



City of Bradenton, Florida

City Council Agenda Memorandum

Agenda Item:	SHIP 2014-17 Local Housing Assistance Plan (LHAP) Amendment	Agenda Date:	February 8, 2017
Originated by:	Vicki White, HCD Manager	Agenda Placement:	Consent agenda
Authorized by:	Catherine Hartley, PCD Director		
Explanation	The Housing Rehabilitation Strategy in the 2014-17 LHAP is being amended to incorporate additional language regarding lien terms. The amendment is being made in response to comments received during a recent SHIP monitoring visit.		
Financial Impact	None.		
Requested action to be taken by Council	Approve the 2014-17 LHAP amendment.		
Staff Recommendation	Approve the 2014-17 LHAP amendment.		
Attachments	Resolution R-17-10, amendment memo, amended 2014-17 LHAP.		

RESOLUTION NO. R-17-10

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA APPROVING AN A MENDMENT TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) 2014-2017 LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING THE SUBMISSION OF THE AMENDMENT TO THE 2014-2017 LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bradenton's 2014-2017 Local Housing Assistance Plan (LHAP) was approved by the Mayor and city Council on April 23, 2014;

WHEREAS, the City wishes to amend the Plan in order to optimize the use of SHIP funds for its rental housing construction strategy;

WHEREAS, the Mayor and City Council finds that it is in the best interest of the public for the City of Bradenton to submit the amendment to the Local Housing Assistance Plan for review and approval; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF BRADENTON, FLORIDA that:

Section 1: The Mayor and City Council of the City of Bradenton hereby approve the amendment to the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2014-2017.

Section 2: The Mayor (or designee), is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the amendment to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3: This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 8th day of February, 2017.

Wayne H. Poston, Mayor

(CORPORATE SEAL)

ATTEST & APPROVED AS TO FORM:

William R. Lisch, City Attorney

Carl Callahan, City Administrator

MEMORANDUM

TO: Mayor, City Council, and Department Heads
Catherine Hartley, Director of Planning & Community Development
Press

FROM: Vicki White, Housing & Community Development Manager

DATE: February 1, 2017

RE: State Housing Initiative Partnership (SHIP) –Amendment to the Local Housing Assistance Plan (LHAP) covering the program years 2014-15, 2015-16 and 2016-17.

Attached for Mayor and City Council consideration and approval is the resolution amending the city's 2014 LHAP strategy for housing rehabilitation. The original strategy mentions that the assistance will be provided as a zero-interest loan payable over a period up to 30 years. Per comments received during a SHIP monitoring review, the additional language is being added to this strategy:

“If the homeowner’s debt to income ratios exceed these maximums, the assistance will be offered as a zero interest, self-amortizing loan for up to 30 years, based on the amount borrowed. The term of the loan may change as a result of the contract amount being increased through change orders. If the change is more than 15% of the original contract amount a modification will be signed by the borrower. Likewise, if the amount of the contract decreases more than 15% as a result of change orders, a modification will be signed for the new contract amount. Below is a chart showing the lien terms and contract amounts:

Maximum amount awarded	Loan term
Up to \$5,000	grant
\$5,0001-\$10,000	5 years
\$10,001-\$30,000	10 years
\$30,0001-\$50,000	15 years
\$50,001-\$60,000	20 years
\$60,001-\$150,000	30 years

Homeowners will be advised of this possibility during their eligibility determination and again at the pre-rehabilitation closing. The information is included in a notice given to the homeowners at the pre-rehabilitation closing.”

A copy of the text portion of the 2014-17 LHAP is included with this memo for your reference. The changes are underlined in the strategy, which starts on page 11.

Action needed - Motion to approve and adopt the amendment to the Local Housing Assistance Plan for program years July 1, 2014-June 30, 2015, July 1, 2015-June 30, 2016 and July 1, 2016-June 30, 2017.

City of Bradenton
State Housing Initiatives
Partnership (SHIP) Local
Housing Assistance Plan
(LHAP)



FISCAL YEARS COVERED

2014-2015

2015-2016

2016-2017

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I. PROGRAM DESCRIPTION:

A. Name of the participating local government and Interlocal if Applicable:

N/A

Interlocal : Yes _____ No X

Name of participating local government(s) in the Interlocal Agreement;

B. Purpose of the program:

Creation of the Plan is for the purpose of meeting the housing needs of the very low, low and moderate income households, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing.

C. Fiscal years covered by the Plan:

2014-2015

2015-2016

2016-2017

D. Governance:

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37 Florida Administrative Code.

The SHIP Program does further the housing element of the local government Comprehensive Plan. **Cities and Counties must be in compliance with these applicable statutes and rules.**

E. Local Housing Partnership

SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.

