

**Orange County Board of County Commissioners**

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

**2021-2022, 2022-2023, 2023-2024**

**Table of Contents**

<b>Description</b>	<b>Page #</b>
<b>Section I, Program Details</b>	<b>3</b>
<b>Section II, Housing Strategies</b>	<b>6</b>
<b>A. Purchase Assistance</b>	<b>6</b>
<b>B. Owner Occupied Rehabilitation</b>	<b>8</b>
<b>C. Disaster Assistance</b>	<b>10</b>
<b>D. Homeownership Impact Fee</b>	<b>11</b>
<b>E. Rental Assistance (Tenant)</b>	<b>12</b>
<b>F. Rental Multi-Family Construction/Rehabilitation</b>	<b>13</b>
<b>G. Rapid Rehousing</b>	<b>15</b>
<b>Section III, Incentive Strategies</b>	<b>16</b>
<b>A. Expedited Permitting</b>	<b>16</b>
<b>B. Ongoing Review Process</b>	<b>16</b>
<b>C. Modification of Impact Fee</b>	<b>17</b>
<b>D. Inventory of Locally Owned Public Lands for Affordable Housing</b>	<b>17</b>
<b>Exhibits</b>	
<b>A. Administrative Budget for each fiscal year covered in the Plan</b>	
<b>B. Timeline for Estimated Encumbrance and Expenditure</b>	
<b>C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan</b>	
<b>D. Signed LHAP Certification</b>	
<b>E. Signed, dated, witnessed or attested adopting resolution</b>	
<b>F. Ordinance: (If changed from the original creating ordinance)</b>	

**I. Program Details:**

**A. LG(s)**

Name of Local Government	Orange County Board of County Commissioners
Does this LHAP contain an interlocal agreement?	No
If yes, name of other local government(s)	N/A

**B. Purpose of the program:**

- To meet the housing needs of the very low, low and moderate-income households;
- To expand production of and preserve affordable housing; and
- To further the housing element of the local government comprehensive plan specific to affordable housing.

**C. Fiscal years covered by the Plan:** 2021-2022, 2022-2023, 2023-2024

**D. Governance:** The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

**E. Local Housing Partnership:** The SHIP Program encourages building active partnerships between government, lending institutions, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

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

**G. Public Input:** Public input was solicited through face to face meetings with housing providers, social service providers and local lenders and neighborhood associations. Public input was also solicited through public meetings in the presentation of the Local Housing Assistance Plan and the Notice of Funding Availability.

**H. Advertising and Outreach:** SHIP funding availability shall be advertised 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. Waiting List/Priorities:** A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status. Applicants will be maintained in an order that is consistent with the time completed applications were submitted as well as any established funding priorities as described in this plan.

The following priorities for funding (very low income, Special Needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

None

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

**K. Support Services and Counseling:** Support services are available from various sources. Available support services may include, but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling, Foreclosure Counseling and Transportation.

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

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

**M. Income Limits, Rent Limits and Affordability:** The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at [www.floridahousing.org](http://www.floridahousing.org).

*“Affordable” means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071, F.S. However, it is not the intent to limit an individual household’s ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.*

**N. Welfare Transition Program:** Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.

**O. Monitoring and First Right of Refusal:** In the case of rental housing, the staff and any 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 periodic 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 \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above. Eligible sponsors that offer rental housing for sale before 15

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

**P. Administrative Budget:** A line-item budget is attached as Exhibit A. The city/county finds that the moneys deposited in the local housing assistance trust fund are necessary to administer and implement the local housing assistance plan.

*Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states: "A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan."*

*Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states: "The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs." The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.*

**Q. Program Administration:** Administration of the local housing assistance plan will be performed by:

Entity	Duties	Admin. Fee Percentage
Orange County Board of County Commissioners.	Program Administration	10% SHIP
Orange County Board of County Commissioners.	Program Administration	5% Program Income
Third Party Entity/Sub-recipient	N/A	N/A

**R. First-time Homebuyer Definition:** For any strategies designed for first-time homebuyers, the following definition will apply: *An individual who has had no ownership in a residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned a home with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse. An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.*

**S. Project Delivery Costs:**  
 The County or sub-recipient may charge a reasonable project delivery fee to cover the cost to deliver housing related services performed by non-county employees such as rehabilitation projects completed by an agency. The fee will be part of a written agreement with the agency and capped at 5% of SHIP assistance for the construction or rehabilitation of rental or owner-occupied housing units.

