

By the Committee on Children, Families, and Elder Affairs; and
Senator Latvala

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1 A bill to be entitled
2 An act relating to housing for the homeless; amending
3 s. 420.5087, F.S.; requiring that the reservation of
4 funds within each notice of fund availability to
5 persons who are homeless and persons with special
6 needs be at least 10 percent of the funds available at
7 the time of the notice; amending s. 420.622, F.S.;
8 requiring that the State Office on Homelessness
9 coordinate among certain agencies and providers to
10 produce a statewide consolidated inventory for the
11 state's entire system of homeless programs which
12 incorporates regionally developed plans; directing the
13 State Office on Homelessness to create a task force to
14 make recommendations regarding the implementation of a
15 statewide Homeless Management Information System
16 (HMIS) subject to certain requirements; requiring the
17 task force to include in its recommendations the
18 development of a statewide, centralized coordinated
19 assessment system; requiring the task force to submit
20 a report to the Council on Homelessness by a specified
21 date; deleting the requirement that the Council on
22 Homelessness explore the potential of creating a
23 statewide Management Information System and encourage
24 future participation of certain award or grant
25 recipients; requiring the State Office on Homelessness
26 to accept and administer moneys appropriated to it to
27 provide annual Challenge Grants to certain lead
28 agencies of homeless assistance continuums of care;
29 removing the requirement that levels of grant awards

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30 be based upon the total population within the
31 continuum of care catchment area and reflect the
32 differing degrees of homelessness in the respective
33 areas; allowing expenditures of leveraged funds or
34 resources only for eligible activities subject to
35 certain requirements; providing that preference for a
36 grant award must be given to those lead agencies that
37 have demonstrated the ability to leverage specified
38 federal homeless-assistance funding with local
39 government funding, as well as private funding, for
40 the provision of services to homeless persons;
41 revising preference conditions relating to grant
42 applicants; requiring the State Office on
43 Homelessness, in conjunction with the Council on
44 Homelessness, to establish specific objectives by
45 which it may evaluate the outcomes of certain lead
46 agencies; requiring that any funding through the State
47 Office on Homelessness be distributed to lead agencies
48 based on their performance and achievement of
49 specified objectives; revising the factors that may be
50 included as criteria for evaluating the performance of
51 lead agencies; amending s. 420.624, F.S.; revising
52 requirements for the local homeless assistance
53 continuum of care plan; providing that the components
54 of a continuum of care plan should include Rapid
55 ReHousing; requiring that specified components of a
56 continuum of care plan be coordinated and integrated
57 with other specified services and programs; creating
58 s. 420.6265, F.S.; providing legislative findings and

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59 intent relating to Rapid ReHousing; providing a Rapid
60 ReHousing methodology; amending s. 420.9071, F.S.;
61 redefining the term "rent subsidies"; conforming a
62 provision to changes made by the act; amending s.
63 420.9072, F.S.; prohibiting a county or an eligible
64 municipality from expending its portion of the local
65 housing distribution to provide ongoing rent
66 subsidies; specifying exceptions; amending s.
67 420.9073, F.S.; requiring the Florida Housing Finance
68 Corporation to first distribute a certain percentage
69 of the total amount to be distributed each fiscal year
70 from the Local Government Housing Trust Fund to the
71 Department of Children and Families and to the
72 Department of Economic Opportunity, respectively,
73 subject to certain requirements; amending s. 420.9075,
74 F.S.; providing that a certain partnership process of
75 the State Housing Initiatives Partnership Program
76 should involve lead agencies of local homeless
77 assistance continuums of care; encouraging counties
78 and eligible municipalities to develop a strategy
79 within their local housing assistance plans which
80 provides program funds for reducing homelessness;
81 revising the criteria that apply to awards made to
82 sponsors or persons for the purpose of providing
83 housing; requiring that a specified report submitted
84 by counties and municipalities include a description
85 of efforts to reduce homelessness; creating s.
86 420.9089, F.S.; providing legislative findings and
87 intent; providing an effective date.

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

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91 Section 1. Subsection (3) of section 420.5087, Florida
92 Statutes, is amended to read:

93 420.5087 State Apartment Incentive Loan Program.—There is
94 hereby created the State Apartment Incentive Loan Program for
95 the purpose of providing first, second, or other subordinated
96 mortgage loans or loan guarantees to sponsors, including for-
97 profit, nonprofit, and public entities, to provide housing
98 affordable to very-low-income persons.