F. Leveraging:

The Plans are intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

G. Public Input:

Public input was solicited through face to face meetings with housing providers, social service providers and local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

H. Advertising and Outreach

The county or eligible municipality or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

I. Discrimination:

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing.

J. Support Services and Counseling:

Support services are available from various sources. Available support services may include but are not limited to:

Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling and Transportation

K. Purchase Price Limits:

The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

Independent Study (copy attached)

U.S. Treasury Department

Local HFA Numbers

The purchase price limit for new and existing homes is shown on the Housing Delivery Goals Charts

L. Income Limits, Rent Limits and Affordability:

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by Florida Housing Finance Corporation. Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 F.S. However it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

M. Welfare Transition Program:

Should an eligible sponsor be used, the city/county has developed a qualification

system and selection criteria for applications for Awards to eligible sponsors, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

N. Monitoring and First Right of Refusal:

In the case of rental housing, the staff or entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored for at least annually for 15 years or the term of assistance whichever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

O. Administrative Budget:

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as **Exhibit A**. These are presented on an annual basis for each State fiscal year submitted.

The City of Bradenton finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:

“A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the

necessary costs of administering the local housing assistance plan.”

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:

“The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.”

The applicable local jurisdiction has adopted the above findings in the attached resolution, **Exhibit E.**

P. Program Administration:

Administration of the local housing assistance plan is the responsibility of the applicable city/county. Should a third party entity or consultant contract for all or part of the administrative or other functions of the program provide in detail the duties, qualification and selection criteria.

Q. Essential Service Personnel:

Counties and eligible municipalities are required to include a definition of Essential Services Personnel as noted in Rule Chapter 67-37.002(8) F.A.C., Chapter 67-37.005(10), F.A.C. and Section 420.9075(3), F.S.

R. Section 420.9075(3)(d), F.S.:

The city requires Energy Star qualified features as well as wind mitigation features as part of its housing rehabilitation program. In addition, accessibility features are a part of the rehabilitation process as needed. In the construction of new homes, the city uses Energy Star qualified features as well as wind mitigation features and accessibility features as needed. Landscaping is completed using low maintenance, drought tolerant plants. In the upcoming years, the city will incorporate the elements of universal design to the greatest extent possible in its housing rehabilitation projects, and make it an integral part of its new construction projects.

Section II. LHAP HOUSING STRATEGIES:

A. Name of the Strategy: Downpayment Assistance

a. Summary of the Strategy:

The purpose of this strategy is to provide first-time homebuyers with assistance in buying a home. A first-time homebuyer is defined as a person who has not owned a home in the three years preceding the date of their application for assistance.

Eligible properties will be located within the Bradenton city limits. These properties may be single-family homes, duplexes, condominiums, townhomes, or manufactured homes attached to a permanent foundation. Manufactured homes must be constructed after June 1994 and manufactured in accordance with the wind zone standards where it is located and installed in accordance with the installation standards for mobile or manufactured homes contained in 15C-1, F.A.C. When rehabilitating a manufactured home, the customer must own the land on which the home is situated. Assistance will not be provided in cases where the customer owns the home, but is leasing the land.

b. Fiscal Years Covered: 2014-2015, 2015-2016, 2016-2017.

c. Income Categories to be served:

Up to 120% Area Median Income (AMI), adjusted for family size as published annually by the United States Department of Housing and Urban Development (HUD) and distributed by the Florida Housing Finance Corporation.

d. Maximum award:

The maximum award amount is \$20,000 for all income groups.

e. Terms of the award; Recapture and Default:

The downpayment and closing cost assistance will be offered as a zero percent interest loan, payable over over a period up to ten years. The ability to repay the lien will be based on the customer's front end and back ratios. Their housing debt (first mortgage + COB) will not exceed 30% on the front end and 35% on the back end. Applicants must be able to make payments of at least \$50.00 per month in order to qualify for the assistance. The term of the loan will be based upon the applicant's monthly payment and the amount borrowed.

A lien will be placed on the property for the amount of assistance provided to the homebuyer. This loan will be paid back monthly and may be subordinated if the first mortgage is refinanced for a lower rate or shorter term only, provided the loan is in good standing (not delinquent or in default) at that time. If the property is sold, leased, or conveyed the balance of the loan at that point becomes due and payable. In addition, the city will be paid a share of the net proceeds, calculated by using the equation below:

$$\text{City share of net proceeds} = \frac{\text{Loan from city}}{(\text{Loan from city} + \text{owner contribution})} \times \text{Net proceeds from sale of property}$$

The property must be occupied by the owner while the loan is in repayment status. Should the property cease to be owner-occupied during the repayment status, the loan will be considered in default and the balance becomes immediately due and payable. If the owner is unable to pay the balance of the loan, it will accrue interest at a rate of 9% per annum, payable when the property is refinanced, sold, leased, or conveyed. In a case where the property is sold, leased, or conveyed, the city's share of the net proceeds mentioned above will also be due and payable.

