

CHAPTER 67-57

HOMEOWNERSHIP POOL PROGRAM

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67-57.001 Purpose and Intent.

The purpose of this rule chapter is to establish the Homeownership Pool (“HOP”) Program procedures by which the Corporation shall administer the Application process, determine loan amounts, service loans, and provide down payment assistance to Eligible Homebuyers for the purchase of Eligible Properties under HAP as authorized by Section 420.5088, F.S., and HOME as authorized by Section 420.5089, F.S., and HUD regulations, 24 CFR §92 (4/1/2018), which is adopted and incorporated into this rule chapter by reference and which is available on our Website [https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/related-references-and-links](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/related-references-and-links).

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History—New 6-26-06, Amended 10-14-07, 7-2-19.

67-57.005 Definitions.

(1) “Adjusted Income” means the gross income from wages or assets, cash or non-cash contributions, and any other resources and benefits determined to be income by HUD, adjusted for household size.

(2) “Affiliate” means any person or entity that (i) directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the Applicant or Member; (ii) serves as an officer or director of the Applicant or Member, or (iii) is the spouse, parent, child, sibling, or relative by marriage of a person described in (i) or (ii), above.

(3) “Agency” means HUD’s Federal Housing Administration (FHA), the United States Department of Veterans Affairs (VA) or USDA/RD.

(4) “AMI” or “Area Median Income” means the median income for an area, with adjustments made for household size, as determined by HUD.

(5) “Applicant” means any person or legally formed entity that is seeking participation in one of the Corporation’s programs.

(6) “Appraisal” means an appraisal of a residence prepared by a Qualified Appraiser.

(7) “Area(s) of Critical State Concern” means the Florida Keys area of critical state concern.

(8) “Board” means the Board of Directors of Florida Housing Finance Corporation.

(9) “Calendar Days” means the seven (7) days of the week.

(10) “Corporation” means the Florida Housing Finance Corporation as defined in Section 420.503, F.S.

(11) “Disabling Condition” means a diagnosable substance abuse disorder, serious mental illness, developmental disability, or chronic physical illness or disability, or the co-occurrence of two or more of these conditions, and a determination that the condition is:

(a) Expected to be of long-continued and indefinite duration; and

(b) Not expected to impair the ability of the person with special needs to live independently with appropriate supports.

(12) “Development Cost” means all costs incurred to construct the Unit, excluding the cost of the land.

(13) “Eligible Homebuyer” means one or more natural persons, irrespective of race, creed, religion, national origin, or sex, determined by the Corporation to be fully qualified and who will utilize the Unit as their primary residence.

(14) “Eligible Properties” means newly constructed Units that are single family detached houses, Manufactured Homes, homes with shared-wall construction, condominiums or co-ops.

(15) “F.A.C.” means the Florida Administrative Code.

(16) “F.A.R.” means the Florida Administrative Register.

(17) “F.S.” means the Florida Statutes.

(18) “Financial Beneficiary” means any Member and its Principals who receives or will receive a financial benefit of 3% or more of the total development cost of the Unit.

(19) “First Mortgage” means the recorded mortgage which is superior to any other lien or encumbrance on the property.

(20) “GSE” means the Government Sponsored Enterprises which includes Fannie Mae and Freddie Mac.

(21) “HAP” means the Homeownership Assistance Program pursuant to Section 420.5088, F.S.

(22) “HOME” means the HOME Investment Partnerships Program administered by the Corporation pursuant to HUD Regulation 24 CFR §92 and Section 420.5089, F.S.

(23) “HOP” means the Homeownership Pool Program administered by the Corporation pursuant to HUD Regulation 24 CFR §92 and Sections 420.5088 and 420.5089, F.S.

(24) “HOP Loan” means a zero percent (0%) interest rate, non-amortizing mortgage loan made to an Eligible Homebuyer for the purpose of down payment in the amount necessary to reduce the purchase price to an affordable amount and closing costs assistance.

