

By the Committee on Community Affairs; and Senator Hutson

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1                   A bill to be entitled  
2       An act relating to housing; amending s. 125.01055,  
3       F.S.; authorizing a board of county commissioners to  
4       approve development of affordable housing on any  
5       parcel zoned for residential, commercial, or  
6       industrial use; amending s. 163.31771, F.S.; revising  
7       legislative findings; requiring local governments to  
8       adopt ordinances that allow accessory dwelling units  
9       in any area zoned for single-family residential use;  
10      amending s. 163.31801, F.S.; requiring counties,  
11      municipalities, and special districts to include  
12      certain data relating to impact fees in their annual  
13      financial reports; amending s. 166.04151, F.S.;  
14      authorizing governing bodies of municipalities to  
15      approve the development of affordable housing on any  
16      parcel zoned for residential, commercial, or  
17      industrial use; amending s. 212.05, F.S.; providing  
18      the percentage of the sales price of certain mobile  
19      homes which is subject to sales tax; providing a sales  
20      tax exemption for certain mobile homes; amending s.  
21      212.06, F.S.; revising the definition of the term  
22      "fixtures" to include certain mobile homes; amending  
23      s. 320.77, F.S.; revising a certification requirement  
24      for mobile home dealer applicants relating to the  
25      applicant's business location; amending s. 320.822,  
26      F.S.; revising the definition of the term "code";  
27      amending s. 320.8232, F.S.; revising applicable  
28      standards for the repair and remodeling of mobile and  
29      manufactured homes; amending s. 367.022, F.S.;

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30 revising an exemption from regulation for certain  
31 water service resellers; exempting certain mobile home  
32 park and mobile home subdivision owners from  
33 regulation by the Florida Public Service Commission  
34 relating to water and wastewater systems; amending s.  
35 420.5087, F.S.; revising the criteria used by a review  
36 committee when evaluating and selecting specified  
37 applications for state apartment incentive loans;  
38 amending s. 420.5095, F.S.; renaming the Community  
39 Workforce Housing Innovation Pilot Program as the  
40 Community Workforce Housing Loan Program to provide  
41 workforce housing for persons affected by the high  
42 cost of housing; revising the definition of the term  
43 "workforce housing"; deleting the definition of the  
44 term "public-private partnership"; authorizing the  
45 Florida Housing Finance Corporation to provide loans  
46 under the program to applicants for construction of  
47 workforce housing; requiring the corporation to  
48 establish a certain loan application process; deleting  
49 provisions requiring the corporation to provide  
50 incentives for local governments to use certain funds;  
51 requiring projects to receive priority consideration  
52 for funding under certain circumstances; deleting a  
53 provision providing for the expedition of local  
54 government comprehensive plan amendments to implement  
55 a program project; requiring that the corporation  
56 award loans at a specified interest rate and for a  
57 limited term; conforming provisions to changes made by  
58 the act; amending s. 420.531, F.S.; specifying that

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59 technical support provided to local governments and  
60 community-based organizations includes implementation  
61 of the State Apartment Incentive Loan Program;  
62 requiring the entity providing training and technical  
63 assistance to convene and administer biannual  
64 workshops; requiring such entity to annually compile  
65 and submit certain information to the Legislature and  
66 the corporation by a specified date; amending s.  
67 420.9073, F.S.; authorizing the corporation to  
68 withhold a certain portion of funds distributed from  
69 the Local Government Housing Trust Fund to be used for  
70 certain transitional housing; prohibiting such funds  
71 from being used for specified purposes; requiring that  
72 such transitional housing be constructed on certain  
73 campuses; requiring the corporation to consult with  
74 the Department of Children and Families to create  
75 minimum criteria for such housing; providing for the  
76 distribution of withheld funds; amending s. 420.9075,  
77 F.S.; revising requirements for reports submitted by  
78 counties and certain municipalities to the  
79 corporation; amending s. 420.9076, F.S.; beginning on  
80 a specified date, revising the membership of local  
81 affordable housing advisory committees; requiring the  
82 committees to perform specified duties annually  
83 instead of triennially; requiring locally elected  
84 officials serving on advisory committees, or their  
85 designees, to attend biannual regional workshops;  
86 providing a penalty; amending s. 723.041, F.S.;

87 providing that a mobile home park damaged or destroyed

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88 due to natural force may be rebuilt with the same  
89 density as previously approved, permitted, or built;  
90 providing construction; amending s. 723.061, F.S.;  
91 revising a requirement related to mailing eviction  
92 notices; specifying the waiver and nonwaiver of  
93 certain rights of the park owner under certain  
94 circumstances; requiring the accounting at final  
95 hearing of rents received; requiring a tenant  
96 defending certain actions by a landlord to comply with  
97 certain requirements; amending s. 723.063, F.S.;  
98 revising procedures and requirements for mobile home  
99 owners and revising construction relating to park  
100 owners' actions for rent or possession; revising  
101 conditions under which a park owner may apply to a  
102 court for disbursement of certain funds; reenacting s.  
103 420.507(22)(i), F.S., relating to powers of the  
104 Florida Housing Finance Corporation, to incorporate  
105 the amendment made to s. 420.5087, F.S., in a  
106 reference thereto; reenacting s. 193.018(2), F.S.,  
107 relating to land owned by a community land trust used  
108 to provide affordable housing, to incorporate the  
109 amendment made to s. 420.5095, F.S., in a reference  
110 thereto; providing an effective date.

111  
112 Be It Enacted by the Legislature of the State of Florida:

113  
114 Section 1. Subsection (4) is added to section 125.01055,  
115 Florida Statutes, to read:  
116 125.01055 Affordable housing.—

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117       (4) Notwithstanding any other law or local ordinance or  
118 regulation to the contrary, the board of county commissioners  
119 may approve the development of housing that is affordable, as  
120 defined in s. 420.0004, on any parcel zoned for residential,  
121 commercial, or industrial use.

122       Section 2. Subsections (1), (3), and (4) of section  
123 163.31771, Florida Statutes, are amended to read:

124       163.31771 Accessory dwelling units.—

125       (1) The Legislature finds that the median price of homes in  
126 this state has increased steadily over the last decade and at a  
127 greater rate of increase than the median income in many urban  
128 areas. The Legislature finds that the cost of rental housing has  
129 also increased steadily and the cost often exceeds an amount  
130 that is affordable to extremely-low-income, very-low-income,  
131 low-income, or moderate-income persons and has resulted in a  
132 critical shortage of affordable rentals in many urban areas in  
133 the state. This shortage of affordable rentals constitutes a  
134 threat to the health, safety, and welfare of the residents of  
135 the state. Therefore, the Legislature finds that it serves an  
136 important public purpose to require ~~encourage~~ the permitting of  
137 accessory dwelling units in single-family residential areas in  
138 order to increase the availability of affordable rentals for  
139 extremely-low-income, very-low-income, low-income, or moderate-  
140 income persons.

