

Title: LHAP Template 2009  
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Effective Date: 11/09

# **CITY OF MIRAMAR**

## **SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)**

**FISCAL YEARS COVERED  
2010/2011, 2011/2012 AND 2012/2013**

**Adopted April 21, 2010**

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**I. PROGRAM DESCRIPTION:**

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

CITY OF MIRAMAR

Interlocal : Yes \_\_\_\_\_ No X

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

\_\_\_\_\_ N/A \_\_\_\_\_

B. Purpose of the program:

The City of Miramar's overall goal for its Local Housing Assistance Plan (LHAP) is to meet the housing needs of low to moderate income households, expand production of and preserve affordable housing. The purpose of the plan is also to further the elements of the City's comprehensive plan specific to affordable housing.

The SHIP Program mandates that 65% of funded activities must go to homeowner related activities and 75% must go to construction related activities. The remaining available funds, minus program administration may go toward rental activities.

In the LHAP, 30% of SHIP funding is set-aside for households at 50% (very low) or lower than the area median income and additional 30% is set aside for households at 51% to 80% (low income) of the area median income. Up to 30% of SHIP funds will be set aside for those households at 81% to 120 % (moderate income) of the area median income. The LHAP will also track those households that are assisted and who are at 30%(extremely low income) or lower than the area median income.

The following homeownership strategies outlined in the City's Local Housing Assistance Plan include:

- Housing Rehabilitation (Repair)
- Purchase Assistance (Inclusive of Rehabilitation)
- Foreclosure Prevention
- Acquisition/Rehab or New Construction for Homeownership

The following rental strategies are outlined in the City's Local Housing Assistance Plan

- Rental Deposit Program/Eviction Protection
- Acquisition/Rehab or New Construction for Multi-Family Rental and Transitional

C. Fiscal years covered by the Plan:

2010/2011  
 2011/2012  
 2012/2013

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

The SHIP Program encourages building active partnerships. The City of Miramar will continue to build and strengthen partnerships with lenders and other financial institutions, builders, and developers, real estate professionals, employers, counseling and educational providers, non-profit organizations, Broward's Continuum of Care (CoC), any other advocate for low-income persons and community development groups.

F. Leveraging:

The City of Miramar Local Housing Assistance Plan is 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 a local match to obtain federal housing grants or programs.

The City intends to leverage funds with Community Development Block Grant (CDBG) and HOME Investment Partnership dollars it receives as a member of the Broward County Home Consortium. Other resources, such as SAIL, HOP, Local Income Housing Tax Credit, CWHIP, County, State and Local Bond, and Private Resources may be leveraged as well.

When funds are leveraged, there is different eligibility requirements, the most restrictive requirements will apply. If funds are leveraged with a source that is silent on an issue, then the source with a policy on the issue will be followed.

G. Public Input

Public input for the completion of the LHAP was solicited in combination with the development of the City's 5 Year Consolidated Plan, which addresses housing needs. The notice was published in a newspaper with general circulation. When no waiting list exists, the City will publish a Notice of Funding Availability. The LHAP was also presented to the City

Commission, with public hearing, prior to adoption. If the City's LHAP needs amending, the City will utilize the strategies above and may seek additional methods of obtaining public input through methods outlined in its adopted Consolidated Plan Citizen Participation Plan.

H. Advertising and Outreach

The City of Miramar or its administrative representative shall advertise the Notice of Funding Availability in a newspaper of general circulation and periodicals. The City may conduct additional advertising and outreach as outlined in its adopted Consolidated Plan and Citizen Participation Plan. If funding is not available due to a waiting list, no notice of funding will be necessary or published by the City.

To ensure that information about programs reaches the communities in which they are targeted for, the City will conduct outreach in the form of homeownership fairs, attendance at community meetings, direct mail, and any other method that is deemed effective.

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. The City's housing programs affirmatively further fair housing.

I. Support Services and Counseling

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

- Homeownership Counseling (Pre, Post and Green Housing),
- Budget/Credit Counseling,
- Construction Services Home Inspections and Work Specifications for Rehabilitation/Barrier Free-Accessibility Modifications
- Tenant Counseling

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.

Any assistance that is provided to a private or non-profit developer will be expected

to demonstrate that the project(s) are affordable to low and moderate income households, meaning that no more than 30% of the household's income should go towards housing related expenses. Developer assisted projects that demonstrate affordability to low and moderate income households, using the definition above, will be considered for SHIP funding assistance. These projects shall receive priority consideration for funding.

The purchase price limit that is established by the U.S. Treasury Department is not to be misconstrued as the target price for affordable housing in the City of Miramar. One of the objectives of the City's housing program is not to develop policies that concentrate income groups within the City into one area. Raising the limits promotes housing choices for purchase assistance applicants, promotes mixed-income communities and provides an opportunity to assist more owner-occupied households in areas where assessed housing values have greatly appreciated but residents still fall into very low, low and moderate income categories based on income data provided by the Federal government.

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.

**L. Welfare Transition Program**

Should an eligible sponsor be used, the City of Miramar 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.

**M. 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 which may assist rental developments shall annually monitor and determine tenant eligibility. 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 which ever 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.

All strategies will be monitored annually for effectiveness and timely encumbrance and expenditure of funds to determine if the City's Local Housing Assistance Plan needs to be amended to create more effective housing strategies or if funds need to be reallocated.

**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 Miramar finds that the monies 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:**

The City of Miramar contracts out the services for the administration of the City’s SHIP Program to a consultant who demonstrates knowledge and experience in administering the SHIP Program. The contract was awarded through a Request for Proposals/Competitive Process in accordance with the City’s procurement policies. The City’s Consultant’s are responsible for the following (as outlined in Contract):

- Preparation of Local Housing Assistance Plan Including Assisting ED& R Department with the Development and Revision of Strategies.
- Implementation of Local Housing Assistance Plan Strategies.
- Facilitate the Selection and Monitoring of Sponsors and Counseling Services
- Maintain SHIP Tracking Report
- Reconcile SHIP Tracking with Finance
- Authorize Payments for SHIP Expenditure
- Conduct Marketing and Outreach of Programs
- Preparation of SHIP Annual Reports.

**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.

Define in accordance with Rule Chapter 67-37.002(8) F.A.C. and Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a) FS.

The City of Miramar defines essential services personnel as any person in need of affordable housing who is a permanent employee (excluding temporary and on-call employees) of a company or organization located within Broward County, which falls into on of the following sectors or codes as defined within the North American Industry Classification System (NAICS), published by the U.S. Department of Labor:

- Sector 61: Education Services
- Sector 62: Health Care and Social Assistance
- Section 72: Accommodation and Food Services
- Sector 81: Other Services (Except Public Administration)
- Code 485: Transit and Ground Passenger Transportation

Code 922: Justice, public order, and safety activities

The City may develop strategies specifically for essential services personnel or undertake projects that are targeted to essential services personnel.

- R. Section 420.9075(3)(d), F.S.: Requires counties and eligible municipalities to describe initiatives in their local housing assistance plans that encourage or require innovative design, green building principles, storm resistant construction or other elements that reduce long term costs relating to maintenance, utilities or insurance. Provide a brief description as required:

**Green Initiatives**

In accordance with Section 420.9075(3)(d) F.S., the City will incorporate the following green initiatives into rehabilitation and new construction activities where cost feasible.

Energy conservation

- Energy star qualified appliances – refrigerators, stoves, water heaters,
- Ceiling fans in living and bed rooms.
- Motion sensors light switches
- Cool roofing – single polymer cover or elastomeric coating
- Programmable thermostat

Water conservation

- WaterSense Faucets
- WaterSense Toilets
- WaterSense Shower heads (when available, projected 2011)

Healthy environment

- Green Label Certified Floor coverings
- Mold/Lead/Asbestos Removal

Durability

- Extended warranty items
- Quality standards for materials

Access & transportation

- New construction projects that is accessible by public transportation.

