



310862

576-03403-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

A bill to be entitled

An act relating to housing assistance; amending s.
420.503, F.S.; redefining the term "service provider";
amending s. 420.507, F.S.; revising the powers that
the Florida Housing Finance Corporation may exercise
in developing and administering the State Apartment
Incentive Loan Program; deleting a specified timeframe
in which the corporation may preclude certain
applicants or affiliates of an applicant from further
participation in any of the corporation's programs;
amending s. 420.5087, F.S.; requiring that State
Apartment Incentive Loan Program funds be made
available through a competitive solicitation process,
subject to certain requirements; requiring program
funds be made available for use by certain sponsors
during the first 6 months of loan or loan guarantee
availability, subject to certain requirements;
revising requirements related to all state apartment
incentive loans, with the exception of certain loans
made to housing communities for the elderly; deleting
provisions related to the reservation of funds related
to certain tenant groups; conforming a cross-
reference; amending s. 420.511, F.S.; deleting a
requirement that the corporation's business plan and
annual report recognize certain fiscal periods;
amending s. 420.622, F.S.; requiring that the State



310862

576-03403-16

27 Office on Homelessness coordinate among certain
28 agencies and providers to produce a statewide
29 consolidated inventory for the state's entire system
30 of homeless programs which incorporates regionally
31 developed plans; directing the office to create a task
32 force to make recommendations regarding the
33 implementation of a statewide Homeless Management
34 Information System (HMIS), subject to certain
35 requirements; requiring the task force to include in
36 its recommendations the development of a statewide,
37 centralized coordinated assessment system; requiring
38 the task force to submit a report to the Council on
39 Homelessness by a specified date; deleting the
40 requirement that the Council on Homelessness explore
41 the potential of creating a statewide Homeless
42 Management Information System and encourage future
43 participation of certain award or grant recipients;
44 requiring the State Office on Homelessness to accept
45 and administer moneys appropriated to it to provide
46 annual Challenge Grants to certain lead agencies of
47 homeless assistance continuums of care; removing the
48 requirement that levels of grant awards be based upon
49 the total population within the continuum of care
50 catchment area and reflect the differing degrees of
51 homelessness in the respective areas; allowing
52 expenditures of leveraged funds or resources only for
53 eligible activities, subject to certain requirements;
54 requiring the State Office on Homelessness, in
55 conjunction with the Council on Homelessness, to



310862

576-03403-16

56 establish specific objectives by which it may evaluate
57 the outcomes of certain lead agencies; requiring that
58 any funding through the State Office on Homelessness
59 be distributed to lead agencies based on their
60 performance and achievement of specified objectives;
61 revising the factors that may be included as criteria
62 for evaluating the performance of lead agencies;
63 amending s. 420.624, F.S.; revising requirements for
64 the local homeless assistance continuum of care plan;
65 providing that the components of a continuum of care
66 plan should include Rapid ReHousing; requiring that
67 specified components of a continuum of care plan be
68 coordinated and integrated with other specified
69 services and programs; creating s. 420.6265, F.S.;
70 providing legislative findings and intent relating to
71 Rapid ReHousing; providing a Rapid ReHousing
72 methodology; amending s. 420.9071, F.S.; redefining
73 the terms "local housing incentive strategies" and
74 "rent subsidies"; conforming a cross-reference;
75 amending s. 420.9072, F.S.; increasing the number of
76 days within which a review committee is required to
77 review a local housing assistance plan or plan
78 revision after receiving it; prohibiting a county or
79 an eligible municipality from expending its portion of
80 the local housing distribution to provide ongoing rent
81 subsidies; specifying exceptions; amending s.
82 420.9075, F.S.; providing that a certain partnership
83 process of the State Housing Initiatives Partnership
84 Program should involve lead agencies of local homeless



310862

576-03403-16

85 assistance continuums of care; encouraging counties
86 and eligible municipalities to develop a strategy
87 within their local housing assistance plans which
88 provides program funds for reducing homelessness;
89 revising criteria and administrative procedures
90 governing each local housing assistance plan; revising
91 the criteria that apply to awards made to sponsors or
92 persons for the purpose of providing housing;
93 requiring that a specified report submitted by
94 counties and municipalities include a description of
95 efforts to reduce homelessness; revising the manner in
96 which a certain share that the corporation distributes
97 directly to a participating eligible municipality is
98 calculated; conforming cross-references; amending s.
99 420.9076, F.S.; revising requirements related to the
100 creation and appointment of members of affordable
101 housing advisory committees; revising requirements
102 related to a report submitted by each advisory
103 committee to the local governing body on affordable
104 housing incentives; requiring the corporation, after
105 issuance of a notice of termination, to distribute
106 directly to a participating eligible municipality a
107 county's share under certain circumstances calculated
108 in a specified manner; creating s. 420.9089, F.S.;
109 providing legislative findings and intent; amending s.
110 421.04, F.S.; prohibiting a housing authority from
111 applying to the Federal Government to seize projects,
112 units, or vouchers of another established housing
113 authority; amending s. 421.05, F.S.; exempting



310862

576-03403-16

114 authorities from s. 215.425, F.S.; amending s.
115 421.091, F.S.; requiring a full financial accounting
116 and audit of public housing agencies to be submitted
117 to the Federal Government pursuant to certain
118 requirements; exempting housing authorities from
119 specified reporting requirements; providing an
120 effective date.

121

122 Be It Enacted by the Legislature of the State of Florida:

123

124 Section 1. Subsection (36) of section 420.503, Florida
125 Statutes, is amended to read:

126 420.503 Definitions.—As used in this part, the term:

127 (36) "Service provider," except as otherwise defined in s.
128 420.512(5), means a law firm, investment bank, certified public
129 accounting firm, auditor, trustee bank, credit underwriter,
130 homeowner loan servicer, or any other provider of services to
131 the corporation which offers to perform or performs services to
132 the corporation or other provider for fees in excess of \$35,000
133 ~~\$25,000~~ in the aggregate during any fiscal year of the
134 corporation. The term includes the agents, officers, principals,
135 and professional employees of the service provider.