99 (3) During the first 6 months of loan or loan guarantee
100 availability, program funds shall be reserved for use by
101 sponsors who provide the housing set-aside required in
102 subsection (2) for the tenant groups designated in this
103 subsection. The reservation of funds to each of these groups
104 shall be determined using the most recent statewide very-low-
105 income rental housing market study available at the time of
106 publication of each notice of fund availability required by
107 paragraph (6)(b). The reservation of funds within each notice of
108 fund availability to the tenant groups specified in this
109 subsection must be at least ~~in paragraphs (a), (b), and (c) may~~
110 ~~not be less than~~ 10 percent of the funds available at that time.
111 Any increase in funding required to reach the 10-percent minimum
112 must be taken from the tenant group that has the largest
113 reservation. ~~The reservation of funds within each notice of fund~~
114 ~~availability to the tenant group in paragraph (c) may not be~~
115 ~~less than 5 percent of the funds available at that time. The~~
116 ~~reservation of funds within each notice of fund availability to~~

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117 ~~the tenant group in paragraph (d) may not be more than 10~~
118 ~~percent of the funds available at that time.~~ The tenant groups
119 are:

- 120 (a) Commercial fishing workers and farmworkers;
121 (b) Families;
122 (c) Persons who are homeless;
123 (d) Persons with special needs; and
124 (e) Elderly persons. Ten percent of the amount reserved for
125 the elderly shall be reserved to provide loans to sponsors of
126 housing for the elderly for the purpose of making building
127 preservation, health, or sanitation repairs or improvements
128 which are required by federal, state, or local regulation or
129 code, or lifesafety or security-related repairs or improvements
130 to such housing. Such a loan may not exceed \$750,000 per housing
131 community for the elderly. In order to receive the loan, the
132 sponsor of the housing community must make a commitment to match
133 at least 5 percent of the loan amount to pay the cost of such
134 repair or improvement. The corporation shall establish the rate
135 of interest on the loan, which may not exceed 3 percent, and the
136 term of the loan, which may not exceed 15 years; however, if the
137 lien of the corporation's encumbrance is subordinate to the lien
138 of another mortgagee, then the term may be made coterminous with
139 the longest term of the superior lien. The term of the loan
140 shall be based on a credit analysis of the applicant. The
141 corporation may forgive indebtedness for a share of the loan
142 attributable to the units in a project reserved for extremely-
143 low-income elderly by nonprofit organizations, as defined in s.
144 420.0004(5), where the project has provided affordable housing
145 to the elderly for 15 years or more. The corporation shall

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146 establish, by rule, the procedure and criteria for receiving,
147 evaluating, and competitively ranking all applications for loans
148 under this paragraph. A loan application must include evidence
149 of the first mortgagee's having reviewed and approved the
150 sponsor's intent to apply for a loan. A nonprofit organization
151 or sponsor may not use the proceeds of the loan to pay for
152 administrative costs, routine maintenance, or new construction.

153 Section 2. Paragraphs (a) and (b) of subsection (3) and
154 subsections (4), (5), and (6) of section 420.622, Florida
155 Statutes, are amended to read:

156 420.622 State Office on Homelessness; Council on
157 Homelessness.—

158 (3) The State Office on Homelessness, pursuant to the
159 policies set by the council and subject to the availability of
160 funding, shall:

161 (a) Coordinate among state, local, and private agencies and
162 providers to produce a statewide consolidated inventory program
163 ~~and financial plan~~ for the state's entire system of homeless
164 programs which incorporates regionally developed plans. Such
165 programs include, but are not limited to:

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

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

171 (b) Collect, maintain, and make available information
172 concerning persons who are homeless or at risk for homelessness,
173 including demographics information, current services and
174 resources available, the cost and availability of services and