**T. Essential Service Personnel Definition (ESP):** **ESP includes** teachers and educators, other school district, community college, and university employees, police and fire personnel, health care personnel, and skilled building trades personnel.

**U. Describe efforts to incorporate Green Building and Energy Saving products and processes:**  
 Orange County encourages the use of low energy products and the use of green building principles in rehabilitation and new construction. Green building initiatives include but are not limited to **Healthy Living Environment** – use of efficient heating and cooling systems, insulation, windows and appliances; **Water Conservation Measures** – plumbing fixtures will employ water conserving fixtures, the site will be assessed to

determine areas where re-landscaping will be beneficial through the use of Florida Friendly plant palettes; **Energy Efficiency** – efficiency improvements that will minimize resident utility costs such as energy star rated appliances, increased insulation, and dual pane windows; **Materials Beneficial to the Environment** – Low VOC interior paint should be utilized, dark roofing materials should be avoided to help reduce utility costs and reduce heat island effects.

**V. Describe efforts to meet the 20% Special Needs set-aside:**

Orange County partners and provides funding to various non-profit providers serving the special needs population. These non-profits can request funding to acquire, construct, or rehabilitate homes or group homes for the purpose of providing housing for the targeted population. Moderate income household may qualify for home rehabilitation assistance as long as one member of the household has a special need. Applicants with Special Needs and owner-occupied applicants with Special Needs may also qualify for home rehabilitation repairs.

**W. Describe efforts to reduce homelessness:**

Orange County has made homelessness a top priority and has provided funding and support to various homeless agencies like the Homeless Services Network and the Homeless Coalition of Central Florida to promote the housing-first model that centers on facilitation permanent housing first and services and resources as needed. These agencies provide counseling, support services, crisis assistance, eviction prevention, and find permanent housing for veterans and chronically homeless individuals. Orange County also supports programs such as the Rapid Rehousing Program to provide temporary financial assistance and services to very low income persons or families that are homeless or at risk of being homeless.

**Section II. LHAP Strategies:**

<b>A. Purchase Assistance</b>	Code 1,2
-------------------------------	----------

a. Summary:  
 The purpose of Orange County's Down Payment Assistance program is to provide funds to qualified first time homebuyers for down payment and or closing costs associated with the purchase of a new or existing home located in Orange County.

The purchase assistance with rehabilitation strategy will be use when a homebuyer purchases a home that includes repair to the roof, flooring, cooling and heating unit, plumbing, doors, windows, or electrical component. The repairs can be made by the seller or buyer using SHIP, other government programs, or private funds.

b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024

c. Income Categories to be served: Very low, low and moderate

d. Maximum award:

Very Low	\$45,000
Low	\$35,000
Moderate	\$20,000

e. Terms:

1. Repayment loan/deferred loan/grant:

The County's assistance will be in the form of a Deferred Payment Loan (DPL) and secured by a recorded note and mortgage.

2. Interest Rate: 0 %

3. Years in loan term: 10 years

4. Forgiveness:

The loan is forgiven at a rate of 10% per year at the anniversary date of the loan. All repaid DPL funds are classified as program income.

5. Repayment: Not required as long as the loan is in good standing.

6. Default:

The amount of the DPL loan shall become due and payable as a result of default on the first mortgage or if one of the events occurs during the 10 year loan period: (a) the Homeowner sells, transfers or disposes of the property or home either voluntarily or involuntarily; (b) the Homeowner fails or ceases to occupy the home as their principal residence; (c) the Homeowner, or if the Homeowner is married, the survivor of the Homeowner or the Homeowner's spouse, dies; or (d) the Homeowner refinances the first mortgage loan at which time the principal balance is due unless the Mortgagee agrees to subordination of its second mortgage loan to the new first mortgage loan.

In the event the homeowner(s) listed on the SHIP mortgage and note dies, heirs to the property may assume the SHIP mortgage and note if they income qualify and meet all SHIP requirements.

f. Recipient/Tenant Selection Criteria:

- Eligible applicants will be assisted on a first qualified, first-served basis.
- Applicants must meet the income criteria for the program.
- Applicants must be U. S. citizens, or provide proof of lawful permanent residency. Applicants who have been granted refugee or asylum status or are in a temporary protected status may also be eligible.
- Applicant must be a first time homebuyer.
- Applicant must complete a homebuyer's workshop from a HUD approved housing counseling agency.
- Applicant must meet income and credit eligibility guidelines.
- Applicant must be able to obtain first mortgage financing.
- Low and very low applicants must contribute \$500, and moderate applicants must contribute \$1,000 towards the home purchase prior to the closing of the county loan.
- Eligible properties include single-family homes, condominiums, and town homes located in Orange County. Mobile Homes are not eligible.

g. Sponsor Selection Criteria: N/A

h. Additional Information:

Orange County may subordinate its lien position if the homeowner is refinancing the first mortgage in order to receive a lower interest rate and no cash equity is taken out of the property for personal use.