If payments have been made in a timely fashion and the loan is in good standing (defined as no more than ten late payments over the life of the loan), any unpaid balance will be forgiven and the city will process a release of the lien. If the loan is not current and in good standing, the balance of the lien

will remain on the property, payable whenever the property is sold, leased, or conveyed. This balance will also become due and payable should the property be refinanced for a lower interest rate or shorter term on the first mortgage. The homebuyer has the option of making additional payments on this balance.

Should the homebuyer default on their first mortgage while the city has an active lien on the property, the city will provide the firm handling the foreclosure with a payoff amount. If the property is sold and there are insufficient funds left from covering the first mortgage costs to cover the city's payoff, the lien will be written off as a loss.

If a short sale is pursued as an alternative to foreclosure program staff will provide the City Attorney with a payoff amount in order to negotiate a settlement. If the city receives a partial payoff, the lien will be released. If there is no partial payoff, the city may still release the lien to facilitate the sale, based upon the counsel of the City Attorney. All payments received, either through regular loan repayments, default payoffs, or short sale payoffs will be considered program income.

f. Recipient Selection Criteria:

When funds become available, their availability will be advertised in the local newspaper and on the city's website at least 30 days prior to taking applications. Recipients will be selected based on their eligibility on a first-qualified basis. In addition to this, consideration may be given to programmatic needs in terms of meeting income set asides.

g. Sponsor Selection Criteria and duties, if applicable: N/A

h. Additional Information: None

B. Housing Rehabilitation Strategy

a. Summary of the Strategy:

The purpose of this strategy is to help people earning up to 120% AMI to correct health and safety hazards within their homes, as well as correcting code violations. The maximum assistance available will be equivalent to 50% of the replacement cost of the home as designated on homeowner's policy. If repairing the home exceeds 50% of the replacement cost, the home will be considered for demolition and reconstruction. Demolition and reconstruction of a home will be treated the same as a rehabilitation project in terms of the recapture and default provisions. In addition to making the home decent, safe, and sanitary, the strategy will focus on energy efficiency improvements and hurricane hardening activities. For disabled applicants, the program will improve the accessibility of their homes. Universal design features will be incorporated as much as possible in the housing rehabilitation process.

Priority will be given to persons with special need. Per SHIP Statute 67-37.002(21), "Persons Who Have Special Housing Needs" means individuals who have incomes not exceeding moderate-income and, because of particular social, economic, or health-related circumstances, have greater difficulty acquiring or maintaining affordable housing. Such persons include: those who have encountered resistance to their residing in particular communities; suffered increased housing costs resulting from their unique needs and high risk of institutionalization; persons with developmental disabilities; persons with mental illnesses or chemical dependency; persons with Acquired Immune Deficiency Syndrome ("AIDS") and Human Immunodeficiency Virus ("HIV") disease; runaways and abandoned youth; public assistance recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and disabled adults.

Eligible properties must be located within the Bradenton city limits. These properties may be single-family homes, duplexes, condominiums, townhomes, or manufactured homes attached to a permanent foundation. Manufactured homes must be constructed after June 1994 and manufactured in accordance with the wind zone standards where it is located and installed in accordance with the installation standards for mobile or manufactured homes contained in 15C-1, F.A.C. When rehabilitating a manufactured home, the customer will own the land on which the home is situated. Assistance will not be provided in cases where the customer owns the home, but is leasing the land.

b. Fiscal Years Covered: 2014-2015, 2015-2016, 2016-2017

c. Income Categories to be served:

Up to 120% Area Median Income adjusted for family size as published annually by the United States Department of Housing and Urban Development (HUD) and distributed by the Florida Housing Finance Corporation.

d. Maximum award: \$150,000

e. Terms of the award; Recapture and Default:

The housing rehabilitation assistance will be offered as a zero percent interest loan, payable over a period up to thirty years, based on the amount borrowed. The housing debt (first mortgage + COB) may not exceed 30% on the front end and 35% on the back end. If the homeowner's debt to income ratios exceed these maximums, the assistance will be offered as a zero interest, self-amortizing loan for up to 30 years, based on the amount borrowed. The term of the loan may change as a result of the contract amount being increased through change orders. If the change is more than 15% of the original

contract amount a modification will be signed by the borrower. Likewise, if the amount of the contract decreases more than 15% as a result of change orders, a modification will be signed for the new contract amount. Below is a chart showing the lien terms and contract amounts:

Maximum amount awarded	Loan term
Up to \$5,000	grant
\$5,0001-\$10,000	5 years
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\$30,0001-\$50,000	15 years
\$50,001-\$60,000	20 years
\$60,001-\$150,000	30 years

Homeowners will be advised of this possibility during their eligibility determination and again at the pre-rehabilitation closing. The information is included in a notice given to the homeowners at the pre-rehabilitation closing.