(25) “HOP Membership Application” means the forms and exhibits created by the Corporation for developers of affordable housing to apply for participation in the HOP program.

(26) “HUD” means the U.S. Department of Housing and Urban Development.

(27) “Living Space” means areas in a dwelling unit that are livable space. This does not include closets, crawl spaces, and other storage areas.

(28) “Loan Servicer” means the Corporation or the Corporation’s designee that reviews homebuyers for eligibility.

(29) “Loan Servicing” means the process by which the Corporation or Corporation’s designee reviews potential Eligible Homebuyers and services and monitors HOP Loans.

(30) “Maximum Purchase Price” means the maximum purchase price of a Unit in an area as determined by HUD.

(31) “Manufactured Home” means a single-family house constructed entirely in a controlled factory environment, built to the federal Manufactured Home Construction and Safety Standards administered by HUD. A manufactured house may be single- or multi-sectional and is transported to the site and installed on a permanent foundation.

(32) “Member” means a business entity, including non-profit and for-profit organizations and USDA-RD, which has been approved by the Corporation to participate in the HOP program.

(33) “Member Fee” means the fee earned by the Member on the construction of the Unit.

(34) “Mortgage” means Mortgage as defined in Section 420.503, F.S.

(35) “Note” means a unilateral agreement containing an express and absolute promise to pay to the Corporation a principal sum of money on a specified date, which provides the interest rate, and is secured by a Mortgage.

(36) “Personal Assets” means cash held in savings accounts, checking accounts, safe deposit boxes; equity in rental property and other capital investments; cash value of stocks, bonds, Treasury bills, money market accounts; cash value of life insurance policies; personal property held as an investment; lump sum payments or one time receipts such as inheritance or insurance settlements; mortgages or deeds of trust held by homebuyer.

(37) “Principal” means any general partner of a Member, and any officer or director of any Member, or any officer or director of any general partner of a Member.

(38) “Qualified Appraiser” means an individual or firm that is licensed in Florida and is qualified as an appraiser by the society of real estate appraisers or the American Institute of Real Estate Appraisers, and acceptable or approved by an Agency or GSE or any private mortgage insurance provider to provide appraisal reports.

(39) “Retirement Assets” means individual retirement and Keogh accounts, retirement and pension funds.

(40) “Self Help” means a type of construction utilizing sweat equity operating under the guidelines of Habitat for Humanity International or USDA-RD.

(41) “Site” means the parcel of property on which an individual housing Unit will be located.

(42) “State” means the State of Florida.

(43) “Threshold” means the minimum criteria to be met for an Application to be considered complete, as required by this rule chapter and the HOP Membership Application.

(44) “Unit” means a residential unit used as a single family residence and the land appurtenant that is taxed as real property under State laws.

(45) “USDA-RD” means United States Department of Agriculture – Rural Development which includes Section 502 Direct Loans and Section 502 Self Help Loans.

(46) “Website” means the Florida Housing Finance Corporation website, the Universal Resource Locator (URL) of which is www.floridahousing.org.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History–New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.010 Fees.

(1) The Corporation shall collect a HOP Membership Application fee of \$500 from all entities when applying to become a Member of the pool for the HOP program.

(2) Member shall pay a non-refundable Loan Servicing fee upon submission of each loan package to the Loan Servicer. Member may be reimbursed for this fee out of closing.

(3) Any fees associated with inspections required under 24 CFR §92.251(a) are the Member’s responsibility.

(4) The Member Fee shall be limited to 16% of the Development Cost of the Unit.

(5) Member shall be charged a failed inspection fee of \$500 for all homes inspected by the Corporation that have been determined to not have been built in compliance with HOP Property Standards per Rule 67-57.040, F.A.C. Non-compliant home(s) must be brought into compliance and the assessed fee must be paid before the HOP Loan will close. This fee cannot be passed on to the Eligible Homebuyer.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History–New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.020 Notice of Funding Availability (NOFA).

