

# **CITY OF PEMBROKE PINES**

SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

FISCAL YEARS COVERED  
2013/2014, 2014/15 and 2015/16

Adoption: April 17, 2013

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**I. PROGRAM DESCRIPTION** Chapter 67-37.005 F.A.C. and Section 420.9072, F.S.

**A. Name of the participating local government and Interlocal if Applicable:**  
*Section 420.9072(5), F.S.*

CITY OF PEMBROKE PINES

Interlocal : Yes \_\_\_\_\_ No X\_\_\_\_\_

Name of participating local government(s) in the Interlocal Agreement;

\_\_\_\_\_N/A\_\_\_\_\_

**B. Purpose of the program:** Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.

The City of Pembroke Pines' overall goal for its Local Housing Assistance Plan (LHAP) is to meet the housing needs of low to moderate income households and to expand production of and preserve affordable housing. The purpose of the plan is also to further the elements of the City's comprehensive plan specific to affordable housing.

The goal of the Housing Element of the City's Comprehensive Plan is to provide adequate housing with supporting infrastructure for all current and future residents of the City of Pembroke Pines, with particular emphasis on the creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the City.

The SHIP Program mandates that 65% of funded activities must go to homeowner related activities and 75% must go to construction related activities. The remaining available funds, minus program administration may go toward rental activities.

In the LHAP 30% of SHIP funding is set-aside for households at 50% (very low) or lower than the area median income and additional 30% is set aside for households at 51% to 80% (low income) of the area median income. Up to 30% of SHIP funds will be set aside for those households at 81% to 140 % (moderate income) of the area median income. The LHAP will also track those households that are assisted and who are at 30% or lower than the area median income.

The following homeownership strategies outlined in the City's Local Housing Assistance Plan include:

- Housing Rehabilitation (Repair)
- Purchase Assistance (Inclusive of Rehabilitation)
- Foreclosure Prevention
- Acquisition/Rehab and New Construction for Homeownership

The following rental strategies are outlined in the City's Local Housing Assistance Plan

- Rental Deposit Program/Eviction Protection
- Acquisition/Rehab and New Construction for Multi-Family Rental

**C. Fiscal years covered by the Plan:** *Chapter 67-37.002, F.A.C.*

2013/2014

2014/2015

2015/2016

**D. Governance:** *Chapter 67-37.005(3) and (5)(i) F.A.C. and Section 420.9071(14) F.S.*

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37.007 Florida Administrative Code. Program regulations require that cities and counties comply with applicable statute and rules.

The SHIP Program does further the housing element of the local government Comprehensive Plan.

The City must at all times be in compliance with applicable statutes and rules of the SHIP program.

**E. Local Housing Partnership** *Section 420.9072(1)(a), F.S.*

The SHIP Program encourages building active partnerships. The City of Pembroke Pines will continue to build and strengthen partnerships with lenders and other financial institutions, builders, and developers, real estate professionals, employers, counseling and educational providers, non-profit organizations, Broward's Continuum of Care (CoC), , and any other advocate for low-income persons and community development groups.

**F. Leveraging:** *Chapter 67-37.007(1)(b)(c), F.A.C. and Section 420.9075(1)(a) and (1)(b3, and (1)(c), F.S.*

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

The City intends to leverage funds with Community Development Block Grant (CDBG) and HOME Investment Partnership dollars it receives as a member of the Broward County Home Consortium. Other resources such as SAIL, HOP, Local

Income Housing Tax Credit, CWHIP, County, State and Local Bond, and Private Resources may be leveraged as well.

When funds are leveraged and there are different eligibility requirements, the most restrictive requirements will apply.

**G. Public Input:** *Chapter 67-37.005(3), F.A.C.*

Public input for the completion of the LHAP was solicited in combination with the development of the City's 2013 Action Plan. The notice was published in a newspaper with general circulation.. The LHAP was also presented to the City Commission for adoption. If the City's LHAP needs amending, the City will use the strategies above and may seek additional methods of obtaining public input through methods outlined in its adopted Consolidated Plan Citizen Participation Plan.

**H. Advertising and Outreach** *Chapter 67-37.005(6)(a), F.A.C.*

The City of Pembroke Pines or its administrative representative shall advertise the Notice of Funding Availability in a newspaper of general circulation and periodicals. The City may conduct additional advertising and outreach as outlined in its adopted Consolidated Plan Citizen Participation Plan. If funding is not available due to a waiting list, no notice of funding will be necessary or published by the City.

To ensure that information about programs reaches the communities in which they are targeted for, the City will conduct outreach in the form of homeownership fairs, attendance at community meetings, direct mail, and any other method that is deemed effective.

**I. Discrimination:** *Section 420.9075(3)( c), F.S.*

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, or handicap in the award application process for eligible housing. The City's housing programs affirmatively further fair housing.

**J. Support Services and Counseling:** *Chapter 67-37.005(5)(g),F.A.C.*

Support services are available from various sources. Available support services may include but are not limited to:

- Homeownership Counseling (Pre, Post and Green Housing),
- Budget/Credit Counseling,
- Construction Services Home Inspections and Work Specifications for Rehabilitation/Barrier Free-Accessibility Modifications
- Tenant Counseling

**K. Purchase Price Limits:** *Section 420.9075(4)(c), F.S. and Chapter 67-37.007(6)F.A.C.*

Purchase Price Limits: The sales price or value of new or existing eligible housing may

not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that which is calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The limits utilized for non-development housing assistance by the City of Pembroke Pines will correspond with the maximum limit established by the U.S. Treasury Department and will change accordingly as these limits change. No assistance will be provided to new or existing homes that exceed this cap.

Acquisition-Rehabilitation and New Construction related strategies in which assistance will be provided to a private or non-profit developer will be expected to demonstrate that the project(s) are affordable to low and moderate income households, meaning that no more than 30% of the household's income should go towards housing related expenses. Developer assisted projects that demonstrate affordability to low and moderate income households, using the definition above, will be considered for SHIP funding assistance. These projects shall receive priority consideration for funding.

The purchase price limit that is established by the U.S. Treasury Department is not to be misconstrued as the target price for affordable housing in the City of Pembroke Pines. One of the objectives of the City's housing program is not to develop policies that concentrate income groups within the City into one area. Raising the limits promotes housing choices for purchase assistance applicants, promotes mixed-income communities and provides an opportunity to assist more owner-occupied households in areas where assessed housing values have greatly appreciated but residents still fall into very low, low and moderate income categories based on income data provided by the Federal government.

The methodology used is:

- Independent Study (copy attached)
- U.S. Treasury Department
- Local HFA Numbers

**The purchase price/assessed value limit for:**

New Homes: \$386,202.60(Or Current 90% Cap)  
Existing Homes: \$386,202.60 (Or Current 90% Cap)

**L. Income Limits, Rent Limits and Affordability:**

*Chapter 67-37.005(5)(e), F.A.C. and Section 420.9071(2), F.S.*

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by Florida Housing Finance Corporation. Affordable means that monthly rents or mortgage payments

including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. However, it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

**M. Welfare Transition Program:**

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

**N. Monitoring and First Right of Refusal:** *Section 420.9075(3)(e) and (4) (f), F.S.*

In the case of rental housing, the staff or entity that has administrative authority for implementing the Local Housing Assistance Plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored for at least annually for 15 years or the term of assistance which ever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons. All strategies will be monitored annually for effectiveness and timely encumbrance and expenditure of funds to determine if the City's Local Housing Assistance Plan needs to be amended to create more effective housing strategies or if funds need to be reallocated.

**O. Administrative Budget:** *Chapter 67-37.005(6)(f)3, F.A.C..*

A detailed listing including line-item budget of proposed Administrative Expenditures is attached as **Exhibit A**. These are presented on an annual basis for each State fiscal year submitted.

The City finds that the monies deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan. The cost of administering the plan may not exceed 5 percent of the local housing distribution monies and program income deposited into the trust fund. A county or an eligible municipality

may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

The City of Pembroke Pines has adopted the above findings in the attached resolution, **Exhibit E**

**P. PROGRAM ADMINISTRATION**

The City of Pembroke Pines contracts out the services for the administration of the City's SHIP Program to a consultant who demonstrates knowledge and experience in administering the SHIP Program. The contract was awarded through a Request for Proposals/Competitive Process in accordance with the City's procurement policies. The City's Consultant's are responsible for the following (as outlined in Contract):

- Preparation of Local Housing Assistance Plan Including Assisting City Department with the Development and Revision of Strategies.
- Implementation of Local Housing Assistance Plan Strategies.
- Facilitate the Selection and Monitoring of Sponsors and Counseling Services
- Maintain SHIP Tracking Report
- Reconcile SHIP Tracking with Finance
- Authorize Payments for SHIP Expenditure
- Conduct Marketing and Outreach of Programs
- Preparation of SHIP Annual Reports.

**Q. Essential Services Personnel**

Define in accordance with Rule Chapter 67-37.002(8) F.A.C. and Chapter 67-37.005(8), F.A.C. and Section 420.9075(3)(a) FS.

The City of Pembroke Pines defines essential services personnel as any person in need of affordable housing who is a permanent employee (excluding temporary and on-call employees) of a company or organization located within Broward County, which falls into on of the following sectors or codes as defined within the North American Industry Classification System (NAICS), published by the U.S. Department of Labor:

Sector 44-45:	Retail Trade
Sector 61:	Education Services
Sector 62:	Health Care and Social Assistance
Section 72:	Accommodation and Food Services
Sector 81:	Other Services (Except Public Administration)
Code 485:	Transit and Ground Passenger Transportation



Code 922: Justice, public order, and safety activities

## R. Green Initiatives

In accordance with Section 420.9075(3)(d) F.S., the City will incorporate the following green initiatives into rehabilitation and new construction activities where cost feasible.

### Energy conservation

- Energy star qualified appliances – refrigerators, stoves, water heaters,
- Ceiling fans in living and bed rooms.
- Motion sensors light switches
- Cool roofing – single polymer cover or elastomeric coating
- Programmable thermostat

### Water conservation

- WaterSense Faucets
- WaterSense Toilets
- WaterSense Shower heads (when available, projected 2011)

### Healthy environment

- Green Label Certified Floor coverings
- Mold/Lead/Asbestos Removal

### Durability

- Extended warranty items
- Quality standards for materials

### Access & transportation

- New construction projects that is accessible by public transportation.

## S. Special Housing Needs

In accordance with **Section 420.9075(1)(a), F.S.**, the City will address the following special needs as defined in Rule Chapter 67-37.002 (21), F.A.C.

### Elderly (Households 62 years of age or older)

Safety oriented- visual/texture cues to indicate stairs, redundant visual and audio alarms  
Equitable use – Altering existing structures to make them more user friendly, i.e., adapting sidewalks and stairs to be wheelchair accessible  
Low physical effort – adapting home to make it physically easier for client to achieve daily tasks, i.e. lighter doors (fiberglass instead of steel), impact glass instead of panel shutters.