141       (3) ~~A Upon a finding by a local government that there is a~~  
142 ~~shortage of affordable rentals within its jurisdiction, the~~  
143 local government shall ~~may~~ adopt an ordinance to allow accessory  
144 dwelling units in any area zoned for single-family residential  
145 use.

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146       ~~(4) If the local government adopts an ordinance under this~~  
147 ~~section,~~ An application for a building permit to construct an  
148 accessory dwelling unit must include an affidavit from the  
149 applicant which attests that the unit will be rented at an  
150 affordable rate to an extremely-low-income, very-low-income,  
151 low-income, or moderate-income person or persons.

152       Section 3. Subsection (10) is added to section 163.31801,  
153 Florida Statutes, to read:

154       163.31801 Impact fees; short title; intent; minimum  
155 requirements; audits; challenges.—

156       (10) In addition to the items that must be reported in the  
157 annual financial reports under s. 218.32, a county,  
158 municipality, or special district must report all of the  
159 following data on all impact fees charged:

160       (a) The specific purpose of the impact fee, including the  
161 specific infrastructure needs to be met, including, but not  
162 limited to, transportation, parks, water, sewer, and schools.

163       (b) The impact fee schedule policy describing the method of  
164 calculating impact fees, such as flat fees, tiered scales based  
165 on number of bedrooms, or tiered scales based on square footage.

166       (c) The amount assessed for each purpose and for each type  
167 of dwelling.

168       (d) The total amount of impact fees charged by type of  
169 dwelling.

170       Section 4. Subsection (4) is added to section 166.04151,  
171 Florida Statutes, to read:

172       166.04151 Affordable housing.—

173       (4) Notwithstanding any other law or local ordinance or  
174 regulation to the contrary, the governing body of a municipality

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175 may approve the development of housing that is affordable, as  
176 defined in s. 420.0004, on any parcel zoned for residential,  
177 commercial, or industrial use.

178 Section 5. Paragraph (a) of subsection (1) of section  
179 212.05, Florida Statutes, is amended to read:

180 212.05 Sales, storage, use tax.—It is hereby declared to be  
181 the legislative intent that every person is exercising a taxable  
182 privilege who engages in the business of selling tangible  
183 personal property at retail in this state, including the  
184 business of making mail order sales, or who rents or furnishes  
185 any of the things or services taxable under this chapter, or who  
186 stores for use or consumption in this state any item or article  
187 of tangible personal property as defined herein and who leases  
188 or rents such property within the state.

189 (1) For the exercise of such privilege, a tax is levied on  
190 each taxable transaction or incident, which tax is due and  
191 payable as follows:

192 (a)1.a. At the rate of 6 percent of the sales price of each  
193 item or article of tangible personal property when sold at  
194 retail in this state, computed on each taxable sale for the  
195 purpose of remitting the amount of tax due the state, and  
196 including each and every retail sale.

197 b. Each occasional or isolated sale of an aircraft, boat,  
198 mobile home, or motor vehicle of a class or type ~~that~~ which is  
199 required to be registered, licensed, titled, or documented in  
200 this state or by the United States Government shall be subject  
201 to tax at the rate provided in this paragraph. A mobile home  
202 shall be assessed sales tax at a rate of 6 percent on 50 percent  
203 of the sales price of the mobile home, if subject to sales tax

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204 as tangible personal property. However, a mobile home is not  
205 subject to sales tax if the mobile home is intended to be  
206 permanently affixed to the land and the purchaser signs an  
207 affidavit stating that he or she intends to seek an "RP" series  
208 sticker pursuant to s. 320.0815(2). The department shall by rule  
209 adopt any nationally recognized publication for valuation of  
210 used motor vehicles as the reference price list for any used  
211 motor vehicle which is required to be licensed pursuant to s.  
212 320.08(1), (2), (3)(a), (b), (c), or (e), or (9). If any party  
213 to an occasional or isolated sale of such a vehicle reports to  
214 the tax collector a sales price that ~~which~~ is less than 80  
215 percent of the average loan price for the specified model and  
216 year of such vehicle as listed in the most recent reference  
217 price list, the tax levied under this paragraph shall be  
218 computed by the department on such average loan price unless the  
219 parties to the sale have provided to the tax collector an  
220 affidavit signed by each party, or other substantial proof,  
221 stating the actual sales price. Any party to such sale who  
222 reports a sales price less than the actual sales price is guilty  
223 of a misdemeanor of the first degree, punishable as provided in  
224 s. 775.082 or s. 775.083. The department shall collect or  
225 attempt to collect from such party any delinquent sales taxes.  
226 In addition, such party shall pay any tax due and any penalty  
227 and interest assessed plus a penalty equal to twice the amount  
228 of the additional tax owed. Notwithstanding any other provision  
229 of law, the Department of Revenue may waive or compromise any  
230 penalty imposed pursuant to this subparagraph.

231 2. This paragraph does not apply to the sale of a boat or  
232 aircraft by or through a registered dealer under this chapter to

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233 a purchaser who, at the time of taking delivery, is a  
234 nonresident of this state, does not make his or her permanent  
235 place of abode in this state, and is not engaged in carrying on  
236 in this state any employment, trade, business, or profession in  
237 which the boat or aircraft will be used in this state, or is a  
238 corporation none of the officers or directors of which is a  
239 resident of, or makes his or her permanent place of abode in,  
240 this state, or is a noncorporate entity that has no individual  
241 vested with authority to participate in the management,  
242 direction, or control of the entity's affairs who is a resident  
243 of, or makes his or her permanent abode in, this state. For  
244 purposes of this exemption, either a registered dealer acting on  
245 his or her own behalf as seller, a registered dealer acting as  
246 broker on behalf of a seller, or a registered dealer acting as  
247 broker on behalf of the purchaser may be deemed to be the  
248 selling dealer. This exemption shall not be allowed unless:

249 a. The purchaser removes a qualifying boat, as described in  
250 sub-subparagraph f., from the state within 90 days after the  
251 date of purchase or extension, or the purchaser removes a  
252 nonqualifying boat or an aircraft from this state within 10 days  
253 after the date of purchase or, when the boat or aircraft is  
254 repaired or altered, within 20 days after completion of the  
255 repairs or alterations; or if the aircraft will be registered in  
256 a foreign jurisdiction and:

257 (I) Application for the aircraft's registration is properly  
258 filed with a civil airworthiness authority of a foreign  
259 jurisdiction within 10 days after the date of purchase;

260 (II) The purchaser removes the aircraft from the state to a  
261 foreign jurisdiction within 10 days after the date the aircraft

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262 is registered by the applicable foreign airworthiness authority;  
263 and

264 (III) The aircraft is operated in the state solely to  
265 remove it from the state to a foreign jurisdiction.  
266

267 For purposes of this sub-subparagraph, the term "foreign  
268 jurisdiction" means any jurisdiction outside of the United  
269 States or any of its territories;