This strategy can be used in conjunction with a rehab loan such as a 203K loan. The homebuyer's

education program is a free service to Orange County residents and provides education, counseling, and technical services to assist eligible very low, low, and moderate income families in the process and procedure connected with the purchase of an affordable fee simple housing unit. The homebuyer’s education class will address topics as choosing a realtor, qualifying for a mortgage, inspecting a house, contracts for sale, home maintenance, and credit issues. Documentation of satisfactory completion of a HUD approved eight (8) hour class must be included in the application packet submitted to the Housing and Community Development Division.

<b>B. Owner Occupied Rehabilitation</b>	Code 3, 4, 6
---	--------------

<p>a. Summary:  This strategy provides rehabilitation assistance to owner-occupied single family houses. The renovation may include correcting housing and building code violations, providing cost effective energy conservation features such as insulation, weatherization, installing energy efficient appliances, and other technological enhancements and devices making the dwelling accessible to persons with special needs and elderly occupants as necessary and correcting health and or safety violations. Depending on the housing condition, the rehabilitation can be minor or major repair up to, and including demolition and reconstruction. When the cost of improvements or repairs exceeds 60% of the value of the structure, and if financially feasible, the house may qualify for reconstruction.</p>
--

b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024

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

- d. Maximum award:
- \$125,000 for Housing Rehabilitation
  - \$200,000 for Reconstruction
  - Reverse Mortgage \$40,000

- e. Terms:
1. Repayment loan/deferred loan/grant:  
The County's assistance will be in the form of a grant or amortized Deferred Payment Loan (DPL) secured by a recorded note and mortgage. Loan term begins upon the completion date of the rehabilitation which is when the final inspection is signed off by the homeowner, contractor and inspector
  2. Interest Rate: 0%



3. Years in loan term:  
 Amounts \$25,001 and up will be in the form of a deferred loan as such:

Assistance	Loan Terms
Up to \$25,000	Grant
\$25,001 to \$39,999	5 Years
\$40,000 to \$125,000	10 Years
Reconstruction	20 Years
Reverse Mortgages	5 Years

4. Forgiveness:  
 Amounts \$25,001 and up will be deferred and forgiven annually as such:

Assistance	Forgiven Rate
Up to \$25,000	Grant
\$25,001 to \$39,999	1/5 per Year
\$40,000 to \$125,000	1/10 per Year
Reconstruction	1/20 per Year
Reverse Mortgages	1/5 per Year

5. Repayment: Not required as long as the loan remains in good standing.
6. Default:  
 Notes are due and payable upon the occurrence of the following events: (a) the Homeowner sells, transfers or disposes of the property or home either voluntarily or involuntarily; (b) the Homeowner fails or ceases to occupy the home as their principal residence; (c) the death of the Homeowner, the death of the surviving spouse of the Homeowner, or the death of covered survivor(s) of the Homeowner; or (d) the Homeowner refinances the first mortgage loan at which time the principal balance is due unless the Mortgagee agrees to subordination of its second mortgage loan to the new first mortgage loan.

- f. Recipient/Tenant Selection Criteria:
- The homeowner must own and reside in the property to be rehabilitated at least one year prior to applying for assistance.
  - Real estate taxes and mortgage payments must be current.
  - Property must be a single-family dwelling located in Orange County outside the city limits of Orlando.
  - Funding will be awarded on a first qualified, first-served basis with priority given to persons with special needs.

g. Sponsor Selection Criteria: N/A

h. Additional Information:  
 Housing rehabilitation assistance will only be available to qualified very low income applicants. However, low and moderate income applicants can qualify for assistance if they meet the Special Needs definition as defined under 420.0004(13) F.S. or have a developmental disability as defined under 393.063 F.S.

The rehabilitation process will utilize a work write up by county staff and the work bid out through a formal process and awarded to the lowest, most responsible bidder. Bids are reviewed by the

Rehabilitation Manager for final approval.

Mobile Homes are not eligible for assistance under this program.

In some case, the occupants may be required to temporary relocate while repairs are made to the house. The applicant may receive relocation assistance to defray some of the cost which will be included in the total rehabilitation costs.