### Persons with disabilities

Rehabilitation to make homes accessible

Approach and Use – Modifying homes so that all items are appropriate size and space is provided to access regardless of clients size, posture, or mobility.

Homeless

The City will continue to work with the County Continuum of Care (CoC) to address the needs of the City's homeless population.

Youth Aging Out of Foster Care

In accordance with SHIP rule 67-37.002(21) the City will include Youth Aging out of Foster Care as a special needs group to receive priority assistance.

**II. LHAP HOUSING STRATEGIES:** *Chapter 67-37.005(5), F.A.C.*

Provide Description:

**A. Name of the Strategy: HOUSING RESIDENTIAL REHABILITATION**

- a) Summary of the Strategy:** The Owner Occupied Housing Rehabilitation Program is designed to assist owner-occupied residential properties. Eligible properties include, single family, condos, townhomes, villas, and eligible manufactured homes. The primary purpose of the program is to provide repairs necessary to provide safe and decent housing, eliminate any instances of substandard housing, and preserve the City's affordable housing stock. Activities include owner-occupied comprehensive repairs/improvements and emergency repairs. Demolition/reconstruction of code related repairs may be addressed as part of a comprehensive or emergency repair.

Loan funds shall be used to fund the following repairs/improvements.

1. Eliminate building code violations.
2. Abate any health and safety issues in the home.
3. Repair, upgrade, or replace major building systems, as necessary. Major building systems include: Structural, Electrical, Plumbing, Heating, Ventilation, Air Conditioning and Sewer Systems.
4. Prevent weather penetration, promote energy efficiency/green initiatives outlined on page 7, including the use of Energy Star products in the home.
5. Provide non-luxury general improvements that improve conditions and structure of the home.
6. Provide barrier-free accessibility improvements to elderly – individuals 62 years old and older and disabled owner-occupied households. Households where an applicant has a disability will be required to provide an SSI or SSDI award letter or a letter from a doctor, case worker, or other qualified professional stating that the applicant has a disability that requires specific accessibility features, i.e. mobility or vision/hearing impairment.

7. Make repairs that address principles of universal design such as equitable use, low physical effort, safety oriented and a focus on approach/use and promote “aging in place.”
8. The only appliances that will be replaced under the program are non-functional stoves or refrigerators. SHIP funds will not replace microwaves or washer/dryers.
9. Painting will be limited to the exterior of the home. Interior painting will be addressed only as part of interior repair/rehabilitation.
10. Carpet and Flooring – The program will replace carpet with evidence that carpet is in need of replacement. Preferred materials are carpet or standard ceramic tile that is durable and easier to maintain.

Comprehensive Repairs and Improvements: Owner-occupied households, assisted in the order in which they applied for the program, will receive a comprehensive inspection and repairs will be comprehensive, addressing only the program priorities above.

Emergency Repairs: In the event a waiting list exists for the program emergency requests will be submitted by the City’s consultant to the City. The City will make the determination whether or not an emergency condition exists. An emergency exists where there is imminent threat to the health or safety of the household occupants. Determination shall be in writing. Work specifications will be written to address only the emergency issue(s).

In cases where emergencies exist and it is later determined that the emergency exists where code violations (in whole or part) exist, the code violation must be addressed in order to address the emergency.

Other repairs including other code violations will be addressed when applicant is selected from the comprehensive waiting list. Emergency repairs must be eligible program repairs as described above. Only in cases of emergency repairs can an eligible homeowner receive priority over other applicants on a waiting list, if a waiting list exists.

Demolition/Reconstruction: The City has instances where homeowners purchased units where garages or carports were illegally converted to create additional rooms. These are considered code violations and will be corrected through demolition and brought back to last permitted use. If the home is occupied by special needs households, as defined by Chapter 67-37.002(21),F.A.C or instances where overcrowding or devaluing of property exists, the City can make the determination to reconstruct a legal room addition.

Substantial Repairs, Economically Unfeasible Repairs/Replacement Housing  
Inventory of the homes in the City do not suggest that there are structurally unsound units that need to be replaced. However, should a situation like this occur where code, healthy/safety priority repairs are substantial (more than 50% of the value of the home);

the unit may be assisted through the City's HOME funded substantial rehabilitation program if funds are available.

If repairs exceed the cost to replace the home, the home will not be assisted under the City's home repair programs.

If a household must be temporarily or permanently relocated, the guidelines of the City's uniform relocation policy will apply as amended from time to time. Please see Exhibit I.

Prior to repairs, all homes shall be inspected and work specifications will be written for each project. Inspections and work specifications shall be comprehensive unless a waiting list exists and an emergency determination has been made by the City. In these cases, only the emergency issue will be inspected and specifications for the emergency issue will be addressed in the work specification. If the waiting list is open, the applicant can place their name on the list for additional repairs. If the waiting list is closed because demand far exceeds the ability to provide assistance in a reasonable timeframe as, determined by program administrator, then the person will have to wait until the list is open or find other means to fix the repairs. Once a waiting list of 100 households exists and all funds have been exhausted, the City will close the list.

### **Change Orders**

Cumulative change orders greater than 10% of the above original contract amount will be paid by City only if those repairs are necessary to correct code violations to meet local property standards, or address issues that could not be accurately assessed before the work started. Change orders will not be granted for purely cosmetic repairs. The City reserves the right to reject a change order that does not address code or property standard issues. Change orders are paid only when prior approval from owner, home inspector, and City is on file.

Where SHIP assistance is leveraged with federal sources and housing units are required to be brought up to code at time of assistance, repairs will be inspected to meet local housing code and local property standards. HOME funds can not be used to leverage SHIP dollars for emergency repairs. In addition when funds are leveraged, lead based paint, asbestos, environmental and historic preservation regulations will be complied with per the site specific environmental review checklist maintained in each file and part of the City's Environmental Review Record (ERR).

The City intends to leverage SHIP funds with Community Development Block Grant, HOME Investment Partnership, and other available Federal and State Resources that support rehabilitation activities where feasible.

Repairs are considered complete once all work has been inspected according to specifications or emergency situation specified and necessary building permits have been finalized by the City's building department. Final inspections by the program's inspector will be requested by staff upon receipt of invoice package, final release of liens and owner's satisfaction. Any items not completed per specifications, must be completed and re-inspected prior to close-out.

- b. **Fiscal Years Covered:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016
- c. **Income Categories to be served:** Very-low, Low, and Moderate Income.
- d. **Maximum award: \$50,000**
- e. **Terms, Recapture and Default:** Assistance is in the form of a fifteen (15) year, 0% interest deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of fifteen (15) years from the recordation date of mortgage and note. There will be no yearly forgiveness of the loan. Full repayment of the balance of the loan is due if the home is sold, title transferred or conveyed, or the home ceases to be the primary residence of the owner during the fifteen (15) year occupancy period.  
**Special Needs Owner-Occupied Households: Assistance is in the form of a 10 year, 0% interest deferred loan, forgiven at 10% each year.**

Sewer connection projects, repair projects, or program costs incurred under \$5,000 may be granted and will not require the signing or recordation of the program's mortgage and note.

Homeowners, who have received comprehensive repair assistance from the City, cannot re-apply for five (5) years, except for cases where emergency repairs are needed as determined by the City's Building Official or his designee or in cases where no waiting list exists and funds are available. Applicants must wait at least a period of 12 months before being eligible to apply for assistance. Maximum assistance will be twice in any five-year period.

In the event of default where there is failure to make required payments on a loan secured by a first mortgage which leads to foreclosure and/or loss of property ownership, the City may foreclose to recover funds made available for assistance which is secured by mortgage and note on the property.

- f. **Recipient Selection Criteria:** The Housing Rehabilitation program is citywide and all eligible households are encouraged to complete an application for assistance if they require repair assistance. Applications must be 100% complete to be certified eligible for the program. Additional information may be requested upon review of application to determine program eligibility.

Eligible homeowners will be assisted on a first qualified, first served basis. Homeowners will be assisted within income groups from all eligible applicants based on funding availability. Special needs households, as defined by Chapter 67-37.002(21), F.A.C will be given first priority. All eligible special needs households, as defined by Chapter 67-37.002(21), F.A.C. will be given priority by income level in the following order; very-low, low, and moderate-income levels. If there is a waiting list, residents will be contacted in writing by City's consultant to apply for assistance, in the order in which their name appears on the list.

Property must be owner occupied, primary residence. Verification of ownership, income, homeowners insurance, flood insurance (if required) and payment of property taxes will be conducted to determine eligibility. A warranty deed or quit claim deed, will be utilized to verify ownership and primary residences should maintain homestead exemption. Life Estates also qualify. Hazard and flood insurance should be in place at time of award and be maintained as long as first and/or second mortgage remains on property. If a property is not required to have flood insurance then the file will be documented that flood insurance is not required. In the event property is not insured and there is a severe case of hardship by household to maintain insurance and repairs are needed to eliminate substandard, code, health and safety issue, the City may waive insurance requirements, as long as project is not leveraged with Federal funds, where flood insurance is required. Hardship is defined as the 1) condition of property makes it uninsurable or 2) at time of application household had no insurance and housing and insurance expenses exceed 50% of a fixed income household.

Mortgage must be current and will be verified with mortgage statement or third party - verification of mortgage.

Title searches will be conducted. There must be evidence that there is no pending foreclosure on the property.

The property's assessed value must not exceed the value noted in the plan for new and existing homes.

Applicants will be required to sign program disclosures, including a conflict of interest disclosure prior to completing application or the application being processed.

If a household applies to the City's home repair program, meets all the other program requirements, has a fixed rate mortgage that is current at the time of application or a reverse mortgage, no other government liens on the property, the home repair application will be processed for assistance with the ability to receive maximum award.

Housing units that have a pending foreclosure (Lis Pendens) from a mortgage company or homeowners/condo association cannot be assisted until resolved. Properties with a lien from the homeowners/condo association also will not be assisted until resolved.

Households undergoing a loan modification will not be assisted until the modification is complete and a new mortgage acceptable to the program is provided.

- g. Sponsor Selection Criteria:** Eligible contractors will be selected through a bid process to perform repairs under this program. Non construction related services will be selected through a bid process or other process in compliance with the City's procurement policies. The selection will be based on certification, experience, past performance and financial stability to perform services. Preference will be given to eligible contractors that employ personnel from Welfare Transition Program and who comply with federal Section 3 requirements to hire local residents when new hires are needed.

The City will maintain a contractor pool in which it openly recruits contractors to participate in the program after pre-screening. All contractors must be licensed with the State of Florida, Department of Business and Professional Regulation and be in good standing with local licensing requirements. Contractors must not appear on the Federal government's Excluded Parties List prior to the award of any contract.

The City conducts outreach to encourage the participation of Minority and Women Owned enterprises in its housing assistance programs.

Only contractors who have been pre-screened will be allowed to bid on the housing rehabilitation projects. Prior to bidding on the project, contractors must visit each property. The program prohibits contractors from working on the properties of persons they are related to or where other potential conflict of interests may exist.