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175 programs, and the met and unmet needs of this population. All
176 entities that receive state funding must provide access to all
177 data they maintain in summary form, with no individual
178 identifying information, to assist the council in providing this
179 information. The State Office on Homelessness shall establish a
180 task force to make recommendations regarding the implementation
181 of a statewide Homeless Management Information System (HMIS).
182 The task force shall define the conceptual framework of such a
183 system; study existing statewide HMIS models; establish an
184 inventory of local HMIS systems, including providers and license
185 capacity; examine the aggregated reporting being provided by
186 local continuums of care; complete an analysis of current
187 continuum of care resources; and provide recommendations on the
188 costs and benefits of implementing a statewide HMIS. The task
189 force shall also make recommendations regarding the development
190 of a statewide, centralized coordinated assessment system in
191 conjunction with the implementation of a statewide HMIS. The
192 task force findings must be reported to the Council on
193 Homelessness no later than December 31, 2015. ~~The council shall~~
194 ~~explore the potential of creating a statewide Management~~
195 ~~Information System (MIS), encouraging the future participation~~
196 ~~of any bodies that are receiving awards or grants from the~~
197 ~~state, if such a system were adopted, enacted, and accepted by~~
198 ~~the state.~~

199 (4) The State Office on Homelessness, with the concurrence
200 of the Council on Homelessness, shall ~~may~~ accept and administer
201 moneys appropriated to it to provide annual "Challenge Grants"
202 to lead agencies of homeless assistance continuums of care
203 designated by the State Office on Homelessness pursuant to s.

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204 420.624. The department shall establish varying levels of grant
205 awards up to \$500,000 per lead agency. ~~Award levels shall be~~
206 ~~based upon the total population within the continuum of care~~
207 ~~catchment area and reflect the differing degrees of homelessness~~
208 ~~in the catchment planning areas.~~ The department, in consultation
209 with the Council on Homelessness, shall specify a grant award
210 level in the notice of the solicitation of grant applications.

211 (a) To qualify for the grant, a lead agency must develop
212 and implement a local homeless assistance continuum of care plan
213 for its designated catchment area. The continuum of care plan
214 must implement a coordinated assessment or central intake system
215 to screen, assess, and refer persons seeking assistance to the
216 appropriate service provider. The lead agency shall also
217 document the commitment of local government and private
218 organizations to provide matching funds or in-kind support in an
219 amount equal to the grant requested. Expenditures of leveraged
220 funds or resources, including third-party cash or in-kind
221 contributions, are permitted only for eligible activities
222 committed on one project which have not been used as leverage or
223 match for any other project or program and must be certified
224 through a written commitment.

225 (b) Preference must be given to those lead agencies that
226 have demonstrated the ability of their continuum of care to
227 provide quality services to homeless persons and the ability to
228 leverage federal homeless-assistance funding under the Stewart
229 B. McKinney Act with local government and private funding for
230 the provision of services to homeless persons.

231 (c) Preference must be given to lead agencies in catchment
232 areas with the greatest need for the provision of housing and

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233 services to the homeless, relative to the population of the
234 catchment area.

235 (d) The grant may be used to fund any of the housing,
236 program, or service needs included in the local homeless
237 assistance continuum of care plan. The lead agency may allocate
238 the grant to programs, services, or housing providers that
239 implement the local homeless assistance continuum care plan. The
240 lead agency may provide subgrants to a local agency to implement
241 programs or services or provide housing identified for funding
242 in the lead agency's application to the department. A lead
243 agency may spend a maximum of 8 percent of its funding on
244 administrative costs.

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

249 (5) The State Office on Homelessness, with the concurrence
250 of the Council on Homelessness, may administer moneys
251 appropriated to it to provide homeless housing assistance grants
252 annually to lead agencies for local homeless assistance
253 continuum of care, as recognized by the State Office on
254 Homelessness, to acquire, construct, or rehabilitate
255 transitional or permanent housing units for homeless persons.
256 These moneys shall consist of any sums that the state may
257 appropriate, as well as money received from donations, gifts,
258 bequests, or otherwise from any public or private source, which
259 are intended to acquire, construct, or rehabilitate transitional
260 or permanent housing units for homeless persons.

261 (a) Grant applicants shall be ranked competitively.

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262 Preference must be given to applicants who leverage additional
263 private funds and public funds, particularly federal funds
264 designated for the acquisition, construction, or rehabilitation
265 of transitional or permanent housing for homeless persons; who
266 acquire, build, or rehabilitate the greatest number of units; or
267 ~~and~~ who acquire, build, or rehabilitate in catchment areas
268 having the greatest need for housing for the homeless relative
269 to the population of the catchment area.

