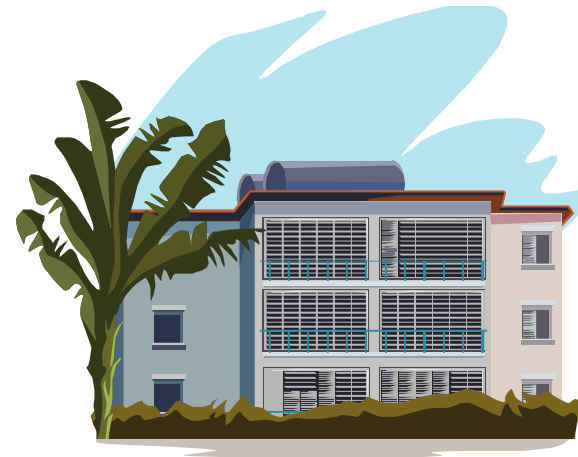


Link to Permanent Housing (Link)

Link connects Special Needs Households who receive supportive services with affordable housing



Developers awarded Low Income Housing Tax Credits must set aside a % of units for special needs households referred by designated Referral Agencies.

Points to know about ELI Amounts in Florida



Florida Housing definition “ELI Persons” or “Extremely Low Income Persons” means as defined in Section 420.0004(8), F.S. This statute says that the total annual income shall not exceed 30% of Area Median Income.



However, Florida Housing adjusts the ELI amount annually for each county, based on the current minimum wage and HUD AMI levels for communities across the country.



This adjustment means that the ELI amounts range from 25% up to 45% of AMI.



Please note: We are talking about “tax credit” units, so they are not under the same regulations as HUD/Section 8/Public Housing units; HUD rents are usually based on 30% of a households’ income. Tax Credit rents are based on the Area Median Income.

Range of maximum rents for ELI units in selected counties

<i>County</i>	<i>ELI AMI Amount</i>	<i>Rent – 1 Bedroom</i>	<i>Rent – 2 Bedroom</i>
Bay	35%	\$400	\$450
Broward	30%	\$388	\$466
Duval	33%	\$500	\$650
Hillsborough	40%	\$440	\$530
Indian River	40%	\$430	\$525
Miami-Dade	33%	\$419	\$503
Orange	40%	\$438	\$525
Okaloosa	33%	\$411	\$494
Palm Beach	33%	\$406	\$487
Pasco	40%	\$442	\$531
Pinellas	40%	\$442	\$531
Polk	45%	\$425	\$509

Path for Web Link to ELI County Chart:

www.floridahousing.org > Special Needs Housing > Developers > Special Needs Programs > Extremely Low Income > Set Aside for Extremely Low Income > Extremely Low Income County Chart 2015

Path for all Income & Rent Limits:

www.floridahousing.org > Property Owners & Managers > Rent Limits > 2015 Rent Limits > 2015 Combined Income Limits & Rent Limits by County – FHFC Rental Programs

SPECIAL NEEDS DEFINITIONS USED IN LINK PROGRAM

Special Needs Units typically represent 50% of the ELI Set-Aside Units in a property. These units can only be rented to people with extremely low incomes.

F.A.C. Rule 67-48 (105) “Special Needs Household Referral Agency” means an organization that is designated and authorized by legislative mandate or the responsible federal or state agency to plan, coordinate and administer the provision of federal or state supportive services or long-term care programs for at least one Special Needs Household population.

F.A.C. Rule 67-48 (109) F.A.C.- “Special Needs Household” means a household consisting of a Family that is considered to be

- ✓ Homeless;
- ✓ A survivor of Domestic Violence;
- ✓ A Person with a Disability;
- ✓ A Youth Aging Out of Foster Care;

These households require initial, intermittent or on-going supportive services from one or more community-based service providers to obtain and retain stable, adequate and safe housing in their communities.

DISABLING CONDITION – SET ASIDE UNITS MUST BE OCCUPIED BY PERSONS WITH A DISABLING CONDITION

Section 402.0004, F.S. (7) - "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.