In instances, where a General Contractor is needed to complete repairs such as roof only, plumbing only, or shutters only, the bid quotes from pre-screened contractors will be solicited to make necessary repairs/improvements. Where a General Contractor is not needed, the services of a licensed contractor able to perform the services will be utilized.

- h. Additional Information:** The home must be located within the City limits, In the event of a disaster, declared by Executive Order by the President or Governor and disaster mitigation funds are no longer available, this program will assist with disaster related repairs as well. The program is not designed to remodel or upgrade homes with purely cosmetic repairs or replace working appliances because owner wants to upgrade.

The City's current subordination policy, maintained at the City Clerk's office shall apply for any refinance transactions. This subordination policy may be viewed by the public upon request to the City Clerk. This policy is included in the LHAP as Exhibit J.

**B. Name of the Strategy: PURCHASE ASSISTANCE**

- a. Summary of the Strategy:** The Purchase Assistance Program is created to assist eligible first-time homebuyers with a deferred payment loan to be applied towards the costs of purchasing existing or newly constructed (with a Certificate of Occupancy) eligible affordable housing. Eligible costs include the following: down payment, closing costs, mortgage buy down, rehabilitation, and other costs associated with purchasing a home. Eligible housing includes single-family homes, townhomes, condominiums, and villas and approved HUD manufactured homes.
- b. Fiscal Years Covered:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016
- c. Income Categories to be served:** Very-low, Low, and Moderate Income.
- d. Maximum award:**  
Up to \$30,000 For 81-140%, Up to 40,000, 51-80% AMI and Up to \$50,000 for 50% AMI or less. City will follow existing underwriting criteria to determine how much each household will receive based on need – up to maximum allowed.
- e. Terms, Recapture and Default:** Assistance will be in the form of a fifteen year (15), 0% interest, deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of fifteen (15) years from the date of settlement provided the title remains under the ownership of the original purchaser. There will be no yearly forgiveness of the loan. Full repayment of the loan balance is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the owner during the fifteen (15) year occupancy period of the property.
- f. Recipient Selection Criteria:** Eligible applicants will be selected in the order in which they applied for the program and assisted on a first qualified and first served basis, within income groups; but Special needs households, as defined by Chapter 67-37.002(21),F.A.C will be given first priority. Certificate of homeownership counseling completion required prior to loan closing.

The applicant must be a first-time homebuyer. A first-time homebuyer is defined as one that has never owned a home, or one that has not owned a home within the last three years, a single parent with children under the age of 18 who has recently been divorced and displaced, a displaced victim of domestic abuse, or a person displaced as a result of a governmental action. Residents displaced from mobile home parks seeking to purchase a non mobile home unit will also be considered first-time homebuyers.

Applicants must not own any other property used for residential purposes, and the home to be purchased must be located within the City limits. Applicant must use the mortgage programs offered by the mortgage providers in the City's lenders consortium.



Applicants are responsible for the upfront fee associated with the credit report in the form of a money order.

- g. Sponsor Selection Criteria:** The City of Pembroke Pines uses an open lenders list. Participating in the program is open to interested lenders. Lenders must adhere to the guidelines for participating in the program.

**Additional Information:** The applicant must contribute a minimum of 1% of the sales price (including pre-paid items) towards the purchase of the home. The Purchase Assistance Program cannot be used when the seller of the property is providing the financing for the mortgage. Funds may be leveraged with Broward County, HOME, CDBG or other purchase assistance related activities. In the case where bond or County assistance is being provided in conjunction with the City's SHIP funds, the City will take no less third position in the transaction.

To qualify under the construction set-aside requirement for SHIP, files shall be documented using one of the following ways:

Evidence of repairs or affidavit and/or receipt from sellers that repairs were conducted within twelve (12) months prior to sale of home.

Evidence of repairs completed from inspection reports – within 12 months of closing. If necessary, funds will be held in escrow or leveraged from CDBG or similar funds. Once repairs are completed and inspected, contractor will submit invoice for payment and repairs will be made. Repairs will be completed by pre-screened contractors or general contractors in the contractor's pool.

C. **Name of Strategy: ACQUISITION - REHABILITATION OR NEW CONSTRUCTION DEVELOPMENT**

- a. **Summary of Strategy** This construction strategy is designed to promote the acquisition or construction of affordable housing for home ownership opportunities. Funds will be provided as deferred or low interest loans to support the acquisition and rehabilitation, replacement, or the new construction of single-family housing, or the single-family housing portion of a mixed use facility. The strategy is also designed to promote infill housing and mixed income projects/neighborhoods for home ownership opportunities. For profit and non-profit developers may be requested to submit proposals to provide housing that conforms with the City's RFP, neighborhood redevelopment plans and comprehensive plan. This activity may be undertaken by the City directly. Acquisition may include the acquisition by a private household who will purchase and rehabilitate an eligible unit. Eligible housing includes single-family homes, townhomes, condominiums, villas and approved HUD manufactured homes.

Funds may be used as a match for U.S. Department of Housing and Urban Development's HOME program and various other programs offered by the federal government and the State of Florida to develop affordable housing.

Eligible expenses will include construction hard costs and soft costs necessary to rehabilitate or construct the project. This includes cost of land, cost to acquire structure and land, demolition cost, professional service fees such as environmental phase 1, engineering, survey, appraisal, architectural and interest buy downs.

Also allowed are infrastructure directly related to the project, including streets, roadways, parking, sidewalks, pathways, storm drainage, water, sewer and sanitary systems, sewer connections, hydrants, meters, utilities and utility easements for telephone, cable, electric lines, and right-of-ways and other acceptable fees.

Soft costs include, plat reviews, recording fees, permits, environmental reviews and impact studies, land use amendment reviews and other acceptable fees.

The strategy also allows for impact fees.

- b. **Fiscal Years Covered:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016
- c. **Income Categories Served:** Very Low, Low Income and Moderate Income.
- d. **Maximum award: \$225,000**

**e. Terms, Recapture and Default:**

Developer Terms:

The terms of the City's assistance for single family acquisition/rehabilitation, replacement, or new construction for homeownership developments will vary from project to project, depending on the economics of the development and type of project.

Funding will be in the form of a 0% interest deferred payment loan for a period of 30 years. This loan will not be prorated and will be forgiven at the end of the 30 year term.

Household Occupancy Term

Deed restrictions for long term affordability for no less than 15 years will be required. If deed restrictions are not utilized and purchaser receives a direct subsidy, the household will be subject to the deferred loan provisions that are in effect for the City's purchase assistance program. Market conditions will determine which provisions are utilized

Households purchasing any of these units will be required to secure their own first mortgage and will be eligible for purchase assistance through the City's purchase assistance program. Home sales prices may not exceed the maximum sales price noted in this plan.

Where single-family units being constructed to be affordable housing for household incomes at 140% area median or less, make up more than 50% of the development project, assistance to the developer will be in the form of a 0% interest, deferred loan if economically feasible to the City's program. If units account for less than 50%, assistance may be in the form of a low interest loan.

If a single unit is being constructed (such as an infill house) then the assistance will be in the form a deferred loan.

Assistance will be provided only for the portion of units occupied by households at 140% or below of the AMI. In the RFP process, the City will review the overall project to determine if a deferred payment loan or low interest loan will be provided.

**Default Terms:** Default terms for not meeting program requirements shall be immediate repayment to the City trust account if the developer fails to meet the terms of the deferred payment loan, low interest loan, or fails to meet the program timeline for expenditure or having an eligible applicant occupying eligible housing. Default terms shall be described in mortgage and promissory note securing property.

- f. Recipient Selection Criteria:** For rehabilitated and new construction homeownership units, assistance will be provided on a first qualified, first served basis. Priority will be given to

essential service personnel at various levels. Applicant must use the mortgage programs offered by the mortgage providers in the City's lenders consortium.

- g. Sponsor Selection Criteria:** Request for proposals and competitive procurement process will be utilized to select a sponsor to implement these projects. Characteristics in determining the sponsor may include, but not be limited to:

1. Capacity and capability to administer project
2. Scale of Project/Utilization of Density Bonuses
3. Experience in completing similar projects
4. Use of personnel from Welfare Transition and Workforce Development programs.
5. Leveraging.
6. Site control.
7. Neighborhood compatibility/Compatibility with Area Redevelopment Plan
8. Creation of Mixed Income Communities.
9. Incorporation of Partnerships with Local Employers, Institutions, Hospitals and Schools.
10. Incorporation of Transit-Oriented Design/Proximity to State Road 7 Corridor.
11. Attractiveness of design
12. Multistory buildings must have elevators and be ADA Compliant.
13. Use of green building techniques.

- h. Additional Information** Acquisition-Rehabilitation and New Construction related strategies in which assistance will be provided to a private or non-profit developer will be expected to demonstrate that the project(s) are affordable to low and moderate income households, meaning that no more than 30% of the household's income should go towards housing related expenses. Developer assisted projects that demonstrate affordability to low and moderate income households, using the definition above, will be considered for SHIP funding assistance. These projects shall receive priority consideration for funding. The purchase price limit that is established by the U.S. Treasury Department is not to be misconstrued as the target price for affordable housing in the City of Pembroke Pines.

Similarly, any units receiving assistance from SHIP and other federal, State or local programs shall be required to comply with any requirements specified by the other program in addition to SHIP program requirements. In the event both programs have restrictions on the same issue, the more restrictive regulation shall take precedence. If one program is silent on an issue, the program with a regulation on the issue shall apply. 67-37.007(12) F.A.C.

**D. Name of Strategy: FORECLOSURE PREVENTION**

**a. Summary of the Strategy:** The foreclosure prevention program provides qualified homeowners the opportunity to avoid foreclosures and retain their homes. The program is designed to assist households that need immediate financial assistance to stop their homes from being foreclosed or sold for non-payment to a lender or homeowner's association who has initiated foreclosure proceedings. Funds will be provided as a deferred loan to eligible homeowners to assist them in bringing current their first and/or subordinate mortgage payments (Principal, Interest, Taxes and Insurance) Attorneys Fees, Late Fees, HOA, Assessments, and other customary fees. Evidence that mortgage or fee is no less than 60 days late is required and evidenced by current mortgage statement or applicable statement.

**b. Fiscal Years Covered:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016

**c. Income Categories to be Served: Very-Low, Low and Moderate Income**

**d. Maximum award: \$10,000**

**e. Terms, Recapture and Default:** Ten year, 0% interest deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of ten years from the date of the contract completion, provided the title remains under ownership of the applicant. Full repayment of the loan balance is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the owner during the ten year (10) year occupancy period. This is a one-time assistance program and homeowners may not re-apply for this assistance, but may apply for assistance such as home repair/improvements.

