Pursuant to Section 120.74, Florida Statutes (F.S.), the Florida Housing Finance Corporation (FHFC) has prepared the following regulatory plan for 2020-2021. Sections below correspond with the requirements set forth in Section 120.74(1), F.S.

(a) In compliance with Section 120.74(1)(a), F.S., below is a list of laws enacted or amended during the 12 months prior to October 1, 2019, which create or modify the statutory duties or authority of FHFC.

HB 1339 created s. 420.518, and amended ss. 420.5087, 420.5095, 420.531, 420.9071, 420.9075, and 420.9076.

(b) In compliance with Section 120.74(1)(b), F.S., the following is a list of statutes FHFC expects to implement by rulemaking before July 1, 2021:

1. Sections 420.507, 420.508, 420.5087, 420.5089, and 420.5099, F.S., will be implemented by amending the following rules in order to clarify the processes and requirements in those rules:

67-48.001 Purpose and Intent
67-48.002 Definitions
67-48.004 Selection Procedures for Developments
67-48.007 Fees
67-48.0072 Credit Underwriting and Loan Procedures
67-48.0075 Miscellaneous Criteria
67-48.009 SAIL General Program Procedures and Restrictions
67-48.0095 Additional SAIL Selection Procedures
67-48.010 Terms and Conditions of SAIL Loans
67-48.0105 Sale, Transfer or Refinancing of a SAIL Development
67-48.013 SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014 HOME General Program Procedures and Restrictions
67-48.015 Match contribution Requirements for HOME Allocation
67-48.017 Eligible HOME Activities
67-48.018 Eligible HOME Applicants
67-48.019 Eligible and ineligible HOME Development Costs
67-48.020 Terms and Conditions of Loans for HOME Rental Developments
67-48.0205 Sale, Transfer or Refinancing of a HOME Development
67-48.022 HOME Disbursements Procedures and Loan Servicing
67-48.023 Housing Credits General Program Procedures and Requirements
67-48.027 Tax-Exempt Bond-Financed Developments
67-48.029 Extended Use Agreement
67-48.030 Sale or Transfer of a Housing Credit Development
67-48.031 Qualified Contracts
67-48.040 EHCL General Program Procedures and Restrictions
67-48.041 Terms and Conditions of EHCL Loans

2. Sections 420.507, 520.508, 520.509, and 420.5099, F.S., will be implemented by amending the following rules in order to clarify the processes and requirements in those rules:

67-21.001 Purpose and Intent
67-21.002 Definitions
67-21.0025 Miscellaneous Criteria
67-21.003 Application and Selection Process for Development
67-21.004 Federal Set-Aside Requirements for MMRB Loans
67-21.0045 Determination of Method of Bond Sale
67-21.006 MMRB Development Requirements
67-21.007 MMRB Fees
67-21.008 Terms and Conditions of MMRB Loans
67-21.009 Interest Rate on Mortgage Loans
67-21.010 Issuance of Revenue Bonds
67-21.013 Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014 MMRB Credit Underwriting Procedures
67-21.015 Use of Bonds with Other Affordable Housing Finance Programs
67-21.017 Transfer of Ownership of a MMRB Development
67-21.018 Refunding and Troubled Development Review
67-21.019 Issuance of Bonds for Section 501(c)(3) Entities
67-21.025 HC Fees
67-21.026 HC Credit Underwriting Procedures
67-21.027 HC General Program Procedures and Requirements
67-21.028 HC with Tax-Exempt Bond-Financed Developments
67-21.029 HC Extended Use Agreement
67-21.030 Sale or Transfer of a Housing Credit Development
67-21.031 Qualified Contracts

3. Sections 420.9071, 420.9072, and 420.9075, F.S., will be implemented by amending the following rules as necessary to be consistent with legislative changes:
67-37.002 Definitions
67-37.005 Local Housing Assistance Plans (LHAP)
67-37.006 Review of Local Housing Assistance Plans and Amendments
67-37.007 Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008 Local Housing Assistance Trust Fund
67-37.010 Local Affordable Housing Advisory Committees and Incentive Strategies (Repealed)
67-37.011 Interlocal Entities
67-37.019 Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds

4. Subsections 420.507(23), 420.5088, 420.5089(2) will be implemented by amending the following rules in order to clarify the processes and requirements in those rules:

67-57.001 Purpose and Intent
67-57.005 Definitions
67-57.010 Fees
67-57.020 Notice of funding Availability (NOFA)
67-57.030 Membership Application Procedures
67-57.040 Property Standards
67-57.050 HOP Program Restrictions
67-57.060 Eligible Homebuyer Requirements
67-57.070 Homebuyer Loan Process
67-57.080 HOME Regulations