## **Special Housing Needs**

In accordance with **Section 420.9075(1)(a), F.S.**, the City will address the following special needs

### Elderly (Households 62 years of age or older)

Safety oriented- visual/texture cues to indicate stairs, redundant visual and audio alarms  
Equitable use – Altering existing structures to make them more user friendly, i.e., adapting sidewalks and stairs to be wheelchair accessible  
Low physical effort – adapting home to make it physically easier for client to achieve daily tasks, i.e. lighter doors (fiberglass instead of steel), impact glass instead of panel shutters.

### Persons with disabilities

ADA compliant rehab – Rehabilitation projects to make homes ADA compliant  
Approach and Use – Modifying homes so that all items are appropriate size and space is provided to access regardless of clients size, posture, or mobility.

### Homeless

The City will continue to work with the County Continuum of Care (CoC)

### Youth Aging Out of Foster Care

In accordance with Section 420.628, the City will include Youth Aging out of Foster Care as a special needs group to receive priority assistance.

## II. LHAP HOUSING STRATEGIES:

Provide Description:

### A. Name of the Strategy: **HOUSING REHABILITATION**

- a. **Summary of the Strategy:** The Owner Occupied Housing Rehabilitation Program is designed to assist owner-occupied residential properties. Eligible properties include, single family, condos, PUDs, townhomes, and villas, and eligible manufactured homes. This program is a multiple strategy program. The primary purpose of the program is to provide repairs necessary to provide safe and decent housing, eliminate any instances of substandard housing, and preserve the City's affordable housing stock. Activities include owner-occupied comprehensive repairs/improvements and emergency repairs. Demolition/reconstruction of code related repairs may be addressed as part of a comprehensive or emergency repair.

Loan funds shall be used to fund the following repairs/improvements.

1. Eliminate building code violations.
2. Abate any health and safety issues in the home.
3. Repair, upgrade, or replace major building systems, as necessary. Major building systems include: Structural, Electrical, Plumbing, Heating, Ventilation, Air Conditioning and Sewer Systems.
4. Prevent weather penetration, promote energy efficiency/green initiatives outlined on page 7, including the use of Energy Star products in the home.
5. Provide non-luxury general improvements that improve conditions and structure of the home.
6. Provide barrier-free accessibility improvements to elderly – individuals 62 years old and older and disabled owner-occupied households. Households where an applicant has a disability will be required to provide an SSI or SSDI award letter or a letter from a doctor, case worker, or other qualified professional stating that the applicant has a disability.
7. Make repairs that address principles of universal design such as equitable use, low physical effort, safety oriented and a focus on approach/use and promotes “aging in place.”
8. The only appliances that will be replaced under the program are non-functional or out-dated stoves or refrigerators. The program will not replace microwaves or washer/dryers.
9. Painting will be limited to the exterior of the home. Interior painting will be addressed only as part of interior repair/rehabilitation.
10. Carpet and Flooring – The program will replace carpet with carpet, with evidence that carpet is in need of replacement. The only time carpet will be replaced with tile/linoleum flooring is in the case of households where the carpet is an impediment to the mobility of the

occupant. The only time wood flooring will be installed is when wood already exists and deteriorated wood is being replaced.

**Comprehensive Repairs and Improvements:** Owner-occupied households, assisted in the order in which they applied for the program, will receive a comprehensive inspection and repairs will be comprehensive, addressing only the program priorities above.

**Emergency Repairs:** In the event a waiting list exists for the program emergency requests will be requested by the City's Consultant to the City's Building Division. Work specifications will be written to address only the emergency issue(s).

In cases where emergencies exist and it is later determined that the emergency exists where code violations (in whole or part) exist, the code violation must be addressed in order to address the emergency.

Other repairs including other code violations will be addressed when applicant is called from the comprehensive waiting list. Emergency repairs must be eligible program repairs as described above. Only in cases of emergency repairs can an eligible homeowner receive priority over other applicants on a waiting list, if a waiting list exists.

**Demolition/Reconstruction;** The City has instances where homeowners purchased units where garages or carports were illegally converted to create additional rooms. These are considered code violations and will be corrected through demolition and brought back to permitted use. If the home is occupied by an elderly or disabled person who occupies the room, or instances where overcrowding exists, the City can make the determination to reconstruct to a legal room addition.

**Substantial Repairs, Economically Unfeasible Repairs/Replacement Housing.** Inventory of the homes in the City's target area do not suggest that there are structurally unsound units that need to be replaced. However, should a situation like this occur where code, healthy/safety priority repairs are substantial (more than 50% of the value of the home); the unit may be assisted through the City's HOME funded substantial rehabilitation program.

If repairs exceed the cost to replace the home, the home will not be assisted under the City's minor home repair programs. The household may be assisted under another strategy, where the home can be acquired, demolished to provide for safe replacement housing or receive assistance in purchasing a new home. (Strategy B.)

If a household must be temporarily or permanently relocated, the guidelines of the

City's uniform relocation policy will apply.

The Economic Development and Revitalization Director or his designee has the sole discretion as to the award/improvements to be made, with priority given to code and life threatening or health and safety issues and to owner-occupied households where elderly and disabled residents reside.

Prior to repairs, all homes shall be inspected and work specifications will be written for each project. Inspections and work specifications shall be comprehensive unless in the case where a waiting list exists and an emergency determination has been made by the City. In these cases, only the emergency issue will be inspected and specifications for the emergency issue will be addressed in the work specification. If the waiting list is open, the applicant can place their name on the list for additional repairs.

If the waiting list is closed because demand far exceeds the ability to provide assistance in a reasonable timeframe as, determined by program administrator, then the person will have to wait until the list is open or find other means to fix the repairs. Once a waiting list of 100 households exists and all funds have been exhausted, the City will close the list.

### **Change Orders**

Cumulative change orders greater than 10% of the above original contract amount will be paid by City only if those repairs are necessary to correct code violations to meet local property standards, or address issues that could not be accurately assessed before the work started. Change orders will not be granted for purely cosmetic repairs. The City reserves the right to reject a change order that does not address code or property standard issues. Change orders are paid only when prior approval from owner, home inspector, and City is on file. Change orders for non code violations or health and safety issues will be denied. The purpose of the initial inspection is to provide a thorough list of eligible repairs that the owner agrees upon before work goes out to bid.

Where SHIP assistance is leveraged with federal sources and housing units are required to be brought up to code at time of assistance, repairs will be inspected to meet local housing code and local property standards. HOME funds can not be used to leverage SHIP dollars for emergency repairs. In addition when funds are leveraged, lead based paint, asbestos, environmental and historic preservation regulations will be complied with per the site specific environmental review checklist maintained in each file and part of the City's Environmental Review Record (ERR).

The City intends to leverage SHIP funds, with Community Development Block Grant, HOME Investment Partnership, and other available Federal and State

Resources that support rehabilitation activities where feasible.

Repairs are considered complete once all work has been inspected according to specifications or emergency situation specified and necessary building permits have been finalized by the City's building department. Final inspections by the program's inspector will be requested by staff upon receipt of invoice package, final release of liens and owner's satisfaction. Any items not completed per specifications, must be completed and re-inspected prior to close-out.

#### Partial Payments and Draw Schedules

Contractors may be entitled to 1 draw request per project. All invoices for work not 100% completed must have an in-progress inspection to be processed for payment. The remainder of the project will be invoiced when 100% complete.