270 b. The purchaser, within 30 days from the date of  
271 departure, provides the department with written proof that the  
272 purchaser licensed, registered, titled, or documented the boat  
273 or aircraft outside the state. If such written proof is  
274 unavailable, within 30 days the purchaser shall provide proof  
275 that the purchaser applied for such license, title,  
276 registration, or documentation. The purchaser shall forward to  
277 the department proof of title, license, registration, or  
278 documentation upon receipt;

279 c. The purchaser, within 10 days of removing the boat or  
280 aircraft from Florida, furnishes the department with proof of  
281 removal in the form of receipts for fuel, dockage, slippage,  
282 tie-down, or hangaring from outside of Florida. The information  
283 so provided must clearly and specifically identify the boat or  
284 aircraft;

285 d. The selling dealer, within 5 days of the date of sale,  
286 provides to the department a copy of the sales invoice, closing  
287 statement, bills of sale, and the original affidavit signed by  
288 the purchaser attesting that he or she has read the provisions  
289 of this section;

290 e. The seller makes a copy of the affidavit a part of his

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291 or her record for as long as required by s. 213.35; and

292 f. ~~Unless~~ The nonresident purchaser of a boat of 5 net tons  
293 of admeasurement or larger intends to remove the boat from this  
294 state within 10 days after the date of purchase or when the boat  
295 is repaired or altered, within 20 days after completion of the  
296 repairs or alterations, the nonresident purchaser applies to the  
297 selling dealer for a decal which authorizes 90 days after the  
298 date of purchase for removal of the boat. The nonresident  
299 purchaser of a qualifying boat may apply to the selling dealer  
300 within 60 days after the date of purchase for an extension decal  
301 that authorizes the boat to remain in this state for an  
302 additional 90 days, but not more than a total of 180 days,  
303 before the nonresident purchaser is required to pay the tax  
304 imposed by this chapter. The department is authorized to issue  
305 decals in advance to dealers. The number of decals issued in  
306 advance to a dealer shall be consistent with the volume of the  
307 dealer's past sales of boats which qualify under this sub-  
308 subparagraph. The selling dealer or his or her agent shall mark  
309 and affix the decals to qualifying boats in the manner  
310 prescribed by the department, before delivery of the boat.

311 (I) The department is hereby authorized to charge dealers a  
312 fee sufficient to recover the costs of decals issued, except the  
313 extension decal shall cost \$425.

314 (II) The proceeds from the sale of decals will be deposited  
315 into the administrative trust fund.

316 (III) Decals shall display information to identify the boat  
317 as a qualifying boat under this sub-subparagraph, including, but  
318 not limited to, the decal's date of expiration.

319 (IV) The department is authorized to require dealers who

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320 purchase decals to file reports with the department and may  
321 prescribe all necessary records by rule. All such records are  
322 subject to inspection by the department.

323 (V) Any dealer or his or her agent who issues a decal  
324 falsely, fails to affix a decal, mismarks the expiration date of  
325 a decal, or fails to properly account for decals will be  
326 considered prima facie to have committed a fraudulent act to  
327 evade the tax and will be liable for payment of the tax plus a  
328 mandatory penalty of 200 percent of the tax, and shall be liable  
329 for fine and punishment as provided by law for a conviction of a  
330 misdemeanor of the first degree, as provided in s. 775.082 or s.  
331 775.083.

332 (VI) Any nonresident purchaser of a boat who removes a  
333 decal before permanently removing the boat from the state, or  
334 defaces, changes, modifies, or alters a decal in a manner  
335 affecting its expiration date before its expiration, or who  
336 causes or allows the same to be done by another, will be  
337 considered prima facie to have committed a fraudulent act to  
338 evade the tax and will be liable for payment of the tax plus a  
339 mandatory penalty of 200 percent of the tax, and shall be liable  
340 for fine and punishment as provided by law for a conviction of a  
341 misdemeanor of the first degree, as provided in s. 775.082 or s.  
342 775.083.

343 (VII) The department is authorized to adopt rules necessary  
344 to administer and enforce this subparagraph and to publish the  
345 necessary forms and instructions.

346 (VIII) The department is hereby authorized to adopt  
347 emergency rules pursuant to s. 120.54(4) to administer and  
348 enforce the provisions of this subparagraph.

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350 If the purchaser fails to remove the qualifying boat from this  
351 state within the maximum 180 days after purchase or a  
352 nonqualifying boat or an aircraft from this state within 10 days  
353 after purchase or, when the boat or aircraft is repaired or  
354 altered, within 20 days after completion of such repairs or  
355 alterations, or permits the boat or aircraft to return to this  
356 state within 6 months from the date of departure, except as  
357 provided in s. 212.08(7)(fff), or if the purchaser fails to  
358 furnish the department with any of the documentation required by  
359 this subparagraph within the prescribed time period, the  
360 purchaser shall be liable for use tax on the cost price of the  
361 boat or aircraft and, in addition thereto, payment of a penalty  
362 to the Department of Revenue equal to the tax payable. This  
363 penalty shall be in lieu of the penalty imposed by s. 212.12(2).  
364 The maximum 180-day period following the sale of a qualifying  
365 boat tax-exempt to a nonresident may not be tolled for any  
366 reason.

367 Section 6. Paragraph (b) of subsection (14) of section  
368 212.06, Florida Statutes, is amended to read:

369 212.06 Sales, storage, use tax; collectible from dealers;  
370 "dealer" defined; dealers to collect from purchasers;  
371 legislative intent as to scope of tax.—

372 (14) For the purpose of determining whether a person is  
373 improving real property, the term:

374 (b) "Fixtures" means items that are an accessory to a  
375 building, other structure, or land and that do not lose their  
376 identity as accessories when installed but that do become  
377 permanently attached to realty. However, the term does not

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378 include the following items, whether or not such items are  
379 attached to real property in a permanent manner:

380 1. Property of a type that is required to be registered,  
381 licensed, titled, or documented by this state or by the United  
382 States Government, including, but not limited to, mobile homes,  
383 except the term includes mobile homes assessed as real property  
384 or intended to be qualified and taxed as real property pursuant  
385 to s. 320.0815(2). ~~or~~

386 2. Industrial machinery or equipment.  
387

388 For purposes of this paragraph, industrial machinery or  
389 equipment is not limited to machinery and equipment used to  
390 manufacture, process, compound, or produce tangible personal  
391 property. For an item to be considered a fixture, it is not  
392 necessary that the owner of the item also own the real property  
393 to which it is attached.

394 Section 7. Paragraph (h) of subsection (3) of section  
395 320.77, Florida Statutes, is amended to read:

396 320.77 License required of mobile home dealers.—

397 (3) APPLICATION.—The application for such license shall be  
398 in the form prescribed by the department and subject to such  
399 rules as may be prescribed by it. The application shall be  
400 verified by oath or affirmation and shall contain:

401 (h) Certification by the applicant:

402 1. That the location is a permanent one, not a tent or a  
403 temporary stand or other temporary quarters. ~~and,~~

404 2. Except in the case of a mobile home broker, that the  
405 location affords sufficient ~~unoccupied~~ space to display ~~store~~  
406 ~~all mobile homes offered and displayed~~ for sale. A space to

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407 display a manufactured home as a model home is sufficient to  
408 satisfy this requirement.; ~~and that~~ The location must be ~~is~~ a  
409 suitable place in which the applicant can in good faith carry on  
410 business and keep and maintain books, records, and files  
411 necessary to conduct such business, which must ~~will~~ be available  
412 at all reasonable hours to inspection by the department or any  
413 of its inspectors or other employees.