(1) The Corporation shall post NOFAs, which advise of the availability and set-asides of HOP funding, on the Corporation's Website at

[https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/important-announcements](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/important-announcements) and publish in the F.A.R.

(2) Funding will be made available in the form of reservations for Eligible Homebuyers on a first-come, first-served basis.

Rulemaking Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088, 420.5089 FS. History—New 6-26-06, Repromulgated 10-14-07, 7-2-19.

67-57.030 Membership Application Procedures.

(1) In order to participate in the HOP program, the Applicant must first apply to become a Member by meeting the requirements of the HOP Membership Application ("HOPMBR101 (4/1/19)"), which is adopted and incorporated herein by reference and is available on the Corporation's Website at [https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/program-forms](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/program-forms).

(2) Corporation staff shall review the Applicant's qualifications and experience, and upon verification that the Threshold requirements have been met, Applicants shall be notified and provided a Member number.

(3) Members must notify the Corporation of any changes to the development team or organization structure within 30 days of such change.

(4) Failure to advise of any changes to the development team or organization structure will result in the inactivation of the membership of the Member.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History—New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.040 Property Standards.

(1) **Construction Standards.** All Units must meet the more stringent of the State or local building code requirements as applicable. At a minimum, all construction shall fully comply with the Florida Building Code – Residential (currently adopted edition).

(2) **Required Basic Features.** All Units must contain at a minimum:

- (a) Range and oven;
- (b) Washer and dryer hookups;
- (c) Telephone hook-ups, with electrical outlet located within 12" of each telephone jack (minimum of 2);
- (d) Cable or satellite TV hookups (minimum of 2) located within 12" of an electrical outlet;
- (e) All Living Space must be equipped with overhead lighting;
- (f) Provide a home maintenance manual that includes information on basic home maintenance; manuals for all installed appliances, and information on how to use and maintain the green features of the home.

(3) **Accessibility and Visitability Features.** All Units must comply with the Florida Accessibility Code for Building Construction pursuant to s. 553.503, F.S., and contain at a minimum:

- (a) At least one zero-step entrance approached by an accessible route on a firm surface no steeper than 1:12 proceeding from a driveway or public sidewalk;
- (b) Lever-handled faucet with removable spout or lever-handled faucet with separate sprayer (spout or sprayer must have at least a 9-inch hose);

(c) Light switches should be no more than 48" above floor level;

(d) Midpoint on electrical outlets should be located no less than 18" above finished floor level;

(e) Reinforced walls for future installation of horizontal grab bars in toilet, bathtub, and shower walls;

(f) Lever-action handles on all doors and faucets in Units and public areas;

(g) Toggle-type or rocker style switches for lights and fans;

(h) All doors used for ingress/egress must be 34" (2' x 10") or larger. Any door other than a traditional hinged door such as: pocket doors, bi-fold doors, and double doors; must provide for at least a 32" minimum clear width entry;

(i) At least one accessible means of egress/ingress, including a primary entrance door which shall have a threshold with no more than a ½ inch rise, which may be waived for Manufactured Homes and Units built in Area(s) of Critical State Concern;

(j) For Units consisting of two or more levels, all space on the entry level of the Unit must meet the requirements of paragraphs (3)(a)-(i). On the second level at least one full bathroom and one bedroom must meet the requirements of paragraphs (3)(a)-(i), if there is not a full bathroom and a bedroom on the entry level; and

(k) Adjustable shelving in master bedroom closets (must be adjustable by resident).

