

# STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

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## LOCAL HOUSING ASSISTANCE PLAN (LHAP) 2009-2012



City of West Palm Beach  
Department of Housing and Community Development  
401 Clematis Street 3rd St. / P.O. Box 3366  
West Palm Beach, FL 33402  
561.822.1250



# The City of West Palm Beach

## State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan for 2009-2010, 2010-2011 and 2011-2012

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**I. PROGRAM DESCRIPTION:** *Chapter 67-37.005 F.A.C. and Section 420.9072, F.S.*

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

**City of West Palm Beach**

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

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

N/A

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

N/A

B. **Purpose of the program:** *Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.*

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:** *Chapter 67-37.002, F.A.C.*

X 2009 - 2010

X 2010 - 2011

X 2011 - 2012

D. **Governance:** *Chapter 67-37.005(3) and (5)(i) F.A.C. and Section 420.9071(14) F.S.*

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37.007 Florida Administrative Code. The SHIP Program does further the housing element of the local government Comprehensive Plan.

E. **Local Housing Partnership:** *Section 420.9072(1) (a), F.S.*

The City has a history of working relationships with housing and related organizations operating within the City in an attempt to improve housing and housing related problems. These organizations and programs primarily promote and assist in the development of strategies, which serve to primarily assist very low and low income households. They work in partnership with the City in its efforts to eliminate substandard housing, to build affordable housing, to provide technical services and to relocate displaced families.

Local organizations providing support to the City in implementing its housing programs are Consumer Credit Counseling Services, Fair Housing Center of the



Greater Palm Beaches, the Urban League of Palm Beach County, the Northwood Business Development Corporation, the Northwest Communities Development Corporation, the West Palm Beach Housing Authority, the Northwest Communities Development Partnership, Inc., Redemptive Life Urban Initiatives Corporation, local realtors, contractors, and local lending institutions.

1. **The Fair Housing Center of the Greater Palm Beaches, Inc.** is a non-profit fair housing organization, which affirmatively furthers fair housing laws within the corporate City limits. The Fair Housing Center of the Greater Palm Beaches, Inc. coordinates and implements activities designed to inform and educate the general public, housing industry groups, the media, and financial institutions about fair housing rights and obligations through workshops, print media and display booths. The primary goal of these activities is to combat housing discrimination and to ensure compliance with local, state and federal fair housing laws.
2. **The Northwood Renaissance, Inc** is a locally certified Community Housing Development Organization (CHDO) which has proposed the development of a model block project in the Northwood Neighborhood of the City. This project involves the acquisition and rehabilitation of nine rental units for subsequent purchase by homebuyers, facade improvements to other properties on the block and streetscape improvements to the public right of way.
3. **Real Estate, Education and Community Housing Inc. (R.E.A.C.H.)** is a Florida non-profit corporation founded in January 2006 to serve as a springboard to county and state Housing Education & First Time Home Buyer programs. Developed specifically to assist the residents of very low and low income communities this organization challenges those who have only dreamed of home ownership to take the necessary steps that make that dream of owning their own home a reality through education and counseling. **R.E.A.C.H.** facilitates workshops in which local Mortgage Lenders, Real Estate Professionals, Attorneys and other related professionals help the participants in the program to become educated and motivated to take the actions that will lead to home ownership.
4. **Redemptive Life Urban Initiatives Corporation** is a Community Housing Development Organization (CHDO) participating in the City's HOME Investment Partnership (HOME) Program. This non-profit organization is developing 22 affordable single-family housing units in the Coleman Park Neighborhood. As of April 30, 2006, Redemptive Life Urban Initiatives Coalition had completed



construction of 19 single family homes with 3 in the final stages of construction. The newly constructed units were sold to First Time Homebuyers and owner occupants who utilized the City's down payment assistance to facilitate their purchase.

5. **The Urban League of Palm Beach County** administers a Comprehensive Housing Counseling Program which offers a full range of services, advice and information to families to assist with improving housing conditions and meeting responsibilities associated with homeownership and tenancy. The counseling services include: relief measures for mortgages in default, rental delinquency, money management, rental and purchase procedures, housing selection, home management, referrals to community sources and reverse equity mortgage. This Program is funded by the City through the federal Community Development Block Grant (CDBG) Program.

**Local Lenders** participate in the Homeownership Assistance Program and partner with the City to conduct homeownership training seminars. These seminars are held to provide the homebuyer with a basic understanding of the home buying process. Seminar topics include: Major Steps in Buying a Home, Who's Who, Mortgage Estimating, Affordability Limits, Shopping for a Home and the Closing Process.

The City has established working relationships with **local realtors** and **contractors** to augment its housing programs. Local realtors assist clients in the home-shopping stage to locate, negotiate and transact prospective sales of properties. Local contractors are used for acquisition/rehab, new construction and housing rehab projects and are screened and pre-qualified. An inventory of the contractors is available for the clients' use and projects are awarded through a competitive bid process.

- F. **Leveraging:** *Chapter 67-037.007 (1)(b)(c), F.C.A. and Section 420.9075 (1)(a) and (1)(b3, and (1)(c), F.S.*

The City of West Palm Beach 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 or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME) funds, and Private funds are also used to support the City's housing preservation and rehabilitation programs. As necessary, the source of funds may be solely from SHIP or a combination of sources. If SHIP funds are used solely to finance a project, all repaid loan proceeds will be deposited in the SHIP Housing Trust Fund as program income. When SHIP funds are used in combination with HOME funds, any



repaid loan proceeds will be deposited into the HOME Program income account. The maximum SHIP award per unit for hard construction costs shall be as specified within the Plan.