414

415 This paragraph does ~~subsection shall~~ not preclude a licensed  
416 mobile home dealer from displaying and offering for sale mobile  
417 homes in a mobile home park.

418

419 The department shall, if it deems necessary, cause an  
420 investigation to be made to ascertain if the facts set forth in  
421 the application are true and shall not issue a license to the  
422 applicant until it is satisfied that the facts set forth in the  
423 application are true.

424 Section 8. Paragraph (c) of subsection (2) of section

425 320.822, Florida Statutes, is amended to read:

426 320.822 Definitions; ss. 320.822-320.862.—In construing ss.  
427 320.822-320.862, unless the context otherwise requires, the  
428 following words or phrases have the following meanings:

429 (2) "Code" means the appropriate standards found in:

430 (c) The Mobile and Manufactured Home Repair and Remodeling  
431 Code and the Used Recreational Vehicle Code.

432 Section 9. Subsection (2) of section 320.8232, Florida  
433 Statutes, is amended to read:

434 320.8232 Establishment of uniform standards for used  
435 recreational vehicles and repair and remodeling code for mobile

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436 homes.-

437 (2) The Mobile and Manufactured Home ~~provisions of the~~  
438 Repair and Remodeling Code must be a uniform code, must shall  
439 ensure safe and livable housing, and may shall not be more  
440 stringent than those standards required to be met in the  
441 manufacture of mobile homes. Such code must ~~provisions shall~~  
442 ~~include, but not be limited to,~~ standards for structural  
443 adequacy, plumbing, heating, electrical systems, and fire and  
444 life safety. All repairs and remodeling of mobile and  
445 manufactured homes must be performed in accordance with  
446 department rules.

447 Section 10. Subsection (9) of section 367.022, Florida  
448 Statutes, is amended, and subsection (14) is added to that  
449 section, to read:

450 367.022 Exemptions.—The following are not subject to  
451 regulation by the commission as a utility nor are they subject  
452 to the provisions of this chapter, except as expressly provided:

453 (9) Any person who resells water service to his or her  
454 tenants or to individually metered residents for a fee that does  
455 not exceed the actual purchase price of the water and wastewater  
456 service plus the actual cost of meter reading and billing, not  
457 to exceed 9 percent of the actual cost of service.

458 (14) The owner of a mobile home park operating both as a  
459 mobile home park and a mobile home subdivision, as those terms  
460 are defined in s. 723.003, who provides service within the park  
461 and subdivision to a combination of both tenants and lot owners,  
462 provided that the service to tenants is without specific  
463 compensation.

464 Section 11. Paragraph (c) of subsection (6) of section

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465 420.5087, Florida Statutes, is amended to read:

466 420.5087 State Apartment Incentive Loan Program.—There is  
467 hereby created the State Apartment Incentive Loan Program for  
468 the purpose of providing first, second, or other subordinated  
469 mortgage loans or loan guarantees to sponsors, including for-  
470 profit, nonprofit, and public entities, to provide housing  
471 affordable to very-low-income persons.

472 (6) On all state apartment incentive loans, except loans  
473 made to housing communities for the elderly to provide for  
474 lifesafety, building preservation, health, sanitation, or  
475 security-related repairs or improvements, the following  
476 provisions shall apply:

477 (c) The corporation shall provide by rule for the  
478 establishment of a review committee for the competitive  
479 evaluation and selection of applications submitted in this  
480 program, including, but not limited to, the following criteria:

481 1. Tenant income and demographic targeting objectives of  
482 the corporation.

483 2. Targeting objectives of the corporation which will  
484 ensure an equitable distribution of loans between rural and  
485 urban areas.

486 3. Sponsor's agreement to reserve the units for persons or  
487 families who have incomes below 50 percent of the state or local  
488 median income, whichever is higher, for a time period that  
489 exceeds the minimum required by federal law or this part.

490 4. Sponsor's agreement to reserve more than:

491 a. Twenty percent of the units in the project for persons  
492 or families who have incomes that do not exceed 50 percent of  
493 the state or local median income, whichever is higher; or

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494           b. Forty percent of the units in the project for persons or  
495 families who have incomes that do not exceed 60 percent of the  
496 state or local median income, whichever is higher, without  
497 requiring a greater amount of the loans as provided in this  
498 section.

499           5. Provision for tenant counseling.

500           6. Sponsor's agreement to accept rental assistance  
501 certificates or vouchers as payment for rent.

502           7. Projects requiring the least amount of a state apartment  
503 incentive loan compared to overall project cost, except that the  
504 share of the loan attributable to units serving extremely-low-  
505 income persons must be excluded from this requirement.

506           8. Local government contributions and local government  
507 comprehensive planning and activities that promote affordable  
508 housing and policies that promote access to public  
509 transportation, reduce the need for onsite parking, and expedite  
510 permits for affordable housing projects.

511           9. Project feasibility.

512           10. Economic viability of the project.

513           11. Commitment of first mortgage financing.

514           12. Sponsor's prior experience.

515           13. Sponsor's ability to proceed with construction.

516           14. Projects that directly implement or assist welfare-to-  
517 work transitioning.

518           15. Projects that reserve units for extremely-low-income  
519 persons.

520           16. Projects that include green building principles, storm-  
521 resistant construction, or other elements that reduce long-term  
522 costs relating to maintenance, utilities, or insurance.

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523 17. Job-creation rate of the developer and general  
524 contractor, as provided in s. 420.507(47).

525 Section 12. Section 420.5095, Florida Statutes, is amended  
526 to read:

527 420.5095 Community Workforce Housing Loan ~~Innovation Pilot~~  
528 Program.—

529 (1) The Legislature finds and declares that recent rapid  
530 increases in the median purchase price of a home and the cost of  
531 rental housing have far outstripped the increases in median  
532 income in the state, ~~preventing essential services personnel~~  
533 ~~from living in the communities where they serve and thereby~~  
534 creating the need for innovative solutions for the provision of  
535 housing opportunities ~~for essential services personnel~~.

536 (2) The Community Workforce Housing Loan ~~Innovation Pilot~~  
537 Program is created to provide ~~affordable rental and home~~  
538 ~~ownership community~~ workforce housing for persons ~~essential~~  
539 ~~services personnel~~ affected by the high cost of housing, ~~using~~  
540 ~~regulatory incentives and state and local funds to promote local~~  
541 ~~public-private partnerships and leverage government and private~~  
542 ~~resources~~.