136 Section 2. Paragraphs (a) and (b) of subsection (22) of
137 section 420.507, Florida Statutes, are amended, present
138 paragraphs (d) through (i) of that subsection are redesignated
139 as (e) through (j), respectively, a new paragraph (d) is added
140 to that subsection, and subsection (35) of that section is
141 amended, to read:

142 420.507 Powers of the corporation.—The corporation shall



310862

576-03403-16

143 have all the powers necessary or convenient to carry out and
144 effectuate the purposes and provisions of this part, including
145 the following powers which are in addition to all other powers
146 granted by other provisions of this part:

147 (22) To develop and administer the State Apartment
148 Incentive Loan Program. In developing and administering that
149 program, the corporation may:

150 (a) Make first, second, and other subordinated mortgage
151 loans including variable or fixed rate loans subject to
152 contingent interest for all State Apartment Incentive Loans
153 provided in this chapter based upon available cash flow of the
154 projects. The corporation shall make loans exceeding 25 percent
155 of project cost only to nonprofit organizations and public
156 bodies that are able to secure grants, donations of land, or
157 contributions from other sources and to projects meeting the
158 criteria of subparagraph 1. Mortgage loans shall be made
159 available at the following rates of interest:

160 1. Zero to 3 percent interest for sponsors of projects that
161 set aside at least 80 percent of their total units for residents
162 qualifying as farmworkers, commercial fishing workers, the
163 homeless as defined in s. 420.621, or persons with special needs
164 as defined in s. 420.0004(13) over the life of the loan.

165 2. Zero to 3 percent interest based on the pro rata share
166 of units set aside for homeless residents or persons with
167 special needs if the total of such units is less than 80 percent
168 of the units in the borrower's project.

169 3. One to 9 percent interest for sponsors of projects
170 targeted at populations other than farmworkers, commercial
171 fishing workers, ~~the~~ homeless persons, or persons with special



310862

576-03403-16

172 needs.

173 (b) Make loans exceeding 25 percent of project cost when
174 the project serves extremely-low-income persons or projects as
175 provided in paragraph (d).

176 (d) In counties or rural areas of counties that do not have
177 existing units set aside for homeless persons, forgive
178 indebtedness for loans provided to create permanent rental
179 housing units for persons who are homeless, as defined in s.
180 420.621(5), or for persons residing in time-limited transitional
181 housing or institutions as a result of a lack of permanent,
182 affordable housing. Such developments must be supported by a
183 local homeless assistance continuum of care developed under s.
184 420.624; be developed by nonprofit applicants; be small
185 properties as defined by corporation rule; and be a project in
186 the local housing assistance continuum of care plan recognized
187 by the State Office on Homelessness.

188 (35) To preclude from further participation in any of the
189 corporation's programs, ~~for a period of up to 2 years,~~ any
190 applicant or affiliate of an applicant which has made a material
191 misrepresentation or engaged in fraudulent actions in connection
192 with any application for a corporation program.

193 Section 3. Subsections (1) and (3), paragraphs (b), (f),
194 and (k) of subsection (6), and subsection (10) of section
195 420.5087, Florida Statutes, are amended to read:

196 420.5087 State Apartment Incentive Loan Program.—There is
197 hereby created the State Apartment Incentive Loan Program for
198 the purpose of providing first, second, or other subordinated
199 mortgage loans or loan guarantees to sponsors, including for-
200 profit, nonprofit, and public entities, to provide housing



310862

576-03403-16

201 affordable to very-low-income persons.

202 (1) Program funds shall be made available through a
203 competitive solicitation process ~~distributed over successive 3-~~
204 ~~year periods~~ in a manner that meets the need and demand for
205 very-low-income housing throughout the state. That need and
206 demand must be determined by using the most recent statewide
207 low-income rental housing market studies conducted every 3 years
208 ~~available at the beginning of each 3-year period~~. However, at
209 least 10 percent of the program funds, as calculated on an
210 annual basis, ~~distributed during a 3-year period~~ must be made
211 available ~~allocated~~ to each of the following categories of
212 counties, as determined by using the population statistics
213 published in the most recent edition of the Florida Statistical
214 Abstract:

215 (a) Counties that have a population of 825,000 or more.

216 (b) Counties that have a population of more than 100,000
217 but less than 825,000.

218 (c) Counties that have a population of 100,000 or less.

219
220 Any increase in funding required to reach the 10-percent minimum
221 shall be taken from the county category that has the largest
222 portion of the funding allocation. The corporation shall adopt
223 rules that ~~which~~ establish an equitable process for distributing
224 any portion of the 10 percent of program funds made available
225 ~~allocated~~ to the county categories specified in this subsection
226 which remains unallocated ~~at the end of a 3-year period~~.
227 Counties that have a population of 100,000 or less shall be
228 given preference under these rules.

229 (3) During the first 6 months of loan or loan guarantee



310862

576-03403-16

230 availability, program funds shall be made available ~~reserved~~ for
231 use by sponsors who provide the housing set-aside required in
232 subsection (2) for the tenant groups designated in this
233 subsection. The ~~reservation of funds~~ made available to each of
234 these groups shall be determined using the most recent statewide
235 very-low-income rental housing market study available at the
236 time of publication of each notice of fund availability required
237 by paragraph (6) (b). The ~~reservation of funds~~ made available
238 within each notice of fund availability to the tenant groups in
239 paragraphs (b)-(e) ~~(a), (b), and (e)~~ may not be less than 10
240 percent of the funds available at that time. Any increase in
241 funding required to reach the required ~~10-percent~~ minimum must
242 be taken from the tenant group that would receive ~~has~~ the
243 largest percentage of available funds in accordance with the
244 study ~~reservation~~. The ~~reservation of funds~~ made available
245 within each notice of fund availability to the tenant group in
246 paragraph (a) ~~(e)~~ may not be less than 5 percent of the funds
247 available at that time. ~~The reservation of funds within each~~
248 ~~notice of fund availability to the tenant group in paragraph (d)~~
249 ~~may not be more than 10 percent of the funds available at that~~
250 ~~time~~. The tenant groups are:
251 (a) Commercial fishing workers and farmworkers;
252 (b) Families;
253 (c) Persons who are homeless;
254 (d) Persons with special needs; and
255 (e) Elderly persons. Ten percent of the amount made
256 available ~~reserved~~ for the elderly shall ~~be reserved to~~ provide
257 loans to sponsors of housing for the elderly for the purpose of
258 making building preservation, health, or sanitation repairs or