<b>C. Disaster Assistance</b>	Code 5, 16
-------------------------------	------------

<p>a. Summary: The Disaster Assistance strategy provides funds to households following a disaster or emergency declared by the President of the United States or Governor of the State of Florida. SHIP disaster funds may be used for items such as, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) Purchase of emergency supplies for eligible households to weatherproof damaged homes.</li> <li>(b) Interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable.</li> <li>(c) Construction of wells or repair of existing wells where public water is not available.</li> <li>(d) Payment of insurance deductibles for rehabilitation of homes covered under homeowners' insurance policies.</li> <li>(e) Security deposit for eligible recipients that have been displaced from their homes due to disaster.</li> <li>(f) Rental and utility assistance for eligible applicants.</li> <li>(g) Mortgage and utility payment assistance for eligible applicants.</li> <li>(h) Eviction prevention for eligible applicants up to 6 months of past due rent payments.</li> <li>(i) Strategies included in the approved LHAP that benefit applicants directly affected under the Executive Order.</li> <li>(j) Other eligible activities as proposed to and approved by Florida Housing.</li> </ul>	
---	--

b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024

c. Income Categories to be served: Very low, low and moderate

d. Maximum award: \$15,000 per household

e. Terms:

1. Repayment loan/deferred loan/grant:  
Assistance to disaster victims shall be in the form of a grant.
2. Interest Rate: N/A
3. Years in loan term: N/A
4. Forgiveness: N/A
5. Repayment: N/A
6. Default: N/A

- f. Recipient/Tenant Selection Criteria:
  - Applicants will be ranked for assistance on a first qualified first eligible basis, with priority for very low income, low income, and special needs households.
  - All applicants must meet the income criteria of the SHIP program.
  - Property assisted must be located in Orange County outside the city limits of Orlando and be the primary residence of the applicant.
  - Mobile homes are not eligible for assistance.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information: N/A

<b>D. Homeownership Impact Fees</b>	Code 8
-------------------------------------	--------

a. Summary:  
 To encourage production of owner-occupied single family homes and townhouses, an impact fee subsidy program will be used. Up to 100 percent of paid impact fees, excluding water capital and wastewater capital charges, may be reimbursed from SHIP funds.

This incentive will be made available to developers building “for sale” affordable housing units. “For sale” homes, under this strategy are designed to be used in conjunction with the Down Payment Assistance Program and as such, all buyers must meet the eligibility requirements under that strategy. The Impact Fee Subsidy program will provide a subsidy as follows:

**Impact Fee Subsidies**

Income Category	Subsidy
Very Low	100%
Low	75%
Moderate	50%

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$25,000 per Housing Unit
- e. Terms :
  1. Repayment loan/deferred loan/grant:  
 The subsidy will be in the form of a deferred loan amortized annually and secured by a recorded note and mortgage.
  2. Interest Rate: 0%
  3. Years in loan term: 10 years
  4. Forgiveness: The loan is forgiven at a rate of 10% per year at the anniversary date.

- 5. Repayment: Not required as long as the loan is in good standing.
- 6. Default:  
The unamortized amount of the DPL loan shall become due and payable as a result of default on the first mortgage or if one of the events occurs during the 10 year loan period: (a) the Homeowner sells, transfers or disposes of the property or home either voluntarily or involuntarily; (b) the Homeowner fails or ceases to occupy the home as their principal residence; (c) death of the Homeowner, death of the surviving spouse, death of the covered survivor(s) of the Homeowner; or (d) the Homeowner refinances the first mortgage loan at which time the principal balance is due unless the Mortgagee agrees to subordination of its second mortgage loan to the new first mortgage loan.

- f. Recipient/Tenant Selection Criteria:  
The assistance is available to qualified very low, low, and moderate homebuyers purchasing new housing units from developers building affordable housing.
- g. Sponsor Selection Criteria: N/A
- h. Additional Information:  
This incentive goes to the homebuyer as a principle reduction to the mortgage after the house is sold to a very low, low, or moderate income person and documents verified. Eligible properties include single-family homes, condominiums, and town homes located in Orange County, but outside the city limits of Orlando. Mobile Homes are not eligible.