(4) **Site Development.** All Site development shall include the following features and meet the following minimum requirements:

(a) Slope and terrain must be suitable for development. There shall be no problems with drainage, steep slopes or waterways on the Site;

(b) Access to Site must be compatible with existing traffic patterns and street capacity. Site access shall not enter or exit onto a major high-volume traffic artery;

(c) Site must be free from excessive traffic and noise, including that from cars, trains and airplanes. Members must submit a mitigation plan to the Corporation, detailing the proposed means and methods of risk reduction, if a Unit is (i) located within 3,000 feet of an active railroad line and/or subject to high railroad noise levels, (ii) located within 1,000 feet of a major high-volume traffic artery, freeway, or other highway would carry a daily volume of 25,000 motor vehicles or more, or (iii) within 500 feet if the highway that would carry more than 10,000 vehicles but fewer than 25,000. The Site must not be located in an airport clear zone;

(d) The Site must be free from significant industrial or agricultural hazards, including hazardous substances; toxic chemicals; gas, oil and chemical storage tanks and facilities; runoff; spills; odors; noise; and airborne particulates;

(e) The neighborhood shall be primarily residential and adjacent areas should be compatible with residential development;

(f) Provide off-street parking that is consistent with local code, rule or ordinance;

(g) Provide a paved/surfaced driveway and walkway to one entry door; and

(h) Provide landscaping that meets all local requirements and is appropriate for the terrain and neighborhood;

(5) **Appliances.** Provide Energy Star certified appliances as applicable, including:

Refrigerator;

Dishwasher (where provided);

Clothes washer (where provided);

Clothes dryer (where provided);

Water heaters, including electrically powered storage, gas fired storage and gas fired instantaneous (tankless)

(6) **Green Building Certification.** All Units, excluding Self Help Units, must be certified to one of the following green building practices: EnergyStar certification, Florida Green Building Coalition (FGBC), ICC 700 National Green Building Standard (NGBS) or Leadership in Energy and Environmental Design (LEED).

(7) **Manufactured Housing.** Manufactured Homes must meet or exceed the following standards, which are adopted and incorporated herein by reference and are available at: [https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/related-references-and-links](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/related-references-and-links), unless superseded by State or local building codes:

(a) Meet the Manufactured Home Construction and Safety Standards (MHCSS) pursuant to 24 CFR Part 3280 (4/1/2018);

(b) Be sited on a permanent foundation in accordance with the Permanent Foundation Guide for Manufactured Housing (HUD-007487) (09/1996);

(c) Be considered real property by the local property appraiser and the land and home must be taxed together;

(d) Be connected to permanent utility hook-ups; and,

(e) All purchase contracts must be turn-key.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History—New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.050 HOP Program Restrictions.

(1) All Units must be new construction which have not been previously occupied.

(2) At no time shall the HOP Loan exceed the Maximum Per Unit Subsidy Limits pursuant to 24 CFR §92.250.

(3) The maximum per-unit subsidy of HOP funding is limited to \$25,000, or the amount necessary to meet the borrower analysis criteria, with the exception of Eligible Homebuyers with a Disabling Condition and those at fifty percent (50%) AMI or below, which shall not exceed \$35,000, or the amount necessary to meet the borrower analysis criteria.

(4) A Member may not be a Financial Beneficiary of another Member.

(5) Members shall be limited to a maximum of 60 Units per calendar year and no more than 10 Units in the reservation system at a time.

(6) The HOP Loan shall be evidenced by a properly executed ~~and recorded~~ Note and secured by a properly executed and recorded Mortgage provided by the Corporation.

(7) The HOP Loan should not be in lower than a second lien position; however, it may occupy a lien position lower than second if another source of down payment assistance from a local government is provided to the Eligible Homebuyer in an amount that exceeds the HOP Loan.

(8) The combined loan-to-value ratio cannot exceed one hundred five percent (105%) of the after construction or appraised value of the Unit with the exception of Eligible Homebuyers with a Disabling Condition for which the ratio cannot exceed one hundred ten percent (110%). In the loan-to-value calculation, the Corporation will not include any subsidy that contains forgivable terms within a five (5) year period or any portion of a subsidy that is forgivable within a five (5) year period.

(9) When HOP funds are used with other Corporation programs, the more stringent borrower analysis criteria will apply as it relates to eligibility requirements; however, in no instance can the HOP Loan be combined with any other Corporation down payment assistance funds.

(10) All Units must undergo any inspections required under 24 C.F.R. §92.251(a).