310862

576-03403-16

259 improvements which are required by federal, state, or local
260 regulation or code, or lifesafety or security-related repairs or
261 improvements to such housing. Such a loan may not exceed
262 \$750,000 per housing community for the elderly. In order to
263 receive the loan, the sponsor of the housing community must make
264 a commitment to match at least 5 percent of the loan amount to
265 pay the cost of such repair or improvement. The corporation
266 shall establish the rate of interest on the loan, which may not
267 exceed 3 percent, and the term of the loan, which may not exceed
268 15 years; however, if the lien of the corporation's encumbrance
269 is subordinate to the lien of another mortgagee, then the term
270 may be made coterminous with the longest term of the superior
271 lien. The term of the loan shall be based on a credit analysis
272 of the applicant. The corporation may forgive indebtedness for a
273 share of the loan attributable to the units in a project
274 reserved for extremely-low-income elderly by nonprofit
275 organizations, as defined in s. 420.0004(5), where the project
276 has provided affordable housing to the elderly for 15 years or
277 more. The corporation shall establish, by rule, the procedure
278 and criteria for receiving, evaluating, and competitively
279 ranking all applications for loans under this paragraph. A loan
280 application must include evidence of the first mortgagee's
281 having reviewed and approved the sponsor's intent to apply for a
282 loan. A nonprofit organization or sponsor may not use the
283 proceeds of the loan to pay for administrative costs, routine
284 maintenance, or new construction.

285 (6) On all state apartment incentive loans, except loans
286 made to housing communities for the elderly to provide for
287 lifesafety, building preservation, health, sanitation, or



310862

576-03403-16

288 security-related repairs or improvements, the following
289 provisions shall apply:

290 (b) The corporation shall publish a notice of fund
291 availability in a publication of general circulation throughout
292 the state. Such notice shall be published at least 60 days prior
293 to the application deadline and shall provide notice of the
294 availability ~~temporary reservations~~ of funds established in
295 subsection (3).

296 (f) The review committee established by corporation rule
297 pursuant to this subsection shall make recommendations to the
298 board of directors of the corporation regarding program
299 participation under the State Apartment Incentive Loan Program.
300 The corporation board shall make the final decisions regarding
301 which applicants shall become program participants based on the
302 scores received in the competitive process, further review of
303 applications, and the recommendations of the review committee.
304 The corporation board shall approve or reject applications for
305 loans and shall determine the tentative loan amount available to
306 each applicant selected for participation in the program. The
307 actual loan amount shall be determined pursuant to rule adopted
308 pursuant to s. 420.507(22) (i) ~~s. 420.507(22) (h)~~.

309 (k) Rent controls shall ~~not be allowed on any project~~
310 ~~except as required in conjunction with the issuance of tax-~~
311 ~~exempt bonds or federal low-income housing tax credits and~~
312 ~~except when the sponsor has committed to set aside units for~~
313 ~~extremely low-income persons, in which case rents shall be set~~
314 ~~restricted~~ at the income set-aside levels committed to by the
315 sponsor at the level applicable income limitations established
316 by the corporation for federal low-income tax credits.



310862

576-03403-16

317 ~~(10) (a) Notwithstanding subsection (3), for the 2015-2016~~
318 ~~fiscal year, the reservation of funds for the tenant groups~~
319 ~~within each notice of fund availability shall be:~~

320 ~~1. Not less than 10 percent of the funds available at that~~
321 ~~time for the following tenant groups:~~

322 ~~a. Families;~~

323 ~~b. Persons who are homeless;~~

324 ~~c. Persons with special needs; and~~

325 ~~d. Elderly persons.~~

326 ~~2. Not less than 5 percent of the funds available at that~~
327 ~~time for the commercial fishing workers and farmworkers tenant~~
328 ~~group.~~

329 ~~(b) This subsection expires July 1, 2016.~~

330 Section 4. Subsection (5) of section 420.511, Florida
331 Statutes, is amended to read:

332 420.511 Strategic business plan; long-range program plan;
333 annual report; audited financial statements.-

334 (5) The Auditor General shall conduct an operational audit
335 of the accounts and records of the corporation and provide a
336 written report on the audit to the President of the Senate and
337 the Speaker of the House of Representatives by December 1, 2016.
338 ~~Both the corporation's business plan and annual report must~~
339 ~~recognize the different fiscal periods under which the~~
340 ~~corporation, the state, the Federal Government, and local~~
341 ~~governments operate.~~

342 Section 5. Paragraphs (a) and (b) of subsection (3) and
343 subsections (4), (5), and (6) of section 420.622, Florida
344 Statutes, are amended to read:

345 420.622 State Office on Homelessness; Council on



310862

576-03403-16

346 Homelessness.-

347 (3) The State Office on Homelessness, pursuant to the
348 policies set by the council and subject to the availability of
349 funding, shall:

350 (a) Coordinate among state, local, and private agencies and
351 providers to produce a statewide consolidated inventory program
352 and financial plan for the state's entire system of homeless
353 programs which incorporates regionally developed plans. Such
354 programs include, but are not limited to:

355 1. Programs authorized under the Stewart B. McKinney
356 Homeless Assistance Act of 1987, 42 U.S.C. ss. 11371 et seq.,
357 and carried out under funds awarded to this state; and

358 2. Programs, components thereof, or activities that assist
359 persons who are homeless or at risk for homelessness.