<b>E. Rental Assistance (Tenant)</b>	Code 13,23
--------------------------------------	------------

a. Summary:  
Implements a rental assistance program to provide utility deposits, security deposits, or move in rental deposits for the first and last month’s rent. The county may also enter into partnerships with the Homeless Services Network, or other local agencies providing housing to very low income populations.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low
- d. Maximum award: \$5,000 per household, assistance with deposits only
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: Grant
  - 2. Interest Rate: N/A
  - 3. Years in loan term: N/A
  - 4. Forgiveness: N/A
  - 5. Repayment: N/A
  - 6. Default: N/A

- f. Recipient/Tenant Selection Criteria:
  - Eligible applicants will be assisted on a first qualified, first served basis.
  - Applicants must meet income criteria for the program.
  
- g. Sponsor Selection Criteria:  
 Orange County will implement the program directly or through nonprofit agencies to administer the program. The selection criteria for the non-profit organization will include the following:
  - Proven capacity of the organization to do this type of work.
  - Proven financial controls and administrative systems in place by the organization to implement a successful program.
  - Experience in completing, operating and managing similar projects.
  - Demonstrated performance in providing housing services for homeless populations.

The non-profit partner agency will be responsible for applicant intake, income verification, referral and placement of applicants. Orange County will assist with housing quality standards inspections. Orange County will provide training in income verification process.
  
- h. Additional Information:  
 The County may provide assistance directly to clients on a housing voucher program such as HUD Section 8 program.

<b>F. Rental Multi-Family Construction/Rehabilitation</b>	Code 14, 21
---	-------------

a. Summary:  
 Funding may be provided to encourage construction of multi-family housing.

For non-tax credit projects, this strategy may provide funding for acquisition, site development, infrastructure improvements, construction, or rehabilitation of existing housing units or for new construction of multi-family rental developments. Group homes may also qualify for assistance.

Tax credit or State Apartment Incentive Loan (SAIL) projects seeking local government contribution under the Florida Housing Finance Corporation’s funding are eligible for assistance under this strategy. The County may provide a local government contribution in the form of a loan, in an amount that meets the current tax credit minimum amount, which is required to allow a developer to compete for funding at the State level. Orange County may elect to support a tax credit project based on the Local Government Areas of Opportunity using a Request for Application process.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low and Low
- d. Maximum award: \$75,000 per Housing Unit or \$250,000 per Rental Group Home
- e. Terms:

- 1. Repayment loan/deferred loan/grant:  
For tax credit or SAIL projects: Funds will be provided to the developer as a non-amortizing Deferred Payment Loan (DPL). Developers will be required to enter into a Developer’s Agreement with the county that specifies the terms and conditions under which the funds will be provided.

For non-tax credit projects: Developers will be required to enter into a Developer’s Agreement with the county that specifies the terms and conditions under which the SHIP funds will be provided. The County's financial assistance is a repayment loan secured with a recorded mortgage and note at a minimal interest rate.

- 2. Interest Rate:  
Rates for tax credit or SAIL projects will be based on the financial capability of the project and capped at 2%.
- 3. Years in loan term: 15-30 years
- 4. Forgiveness:  
The developer’s agreement will specify the terms based on the financial capability of the project and amount of investment. New construction will have a longer term due to the useful life expectancy of the building. In the event of a foreclosure or deed in lieu of foreclosure, the debt, lien, and affordability period will be considered terminated unless the developer’s agreement contains a land restrictive covenant or deed restriction.
- 5. Repayment:  
The loan and term of the repayment will be determined by a review of the financial ability of the development to meet its cash flow needs. Annual loan and interest payments will be determined by an underwriter through an agreement approved by the Board of County Commissioners.
- 6. Default:  
If a SHIP assisted development is offered for sale prior to the end of its affordability period, affordability requirements will apply without regard to the term of any loan or mortgage or the transfer of ownership and will be imposed by deed restrictions.  
Proceeds from repayment will be utilized to assist future multi-family developments or other activities that qualify under the County's affordable housing strategies.

- f. Recipient/Tenant Selection Criteria:  
Tenants will be selected on a first-qualified, first served basis. All renters of units assisted using SHIP funds must meet the income requirements described in this plan.

- g. Sponsor Selection Criteria:  
Developers seeking a local government contribution for a project for Florida Housing Finance Corporation’s funding must be certified as an affordable housing development by the Housing and Community Development Division. The developer must submit the appropriate forms that they want certified by the county administrator to the Housing and Community Development Division for processing. Proposals from sponsors of non-tax credit projects will be evaluated on factors such as economic feasibility, developer experience and financial strength, location of project, special needs priority as identified in the County’s Comprehensive Plan and Consolidated Plan. Special needs or local priorities will be included in a Request for Proposals advertised to all applicants. Developers will be required to submit a complete five year operating pro-forma, line item construction cost estimates and sources and uses statement.