- b. Fiscal Years Covered:** Fiscal Years 2010/2011, 2011/2012, and 2012/2013
- c. Income Categories to be served:** Very-low, Low, and Moderate Income.
- d. Maximum award is noted on the Housing Delivery Goals Charts. \$50,000**
- e. Terms, Recapture and Default:** Assistance is in the form of a ten-year 0% interest deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of (10) ten years from the recordation date of mortgage and note. There will be no yearly write-down of the loan. Full repayment of the loan is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the owner during the ten (10) year occupancy period. Any **Special Needs Owner-Occupied Households: Assistance is in the form of a 10 year, 0% interest deferred loan, written down 1/10<sup>th</sup> each year.**

Sewer connection projects, repair projects, or program costs incurred under \$5,000 will be granted and will not require the signing or recordation of the program's mortgage and note.

Homeowners, who have received comprehensive repair assistance from the City, cannot re-apply for five (5) years, except for cases where emergency repairs are needed as determined by the City's Building Official or his designee or in cases where no waiting list exists and funds are available. An emergency exists where there is imminent threat to the health or safety of the household occupants. Maximum assistance will be twice in any 5 year period.

In the event of default where there is failure to make required payments on a loan

secured by a first mortgage which leads to foreclosure and/or loss of property ownership, the City shall also foreclose to recover funds made available for assistance which is secured by mortgage and note on the property.

- f. Recipient Selection Criteria:** The Housing Rehabilitation program is citywide and all eligible households are encouraged to complete an application for assistance if they require repair assistance. Applications must be 100% complete to be certified eligible for the program. Additional information may be requested upon review of application to determine program eligibility.

Eligible homeowners will be assisted on a first qualified, first served basis. Homeowners will be assisted within income groups from all eligible applicants based on funding availability. Special needs households, as defined by Chapter 67-37.002(21), F.A.C will be given first priority. All eligible special needs households, as defined by Chapter 67-37.002(21), F.A.C , will be given priority by income level in the following order; very-low, low, and moderate-income levels. If there is a waiting list, residents will be contacted in writing by City's consultant to apply for assistance, in the order in which their name appears on the list.

Property must be owner occupied. Verification of ownership, income, homeowners insurance, flood insurance (if required) and payment of property taxes will be conducted to determine eligibility. A warranty deed, or quit claim deed will be utilized to verify ownership and primary residences should maintain homestead exemption. Life Estates also qualify. Hazard and flood insurance should be in place at time of award and be maintained as long as first and/or second mortgage remains on property. If a property is not required to have flood insurance then the file will be documented that flood insurance is not required. In the event property is not insured and there is a severe case of hardship by household to maintain insurance and repairs are needed to eliminate substandard, code, health and safety issue, the Economic Development and Revitalization Director or his designee may waive insurance requirements, as long as project is not leveraged with Federal funds, where flood insurance is required. Hardship is defined as the 1) condition of property makes it uninsurable or 2) at time of application household had no insurance and housing and insurance expenses exceed 50% of a fixed income household.

Program is not credit driven and credit reports will not be reviewed to determine eligibility for assistance.

Mortgage must be current and will be verified with mortgage statement or third party - verification of mortgage.

Title searches will be conducted. There must be evidence that there is no pending foreclosure on the property.

The property's assessed value must not exceed the value noted in the plan for new and existing homes. The current assessed value indicated on Broward County Property Appraiser's website shall be used to determine the value of the property after SHIP is provided.

Applicants will be required to sign program disclosures, including a conflict of interest disclosure prior to completing application or the application being processed.

- g. Sponsor Selection Criteria:** Eligible contractors will be selected through a bid process to perform repairs under this program. Non construction related services will be selected through a bid process or other process in compliance with the City's procurement policies. The selection will be based on certification, experience, past performance and financial stability to perform services. Preference will be given to eligible contractors that employ personnel from Welfare Transition Program.

The City or City's consultant will maintain a contractor pool in which it openly recruits contractors to participate in the program after pre-screening. All contractors must be licensed with the State of Florida, Department of Business and Professional Regulation and be in good standing with local licensing requirements. Contractors must not appear on the Federal government's Excluded Parties List prior to the award of any contract.

The City conducts outreach to encourage the participation of Minority and Women Owned enterprises in its housing assistance programs.

Only contractors who have been pre-screened will be allowed to bid on the housing rehabilitation projects. Prior to bidding on the project, contractors must visit each property. The program prohibits contractors from working on the properties of persons they are related to or where other potential conflict of interests may exist.

In instances, where a General Contractor is needed to complete repairs such as roof only, plumbing only, or shutters only, the bid quotes from pre-screened contractors will be solicited to make necessary repairs/improvements. Where a General Contractor is not needed, the services of a licensed contractor able to perform the services will be utilized.

- h. Additional Information:** The home must be located within the City limits, In the event of a disaster, declared by Executive Order by the President and disaster mitigation funds are no longer available, this program will assist with disaster related repairs as well. For home repair activities, the program is not designed to remodel,

upgrade homes with purely cosmetic repairs or replace working appliances because owner wants to upgrade.

The City's current subordination policy, maintained at the City Clerk's office shall apply for any refinance transactions. This subordination policy may be viewed by the public upon request to the City Clerk.

#### Additional Considerations

If a household applies to the City's home repair program, meets all the other program requirements, has a fixed rate mortgage that is current at the time of application or a reverse mortgage, no other liens on the property, the home repair application will be processed for assistance with the ability to receive maximum award.

Limitations to the amount of repairs completed will apply if a household applies to the City's home repair program and the property has one or more of the following conditions:

- Negative Equity
- An adjustable rate mortgage that has adjusted or will adjust during the life of the City's lien.
- A negative amortization loan in which the principal balance is increasing.
- A revolving home equity line of credit.
- A fixed rate second mortgage – home equity loan.
- Non-mortgage related liens ( i.e. credit related judgments) in excess of \$10,000.

Assistance will be limited to addressing building code violations, health/safety issues, verifiable disaster related repairs and/or disaster mitigation (impact windows/shutters). Roofs in need of replacement, a/c units and/or other major mechanical systems should be addressed as well if not functioning or at end of life cycle.

Housing units that have a pending foreclosure (Lis Pendens) from a mortgage company or homeowners/condo association can not be assisted until resolved. Properties with a lien from the homeowners/condo association also will not be assisted until resolved. Households undergoing a loan modification will not be assisted until the modification is complete and a new mortgage acceptable to the program is provided.

Units that meet one of the above conditions may not be assisted with HOME funding if work beyond the limited repair assistance is required to bring the home up to full rehabilitation standards. When units are assisted in whole or in part with HOME funds all required repairs to meet rehabilitation standards must be addressed.

Household applicants with credit judgments will still be referred to counseling but not as a requirement of receiving assistance.

**B. Name of the Strategy: SUBSTANTIAL HOUSING REHABILITATION**

**a. Summary of the Strategy:** The Owner Occupied Housing Rehabilitation Program is designed to assist owner-occupied residential properties. Eligible properties include, single family, condos, PUDs, townhomes, and villas, eligible manufactured homes. The primary purpose of the program is to provide repairs necessary to provide safe and decent housing, eliminate any instances of substandard housing, and preserve the City's affordable housing stock. **This strategy covers the repairs identified under Strategy A: Housing Rehabilitation but also includes substantial repairs, demolition and reconstruction of code related repairs all as part of necessary repairs.**

**b. Fiscal Years Covered:** Fiscal Years 2010/11, 2011/12, and 2012/13

**c. Income Categories to be served:** Very-low, Low, and Moderate Income.

**d. Maximum award is noted on the Housing Delivery Goals Charts: \$100,000**

**e. Terms, Recapture and Default:** Assistance is in the form of a ten-year 0% interest deferred payment loan secured by a mortgage and note. The portion of the loan under \$50,000 is forgivable in its entirety at the end of (10) ten years from the recordation date of mortgage and note. The amount in excess of \$50,000 remains as a lien on the property until the property is sold or the amount is voluntarily paid off by the homeowner.