360 (b) Collect, maintain, and make available information
361 concerning persons who are homeless or at risk for homelessness,
362 including demographics information, current services and
363 resources available, the cost and availability of services and
364 programs, and the met and unmet needs of this population. All
365 entities that receive state funding must provide access to all
366 data they maintain in summary form, with no individual
367 identifying information, to assist the council in providing this
368 information. The State Office on Homelessness shall establish a
369 task force to make recommendations regarding the implementation
370 of a statewide Homeless Management Information System (HMIS).
371 The task force shall define the conceptual framework of such a
372 system; study existing statewide HMIS models; establish an
373 inventory of local HMIS systems, including providers and license
374 capacity; examine the aggregated reporting being provided by



310862

576-03403-16

375 local continuums of care; complete an analysis of current
376 continuum of care resources; and provide recommendations on the
377 costs and benefits of implementing a statewide HMIS. The task
378 force shall also make recommendations regarding the development
379 of a statewide, centralized coordinated assessment system in
380 conjunction with the implementation of a statewide HMIS. The
381 task force findings must be reported to the Council on
382 Homelessness no later than December 31, 2016. ~~The council shall~~
383 ~~explore the potential of creating a statewide Management~~
384 ~~Information System (MIS), encouraging the future participation~~
385 ~~of any bodies that are receiving awards or grants from the~~
386 ~~state, if such a system were adopted, enacted, and accepted by~~
387 ~~the state.~~

388 (4) The State Office on Homelessness, with the concurrence
389 of the Council on Homelessness, shall ~~may~~ accept and administer
390 moneys appropriated to it to provide annual "Challenge Grants"
391 to lead agencies of homeless assistance continuums of care
392 designated by the State Office on Homelessness pursuant to s.
393 420.624. The department shall establish varying levels of grant
394 awards up to \$500,000 per lead agency. ~~Award levels shall be~~
395 ~~based upon the total population within the continuum of care~~
396 ~~catchment area and reflect the differing degrees of homelessness~~
397 ~~in the catchment planning areas.~~ The department, in consultation
398 with the Council on Homelessness, shall specify a grant award
399 level in the notice of the solicitation of grant applications.

400 (a) To qualify for the grant, a lead agency must develop
401 and implement a local homeless assistance continuum of care plan
402 for its designated catchment area. The continuum of care plan
403 must implement a coordinated assessment or central intake system



310862

576-03403-16

404 to screen, assess, and refer persons seeking assistance to the
405 appropriate service provider. The lead agency shall also
406 document the commitment of local government and private
407 organizations to provide matching funds or in-kind support in an
408 amount equal to the grant requested. Expenditures of leveraged
409 funds or resources, including third-party cash or in-kind
410 contributions, are permitted only for eligible activities
411 committed on one project which have not been used as leverage or
412 match for any other project or program and must be certified
413 through a written commitment.

414 (b) Preference must be given to those lead agencies that
415 have demonstrated the ability of their continuum of care to
416 provide quality services to homeless persons and the ability to
417 leverage federal homeless-assistance funding under the Stewart
418 B. McKinney Act and private funding for the provision of
419 services to homeless persons.

420 (c) Preference must be given to lead agencies in catchment
421 areas with the greatest need for the provision of housing and
422 services to the homeless, relative to the population of the
423 catchment area.

424 (d) The grant may be used to fund any of the housing,
425 program, or service needs included in the local homeless
426 assistance continuum of care plan. The lead agency may allocate
427 the grant to programs, services, or housing providers that
428 implement the local homeless assistance continuum care plan. The
429 lead agency may provide subgrants to a local agency to implement
430 programs or services or provide housing identified for funding
431 in the lead agency's application to the department. A lead
432 agency may spend a maximum of 8 percent of its funding on



310862

576-03403-16

433 administrative costs.

434 (e) The lead agency shall submit a final report to the
435 department documenting the outcomes achieved by the grant in
436 enabling persons who are homeless to return to permanent housing
437 thereby ending such person's episode of homelessness.

438 (5) The State Office on Homelessness, with the concurrence
439 of the Council on Homelessness, may administer moneys
440 appropriated to it to provide homeless housing assistance grants
441 annually to lead agencies for local homeless assistance
442 continuum of care, as recognized by the State Office on
443 Homelessness, to acquire, construct, or rehabilitate
444 transitional or permanent housing units for homeless persons.
445 These moneys shall consist of any sums that the state may
446 appropriate, as well as money received from donations, gifts,
447 bequests, or otherwise from any public or private source, which
448 are intended to acquire, construct, or rehabilitate transitional
449 or permanent housing units for homeless persons.

450 (a) Grant applicants shall be ranked competitively.
451 Preference must be given to applicants who leverage additional
452 private funds and public funds, particularly federal funds
453 designated for the acquisition, construction, or rehabilitation
454 of transitional or permanent housing for homeless persons; who
455 acquire, build, or rehabilitate the greatest number of units; or
456 ~~and~~ who acquire, build, or rehabilitate in catchment areas
457 having the greatest need for housing for the homeless relative
458 to the population of the catchment area.

459 (b) Funding for any particular project may not exceed
460 \$750,000.

461 (c) Projects must reserve, for a minimum of 10 years, the



310862

576-03403-16

462 number of units acquired, constructed, or rehabilitated through
463 homeless housing assistance grant funding to serve persons who
464 are homeless at the time they assume tenancy.

465 (d) No more than two grants may be awarded annually in any
466 given local homeless assistance continuum of care catchment
467 area.

468 (e) A project may not be funded which is not included in
469 the local homeless assistance continuum of care plan, as
470 recognized by the State Office on Homelessness, for the
471 catchment area in which the project is located.

472 (f) The maximum percentage of funds that the State Office
473 on Homelessness and each applicant may spend on administrative
474 costs is 5 percent.

475 (6) The State Office on Homelessness, in conjunction with
476 the Council on Homelessness, shall establish performance
477 measures and specific objectives by which it may ~~to~~ evaluate the
478 ~~effective~~ performance and outcomes of lead agencies that receive
479 grant funds. Any funding through the State Office on
480 Homelessness shall be distributed to lead agencies based on
481 their overall performance and their achievement of specified
482 objectives. Each lead agency for which grants are made under
483 this section shall provide the State Office on Homelessness a
484 thorough evaluation of the effectiveness of the program in
485 achieving its stated purpose. In evaluating the performance of
486 the lead agencies, the State Office on Homelessness shall base
487 its criteria upon the program objectives, goals, and priorities
488 that were set forth by the lead agencies in their proposals for
489 funding. Such criteria may include, but not be limited to, the
490 number of persons or households that are no longer homeless, the



310862

576-03403-16

491 rate of recidivism to homelessness, and the number of persons
492 who obtain gainful employment ~~homeless individuals provided~~
493 ~~shelter, food, counseling, and job training.~~

494 Section 6. Subsections (3), (7), and (8) of section
495 420.624, Florida Statutes, are amended to read:

496 420.624 Local homeless assistance continuum of care.—

497 (3) Communities or regions seeking to implement a local
498 homeless assistance continuum of care are encouraged to develop
499 and annually update a written plan that includes a vision for
500 the continuum of care, an assessment of the supply of and demand
501 for housing and services for the homeless population, and
502 specific strategies and processes for providing the components
503 of the continuum of care. The State Office on Homelessness, in
504 conjunction with the Council on Homelessness, shall include in
505 the plan a methodology for assessing performance and outcomes.