- G. **Public Input:** *Chapter 67-37.005(3), F.A.C.*  
Through an advertisement in a local newspaper, the Palm Beach Post, the public was notified that it could inspect and make comments on the Local Housing Assistance Plan. If comments are received, staff will address such comments. Further, at the City Commission meeting that the LHAP is being reviewed by the Commission; the public may use this opportunity to make comments.
- H. **Advertising and Outreach:** *Chapter 67-37.005(60 (a), F.A.C.*  
The City of West Palm Beach will 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:** *Section 420.9075(3) (c), F.S.*  
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:** *Chapter 67-37.005(50 (g), F.A.C.*  
City of West Palm Beach requires an 18 hour Homebuyer readiness counseling class prior to receiving assistance under it's Homebuyer Assistance Program. Additionally, the City provides support services that are available from various sources including the City.

Available support services may include but are not limited to:

Homeownership Counseling (Pre and Post), Debt & Credit Counseling, Tenant Counseling and Transportation.

These services are provided through a series of workshops provided by City staff, Local Housing Partners (Section I-E) or local non-profits.

Homeownership Assistance Program and the Owner-Occupied Housing Preservation Program are complemented by an array of supportive services that are available to the clients of the programs. These support services are implemented by community organizations, to provide services to clients through formal workshop settings and/or through one-on-one sessions. Services include counseling in the areas of: Budget, Money and Debt Management, Mortgage Default Relief Measures, Home Selection and Purchase Procedures, Reverse Equity Mortgage, and referrals to community sources as needed.



- K. **Purchase Price Limits:** *Section 420.9075(4) (c), F.S. and Chapter 67-7.007(6) F.A.C.*  
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.

The purchase price limits is determined from FHFC (Florida Housing Finance Corporation) Bond Study numbers for new and existing units. The FHFC bond study sets the median area purchase price, in accordance with Section 420.9075(4) (c) FS this figure is derived by taking 90% of the median area purchase price limit.

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.

These purchase price limits govern the maximum amount to which the City may provide assistance through the SHIP program. The purchase price limits adopted in this revised LHAP will remain in effect until a new purchase price limit is adopted.

- L. **Income Limits, Rent Limits and Affordability:** *Chapter 67-37.005(5) (e), F.A.C. and Section 420.9071(2), F.S.*

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 (19), (20) and (28), 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:** *Chapter 67-37.005(6) (b) (7) F.A.C.*  
Should a eligible sponsor be used, the city 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 employed personnel from the Welfare Transition Program will be given preference in the selection process.

- N. **Monitoring and First Right of Refusal:** *Section 420.9075, F.S.*  
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 which ever is longer unless as specified above.
- O. **Administrative Budget:** *Chapter 67-37.005, F.A.C., and 420.9075(7), F.S.*  
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 West Palm Beach finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. In accordance with Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, 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. 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.

*The City of West Palm Beach has adopted the above findings in the attached resolution, Exhibit E.*

- P. **Essential Service Personnel:**  
“Essential Services Personnel” means persons whose household incomes do not exceed 140% of AMI, as determined annually by the Florida Housing Finance Corporation and adjusted for family size, and shall include: teachers and educators; other school district, community college, and university employees; police and fire personnel; health care personnel; housing related professionals and employees; skilled building trade industry personnel; Federal, State, County, and local government personnel; and may also include utility system (water/sewer, electrical, communication, etc.) personnel; information technology industry personnel; child care personnel; personal service providers; retail workers; wholesale/warehouse personnel; tourism industry personnel; biotechnology industry personnel; non-profit personnel; food service personnel;



landscaping industry personnel; cosmetology service providers; facility maintenance personnel; automotive service personnel; marine services personnel; persons employed in local “business clusters” as identified by the Business Development Board of Palm Beach County; the occupations in demand with the most employees and the occupations in demand gaining the most new jobs according to the Agency for Workforce Innovation (AWI); and personnel in other industries deemed essential by the City of West Palm Beach City government based on the local economy. The City of West Palm Beach will review and possibly revise this definition of essential service workers on an annual basis to conform to local economic and industry trends.

For the purposes of this definition, “Essential Services Personnel” must meet the CWHIP income requirements set forth for Workforce Housing.

## II. **LHAP HOUSING STRATEGIES:** *Chapter 67-37.005(5), F.A.C.*

### A. **Housing Preservation Strategy:**

#### a. **Summary of the Strategy:**

- This Strategy provides funds for Housing rehabilitation or replacement, emergency repairs and temporary relocation when needed. Housing units must be owned and occupied by very-low, low and moderate income City residents.
- The program is available to homeowners who have a home in need of such services and who meet all program requirements. It is intended to preserve decent, safe and sanitary housing and to encourage pride in homeownership.
- The Housing Preservation Strategy assists a legal owner of a single family home who occupies the unit as his or her principal residence. The property must be located within the City of West Palm Beach. The after rehabilitation appraised value of the property or purchase price must not exceed 90% of the Palm Beach County area median purchase price as defined on paragraph I-K. The property must conform to City zoning requirements regarding use and density.
- These funds may be leveraged with HOME, CDBG or other public/private funds.
- The maximum combined amount for any housing preservation activity shall be **\$40,000.00**. This strategy is designed to assist property owners in eliminating code violations, and correcting conditions affecting the life, health, or safety of households, using the following programs:



