notice informed the Housing Authorities that the new payment formula would be retroactive to January 2004. Housing Authorities that received higher payments in January, February, and March of 2004 based on the old FY 2003 funding system would be required to pay back these "overpayments," meaning that their already reduced payments were reduced even further.

While HUD said that Housing Authorities could use their "reserves" to compensate for any shortfall, and HUD provided some additional funds to increase these reserves, many Housing

Authorities continued to be severely underfunded. The consequences of these budget reductions, particularly in midyear, threatened serious consequences for both for Public Housing Authorities and their tenants. While the Housing Authorities' income from the federal government declined, their expenses did not. The Housing Authorities still were bound by their Section 8 contracts which guaranteed landlords' rental payments and set the tenant's maximum contributions. Faced with budget shortfalls, the Housing Authorities were faced with hard choices which

often clashed with their mission, and their desire, to provide affordable housing to the neediest families. The Housing Authorities' only options to reduce their Section 8 Housing Voucher expenses were by terminating existing contracts with landlords, lowering rent payments to landlords, raising tenant rents, stopping the reissuance of vouchers that became available, withdrawing vouchers from families who were looking for housing, and/or withdrawing commitments for project-based vouchers in developments underway. Housing Authorities in Florida were forced to consider all of these options. For example, several large Housing

Authorities, including Gainesville, Jacksonville, and Panama City were considering freezing the issuance of turnover vouchers. Some, including Gainesville and Sumter County, were forced to consider withdrawing vouchers from households who had been issued the voucher but had not yet found housing. Many reduced their payment standard (the maximum contract rent which the Housing Authority will pay) to below the HUD Fair Market Rents and placed limits on the ability of the voucher holders to move out of the jurisdiction.

Once again Public Housing Authorities, housing advocates, tenants and their allies were forced to spend the summer educating Congress on the importance of fully funding Section 8 vouchers, while simultaneously aggressively arguing with U.S. HUD to reverse its interpretation of the 2004 appropriations language and to provide additional funding for Public Housing Authorities and, ultimately, for the low-income tenants.

In response to these concerns several members of Congress began to more closely scrutinize HUD's interpretation of the language that Congress had passed. There were calls for Congressional hearings and oversight. In

response, HUD pointed to an appeal process to allow the Housing Authorities to demonstrate their need for a higher inflation factor for FY 2004 than HUD had allowed in its April 2004 notice. The Housing Authorities had until July 15<sup>th</sup> to appeal their funding levels and HUD provided a limited set of criteria upon which it would grant an appeal. Thus, throughout the summer, many Public Housing Authorities struggled with their funding shortfalls, being forced to consider such drastic remedies as increased tenant rents or even terminations of existing vouchers. While many



FACED WITH BUDGET SHORTFALLS, THE HOUSING AUTHORITIES WERE FACED WITH HARD CHOICES WHICH OFTEN CLASHED WITH THEIR MISSION, AND THEIR DESIRE, TO PROVIDE AFFORDABLE HOUSING TO THE NEEDIEST FAMILIES.

of these Housing Authorities appealed the HUD inflation factor, others did not, citing the limited grounds for appeal. Recently, in September 2004, HUD announced that 398 of the more than 2500 Public Housing Authorities nationwide had appealed, and that HUD was providing \$156 million in additional funds to 379 of those Housing Authorities.

While it is too soon to assess the full impact of HUD's implementation of the FY 2004 Section 8 appropriation,

HUD's funding of additional reserves and provision of additional funds through appeals and various other ad hoc funding responses has clearly ameliorated this year's crisis for many of most severely threatened Housing Authorities and their tenants. However, other Authorities remain underfunded despite HUD's additional assistance. Moreover, the entire crisis was initially created by HUD's April 22nd narrow interpretation of Congress' clear desire to fully fund the Section 8 Housing Choice Vouchers. As the director of the Council of Large Public Housing Authorities (CLPHA) stated: "The truth is Congress had appropriated enough money to fund the vouchers, and made its intent clear. HUD manufactured a crisis that it is now claiming to have solved."

Along the way, the damage done to the Section 8 Housing Voucher Program itself may well be irreparable. The traditional stability of the Housing Voucher Program has been undermined by HUD's April 22<sup>nd</sup> action. No longer can a landlord, tenant, lender or developer consider Section 8 vouchers as a secure form of housing

subsidy. This is not limited to the long term, this year's actions question whether the Section 8 voucher payments are secure even during the year of their appropriation.