There will be no yearly write-down of the loan. Full repayment of the loan is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the owner during the ten (10) year occupancy period. Only Special Needs Owner-Occupied Households will receive assistance in the form of a 10 year, 0% interest deferred loan, written down 1/10<sup>th</sup> each year. This applies only to the assistance below \$50,000.

Homeowners, who have received assistance from the City, cannot re-apply for five (5) years, except for cases where emergency repairs are needed as determined by the City's Building Official or his designee or in cases where no waiting list exists and funds are available. An emergency exists where there is imminent threat to the health or safety of the household occupants

**f. Recipient Selection Criteria:** The Housing Rehabilitation program is citywide and

all eligible households are encouraged to complete an application for assistance if they require repair assistance. Applications must be 100% complete to be certified eligible for the program. Additional information may be requested upon review of application to determine program eligibility.

Eligible homeowners will be assisted on a first qualified, first served basis. Homeowners will be assisted within income groups from all eligible applicants based on funding availability. Special needs households, as defined by Chapter 67.002 (21) F.A.C, will be given first priority. All eligible special needs households, as defined by Chapter 67.002 (21) F.A.C will be given priority by income level in the following order; very-low, low, and moderate-income levels. If there is a waiting list, residents will be contacted in writing by City's consultant to apply for assistance, in the order in which their name appears on the list.

Property must be owner occupied. Verification of ownership, income, homeowners insurance, flood insurance (if required) and payment of property taxes will be conducted to determine eligibility. A warranty deed or quit claim deed, will be utilized to verify ownership and primary residences should maintain homestead exemption status. Life Estates also qualify. Hazard and flood insurance should be in place at time of award and be maintained as long as first and/or second mortgage remains on property. If a property is not required to have flood insurance then the file will be documented that flood insurance is not required. In the event property is not insured and there is a severe case of hardship by household to maintain insurance and repairs are needed to eliminate substandard, code, health and safety issue, the Economic Development and Revitalization Director or his designee may waive insurance requirements, as long as project is not leveraged with Federal funds, where flood insurance is required.

The mortgage must be current and will be verified with a mortgage statement.

The property's assessed value must not exceed the current assessed value for the property eligibility requirement. The current assessed value indicated on Broward County Property Appraiser's website shall be used to determine the SHIP "after rehabilitation value" of the property.

Applicants will be required to sign program disclosures, including a conflict of interest disclosure prior to completing application or the application being processed.

- g. Sponsor Selection Criteria:** Eligible contractors will be selected through a bid process to perform repairs under this program. Non construction related services will be selected through a bid process or other process in compliance with the City's procurement policies. The selection will be based on certification, experience, past

performance and financial stability to perform services. Preference will be given to eligible contractors that employ personnel from Wages and Workforce Development Initiative Programs.

The City or City's consultant will maintain a contractor pool in which it openly recruits contractors to participate in the program after pre-screening. All contractors must be licensed with the State of Florida, Department of Business and Professional Regulation and be in good standing with local licensing requirements. Contractors must not appear on the Federal government's Excluded Parties List prior to the award of any contract.

The City conducts outreach to encourage the participation of Minority and Women Owned enterprises in its housing assistance programs.

Only contractors who have been pre-screened will be allowed to bid on the housing rehabilitation projects. Prior to bidding on the project, contractors must visit each property. The program prohibits contractors from working on the properties of persons they are related to or where other potential conflict of interests may exist.

In instances, where a General Contractor is needed to complete repairs such as roof only, plumbing only, or shutters only, the bid quotes from pre-screened contractors will be solicited to make necessary repairs/improvements. Where a General Contractor is not needed, the services of a licensed contractor able to perform the services will be utilized.

- h. Additional Information:** The home must be located within the City limits, In the event of a disaster, and disaster mitigation funds are no longer available, this program will assist with disaster related repairs as well. For home repair activities, the program is not designed to remodel, upgrade homes with purely cosmetic repairs or replace working appliances because owners wants to upgrade. In the event the property owner defaults on the first mortgage and foreclosure prevention assistance is not enough to prevent foreclosure, the City shall have first right of refusal to purchase property. At closing owner will be made aware of the resources available to them.

The City's current subordination policy shall apply for any refinance transactions.

#### Additional Considerations

If a household applies to the City's home repair program, meets all the other program requirements, has a fixed rate mortgage that is current at the time of application or a reverse mortgage, no other liens on the property, the home repair application will be

processed for assistance with the ability to receive maximum award.

Limitations to the amount of repairs completed will apply if a household applies to the City's home repair program and the property has one or more of the following conditions:

- Negative Equity
- An adjustable rate mortgage that has adjusted or will adjust during the life of the City's lien.
- A negative amortization loan in which the principal balance is increasing.
- A revolving home equity line of credit.
- A fixed rate second mortgage – home equity loan.
- Non-mortgage related liens ( i.e. credit related judgments) in excess of \$10,000.

Assistance will be limited to addressing building code violations, health/safety issues, verifiable disaster related repairs and/or disaster mitigation (impact windows/shutters). Roofs in need of replacement, a/c units and/or other major mechanical systems should be addressed as well if not functioning or at end of life cycle.

Housing units that have a pending foreclosure (Lis Pendens) from a mortgage company or homeowners/condo association can not be assisted until resolved. Properties with a lien from the homeowners/condo association also will not be assisted until resolved. Households undergoing a loan modification will not be assisted until the modification is complete and a new mortgage acceptable to the program is provided.

Units that meet one of the above conditions may not be assisted with HOME funding if work beyond the limited repair assistance is required to bring the home up to full rehabilitation standards. When units are assisted in whole or in part with HOME funds all required repairs to meet rehabilitation standards must be addressed.

Household applicants with credit judgments will still be referred to counseling but not as a requirement of receiving assistance.

**C. Name of the Strategy: PURCHASE ASSISTANCE**

- a. Summary of the Strategy:** The Purchase Assistance Program is created to assist eligible first-time homebuyers with a deferred payment loan to be applied towards the costs of purchasing existing or newly constructed (with a Certificate of Occupancy) eligible affordable housing. Eligible costs include the following: down payment, closing costs, mortgage buy down, rehabilitation, and other costs associated with purchasing a home. Eligible housing includes single-family homes, townhomes, condominiums, eligible manufactured homes, PUDs and villas.

- b. Fiscal Years Covered:** Fiscal Years 2010/11, 2011/12, and 2012/13
- c. Income Categories to be served:** Very-low, Low, and Moderate Income.
- d. Maximum award is noted on the Housing Delivery Goals Charts:**  
Up to \$30,000 For 81-140%, Up to 40,000 50-80% AMI and Up to \$50,000 for 50% AMI or less. City will follow existing underwriting criteria to determine how much each household will receive – up to maximum allowed.
- e. Terms, Recapture and Default:** Assistance will be in the form of a ten-year, 0% interest, deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of (10) ten years from the date of settlement provided the title remains under the ownership of the original purchaser. There will be no yearly write-down of the loan. Full repayment of the loan is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the owner during the ten (10) year occupancy period of the property.

The City is a recipient of Federal Neighborhood Stabilization Program (NSP) funds. The City will utilize NSP funds for purchase assistance activities of foreclosed properties. The terms of the NSP program are more restrictive than the City's regular SHIP program. Chapter 67-37.007 (13 F.A.C. provides that "any units receiving assistance from SHIP and other federal, State or local programs shall be required to comply with any requirements specified by the other program in addition to SHIP Program requirements. In the event both programs have restrictions on the same issue, the more restrictive regulation shall take precedence. If one program is silent on an issue, the program with a regulation on the issue shall apply."