543 (3) For purposes of this section, the term—

544 ~~(a)~~ "workforce housing" means housing affordable to natural  
545 persons or families whose total annual household income does not  
546 exceed 80 ~~140~~ percent of the area median income, adjusted for  
547 household size, or 120 ~~150~~ percent of area median income,  
548 adjusted for household size, in areas of critical state concern  
549 designated under s. 380.05, for which the Legislature has  
550 declared its intent to provide affordable housing, and areas  
551 that were designated as areas of critical state concern for at

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552 least 20 consecutive years before ~~prior to~~ removal of the  
553 designation.

554 ~~(b) "Public-private partnership" means any form of business~~  
555 ~~entity that includes substantial involvement of at least one~~  
556 ~~county, one municipality, or one public sector entity, such as a~~  
557 ~~school district or other unit of local government in which the~~  
558 ~~project is to be located, and at least one private sector for-~~  
559 ~~profit or not-for-profit business or charitable entity, and may~~  
560 ~~be any form of business entity, including a joint venture or~~  
561 ~~contractual agreement.~~

562 (4) The Florida Housing Finance Corporation is authorized  
563 to provide loans under the Community Workforce Housing  
564 ~~Innovation Pilot~~ program loans to applicants ~~an applicant~~ for  
565 construction ~~or rehabilitation~~ of workforce housing in eligible  
566 areas. This funding is intended to be used with other public and  
567 ~~private sector resources.~~

568 (5) The corporation shall establish a loan application  
569 process under s. 420.5087 ~~by rule which includes selection~~  
570 ~~criteria, an application review process, and a funding process.~~  
571 ~~The corporation shall also establish an application review~~  
572 ~~committee that may include up to three private citizens~~  
573 ~~representing the areas of housing or real estate development,~~  
574 ~~banking, community planning, or other areas related to the~~  
575 ~~development or financing of workforce and affordable housing.~~

576 ~~(a) The selection criteria and application review process~~  
577 ~~must include a procedure for curing errors in the loan~~  
578 ~~applications which do not make a substantial change to the~~  
579 ~~proposed project.~~

580 ~~(b) To achieve the goals of the pilot program, the~~

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581 ~~application review committee may approve or reject loan~~  
582 ~~applications or responses to questions raised during the review~~  
583 ~~of an application due to the insufficiency of information~~  
584 ~~provided.~~

585 ~~(c) The application review committee shall make~~  
586 ~~recommendations concerning program participation and funding to~~  
587 ~~the corporation's board of directors.~~

588 ~~(d) The board of directors shall approve or reject loan~~  
589 ~~applications, determine the tentative loan amount available to~~  
590 ~~each applicant, and rank all approved applications.~~

591 ~~(e) The board of directors shall decide which approved~~  
592 ~~applicants will become program participants and determine the~~  
593 ~~maximum loan amount for each program participant.~~

594 ~~(6) The corporation shall provide incentives for local~~  
595 ~~governments in eligible areas to use local affordable housing~~  
596 ~~funds, such as those from the State Housing Initiatives~~  
597 ~~Partnership Program, to assist in meeting the affordable housing~~  
598 ~~needs of persons eligible under this program. Local governments~~  
599 ~~are authorized to use State Housing Initiative Partnership~~  
600 ~~Program funds for persons or families whose total annual~~  
601 ~~household income does not exceed:~~

602 ~~(a) One hundred and forty percent of the area median~~  
603 ~~income, adjusted for household size; or~~

604 ~~(b) One hundred and fifty percent of the area median~~  
605 ~~income, adjusted for household size, in areas that were~~  
606 ~~designated as areas of critical state concern for at least 20~~  
607 ~~consecutive years prior to the removal of the designation and in~~  
608 ~~areas of critical state concern, designated under s. 380.05, for~~  
609 ~~which the Legislature has declared its intent to provide~~

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610 ~~affordable housing.~~

611 ~~(7) Funding shall be targeted to innovative projects in~~  
612 ~~areas where the disparity between the area median income and the~~  
613 ~~median sales price for a single family home is greatest, and~~  
614 ~~where population growth as a percentage rate of increase is~~  
615 ~~greatest. The corporation may also fund projects in areas where~~  
616 ~~innovative regulatory and financial incentives are made~~  
617 ~~available. The corporation shall fund at least one eligible~~  
618 ~~project in as many counties and regions of the state as is~~  
619 ~~practicable, consistent with program goals.~~

620 ~~(6)(8) Projects must be given shall receive~~ priority  
621 consideration for funding ~~if~~ where:

622 (a) The local jurisdiction has adopted, or is committed to  
623 adopting, appropriate regulatory incentives, ~~or the local~~  
624 ~~jurisdiction or public-private partnership has adopted or is~~  
625 ~~committed to adopting~~ local contributions or financial  
626 strategies, or other funding sources to promote the development  
627 and ongoing financial viability of such projects. Local  
628 incentives include such actions as expediting review of  
629 development orders and permits, supporting development near  
630 transportation hubs and major employment centers, and adopting  
631 land development regulations designed to allow flexibility in  
632 densities, use of accessory units, mixed-use developments, and  
633 flexible lot configurations. Financial strategies include such  
634 actions as promoting employer-assisted housing programs,  
635 providing tax increment financing, and providing land.

636 ~~(b) Projects are innovative and include new construction or~~  
637 ~~rehabilitation; mixed-income housing; commercial and housing~~  
638 ~~mixed-use elements; innovative design; green building~~

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639 ~~principles; storm-resistant construction; or other elements that~~  
640 ~~reduce long-term costs relating to maintenance, utilities, or~~  
641 ~~insurance and promote homeownership. The program funding may not~~  
642 ~~exceed the costs attributable to the portion of the project that~~  
643 ~~is set aside to provide housing for the targeted population.~~

644 ~~(b)(e) The projects that set aside at least 50 80 percent~~  
645 ~~of units for workforce housing and at least 50 percent for~~  
646 ~~essential services personnel and for projects that require the~~  
647 ~~least amount of program funding compared to the overall housing~~  
648 ~~costs for the project.~~

649 ~~(9) Notwithstanding s. 163.3184(4)(b)(d), any local~~  
650 ~~government comprehensive plan amendment to implement a Community~~  
651 ~~Workforce Housing Innovation Pilot Program project found~~  
652 ~~consistent with this section shall be expedited as provided in~~  
653 ~~this subsection. At least 30 days prior to adopting a plan~~  
654 ~~amendment under this subsection, the local government shall~~  
655 ~~notify the state land planning agency of its intent to adopt~~  
656 ~~such an amendment, and the notice shall include its evaluation~~  
657 ~~related to site suitability and availability of facilities and~~  
658 ~~services. The public notice of the hearing required by s.~~  
659 ~~163.3184(11)(b)2. shall include a statement that the local~~  
660 ~~government intends to use the expedited adoption process~~  
661 ~~authorized by this subsection. Such amendments shall require~~  
662 ~~only a single public hearing before the governing board, which~~  
663 ~~shall be an adoption hearing as described in s. 163.3184(4)(e).~~  
664 ~~Any further proceedings shall be governed by s. 163.3184(5)-~~  
665 ~~(13).~~