270 (b) Funding for any particular project may not exceed
271 \$750,000.

272 (c) Projects must reserve, for a minimum of 10 years, the
273 number of units acquired, constructed, or rehabilitated through
274 homeless housing assistance grant funding to serve persons who
275 are homeless at the time they assume tenancy.

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

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

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

286 (6) The State Office on Homelessness, in conjunction with
287 the Council on Homelessness, shall establish performance
288 measures and specific objectives by which it may ~~to~~ evaluate the
289 ~~effective~~ performance and outcomes of lead agencies that receive
290 grant funds. Any funding through the State Office on

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291 Homelessness shall be distributed to lead agencies based on
292 their overall performance and their achievement of specified
293 objectives. Each lead agency for which grants are made under
294 this section shall provide the State Office on Homelessness a
295 thorough evaluation of the effectiveness of the program in
296 achieving its stated purpose. In evaluating the performance of
297 the lead agencies, the State Office on Homelessness shall base
298 its criteria upon the program objectives, goals, and priorities
299 that were set forth by the lead agencies in their proposals for
300 funding. Such criteria may include, but not be limited to, the
301 number of persons or households that are no longer homeless, the
302 rate of recidivism to homelessness, and the number of persons
303 who obtain gainful employment ~~homeless individuals provided~~
304 ~~shelter, food, counseling, and job training.~~

305 Section 3. Subsections (3), (7), and (8) of section
306 420.624, Florida Statutes, are amended to read:

307 420.624 Local homeless assistance continuum of care.—

308 (3) Communities or regions seeking to implement a local
309 homeless assistance continuum of care are encouraged to develop
310 and annually update a written plan that includes a vision for
311 the continuum of care, an assessment of the supply of and demand
312 for housing and services for the homeless population, and
313 specific strategies and processes for providing the components
314 of the continuum of care. The State Office on Homelessness, in
315 conjunction with the Council on Homelessness, shall include in
316 the plan a methodology for assessing performance and outcomes.
317 The State Office on Homelessness shall supply a standardized
318 format for written plans, including the reporting of data.

319 (7) The components of a continuum of care plan should

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320 include:

321 (a) Outreach, intake, and assessment procedures in order to
322 identify the service and housing needs of an individual or
323 family and to link them with appropriate housing, services,
324 resources, and opportunities;

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

327 (c) Transitional housing;

328 (d) Supportive services, designed to assist with the
329 development of the skills necessary to secure and retain
330 permanent housing;

331 (e) Permanent supportive housing;

332 (f) Rapid ReHousing, as specified in s. 420.6265;

333 (g)~~(f)~~ Permanent housing;

334 (h)~~(g)~~ Linkages and referral mechanisms among all
335 components to facilitate the movement of individuals and
336 families toward permanent housing and self-sufficiency;

337 (i)~~(h)~~ Services and resources to prevent housed persons
338 from becoming or returning to homelessness; and

339 (j)~~(i)~~ An ongoing planning mechanism to address the needs
340 of all subgroups of the homeless population, including but not
341 limited to:

- 342 1. Single adult males;
- 343 2. Single adult females;
- 344 3. Families with children;
- 345 4. Families with no children;
- 346 5. Unaccompanied children and youth;
- 347 6. Elderly persons;
- 348 7. Persons with drug or alcohol addictions;

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349 8. Persons with mental illness;

350 9. Persons with dual or multiple physical or mental
351 disorders;

352 10. Victims of domestic violence; and

353 11. Persons living with HIV/AIDS.

354 (8) Continuum of care plans must promote participation by
355 all interested individuals and organizations and may not exclude
356 individuals and organizations on the basis of race, color,
357 national origin, sex, handicap, familial status, or religion.
358 Faith-based organizations must be encouraged to participate. To
359 the extent possible, these components shall ~~should~~ be
360 coordinated and integrated with other mainstream health, social
361 services, and employment programs for which homeless populations
362 may be eligible, including Medicaid, State Children's Health
363 Insurance Program, Temporary Assistance for Needy Families, Food
364 Assistance Program, and services funded through the Mental
365 Health and Substance Abuse Block Grant, the Workforce Investment
366 Act, and the welfare-to-work grant program.