- i. **Housing Rehabilitation** – This program provides rehabilitation and emergency repairs to owner-occupied homes in need of improvement that address conditions that are an immediate threat to the health, safety and welfare of the occupant. This strategy is intended to address substandard electrical, plumbing, and HVAC systems, to include roof replacement or other upgrades needed to remove the threat to the homeowner. Other major work under this strategy includes: replacement of kitchens, bathrooms, flooring, windows, doors, insulation and other upgrades consistent with the Housing Code. This strategy would also provide funds for mold assessment and remediation when these conditions are found during the course of the project.
  - ii. **Barrier Free Housing** – This program provides financial assistance to remove housing design barriers and improve accessibility to the elderly (65 years and older) and/or medically or physically disabled persons, and to provide for health and safety repairs as needed by older and/or disabled persons to protect their health, safety, and maintain their independence. It is anticipated that the housing rehabilitation/repair component of the City's SHIP program will be the primary assistance for persons with special housing needs, (i.e. wheel chair ramps, grab bars, etc.). Housing units requiring special modifications such as Americans with Disabilities Act (ADA) rehab will also be eligible for assistance if needed.
  - iii. **Temporary Relocation Services** – This program provides relocation benefits in an amount not to exceed \$1,500 to clients assisted through housing preservation strategy. Relocation benefits shall be used exclusively for the benefit of those clients receiving assistance under the housing preservation strategy funded with City, State, Federal or other resources. Relocation benefits shall be for reasonable expenses required to provide beneficiaries with decent, safe and sanitary accommodations during the completion of housing rehabilitation activities. Such expenses include, but are not limited to rental payments; moving and/or personal property storage expenses; utility payments, security deposits, pet deposits; and other reasonable and approved relocation expenses.
- b. **Fiscal Years Covered:** FY 2009-2010, FY 2010-2011, FY 2011-2012
- c. **Income Categories to be served:** All participants in the housing rehabilitation program must have household income below 120% of the area median income. The incomes categories that are served by this strategy are: Extremely Low, Very Low, Low, and Moderate.



d. **Maximum Award:** Maximum loan combined amount for any housing preservation activity shall not exceed \$40,000.00

e. **Terms of Payment, Recapture and Default:**

Assistance under the Housing Preservation strategy is provided in the form of a deferred payment loan (DPL). The City will provide a deferred payment loan at 100% financing to be secured with a 30 year mortgage on the property at zero (0%) interest. The DPL is forgiven at the end of the 30 year period if all of the terms and conditions of the loan have been met by the recipients.

If the borrower fails to occupy the unit as their principal residence, lease or transfer ownership within the term of the mortgage the unpaid principal balance issue and payable to the City.

In the event of a default of the City's mortgage, any superior mortgage, or the borrower fails to maintain the property in compliance with the Minimum Housing Code of the City, the City may recapture the full amount of the remaining unpaid principal balance of the mortgage. .

In the event of the death of borrower prior to the end of the term of the mortgage the outstanding unpaid balance of the loan becomes immediately due and payable.

The foregoing notwithstanding, if the property is sold or transferred to a person that meets the requirements of the Housing Rehabilitation Assistance Program, repayment may not be required if the transferee accepts the terms and conditions of the program, including, but not limited to the principal residence requirement.

Then in that event, the transferee shall be entitled to and obligated for the remainder of the benefit as the borrower would have been entitled had he or she lived. Transferee's eligibility and entitlement shall be determined by the City in its sole discretion and must be requested by transferee within sixty (60) days of the date of death of Borrower.

f. **Recipient Selection Criteria:** All applicants for the housing preservation strategy will be screened according to the eligibility criteria established by the SHIP program. Applicants will be drawn on a first come, first qualified and first served basis by income category, with the exception of emergency loan applicants. Applicants who the City of West Palm Beach Housing Inspector has determined to be in a situation of immediate threat to their safety are deemed Emergency Loan Applicants and will be processed as quickly as possible. Properties located in target priority areas where public resources are being focused, are second priority following Emergency Loan Applicants and will be



processed as quickly as possible. A listing of the City's target priority areas are posted in the City's Five-Year Consolidated Plan (i.e. LMI Target Areas and Neighborhood Revitalization Areas).

- g. Program Income: Program Income is defined in accordance with 420.9071, F.S.** All program income received by the City will be placed in the City's SHIP Trust account.

When SHIP funds are utilized as a federal HOME grant match, all repayments are returned to the City's HOME Trust Fund as program income. Upon sales, transfer or rental of property, the principal balance plus interest, if any, will be repaid to the City's HOME Trust Fund.

- h. Leveraging:** The Strategy will be leveraged using HOME and other Federal, State and private funds, along with other SHIP program strategies such as First Time Homebuyer or Rehabilitation programs.
- i. Additional Information:** Staff is allowed to exceed Maximum Housing Rehabilitation to the extent necessary to cure an overcrowding situation.

SHIP set-aside requirements will be met through this screening process of all strategies. The SHIP pool of applicants will be divided according to the following income categories: (1) extremely low, (2) very low income, (3) low income and (4) moderate income.

**B. Rental Rehabilitation Strategy:**

- a. Summary of the strategy:**

Rental Rehabilitation Strategy provides financial assistance to investor owners; purchasers; or developers of rental property who agree to rehabilitate and rent to very low, low and moderate income households, at or below fair market rents. Fair market rents and income limits are defined annually by the Department of Housing and Urban Development (HUD) for rehabilitation or infrastructure improvements. Funds may not be used to pay rental subsidies. All assisted units must be occupied by income eligible families.

- b. Fiscal Years Covered:** FY 2009-2010, FY 2010-2011, FY 2011-2012
- c. Income Categories to be served:** Extremely Low, Very Low, and Low.
- d. Maximum Award:** \$25,000.00 per unit
- e. Terms, Recapture, and Default:** Rental Rehabilitation assistance is in the form



of a 15 year fully amortizing loan; secured with a mortgage and note that will require repayment at an interest rate of one percent (1%). All units at the property must remain affordable for the 15 year term of the subsidy. All assisted units must be occupied by income eligible persons during the affordability period. A minimum of 20% of the units must be occupied by Very Low income individuals as defined annually by HUD. In addition to the mortgage and note evidencing the amount of assistance, the property will have a Deed restriction recorded against the property detailing the Fair Market Rent and Income requirements. The deed restriction will remain recorded against the property for the full 15 year affordability term. If the project ceases to remain affordable for the term of the loan, the entire unpaid balance is due and payable.

All funds returned to the City are considered program income and will be placed in the City's SHIP Trust account.