666 ~~(10) The processing of approvals of development orders or~~  
667 ~~development permits, as defined in s. 163.3164, for innovative~~

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668 ~~community workforce housing projects shall be expedited.~~

669 ~~(7)(11) The corporation shall award loans with a 1 interest~~  
670 ~~rates set at 1 to 3 percent interest rate for a term that does~~  
671 ~~not exceed 15 years, which may be made forgivable when long-term~~  
672 ~~affordability is provided and when at least 80 percent of the~~  
673 ~~units are set aside for workforce housing and at least 50~~  
674 ~~percent of the units are set aside for essential services~~  
675 ~~personnel.~~

676 ~~(12) All eligible applications shall:~~

677 ~~(a) For home ownership, limit the sales price of a detached~~  
678 ~~unit, townhome, or condominium unit to not more than 90 percent~~  
679 ~~of the median sales price for that type of unit in that county,~~  
680 ~~or the statewide median sales price for that type of unit,~~  
681 ~~whichever is higher, and require that all eligible purchasers of~~  
682 ~~home ownership units occupy the homes as their primary~~  
683 ~~residence.~~

684 ~~(b) For rental units, restrict rents for all workforce~~  
685 ~~housing serving those with incomes at or below 120 percent of~~  
686 ~~area median income at the appropriate income level using the~~  
687 ~~restricted rents for the federal low-income housing tax credit~~  
688 ~~program and, for workforce housing units serving those with~~  
689 ~~incomes above 120 percent of area median income, restrict rents~~  
690 ~~to those established by the corporation, not to exceed 30~~  
691 ~~percent of the maximum household income adjusted to unit size.~~

692 ~~(c) Demonstrate that the applicant is a public-private~~  
693 ~~partnership in an agreement, contract, partnership agreement,~~  
694 ~~memorandum of understanding, or other written instrument signed~~  
695 ~~by all the project partners.~~

696 ~~(d) Have grants, donations of land, or contributions from~~

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697 ~~the public-private partnership or other sources collectively~~  
698 ~~totaling at least 10 percent of the total development cost or \$2~~  
699 ~~million, whichever is less. Such grants, donations of land, or~~  
700 ~~contributions must be evidenced by a letter of commitment,~~  
701 ~~agreement, contract, deed, memorandum of understanding, or other~~  
702 ~~written instrument at the time of application. Grants, donations~~  
703 ~~of land, or contributions in excess of 10 percent of the~~  
704 ~~development cost shall increase the application score.~~

705 ~~(e) Demonstrate how the applicant will use the regulatory~~  
706 ~~incentives and financial strategies outlined in subsection (8)~~  
707 ~~from the local jurisdiction in which the proposed project is to~~  
708 ~~be located. The corporation may consult with the Department of~~  
709 ~~Economic Opportunity in evaluating the use of regulatory~~  
710 ~~incentives by applicants.~~

711 ~~(f) Demonstrate that the applicant possesses title to or~~  
712 ~~site control of land and evidences availability of required~~  
713 ~~infrastructure.~~

714 ~~(g) Demonstrate the applicant's affordable housing~~  
715 ~~development and management experience.~~

716 ~~(h) Provide any research or facts available supporting the~~  
717 ~~demand and need for rental or home ownership workforce housing~~  
718 ~~for eligible persons in the market in which the project is~~  
719 ~~proposed.~~

720 ~~(13) Projects may include manufactured housing constructed~~  
721 ~~after June 1994 and installed in accordance with mobile home~~  
722 ~~installation standards of the Department of Highway Safety and~~  
723 ~~Motor Vehicles.~~

724 ~~(8)-(14)~~ (8) The corporation may adopt rules pursuant to ss.  
725 120.536(1) and 120.54 to implement this section.

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726       ~~(15) The corporation may use a maximum of 2 percent of the~~  
727 ~~annual program appropriation for administration and compliance~~  
728 ~~monitoring.~~

729       ~~(16) The corporation shall review the success of the~~  
730 ~~Community Workforce Housing Innovation Pilot Program to~~  
731 ~~ascertain whether the projects financed by the program are~~  
732 ~~useful in meeting the housing needs of eligible areas and shall~~  
733 ~~include its findings in the annual report required under s.~~  
734 ~~420.511(3).~~

735       Section 13. Section 420.531, Florida Statutes, is amended  
736 to read:

737       420.531 Affordable Housing Catalyst Program.—

738       (1) The corporation shall operate the Affordable Housing  
739 Catalyst Program for the purpose of securing the expertise  
740 necessary to provide specialized technical support to local  
741 governments and community-based organizations to implement the  
742 HOME Investment Partnership Program, State Apartment Incentive  
743 Loan Program, State Housing Initiatives Partnership Program, and  
744 other affordable housing programs. To the maximum extent  
745 feasible, the entity to provide the necessary expertise must be  
746 recognized by the Internal Revenue Service as a nonprofit tax-  
747 exempt organization. It must have as its primary mission the  
748 provision of affordable housing training and technical  
749 assistance, an ability to provide training and technical  
750 assistance statewide, and a proven track record of successfully  
751 providing training and technical assistance under the Affordable  
752 Housing Catalyst Program. The technical support shall, at a  
753 minimum, include training relating to the following key elements  
754 of the partnership programs:

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755        (a)~~(1)~~ Formation of local and regional housing partnerships  
756 as a means of bringing together resources to provide affordable  
757 housing.

758        (b)~~(2)~~ Implementation of regulatory reforms to reduce the  
759 risk and cost of developing affordable housing.

760        (c)~~(3)~~ Implementation of affordable housing programs  
761 included in local government comprehensive plans.

762        (d)~~(4)~~ Compliance with requirements of federally funded  
763 housing programs.

764        (2) In consultation with the corporation, the entity  
765 providing statewide training and technical assistance shall  
766 convene and administer biannual, regional workshops for the  
767 locally elected officials serving on affordable housing advisory  
768 committees as provided in s. 420.9076. The regional workshops  
769 may be conducted through teleconferencing or other technological  
770 means and must include processes and programming that facilitate  
771 peer-to-peer identification and sharing of best affordable  
772 housing practices among the locally elected officials. Annually,  
773 calendar year reports summarizing the deliberations, actions,  
774 and recommendations of each region, as well as the attendance  
775 records of locally elected officials, must be compiled by the  
776 entity providing statewide training and technical assistance for  
777 the Affordable Housing Catalyst Program and must be submitted to  
778 the President of the Senate, the Speaker of the House of  
779 Representatives, and the corporation by March 31 of the  
780 following year.