Should the homeowner default on the first mortgage while the city has an active lien on the property, the city will provide the firm handling the foreclosure with a payoff figure. If the property is sold and there are insufficient funds left from covering the first mortgage costs to cover the city's payoff, the lien will be written off as a loss.

C. Name of Strategy: Rental Deposit-Eviction Protection:

a. Summary of the Strategy:

This strategy will provide upfront financial assistance with rental security deposits, first and last months' rents and utility deposits up to \$3,000. If this amount is not sufficient to cover the cost of moving into a rental unit, the family must be able to make up the difference or they will be considered ineligible to receive the assistance. Assistance will be provided for affordable rental units only, defined as a unit where the monthly rent is no more than 30% of the household's gross monthly income. In addition, the

recipients must show that they are able to continue making the monthly rental payments after the assistance is provided, and they must be signing at least a 12-month lease.

Eviction protection will be provided to households who have fallen behind on their rent and have received an eviction notice. Eligible reasons for falling behind on rent are as follows:

- a) Involuntary loss in pay due to unemployment/underemployment
- b) Divorce/separation resulting in a temporary loss in income
- c) Death of a spouse resulting in a loss in income
- d) Sudden, unforeseen medical payments
- e) Involuntary loss of verifiable income from other sources (temporary or permanent)

Up to \$3,000 will be available to bring rent current and pay fees incurred. If there is a difference between the \$3,000 and the amount owed, the applicant must be able to pay this difference in order to be eligible for the assistance. The unit has to be affordable, which is defined as the rent being no more than 30% of the household's gross monthly income prior to the circumstances leading to the eviction notice. Once the rent is brought current, the applicant must be able to resume making the rent payments on their own in order to be eligible for the assistance.

b. Fiscal Years Covered: 2014-2015, 2015-2016, 2016-2017

c. Income Categories to be served:

Up to 80% of the Area Median Income limits as published annually by the United States Department of Housing and Urban Development (HUD) and distributed by the Florida Housing Finance Corporation.

d. Maximum award: \$3,000 per household.

e. Terms of the award; Recapture and Default:

Household eligibility will be determined on an expedited basis, using check stubs, benefits letters and bank statements rather than third party verification. The assistance will be provided as a grant to the household, so there will be no lien securing the assistance. The funds will be paid directly to the party that is owed the funds. No funds will be given directly to the household. Households may apply for additional assistance, but there must be at least three years between the times the households apply for assistance.

f. Recipient Selection Criteria:

Applications will be processed on a first-come, first qualified basis. In the case of the rental deposits, priority will be given to persons with special need. Per SHIP Statute 67-37.002(21), "Persons Who Have Special Housing Needs" means individuals who have incomes not exceeding moderate-income and, because of particular social, economic, or health-related circumstances, have greater difficulty acquiring or maintaining affordable housing. Such persons include: those who have encountered resistance to their residing in particular communities; suffered increased housing costs resulting from their unique needs and high risk of institutionalization; persons with developmental disabilities; persons with mental illnesses or chemical dependency; persons with Acquired Immune Deficiency Syndrome ("AIDS") and Human Immunodeficiency Virus ("HIV") disease; runaways and abandoned youth; public assistance recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and disabled adults.

g. Sponsor Selection Criteria and duties, if applicable:

This strategy may be administered by the City of Bradenton or a sponsor. If it is administered by a sponsor, that sponsor must have at least five years' experience administering this type of program and will be chosen through a competitive application process. Access to HMIS is preferable, since the

sponsor could be working with households that are homeless or at risk of homelessness, but it is not necessary. However, if two agencies are equal in terms of capacity and experience, preference will be given to the agency that has access to HMIS as well.