- f. Recipient Selection Criteria:** Eligible applicants will be selected in the order in which they applied for the program and assisted on a first qualified, and first served basis, within income groups; but households, as defined by Chapter 67-37.002(21), F.A.C will be given first priority. Certificate of homeownership counseling completion required prior to loan closing.

The applicant must be a first-time homebuyer. A first-time homebuyer is defined as one that has never owned a home, or one that has not owned a home within the last three years, a single parent with children under the age of 18 who has recently been divorced and displaced, a displaced victim of domestic abuse, or a person displaced as a result of a governmental action. Residents displaced from mobile home parks seeking to purchase a non mobile home unit will also be considered first-time homebuyers.

Applicants must not own any other property used for residential purposes, and the home to be purchased must be located within the City limits. Applicant must use the mortgage programs offered by the mortgage providers in the City's lenders consortium.

Applicants are responsible for the upfront fee associated with the credit report in the form of a money order.

- g. Sponsor Selection Criteria:** The City of Miramar utilizes a lender's consortium. The opportunity for lenders to participate in the program is open periodically to interested lenders. Lenders must adhere to the guidelines for participating in the program.

**Additional Information:** The applicant must contribute a minimum of 1% of the sales price (including pre-pays) towards the purchase of the home. The Purchase Assistance Program cannot be utilized when the seller of the property is providing the financing for the mortgage. Funds may be leveraged with Broward County, HOME, CDBG or other purchase assistance related activities. In the case where bond or County assistance is being provided in conjunction with the City's SHIP funds, the City will take no less third position in the transaction.

To qualify under the construction set-aside requirement for SHIP, files shall be documented using one of the following ways:

- Evidence of repairs or affidavit and/or receipt from sellers that repairs were conducted within 12 months prior to sale of home.
- Evidence of repairs completed from inspection reports. Funds will be held in escrow or leveraged from CBDG. Once repairs are completed and inspected, contractor will submit invoice for payment and repairs will be made. Repairs will be completed by pre-screened contractors or general contractors in the contractor's pool.

#### **D. ACQUISITION - REHABILITATION OR NEW CONSTRUCTION DEVELOPMENT FOR HOMEOWNERSHIP**

- a. Summary of Strategy** This construction strategy is designed to promote the acquisition or construction of affordable housing for home ownership opportunities. Funds will be provided as deferred or low interest loans to support the acquisition and rehabilitation, replacement, or the new construction of single-family housing, or the single-family housing portion of a mixed use facility. The strategy is also

designed to promote infill housing, green housing, and mixed income projects/neighborhoods for homeownership opportunities. For profit and non-profit developers will be requested to submit proposals to provide housing that conforms with the City's RFP, neighborhood redevelopment plans and comprehensive plan.

Funds may be used as a match for U.S. Department of Housing and Urban Development's HOME program and various other programs offered by the federal government and the State of Florida to develop affordable housing.

Eligible expenses will include construction hard costs and soft costs necessary to rehabilitate or construct the project. This includes cost of land, cost to acquire structure and land, demolition cost, professional service fees such as environmental phase 1, engineering, survey, appraisal, architectural and interest buy downs.

Also allowed are infrastructure directly related to the project, including streets, roadways, parking, sidewalks, pathways, storm drainage, water, sewer and sanitary systems, sewer connections, hydrants, meters, utilities and utility easements for telephone, cable, electric lines, and right-of-ways and other acceptable fees.

Soft costs include plat reviews, plat reviews, recording fees, permits, environmental reviews and impact studies, land use amendment reviews and other acceptable fees.

The strategy also allows for impact fees.

- b. Fiscal Years Covered:** Fiscal Years 2010/11, 2011/12, 2012/13
- c. Income Categories Served:** Very Low, Low Income and Moderate
- d. Maximum award is noted on the Housing Delivery Goals Chart.**
- e. Terms, Recapture and Default:**

#### **Developers Terms**

The terms of the City's assistance for single family acquisition/rehabilitation, replacement, or new construction for homeownership developments will vary from project to project, depending on the economics of the development and type of project.

Funding will either be in the form of a deferred payment loan, low interest loan, or some combination thereof, for a period not to exceed 30 years. The financing structure that will be utilized will provide the greatest affordability to the household that will eventually occupy the unit. Loans provided to developers for new single-family housing

construction or units rehabilitated and then resold under this strategy must benefit eligible persons.

#### Household Occupancy Term

Deed restrictions for long term affordability for no less than 15 years may be required. If deed restrictions are not utilized and purchaser receives a direct subsidy, the household will be subject to the deferred loan provisions that are in effect for the City's purchase assistance program. Market conditions will determine which provisions are utilized

Households purchasing any of these units will be required to secure their own first mortgage and may be eligible for purchase assistance through the City's purchase assistance program. Home sales prices may not exceed the maximum sales price noted in this plan.

Where single-family units being constructed to be affordable housing for household incomes at 120% area median or less, make up more than 50% of the development project, assistance to the developer will be in the form of a deferred loan if economically feasible to the City's program. If units account for less than 50%, assistance may be in the form of a low interest loan.

If a single unit is being constructed (such as an infill house) then the assistance will be in the form a deferred loan.

Assistance will be provided only for the portion of units occupied by households at 120% or below AMI. In the RFP process, the City will review the overall project to determine if a deferred payment loan or low interest loan will be provided.

**Default Terms:** Default terms for not meeting program requirements shall be immediate repayment to the City trust account if the developer fails to meet the terms of the deferred payment loan, low interest loan, or fails to meet the program timeline for expenditure or having an eligible applicant occupying eligible housing. Default terms shall be described in mortgage and promissory note securing property.

- f. Recipient Selection Criteria:** For rehabilitated and new construction homeownership units, assistance will be provided on a first qualified, first served basis. However, program will be open to all eligible households to create inclusive communities. Applicant must use the mortgage programs offered by the mortgage providers in the City's lenders consortium.
- g. Sponsor Selection Criteria:** Request for proposals and competitive procurement process will be utilized to select a sponsor to implement these projects.

Characteristics in determining the sponsor may include, but not be limited to:

1. Capacity and capability to carry-out project
2. Scale of Project/Utilization of Density Bonuses
3. Experience in completing similar projects
4. Use of personnel from Welfare Transition Program
5. Leveraging.
6. Site control.
7. Neighborhood compatibility/Compatibility with Area Redevelopment Plan
8. Creation of Mixed Income Communities.
9. Incorporation of Partnerships with Local Employers, Institutions, Hospitals and Schools.
10. Incorporation of Transit-Oriented Design/Proximity to State Road 7 Corridor.
11. Attractiveness of design
12. Multistory buildings must have elevators and be ADA Compliant.
13. Use of green building techniques.

- h. Additional Information** Acquisition-Rehabilitation and New Construction related strategies in which assistance will be provided to a private or non-profit developer will be expected to demonstrate that the project(s) are affordable to low and moderate income households, meaning that no more than 30% of the household's income should go towards housing related expenses. Developer assisted projects that demonstrate affordability to low and moderate income households, using the definition above, will be considered for SHIP funding assistance. These projects shall receive priority consideration for funding.

The purchase price limit that is established by the U.S. Treasury Department is not to be misconstrued as the target price for affordable housing in the City of Miramar.

Developers receiving assistance from both SHIP and the Low-Income Rental Housing Tax Credit (LIHTC) Program shall be required to comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from SHIP and other federal, State or local programs shall be required to comply with any requirements specified by the other program in addition to SHIP program requirements. In the event both programs have restrictions on the same issue, the more restrictive regulation shall take precedence. If one program is silent on an issue, the program with a regulation on the issue shall apply. 67-37.007(13) F.A.C.