**f. Recipient Selection Criteria:** Eligible homeowners will be selected in the order in which they apply to the program and assisted on a first qualified, first served basis. All Special needs households, as defined by Chapter 67-37.002(21),F.A.C will be given priority by income (very-low/low and moderate income) respectively. The applicant(s) must show their ability to continue to maintain their mortgage payment after assistance is given, by documenting sufficient income to pay the mortgage going forward. The City will pay 100% of the delinquent mortgage amount – up to \$10,000. If this is not enough to bring the situation current, the homeowner must pay the remainder to bring the arrearage current. Applicants must show the non payment of their mortgage is due to one or more of the following eligible reasons:

- 1) Loss of Pay due to involuntary job loss or underemployment.
- 2) Divorce or separation which resulted in temporary loss of income.
- 3) Death of a spouse which resulted in a temporary loss of income
- 4) Sudden unforeseen medical expenses or
- 5) Unforeseen emergency home repairs including condo/homeowner association assessments.

6) Involuntarily loss of verifiable income from other sources (Temporary or permanent).

Applicant will be responsible for the overnight courier fee in the form of a money order. This fee is \$25.

- g. **Sponsor Selection Criteria:** Credit and Budget Counseling services will be offered through the same entity that provides the services for first time home buyer applicants. Another sponsor may be selected to provide these counseling services if deemed necessary. Sponsor will have to demonstrate capacity and experience.
- h. **Additional Information:** The applicant must undergo and complete budget/credit counseling from an approved credit counseling service. Priority will be given to persons who received prior down payment/purchase or rehabilitation assistance through the City's program.

#### **E. RENTAL DEPOSIT – EVICTION PROTECTION PROGRAM**

- a. **Summary of Strategy:** The City of Pembroke Pines will provide upfront financial assistance for households to obtain quality, safe, decent and affordable rental housing. The families must have the income to afford the monthly rental payments. Guidelines similar to debt to income or affordability ratios will be utilized to determine the affordability of the payments. The City will pay for such items as first and last month's rent, security deposit, utility connection/start-ups, up to a maximum of \$3,000. Funds may also be provided to those tenants in danger of being evicted from their current occupied rental units to pay past due rent owed.

On-going rental assistance is not permitted under the SHIP program. Assistance will be limited to a one time grant not to exceed \$3,000 per household. If \$3,000 is not sufficient, then household will be not eligible for assistance.

- b. **Fiscal Years Covered:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016
- c. **Income categories served:** Very Low Income, Low Income and Moderate Income
- d. **Maximum award:** \$3,000
- e. **Terms Recapture and Default.** Assistance will not be secured by a mortgage or promissory note because this is non owner-occupied assistance. For this program, the person is assisted, not the unit, **however funds will not be given directly to applicant.**

**f. Recipient Selection Criteria:** Recipient Selection Criteria:

**Rental Deposit Programs:** Applications will be processed in the order in which they are received. Applicant must be very low to moderate income, (priority given to very low income households and special needs households, as defined by Chapter 67-37.002(13), F.A.C.). Priority will be given to those individuals who are homeless or at risk of homelessness because of the inability to pay the rental deposit (including first and last month's rent). The lease must be for at least one year. Assistance will be provided one time only.

**Eviction Protection Program:** Applicants must meet the following criteria: Be very low to moderate income and must be in danger of being evicted from their rental dwelling unit because of late or non-payment due to:

1. Loss of Pay due to involuntary job loss or underemployment,
2. Divorce or separation which resulted in temporary loss of income,
3. Death of a spouse which resulted in a temporary loss of income,
4. Sudden unforeseen medical expenses, or
5. Involuntarily loss of verifiable income from other sources  
(Temporary or permanent).

Applicants must show that they have the ability to pay the rent after the City's assistance is given without further assistance. Applicants cannot rent mobile homes. Eligibility will be performed on an expedited basis and may include alternative forms of documentation, such as current pay stubs and benefit letters, as well as oral verification of employment wages, other income, and assets. Assistance shall be provided on a first-qualified, first-served basis. Assistance is limited to a one-time award.

**g. Sponsor Selection Criteria:** This Program will be administered by the City of Pembroke Pines and City's consultant, with the assistance of the Community Outreach Program or an Eligible Sponsor if the City decides to use a sponsor to administer this program.

**h. Additional Information: Rent limits will apply.**

**F. Name of Strategy: MULTIFAMILY RENTAL HOUSING**

**a. Summary of Strategy** This strategy is designed to promote the production of affordable multi-family housing in the City. Funds may be provided as deferred loans or low interest loans to support the acquisition and rehabilitation, or the new construction of multifamily housing, including single room occupancy, transitional/group home housing, senior rental facilities or the housing portion of a mixed use facility. Strategy is designed to promote mixed income projects and neighborhoods.

Funds may be used as a match for U.S. Department of Housing and Urban Development's HOME program and various other programs offered by the federal government and the State of Florida to develop affordable housing.

Eligible expenses will include construction hard costs and soft costs necessary to rehabilitate or construct the project. This includes cost of land, cost to acquire structure and land, demolition cost, professional service fees such as environmental phase 1, engineering, survey, appraisal, architectural and interest buy downs.

Also allowed are infrastructure directly related to the project, including streets, roadways, parking, sidewalks, pathways, storm drainage, water, sewer and sanitary systems, sewer connections, hydrants, meters, utilities and utility easements for telephone, cable, electric lines, and right-of-ways and other acceptable fees.

Soft costs include plat reviews, plat reviews, recording fees, permits, environmental reviews and impact studies, land use amendment reviews and other acceptable fees.

The strategy also allows for impact fees.

**b. Fiscal Years Served:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016

**c. Income Categories Served:** Very Low, Low Income and Moderate Income

**d. Maximum award: \$250,000 per development**

**e. Terms, Recapture and Default:** The terms of the City's funding for multifamily rental rehabilitations or new rental construction developments will vary from project to project, depending on the economics and other funding sources of the development.

Funding will be in the form of a 0% interest deferred payment loan for a period of 30 years. This loan will not be prorated and will be forgiven at the end of the 30 year term.

Loans provided to developers for eligible rental housing constructed, rehabilitated, or otherwise assisted under this strategy must be reserved for eligible persons for 15 years or the term of the assistance, whichever period is longer.

The financing structure that will be utilized will provide the greatest affordability to the household that will eventually occupy the unit. Loans provided to developers for multi-family housing constructed under this strategy must be reserved for units that will benefit eligible persons and include deed restrictions for long term affordability for no less than 15 years.

For rental projects where units for households with incomes at 140% area median or less are greater than 50% of total units being constructed or rehabilitated, assistance will be in the form of a deferred loan if economically feasible to the City's program. The City encourages mixed-



use developments. All other projects, not meeting this criteria may be subject to the low-interest loan.

The City, Eligible Sponsor or appointed designee, shall annually monitor and determine tenant eligibility throughout the 15 year compliance period. For those developments that the Florida Housing Finance Corporation or Federal Program such as Section 202, provides the same or more strict monitoring and determination, the City may rely on such monitoring and determination of tenant eligibility.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this strategy must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons. The SHIP assisted units in a rental housing project will be occupied only by households that are eligible as very-low to moderate income families. Maximum monthly rent limits will be those established annually by HUD and distributed by FHFC.

The City of Pembroke Pines will establish maximum monthly allowances for utilities and services and will review and approve rents proposed by the owner for units subject to the maximum rent limitations.

The owner cannot refuse to lease SHIP assisted units to a certificate of voucher holder under 24 CFR part 982, Section 8 Tenant-Based Assistance: Unified Rule for Tenant-Based Assistance under the Section 8 Rental Certificate Program and the Section 8 Rental Voucher Program.

**Default Terms:** Default terms for not meeting program requirements shall be immediate repayment to the City trust account if the developer fails to meet the terms of the deferred payment loan, low interest loan, or fails to meet the program timeline for expenditure or having an eligible applicant occupying eligible housing. Default terms, as described in this section, will also be included in the mortgage and promissory note securing property.

- f. **Recipient Selection Criteria** For rehabilitated and new construction rental units assistance will be provided on a first qualified, first served basis. Priority will be given to very low income households, essential service personnel, and elderly and disabled applicants where homeownership is out of reach. However, program will be open to all SHIP eligible to create inclusive rental communities.
- g. **Sponsor Selection Criteria** Request for proposals and competitive procurement process will be utilized to select a sponsor to implement these projects. Characteristics in determining the sponsor may include, but not be limited to:
  - 1. Capacity and capability to administer project
  - 2. Experience in completing similar projects
  - 3. Use of personnel from Welfare Transition Program and Workforce Development programs.

4. Leveraging.
5. Site control.
6. Neighborhood compatibility/Compatibility with Area Redevelopment Plan
7. Creation of Mixed Income Communities.
8. Access to transportation network, and infrastructure and utilities to service the sites pursuant to the City's Development Review process.
9. Attractiveness of design
10. Multistory buildings must have elevators and be ADA Compliant.
11. Use of green building techniques

**h. Additional Information**

In determining the maximum allowable rents, 30 percent of the applicable income category divided by 12 months shall be used based on the number of bedrooms. A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half persons per bedroom shall be used. Rental units constructed, rehabilitated, or otherwise assisted will be monitored at least annually for 15 years or the term of assistance, whichever is longer, for compliance with tenant income and affordability requirements. A rental limit chart will be provided to the local governments by the Department of Housing and Urban Development and distributed by the Florida Housing Finance Corporation annually.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right-of-refusal to eligible not-for-profit organizations for purchase at the current market value for continued occupancy by eligible persons. This shall be done as a "Request for Proposal" administered by the City with the selection procedure as listed above under rental leveraging.

Developers receiving assistance from both SHIP and the Low-Income Rental Housing Tax Credit (LIHTC) Program shall be required to comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from SHIP and other federal, State or local programs shall be required to comply with any requirements specified by the other program in addition to SHIP program requirements. In the event both programs have restrictions on the same issue, the more restrictive regulation shall take precedence. If one program is silent on an issue, the program with a regulation on the issue shall apply.

All other regulatory requirements will be enforced.

**G. Name of the Strategy: DISASTER MITIGATION/RECOVERY**

- a. Summary of the Strategy:** SHIP funds may be used to provide emergency repairs to very-low, low and moderate-income households following a disaster as declared by Executive Order of the President or the Governor. Funds may be used for items such as, but not limited to, temporary rental assistance (up to 6 months, but not to exceed the end date of the Executive Order), emergency interim repairs for eligible households to avoid further damage, tree and debris removal required to make the individual housing unit habitable, condos and homeowner's assessments for post disaster repair, post disaster assistance for eligible non-insured repairs and soft costs required to process assistance applications. This strategy will only be implemented in the event of a disaster using any funds that have not yet been encumbered. Eligible housing includes single-family homes, townhomes, condominiums, and villas and approved HUD manufactured homes.

**Deductibles:** In the event of a disaster, the City of Pembroke Pines is able to assist individual income eligible households with insurance deductibles for eligible disaster related damage up to \$5,000. This form of assistance will occur only after the income eligible household applies to participate in the City's Residential Rehabilitation Program. Property damage will be assessed and an estimate will be prepared by the City's inspector. Any expense in excess of the actual deductible is the responsibility of the homeowner. All other Residential Rehabilitation Program guidelines apply.