First Phases – THE MOU



Memorandums of Understanding (MOUs) describes the roles and responsibilities of the Owner and of the Referral Agency. Signed document between the RA and the Owner of property;



Developers/Owners of Florida Housing-financed properties are required to enter into MOUs with Florida Housing-designated local supportive services lead agencies (Referral Agencies).



Referral Agency's first contact is usually with the property management company that works for the owners. They will say they have a Florida Housing property with set-aside requirements for Special Needs tenants and they want to partner with you. They will tell you the number of units available for set aside and the rent amounts.

BEST PRACTICE TIPS



Have the Referral Agency's attorney and executive leadership review the MOU before it needs to be executed, so if they need to make any changes, Florida Housing can approve. The time it takes for attorney review affects the owners' federal and state allocation timing. Be sensitive.



If you think you need to visit the property & neighborhood, schedule as quickly as possible.

First Phases – The Property Management Company



BEST PRACTICE TIPS

A Word about working with Property Managers;

RA First Contact: Regional or Corporate Office of the Property Management Company;

Ongoing Contact: Site Manager;

Policy Troubleshooting: Happens at the Regional/Corporate Level;

THIS IS AN IMPORTANT RELATIONSHIP;

Designate one staff in your agency to be the housing point person;


That person communicates with the PM at Regional/Corporate Level and at the site.


This is usually the same point person that oversees Florida Housing's Set-Aside Units;

First Phases – Referral Agencies' Responsibilities


 THE REFERRAL AGENCY MUST HAVE THE CAPACITY TO PERFORM THE FOLLOWING DUTIES:

 Develop and maintain a list of appropriate clients that are suitable for the property;

 Employ a system for referrals;

 Ensure that those referrals are receiving appropriate services;

Before RA signs an MOU, they must be sure they can perform above duties.

 Another very important duty: Ensure that prospective tenants are prepared to live independently and have the means to pay the appropriate amount of rent for the unit;

CAPACITY IS IMPORTANT BECAUSE YOU HAVE TO MOVE FAST IN HOUSING YOUR CONSUMER.

APARTMENTS AT AN “ELI” AMOUNT ARE VERY MUCH IN DEMAND.

DURING LEASE-UP, OWNERS ONLY HAVE TO HOLD THE UNITS “OPEN” FOR YOUR CLIENTS FOR 30 DAYS!

ONLY 14 DAYS AFTER THE PROPERTY IS LEASED UP AND OPERATING!

This is standard, but is open to negotiation;

IF THOSE DEADLINES PASS, AND THERE ARE NO REFERRALS, UNITS WILL BE RENTED TO THE GENERAL PUBLIC AND THE REFERRAL AGENCY LOSES ACCESS UNTIL A UNIT TURNS OVER.



BEST PRACTICE TIPS

KNOW WHEN THE 14 DAYS BEGINS FOR THE PROPERTY MANAGER!

RETURN THE PHONE CALLS!

ANSWER THE EMAIL IMMEDIATELY!

KNOW WHO YOU ARE REFERRING TO THE PROPERTY!



BEST PRACTICE TIPS

During the development of MOU agree with the property management company upon standardized communication process:

- ✓ Who is the point person within your agency that will coordinate these units;
- ✓ How notification of available units will be made; Email records! Not letters!
- ✓ How outcome and timing of referred households will be communicated;
- ✓ If the PM has rejected your referral, you can still send over another referral, if everything happens within the 14 days;

Helping the Special Needs Household Be Successful

What can the RA DO?

#1 – Prescreen your clients and have them ready to apply;

- ✓ **Rent Amount?**
- ✓ **How much income must they have?**
- ✓ **Size of Unit Needed?**
- ✓ **Application Fee Amount?**
- ✓ **Security Deposit Amount?**
- ✓ **Any other “good faith” Deposits?**
- ✓ **Average Utility costs, including turning them on?**

Helping the Special Needs Household Be Successful

What can the RA DO?