367 Section 4. Section 420.6265, Florida Statutes, is created
368 to read:

369 420.6265 Rapid ReHousing.-

370 (1) LEGISLATIVE FINDINGS AND INTENT.-

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

375 (b) The Legislature also finds that, for most of the past
376 two decades, public and private solutions to homelessness have
377 focused on providing individuals and families who are

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378 experiencing homelessness with emergency shelter, transitional
379 housing, or a combination of both. While emergency shelter and
380 transitional housing programs may provide critical access to
381 services for individuals and families in crisis, they often fail
382 to address their long-term needs.

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

388 (d) The Legislature further finds that Rapid ReHousing is
389 an alternative approach to the current system of emergency
390 shelter or transitional housing which tends to reduce the length
391 of time of homelessness and has proven to be cost effective.

392 (e) It is therefore the intent of the Legislature to
393 encourage homeless continuums of care to adopt the Rapid
394 ReHousing approach to preventing homelessness for individuals
395 and families who do not require the intense level of supports
396 provided in the Permanent Supportive Housing model.

397 (2) RAPID REHOUSING METHODOLOGY.—

398 (a) The Rapid ReHousing approach to homelessness differs
399 from traditional approaches to addressing homelessness by
400 focusing on each individual's or family's barriers to returning
401 to housing. By using this approach, communities can
402 significantly reduce the amount of time that individuals and
403 families are homeless and prevent further episodes of
404 homelessness.

405 (b) In Rapid ReHousing, an individual or family is
406 identified as being homeless, temporary assistance is provided

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407 to allow the individual or family to obtain permanent housing as
408 quickly as possible, and, if needed, assistance is provided to
409 allow the individual or family to retain housing.

410 (c) The objective of Rapid ReHousing is to provide
411 assistance for as short a term as possible so that the
412 individual or family receiving assistance does not develop a
413 dependency on the assistance.

414 Section 5. Subsections (25) and (26) of section 420.9071,
415 Florida Statutes, are amended to read:

416 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
417 term:

418 (25) "Recaptured funds" means funds that are recouped by a
419 county or eligible municipality in accordance with the recapture
420 provisions of its local housing assistance plan pursuant to s.
421 420.9075(5)(g) ~~s. 420.9075(5)(h)~~ from eligible persons or
422 eligible sponsors, which funds were not used for assistance to
423 an eligible household for an eligible activity, when there is a
424 default on the terms of a grant award or loan award.

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

429 Section 6. Subsection (7) of section 420.9072, Florida
430 Statutes, is amended, present subsections (8) and (9) of that
431 section are redesignated as subsections (9) and (10),
432 respectively, and a new subsection (8) is added to that section,
433 to read:

434 420.9072 State Housing Initiatives Partnership Program.—The
435 State Housing Initiatives Partnership Program is created for the

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436 purpose of providing funds to counties and eligible
437 municipalities as an incentive for the creation of local housing
438 partnerships, to expand production of and preserve affordable
439 housing, to further the housing element of the local government
440 comprehensive plan specific to affordable housing, and to
441 increase housing-related employment.

442 (7) A county or an eligible municipality must expend its
443 portion of the local housing distribution only to implement a
444 local housing assistance plan or as provided in this subsection.
445 ~~A county or an eligible municipality may not expend its portion~~
446 ~~of the local housing distribution to provide rent subsidies;~~
447 ~~however, this does not prohibit the use of funds for security~~
448 ~~and utility deposit assistance.~~

449 (8) A county or an eligible municipality may not expend its
450 portion of the local housing distribution to provide ongoing
451 rent subsidies, except for:

452 (a) Security and utility deposit assistance.

453 (b) Eviction prevention not to exceed 6 months' rent.

454 (c) A rent subsidy program for very-low-income households
455 with at least one adult who is a person with special needs as
456 defined in s. 420.0004 or homeless as defined in s. 420.621. The
457 period of rental assistance may not exceed 24 months for any
458 eligible household.

459 Section 7. Present subsections (5) through (7) of section
460 420.9073, Florida Statutes, are redesignated as subsections (6)
461 through (8), and a new subsection (5) is added to that section,
462 to read:

463 420.9073 Local housing distributions.—

464 (5) Notwithstanding subsections (1) through (4), the

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465 corporation shall first distribute 4 percent of the total amount
466 to be distributed in a given fiscal year from the Local
467 Government Housing Trust Fund to the Department of Children and
468 Families and the Department of Economic Opportunity as follows:

469 (a) The Department of Children and Families shall receive
470 95 percent of such amount to provide operating funds and other
471 support to the designated lead agency in each continuum of care
472 for the benefit of the designated catchment area as described in
473 s. 420.624.