**E. Name of Strategy: FORECLOSURE PREVENTION**

- a. Summary of the Strategy:** The Foreclosure Prevention Program provides qualified homeowners the opportunity to avoid foreclosures and retain their homes. The program is designed to assist households that need immediate financial assistance to either stop

their homes from being foreclosed, or sold for non-payment of taxes. Funds will be provided as a deferred loan to eligible homeowners to assist them in bringing current their first and/or subordinate mortgage payments (Principal, Interest, Taxes and Insurance) Attorneys Fees, Late Fees, HOA, Assessments, and other customary fees. Evidence that mortgage or fee is no less than 30 days late is required and evidenced by current mortgage statement or applicable statement.

**b. Fiscal Years Covered:** Fiscal Years 2010/2011, 2011/2012 and 2012/13

**c. Income Categories to be Served: Very-Low, Low and Moderate Income**

**d. Maximum award is noted on the Housing Delivery Goals Chart - \$10,000**

**e. Terms, Recapture and Default:** Ten-year, 0% interest deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of 10 (ten) years from the date of the contract completion, provided the title remains under ownership of the applicant. Full repayment of the loan is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the owner during the 10 (ten) year occupancy period. This is a one time assistance program and homeowners may not re-apply for this assistance, but may apply for assistance such as home repair/improvements if there is equity in property.

**f. Recipient Selection Criteria:** Eligible homeowners will be selected in the order in which they apply to the program and assisted on a first qualified, first served basis. All special needs households, as defined by Chapter 67-37.002(21), F.A.C will be given priority by income (very-low/low and moderate income) respectively. The applicant(s) must show their ability to continue to maintain their mortgage payment after assistance is given. The City will pay 100% of the delinquent mortgage amount – up to \$10,000. If this is not enough to bring the situation current, the homeowner must pay the remainder to bring the situation current. Applicants must show the non payment of their mortgage is due to the following eligible reasons:

- 1) Loss of Pay due to involuntary job loss;
- 2) Divorce or separation which resulted in temporary loss of income;
- 3) Death of a spouse which resulted in a temporary loss of income;
- 4) Sudden unforeseen medical expenses; or
- 5) Unforeseen emergency home repairs including condo/homeowner association assessments.
- 6) Involuntarily loss of verifiable income from other sources (Temporary or permanent).

Applicant will be responsible for the overnight courier fee in the form of a money order .This fee is \$25

- g. **Sponsor Selection Criteria:** Credit and Budget Counseling services will be offered through the same entity that provides the services for first time home buyer applicants. Another sponsor may be selected to provide these counseling services if deemed necessary. Sponsor will have to demonstrate capacity and experience.
- h. **Additional Information:** The applicant must undergo budget/credit counseling from an approved credit counseling service. Priority will be given to persons who received prior down payment/purchase or rehabilitation assistance through the City's program.

## F. RENTAL DEPOSIT/ EVICTION PROTECTION PROGRAM

- a. **Summary of Strategy:** The City of Miramar may provide upfront financial assistance for households to obtain quality, safe, decent and affordable rental housing. The families must have the income to afford the monthly rental payments. Income guidelines provided by the State will be used to determine income eligibility. The City may pay for such items as first and last's month rent to a maximum of \$3,000. Assistance will be applied toward *non refundable costs only*.

On-going rental assistance is not permitted under the SHIP program. Assistance will be limited to a one time grant not to exceed \$3,000 per household.

- b. **Fiscal Years Covered:** 2010/11, 2011/12, 2012/2013
- c. **Income categories served:** Very Low Income, Low Income and Moderate Income
- d. **Maximum award is noted on the Housing Delivery Goals Chart.**
- e. **Terms Recapture and Default.** Assistance will not be secured by a mortgage or promissory note because this is non owner-occupied assistance. For this program, the person is assisted, not the unit, **however funds will not be given directly to applicant.**
- f. **Recipient Selection Criteria:** Recipient Selection Criteria:

**Rental Deposit Programs:** Applications will be processed in the order in which they are received. Applicant must be very low to moderate income, (priority given to very low income households and special needs households, as defined by Chapter 67-37.002(13), F.A.C. Priority will be given to those individuals who are homeless or at risk of homelessness because of the inability to pay the rental deposit (including first and last month rent). The lease must be for at least one year. Assistance will be provided one time only.

**Eviction Protection Program:** Applicants must meet the following criteria: Be very low to moderate income and must be in danger of being evicted from their rental dwelling unit because of late or non-payment due to:

- 1) Loss of Pay due to involuntary job loss.
- 2) Divorce or separation which resulted in temporary loss of income.
- 3) Death of a spouse which resulted in a temporary loss of income
- 4) Sudden unforeseen medical expenses or
- 5) Involuntarily loss of verifiable income from other sources (Temporary or permanent).

Applicants must show that they have the ability to pay the rent after the City's assistance is given without further assistance. Eligibility will be performed on an expedited basis and may include alternative forms of documentation, such as current pay stubs and benefit letters, as well as oral verification of employment wages, other income, and assets. Assistance shall be provided on a first-qualified, first-served basis. Assistance is limited to a one-time award.

- g. Sponsor Selection Criteria:** This Program will be administered by the City of Miramar Economic Development and Revitalization Department and City's consultant, with the assistance of the City community outreach program or an Eligible Sponsor if the City decides to use a sponsor to carry-out this program.
- h. Additional Information: Rent limits will apply.**

## **G. ACQUISITION – REHABILITATION OR NEW CONSTRUCTION FOR MULTI-FAMILY RENTAL AND TRANSITIONAL**

- a. Summary of Strategy** This strategy is designed to promote the production of affordable multi-family housing in the City for rental or transitional housing. Funds may be provided as deferred loans or low interest loans to support the acquisition and rehabilitation, or the new construction of multifamily housing, including single room occupancy, transitional/group home housing, senior rental facilities or the housing portion of a mixed use facility. Strategy is designed to promote mixed income projects and neighborhoods .Funds may be used as a match for U.S. Department of Housing and Urban Development's HOME program and various other programs offered by the federal government and the State of Florida to develop affordable housing.

Eligible expenses will include construction hard costs and soft costs necessary to rehabilitate or construct the project. This includes cost of land, cost to acquire

structure and land, demolition cost, professional service fees such as environmental phase 1, engineering, survey; appraisal, architectural and interest buy downs.

Also allowed are infrastructure directly related to the project, including streets, roadways, parking, sidewalks, pathways, storm drainage, water, sewer and sanitary systems, sewer connections, hydrants, meters, utilities and utility easements for telephone, cable, electric lines, and right-of-ways and other acceptable fees.

Soft costs include, plat reviews, recording fees, permits, environmental reviews and impact studies, land use amendment reviews and other acceptable fees.

The strategy also allows for impact fees.

- b. Fiscal Years Served:** Fiscal Years 2010/11, 2011/12, 2012/13
- c. Income Categories Served:** Very Low, Low Income and Moderate
- d. Maximum Award** is noted on the Housing Delivery Goals Chart.
- d. Terms, Recapture and Default:** The terms of the City's funding for multifamily rental rehabilitations or new rental construction developments will vary from project to project, depending on the economics of the development. Funding will either be in the form of a deferred payment loan or low interest loan, or some combination thereof, for a period not to exceed 30 years. Loans provided to developers for eligible rental housing constructed, rehabilitated, or otherwise assisted under this strategy must be reserved for eligible persons for 15 years or the term of the assistance, whichever period is longer.

The financing structure that will be utilized will provide the greatest affordability to the household that will eventually occupy the unit. Loans provided to developers for multi-family housing constructed under this strategy must be reserved for units that will benefit eligible persons and include deed restrictions for long term affordability for no less than 15 years.

- e.** For rental projects where units for household with incomes at 120% area median or less are greater than 50% of total units being constructed or rehabilitated, assistance will be in the form of a deferred loan if economically feasible to the City's program. The City encourages mixed-use developments. All other projects, not meeting these criteria may be subject to the low-interest loan.