KNOW THE RESIDENT SELECTION CRITERIA

What are the guidelines and qualifications at the property? Make this part of your pre-screening process:

Background Reports:

- ✓ Rental – Evictions, landlord balances, collection history, bankruptcy history;**
- ✓ Criminal**
- ✓ Credit**
- ✓ Outstanding utility bills?**

Helping the Special Needs Household Be Successful

What can the RA DO?

Know what documentation applicants will be asked for, such as:

- ✓ **Verification of Employment (pay stubs and verification letters?)**
- ✓ **Verification of Income, including child support**
- ✓ **Driver's License; Other government-issued photo ID, such as passports, OK?**
- ✓ **Social Security card;**
- ✓ **Birth certificates for all minors in the household;**
- ✓ **Verification of current and/or previous address;**

Helping the Special Needs Household Be Successful

What can the RA DO?



There are many steps in the housing process: Support your client through the process by preparing them;

✓ **Review the lease with them.**

- Pay close attention to sections on the payment of rent;
- What utilities are included;
- Alteration of the apartment,
- Lease violations;
- Rules involving guests and pets;
- Encourage your client to ask questions so that there is clarity around the responsibilities of both the landlord and the tenant;

Helping the Special Needs Household Be Successful

What can the RA DO?



Ask them what a credit report would show.

- ✓ Clients can think their credit is terrible when actually they have very little being reported, or no credit at all.
- ✓ Educate your clients about their credit report. You can help them to obtain a free credit report at an online site and review it together.
- ✓ Encourage them to make payment arrangements on unpaid utilities and to correct any discrepancies.
- ✓ Landlords focus mainly on evictions and unpaid utilities, which reflect a prospective tenant's ability to pay and maintain rent.

Helping the Special Needs Household Be Successful

What can the RA DO?



Ask your client what an eviction history report would show.

- ✓ If there are eviction issues have them put everything in a letter of explanation;
 - In that letter have the client explain how the eviction happened, what caused it, and what is being done to resolve the situation (if it hasn't been resolved already).
- ✓ Submit the letter with the rental application;

Helping the Special Needs Household Be Successful

What can the RA Do?



Ask them if past landlords will give them references.

- ✓ If you are working with a client who is homeless, references may not be available.
- ✓ Be prepared and try to obtain letters from shelters or friends a client may have stayed with in the past.
- ✓ Transitional housing or shelters may have requirements on behavior and cleanliness. This information may be helpful to a landlord.

Helping the Special Needs Household Be Successful

What can the RA DO?



Ask your client what a criminal history would show.

- ✓ Help your client to obtain police records and ensure that the information is accurate. Landlords will pay particular attention to crimes that involve larceny, arson, violence, weapons, or narcotics charges.
- ✓ If any criminal charges are inaccurate, work with your client to obtain court documentation showing charges with “nolle.” A nolle indicates that the court has dropped charges, but they may still show as active in a police report.
- ✓ A client on probation or parole should obtain letters of support from their assigned officers to show income stabilization, employment.

Helping the Special Needs Client Be Successful

What can the RA DO?

- ✓ **Help your client understand the purpose of a security deposit;**

It is important to educate your client that the security deposit is a guarantee to the landlord that the apartment will not be damaged.

It is generally not used toward unpaid rent.

Upon move in, the landlord and client should do an apartment inspection to document any preexisting damage to the unit.



BEST PRACTICE TIP

Photographs should also be taken and copies given to the client, the landlord, and placed in the client's file.

EXAMPLE OF A REFERRAL AGENCY'S FORM – SEND WITH THE REFERRAL WHEN THEY GO TO THE PROPERTY TO APPLY

ON LETTERHEAD OF REFERRAL AGENCY

DATE

Name of Property

Address of Property

ATTENTION: Property Manager

The REFERRAL AGENCY would like to refer NAME OF APPLICANT to NAME OF PROPERTY to obtain placement in a special needs unit. The applicant understands that this referral does not automatically qualify them for housing.

The agency that will conduct their case management is _____. The contact information for this agency is:

_____. *(If different than Referral Agency.)*

If you have questions regarding the referral, please contact _____. If you have questions regarding the Case Management, please use the contact above.

Signature & Title, etc.