- h. Additional Information:  
All assisted developments must commit to HUD published rent limits for the term of the agreement and will comply with the very low and low income set aside requirements. If SHIP funds are combined with other state or federal programs, the set-asides from the program that is most restrictive will be used. Orange County will be responsible for monitoring affordability and regular tenant monitoring reports required under the SHIP statute.

<b>G. Rapid Re-Housing</b>	Code 26, 23
----------------------------	-------------

a. Summary:  
Implement a Rapid Rehousing Program by providing temporary financial assistance to very low-income persons or families that are homeless or at risk of being homeless. The County will partner with the Homeless Services Network and or other agencies serving the homeless population to provide up to twelve months of rent assistance and deposits. Deposits may be for the first and last month’s rent, damages incurred to the rental units, and utilities.

Renters receiving housing assistance through this program will also receive housing stability counseling. Regardless of household income, the rent cannot exceed 120 percent of the SHIP Rent Limit adjusted for bedroom size.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low
- d. Maximum award: \$10,000
- e. Terms:
  1. Repayment loan/deferred loan/grant: Grant
  2. Interest Rate: N/A
  3. Years in loan term: N/A
  4. Forgiveness: N/A
  5. Repayment: N/A
  6. Default: N/A
- f. Recipient/Tenant Selection Criteria:
  - Eligible applicants will be assisted on a first qualified, first served basis.
  - Applicants must meet income criteria for the program.
  - Individuals or families that are homeless or at risk of being homeless as defined in FS 420.621.
- g. Sponsor Selection Criteria:  
Orange County will partner with nonprofit homeless providers or agencies to administer the program. The selection criteria for the non-profit organization will include the following but limited to:
  - Proven capacity of the organization to do this type of work.
  - Proven financial controls and administrative systems in place by the organization to implement a successful program.
  - Experience in completing, operating and managing similar projects.

- Demonstrated performance in providing housing services for homeless populations.

The non-profit partner agency will be responsible for applicant intake, income verification, referral and placement of applicants. Orange County will assist with housing quality standards inspections. Orange County will provide training in income verification process as well as follow up monitoring

h. Additional Information: N/A

**III. LHAP Incentive Strategies**

In addition to the **required Incentive Strategy A and Strategy B**, include all adopted incentives with the policies and procedures used for implementation as provided in Section 420.9076, F.S.:

- A. Name of the Strategy: **Expedited Permitting**  
 Permits as defined in s. 163.3177 (6) (f) (3) for affordable housing projects are expedited to a greater degree than other projects.

Orange County’s affordable housing expedited review process is described under Orange County Administrative Regulation 4.08.01. Developments certified as affordable by the Housing and Community Development Division and Building Department are “fast-tracked” through the development review process. This policy gives certified affordable housing projects priority on the agendas of the Board of Zoning Adjustment, Planning and Zoning Commission, Development Review Committee and the Board of County Commissioners. Implicit in this policy is that rezoning applications, engineering plan review and sufficiency reviews will be completed in an expeditious manner.

To qualify for the expedited review process, affordable housing projects need to be certified. To be certified, each project requesting the expedited review must meet the earlier referenced threshold criteria. An application detailing the development plan must be submitted. The application illustrates the design and layout of the development and demonstrates that the project is financially feasible. The County’s Housing and Community Development Division in conjunction with the Planning Division will review the submitted information. Housing and Community Development Division issues a certificate of affordability for all qualified housing projects. Once a project is certified as an affordable housing project, the developer is entitled to receive priority processing through the County’s public hearing process. Specifically, certified projects are given priority time slots on the agendas of the Board of Zoning Adjustment, the Planning and Zoning Commission and the Development Review Committee. The certified projects are also identified so the Clerk of County Commissioners can schedule them promptly before the Board of County Commissioners.

The expedited review process currently in place in Orange County will save the developer up to 30 days or more for certified affordable housing applications requiring variances or rezoning procedures. In addition, applications requiring a review by the Development Review Committee (DRC) will save anywhere from 14-45 days depending on the level of activity.

- B. Name of the Strategy: **Ongoing Review Process**  
 An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

Orange County currently has a program for this incentive. A ten (10) member Development



Advisory Board (DAB) appointed by the Board of County Commissioners has the primary responsibility of reviewing all Orange County policies, ordinances and regulations affecting land development, with the exception of zoning, and to suggest changes to the Board of County Commissioners. Issues discussed at DAB meetings relating to potential increases in costs to affordable housing are brought back to the Orange County Affordable Housing Advisory Board (AHAB) for discussion.