474 (b) The Department of Economic Opportunity shall receive 5
475 percent of such amount to provide training and technical
476 assistance to lead agencies receiving operating funds and other
477 support under paragraph (a) in accordance with s. 420.606(3).
478 Training and technical assistance funded by this distribution
479 shall be provided by a nonprofit entity that meets the
480 requirements of s. 420.531.

481 Section 8. Paragraph (a) of subsection (2) of section
482 420.9075, Florida Statutes, is amended, paragraph (f) is added
483 to subsection (3), subsection (5) of that section is amended,
484 and paragraph (i) is added to subsection (10) of that section,
485 to read:

486 420.9075 Local housing assistance plans; partnerships.—

487 (2) (a) Each county and each eligible municipality
488 participating in the State Housing Initiatives Partnership
489 Program shall encourage the involvement of appropriate public
490 sector and private sector entities as partners in order to
491 combine resources to reduce housing costs for the targeted
492 population. This partnership process should involve:

493 1. Lending institutions.

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- 494 2. Housing builders and developers.
- 495 3. Nonprofit and other community-based housing and service
496 organizations.
- 497 4. Providers of professional services relating to
498 affordable housing.
- 499 5. Advocates for low-income persons, including, but not
500 limited to, homeless people, the elderly, and migrant
501 farmworkers.
- 502 6. Real estate professionals.
- 503 7. Other persons or entities who can assist in providing
504 housing or related support services.
- 505 8. Lead agencies of local homeless assistance continuums of
506 care.
- 507 (3)
- 508 (f) Each county and each eligible municipality is
509 encouraged to develop a strategy within its local housing
510 assistance plan which provides program funds for reducing
511 homelessness.
- 512 (5) The following criteria apply to awards made to eligible
513 sponsors or eligible persons for the purpose of providing
514 eligible housing:
- 515 ~~(a) At least 65 percent of the funds made available in each~~
516 ~~county and eligible municipality from the local housing~~
517 ~~distribution must be reserved for home ownership for eligible~~
518 ~~persons.~~
- 519 (a) ~~(b)~~ At least 75 percent of the funds made available in
520 each county and eligible municipality from the local housing
521 distribution must be reserved for construction, rehabilitation,
522 or emergency repair of affordable, eligible housing.

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523 (b)~~(e)~~ Not more than 20 percent of the funds made available
524 in each county and eligible municipality from the local housing
525 distribution may be used for manufactured housing.

526 (c)~~(d)~~ The sales price or value of new or existing eligible
527 housing may not exceed 90 percent of the average area purchase
528 price in the statistical area in which the eligible housing is
529 located. Such average area purchase price may be that calculated
530 for any 12-month period beginning not earlier than the fourth
531 calendar year prior to the year in which the award occurs or as
532 otherwise established by the United States Department of the
533 Treasury.

534 (d)~~(e)~~1. All units constructed, rehabilitated, or otherwise
535 assisted with the funds provided from the local housing
536 assistance trust fund must be occupied by very-low-income
537 persons, low-income persons, and moderate-income persons except
538 as otherwise provided in this section.

539 2. At least 30 percent of the funds deposited into the
540 local housing assistance trust fund must be reserved for awards
541 to very-low-income persons or eligible sponsors who will serve
542 very-low-income persons and at least an additional 30 percent of
543 the funds deposited into the local housing assistance trust fund
544 must be reserved for awards to low-income persons or eligible
545 sponsors who will serve low-income persons. This subparagraph
546 does not apply to a county or an eligible municipality that
547 includes, or has included within the previous 5 years, an area
548 of critical state concern designated or ratified by the
549 Legislature for which the Legislature has declared its intent to
550 provide affordable housing. The exemption created by this act
551 expires on July 1, 2013, and shall apply retroactively.

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552 (e)~~(f)~~ Loans shall be provided for periods not exceeding 30
553 years, except for deferred payment loans or loans that extend
554 beyond 30 years which continue to serve eligible persons.