Finally, it remains to be seen as to whether FY 2005 will simply be a repeat of this year's crisis. As a result of the educational work done by housing advocates this summer, the House budget bill, H.R. 5041, which awaits passage in the House, once again "fully funds" Section 8. However, it contains the

same language which HUD utilized in its April 22<sup>nd</sup> notice to wreak havoc on the program. (Sadly, the House fully funded the Section 8 Housing Voucher program by cutting the funding for all other HUD programs. In addition, the House bill cut Housing Authorities Section 8 reserves from one month to one week. These reserves were vital this year in lessening the impact of HUD's interpretation of the 2004 budget.) On the Senate side, the Senate Appropriations Committee has just sent to the full Senate, S. 2825, its final version of the HUD

FY 2005 Appropriations Act. The Senate bill funds all HUD programs, including the Section 8 Housing Voucher program, at higher levels than were appropriated in FY 2004. The funding is sufficient to fully fund the Housing Voucher program and the accompanying report voices continued support for the Section 8 Housing Voucher program. It is not now known when either of these bills will be passed by their respective houses or when the House and Senate will meet in conference to negotiate their differences – or what will occur in the interim.

What is clear, however, is that after years of strong unquestioned support, Section 8 vouchers will survive at its current level only if all housing advocates join with Public Housing Authorities in continuing to educate the public and their governmental representatives – at all levels of government – of the success and the importance of the Section 8 Housing Voucher program in serving the housing needs of the poorest and most vulnerable households.



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Charles Elsesser is an attorney with Florida Legal Services, specializing in affordable housing litigation and policy advocacy. His work is focused on protecting low income homeowners' and tenants' against displacement, and protecting existing affordable housing from loss through the expiration of rent restrictions, the loss of subsidy contracts or demolition. Charles serves on the board of the National Low Income Housing Coalition and the Advisory Council for the Florida Housing Coalition.

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# Resources for Financial Literacy and Homebuyer Education

WACHOVIA

BY WIGHT GREGER AND DAYATRA ORDUNA

FLORIDA HOUSING COALITION

his year the Florida Housing Coalition, in partnership with Wachovia Bank, has begun to compile and catalog a list of on line resources for furthering financial literacy and home buyer readiness. This resource list includes information on Internet sites where individual consumers can access information on credit and preparing to purchase a home, as well as information on training available to home buyer counselors and products developed specifically for use in the classroom and in one-on-one training with consumers. Many of the products offered on line for consumers are somewhat

generic in their approach to building an understanding of what is required to qualify for a mortgage. Housing professionals who work directly with borrowers and potential borrowers of public and private funds should work closely with their local lending community to make sure that the consumer counseling and homebuyer readiness training compliments the loan products that are offered.

As part of our research, we interviewed housing professionals about some of the products in the resource list. **Cora Fulmore**, President of the Mortgage and Credit Center, particularly liked the Freddie Mac product Credit Smart. "This is a good module. The module is consistent within its delivery, it's a colorful and engaging presentation and it provides everything

The BorrowSmart Public Education Foundation is a national initiative to educate home equity borrowers. BorrowSmart's purpose is to educate the consumer on the ins and outs of equity borrowing and how to avoid the pitfalls that can result in the consumer getting a loan that can end in a family losing their home. BorrowSmart works with sponsoring partners, including Wachovia Bank, and housing professionals to get information and educational materials to the consumer. More information can be found at www.borrowsmart.org.

a nonprofit would need to deliver a complete financial literacy course," states Fulmore. One added benefit to the Credit Smart curriculum is that the materials are free to nonprofit organizations. Fulmore also liked the Jumpstart program, Personal Financial Literacy.

Julie Niemeyer, Vice President of Keystone Challenge Fund, stated a preference for the Nehemiah program, but also has her clients go to the Internet to supplement the training they receive in Keystone's classes. "It is our understanding that the National Foundation for Credit

Counseling is going to have new products on line. We are excited to be able to refer people to their site."

Barbara Taylor, SHIP Administrator for Clay County and former counselor and educator for the Jacksonville Housing Partnership, liked the Jump Start Coalition's module. "It is a good tool for families to use with their children. The program provides illustrations and games to help teach financial literacy." Taylor also likes the training offered by the Neighborhood Reinvestment Corporation, as well as the materials offered by the FDIC. "The FDIC Money Smart module is a good tool to be incorporated into your current one-on-one training or for a classroom setting. It is interactive and useful."

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web page and in each quarterly issue of Housing News Network.				
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