- f. **Recipient Selection Criteria:** Owners/investors and developers of rental housing within the City of West Palm Beach, who agree to rent to extremely low, very low, and low income families for the life of the loan and the affordability period. Selection criteria will include quality of the proposed or existing development, operational costs, rental experience, housing affordability, economic viability and sensitivity to local housing needs. Management of the development will select and place income eligible persons into the assisted units on a first come, first qualified, first served basis. Qualification criteria for recipients must meet all affordability and income guidelines for the income group. The City of West Palm Beach Housing and Community Development Department will be responsible for monitoring the project annually for compliance with tenant income and affordability requirements.
- g. **Program Income:** Program Income is defined in accordance with 420.9071, F.S. All program income received by the City will be placed in the City's SHIP Trust account..

When SHIP funds are utilized as a federal HOME grant match, all repayments are returned to the City's HOME Trust Fund. Upon sales, transfer or rental of property, the principal balance plus interest, if any, will be repaid to the City's HOME Trust Fund.

- h. **Leveraging:** The Strategy will be leveraged using HOME and other Federal, State and private funds, along with other SHIP program strategies such as First Time Homebuyer or Rehabilitation programs.

C. **Homeownership Assistance Strategy:**

- a. **Summary of the strategy:**



Homeownership Loan Assistance Strategy provides assistance to eligible households to acquire an existing single family home or construct a new home for use as their primary residence. These units must be located within the City of West Palm Beach and be owner occupied as a principal residence. Participants must meet the credit and income standards of the City's program and in accordance with SHIP Program requirements.

This program assists eligible families with down payment assistance, closing costs, inspection, counseling, and rehabilitation to acquire their primary residence. The home must be a single family, townhouse or condominium purchased in fee simple title, or within a City and State approved Community Land Trust, geographically located within the City of West Palm Beach. The purchase price must be at or below 90% of the area median purchase price as published annually by the Florida Housing Finance Corporation. Purchasers must meet income eligibility guidelines and be below 120% of the Area Median Income. Purchasers below 140% of the area median income can be assisted with purchases of properties located within CWHIP housing initiatives.

- b. Fiscal Years Covered:** FY 2009-2010, FY 2010-2011, FY 2011-2012
- c. Income Categories to be served:** All participants in the Homeownership Assistance Strategy must have household income below 120% of the area median income, unless purchasing within a CWHIP housing program and below 140% of the area median income. The incomes categories that are served by this strategy are: Extremely Low, Very Low, Low, and Moderate.
- d. Maximum Award:** \$25,000.00 or 15% of the purchasing price (whichever is the lowest).
- e. Terms, Recapture, and Default:** The Homeownership Assistance strategy provides down payment and closing cost assistance in the form of a second mortgage (or third mortgage, where a larger second mortgage is being provided by another down payment assistance program). The term of the City's mortgage shall be 30 years and the loan will be forgiven at maturity if the recipient has met all of the terms and conditions of the program and loan documents. Monthly payments of Principal and Interest will be required where the households' income reflects that they are able to afford a monthly payment and the monthly debt to income ratio after including the additional debt (back end ratio) is below 40% of the households' gross income. Payments will be sufficient to amortize the loan fully within the 30 year term at an interest rate from 1% to 3% depending on the household's ability to pay.



Households whose proposed 1<sup>ST</sup> mortgage payment is at (or exceeds) 30% of their gross income(front end ratio) at the time of the application will receive a deferred payment loan to be secured with a 30 year mortgage on the property at zero (0%) interest.

If the borrower fails to occupy the unit as their principal residence, leases, or transfers ownership within the term of the mortgage the principal balance is due and payable to the City.

In the event of a default of the City's mortgage, any superior mortgage, or the borrower fails to maintain the property in compliance with the Minimum Housing Code of the City, the City may recapture the investment.

In the event of the death of borrower prior to the end of the term of the mortgage the outstanding balance of the loan becomes immediately due and payable.

If the property is sold or transferred (as a result of the death of a borrower or otherwise) to a person that has made application and assumed the City's mortgage, including a modification of the repayment terms as necessary, and otherwise meets the requirements of the Homeowners Assistance Program, repayment may not be required if the transferee accepts the terms and conditions of the program, including, but not limited to the principal residence requirement.

Then in that event, the transferee shall be entitled to and obligated for the remainder of the benefit as the borrower would have been entitled had he or she lived. Transferee's eligibility and entitlement shall be determined by the City in its sole discretion and must be requested by transferee within sixty (60) days of the date of death of Borrower or (60) days prior to a contemplated sale to the applicant.

Primary Lenders requirements and other parameters (See Exhibit I)

- f. Recipient Selection Criteria:** The City of West Palm Beach requires that all applicants complete the City's 18 hour Homebuyer readiness counseling class prior to receiving assistance through the City's Homebuyers Assistance Program.

Applicants to the program will be screened according to the income eligibility criteria established annually by the SHIP program. After completion of the Homebuyer readiness program applicants will be drawn on a first come, first qualified and first served basis by income category, with the exception of those applicants purchasing properties located in priority target areas where public resources are being focused.



A listing of the City's priority target areas are posted in the City's Five-Year Consolidated Plan (i.e. LMI Target Areas and Neighborhood Revitalization Areas).

- g. Program Income:** All funds returned to the City are considered program income and will be placed in the City's SHIP Trust account.

When SHIP funds are utilized as a federal HOME grant match, all repayments are returned to the City's HOME Trust Fund. Upon sales, transfer or rental of property, the principal balance plus interest, if any, will be repaid to the City's HOME Trust Fund.

- h. Leveraging:** The Strategy will be leveraged using HOME and other Federal, State and private funds, along with other SHIP program strategies such as First Time Homebuyer or Rehabilitation programs.