506 The State Office on Homelessness shall supply a standardized
507 format for written plans, including the reporting of data.

508 (7) The components of a continuum of care plan should
509 include:

510 (a) Outreach, intake, and assessment procedures in order to
511 identify the service and housing needs of an individual or
512 family and to link them with appropriate housing, services,
513 resources, and opportunities;

514 (b) Emergency shelter, in order to provide a safe, decent
515 alternative to living in the streets;

516 (c) Transitional housing;

517 (d) Supportive services, designed to assist with the
518 development of the skills necessary to secure and retain
519 permanent housing;



310862

576-03403-16

520 (e) Permanent supportive housing;
521 (f) Rapid ReHousing, as specified in s. 420.6265;
522 (g)~~(f)~~ Permanent housing;
523 (h)~~(g)~~ Linkages and referral mechanisms among all
524 components to facilitate the movement of individuals and
525 families toward permanent housing and self-sufficiency;
526 (i)~~(h)~~ Services and resources to prevent housed persons
527 from becoming or returning to homelessness; and
528 (j)~~(i)~~ An ongoing planning mechanism to address the needs
529 of all subgroups of the homeless population, including but not
530 limited to:
531 1. Single adult males;
532 2. Single adult females;
533 3. Families with children;
534 4. Families with no children;
535 5. Unaccompanied children and youth;
536 6. Elderly persons;
537 7. Persons with drug or alcohol addictions;
538 8. Persons with mental illness;
539 9. Persons with dual or multiple physical or mental
540 disorders;
541 10. Victims of domestic violence; and
542 11. Persons living with HIV/AIDS.
543 (8) Continuum of care plans must promote participation by
544 all interested individuals and organizations and may not exclude
545 individuals and organizations on the basis of race, color,
546 national origin, sex, handicap, familial status, or religion.
547 Faith-based organizations must be encouraged to participate. To
548 the extent possible, these components must ~~should~~ be coordinated



310862

576-03403-16

549 and integrated with other mainstream health, social services,
550 and employment programs for which homeless populations may be
551 eligible, including Medicaid, State Children's Health Insurance
552 Program, Temporary Assistance for Needy Families, Food
553 Assistance Program, and services funded through the Mental
554 Health and Substance Abuse Block Grant, the Workforce Investment
555 Act, and the welfare-to-work grant program.

556 Section 7. Section 420.6265, Florida Statutes, is created
557 to read:

558 420.6265 Rapid ReHousing.-

559 (1) LEGISLATIVE FINDINGS AND INTENT.-

560 (a) The Legislature finds that Rapid ReHousing is a
561 strategy of using temporary financial assistance and case
562 management to quickly move an individual or family out of
563 homelessness and into permanent housing.

564 (b) The Legislature also finds that public and private
565 solutions to homelessness in the past have focused on providing
566 individuals and families who are experiencing homelessness with
567 emergency shelter, transitional housing, or a combination of
568 both. While emergency shelter and transitional housing programs
569 may provide critical access to services for individuals and
570 families in crisis, the programs often fail to address their
571 long-term needs.

572 (c) The Legislature further finds that most households
573 become homeless as a result of a financial crisis that prevents
574 individuals and families from paying rent or a domestic conflict
575 that results in one member being ejected or leaving without
576 resources or a plan for housing.

577 (d) The Legislature further finds that Rapid ReHousing is



310862

576-03403-16

578 an alternative approach to the current system of emergency
579 shelter or transitional housing which tends to reduce the length
580 of time a person is homeless and has proven to be cost
581 effective.

582 (e) It is therefore the intent of the Legislature to
583 encourage homeless continuums of care to adopt the Rapid
584 ReHousing approach to preventing homelessness for individuals
585 and families who do not require the intense level of supports
586 provided in the permanent supportive housing model.

587 (2) RAPID REHOUSING METHODOLOGY.-

588 (a) The Rapid ReHousing response to homelessness differs
589 from traditional approaches to addressing homelessness by
590 focusing on each individual's or family's barriers to housing.
591 By using this approach, communities can significantly reduce the
592 amount of time that individuals and families are homeless and
593 prevent further episodes of homelessness.

594 (b) In Rapid ReHousing, an individual or family is
595 identified as being homeless, temporary assistance is provided
596 to allow the individual or family to obtain permanent housing as
597 quickly as possible, and, if needed, assistance is provided to
598 allow the individual or family to retain housing.

599 (c) The objective of Rapid ReHousing is to provide
600 assistance for as short a term as possible so that the
601 individual or family receiving assistance does not develop a
602 dependency on the assistance.

603 Section 8. Subsections (16), (25), and (26) of section
604 420.9071, Florida Statutes, are amended to read:

605 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
606 term:



310862

576-03403-16

607 (16) "Local housing incentive strategies" means local
608 regulatory reform or incentive programs to encourage or
609 facilitate affordable housing production, which include at a
610 minimum, assurance that permits ~~as defined in s. 163.3164~~ for
611 affordable housing projects are expedited to a greater degree
612 than other projects, as provided in s. 163.3177(6)(f)3.; an
613 ongoing process for review of local policies, ordinances,
614 regulations, and plan provisions that increase the cost of
615 housing prior to their adoption; and a schedule for implementing
616 the incentive strategies. Local housing incentive strategies may
617 also include other regulatory reforms, such as those enumerated
618 in s. 420.9076 or those recommended by the affordable housing
619 advisory committee in its triennial evaluation of the
620 implementation of affordable housing incentives, and adopted by
621 the local governing body.