The sponsor will enter into a sub recipient agreement with the city to provide the services and will be responsible for completing monthly and quarterly reports on the strategy, as well as providing a final closeout report at the end of the grant year. The sponsor will be responsible for maintaining client files and will have the available for inspection by city staff upon request.

h. **Additional Information:** None

D: Name of Strategy: Multifamily Rental Construction Strategy:

a. Summary of the Strategy:

This strategy is designed to provide nonprofit and for-profit developers with zero-interest (0%) deferred loans for the production of affordable multifamily rental units within the city. Funds may be used for the acquisition, rehabilitation of multifamily units, including duplexes, triplexes, transitional/group home housing, or the housing portion of a mixed-use facility. The funds may be used for infrastructure costs as well as the costs of acquiring, rehabilitating, or constructing the units on a pro rata basis. The funds may be used as a match for other state and federal housing programs, such as HOME or SAIL. Eligible applicants must be qualified to begin construction within six months of receiving funding and the project must be completed within two years of the funds being awarded.

b. Fiscal Years Covered: 2014-2015, 2015-2016, 2016-2017

c. Income Categories to be served:

Up to 80% Area Median Income adjusted for family size as published annually by the United States Department of Housing and Urban Development (HUD) and distributed by the Florida Housing Finance

Corporation.

d. Maximum award:

\$150,000, depending on amount of total funding available each year.

e. Terms of the Award; Recapture and Default:

Eligible projects will serve a mix of income levels. Priority will be given to projects intended to serve extremely low-income income and very low-income households as well as to persons with special needs. Per SHIP Statute 67-37.002(21), "Persons Who Have Special Housing Needs" means individuals who have incomes not exceeding moderate-income and, because of particular social, economic, or health-related circumstances, have greater difficulty acquiring or maintaining affordable housing. Such persons include: those who have encountered resistance to their residing in particular communities; suffered increased housing costs resulting from their unique needs and high risk of institutionalization; persons with developmental disabilities; persons with mental illnesses or chemical dependency; persons with Acquired Immune Deficiency Syndrome ("AIDS") and Human Immunodeficiency Virus ("HIV") disease; runaways and abandoned youth; public assistance recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and disabled adults.

The assistance will be provided to the developer as a ~~zero-interest (0%) loan with a term not to exceed 15 years, with an affordability period of 15 years.~~ 15-year deferred, zero-interest loan. This loan will be forgiven at the end of 15 years, provided the development continues to serve families earning up to 80% AMI. If the property is transferred to another entity prior to the end of the affordability period, the mortgage may be assumed, provided the new owner(s) continue making the units affordable. Any sale of units assisted

under this strategy with a remaining mortgage balance must give a first right of refusal to eligible nonprofit organizations at the current market value for continued occupancy by eligible persons in accordance with Section 420.9075 (4) F. S.

The developer must begin construction of the project within 6 months of being awarded the funds and must complete the project within two years. If construction does not start within six months of being awarded funding, the developer will be responsible for repaying the funds. If the project is not completed within two years the developer will repay any unused funds, and if they have spent a portion of the funds awarded the developer will still be required to comply with the eligibility period and monitoring requirements. The developer may request an extension of up to one additional year if the delay is due to circumstances beyond their control. Weather, difficulty obtaining building materials. Unexpected site findings are a few examples. The decision to extend the contract will be solely at the city's discretion and will be made after a review of the circumstances surrounding the delay.

The rental and income limits will be based on the SHIP program income and rent limits published annually by the Florida Housing Finance Corporation. Monitoring of rent and income eligibility will be completed annually by SHIP program staff. In the case of developments that the Florida Housing Finance Corporation or U.S. Department of Housing and Urban Development monitor, the SHIP program staff will rely on this monitoring for determination of rent and tenant eligibility.

f. Recipient Selection Criteria:

Applications for potential tenants will be reviewed for eligibility by the developers and will be approved on a first-come, first-qualified basis. The developer may not refuse to rent to households receiving tenant-based rental

assistance.

g. Sponsor Selection Criteria:

The availability of funds for these projects will be advertised as funding is received. Applications from project sponsors (developers) will be reviewed on an ongoing basis, pending funding received. The following factors will be taken into consideration when reviewing proposals:

- a) Capacity and capability to carry out the project, including financial capacity and capability
- b) Experience in completing affordable multifamily housing projects
- c) Leveraging
- d) Site control, including having the correct zoning in place for the project
- e) Compatibility with the city's Comprehensive Plan
- f) Neighborhood compatibility
- g) Creation of a mixed-income community
- h) Access to public transportation and walkability-proximity to shopping, schools, amenities
- i) Attractiveness of design
- j) ADA compliance and the use of universal design features
- k) Use of green building techniques
- l) Developer fee

h. Additional information: None

E: Name of the Strategy: Disaster Strategy

a. Summary of the Strategy:

The Disaster Strategy provides assistance to households following a natural disaster as declared by Executive Order of the President of the United States or Governor of the State of Florida. This strategy will only be implemented in

the event of a disaster using any funds that have not yet been encumbered or additional disaster funds issued by Florida Housing Finance Corporation. SHIP disaster funds may be used for items such as, but not limited to:

- (a) Purchase of emergency supplies for eligible households to weatherproof damaged homes;
- (b) Interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable;
- (c) Construction of wells or repair of existing wells where public water is not available;
- (d) Payment of insurance deductibles for disaster of homes covered under homeowners insurance policies;
- (e) Security deposit for eligible recipients that have been displaced from their homes due to disaster;
- (f) Rental assistance for the duration of Florida Office of the Governor Executive Order, for eligible recipients that have been displaced from their homes due to disaster;
- (g) Other activities as proposed by the counties and eligible municipalities and approved by Florida Housing.