781        Section 14. Present subsection (7) of section 420.9073,  
782 Florida Statutes, is redesignated as subsection (8), and a new  
783 subsection (7) is added to that section, to read:

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784 420.9073 Local housing distributions.—  
785 (7) Notwithstanding subsections (1)-(4), the corporation  
786 may withhold up to 5 percent of the total amount distributed  
787 each fiscal year from the Local Government Housing Trust Fund to  
788 provide additional funding to counties and eligible  
789 municipalities for the construction of transitional housing for  
790 persons aging out of foster care. Funds may not be used for  
791 design or planning. Such housing must be constructed on a campus  
792 that provides housing for persons aging out of foster care. The  
793 corporation must consult with the Department of Children and  
794 Families to create minimum criteria for such housing. Any  
795 portion of the withheld funds not distributed or committed by  
796 the end of the fiscal year shall be distributed as provided in  
797 subsections (1) and (2).

798 Section 15. Paragraph (j) is added to subsection (10) of  
799 section 420.9075, Florida Statutes, to read:

800 420.9075 Local housing assistance plans; partnerships.—  
801 (10) Each county or eligible municipality shall submit to  
802 the corporation by September 15 of each year a report of its  
803 affordable housing programs and accomplishments through June 30  
804 immediately preceding submittal of the report. The report shall  
805 be certified as accurate and complete by the local government's  
806 chief elected official or his or her designee. Transmittal of  
807 the annual report by a county's or eligible municipality's chief  
808 elected official, or his or her designee, certifies that the  
809 local housing incentive strategies, or, if applicable, the local  
810 housing incentive plan, have been implemented or are in the  
811 process of being implemented pursuant to the adopted schedule  
812 for implementation. The report must include, but is not limited

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813 to:

814 (j) The number of affordable housing applications  
815 submitted, the number approved, and the number denied.

816 Section 16. Subsections (2) and (4) of section 420.9076,  
817 Florida Statutes, are amended, and subsection (10) is added to  
818 that section, to read:

819 420.9076 Adoption of affordable housing incentive  
820 strategies; committees.—

821 (2) The governing board of a county or municipality shall  
822 appoint the members of the affordable housing advisory  
823 committee. Pursuant to the terms of any interlocal agreement, a  
824 county and municipality may create and jointly appoint an  
825 advisory committee. The local action adopted pursuant to s.  
826 420.9072 which creates the advisory committee and appoints the  
827 advisory committee members must name at least 8 but not more  
828 than 11 committee members and specify their terms. Effective  
829 October 1, 2020, the committee must consist of one locally  
830 elected official from each county or municipality participating  
831 in the State Housing Initiatives Partnership Program and one  
832 representative from at least six of the categories below:

833 (a) A citizen who is actively engaged in the residential  
834 home building industry in connection with affordable housing.

835 (b) A citizen who is actively engaged in the banking or  
836 mortgage banking industry in connection with affordable housing.

837 (c) A citizen who is a representative of those areas of  
838 labor actively engaged in home building in connection with  
839 affordable housing.

840 (d) A citizen who is actively engaged as an advocate for  
841 low-income persons in connection with affordable housing.

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842 (e) A citizen who is actively engaged as a for-profit  
843 provider of affordable housing.

844 (f) A citizen who is actively engaged as a not-for-profit  
845 provider of affordable housing.

846 (g) A citizen who is actively engaged as a real estate  
847 professional in connection with affordable housing.

848 (h) A citizen who actively serves on the local planning  
849 agency pursuant to s. 163.3174. If the local planning agency is  
850 comprised of the governing board of the county or municipality,  
851 the governing board may appoint a designee who is knowledgeable  
852 in the local planning process.

853 (i) A citizen who resides within the jurisdiction of the  
854 local governing body making the appointments.

855 (j) A citizen who represents employers within the  
856 jurisdiction.

857 (k) A citizen who represents essential services personnel,  
858 as defined in the local housing assistance plan.

859 (4) Annually ~~Triennially~~, the advisory committee shall  
860 review the established policies and procedures, ordinances, land  
861 development regulations, and adopted local government  
862 comprehensive plan of the appointing local government and shall  
863 recommend specific actions or initiatives to encourage or  
864 facilitate affordable housing while protecting the ability of  
865 the property to appreciate in value. The recommendations may  
866 include the modification or repeal of existing policies,  
867 procedures, ordinances, regulations, or plan provisions; the  
868 creation of exceptions applicable to affordable housing; or the  
869 adoption of new policies, procedures, regulations, ordinances,  
870 or plan provisions, including recommendations to amend the local

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871 government comprehensive plan and corresponding regulations,  
872 ordinances, and other policies. At a minimum, each advisory  
873 committee shall submit an annual ~~a~~ report to the local governing  
874 body and to the entity providing statewide training and  
875 technical assistance for the Affordable Housing Catalyst Program  
876 which ~~that~~ includes recommendations on, ~~and triennially~~  
877 ~~thereafter evaluates~~ the implementation of, affordable housing  
878 incentives in the following areas:

879 (a) The processing of approvals of development orders or  
880 permits for affordable housing projects is expedited to a  
881 greater degree than other projects, as provided in s.  
882 163.3177(6)(f)3.

883 (b) All allowable fee waivers provided ~~The modification of~~  
884 ~~impact fee requirements, including reduction or waiver of fees~~  
885 ~~and alternative methods of fee payment for~~ the development or  
886 construction of affordable housing.

887 (c) The allowance of flexibility in densities for  
888 affordable housing.

889 (d) The reservation of infrastructure capacity for housing  
890 for very-low-income persons, low-income persons, and moderate-  
891 income persons.

892 (e) ~~The allowance of~~ Affordable accessory residential units  
893 ~~in residential zoning districts.~~

894 (f) The reduction of parking and setback requirements for  
895 affordable housing.

896 (g) The allowance of flexible lot configurations, including  
897 zero-lot-line configurations for affordable housing.

898 (h) The modification of street requirements for affordable  
899 housing.

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900 (i) The establishment of a process by which a local  
901 government considers, before adoption, policies, procedures,  
902 ordinances, regulations, or plan provisions that increase the  
903 cost of housing.

904 (j) The preparation of a printed inventory of locally owned  
905 public lands suitable for affordable housing.

906 (k) The support of development near transportation hubs and  
907 major employment centers and mixed-use developments.

908

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

915 (10) The locally elected official serving on an advisory  
916 committee, or a locally elected designee, must attend biannual  
917 regional workshops convened and administered under the  
918 Affordable Housing Catalyst Program as provided in s.  
919 420.531(2). If the locally elected official or a locally elected  
920 designee fails to attend three consecutive regional workshops,  
921 the corporation may withhold funds pending the person's  
922 attendance at the next regularly scheduled biannual meeting.

923 Section 17. Subsections (5) and (6) are added to section  
924 723.041, Florida Statutes, to read:

925 723.041 Entrance fees; refunds; exit fees prohibited;  
926 replacement homes.—

927 (5) A mobile home park that is damaged or destroyed due to  
928 wind, water, or other natural force may be rebuilt on the same

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929 site with the same density as was approved, permitted, or built  
930 before the park was damaged or destroyed.