(11) A Unit shall qualify as affordable housing if:

(a) The value or initial purchase price of the property after construction does not exceed the Maximum Purchase Price; and

(b) The purchase price of the property after construction must not exceed the appraised value of the property.

(12) Members are responsible for providing the Loan Servicer with completed documentation of the homebuyer.

(13) Homebuyer reservations will be denied or cancelled if a Member or any Principal, or Affiliate of a Member has any existing developments participating in any Corporation programs that remain in noncompliance with the Code, the applicable Florida Statutes and rule chapters, loan documents, or any loan commitment after any applicable cure period granted for correcting such non-compliance has ended.

(14) An Applicant/Member shall be ineligible for funding or allocation in any program administered by the Corporation for a period of time as determined in paragraph (c), below, if:

(a) The Board determines that the Applicant/Member or any Principal, Financial Beneficiary, or Affiliate of the Applicant/Member has made a material misrepresentation or engaged in fraudulent actions in connection with any Application for a Corporation program. For purposes of this subsection, there is a rebuttable presumption that an Applicant/Member has engaged in

fraudulent actions if the Applicant/Member or any Principal, Financial Beneficiary or Affiliate of the Applicant/Member:

1. Has been convicted of fraud, theft or misappropriation of funds,
2. Has been excluded from federal or Florida procurement programs for any reason,
3. Has been convicted of a felony in connection with any Corporation program, or
4. Has offered or given consideration with respect to a local contribution as set forth in subsection (7), below.

(b) Before any such determination can be final or effective, the Corporation must serve an administrative complaint that affords reasonable notice to the Applicant/Member of the facts or conduct that warrant the intended action, specifies a proposed duration of ineligibility, and advises the Applicant/Member of the opportunity to request a proceeding pursuant to sections 120.569 and 120.57, F.S. Upon service of such complaint, all pending transactions under any program administered by the Corporation involving the Applicant/Member, or any Principal, Financial Beneficiary or Affiliate of the Applicant/Member shall be suspended until a final order is issued or the administrative complaint is dismissed.

(c) The administrative complaint will include a proposed duration of ineligibility, which may be either a specific period of time or permanent in nature. With regard to establishing the duration, the Board shall consider the facts and circumstances, inclusive of each Applicant/Member's compliance history, the type of misrepresentation or fraud committed, and the degree of harm to the Corporation's programs that has been or may be done.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History—New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.060 Eligible Homebuyer Requirements.

(1) In order to receive a HOP Loan under the HOP program, the Eligible Homebuyer must:

- (a) Have an Adjusted Income that does not exceed eighty percent (80%) AMI;
- (b) Qualify as an Eligible Homebuyer at the time of the execution of the purchase contract;
- (c) Occupy the Unit as their principal residence;
- (d) Provide a minimum down payment of \$500, except when participating in a Self-Help

program;

(e) Not have Personal Assets in excess of \$30,000 and Retirement Assets in excess of \$100,000, excluding equity contributions toward the Unit;

(f) Completed a pre-purchase homebuyer education course, which includes face-to-face homebuyer education if provided by a HUD-approved counseling agency, a unit of local government that provides pre-purchase homebuyer education in Florida, or a counseling agency designated by a unit of local government to provide homebuyer education on their behalf.

Online courses are permitted if provided by a HUD-approved agency, a unit of local government that provides pre-purchase homebuyer education in Florida, a mortgage insurance provider, or an Agency or GSE sponsored course. Certificates of Completion are acceptable for 2 years from the date of completion; and,

(g) Comply with the HOP Homebuyer Underwriting Guidelines (4/1/19), which are adopted and incorporated herein by reference and available at

[https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/related-references-and-links](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/related-references-and-links).

(2) The Eligible Homebuyer must maintain the following types of insurance, naming the Corporation as an additional insured:

- (a) Replacement cost hazard insurance;
- (b) Title insurance in the amount of the HOP Loan; and,
- (c) Flood insurance if the Unit is located within the 100-Year Floodplain.