- b. Fiscal Years Covered:** Fiscal Years 2013/2014, 2014/2015, and 2015/2016
- c. Income Categories to be served:** Very-low, Low, and Moderate Income.
- d. Maximum award: \$50,000**
- e. Terms, Recapture and Default:** Fifteen Year, 0% interest deferred payment loan secured by a mortgage and note. The loan is forgivable in its entirety at the end of fifteen (15) years from the date of the contract completion, provided the title remains under ownership of the original purchaser. Full repayment of the loans is due if the home is sold, title is transferred or conveyed, or the home ceases to be the primary residence of the applicant during the fifteen (15) year occupancy period.

**Special Needs Owner-Occupied Households: Assistance is in the form of a 10 year, 0% interest deferred loan, forgiven at 10% each year.**

- f. Recipient Selection Criteria:** Eligible applicants will be selected on a first qualified and first served basis, within income groups. Applications for disaster assistance will be given priority above others on a waiting list for other strategies. Eligibility will be performed on an expedited basis and may include alternative forms of documentation,

such as current pay stubs and benefit letters, as well as oral verification of employment wages, other income, and assets.

- g. Additional Information:** Funds will not be allocated to this strategy except in the case of a federal or state disaster. SHIP funds may leverage other federal and/or state emergency programs. The expenditure of funds must be for eligible activities as permitted by SHIP statute, rule and/or emergency rule as published by the Florida Housing Finance Corporation.

The Corporation shall disburse funds for disaster relief proportionately as provided in Section 420.9073(2)(b), F.S. Local governments may use unencumbered SHIP funds to carry out activities of disaster relief. Recipients of SHIP funds under a local government's disaster strategy shall be required to verify income by executing a Disaster Self Certification of Income Form (08/04), hereby adopted and incorporated by reference with an effective date of 1-30-05 or a local government's form that requires the same information. Pay check stubs and other forms of proof are required, if available. Other documentation required for SHIP income qualification may be waived if unavailable. The county or eligible municipality shall make every effort reasonable to insure that the recipients of SHIP funds are income qualified.

### III. LHAP INCENTIVE STRATEGIES

*Section 420.9071(16), F.S.*

- A. Name of the Strategy:** Expedited Permitting  
Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

- a. Established policy and procedures: Provide Description:**  
Permit applications for affordable housing are inserted into a green folder. The green folder is forwarded to the designated structural plans examiner, to ascertain the degree and scope of plan review. If other disciplines are required to review the job, they are to be advised immediately and reminded that the review is to be done promptly. The applications shall be completely reviewed and prepared for pickup within five (5) business days, and for rehabilitation, within a 24 hour period.

Both the City of Pembroke Pines' Future Land Use Element (Policy 9.4 – applying to LAC and RAC land uses) and Housing Element (Policy 1.2) of the City's Comprehensive Plan state that an expedited permit process should exist in support of affordable housing. City Resolutions 2246 and 2279 also discuss expedited review for affordable housing projects.

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

- a. Established policy and procedures: Provide Description**  
Per instructions from the City Manager's office, all Department Heads are to be involved in the Review Process for Local Policies, Ordinances, Regulation & Plan Provisions that may Increase the Cost of Housing.

Once an item has been identified as having a potential impact, an analysis must be done to determine the impact, if any, and how it may be mitigated. This analysis should be done by the department that generated the legislation with subsequent review by the Director of Administrative Services, the Planning Department and/or Consultant if an impact is expected.

The determination of impact/no impact should be indicated in the departments report to the City Manager. If there will be an impact, the value of the impact and how it will be mitigated should be stated.

- C. Name of Strategy:** Allowance in Flexibility of Density for Housing Units  
The City promotes the flexibility of density for housing units as currently permitted.
- a. Established policy and procedures:** Provide Description
- The Future Land Use Element (Policies 2.11, 8.2, 8.5, 8.9) (9.4 applying to LAC and RAC land uses) encourage affordable housing density bonuses. The Housing Element (Policies 1.4, 2.2, 3.15, 3.4, 4.4, 5.5, 7.3) encourages land development regulations which promote Broward and City affordable housing density bonuses.
- In May 2006, Broward County adopted a new policy to its Land Use Plan providing for affordable housing density bonuses that all cities in the County can use regardless of whether the provisions are incorporated into their local land use elements.
- A Land Use Plan Amendment is required to increase density on a property. Changes to existing zoning classification and / or underlying plat may also be required.
- The Local Activity Center (LAC) land use has been applied to the City Center property allowing for the future construction of affordable housing.
- The City recently through Ordinance 1676 (Adopted 9/21/10) added a new 25 - 50 unit per acre residential land use category to address increasing residential density need. The new density rules mandate a 20% affordable / workforce / senior housing requirement on properties which are converted to this designation. The 20% rule is required for a period of 15 years
- D. Name of Strategy:** Preparation of a Printed Inventory Of Locally Owned Public Lands Suitable For Affordable Housing
- The City implements this strategy as the State requirement to maintain a printed inventory of locally owned public lands suitable for affordable housing.
- a. Established Policy and Procedure: Provide Description**
- All City owned properties have been mapped. This inventory map is maintained and updated as required.
- E. Name of Strategy:** Support of Development near Transportation Hubs and Major Employment Centers and Mixed-Use Development.
- The City implements this strategy as currently implemented
- a. Established Policy and Procedure: Provide Description**

The Future Land Use (Policy 2.5, 9.2, 9.4, 19.1 -19.10, 20.1 – 22.1) of the City’s Comprehensive Plan states that the City will coordinate land uses with the transportation system. The City Center project (Local Activity Center land use and Mixed Use District zoning designation) is an example of form-based zoning that is intended to promote mixed use development through the use of flexible design standards and guidelines.

**IV. EXHIBITS:**

- A. Administrative Budget for each fiscal year covered in the Plan. Exhibit A.**
- B. Timeline for Encumbrance and Expenditure:** *Chapter 67-37.005(6)(d) and (f) F.A.C.*  
A separate timeline for each fiscal year covered in this plan is attached as **Exhibit B.** Program funds will be encumbered by June 30 one year following the end of the applicable state fiscal year. Program funds will be fully expended within 24 months of the end of the applicable State fiscal year.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the Plan:** *Chapter 67-37.005, F.A.C.*  
Completed HDGC for each fiscal year is attached as **Exhibit C.**
- D. Certification Page:** *Chapter 67-37.005(7), F.A.C.*  
Signed Certification is attached as **Exhibit D.**
- E. Adopting Resolution:** *Section 420.9072(2)(b)2, F.S.*  
Original signed, dated, witnessed or attested adopting resolution is attached as **Exhibit E.**
- F. Program Information Sheet:**  
Completed program information sheet is attached as **Exhibit F.**
- G. Ordinance:** *Section 420.9072(3)(a), F.S.*  
If changed from the original ordinance, a copy is attached as **Exhibit G.**
- H. Interlocal Agreement:** *Section 420.9072, F.S.*  
A copy of the Interlocal Agreement if applicable is attached as **Exhibit H. (N/A)**
- I. City of Pembroke Pines Relocation Policy - The City of Pembroke Pines Relocation Policy as approved and amended when necessary.**
- J. City of Pembroke Pines Subordination Policy.**



**LHAP 2013**

**Exhibit A**

**67-37.005(1), F.A.C.**

**Effective Date: 11/09**

**City of Pembroke Pines**

Estimated Allcoation for Calculating:	\$	60,494.00
<u>Fiscal Year 2013/14</u>		
Salaries and Benefits	\$	3,049.00
Office Supplies and Equipment	\$	1,000.00
Travel Perdiem Workshops, etc	\$	1,500.00
Advertising	\$	500.00
Other	\$	
<b>Total</b>	<b>\$</b>	<b>6,049.00</b>
<u>Fiscal Year 2014/15</u>		
Salaries and Benefits	\$	3,049.00
Office Supplies and Equipment	\$	1,000.00
Travel Perdiem Workshops, etc	\$	1,500.00
Advertising	\$	500.00
Other	\$	
<b>Total</b>	<b>\$</b>	<b>6,049.00</b>
<u>Fiscal Year 2015/16</u>		
Salaries and Benefits	\$	3,049.00
Office Supplies and Equipment	\$	1,000.00
Travel Perdiem Workshops, etc	\$	1,500.00
Advertising	\$	500.00
Other	\$	
<b>Total</b>	<b>\$</b>	<b>6,049.00</b>







**HOUSING DELIVERY GOALS CHART**

New Plan:  x

**STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2013/14**

Amendment:

Fiscal Yr. Closeout: 2016

Name of Local Government: **City of Pembroke Pines**

Estimated Fun \$60,494.00

Strategy # From Plan Text	HOME OWNERSHIP STRATEGIES (strategy title must be same as the title used in plan text)							A	B	C	D	E	F
	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	MI Units	Max. SHIP Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units	
A	Housing Residential Rehabilitation	1	\$50,000	0	\$50,000	0	\$50,000		\$54,445.00		\$54,445.00	90.00%	1
B	Purchase Assistance	0	\$50,000	0	\$40,000	0	\$30,000				\$0.00	0.00%	0
C	Acquisition-Rehabilitation or new Construction	0	\$225,000	0	\$225,000	0	\$225,000				\$0.00	0.00%	0
D	Foreclosure Prevention	0	\$10,000	0	\$10,000	0	\$10,000				\$0.00	0.00%	0
G	Disaster Mitigation / Recovery	0	\$50,000	0	\$50,000	0	\$50,000				\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 1 (Home Ownership)</b>	1		0		0		\$0.00	\$54,445.00	\$0.00	\$54,445.00	90.00%	1
RENTAL STRATEGIES		VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	MI Units	Max. SHIP Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units
C	Acquisition-Rehabilitation or new Construction	0	\$225,000	0	\$225,000	0	\$225,000				\$0.00	0.00%	0
E	Rental Deposit / Eviction Protection	0	\$3,000	0	\$3,000	0	\$3,000.00				\$0.00	0.00%	0
F	For Multifamily Rental and Transitional	0	\$100,000	0	\$100,000	0	\$100,000				\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 2 (Non-Home Ownership)</b>	0		0		0		\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
	Administration Fees										\$6,049.00	10.00%	
	Admin. From Program Income											0.00%	
	Home Ownership Counseling											0.00%	
GRAND TOTAL		VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	MI Units	Max. SHIP Award	New Construction SHIP Dollars	Rehab/Repair SHIP Dollars	Without Construction SHIP Dollars	Total SHIP Dollars	Total Percentage	Total Units
	Add Subtotals 1 & 2, plus all Admin. & HO Counseling	1		0		0		\$0.00	\$54,445.00	\$0.00	\$60,494.00	100.00%	1
	<b>Percentage Construction/Rehab</b>											90%	
	<b>Maximum Allowable Purchase Price:</b>							<b>New</b>	\$386,202.60	<b>Existing</b>	\$386,202.60		
	<b>Allocation Breakdown</b>	<b>Amount</b>	<b>%</b>					Projected Program Income:		Max Amount Program Income For A	\$0.00		
	Very-Low Income	\$54,445.00	90.0%					Projected Recaptured Funds:					
	Low Income		0.0%					Distribution:	\$60,494.00				
	Moderate Income		0.0%					Total Available Funds:	\$60,494.00				
	<b>TOTAL</b>	\$54,445.00	90.0%									28-Mar-13	