5. The following rules will be repealed as obsolete:

67-43.002 Definitions
67-43.005 Program Income Targeting
67-43.006 Eligible Activities
67-43.008 Terms and Conditions of Loans
67-43.010 Construction Disbursements and Permanent Loan Servicing
67-43.012 Fees

6. The following rules will be amended or repealed in part as obsolete:

67-25.002 Definitions
67-25.003 Issuance of Revenue Bonds
67-25.004 Security for Repayment of Bonds
67-25.005 Notice of Program and Invitation and Application to Participate
67-25.006 Program Documents
67-25.007 Allocation of Proceeds
67-25.008 Program Fees
67-25.009 Commitment and Origination Periods
67-25.011 Loan Processing
67-25.012 Eligible Persons
67-25.013 Transfer of Single-Family Residence by Eligible Borrower
67-25.014 Rental of Bond Financed Residences
67-25.015 Interest Rate on Program Loans and Financing Programs
67-25.0155 Private Mortgage Insurance
67-25.016 Waiver of Repayment Terms under Mortgage
67-25.017 Rating of Bonds

7. The following rules will be amended or repealed in part as obsolete:

   67-45.001 Definitions
   67-45.002 Notice of Funding Availability
   67-45.003 General Program Restrictions
   67-45.004 Application Procedures
   67-45.005 Terms and Conditions of Loans
   67-45.006 Loan Processing
   67-45.007 Fees

8. The following rules will be amended or repealed in part as obsolete:

   67-50.001 Purpose and Intent
   67-50.005 Definitions
   67-50.010 Fees
   67-50.020 Notice of Funding Availability (NOFA)
   67-50.030 General Program Eligible Activities
   67-50.040 General Program Restrictions
   67-50.045 Scattered Site Developments
   67-50.050 HAP Restrictions
   67-50.060 HOME Restrictions
   67-50.070 Application and Selection Procedures
   67-50.080 Credit Underwriting Procedures
   67-50.090 Disbursement of Funds, Draw Requests, and Loan Servicing
   67-50.105 Reallocation for Disaster Areas

9. The following rules will be amended or repealed in part as obsolete:
10. The following rules will be amended or repealed in part as obsolete:

67-54.002 Definitions
67-54.003 Notice of Program and Invitation and Application to Participate
67-54.004 Program Documents
67-54.005 Issuance of Certificates
67-54.006 Loan Processing
67-54.007 Eligible Borrowers
67-54.008 Eligible Properties
67-54.009 Reporting Requirements
67-54.010 Fees

11. The following rules will be amended or repealed in part as obsolete:

67-58.001 Purpose and Intent
67-58.002 Definitions
67-58.003 Application and Selection Procedures for Projects
67-58.004 Applicant Administrative Appeal Procedures
67-58.005 Fees
67-58.006 General Program Procedures and Restrictions
67-58.010 Total Project Cost
67-58.015 Supplemental Loans for Green Building
67-58.020 Credit Underwriting and Loan Procedures
67-58.030 Terms and Conditions of Loans
67-58.040 Sale or Transfer of a Project
67-58.050 Construction Disbursements
67-58.060 Loan Servicing
67-58.070 Credit Underwriting
67-58.080 Terms of the Loans to Applicants
67-58.090 Disbursement of Funds, Draw Requests, and Construction Loan Servicing
67-58.100 Terms of the Loans to Eligible Persons
67-58.110 Permanent Loan Servicing – Annual Review

12. The following rules will be amended or repealed in part as obsolete:

67-59.001 Purpose and Intent
67-59.005 Definitions
FHFC’s Regulatory Plan from 2019-2020 identified five rule chapters that the agency expected to adopt before July 1, 2020. The identified rules in Chapter 67-38 did not need to be amended. The identified rules in Chapter 67-57 were not amended due to internal delays. A Notice of Proposed Rule for Chapter 67-49 was published on December 18, 2019 in volume 45, page 244 of the F.A.R. A Notice of Proposed Rule for Chapter 67-48 was published on April 21, 2020 in volume 46, page 78 of the F.A.R. A Notice of Proposed Rule for Chapter 67-21 was published on April 21, 2020 in volume 46, page 78 of the F.A.R.

The Chair of the Board of Directors of FHFC and the General Counsel of FHFC hereby certify that this Regulatory Plan has been reviewed by each signatory and is true and complete to the best of our knowledge. We also certify that FHFC regularly reviews all of its rules, most recently in August of 2020, to determine whether the rules remain consistent with FHFC’s rulemaking authority and the laws implemented.

Ron Lieberman
Chair of the Board of Directors
Florida Housing Finance Corporation

Hugh Brown
General Counsel
Florida Housing Finance Corporation

Done this 29th day of September 2020, in Tallahassee, Florida. A copy of this Regulatory Plan will be posted on FHFC’s website on or before October 1, 2020.