The City, eligible sponsor or appointed designee, shall annually monitor and determine tenant eligibility throughout the 15 year compliance period. For those developments that the Florida Housing Finance Corporation or Federal Program such

as Section 202, provides the same monitoring and determination, the City may rely on such monitoring and determination of tenant eligibility.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this strategy must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons. The SHIP assisted units in a rental housing project will be occupied only by households that are eligible as very-low to moderate income families. Maximum monthly rent limits will be those established annually by HUD and distributed by FHFC.

The City of Miramar will establish maximum monthly allowances for utilities and services and will review and approve rents proposed by the owner for units subject to the maximum rent limitations.

The owner cannot refuse to lease SHIP assisted units to a certificate of voucher holder under 24 CFR part 982, Section 8 Tenant-Based Assistance: Unified Rule for Tenant-Based Assistance under the Section 8 Rental Certificate Program and the Section 8 Rental Voucher Program.

Default Terms: Default terms for not meeting program requirements shall be immediate repayment to the City trust account if the developer fails to meet the terms of the deferred payment loan, low interest loan, or fails to meet the program timeline for expenditure or having an eligible applicant occupying eligible housing. Default terms shall be described in mortgage and promissory note securing property.

- f. Recipient Selection Criteria.** For rehabilitated and new construction rental units assistance will be provided on a first qualified, first served basis. Priority will be given to very low income households, and special needs households, as defined by Chapter 67-37.002(21), F.A.C where homeownership is out of reach. However, program will be open to all SHIP eligible to create inclusive rental communities.
- g. Sponsor Selection Criteria** Request for proposals and competitive procurement process will be utilized to select a sponsor to implement these projects. Characteristics in determining the sponsor may include, but not be limited to:
  - 1. Capacity and capability to carry-out project
  - 2. Experience in completing similar projects
  - 3. Use of personnel from Wages and Workforce Development programs.
  - 4. Leveraging.
  - 5. Site control.

6. Neighborhood compatibility/Compatibility with Area Redevelopment Plan
7. Creation of Mixed Income Communities.
8. Recapture provisions.
9. Incorporated of Transit-Oriented Design/Proximity to State Road 7 Corridor.
10. Attractiveness of design
11. Multistory buildings must have elevators and be ADA Compliant.
12. Use of green building techniques.

**h. Additional Information.**

In determining the maximum allowable rents, 30 percent of the applicable income category divided by 12 months shall be used based on the number of bedrooms. A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half persons per bedroom shall be used. Rental units constructed, rehabilitated, or otherwise assisted will be monitored at least annually for 15 years or the term of assistance, whichever is longer, for compliance with tenant income and affordability requirements. A rental limit chart will be provided to the local governments by the Department of Housing and Urban Development and distributed by the Florida Housing Finance Corporation annually.

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 not-for-profit organizations for purchase at the current market value for continued occupancy by eligible persons. This shall be done as a "Request for Proposal" administered by the City with the selection procedure as listed above under rental leveraging.

Developers receiving assistance from both SHIP and the Low-Income Rental Housing Tax Credit (LIHTC) Program shall be required to comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from SHIP and other federal, State or local programs shall be required to comply with any requirements specified by the other program in addition to SHIP program requirements. In the event both programs have restrictions on the same issue, the more restrictive regulation shall take precedence. If one program is silent on an issue, the program with a regulation on the issue shall apply.

All other regulatory requirements will be enforced.

**H. Name of the Strategy: DISASTER MITIGATION/RECOVERY**

- a. Summary of the Strategy:** SHIP funds may be used to provide emergency repairs to very-low, low and moderate-income households following a natural disaster as

declared by Executive Order by the President of the United States, Governor of the State of Florida or the City Commission of the City of Miramar. Funds may be used for items such as, but not limited to, temporary rental assistance (up to 6 months), emergency interim repairs for eligible households to avoid further damage, tree and debris removal required to make the individual housing unit habitable, condos and homeowner's assessments for post disaster repair, post disaster assistance for eligible non-insured repairs and soft costs required to process assistance applications. This strategy will only be implemented in the event of a natural disaster using any funds that have not yet been encumbered.

**Deductibles:** In the event of a natural disaster, the City of Miramar is able to assist individual income eligible households with insurance deductibles for eligible disaster related damage up to \$5,000. This form of assistance will occur only after the income eligible household applies to participate in the City's Residential Rehabilitation Program. Storm related property damage will be assessed and an estimate will be prepared by the City's inspector. Any expense in excess of the actual deductible is the responsibility of the homeowner. All other Residential Rehabilitation Program guidelines apply.

- b. Fiscal Years Covered:** Fiscal Years 2010/2011, 2011/12, and 2012/2013
- c. Income Categories to be served:** Very-low, Low, and Moderate Income.
- d. Maximum award is noted on the Housing Delivery Goals Charts: \$50,000**
- e. Terms, Recapture and Default:** Ten-year, 0% interest deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of 10 (ten) years from the date of the contract completion, provided the title remains under ownership of the original purchaser. Full repayment of the loans is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the applicant during the 10 (ten) year occupancy period.

**Special Needs Owner-Occupied Households: Assistance is in the form of a 10 year, 0% interest deferred loan written down 1/10<sup>th</sup> each year.**

- f. Recipient Selection Criteria:** Eligible applicants will be selected from a national or state disaster registry on a first qualified and first served basis, within income groups. If no names are on the registry, applicants who request disaster mitigation assistance, will be assisted. Applications for disaster assistance will be given priority above others on a waiting list for other strategies. Eligibility will be performed on an expedited basis and may include alternative forms of documentation, such as current pay stubs and benefit letters, as well as oral verification of employment wages, other

income, and assets.

- g. Additional Information:** Funds will not be allocated to this strategy except in the case of a federal or state disaster. SHIP funds may leverage other federal and/or state emergency programs. The expenditure of funds must be for eligible activities as permitted by SHIP statute, rule and/or emergency rule as published by the Florida Housing Finance Corporation.

The Corporation shall disburse funds for disaster relief proportionately as provided in Section 420.9073(2)(b), F.S. Local governments may use unencumbered SHIP funds to carry out activities of disaster relief. 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 with an effective date of 1-30-05 or a local government's form that requires the same information. 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.

### **III. LHAP INCENTIVE STRATEGIES**

*Section 420.9071(16), F.S.*

- A. Name of the Strategy: Expedited Permitting and Expedited Inspection.**  
Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects. This also includes a process to expedite inspections. The City utilizes an expedited inspection process for affordable housing projects in the City. For the purpose of this incentive, "Development Approvals" is used instead of "Development Orders".

- a. Established policy and procedures – Expedited Permitting:**  
Pursuant to the City's adoption of expedited permitting for affordable housing, contractors participating in the City's Minor Home Repair program and other housing rehabilitation program will have permit fees waived.

All contractors for the housing rehabilitation program are provided the opportunity to submit the final contract with homeowner, including scope of work, to City's Consultant to be stamped for expedited permit processing. The stamp identifies the job as eligible for the expedited permitting process when it is submitted to the City's Building Division to apply for permits.

Developers who are constructing affordable housing, units priced to accommodate

the affordability (30% of income) of very low, low and moderate incomes, and have some form of public financing assisting the proposed affordable housing project, are also eligible for expedited permitting.

The staff of the Planning and Zoning Division may identify eligible projects during the plan review process and make the expedited permitting available by referring the developer to the Economic Development and Revitalization Division and/or CRA.

**b. Established policy and procedures – Expedited Inspection:**

Pursuant to the City’s adoption of expedited inspections, projects determined to be eligible that have received expedited permitting will also receive expedited inspections. All shall be documented.