- C. Name of the Strategy: **Modification of Impact Fees**  
Orange County, through the SHIP program, has a strategy to reimburse developers building affordable single-family housing for impact fees, excluding water capital charges and wastewater capital charges assessed.

The reimbursement rate for affordable single-family developments is up to 100 percent of total impact fees, to be capped at \$21,000. Developments housing moderate-income households will receive up to 50 percent reimbursement, developments housing low-income households will receive up to 75 percent reimbursement, and developments housing very low-income households will receive up to 100 percent reimbursement.

- D. Name of the Strategy: **Inventory of Locally Owned Public Lands Suitable for Affordable Housing.**

Orange County, through its Housing and Community Development Division, provides public notices to convey county-owned lots to nonprofit entities for the purpose of constructing and selling affordable homes to eligible homebuyers. A Request for Proposal (RFP) process is implemented to convey the lots.

#### IV. EXHIBITS:

##### Required

- A. Administrative Budget for each fiscal year covered in the Plan.
- B. Timeline for Estimated Encumbrance and Expenditure.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.
- D. Signed LHAP Certification.
- E. Signed, dated, witnessed or attested adopting resolution.

<b>Orange County</b>
----------------------

<b>Fiscal Year: 2021-2022</b>	
Estimated SHIP Funds for Fiscal Year:	\$ 1,836,505.00
Salaries and Benefits	\$ 177,355.00
Office Supplies and Equipment	\$ 3,600.00
Travel Per diem Workshops, etc.	\$ 1,000.00
Advertising	\$ 800.00
Other*	\$
<b>Total</b>	<b>\$ 182,755.00</b>
Admin %	9.95%
	<b>OK</b>

<b>Fiscal Year 2022-2023</b>	
Estimated SHIP Funds for Fiscal Year:	\$ 1,836,505.00
Salaries and Benefits	\$ 177,355.00
Office Supplies and Equipment	\$ 3,600.00
Travel Per diem Workshops, etc.	\$ 1,000.00
Advertising	\$ 800.00
Other*	\$
<b>Total</b>	<b>\$ 182,755.00</b>
Admin %	9.95%
	<b>OK</b>

<b>Fiscal Year 2023-2024</b>	
Estimated SHIP Funds for Fiscal Year:	\$ 1,836,505.00
Salaries and Benefits	\$ 177,355.00
Office Supplies and Equipment	\$ 3,600.00
Travel Per diem Workshops, etc.	\$ 1,000.00
Advertising	\$ 800.00
Other*	\$
<b>Total</b>	<b>\$ 182,755.00</b>
Admin %	9.95%
	<b>OK</b>

\*All "other" items need to be detailed here and are subject to review and approval by the SHIP review committee. Project Delivery Costs that are outside of administrative costs are not to be included here, but must be detailed in the LHAP main document.

Details:

**Exhibit B**  
**Timeline for SHIP Expenditures**

Orange County affirms that funds allocated for these fiscal years will  
(local government)  
meet the following deadlines:

<b>Fiscal Year</b>	<b>Encumbered</b>	<b>Expended</b>	<b>1<sup>st</sup> Year AR</b>	<b>2<sup>nd</sup> Year AR</b>	<b>Closeout AR</b>
<b>2021-2022</b>	6/30/2023	6/30/2024	9/15/2022	9/15/2023	9/15/2024
<b>2022-2023</b>	6/30/2024	6/30/2025	9/15/2023	9/15/2024	9/15/2025
<b>2023-2024</b>	6/30/2025	6/30/2026	9/15/2024	9/15/2025	9/15/2026

If funds allocated for these fiscal years is not anticipated to meet any of the deadlines in the table above, Florida Housing Finance Corporation will be notified according to the following chart:

<b>Fiscal Year</b>	<b>Funds Not Encumbered</b>	<b>Funds Not Expended</b>	<b>1<sup>st</sup> Year AR Not Submitted</b>	<b>2<sup>nd</sup> Year AR Not Submitted</b>	<b>Closeout AR Not Submitted</b>
<b>2021-2022</b>	3/30/2023	3/30/2024	6/15/2022	6/15/2023	6/15/2024
<b>2022-2023</b>	3/30/2024	3/30/2025	6/15/2023	6/15/2024	6/15/2025
<b>2023-2024</b>	3/30/2025	3/30/2026	6/15/2024	6/15/2025	6/15/2026