555 (f)~~(g)~~ Loans or grants for eligible rental housing
556 constructed, rehabilitated, or otherwise assisted from the local
557 housing assistance trust fund must be subject to recapture
558 requirements as provided by the county or eligible municipality
559 in its local housing assistance plan unless reserved for
560 eligible persons for 15 years or the term of the assistance,
561 whichever period is longer. Eligible sponsors that offer rental
562 housing for sale before 15 years or that have remaining
563 mortgages funded under this program must give a first right of
564 refusal to eligible nonprofit organizations for purchase at the
565 current market value for continued occupancy by eligible
566 persons.

567 (g)~~(h)~~ Loans or grants for eligible owner-occupied housing
568 constructed, rehabilitated, or otherwise assisted from proceeds
569 provided from the local housing assistance trust fund shall be
570 subject to recapture requirements as provided by the county or
571 eligible municipality in its local housing assistance plan.

572 (h)~~(i)~~ The total amount of monthly mortgage payments or the
573 amount of monthly rent charged by the eligible sponsor or her or
574 his designee must be made affordable.

575 (i)~~(j)~~ The maximum sales price or value per unit and the
576 maximum award per unit for eligible housing benefiting from
577 awards made pursuant to this section must be established in the
578 local housing assistance plan.

579 (j)~~(k)~~ The benefit of assistance provided through the State
580 Housing Initiatives Partnership Program must accrue to eligible

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581 persons occupying eligible housing. This provision shall not be
582 construed to prohibit use of the local housing distribution
583 funds for a mixed income rental development.

584 (k)~~(l)~~ Funds from the local housing distribution not used
585 to meet the criteria established in paragraph (a) ~~or paragraph~~
586 ~~(b)~~ or not used for the administration of a local housing
587 assistance plan must be used for housing production and finance
588 activities, including, but not limited to, financing
589 preconstruction activities or the purchase of existing units,
590 providing rental housing, and providing home ownership training
591 to prospective home buyers and owners of homes assisted through
592 the local housing assistance plan.

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

596 2. When preconstruction due-diligence activities conducted
597 as part of a preservation strategy show that preservation of the
598 units is not feasible and will not result in the production of
599 an eligible unit, such costs shall be deemed a program expense
600 rather than an administrative expense if such program expenses
601 do not exceed 3 percent of the annual local housing
602 distribution.

603 3. If both an award under the local housing assistance plan
604 and federal low-income housing tax credits are used to assist a
605 project and there is a conflict between the criteria prescribed
606 in this subsection and the requirements of s. 42 of the Internal
607 Revenue Code of 1986, as amended, the county or eligible
608 municipality may resolve the conflict by giving precedence to
609 the requirements of s. 42 of the Internal Revenue Code of 1986,

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610 as amended, in lieu of following the criteria prescribed in this
611 subsection with the exception of paragraph (d) ~~paragraphs (a)~~
612 ~~and (e)~~ of this subsection.

613 4. Each county and each eligible municipality may award
614 funds as a grant for construction, rehabilitation, or repair as
615 part of disaster recovery or emergency repairs or to remedy
616 accessibility or health and safety deficiencies. Any other
617 grants must be approved as part of the local housing assistance
618 plan.

619 (10) Each county or eligible municipality shall submit to
620 the corporation by September 15 of each year a report of its
621 affordable housing programs and accomplishments through June 30
622 immediately preceding submittal of the report. The report shall
623 be certified as accurate and complete by the local government's
624 chief elected official or his or her designee. Transmittal of
625 the annual report by a county's or eligible municipality's chief
626 elected official, or his or her designee, certifies that the
627 local housing incentive strategies, or, if applicable, the local
628 housing incentive plan, have been implemented or are in the
629 process of being implemented pursuant to the adopted schedule
630 for implementation. The report must include, but is not limited
631 to:

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

633 Section 9. Section 420.9089, Florida Statutes, is created
634 to read:

635 420.9089 National Housing Trust Fund.—The Legislature finds
636 that more funding for housing to assist the homeless is needed
637 and encourages the state entity designated to administer funds
638 made available to the state from the National Housing Trust Fund

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639 to propose an allocation plan that includes strategies to reduce
640 homelessness in this state. These strategies to address
641 homelessness shall be in addition to strategies under s.
642 420.5087.

643 Section 10. This act shall take effect July 1, 2015.

644