**D. Acquisition and Development Strategy:**

- a. Summary of the Strategy:**

The Acquisition and Development Strategy provides funding, as funding is available, to acquire or develop vacant infill lots or residential units, and for the rehabilitation or development of affordable rental housing units for very low, low and moderate income households. Program funds reserved for this strategy will be used to assist not-for-profit, for profit housing developers or the City. The funding reserved for this strategy will be utilized by the City of West Palm Beach to finance the project costs associated with acquisition; rehabilitation, infrastructure improvement and development of affordable housing units by for-profit and not-for-profit housing developers or the City. Funding provided under this strategy must result in an eligible housing unit occupied by an eligible occupant within the expenditure time periods as outlined in the SHIP statute and rule.

- b. Fiscal Years Covered:** FY 2009-2010, FY 2010-2011, FY 2011-2012
- c. Income Categories to be served:** Extremely Low, Very Low, Low, and Moderate
- d. Maximum award is \$50,000.00** per residential unit.
- e. Terms, Recapture and Default:**

The financial assistance provided under this strategy to the developer will be provided as a low interest rate loan at a rate of 3%, a lower rate may be provided where the Development facilitates housing for low or very low occupants, dependant on the strength and type of development as determined by the



Department of Housing and Community Development and evidenced by a mortgage and note. There will be no payments due during the time of rehabilitation or construction. The recipient of the funds will be required to rehabilitate the property within 12 months from the time of the award or construct the new unit within 18 months from the time of the award.

- 1) Extensions up to 90 days must be specifically approved by the Director of Housing and Community Development, any further extensions must be approved by the City Commission. The City's assistance may be assumed by the purchaser of the unit, repaid by the developer at the conclusion of the development or rehabilitation, or modified to support final permanent financing.
- 2) A permanent financing commitment must be in place before the City's financial assistance is committed.

If the assistance is assumed by an income eligible owner/occupant, the loan can be converted by modification to a deferred payment first or second mortgage under the terms of the Homebuyers Assistance Program. A deed restriction reciting the terms of the affordability will be recorded simultaneously with the modification of the mortgage and note.

If required by an institutional lender to facilitate the purchase by an income eligible owner occupant (certified and underwritten by the department of Housing and Community Development), the City's second mortgage can be subordinated to a new 1<sup>st</sup> mortgage, provided the mortgage document and commitment are reviewed by the HCD department for consistency with the City's 1st mortgage requirements as to terms and interest rate (**see Exhibit I**)

When used for the development of rental housing all units at the property must remain affordable for a 15 year term. All assisted units must be occupied by income eligible persons during the affordability period. A minimum of 20% of the units must be occupied by Very Low income individuals as defined annually in the SHIP Statute Section 420.9071 (28). In addition to the mortgage and note evidencing the amount of assistance, the property will have a Deed restriction recorded for the period of affordability detailing the Fair Market Rent and Income as published annually by HUD. The deed restriction will remain recorded against the property for a full 15 year affordability term. If the project ceases to remain affordable for the term of the loan, the entire unpaid balance is due and payable to the City.

All funds returned to the City are considered program income and will be placed in the City's SHIP Trust account.

**f. Recipient Selection Criteria:**



Owners/investors and developers of affordable housing within the City of West Palm Beach, who agree to sell or rent to very low, low and moderate income families for the life of the loan and the affordability period.

Selection criteria will include quality of the proposed or existing development, operational costs, rental experience, housing affordability, economic viability and sensitivity to local housing needs. Management of the development will select and place income eligible persons into the assisted units on a first come, first qualified, first served basis. Qualification criteria for recipients must meet all affordability and income guidelines for the income group. The City of West Palm Beach Housing and Community Development Department will be responsible for monitoring the project annually for compliance with tenant income and affordability requirements.

Eligible For-Profit developers and Non-Profits (501c (3)) recipients will be selected through a competitive Request for Proposal process, which will define the requirements of the City's procurement process for participation in the program as a developer.

The acquisition and development program will provide direct assistance on a 1<sup>st</sup> come/1<sup>st</sup> served basis, as funding is available, to very low, low income and moderate income clients.

**g. Leveraging:**

The Strategy will be leveraged using HOME and other Federal, State and private funds, along with other SHIP program strategies.

**E. Disaster Relief Assistance Strategy:**

**a. Summary of the Strategy:**

This strategy provides funds for disaster relief activities following a natural disaster as declared by Executive order of the President of the United States or Governor of the State of Florida. The Program has three components:

- (1) Payment of insurance deductibles for rehabilitation of existing housing units owned and occupied and/or rented by very-low, low and moderate income households,
- (2) Funding for emergency and general repairs and rehabilitation of existing housing units owned and occupied by or rented and/or occupied by very-low, low and moderate income households, and
- (3) Payment of relocation costs (security deposits, rental assistance and other reasonable costs related to relocation) for eligible households.



- b. **Fiscal Years Covered:** FY 2009-2010, FY 2010-2011, FY 2011-2012
- c. **Income Categories to be served:** Extremely Low, Very Low, Low, and Moderate
- d. **Maximum award** is \$7,500.00 per household.
- e. **Terms, Recapture and Default:**

This strategy provides funds in forms of grants or loans based on the following requirement:

- (a) All SHIP funds provided to eligible households in the form of a grant and not subject to recapture are dependant on the recipient's income and age. If the recipient is very low, low, senior citizen or disabled then these funds will be a grant and not a loan;
  - (b) All SHIP funds provided to moderate income eligible households will be in the form of a deferred payment loan at 0% interest for a period of 10 years and are contractually subject to recapture. Should the owner move, vacate, rent or sell the home before the 10 years have passed, the SHIP loan will be immediately due and repayable to the city.
- f. **Recipient Selection Criteria:** All applicants for the Disaster Relief Assistance strategy will be screened according to the eligibility criteria established by the SHIP program. Applicants will be drawn on a first come, first qualified and first served basis by income category, with the exception of emergency loan applicants. Applicants who the City of West Palm Beach Housing Inspector has determined to be in a situation of immediate threat to their safety are deemed Emergency Loan Applicants and will be processed as quickly as possible. Properties located in target priority areas where public resources are being focused, are second priority following Emergency Loan Applicants and will be processed as quickly as possible. A listing of the City's target priority areas are posted in the City's Five-Year Consolidated Plan (i.e. LMI Target Areas and Neighborhood Revitalization Areas
  - g. **Program Income:** All funds returned to the City are considered program income and will be placed in the City's SHIP Trust account.
  - h. **Leveraging:** The Strategy will be leveraged using HOME and other Federal, State and private funds, along with other SHIP program strategies such as First Time Homebuyer or Rehabilitation programs.