622 (25) "Recaptured funds" means funds that are recouped by a
623 county or eligible municipality in accordance with the recapture
624 provisions of its local housing assistance plan pursuant to s.
625 420.9075(5)(i) ~~s. 420.9075(5)(h)~~ from eligible persons or
626 eligible sponsors, which funds were not used for assistance to
627 an eligible household for an eligible activity, when there is a
628 default on the terms of a grant award or loan award.

629 (26) "Rent subsidies" means ongoing monthly rental
630 assistance. ~~The term does not include initial assistance to~~
631 ~~tenants, such as grants or loans for security and utility~~
632 ~~deposits.~~

633 Section 9. Paragraph (b) of subsection (3) and subsection
634 (7) of section 420.9072, Florida Statutes, are amended to read:
635 420.9072 State Housing Initiatives Partnership Program.—The



310862

576-03403-16

636 State Housing Initiatives Partnership Program is created for the
637 purpose of providing funds to counties and eligible
638 municipalities as an incentive for the creation of local housing
639 partnerships, to expand production of and preserve affordable
640 housing, to further the housing element of the local government
641 comprehensive plan specific to affordable housing, and to
642 increase housing-related employment.

643 (3)

644 (b) Within 45 ~~30~~ days after receiving a plan, the review
645 committee shall review the plan and either approve it or
646 identify inconsistencies with the requirements of the program.
647 The corporation shall assist a local government in revising its
648 plan if it initially proves to be inconsistent with program
649 requirements. A plan that is revised by the local government to
650 achieve consistency with program requirements shall be reviewed
651 within 45 ~~30~~ days after submission. The deadlines for submitting
652 original and revised plans shall be established by corporation
653 rule; however, the corporation shall not require submission of a
654 new local housing assistance plan to implement amendments to
655 this act until the currently effective plan expires.

656 (7) (a) A county or an eligible municipality must expend its
657 portion of the local housing distribution only to implement a
658 local housing assistance plan or as provided in this subsection.
659 ~~A county or an eligible municipality may not expend its portion~~
660 ~~of the local housing distribution to provide rent subsidies;~~
661 ~~however, this does not prohibit the use of funds for security~~
662 ~~and utility deposit assistance.~~

663 (b) A county or an eligible municipality may not expend its
664 portion of the local housing distribution to provide ongoing



310862

576-03403-16

665 rent subsidies, except for:

666 1. Security and utility deposit assistance.

667 2. Eviction prevention not to exceed 6 months' rent.

668 3. A rent subsidy program for very-low-income households
669 with at least one adult who is a person with special needs as
670 defined in s. 420.0004 or homeless as defined in s. 420.621. The
671 period of rental assistance may not exceed 12 months for any
672 eligible household.

673 Section 10. Paragraph (a) of subsection (2) of section
674 420.9075, Florida Statutes, is amended, paragraph (f) is added
675 to subsection (3) of that section, paragraph (e) of subsection
676 (4) of that section is amended, present paragraphs (b) through
677 (l) of subsection (5) of that section are redesignated as
678 paragraphs (c) through (m), respectively, present paragraph (l)
679 of that subsection is amended, and a new paragraph (b) is added
680 to that subsection, paragraph (i) is added to subsection (10) of
681 that section, and paragraph (b) of subsection (13) of that
682 section is amended, to read:

683 420.9075 Local housing assistance plans; partnerships.—

684 (2) (a) Each county and each eligible municipality
685 participating in the State Housing Initiatives Partnership
686 Program shall encourage the involvement of appropriate public
687 sector and private sector entities as partners in order to
688 combine resources to reduce housing costs for the targeted
689 population. This partnership process should involve:

690 1. Lending institutions.

691 2. Housing builders and developers.

692 3. Nonprofit and other community-based housing and service
693 organizations.



310862

576-03403-16

- 694 4. Providers of professional services relating to
695 affordable housing.
- 696 5. Advocates for low-income persons, including, but not
697 limited to, homeless people, the elderly, and migrant
698 farmworkers.
- 699 6. Real estate professionals.
- 700 7. Other persons or entities who can assist in providing
701 housing or related support services.
- 702 8. Lead agencies of local homeless assistance continuums of
703 care.
- 704 (3)
- 705 (f) Each county and eligible municipality is encouraged to
706 develop a strategy within its local housing assistance plan
707 which provides program funds for reducing homelessness.
- 708 (4) Each local housing assistance plan is governed by the
709 following criteria and administrative procedures:
- 710 (e) The staff or entity that has administrative authority
711 for implementing a local housing assistance plan assisting
712 rental developments shall annually monitor and determine tenant
713 eligibility or, to the extent another governmental entity or
714 corporation program provides periodic ~~the same~~ monitoring and
715 determination, a municipality, county, or local housing
716 financing authority may rely on such monitoring and
717 determination of tenant eligibility. However, any loan or grant
718 in the original amount of \$10,000 ~~3,000~~ or less is ~~shall not be~~
719 subject to these annual monitoring and determination of tenant
720 eligibility requirements.
- 721 (5) The following criteria apply to awards made to eligible
722 sponsors or eligible persons for the purpose of providing



310862

576-03403-16

723 eligible housing:

724 (b) Up to 25 percent of the funds made available in each
725 county and eligible municipality from the local housing
726 distribution may be reserved for rental housing for eligible
727 persons or for the purposes enumerated in s. 420.9072(7)(b).

728 (m) ~~(l)~~ Funds from the local housing distribution not used
729 to meet the criteria established in paragraph (a) or paragraph
730 (c) ~~(b)~~ or not used for the administration of a local housing
731 assistance plan must be used for housing production and finance
732 activities, including, but not limited to, financing
733 preconstruction activities or the purchase of existing units,
734 providing rental housing, and providing home ownership training
735 to prospective home buyers and owners of homes assisted through
736 the local housing assistance plan.

737 1. Notwithstanding the provisions of paragraphs (a) and (c)
738 ~~(b)~~, program income as defined in s. 420.9071(24) may also be
739 used to fund activities described in this paragraph.