**B. Name of Strategy: Modification of Impact-Fee Requirements  
Subject to City Commission approval of proposed amendments to the City’s  
Land Development Code, the City will modify impact fee requirements.**

**a. Established Policy and Procedures: Provide Description**

Both the Future Land Use Element (Policy 10.2) and Housing Element (Policy 1.8) of the City’s Comprehensive Plan state that a waiver, reduction, and/or modification of impact fees (and others) should exist in support of affordable housing.

There are three types of fees that would affect a proposed affordable housing project: development application fees (Community Development Department); building permit fees (Building Division); and impact fees (water, sewer, fire, police, and recreation).

The authority to modify or waive any of the three types of fees varies; however, the City Commission can waive Building Permit fees through its development approval powers.

**C. Name of Strategy: Allowance of Flexibility in Densities for Affordable Housing  
Subject to City Commission approval of proposed amendments to the City’s Land  
Development Code, the City may provide for the allowance of flexibility in densities  
for affordable housing. The City provides guidelines for flexibility in the zoning  
criteria to increase density for affordable housing.**

**a. Established Policy and Procedures: Provide Description**

The Housing Element (Policy 1.8) of the City's Comprehensive Plan states: "Ensure residential land is available on the Future Land Use Map at adequate densities of five (5) to fifteen (15) dwelling units per acre to support affordable housing development."

In May 2006, Broward County adopted a new policy to its Land Use Plan providing for affordable housing density bonuses that all cities in the County can use regardless of whether the provisions are incorporated into their local land use elements.

The City's Future Land Use Map includes residential densities ranging from 5 dwelling units per acre to 25 dwelling units per acre. These densities exist city-wide and account for 50% of the total acreage with a residential land use category.

In the event that there is a desire to add additional land within these densities, the City would have to adopt a land use plan amendment

Beyond the land use plan map, the City has adopted zoning regulations that help support this incentive: a Traditional Neighborhood Design (TND) district and the State Road 7/U.S. 441 overlay zoning. Both are examples of form-based zoning that are intended to promote compact, mixed use development through the use of flexible design standards and guidelines. The Mirabella development is zoned TND and contains affordable units.

The City has adopted a Transit Oriented Corridor (TOC) land use category along and near the State Road 7/U.S. 441 corridor that will specifically provide for higher density, mixed use development.

#### **D. Allowance of Flexible Lot Configurations**

Subject to City Commission approval, the City may provide for the allowance of flexible lot configurations for affordable housing.

##### **a. Established Policy and Procedures: Provide Description**

Historically, flexible configurations were provided through the City's Planned Unit Developments (PUDs) such as Huntington, Bluegrass Lakes, Renaissance, and Silver Lakes; however, PUD zoning no longer exists. Under current zoning, most of the residential zoning districts provide for regular configurations, except for the RS-7 district, which allows zero lot line development (found in the Monarch Lakes, Nautica, and Silver Shores developments). The City's variance process is also available, but the hardship test is currently not financially-based and is traditionally not a basis for granting a variance.

The City's Traditional Neighborhood Development District (TND) and State Road 7

Overlay District are examples of form-based zoning that are intended to promote compact, mixed use development through the use of flexible design standards and guidelines. The Mirabella development is zoned TND and contains affordable units.

It's anticipated that the RS-7, TND, and SR 7 Overlay districts will remain in effect and available for use as relates to this incentive. Various PUDs and developments containing RS-7 zoning as well as individual setback variances for room additions to existing homes have been granted.

**E. Name of Strategy: Modifications of Street Requirements for Affordable Housing**

For affordable housing projects, the City of Miramar may entertain on a case by-case basis modifications or variance requests to the existing code for street requirements.

- a. There is no existing policy on this incentive. The City's TND zoning district contains street design standards that are different from the City's normal standards because of the intent to create compact development. This could have an effect on housing affordability (e.g., Mirabella development). For affordable housing projects, on a case-by-case basis, modifications or variance requests to the existing code for street requirements will be reviewed.

**F. Name of the Strategy: Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption. Each January, programs will be reviewed to determine effectiveness of strategies and to determine whether or not funds need to be reallocated into other eligible strategies to ensure timely expenditure of funds.

**a. Established Policy and Procedures: Provide Description**

It is recommended that as part of the public participation process, the City Commission should consider the impacts of policies, procedures, ordinances, regulations or plan revision that significantly increase the cost of housing.

In addition to the above, it is recommended that the following steps be incorporated into the current agenda review process.

A presentation will be made to Department Directors and DRC members to discuss the types of items that could affect the affordability of housing so they may identify them early in the agenda review process.

According to the current guidelines on the agenda item process, the agenda item's

author is responsible for ensuring that all necessary staff members, committees, boards, etc. have been involved prior to making a recommendation for or against the item. It is at this step that the agenda author should determine if the item may have an impact on housing costs, and recommend appropriate action.

The Agenda Review meeting should serve as the last opportunity in the review process to identify items that may affect the affordability of housing prior to their consideration by the City Commission.

Once an item has been identified as having a potential impact, an analysis must be done to determine the impact, if any, and how it can be mitigated. This analysis should be done by the department that generated the agenda item with subsequent review by Economic Development and Revitalization Director and consultant if an impact is expected.

The determination should be indicated on the agenda cover form (salmon sheet) and/or in staff memorandum that the proposed item may add to the cost of housing, provide an estimate additional cost per housing unit, and possible ways to mitigate the impact of the legislation. This will serve to formally document the review process.

**G. Name of Strategy: Preparation of a Printed Inventory of Locally Owned Public Lands Suitable for Affordable Housing.**

The City has implemented this strategy as its State requirement to maintain a printed inventory of locally owned public lands suitable for affordable housing.

**a. Established Policy and Procedure: Provide Description**

All City owned properties have been mapped. This inventory map will be maintained and updated as required.

City-owned properties consist of parks, open space, roads, utility areas and facilities, and municipal facilities. With the exception of a 13 acre undeveloped park site, these properties are not available and/or are unsuitable for affordable housing. Very limited potential for this incentive.

**H. Name of Strategy: Support Of Development Near Transportation Hubs And Major Employment Centers And Mixed-Use Development**

The City supports development near transportation hubs and major employment centers and mixed use development and implements this strategy in accordance with existing policies.

**a. Established Policy and Procedure: Provide Description**

The Future Land Use (Objective 4) and Transportation Elements (Policy 1.8) of the City's Comprehensive Plan establish that the City coordinates land uses with the transportation system.

The City's Traditional Neighborhood Development District (TND) and State Road 7 Overlay District are examples of form-based zoning that are intended to promote compact, mixed use development through the use of flexible design standards and guidelines.

The Mirabella development is zoned TND and contains affordable units. The City's Town Center development is also a TND and will contain 50 affordable units pending Community Workforce Housing Initiative Program (CWHIP) funding from the state.

The City has adopted a Transit Oriented Corridor (TOC) land use category along and near the State Road 7/U.S. 441 corridor that will specifically provides for higher density, mixed use development along the County's busiest bus route.

**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(6)(d) and (f) 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:** *Chapter 67-37.005, F.A.C.*  
Completed HDGC for each fiscal year is attached as **Exhibit C**.

**D. Certification Page:** *Chapter 67-37.005(7), F.A.C.*  
Signed Certification is attached as **Exhibit D**.

**E. Adopting Resolution:** *Section 420.9072(2)(b)2, F.S.*  
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**.

**G. Ordinance:** *Section 420.9072(3)(a), F.S.*

If changed from the original ordinance, a copy is attached as  
**Exhibit G**.

**H. Interlocal Agreement:** *Section 420.9072, F.S.*

A copy of the Interlocal Agreement if applicable is attached as **Exhibit H**.