(3) Repayment of principal on the HOP Loan shall be deferred until maturity or if the homebuyer sells, transfers or disposes of the Unit either voluntarily or involuntarily, or ceases to occupy the Unit as a principal residence pursuant to 24 CFR §92.254(4) or Section 420.5088, F.S.

(4) The Corporation will consider resubordinating its HOP Loan to a First Mortgage loan when a refinancing occurs. In making a determination, the Corporation will review the following terms of the new transaction: loan type, term of the loan, fixed interest rate percentage, principal balance of the loan, reason for the request and whether or not the terms of the new loan are beneficial to the homebuyer.

(a) The homebuyer is subject to the following:

1. The homebuyer must have resided in the property for at least one year,
2. No additional debt can be refinanced into the new First Mortgage, with the exception of Unit repairs or improvements which require that these funds be escrowed, and
3. The homebuyer cannot receive any cash out as a result of the refinancing.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History—New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.070 Homebuyer Loan Process.

(1) Once construction on the Unit has begun, Members shall reserve HOP funds, on a loan-by-loan basis.

(2) Within fourteen (14) Calendar Days of making the reservation, unless a Member is subject to subsection (8) below, Members must submit to the Corporation a copy of the building permit and the Corporation must approve the completed Environmental Checklist (“HOPENV301 (4/1/19”)), which is adopted and incorporated into this rule chapter by reference and which is available on our website at [https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/program-forms](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/program-forms) or the reservation will be cancelled.

(3) Funds shall be reserved for a maximum of one hundred eighty (180) Calendar Days. If the funds for the Eligible Homebuyer are not drawn within that period, the reservation of funds shall be cancelled and the Member must submit a new reservation.

(4) Existing reservations in counties affected by a newly designated Presidentially declared or State declared disaster area shall be granted an automatic ninety (90) Calendar Day extension of the reservation. If additional time is needed, Members must submit a request for an extension which requires Board approval. Reservations without Board approved extensions will be cancelled.

(5) At least four (4) weeks prior to the HOP Loan closing, the Member shall submit to the Loan Servicer a borrower analysis package, which shall include:

(a) Borrower Analysis Worksheet (“HOPANALYSIS401 (4/1/19”)), which is adopted and incorporated herein by reference and is available on the Corporation’s Website at

[https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/program-forms](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/program-forms) with all required documentation;

(b) Certification or evidence of pre-purchase homebuyer education;

(c) Copy of First Mortgage lender’s approval letter;

(d) Third party documentation of household income and Personal Assets;

(e) Copy of as-built property Appraisal;

(f) Copy of purchase contract and any addendums; and,

(g) Copy of approval page generated from the HUD Income Calculator, which can be found at HUD's website at <https://www.hudexchange.info/incomecalculator>.

(6) The Loan Servicer shall underwrite the HOP Loan and review the terms and conditions of the First Mortgage loan.

(7) A minimum of five (5) Calendar Days prior to closing, the Member shall provide the loan closing package, which shall include:

(a) Requisition of Funds/Loan Detail Report ("HOPROF501 (4/1/19)"), which is adopted and incorporated herein by reference and is available on the Corporation's Website at

[https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/program-forms](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/program-forms) and all required documents;

(b) Proof of property insurance;

(c) Proof of title insurance;

(d) Amenities certification; and,

(e) Green building certification as required in 67-57.040, F.A.C.

(8) Members using Self Help under USDA-RD Section 502 financing can make reservations four (4) weeks prior to the homebuyer closing. After making the reservation, the borrower analysis package, must be sent to the Loan Servicer for review and approval. In addition, the HOP Self-Help Checklist ("HOPSelfHelp302 (4/1/19)"), which is adopted and incorporated into this rule chapter by reference and which is available on our Website at

[https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-\(hop\)-program/program-forms](https://www.floridahousing.org/programs/homebuyer-loan-program-wizards/homeownership-pool-(hop)-program/program-forms)

[pool-\(hop\)-program/program-forms](#), or other acceptable documentation must be sent to the Corporation within fourteen (14) days of the reservation date. Upon approval, the closing can occur and funds will be held in escrow by the Corporation.