**CERTIFICATION TO  
FLORIDA HOUSING FINANCE CORPORATION**

Local Government or Interlocal Entity:

**Orange County Government**

Certifies that:

- (1) The availability of SHIP funds will be advertised pursuant to program requirements in 420.907-420.9079, Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will ensure that there will be no discrimination on the basis of race, color, national origin, sex, handicap, familial status, or religion.
- (3) A process to determine eligibility and for selection of recipients for funds has been developed.
- (4) Recipients of funds will be required to contractually commit to program guidelines and loan terms.
- (5) Florida Housing will be notified promptly if the local government /interlocal entity will be unable to comply with any provision of the local housing assistance plan (LHAP).
- (6) The LHAP provides a plan for the encumbrance of funds within twelve months of the end of the State fiscal year in which they are received and a plan for the expenditure of SHIP funds including allocation, program income and recaptured funds within 24 months following the end of the State fiscal year in which they are received.
- (7) The LHAP conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the LHAP.
- (8) Amendments to the approved LHAP shall be provided to the Florida Housing for review and/or approval within 21 days after adoption.
- (9) The trust fund exists with a qualified depository for all SHIP funds as well as program income or recaptured funds.
- (10) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (11) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements (CAFR). An electronic copy of the CAFR or a hyperlink to the document shall be provided to Florida Housing by June 30 of the applicable year.

- (12) Evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97, F.S. shall be provided to Florida Housing by June 30 of the applicable year.
- (13) SHIP funds will not be pledged for debt service on bonds.
- (14) Developers receiving assistance from both SHIP and the Low-Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (15) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.
- (16) Rental Units constructed or rehabilitated with SHIP funds shall be monitored for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e). To the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility.
- (17) The LHAP meets the requirements of Section 420.907-9079 FS, and Rule Chapter 67-37 FAC.
- (18) The provisions of Chapter 83-220, Laws of Florida have not been implemented (except for Miami-Dade County).

\_\_\_\_\_  
 Witness

*Raymond B. Bwalya*

\_\_\_\_\_  
 Chief Elected Official or designee

\_\_\_\_\_  
 Witness

Jerry L. Demings, Orange County Mayor

*for* Type Name and Title

\_\_\_\_\_  
 Date

OR

*Katie Smith*

\_\_\_\_\_  
 Attest:  
 (Seal)





# RESOLUTION

*of the*

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

*Regarding the*

## **ORANGE COUNTY LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEARS 2021-2022, 2022-2023, AND 2023-2024 UNDER THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM**

### **Resolution No. 2021-M-28**

**WHEREAS**, the State of Florida adopted the William E. Sadowski Affordable Housing Act, Chapter 92-317, Laws of Florida, allocating a portion of documentary stamp tax revenues to local governments for the development and maintenance of affordable housing; and

**WHEREAS**, the State Housing Initiatives Partnership (SHIP) Act, sections 420.907-420.9079, Florida Statutes and Rule Chapter 67-37, Florida Administrative Code (F.A.C.), require local governments to develop a one to three-year Local Housing Assistance Plan covering the use of SHIP program proceeds for state fiscal years 2021-2022, 2022-2023, and 2023-2024; and

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

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

**WHEREAS**, in accordance with Rule Chapter 67-37.005 F.A.C., the Board finds that five (5) percent of the local housing distribution plus five (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 ten (10) percent of the local housing distribution plus five (5) percent of program income deposited into the trust fund; and

**WHEREAS**, under the SHIP Program, Section 420.9072(3), Florida Statutes, an approved Local Housing Assistance Plan must be adopted by resolution and submitted to the Florida Housing Finance Corporation; and

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

**WHEREAS**, the Board finds that it is in the best interest of the public for Orange County to submit the Local Housing Assistance Plan for review and approval in order to qualify for SHIP funds; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:**

**Section 1.** The Board of County Commissioners of Orange County Florida, hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2021-2022, 2022-2023, and 2023-2024.

**Section 2.** The Orange County Mayor or designee, is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan for fiscal years 2021-2022, 2022-2023, and 2023-2024 and to do all things necessary and proper to carry out the term and conditions of said program.

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

ADOPTED THIS 10 DAY OF August, 2021.

**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: *Jerry L. Demings*  
Jerry L. Demings  
Orange County Mayor



ATTEST: Phil Diamond, CPA, Orange County Comptroller  
As Clerk of the Board of County Commissioners

BY: *Kate Grich*  
Deputy Clerk