- b. Fiscal Years Covered:** 2014-2015, 2015-2016, 2016-2017
- c. Income Categories to be served:** Up to 120% Area Median Income adjusted for family size as published annually by the United States Department of Housing and Urban Development (HUD) and distributed by the Florida Housing Finance Corporation.
- d. Maximum award as noted on the Housing Delivery Goals Charts:**
\$150,000
- e. Terms of the award; Recapture and Default:** The assistance will be offered as a zero percent interest loan, payable over zero to ten years. Their housing debt (first mortgage + COB loan) will not exceed 30% on the front

end and 35% on the back end. A lien will be placed on the property for the amount of assistance provided to the homeowner. This loan will be paid back monthly and may be subordinated if the first mortgage is refinanced for a lower rate or shorter term only, provided the loan is in good standing (not delinquent or in default) at that time. If the property is sold, leased, or conveyed the balance of the loan at that point becomes due and payable.

Once the homebuyer pays off their portion of the loan, if payments have been made in a timely fashion and the loan is in good standing (defined as no more than ten late payments over the life of the loan), any unpaid balance will also be forgiven and the city will process a release of the lien. If the loan is not current and in good standing, the balance of the lien will remain on the property, payable whenever the property is sold, leased, or conveyed. This balance will also become due and payable should the property be refinanced for a lower interest rate or shorter term on the first mortgage. Homeowners may make payments on this balance.

Should the homeowner default on their first mortgage while the city has an active lien on the property, the city will provide the firm handling the foreclosure with a payoff figure. If the property is sold and there are insufficient funds left from covering the first mortgage costs to cover the city's payoff, the lien will be written off as a loss.

If a short sale is pursued as an alternative to foreclosure program staff will provide the City Attorney with a payoff figure in order to negotiate a settlement. If the city receives a partial payoff, the lien will be released. If there is no partial payoff, the city may still release the lien to facilitate the sale, based upon the counsel of the City Attorney. All payments received, either through regular loan repayments, default payoffs, or short sale payoffs will be considered program income.

- f. **Recipient Selection Criteria:** Recipients will be prioritized according to need and application readiness. The application cycle for this strategy is open, pending the availability of funds.
- g. **Sponsor Selection Criteria and duties, if applicable:** N/A
- h. **Additional Information:** None

III. LHAP INCENTIVE STRATEGIES

The following incentives as provided in 420.9076(4) FS to further the goal of affordable housing are in use within the City of Bradenton.

- **Name of the Strategy: Expedited Permitting**

Policy: The Planning and Community Development Department will expedite permits for all affordable housing projects, through the Planned Development Permit, in keeping with Goals, Objectives, and Policies of the Housing Element of the City's Comprehensive Plan (Goal #1, Objective #2, and Policy #6). The Planned Development Permit and its attendant process, is a discrete, identified part of the City's Land Development Regulations (LDRs) - the implementing ordinances (laws) by which land development projects are reviewed. Through this process affordable housing projects or projects with an affordable housing component receive a "fast-track", unified review and are scheduled for the first available Planning Commission and City Council hearings.

- **Name of Strategy: Ongoing Review Process**

Policy: The Planning and Community Development Department will, on an on-going basis, review all housing review procedures to ensure a streamlined process for Planned Development Permits in accordance with the Housing Element of the City of Bradenton's Comprehensive Plan (Goal #2, Objective #2, Policy #6). Each year the City of Bradenton in conjunction with the Affordable Housing Advisory Committee will evaluate the process for permitting affordable housing and determine if there are process issues as they pertain to affordable housing, The City and the

Affordable Housing Advisory Committee will recommend changes, if any are needed, to the City of Bradenton City Council for action.