Rulemaking Authority 420.507(12), (14) FS. Law Implemented 420.507(23), 420.5088, 420.5089(2) FS. History—New 6-26-06, Amended 10-14-07, 6-17-08, 7-2-19.

67-57.080 HOME Regulations.

All Members, homebuyers, and Units must conform to the following federal requirements, as applicable, which are adopted and incorporated herein by reference, available at <http://www.floridahousing.org/Home/Developers/HomeownershipPrograms/HOP>:

- (1) Annual Income as enumerated in 24 CFR §5.609 (4/1/2018);
- (2) Affirmative Marketing as enumerated in 24 CFR §92.351 (4/1/2018);
- (3) Affordability Requirements, pursuant to 24 CFR §92.254;
- (4) Conflict of Interest as enumerated in 2 CFR §200.317 (1/1/2018), 2 CFR§200.318 (1/1/2018) and 24 CFR §92.356 (4/1/2018);
- (5) Debarment and Suspension as enumerated in 24 CFR §24 (4/1/2018);
- (6) Displacement, Relocation, and Acquisition as enumerated in 24 CFR §92.353 (4/1/2018), 42 U.S.C. 4601-4655 (1/12/2018), 49 CFR §24 (10/1/2018), 24 CFR §42 (Subpart C) (4/1/2018);
- (7) Economic Opportunity as enumerated in 24 CFR §135 (4/1/2018);
- (8) Environmental Review as enumerated in 24 CFR §58.35 (4/1/2018), 24 CFR §92.352 (4/1/2018), and National Environmental Policy Act of 1969 (1/12/2018);
- (9) Equal Opportunity and Fair Housing as enumerated in 24 CFR §92.202 (4/1/2018) and 92.251 (4/1/2018), Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d et seq.) (1/12/2018), Fair Housing Act (42 U.S.C. §§3601-3619) (1/12/2018), Age Discrimination Act of

1975, as amended (42 U.S.C. §6101) (1/12/2018), Executive Order 11063 (amended by Executive Order 12259) (12/31/1980), and 24 CFR §5.105(a) (4/1/2018);

(10) Equal Opportunity Employment as enumerated in 41 CFR §60 (7/1/2018);

(11) Flood Insurance as enumerated in Flood Disaster Protection Act of 1973 (42 U.S.C. 4106) (1/12/2018);

(12) Handicapped Accessibility as enumerated in Section 504 of the Rehabilitation Act of 1973 (implemented in 24 CFR Part 8) (4/1/2018) and 24 CFR §100.205 (4/1/2018);

(13) Labor Standards as enumerated in 24 CFR §92.354 (4/1/2018) and 40 U.S.C. 3142-3144, 3146 & 3147 (Davis-Bacon Act) (1/12/2018), and 24 CFR §70 (volunteers) (4/1/2018);

(14) Maximum Per Unit Subsidy Limits as enumerated in 24 CFR §92.250 (4/1/2018);

(15) Minority/Women Employment as enumerated in 2 CFR §200.321 (1/1/2018) and Executive Orders 11625 (10/13/1971), 12432 (7/14/1983), and 12138 (5/18/1979);

(16) Property Standards as enumerated in 24 CFR §92.251 (4/1/2018);

(17) Recapture provisions as enumerated in 24 CFR §92.254 (4/1/2018);

(18) Record keeping requirements as enumerated in 24 CFR §92.508 (4/1/2018); and,

(19) Site and Neighborhood Standards as enumerated in 24 CFR §92.202 (4/1/2018).

Rulemaking Authority 420.507(12) FS. Law Implemented 420.507(23), 420.5089 FS.

History—New 6-26-06, Amended 10-14-07, 7-2-19.