**F. Foreclosure Assistance Strategy**



a. **Summary of the Strategy:**

The Foreclosure assistance strategy assists those homeowners who have been adversely affected by unemployment, medical expenses, other loss of income, or increase in expense that threatens loss of their primary residence through foreclosure. The program requires that the homeowner enroll in the City's housing education and counseling program for a mandatory 12 month period, and, after initial consultation, provides funding for the following assistance actions:

- 1) Reinstatement and / or modification of the 1<sup>st</sup> mortgage after consultation with the primary lender and the household demonstrates their ability to manage the revised mortgage debt in the future.
- 2) Payment of the costs to refinance the property through one of the City's participating Lenders.

b. **Fiscal Years Covered:** Fiscal years 2009-2010, 2010-2011, 2011-2012

c. **Income Categories:** Extremely Low, Very Low; Low & Moderate

d. **Maximum SHIP award:** \$12,500

e. **Terms, Recapture and Default.**

Under the Foreclosure Assistance Program, funds shall be provided in the form of a deferred payment mortgage, with interest at the rate of 3% per annum, due upon the sale, transfer or disposition of the property, either voluntary or involuntary, or when the homeowner ceases to occupy the property as his/her principal residence, or 20 years from the date of the mortgage whichever occurs first. The deferred payment loan shall then become due and payable at the point of sale, transfer of the unit, or end of the 20 year term.

f. **Recipient Selection Criteria:**

The Foreclosure Assistance Program provides assistance on a 1<sup>st</sup> come/1<sup>st</sup> served basis, as funding is available, to homeowners fitting the income categories above who have applied through the Foreclosure Assistance Center, been accepted, and enrolled in the City's housing counseling and guidance program.

g. **Leveraging**

The Strategy will be leveraged using the City's Affordable Housing Trust Fund, SHIP, CDBG, HOME and other Federal, State and private funds as provided. Under this strategy the counseling fees will be provided on a case by case basis as a part of the subsidy provided.



**G. Florida Homebuyer Opportunity Program**

**i. Summary of the strategy:**

This strategy is designed in response to the legislative proviso requiring SHIP local governments to expend 2009-2010 funds to ensure that residents of the state derive the maximum possible economic benefit from the federal first time homebuyer tax credit created through The American Recovery and Reinvestment Act of 2009 by providing subordinate down payment assistance loans to first time homebuyers for owner occupied primary residences that can be repaid by the income tax refund the homebuyer is entitled to under the First Time Homebuyer Credit. The state program shall be called the “Florida Homebuyer Opportunity Program.”

**b. Fiscal Years Covered:** 2009/2010 until expiration of the Florida Homebuyer Opportunity Program Tax Credit

**c. Income Categories to be served:** Up to \$75,000 for single taxpayers or \$150,000 for joint filers. There is no requirement to reserve 30 percent of the funds for awards to very-low-income persons or 30 percent of the funds for awards to low-income persons; and there is no requirement to expend 75% of funds for construction, rehabilitation or emergency repair.

**d. Maximum Award:** Maximum award is the principal balance of the loan provided shall not exceed 10% of the purchase price or \$8,000 whichever is less.

**e. Terms, Recapture, and Default:** The award will be secured by a 10 year fully amortizing mortgage with the 1<sup>st</sup> payment due in the 36th month from the date of the loan. Interest will begin to accrue at the rate of 3% per annum in the 18<sup>th</sup> month. If the City of West Palm Beach receives repayment from the homebuyer within 18 months after the closing date of the loan the City shall waive all interest charges. A homebuyer who fails to fully repay the loan within 18 months shall be subject to repayment terms. All funds repaid to the city shall be considered “program income” as defined in s. 420.9071 (24).

**f. Recipient Selection Criteria:** Recipients must meet the requirements of the following: The maximum income limit shall be Adjusted Gross Income of \$75,000 for single taxpayer households or \$150,000 for joint-filing taxpayer households which is equal to that permitted by the American Recovery and Reinvestment Act of 2009

**g. Program Income:** If The City of West Palm Beach is repaid during the period when there is still an active homebuyer tax credit program, then it MUST be used to help more FHOP buyers. After this tax credit ceases, then the program income can be spent on any SHIP strategy. Funds should be deposit on the Trust Fund Account.



### III. Selection Procedures for all Applicants:

The City will review the applications of those households requesting housing rehabilitation and home purchase assistance and process the cases on a first-come, first-qualified basis. In addition, each applicant will be screened for:

- (1) Income - household income will be verified to determine if the household meets SHIP income guidelines. Households not meeting these guidelines will not be processed further and will be notified of their ineligibility.
- (2) Credit Worthiness - the Homeownership Assistance Program's lenders have developed relaxed credit standards specifically designed to assist persons who have prior credit problems to become eligible for financing. A credit report will be requested and reviewed by the housing staff. Only those households meeting the lenders required credit standards will be processed further. Households which do not meet the credit standards will be informed and referred to the Consumer Credit Counseling Services for counseling assistance. After resolving their credit issues, clients will be eligible to reapply for home purchase assistance.