**FLORIDA HOUSING FINANCE CORPORATION**

Please check applicable box

**HOUSING DELIVERY GOALS CHART**

**STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2014/15**

New Plan:	<input checked="" type="checkbox"/>
Amendment:	<input type="checkbox"/>
Fiscal Yr. Closeout:	2017

Name of Local Government: City of Pembroke Pines

Estimated Funding: \$33,090.00

Strategy #	HOME OWNERSHIP	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	New Constructi	Rehab/Repair	Without Construction	Total	Total	Total
		Units	Award	Units	Award	Units	Award						
A	Housing Residential Rehabilitation	1	\$50,000	0	\$50,000	0	\$50,000		\$54,445.00		\$54,445.00	164.54%	1
B	Purchase Assistance	0	\$50,000	0	\$40,000	0	\$30,000				\$0.00	0.00%	0
C	Acquisition-Rehabilitation or new Construction	0	\$225,000	0	\$225,000	0	\$225,000				\$0.00	0.00%	0
D	Foreclosure Prevention	0	\$10,000	0	\$10,000	0	\$10,000				\$0.00	0.00%	0
G	Disaster Mitigation / Recovery	0	\$50,000	0	\$50,000	0	\$50,000				\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 1 (Home Ownership)</b>	1		0		0		\$0.00	\$54,445.00	\$0.00	\$54,445.00	164.54%	1
RENTAL STRATEGIES		VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	New Constructi	Rehab/Repair	Without Construction	Total	Total	Total
From Plan Text	STRATEGIES (strategy title must be same as the title used in plan text.)	Units	Award	Units	Award	Units	Award						
C	Acquisition-Rehabilitation or new Construction	0	\$225,000	0	\$225,000	0	\$225,000				\$0.00	0.00%	0
E	Rental Deposit / Eviction Protection	0	\$3,000	0	\$3,000	0	\$ 3,000.00				\$0.00	0.00%	0
F	For Multifamily Rental and Transitional	0	\$100,000	0	\$100,000	0	\$ 100,000				\$0.00	0.00%	0
											\$0.00	0.00%	0
											\$0.00	0.00%	0
	<b>Subtotal 2 (Non-Home Ownership)</b>	0		0		0		\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
	Administration Fees										\$6,049.00	18.28%	
	Admin. From Program Income											0.00%	
	Home Ownership Counseling											0.00%	
GRAND TOTAL													
	Add Subtotals 1 & 2, plus all Admin. & HO Counseling	1		0		0		\$0.00	\$54,445.00	\$0.00	\$60,494.00	182.82%	1
<b>Percentage Construction/Reh</b>		Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.										165%	
<b>Maximum Allowable Purchase Price:</b>								<b>New</b>	\$386,202.60	<b>Existing</b>	\$386,202.60		
<b>Allocation Breakdown</b>		<b>Amount</b>		<b>%</b>				Projected Program Income:		Max Amount Program Income For Ac		\$0.00	
	Very-Low Income		\$54,445.00		164.5%			Projected Recaptured Funds:					
	Low Income				0.0%			Distribution:		\$60,494.00			
	Moderate Income				0.0%			Total Available Funds:		\$60,494.00			
	<b>TOTAL</b>		\$54,445.00		164.5%							28-Mar-13	

FLORIDA HOUSING FINANCE CORPORATION											Please check applicable box					
HOUSING DELIVERY GOALS CHART											New Plan:		x			
STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2015/16											Amendment:					
Name of Local Government: City of Pembroke Pines											Estimated Fund	\$33,090.00	Fiscal Yr. Closeout:	2018		
											A	B	C	D	E	F
Strategy #	HOME OWNERSHIP	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	New Construction	Rehab/Repair	Without Construction	Total	Total	Total			
From Plan Text	STRATEGIES (strategy title must be same as the title used in plan text.)	Units	Award	Units	Award	Units	Award	SHIP Dollars	SHIP Dollars	SHIP Dollars	SHIP Dollars	Percentage	Units			
A	Housing Residential Rehabilitation	1	\$50,000	0	\$50,000	0	\$50,000		\$54,445.00		\$54,445.00	164.54%	1			
B	Purchase Assistance	0	\$50,000	0	\$40,000	0	\$30,000				\$0.00	0.00%	0			
C	Acquisition-Rehabilitation or new Construction	0	\$225,000	0	\$225,000	0	\$225,000				\$0.00	0.00%	0			
D	Foreclosure Prevention	0	\$10,000	0	\$10,000	0	\$10,000				\$0.00	0.00%	0			
G	Disaster Mitigation / Recovery	0	\$50,000	0	\$50,000	0	\$50,000				\$0.00	0.00%	0			
											\$0.00	0.00%	0			
											\$0.00	0.00%	0			
											\$0.00	0.00%	0			
	<b>Subtotal 1 (Home Ownership)</b>	1		0		0		\$0.00	\$54,445.00	\$0.00	\$54,445.00	164.54%	1			
	<b>RENTAL STRATEGIES</b>	VLI	Max. SHIP	LI	Max. SHIP	MI	Max. SHIP	New Construction	Rehab/Repair	Without Construction	Total	Total	Total			
		Units	Award	Units	Award	Units	Award	SHIP Dollars	SHIP Dollars	SHIP Dollars	SHIP Dollars	Percentage	Units			
C	Acquisition-Rehabilitation or new Construction	0	\$225,000	0	\$225,000	0	\$225,000				\$0.00	0.00%	0			
E	Rental Deposit / Eviction Protection	0	\$3,000	0	\$3,000	0	\$ 3,000.00				\$0.00	0.00%	0			
F	For Multifamily Rental and Transitional	0	\$100,000	0	\$100,000	0	\$ 100,000				\$0.00	0.00%	0			
											\$0.00	0.00%	0			
											\$0.00	0.00%	0			
	<b>Subtotal 2 (Non-Home Ownership)</b>	0		0		0		\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0			
	Administration Fees										\$6,049.00	18.28%				
	Admin. From Program Income											0.00%				
	Home Ownership Counseling											0.00%				
	<b>GRAND TOTAL</b>															
	Add Subtotals 1 & 2, plus all Admin. & HO Counseling	1		0		0		\$0.00	\$54,445.00	\$0.00	\$60,494.00	182.82%	1			
	<b>Percentage Construction/Rehab</b>	Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.										165%				
	<b>Maximum Allowable Purchase Price:</b>							<b>New</b>	\$386,202.60	<b>Existing</b>	\$386,202.60					
	<b>Allocation Breakdown</b>	<b>Amount</b>	<b>%</b>	Projected Program Income:		Max Amount Program Income For Admin:		\$0.00								
	<b>Very-Low Income</b>	\$54,445.00	164.5%	Projected Recaptured Funds:												
	<b>Low Income</b>		0.0%	Distribution:		\$60,494.00										
	<b>Moderate Income</b>		0.0%	Total Available Funds:		\$60,494.00										
	<b>TOTAL</b>	\$54,445.00	164.5%					28-Mar-13								

**CERTIFICATION TO  
FLORIDA HOUSING FINANCE CORPORATION**

Name of Local Government: City of Pembroke Pines

- (1) The local government will advertise the availability of SHIP funds, if available, pursuant to Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, creed, religion, color, age, sex, familial or marital status, handicap, or national origin.
- (3) A process for selection of recipients for funds has been developed.
- (4) The eligible municipality or county has developed a qualification system for applications for assistance.
- (5) Recipients of funds will be required to contractually commit to program guidelines.
- (6) The Florida Housing Finance Corporation will be notified promptly if, at any time, the local government (or interlocal entity) will be unable to comply with the provisions the plan.
- (7) The Local Housing Assistance Plan shall provide for the expenditure of SHIP funds within 24 months following the end of the State fiscal year in which they are received.
- (8) The plan conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the Local Housing Assistance Plan.
- (9) Amendments and Technical Revisions to the approved Local Housing Assistance Plan shall be provided to the Corporation within 21 days after adoption.
- (10) The trust fund shall be established with a qualified depository for all SHIP funds as well as moneys generated from activities as program income.
- (11) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (12) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements, copies of the audits will be forwarded to the Corporation by June 30 of each calendar year.
- (13) An interlocal entity shall have its local housing assistance trust fund separately audited



for each state fiscal year, and the audit forwarded to the Corporation by June 30.

- (14) SHIP funds will not be pledged for debt service on bonds or as rent subsidies.
- (15) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements. Similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (16) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to service eligible persons.
- (17) Rental units constructed or rehabilitated with SHIP funds shall be monitored annually for 15 years for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e)
- (18) The Plan meets the requirements of Section 420-907-9079 FS, and Rule Chapter 67-37 FAC, and how each of those requirements shall be met.
- (19) The provisions of Chapter 83-220, Laws of Florida *has not* been implemented.  
(except for Miami Dade County)

[Signature]  
Witness

[Signature]  
Chief Elected Official or designee

[Signature]

CHARLES F. DODGE, CITY MANAGER

Witness

Type Name and Title

4-29-13  
Date

OR  
[Signature] 4/29/13

Attest:  
(Seal)



**PROPOSED RESOLUTION NO. 2013-R-09**

**RESOLUTION NO. 3373**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year Local Housing Assistance Plan outlining how funds

**PROPOSED RESOLUTION NO. 2013-R-09**

**RESOLUTION NO. 3373**

will be used; and

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

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

**WHEREAS**, as required by Section 420.9075(7), F.S., It is found that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

**WHEREAS**, City's professional staff, working with outside consultants, has prepared a three-year Local Housing Assistance Plan

**PROPOSED RESOLUTION NO. 2013-R-09**

**RESOLUTION NO. 3373**

for submission to the Florida Housing Finance Corporation; and

**WHEREAS**, the City Commission finds that it is in the best interest of the public for the City of Pembroke Pines to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA:**

**Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

**Section 2:** The City Commission of the City of Pembroke Pines, Florida hereby approves the Local Housing Assistance Plan, as attached hereto as **Exhibit "A"** and incorporated herein for submission to the Florida Housing Finance Corporation as required by Sections 420.907-420-9079, Florida Statutes, for fiscal years 2013/2014, 2014/2015, and 2015/2016.

**Section 3:** The proper City officials are hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the

**PROPOSED RESOLUTION NO. 2013-R-09**

**RESOLUTION NO. 3373**

term and conditions of said program.

**Section 4.** All resolutions or parts of resolutions on in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 5.** The provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but shall remain in effect, it being the City's intent that this Resolution shall stand notwithstanding the invalidity of any part.