740 2. When preconstruction due-diligence activities conducted
741 as part of a preservation strategy show that preservation of the
742 units is not feasible and will not result in the production of
743 an eligible unit, such costs shall be deemed a program expense
744 rather than an administrative expense if such program expenses
745 do not exceed 3 percent of the annual local housing
746 distribution.

747 3. If both an award under the local housing assistance plan
748 and federal low-income housing tax credits are used to assist a
749 project and there is a conflict between the criteria prescribed
750 in this subsection and the requirements of s. 42 of the Internal
751 Revenue Code of 1986, as amended, the county or eligible



310862

576-03403-16

752 municipality may resolve the conflict by giving precedence to
753 the requirements of s. 42 of the Internal Revenue Code of 1986,
754 as amended, in lieu of following the criteria prescribed in this
755 subsection with the exception of paragraphs (a) and (f) ~~(e)~~ of
756 this subsection.

757 4. Each county and each eligible municipality may award
758 funds as a grant for construction, rehabilitation, or repair as
759 part of disaster recovery or emergency repairs or to remedy
760 accessibility or health and safety deficiencies. Any other
761 grants must be approved as part of the local housing assistance
762 plan.

763 (10) Each county or eligible municipality shall submit to
764 the corporation by September 15 of each year a report of its
765 affordable housing programs and accomplishments through June 30
766 immediately preceding submittal of the report. The report shall
767 be certified as accurate and complete by the local government's
768 chief elected official or his or her designee. Transmittal of
769 the annual report by a county's or eligible municipality's chief
770 elected official, or his or her designee, certifies that the
771 local housing incentive strategies, or, if applicable, the local
772 housing incentive plan, have been implemented or are in the
773 process of being implemented pursuant to the adopted schedule
774 for implementation. The report must include, but is not limited
775 to:

776 (i) A description of efforts to reduce homelessness.

777 (13)

778 (b) If, as a result of its review of the annual report, the
779 corporation determines that a county or eligible municipality
780 has failed to implement a local housing incentive strategy, or,



310862

576-03403-16

781 if applicable, a local housing incentive plan, it shall send a
782 notice of termination of the local government's share of the
783 local housing distribution by certified mail to the affected
784 county or eligible municipality.

785 1. The notice must specify a date of termination of the
786 funding if the affected county or eligible municipality does not
787 implement the plan or strategy and provide for a local response.
788 A county or eligible municipality shall respond to the
789 corporation within 30 days after receipt of the notice of
790 termination.

791 2. The corporation shall consider the local response that
792 extenuating circumstances precluded implementation and grant an
793 extension to the timeframe for implementation. Such an extension
794 shall be made in the form of an extension agreement that
795 provides a timeframe for implementation. The chief elected
796 official of a county or eligible municipality or his or her
797 designee shall have the authority to enter into the agreement on
798 behalf of the local government.

799 3. If the county or the eligible municipality has not
800 implemented the incentive strategy or entered into an extension
801 agreement by the termination date specified in the notice, the
802 local housing distribution share terminates, and any uncommitted
803 local housing distribution funds held by the affected county or
804 eligible municipality in its local housing assistance trust fund
805 shall be transferred to the Local Government Housing Trust Fund
806 to the credit of the corporation to administer.

807 4.a. If the affected local government fails to meet the
808 timeframes specified in the agreement, the corporation shall
809 terminate funds. The corporation shall send a notice of



310862

576-03403-16

810 termination of the local government's share of the local housing
811 distribution by certified mail to the affected local government.
812 The notice shall specify the termination date, and any
813 uncommitted funds held by the affected local government shall be
814 transferred to the Local Government Housing Trust Fund to the
815 credit of the corporation to administer.

816 b. If the corporation terminates funds to a county, but an
817 eligible municipality receiving a local housing distribution
818 pursuant to an interlocal agreement maintains compliance with
819 program requirements, the corporation shall thereafter
820 distribute directly to the participating eligible municipality
821 its share calculated in the manner provided in ss. ~~s-~~ 420.9072
822 and 420.9073.

823 c. Any county or eligible municipality whose local
824 distribution share has been terminated may subsequently elect to
825 receive directly its local distribution share by adopting the
826 ordinance, resolution, and local housing assistance plan in the
827 manner and according to the procedures provided in ss. 420.907-
828 420.9079.

829 Section 11. Subsection (2), paragraph (a) of subsection
830 (4), and paragraph (b) of subsection (7) of section 420.9076,
831 Florida Statutes, are amended to read:

832 420.9076 Adoption of affordable housing incentive
833 strategies; committees.-

834 (2) The governing board of a county or municipality shall
835 appoint the members of the affordable housing advisory committee
836 ~~by resolution~~. Pursuant to the terms of any interlocal
837 agreement, a county and municipality may create and jointly
838 appoint an advisory committee ~~to prepare a joint plan~~. The local



310862

576-03403-16

839 action ordinance adopted pursuant to s. 420.9072 which creates
840 the advisory committee and appoints ~~or the resolution appointing~~
841 the advisory committee members must name at least 8 but not more
842 than 11 ~~provide for 11~~ committee members and specify their
843 terms. The committee must consist of one representative from at
844 least six of the categories below ~~include~~:

845 (a) A ~~One~~ citizen who is actively engaged in the
846 residential home building industry in connection with affordable
847 housing.

848 (b) A ~~One~~ citizen who is actively engaged in the banking or
849 mortgage banking industry in connection with affordable housing.

850 (c) A ~~One~~ citizen who is a representative of those areas of
851 labor actively engaged in home building in connection with
852 affordable housing.

853 (d) A ~~One~~ citizen who is actively engaged as an advocate
854 for low-income persons in connection with affordable housing.

855 (e) A ~~One~~ citizen who is actively engaged as a for-profit
856 provider of affordable housing.

857 (f) A ~~One~~ citizen who is actively engaged as a not-for-
858 profit provider of affordable housing.

859 (g) A ~~One~~ citizen who is actively engaged as a real estate
860 professional in connection with affordable housing.

861 (h) A ~~One~~ citizen who actively serves on the local planning
862 agency pursuant to s. 163.3174. If the local planning agency is
863 comprised of the governing board of the county or municipality,
864 the governing board may appoint a designee who is knowledgeable
865 in the local planning process.