### IV. LHAP INCENTIVE STRATEGIES: *Section 420.9071(16), F.S.*

On March 9, 2009, the City Commission adopted the Affordable Housing Incentive Plan (AHIP). The Plan was previously reviewed by the City's Affordable Housing Advisory Committee and it provides many incentives for affordable housing opportunities. The following incentives are in place:

- a. *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 .*
  1. **Pre-planning Review Meetings** – In order to expedite the approvals to the greatest degree possible, affordable housing projects are offered the opportunity for pre-planning meetings to discuss the project and receive input from Housing and Community Development, Planning and Zoning, and Construction Services and other departments that would have review authority of such projects.
  2. **Designate a “point person”**- HCD has designated a Housing Coordinator to facilitate affordable housing projects. The “point person” will work with Planning and Zoning and Construction Services Departments, the Developer and any other necessary review agencies to expedite the project.
  3. **Housing and Community Development’s “Priority Stamp”** – DHCD uses a “Priority Stamp” to apply only to projects that produce or preserve affordable housing (120% of AMI and below). Further any project producing affordable housing (120% of AMI and below) is eligible for expedited processing even if projects do not receive HCD funding. This priority stamp should take precedence over any other requests for expedited processing



***b. THE MODIFICATION OF IMPACT-FEE REQUIREMENTS, INCLUDING REDUCTION OR WAIVER OF FEES AND ALTERNATIVE METHODS OF FEE PAYMENT FOR AFFORDABLE HOUSING.***

1. The Department of Housing and Community Development (DHCD) continues to administer an affordable housing fee incentive program providing waivers based on the number of units in an affordable housing project and the size of the meter to be installed. Where a development includes both market rate and affordable units, only the affordable units receive the allowance. The cost savings is estimated at \$2250 per unit.

***c. 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.***

1. The City includes an “Affordable Housing Impact” statement in the Agenda Cover Memorandum (ACM) process which defines for the City commission before adoption, Policies, Procedures, Ordinances, Regulations, or Plan Provisions that increase the cost of housing. The method is in the same format that the “Fiscal Impact” statement is used. The ACM is an electronic form that incorporates a check box for the question (Is there an impact on Affordable Housing projects?” If checked “yes” a guidance / policy memorandum from City Administration will be displayed. A drop down memo requires a statement of the impact.

***d. THE PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING.***

1. The Department of Housing and Community Development maintains a listing of locally owned lands suitable for Affordable Housing.

**V. 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:  
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.
- G. Ordinance:  
If changed from the original ordinance, a copy is attached as Exhibit G.
- H. Interlocal Agreement:  
A copy of the Interlocal Agreement if applicable is attached as Exhibit H. – NONE
- I. Homeownership Assistance Parameters:  
City of West Palm Beach Loan Parameters is attached as Exhibit I.

#### **Exhibit A - ADMINISTRATIVE BUDGET FOR EACH FISCAL YEAR**

This Local Housing Assistance Plan includes administrative costs for FYs 2009-10, 2010-11 and 2011-12. A total of ten percent (10%) per year will be used for the costs involved in administering the SHIP Program. The functions that staff will be responsible for performing will include both fiscal and programmatic duties and responsibilities. They will include



ensuring that the City complies with grant program requirements through:

- Interpreting state statutes and administrative codes
- Monitoring funded projects for fiscal compliance
- Monitoring funded projects for program compliance
- Ensuring that financial reporting is accurate
- Completing annual reports
- Attending technical assistance trainings
- Managing fiscal services; and
- Performing other related duties as required.

Based on the fiscal projections, ten-percent (10%) of the annual allocations *estimated* for administrative costs are broken out as follows:

<b><u>FY 2009-2010</u></b> Salaries : <b>\$92,789</b>
<b><u>FY 2010-2011</u></b> Salaries : <b>\$92,789</b>
<b><u>FY 2011-2012</u></b> Salaries : <b>\$92,789</b>

**Exhibit B – Timelines for Encumbrance and Expenditure**

Timetables for Expenditures of SHIP funds for FYs 2009-2010, 2010-2011 and 2011-2012, are included below and on the following page. All funds will be encumbered within two years and fully expended by the end of the third year. Timetables below based on a July 1<sup>st</sup> Fiscal Year.

Any strategy that is unsuccessful in timely expenditures will be examined, and ultimately, the strategy will be revised to better address the needs of the community.







**FLORIDA HOUSING FINANCE CORPORATION**

Please check applicable box, & if Amendment, enter number

**HOUSING DELIVERY GOALS CHART#2002**

**STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2009 - 2010**

New Plan:		<b>YES</b>
Amendment:		<b>NO</b>
Fiscal Yr. Closeout:		<b>2009</b>

Name of Local Government:	City Of West Palm Beach						Available Funds:	<b>\$927,892.00</b>				
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	A	B	C	D	E	F						
<b>HOME OWNERSHIP STRATEGIES</b>	<b>VLI</b>	<b>Max. SHIP</b>	<b>LI</b>	<b>Max. SHIP</b>	<b>MI</b>	<b>Max. SHIP</b>	<b>New Construction</b>	<b>Rehab/Repair</b>	<b>Without Construction</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
	Units	Award	Units	Award	Units	Award	SHIP Dollars	SHIP Dollars	SHIP Dollars	SHIP Dollars	Percentage	Units
Housing Preservation	2	\$40,000	2	\$40,000	1	\$40,000	\$40,000.00	\$180,102.00		\$220,102.00	23.72%	5
Homeownership Assistance	1	\$25,000	2	\$25,000	1	\$25,000	\$25,000.00	\$50,000.00	\$25,000.00	\$100,000.00	10.78%	4
Acquisition and Development	3	\$50,000	4	\$50,000	0	\$50,000.00	\$350,000.00			\$350,000.00	37.72%	7
Disaster Relief	0	\$7,500	0	\$7,500	0	\$7,500				\$0.00	0.00%	0
Foreclose Assistance Strategy	4	\$12,500	3	\$12,500	2	\$12,500			\$115,000.00	\$115,000.00	12.39%	9
										\$0.00	0.00%	0
										\$0.00	0.00%	0
										\$0.00	0.00%	0
<b>Subtotal 1 (Home Ownership)</b>	<b>10</b>		<b>11</b>		<b>4</b>		<b>\$415,000.00</b>	<b>\$230,102.00</b>	<b>\$140,000.00</b>	<b>\$785,102.00</b>	<b>84.61%</b>	<b>25</b>