Fair Housing and Discrimination



FHA protects your right to rent an apartment, buy a home, obtain a mortgage, or purchase homeowners insurance free from discrimination based on:

- race,
- color,
- national origin,
- sex,
- religion,
- handicap (disability),
- familial status

Violations of the Fair Housing Act include



- Refusal to sell, rent, or show available housing.
- Being told that the dwelling isn't right for you or your family.
- Being told that housing isn't available in an apartment with a "For Rent" sign.
- Housing advertisements that say "no kids" or "adults only".
- Harassment or intimidation.
- Offering non-standard and unfavorable terms in the purchase of a home or property insurance.
- Terms of availability that change between a phone contact and an in-person visit.
- Being steered to racially segregated neighborhoods during your home search.
- Excessive or inappropriate questioning upon requesting information about a dwelling.
- Requiring different terms and conditions for identical dwellings, i.e. charging higher rent, security deposit for different tenants.
- A refusal to make a reasonable accommodation or allow a modification to make the dwelling accessible for a person with a disability.





Violations of the Fair Housing Act



A housing provider violates the Fair Housing Act when it ‘refuses to make reasonable accommodations in rules, policies, practices or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling...’

REASONABLE ACCOMMODATION



-  To ensure compliance with fair housing laws, managers of rental properties have to have a transparent, well-documented process for screening applicants. RAs should know how to work with them on screening.
-  Fair Housing is often invoked to the Referral Agencies most commonly by the on-site manager stating, “they cannot have different terms or standards for certain tenants”. **Don't let this stop you cold.**
-  What does "reasonable accommodation" within the Fair Housing Act mean?
 - ✓ **A reasonable accommodation is a change to a rule, policy, practice, or service when necessary to allow persons with disabilities equal access to housing.**
-  The Fair Housing Act Regulations at 24 CFR Section 100.202 set forth questions housing providers may ask applicants for housing. These questions are limited to the following:

Reasonable Accommodation

When interviewing applicants for housing, Property Manager's questions are limited to:



- ✓ Applicant's ability to meet the requirements of tenancy,
 - Includes income because our housing is income restricted;
 - Age if the housing is limited to seniors;
- ✓ If the housing has a preference available for persons with disabilities, the housing provider may ask each applicant if she has a disability, but...
 - the provider may not inquire about any details of the person's condition or treatment.
- ✓ Whether an applicant is a current illegal abuser or addict of a controlled substance.
- ✓ Inquiries to determine whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance.

If the provider asks these questions of any applicant, then the provider should ask the same questions of each applicant, regardless of whether the housing provider believes the applicant qualifies for a specific program.

The Fair Housing Act & Reasonable Accommodation



Fair housing laws do not require the property owner or manager to affirmatively offer reasonable accommodations if the tenant or applicant does not request them.



RA's can support their clients by thinking through whether reasonable accommodations could help the tenant comply with the terms of the lease.

✓ Goes back to the RA's pre-screening process.



If your client has a physical or mental health problem, or a disability, and as a result, they need...

- ✓ A change in the rules or policies or in how things are done that would give them an equal chance to participate in the program or use the services,
- ✓ A change in the way information is communicated or given, or
- ✓ A physical change to the housing unit...

Your client may ask for this kind of change, which is called a Reasonable Accommodation.

A Word About Alcoholism...



- ✓ Under both the Fair Housing Act and the Americans with Disabilities Act, alcoholism is considered a disability if it limits one or more of a person's major life activities.
- ✓ Neither law distinguishes between alcoholics in recovery and alcoholics who are still drinking.
- ✓ Since alcohol is a legal substance, whether the applicant is currently drinking alcohol is not relevant.