- **Name of Strategy: Affordable Housing Incentives**

The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects. *See B.1. above.*

The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing. *The City of Bradenton revised the Housing Element of the City's Comprehensive Plan in 2011. A new policy regarding a reduction and/or waiver of most impact fees as incentives for developing affordable housing was included in the updated plan.*

The allowance of flexibility in densities for affordable housing. *Currently, City's the Future land Use Element of the Comprehensive Plan and the Urban Central Business District, Urban Village zoning districts allow density bonuses for the provision of affordable housing.*

The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons. *Not applicable to the City of Bradenton.*

The allowance of affordable accessory residential units in residential zoning districts. *The City's zoning ordinance currently allows for accessory residential units in the "Village of the Arts" overlay district and is considering extending these uses to residential properties in the "Urban Village" land use designation.*

The reduction of parking and setback requirements for affordable housing. *Not applicable at this time, but is being considered in the update to the City's Comprehensive Plan (Future Land Use and Housing Elements).*

The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing. *The City's Planned Development Permit zone district and process currently permits flexible lot configurations for all housing types and income levels.*

The modification of street requirements for affordable housing. *Not applicable to the City of Bradenton.*

The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing. *This is an*

existing on-going process (see B. above); as part of City policy, any revisions to, or new ordinances requires an analysis of potential costs to the public and private sector.

The preparation of a printed inventory of locally owned public lands suitable for affordable housing. *The City Clerk as well as the City's three (3) Community revitalization Area (CRA) offices maintains an inventory of publicly owned land, although not all residential properties are specifically designated for affordable housing.*

The support of development near transportation hubs and major employment centers and mixed-use developments. The update of the City's Comprehensive Plan (especially the Future Land Use, Transportation, Design, Capital Improvements, and Housing Elements) is focusing on using the principles of "new urbanism" as a basis for developing a framework for future development of the City. Inherent in these principles is the support of development near transportation hubs and employment centers. This effort has been further enhance by the incorporation these principles into the revision of the CRA Development Plans.

IV. EXHIBITS:

A. Administrative Budget for each fiscal year covered in the Plan. Exhibit A.

B. Timeline for Encumbrance and Expenditure: *Chapter 67-37.005, F.A.C.*

A separate timeline for each fiscal year covered in this plan is attached as **Exhibit B.** Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.

C. Housing Delivery Goals Chart (HDGC) for each fiscal year covered in the Plan: Completed HDGC for each fiscal year is attached as **Exhibit C.**

D. Certification Page:

Signed Certification is attached as **Exhibit D.**

E. Adopting Resolution:

Original signed, dated, witnessed or attested adopting resolution is attached as

Exhibit E.

F. Program Information Sheet:

Completed program information sheet is attached as **Exhibit F.**

LHAP 2013
 Exhibit A
 67-37.005(1), F.A.C.
 Effective Date: 11/09

City of Bradenton

Estimated Allocation for Calculating:	\$	552,863.00
Fiscal Year : 2014-15		
Salaries and Benefits	\$	48,286.30
Office Supplies and Equipment	\$	500.00
Travel Per Diem Workshops, etc	\$	1,000.00
Advertising	\$	1,000.00
Other	\$	1,500.00
Total	\$	52,286.30
Fiscal Year: 2015-16		
Salaries and Benefits	\$	48,286.30
Office Supplies and Equipment	\$	500.00
Travel Per Diem Workshops, etc	\$	1,000.00
Advertising	\$	1,000.00
Other	\$	1,500.00
Total	\$	52,286.30
Fiscal Year: 2016-17		
Salaries and Benefits	\$	48,286.30
Office Supplies and Equipment	\$	500.00
Travel Per Diem Workshops, etc	\$	1,000.00
Advertising	\$	1,000.00
Other	\$	1,500.00
Total	\$	52,286.30

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FLORIDA HOUSING FINANCE CORPORATION