	A	B	C	D	E	F						
<b>RENTAL STRATEGIES</b>	<b>VLI</b>	<b>Max. SHIP</b>	<b>LI</b>	<b>Max. SHIP</b>	<b>MI</b>	<b>Max. SHIP</b>	<b>New Construction</b>	<b>Rehab/Repair</b>	<b>Without Construction</b>	<b>Total</b>	<b>Total</b>	<b>Total</b>
	Units	Award	Units	Award	Units	Award	SHIP Dollars	SHIP Dollars	SHIP Dollars	SHIP Dollars	Percentage	Units
Rental Rehabilitation	1	\$25,000	1	\$25,000	0	\$25,000		\$50,000.00		\$50,000.00	5.39%	2
Acquisition and Development	0	\$50,000	0	\$50,000	0	50000		\$0.00		\$0.00	0.00%	0
										\$0.00	0.00%	0
										\$0.00	0.00%	0
										\$0.00	0.00%	0
<b>Subtotal 2 (Non-Home Ownership)</b>	<b>1</b>		<b>1</b>		<b>0</b>		<b>\$0.00</b>	<b>\$50,000.00</b>	<b>\$0.00</b>	<b>\$50,000.00</b>	<b>5.39%</b>	<b>2</b>

Administration Fees										\$92,790.00	10.00%	
Admin. From Program Income											0.00%	
Home Ownership Counseling											0.00%	

<b>GRAND TOTAL</b>												
Add Subtotals 1 & 2, plus all Admin. & HO Counseling	11		12		4		\$415,000.00	\$280,102.00	\$140,000.00	\$927,892.00	100.00%	27

Percentage Construction/Rehab	Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.									75%	
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Maximum Allowable												
Purchase Price:							<b>New</b>	\$362,790	<b>Existing</b>	\$362,790		

Allocation Breakdown	Amount	%	Projected Program Income:	Max Amount Program Income For Admin:
Very-Low Income	\$285,102.00	34.1%	\$50,000.00	\$2,500.00
Low Income	\$380,000.00	45.5%		
Moderate Income	\$170,000.00	20.4%	\$927,892.00	
<b>TOTAL</b>	\$835,102.00	100.0%	<b>\$977,892.00</b>	

LHAP City of West Palm Beach  
 Exhibit A Admin Budget

67-37.005 F.A.C.

<b>Fiscal Year</b>	<b>2009-2010</b>
Salaries and Benefits	\$
Office Supplies and Equipment	\$
Travel Perdiem Workshops, etc	\$
Advertising	\$
<b>Total</b>	<b>\$ 92,789.00</b>

<b>Fiscal Year</b>	<b>2010-2011</b>
Salaries and Benefits	\$
Office Supplies and Equipment	\$
Travel Perdiem Workshops, etc	\$
Advertising	\$
<b>Total</b>	<b>\$ 92,789.00</b>

<b>Fiscal Year</b>	<b>2011-2012</b>
Salaries and Benefits	\$
Office Supplies and Equipment	\$
Travel Perdiem Workshops, etc	\$
Advertising	\$
<b>Total</b>	<b>\$ 92,789.00</b>



RESOLUTION NO. 129-09

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, 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 ALL DOCUMENTS AND CERTIFICATIONS NECESSARY FOR SUBMISSION OF THE PLAN; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

\*\*\*\*\*

**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 further requires that the City of West Palm Beach adopt an amendment to its Local Housing Assistance Plan to incorporate the local housing incentive strategies it will implement within its jurisdiction; and

**WHEREAS**, the Department of Housing and Community Development has prepared a three-year Local Housing Assistance Plan, which include the amendment, 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 West Palm Beach to approve and submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, THAT:

**SECTION 1:** The City Commission of the City of West Palm Beach hereby approves the Local Housing Assistance Plan for fiscal years 2009/2010, 2010/2011 and 2011/2012 and authorizes submission of the Plan to the Florida Housing Finance Corporation as required by Section 420.907 through Section 420.9079, Florida Statutes. A copy of the Plan is attached hereto as Exhibit "A".

**SECTION 2:** The Mayor is hereby authorized to execute all documents and certifications required for submission of the Plan and receipt of the funds.

**SECTION 3:** Upon execution by the Mayor, the City Clerk is directed to return a certified copy of this resolution to the Director of Housing and Community Development for further handling. The Clerk shall retain the original executed resolution as a public record.

**SECTION 4:** This resolution shall take effect in accordance with law.

PASSED AND ADOPTED THIS 20<sup>th</sup> DAY OF April, 2009.

(CORPORATE SEAL)

ATTEST:

[Signature]  
CITY CLERK

CITY OF WEST PALM BEACH  
BY ITS CITY COMMISSION

By: [Signature]  
PRESIDING OFFICER

STATE OF FLORIDA  
COUNTY OF PALM BEACH  
CITY OF WEST PALM BEACH

City Attorney's Office  
Approved as to form  
and legal sufficiency

By: [Signature]  
Date: 4-9-09

This copy is a true copy of the original on file in this office. WITNESS my hand and Official Seal. This 21<sup>ST</sup> day of April 20 09.  
City of West Palm Beach  
By: [Signature] Deputy Clerk