General Tips

- ✓ **Explain any funds available to cover security deposits, moving costs, etc. (if applicable).**
- ✓ **Make face-to-face contact whenever possible.**
- ✓ **Explain the case management and supportive services accompanying the tenant, as well as, the agency's availability to resolve issues during tenancy and help ensure tenant's success.**
- ✓ **Be proactive. Do not wait for property providers to contact you. Check in with them to make sure everything is going well with new tenants and to see if they have any questions or concerns.**
- ✓ **Regular check ins or contact, will help develop relationships with landlords.**
- ✓ **Always provide timely responses when contacted about an issue so property providers feel supported and continue to work with your clients.**
- ✓ **Focus on the positive. Remind property providers there is an inherent risk with any tenant, but your program provides supportive services to mediate those risks.**
- ✓ **Consider creating a handout briefly describing your program and the supportive services and use this in landlord recruitment efforts.**

Examples of Reasonable Accommodation Requests:

- ✓ **Allowing a service or companion animal and/or not requiring a pet deposit**
- ✓ **Overlooking previous evictions or rental history issues that pertain to a disability or behavior**
- ✓ **Allowing a Personal Care Attendant to live with a resident who might need 24 hour assistance**
- ✓ **Altering an apartment so that the unit can be accessed and used by a person in a wheelchair**
- ✓ **Reserving parking spaces in close proximity to a unit leased by a resident with a mobility impairment**
- ✓ **Painting an apartment with special low-chemical paint for a resident with a chemical sensitivity, allergy or allergy induced asthma**
- ✓ **Not evicting a veteran returning from duty who has struggle with rent payments to due PTSD who is now receiving treatment and support**



Reasonable Accommodations Tips

- ✓ **Always submit formal documentation of the reasonable accommodation request.**
- ✓ **If a resident is denied, be prompt to file an appeal, which will be sent up to a higher level of management and expertise than the property manager.**
- ✓ **If a housing provider refuses a requested accommodation because it is not reasonable, be prepared to discuss alternative accommodations that could help the resident acquire and sustain the housing unit.**
- ✓ **A reasonable accommodation request must be related to a limitation caused by a disability.**
- ✓ **Confidentiality is legally required across the board.**
- ✓ **A resident with a disability must still be able to fulfill essential obligations of tenancy.**
- ✓ **As an agency you are NOT required to reveal anything specific about a person's disability.**



Submitting Reasonable Accommodation Requests:

- ✓ Agencies should have a reasonable accommodation request form in their toolkit. Property management entities or housing organizations should also have a reasonable accommodation request form you can use.
- ✓ The request for accommodation form or document should include:
 - Name of client
 - Date
 - Requested accommodation or modification
 - Time period for accommodation
 - Why the accommodation is needed
 - How accommodation will offset barriers to accessing or living in the housing unit
 - Contact information of support agencies, if applicable
 - Signature of medical profession, if applicable
- ✓ Prior to applying for the unit, discuss and identify housing barriers with the client, that can be offset by a reasonable accommodation.
- ✓ To save time, prepare and submit this form WITH the rental housing application.
- ✓ Follow-up with property manager to ensure request is processed in a timely manner.



FloridaHousingSearch.org Demo

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Call Center Support

- Live support available for landlords and tenants
- Monday-Friday, 9 a.m.-8 p.m. Eastern Time, call 1-877-428-8844
- Toll-free, bilingual, with TTY/TDD service





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Municipal Advisor Notice



Florida Housing Search.org
A Free Place to List & Find Affordable Rental Housing in Florida



CURRENT EVENTS

More Florida Homeowners May be Eligible for Florida HHF Financial Assistance



Florida Housing's SPECIAL NEEDS HOUSING WEBSITE

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 - Resources for Housing Design



Welcome to the Special Needs Website of the Florida Housing Finance Corporation. This website is intended to serve as a comprehensive clearinghouse and portal of information about Florida Housing's affordable housing funding programs and resources that serve persons and households with special needs.

Special needs households include persons that are elderly, physically disabled, at risk of being or are homeless, and/or have extremely low incomes. These special needs populations may include more specifically defined subgroups such as youth aging out of foster care, survivors of domestic violence, persons with severe and persistent mental illness, or persons with developmental disabilities.

Getting Started
The Special Needs Website is organized into the subsections using menu links on the left side of this page. This website also features a variety of links that will sometimes open new windows or websites. For your browsing convenience, no links will take you out of this site. Should you choose a link to



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