HOUSING DELIVERY GOALS CHART

STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR:2015

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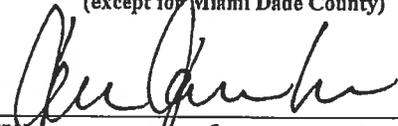
Name of Local Government:										City of Bradenton		Estimated Funds:		\$552,863.00		New Plan:		Please check applicable box	
																Amendment: X		Fiscal Yr. Closeout:	
HOME OWNERSHIP		VLI	Max. SHIP Award	LI	Max. SHIP Award	MI	Max. SHIP Award	SHIP Dollars	SHIP Dollars	Without Construction	SHIP Dollars	Total	SHIP Dollars	Total	Percentage	Total	Percentage	Units	Total
STRATEGIES (strategy title must be same as the title used in plan text.)																			
Downpayment assistance		3	\$150,000	2	\$20,000	2	\$20,000	\$20,000	\$60,000.00	\$40,000.00	\$100,000.00	\$100,000.00	\$100,000.00	18.09%		5			5
Housing rehabilitation									\$260,000.00			\$260,000.00	\$260,000.00	47.03%		5			5
												\$0.00	\$0.00	0.00%		0			0
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Subtotal 1 (Home Ownership)		3		5		2		\$0.00	\$320,000.00	\$40,000.00	\$360,000.00	\$360,000.00	65.12%		10			10	
RENTAL STRATEGIES																			
Multifamily rental construction		30	\$150,000	20	\$150,000			\$111,657.00			\$111,657.00	\$111,657.00	\$111,657.00	20.20%		50			50
Rental deposit-eviction protection		7	\$3,000	3	\$3,000						\$30,000.00	\$30,000.00	\$30,000.00	5.43%		10			10
												\$0.00	\$0.00	0.00%		0			0
												\$0.00	\$0.00	0.00%		0			0
												\$0.00	\$0.00	0.00%		0			0
Subtotal 2 (Non-Home Ownership)		37		23		0		\$111,657.00	\$0.00	\$30,000.00	\$141,657.00	\$141,657.00	\$141,657.00	25.62%		60			60
Admin. From Program Income												\$55,082.00	\$55,082.00	9.96%					
Home Ownership Counseling												\$204.00	\$204.00	0.04%					
GRAND TOTAL		40		28		2		\$111,657.00	\$320,000.00	\$70,000.00	\$556,943.00	\$556,943.00	100.74%		70				70
Add Subtotals 1 & 2, Plus all Admin. & HO Counseling																			
Percentage Construction/Reh										Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.									
Maximum Allowable										3,342,299,991									
Purchase Price:																			
Allocation Breakdown																			
Very-Low Income										Projected Program Income: \$4,080.00 Max. Amount Program Income For Admin: \$204.00									
Low Income										Projected Recaptured Funds: \$0.00									
Moderate Income										Distribution: \$552,863.00									
TOTAL										Total Available Funds: \$556,943.00									
										31-Jan-17									

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

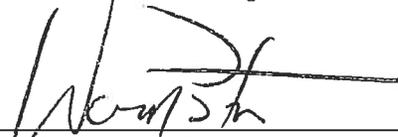
Name of Local Government: City of Bradenton

- (1) The local government will advertise the availability of SHIP funds, if available, pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for assistance.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if, at any time, the local government (or interlocal entity) will be unable to comply with the provisions the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments and Technical Revisions to the approved Local Housing Assistance Plan shall be provided to the Corporation within 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities as program income.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation by June 30 of each calendar year.

- 13) An interlocal entity shall have its local housing assistance trust fund separately audited for each state fiscal year, and the audit forwarded to the Corporation by June 30.
- 14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.
- 15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- 16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- 17) Rental units constructed or rehabilitated with SHIP funds shall be monitored annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)
- 18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.
- 19) The provisions of Chapter 83-220, Laws of Florida *has not* been implemented.
(except for Miami Dade County)



 Witness - Carl Callahan, City Clerk



 Chief Elected Official or designee

 Witness

Wayne Poston, Mayor
 Type Name and Title

4-25-14

 Date

OR

Attest:
 (Seal)



RESOLUTION 14-18

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year Local Housing Assistance Plan outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached Local Housing Assistance Plan; and

WHEREAS, as required by *section 420.9075, F.S.* It is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

WHEREAS, the Economic and Community Development Department has prepared a three-year Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Commission finds that it is in the best interest of the public for the City of Bradenton to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; and

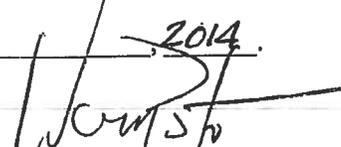
NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA that:

Section 1: The City Council of the City of Bradenton hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2014-15, 2015-16. and 2016-17.

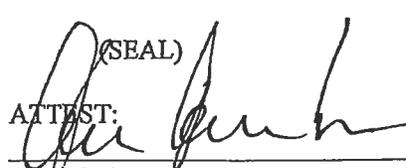
Section 2: The Mayor or (designee), is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3: This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 23rd DAY OF April, 2014.



Mayor or designee

(SEAL)
ATTEST:


City Clerk



**STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
PROGRAM INFORMATION SHEET**

The following information must be furnished to the Corporation before any funds can be disbursed.

Local Government	City of Bradenton
Chief Elected Official	Wayne Poston, Mayor
Address	101 12 th St. W. Bradenton, FL 34205
SHIP Administrator	Vicki White, HCD Coordinator
Address	101 12 th St. W. Bradenton, FL 34205
Telephone	941-932-9400, X 493
EMAIL	Vicki.white@cityofbradenton.com
Alternate SHIP Contact	Timothy Polk
Telephone	941-932-9000 X407
EMAIL	Timothy.polk@cityofbradenton.com
Interlocal Agreement (list other local governments in interlocal)	N/A
Local Government Employer Federal ID #	59-6000283
Disbursement (list bank account information if changed from previous)	
Other Information	

Please attach this form as Exhibit F and submit along with your completed LHAP.