**Section 6:** This resolution shall take effect immediately upon its passage and adoption.

**[The remainder of this page is intentionally left blank]**

PROPOSED RESOLUTION NO. 2013-R-09

RESOLUTION NO. 3373

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, THIS 17th DAY OF APRIL,  
2013.

CITY OF PEMBROKE PINES, FLORIDA

ATTEST:

JUDITH A. NEUGENT, CITY CLERK

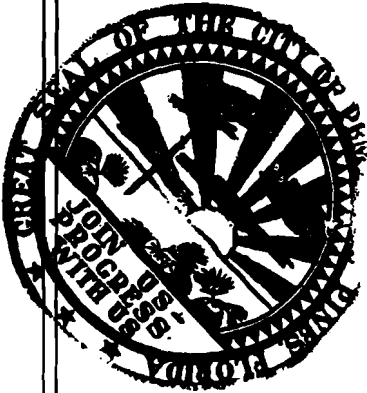
BY:

MAYOR FRANK C. ORTIS

ORTIS	<u>AYE</u>
CASTILLO	<u>AYE</u>
SCHWARTZ	<u>AYE</u>
SHECHTER	<u>AYE</u>
SIPLE	<u>AYE</u>

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



STATE OF FLORIDA  
COUNTY OF BROWARD

I HEREBY CERTIFY that the above  
foregoing is a true and correct copy of

Resolution No. 3373

as recorded in the Office of the City Clerk.

Witness my hand and official seal this

29 day of April A.D., 2013

CITY OF PEMBROKE PINES

By:

Judith A. Neugent, City Clerk

# **City of Pembroke Pines**

## **Residential Anti-Displacement and Relocation Assistance Plan**

**Publication of Mandatory Plan**

## **Proviso:**

### **The City of Pembroke Pines proposes to adopt the Residential Anti-Displacement and Relocation Assistance Plan and Optional Relocation Policy Prepared by:**

Phillip J. Fortenberry

Regional Relocation Specialist

Atlanta Office of Community Planning and Development

(404) 331-5001, Extension 2550

December 2005 (revised March 2007)

#### **This document has been amended to include the following:**

- (1) Definitions for City and Participating Jurisdictions. For the purpose of this document, wherever the term “Agency” is used, the term “City”, as relative to the City of Pembroke Pines, will also apply.
- (2) An optional relocation policy that is tailored specifically to the needs of the City.



## Executive Summary:

1) Pursuant to the Housing and Community Development Act of 1974, as amended (HCD Act), and 24 CFR Part 570, and the Cranston-Gonzalez National Affordable Housing Act, as amended by the Housing and Community Act of 1992, the Agency Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Act (HOME) Program, **a recipient agency/city of CDBG or HOME funds must** develop, make public, and certify that it is following a Residential Anti-Displacement and Relocation Assistance Plan (RARAP). The purpose of this RARAP is to help ensure that recipient agencies/cities that carry out CDBG- and HOME-assisted projects do the following:

- Identify the reasonable steps it will take to minimize the displacement of persons from their homes as a result of an assisted project.
- Replace all occupied and vacant occupiable "low/moderate-income dwellings" that are converted to a use other than "low/moderate-income dwellings" or are demolished for a project.
- Provide relocation assistance to low/moderate-income households (including families and individuals) displaced as a direct result of the conversion of a low/moderate-income dwelling or the demolition of any housing for a project.

**NOTE:** Agencies are reminded that the Certification and RARAP are required even if the HOME- or CDBG-assisted projects will not result in the demolition or conversion of a low/moderate-income dwelling. Participating jurisdictions (e.g., HOME consortia) that are not CDBG grantees must establish and follow a RARAP that meets the requirements of the applicable CDBG regulation (24 CFR 570.606(c) for local jurisdictions and 570.488(c) for states).

2) As allowed under Section 105(a)(11) of the HCD Act, **a grantee may** use CDBG funds to provide relocation payments and other relocation assistance to persons displaced by activities that are not subject to the Uniform Relocation Assistance and Real Property Acquisition policies Act of 1974, as amended, (URA or Uniform Act). For any such assistance that is not required by State or local law, the grantee must adopt a written policy available to the public that describes the optional relocation assistance that it has elected to furnish and provides for equal relocation assistance within each class of displaced persons.

Similarly, and as allowed under Title 24, Part 92 Section 353, a participating jurisdiction (PJ) **may** provide relocation payments and other relocation assistance to families, individuals, businesses, nonprofit organizations, and farms displaced by a project assisted with HOME funds where the displacement is not subject to the Uniform Act. The PJ may also provide relocation assistance to persons covered under the URA beyond what is required. For any such assistance that is not required by State, tribal (State law may apply if the Indian tribe is not exercising recognized powers of self-government) or local law, the PJ/Indian tribe shall adopt a written policy available to the public that describes the relocation assistance that it has elected to furnish and provides for equal relocation assistance within each class of displaced persons.

The table below provides a quick reference that identifies the recipients of HUD’s funds, along with the type of program funds, that require a RARAP or relocation plan, and that permit an optional relocation policy to be adopted. A brief overview of the contents required for each program and type of plan and/or policy is also included

<b>REQUIRED RELOCATION PLANS AND POLICIES</b>			
<b>RESPONSIBLE ENTITY</b>	<b>PROGRAM INVOLVED</b>	<b>TYPE OF PLAN OR POLICIES</b>	<b>CONTENT OF PLAN</b>
States, Units of Local Government, Indian Tribes	Community Development Block Grants; HOME	Residential Anti- Displacement and Relocation Assistance Plan (RARAP) – Refer to CPD Notice 94-16	<ol style="list-style-type: none"> <li>1. Identification of the reasonable steps that will be taken to minimize displacement of persons from their homes as a result of an assisted project</li> <li>2. Agreement to replace all units lost to the supply of low-income housing, as required by section 104(d) of the Housing and Community Development Act</li> <li>3. Agreement to provide relocation assistance to all low-income households displaced as a result of units being lost to the supply of low-income housing</li> </ol>
States, Units of Local Government, Program or project administrators, Indian Tribes	Community Development Block Grants; HOME	Optional Relocation Policies (if agency will provide assistance at levels beyond what the regulations require)	<ol style="list-style-type: none"> <li>1. Who will be covered</li> <li>2. How policies will be administered consistently</li> <li>3. What assistance beyond URA or 104(d) will be offered</li> <li>4. Source of funds</li> </ol>
Public Housing Agencies, Indian Tribes	Development or Major Reconstruction; Demolition; HOPE I, II, III, VI; Capital Fund Program (formerly CIAP or CGP); Section 5(h)	Plan to accommodate relocation needs or assist displaced or non- purchasing tenants	<ol style="list-style-type: none"> <li>1. Profile of those to be covered</li> <li>2. Eligibility conditions</li> <li>3. Assistance to be provided</li> <li>4. Source of funds</li> </ol>

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## **I. BACKGROUND**

**Mandatory Plan** – Section 104(d) of the Housing and Community Development Act of 1974 consists of two major components. **One component** requires special move and housing assistance be made available to low- and moderate-income persons who are displaced from a HOME- or CDBG-assisted project as a result of the conversion of a low/moderate-income dwelling or the demolition of any housing for a project. A household that qualifies as a “displaced person” under section 104(d) is also eligible for assistance under the URA. Because a displaced household cannot receive move and relocation assistance under both, the displacee must choose his/her assistance under either the URA, or under section 104(d), based on what the displacee believes is most beneficial and appropriate to his/her displacement needs.

**The second component** of section 104(d) requires that certain low-income housing be replaced “one-for-one.” In the introduction to the regulations [Federal Register, Volume 55, Number 138, July 18, 1990], HUD explained that the purpose of the one-for-one replacement housing provision of section 104(d) is:

“... to maintain an adequate supply of housing available to lower income households.”

“... the maintenance of the housing stock available to lower income people”

“... to ensure that activities sponsored under the CDBG Program will not result in a diminution of the existing housing supply.”

To ensure compliance with section 104(d), a recipient agency of CDBG or HOME funds must develop, make public, and certify that it is following a Residential Anti-Displacement and Relocation Assistance Plan, herein referred to as a “RARAP,” in accordance with Section 24 CFR 42.325, Subpart B, and outlined below:

(a) Certification. (1) As part of its consolidated plan under 24 CFR part 91, the recipient must certify that it has in effect and is following a residential antidisplacement and relocation assistance plan.

(2) A unit of general local government receiving funds from the State must certify to the State that it has in effect and is following a residential antidisplacement and relocation assistance plan, and that it will minimize displacement of persons as a result of assisted activities. The State may require the unit of general local government to follow the State's plan or permit it to develop its own plan. A unit of general local government that develops its own plan must adopt the plan and make it public.

(b) Plan contents. (1) The plan shall indicate the steps that will be taken consistent with other goals and objectives of the program, as provided in parts 92 and 570 of this title, to minimize the displacement of families and individuals from their homes and neighborhoods as a result of any assisted activities.

(2) The plan shall provide for relocation assistance in accordance with Sec. 42.350.

(3) The plan shall provide one-for-one replacement units to the extent required by Sec. 42.375.

**Optional Plans** – HUD’s CDBG and HOME funds can be used to provide relocation assistance above that which is required for displaced persons who are covered under the URA or section 104(d), or to displaced persons who would otherwise not be eligible for any assistance at all. Rehabilitation, demolition, or acquisition that is not federally assisted, or unsafe housing identified through code enforcement, are just some of reasons why a person might be displaced. Housing that becomes unsafe as a result of a fire or natural disaster (flood, storm, etc.) might also cause a person to become displaced.

**CDBG PROGRAM** Guidance regarding the adoption of an optional relocation policy under the CDBG program is published at 24 CFR 570:

(d) Optional relocation assistance. Under section 105(a)(11) of the Act, the grantee may provide (or the State may permit the state recipient to provide, as applicable) relocation payments and other relocation assistance to persons displaced by activities that are not subject to paragraph (b) or (c) of this section. The grantee may also provide (or the State may also permit the state recipient to provide, as applicable) relocation assistance to persons receiving assistance under paragraphs (b) or (c) of this section at levels in excess of those required by these paragraphs. Unless such assistance is provided under State or local law, the grantee (or state recipient, as applicable) shall provide such assistance only upon the basis of a written determination that the assistance is appropriate (see, e.g., 24 CFR 570.201(i), as applicable). The grantee (or state recipient, as applicable) must adopt a written policy available to the public that describes the relocation assistance that the grantee (or state recipient, as applicable) has elected to provide and that provides for equal relocation assistance within each class of displaced persons.

Section 24 CFR 570.201(i), referenced in part 570 (d) above, lists the basic eligible activities under HUD’s CDBG program. This list includes temporary relocation assistance as well as assistance for persons who are permanently located.

(i) Relocation. Relocation payments and other assistance for permanently and temporarily relocated individuals families, businesses, nonprofit organizations, and farm operations where the assistance is (1) required under the provisions of Sec. 570.606 (b) or (c); or (2) determined by the grantee to be appropriate under the provisions of Sec. 570.606(d).