931 (6) This section does not limit the regulation of the  
932 uniform firesafety standards established under s. 633.206, but  
933 supersedes any other density, separation, setback, or lot size  
934 regulation adopted after initial permitting and construction of  
935 the mobile home park.

936 Section 18. Subsection (4) of section 723.061, Florida  
937 Statutes, is amended, and subsections (5) and (6) are added to  
938 that section, to read:

939 723.061 Eviction; grounds, proceedings.—

940 (4) Except for the notice to the officers of the  
941 homeowners' association under subparagraph (1)(d)1., any notice  
942 required by this section must be in writing~~7~~, and must be posted  
943 on the premises and sent to the mobile home owner and tenant or  
944 occupant, as appropriate, by United States mail ~~certified or~~  
945 ~~registered mail, return receipt requested~~, addressed to the  
946 mobile home owner and tenant or occupant, as appropriate, at her  
947 or his last known address. Delivery of the mailed notice is  
948 ~~shall be~~ deemed given 5 days after the date of postmark.

949 (5) If the park owner accepts payment of any portion of the  
950 lot rental amount with actual knowledge of noncompliance after  
951 notice and termination of the rental agreement due to a  
952 violation under paragraph (1)(b), paragraph (1)(c), or paragraph  
953 (1)(e), the park owner does not waive the right to terminate the  
954 rental agreement or the right to bring a civil action for the  
955 noncompliance, but not for any subsequent or continuing  
956 noncompliance. Any rent so received must be accounted for at the  
957 final hearing.

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958       (6) A tenant who intends to defend against an action by the  
959 landlord for possession for noncompliance under paragraph  
960 (1) (a), paragraph (1) (b), paragraph (1) (c), or paragraph (1) (e)  
961 must comply with s. 723.063(2).

962       Section 19. Section 723.063, Florida Statutes, is amended  
963 to read:

964       723.063 Defenses to action for rent or possession;  
965 procedure.—

966       (1) (a) In any action based upon nonpayment of rent or  
967 seeking to recover unpaid rent, or a portion thereof, the mobile  
968 home owner may defend upon the ground of a material  
969 noncompliance with any portion of this chapter or may raise any  
970 other defense, whether legal or equitable, which he or she may  
971 have.

972       (b) The defense of material noncompliance may be raised by  
973 the mobile home owner only if 7 days have elapsed after he or  
974 she has notified the park owner in writing of his or her  
975 intention not to pay rent, or a portion thereof, based upon the  
976 park owner's noncompliance with portions of this chapter,  
977 specifying in reasonable detail the provisions in default. A  
978 material noncompliance with this chapter by the park owner is a  
979 complete defense to an action for possession based upon  
980 nonpayment of rent, or a portion thereof, and, upon hearing, the  
981 court or the jury, as the case may be, shall determine the  
982 amount, if any, by which the rent is to be reduced to reflect  
983 the diminution in value of the lot during the period of  
984 noncompliance with any portion of this chapter. After  
985 consideration of all other relevant issues, the court shall  
986 enter appropriate judgment.

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987 (2) In any action by the park owner or a mobile home owner  
988 brought under subsection (1), the mobile home owner shall pay  
989 into the registry of the court that portion of the accrued rent,  
990 if any, relating to the claim of material noncompliance as  
991 alleged in the complaint, or as determined by the court. The  
992 court shall notify the mobile home owner of such requirement.  
993 The failure of the mobile home owner to pay the rent, ~~or portion~~  
994 ~~thereof,~~ into the registry of the court or to file a motion to  
995 determine the amount of rent to be paid into the registry within  
996 5 days, excluding Saturdays, Sundays, and legal holidays, after  
997 the date of service of process constitutes an absolute waiver of  
998 the mobile home owner's defenses other than payment, and the  
999 park owner is entitled to an immediate default judgment for  
1000 removal of the mobile home owner with a writ of possession to be  
1001 issued without further notice or hearing thereon. If a motion to  
1002 determine rent is filed, the movant must provide sworn  
1003 documentation in support of his or her allegation that the rent  
1004 alleged in the complaint is erroneous as required herein  
1005 ~~constitutes an absolute waiver of the mobile home owner's~~  
1006 ~~defenses other than payment, and the park owner is entitled to~~  
1007 ~~an immediate default.~~

1008 (3) When the mobile home owner has deposited funds into the  
1009 registry of the court in accordance with ~~the provisions of this~~  
1010 ~~section and the park owner is in actual danger of loss of the~~  
1011 ~~premises or other personal hardship resulting from the loss of~~  
1012 ~~rental income from the premises,~~ the park owner may apply to the  
1013 court for disbursement of all or part of the funds or for prompt  
1014 final hearing, whereupon the court shall advance the cause on  
1015 the calendar. The court, after preliminary hearing, may award

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1016 all or any portion of the funds on deposit to the park owner or  
1017 may proceed immediately to a final resolution of the cause.

1018 Section 20. For the purpose of incorporating the amendment  
1019 made by this act to section 420.5087, Florida Statutes, in a  
1020 reference thereto, paragraph (i) of subsection (22) of section  
1021 420.507, Florida Statutes, is reenacted to read:

1022 420.507 Powers of the corporation.—The corporation shall  
1023 have all the powers necessary or convenient to carry out and  
1024 effectuate the purposes and provisions of this part, including  
1025 the following powers which are in addition to all other powers  
1026 granted by other provisions of this part:

1027 (22) To develop and administer the State Apartment  
1028 Incentive Loan Program. In developing and administering that  
1029 program, the corporation may:

1030 (i) Establish, by rule, the procedure for competitively  
1031 evaluating and selecting all applications for funding based on  
1032 the criteria set forth in s. 420.5087(6)(c), determining actual  
1033 loan amounts, making and servicing loans, and exercising the  
1034 powers authorized in this subsection.

1035 Section 21. For the purpose of incorporating the amendment  
1036 made by this act to section 420.5095, Florida Statutes, in a  
1037 reference thereto, subsection (2) of section 193.018, Florida  
1038 Statutes, is reenacted to read:

1039 193.018 Land owned by a community land trust used to  
1040 provide affordable housing; assessment; structural improvements,  
1041 condominium parcels, and cooperative parcels.—

1042 (2) A community land trust may convey structural  
1043 improvements, condominium parcels, or cooperative parcels, that  
1044 are located on specific parcels of land that are identified by a

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1045 legal description contained in and subject to a ground lease  
1046 having a term of at least 99 years, for the purpose of providing  
1047 affordable housing to natural persons or families who meet the  
1048 extremely-low-income, very-low-income, low-income, or moderate-  
1049 income limits specified in s. 420.0004, or the income limits for  
1050 workforce housing, as defined in s. 420.5095(3). A community  
1051 land trust shall retain a preemptive option to purchase any  
1052 structural improvements, condominium parcels, or cooperative  
1053 parcels on the land at a price determined by a formula specified  
1054 in the ground lease which is designed to ensure that the  
1055 structural improvements, condominium parcels, or cooperative  
1056 parcels remain affordable.

1057 Section 22. This act shall take effect July 1, 2020.