866 (i) A ~~One~~ citizen who resides within the jurisdiction of
867 the local governing body making the appointments.



310862

576-03403-16

868 (j) ~~A~~ ~~One~~ citizen who represents employers within the
869 jurisdiction.

870 (k) ~~A~~ ~~One~~ citizen who represents essential services
871 personnel, as defined in the local housing assistance plan.

872

873 ~~If a county or eligible municipality whether due to its small~~
874 ~~size, the presence of a conflict of interest by prospective~~
875 ~~appointees, or other reasonable factor, is unable to appoint a~~
876 ~~citizen actively engaged in these activities in connection with~~
877 ~~affordable housing, a citizen engaged in the activity without~~
878 ~~regard to affordable housing may be appointed. Local governments~~
879 ~~that receive the minimum allocation under the State Housing~~
880 ~~Initiatives Partnership Program may elect to appoint an~~
881 ~~affordable housing advisory committee with fewer than 11~~
882 ~~representatives if they are unable to find representatives who~~
883 ~~meet the criteria of paragraphs (a) - (k).~~

884 (4) Triennially, the advisory committee shall review the
885 established policies and procedures, ordinances, land
886 development regulations, and adopted local government
887 comprehensive plan of the appointing local government and shall
888 recommend specific actions or initiatives to encourage or
889 facilitate affordable housing while protecting the ability of
890 the property to appreciate in value. The recommendations may
891 include the modification or repeal of existing policies,
892 procedures, ordinances, regulations, or plan provisions; the
893 creation of exceptions applicable to affordable housing; or the
894 adoption of new policies, procedures, regulations, ordinances,
895 or plan provisions, including recommendations to amend the local
896 government comprehensive plan and corresponding regulations,



310862

576-03403-16

897 ordinances, and other policies. At a minimum, each advisory
898 committee shall submit a report to the local governing body that
899 includes recommendations on, and triennially thereafter
900 evaluates the implementation of, affordable housing incentives
901 in the following areas:

902 (a) The processing of approvals of development orders or
903 permits, ~~as defined in s. 163.3164,~~ for affordable housing
904 projects is expedited to a greater degree than other projects,
905 as provided in s. 163.3177(6)(f)3.

906
907 The advisory committee recommendations may also include other
908 affordable housing incentives identified by the advisory
909 committee. Local governments that receive the minimum allocation
910 under the State Housing Initiatives Partnership Program shall
911 perform the initial review but may elect to not perform the
912 triennial review.

913 (7) The governing board of the county or the eligible
914 municipality shall notify the corporation by certified mail of
915 its adoption of an amendment of its local housing assistance
916 plan to incorporate local housing incentive strategies. The
917 notice must include a copy of the approved amended plan.

918 (b) If a county fails to timely adopt an amended local
919 housing assistance plan to incorporate local housing incentive
920 strategies but an eligible municipality receiving a local
921 housing distribution pursuant to an interlocal agreement within
922 the county does timely adopt an amended local housing assistance
923 plan to incorporate local housing incentive strategies, the
924 corporation, after issuance ~~receipt~~ of a notice of termination,
925 shall thereafter distribute directly to the participating



310862

576-03403-16

926 eligible municipality its share calculated in the manner
927 provided in s. 420.9073 ~~s. 420.9072~~.

928 Section 12. Section 420.9089, Florida Statutes, is created
929 to read:

930 420.9089 National Housing Trust Fund.—The Legislature finds
931 that more funding for housing to assist individuals and families
932 who are experiencing homelessness or who are at risk of
933 homelessness is needed and encourages the state entity
934 designated to administer funds made available to the state from
935 the National Housing Trust Fund to propose an allocation plan
936 that includes strategies to reduce homelessness and the risk of
937 homelessness in this state. These strategies shall be in
938 addition to strategies developed under s. 420.5087.

939 Section 13. Subsection (4) is added to section 421.04,
940 Florida Statutes, to read:

941 421.04 Creation of housing authorities.—

942 (4) Regardless of the date of its creation, a housing
943 authority may not apply to the Federal Government to seize any
944 projects, units, or vouchers of another established housing
945 authority, irrespective of each housing authority's areas of
946 operation.

947 Section 14. Subsection (2) of section 421.05, Florida
948 Statutes, is amended to read:

949 421.05 Appointment, qualifications, and tenure of
950 commissioners; hiring of employees.—

951 (2) The powers of each authority shall be vested in the
952 commissioners thereof in office from time to time. A majority of
953 the commissioners shall constitute a quorum of the authority for
954 the purpose of conducting its business and exercising its powers



310862

576-03403-16

955 and for all other purposes. Action may be taken by the authority
956 upon a vote of a majority of the commissioners present, unless
957 in any case the bylaws of the authority require a larger number.
958 The mayor with the concurrence of the governing body shall
959 designate ~~which of the commissioners appointed shall be the~~
960 first chair from among the appointed commissioners, but when the
961 office of the chair of the authority thereafter becomes vacant,
962 the authority shall select a chair from among the its
963 commissioners. An authority shall also select from among the its
964 commissioners a vice chair,~~r~~ and it may employ a secretary, who
965 shall be the executive director, technical experts, and such
966 other officers, agents, and employees, permanent and temporary,
967 as it may require and shall determine their qualifications,
968 duties, and compensation. Accordingly, authorities are exempt
969 from s. 215.425. For such legal services as it may require, An
970 authority may call upon the chief law officer of the city or may
971 employ its own counsel and legal staff for legal services. An
972 authority may delegate to one or more of its agents or employees
973 such powers or duties as it may deem proper.

974 Section 15. Subsection (1) of section 421.091, Florida
975 Statutes, is amended to read:

976 421.091 Financial accounting and investments; fiscal year.-

977 (1) A complete and full financial accounting and audit in
978 accordance with federal audit standards of public housing
979 agencies shall be made biennially by a certified public
980 accountant and submitted to the Federal Government in accordance
981 with its policies. Housing authorities are otherwise exempt from
982 the reporting requirements of s. 218.32. A copy of such audit
983 ~~shall be filed with the governing body and with the Auditor~~



310862

576-03403-16

984 ~~General.~~

985 Section 16. This act shall take effect July 1, 2016.