It should be noted that CDBG-funded optional relocation policies are less restrictive than HOME-funded optional policies because, in accordance with the HOME regulations, the person’s displacement must be caused by the HOME-assisted project.

**HOME PROGRAM** The optional policy guidance for the HOME program is published at 24 CFR 92.353, and states:

(d) Optional relocation assistance. The participating jurisdiction may provide relocation payments and other relocation assistance to families, individuals, businesses, nonprofit organizations, and farms displaced by a project assisted with HOME funds where the displacement is not subject to paragraph (c) of this section. The jurisdiction may also provide relocation assistance to persons covered under paragraph (c) of this section beyond that required. For any such assistance that is not required by State or local law, the jurisdiction must adopt a written policy available to the public that describes the optional relocation assistance that it has elected to furnish and provides for equal relocation assistance within each class of displaced persons.

## **II. INSTRUCTION AND USE**

The guidance in this publication is limited in scope and purpose, and consists of three separate documents.

**PART III** – This document is provided to help recipient agencies prepare and publish a RARAP, and to do so in accordance with the regulatory and program requirements. In addition to the RARAP guideform example, a One-for-One Replacement of Housing Report Form, identified as Guideform III-V-A that can be attached to the RARAP, is included as a suggested report form for use in carrying out the report submission requirement found at 24 CFR 42.375(c), and that states in part:

(c) Preliminary information to be made public. Before the recipient enters into a contract committing it to provide funds under programs covered by this subpart for any activity that will directly result in the demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, the recipient must make public, and submit in writing to the HUD field office (or State, in the case of a unit of general local government funded by the State), the following information:

**PART IV** – This general overview document includes excerpts from the URA to help explain the purpose of the URA, definitions used in the URA regulations, and language from the regulations regarding the manner in which the basic acquisition policies under Subpart B of 49 CFR 24.102 might not be applicable to an acquisition. These excerpts are followed by information published in HUD’s acquisition and relocation booklets. The information in the acquisition brochure relates to acquisitions that are subject to the Subpart B basic acquisition requirements. The relocation brochures help outline much of the basic protections, assistance, and advisory services available under the URA, and section 104(d) when applicable, to persons who are displaced as the result of a HUD-assisted project.

**NOTE:** **This Part is not necessary or required.** This overview document can be used as an attachment to a RARAP (Part III), or used as a handout to interested parties. The sole purpose of this handout/attachment is to make more detailed information available to the public regarding the URA and section 104(d).

**PART V** – This part includes an example of a CDBG-funded optional policy, along with example forms, that has a suggested list of eligibility categories an agency can consider.

These documents are not intended to be sole source documents. Those who use these documents should remember that compliance with the URA and section 104(d) can be both complex and costly, and that the guidance, example forms, and documents provided in this publication are not designed to estimate relocation- and displacement-related costs. Questions regarding acquisition or relocation in projects that are HUD-funded should be addressed to the appropriate HUD Regional Relocation Specialist, Office of Community Planning and Development, for resolution or clarification.

# **PART III**

## **RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN (RARAP) GUIDEFORM EXAMPLE AND EXAMPLE SUPPORT FORMS**

## **RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN GUIDEFORM**

Pursuant to the Housing and Community Development Act of 1974, as amended (HCD Act), and 24 CFR Part 570, and the Cranston-Gonzalez National Affordable Housing Act, as amended by the Housing and Community Act of 1992, the Agency Community Development Block Grant (CDBG) Program and the HOME Investment Partnerships Act (HOME) Program, a recipient agency of CDBG or HOME funds must develop, make public, and certify that it is following a Residential Anti-Displacement and Relocation Assistance Plan (RARAP). The purpose of a RARAP is to help ensure that recipient agencies that carry out CDBG- and HOME-assisted projects do the following:

- a. Identify the reasonable steps it will take to minimize the displacement of persons from their homes as a result of an assisted project.
- b. Replace all occupied and vacant occupiable "low/moderate-income dwellings" that are converted to a use other than "low/moderate-income dwellings" or are demolished for a project.\*
- c. Provide relocation assistance to low/moderate-income households (including families and individuals) displaced as a direct result of the conversion of a low/moderate-income dwelling or the demolition of any housing for a project.

\* The Certification and RARAP are required even if the HOME- or CDBG-assisted projects will not result in the demolition or conversion of a low/moderate-income dwelling. Participating jurisdictions (e.g., HOME consortia) that are not CDBG grantees must establish and follow a RARAP that meets the requirements of the applicable CDBG regulation (24 CFR 570.606(c) for local jurisdictions and 570.488(c) for states).

This RARAP is prepared by the City of Pembroke Pines, herein referred to as the Agency/City, and supports the two basic components of section 104(d) of the HCD:

1. A requirement to replace all occupied and vacant occupiable low/moderate-income dwelling units (defined in Paragraphs 7-9 and 7-11) that are demolished or converted to a use other than low/moderate-income housing in connection with an activity assisted under the HCD Act, and,
2. A requirement to provide certain relocation assistance to any lower-income person\* displaced as a direct result of (1) the demolition of any dwelling unit or (2) the conversion of a low/moderate-income dwelling unit to a use other than a low/moderate-income dwelling in connection with an assisted activity.

\* The term "lower-income person" or "low- and moderate-income person" means a family or individual having an income equal to or less than the Section 8 lower income limit established by HUD. Generally, this means a family or individual whose average monthly income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families.



## **1. Minimize Displacement**

Consistent with the goals and objectives of activities assisted under the CDBG and HOME programs, a recipient agency is required to take steps to minimize the direct and indirect displacement of persons and businesses. For that reason, assisted activities are to be structured to avoid displacement to the greatest extent possible.

Below includes but is not limited to a list of steps that the Agency may consider in order to address these goals and objectives.

1. Coordinate code enforcement with rehabilitation and assistance programs.
2. Evaluate housing and building codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
3. Stage rehabilitation of apartment units to allow tenants to remain in the building or complex during and after the rehabilitation, working with empty units first.
4. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
5. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
6. Adopt policies that provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
7. Adopt tax assessment policies, such as deferred-tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.
8. Establish counseling sources to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

## **2. Submission and Recordkeeping Requirements**

When CDBG and/or HOME assistance is utilized for an activity that results in displacement, the Agency must submit to HUD its RARAP that details how relocation assistance will be provided. This assistance must comply with the acquisition and relocation statutory requirements of the Uniform Act, and the implementing regulations published at 49 CFR Part 24. Documentation of the assistance provided will be maintained by the Agency to demonstrate compliance. The Agency is responsible for ensuring that these requirements are met regardless of the actual funding source for the relocation assistance.

To ensure compliance with section 104(d), a recipient agency of CDBG or HOME funds must develop, make public, and certify that it is following a RARAP. In respect to this requirement, Randall H. Erben, Acting Assistant Secretary for HUD's Office of Community Planning and Development, published a memorandum in 1992 that lists examples of public disclosure methods that might be used for such activities, and that are listed below. If the Agency is using one of these methods, then that method is checked.

- Publishing in a local newspaper a complete project description.
- Publishing in a local newspaper a notice of availability stating where and when a complete project description will be available for review.
- Posting a complete project description in areas of general circulation, such as the community centers or public libraries located throughout the jurisdiction.
- Providing a complete project description via written notification to affected community groups, citizen advisory boards, and developers or organizations in the jurisdiction that are involved in the development of low- and moderate-income housing.

The purpose of the public disclosure requirement for the Plan is to ensure that citizens are made aware of the recipient's plans for demolition and conversion of existing low- and moderate-income housing and how it intends to replace those lost dwelling units. The community or state can select the manner in which it desires to accomplish this disclosure requirement as long as the applicable information is made readily available to citizens or organizations most likely to be concerned about the loss of such housing.

### **3. Questions Related to Relocation Assistance and Advisory Services**

Relocation assistance will be provided in accordance with the HCD Act at section 104(d), and as stipulated in 24 CFR 570.606, to each lower-income household displaced by demolition or conversion of a lower-income affordable dwelling unit as the result of an assisted activity. A lower-income household is a household where total income does not exceed the Section 8 lower-income limit (80 percent of area median) as established by HUD.

In adopting a RARAP, the governing agency is required to identify, by name and phone number, the office that is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by demolition or conversion of lower-income affordable housing to another use. The person responsible for providing relocation payments and other relocation assistance for the agency is identified here. Please contact this person if you have questions regarding your relocation assistance.

Name of Person: Charles Dodge Title: City Manger

Phone Number: (954) 431 4884 Office Hours: 8:00a.m. -5:00 p.m.

Office Address: 10100 Pines Blvd. Pembroke Pines, FL 33026

#### 4. Appeals Regarding Assistance and Agency Determinations

Assistance, or lack thereof, that can be appealed may include the person's eligibility for, or the amount of, payments required for moving, replacement housing, or commercial re-establishment. Any person who believes he/she has been displaced for a federally assisted project may file a written appeal with the Agency that is administering the grant funds under CDBG and HOME. If a person believes that the Agency has failed to properly consider the person's application for assistance under the Uniform Act or section 104(d) of the Housing and Community Development Act, by denying benefits, an appeal should be sent to, and will be reviewed by, the Agency. Please contact the Agency if you wish to discuss an appeal. The person responsible for appeals is identified here:

Name of Person: Charles F. Dodge Title: City Manager

Phone Number: (954) 431 4884 Office Hours: 8:00 a.m. – 5:00 p.m.

Office Address: 10100 Pines Blvd. Pembroke Pines, FL 33026

Mail Address: same as above

Regular Business Hours: 8:00 a.m. – 5:00 p.m.

The Agency will promptly review appeals in accordance with the requirements of applicable law and 49 CFR Part 24.10 of the Uniform Act regulations. To meet this requirement, the Agency shall consider written appeals regardless of form. The Agency is responsible for setting a reasonable time limit for a person to file an appeal. The time limit shall not be less than 60 days after the person receives written notification of the Agency's determination on the person's claim. It is the Agency's decision that the appeal period is as follows:

The Agency will accept appeals that are received within 60 days after the Agency's determination on a person's claim.

The Agency shall permit a person to inspect and copy all materials pertinent to his or her appeal, except materials that are classified as confidential. The person's right to inspect these documents will be consistent with applicable laws, and the opportunity to inspect will be made available under reasonable conditions, and during the regular business hours of the Agency. An advance notice to review a person's records is required in order for the Agency to arrange for staff to be available to assist with the inspection, and to ensure that the necessary and appropriate records are available and on hand.

In deciding an appeal, the Agency will consider pertinent justification and material submitted by the person, to ensure a fair and full review of the appeal. Promptly after receipt of all information submitted by a person in support of an appeal, the Agency shall make a written determination on the appeal, including an explanation of the basis on which the decision was made, and furnish the person a copy.

If the full relief is not granted, the Agency shall advise the person of his or her right to seek judicial review of the decision. The Agency official conducting the review of the appeal shall be either the head of the Agency or his or her authorized designee. However, the official cannot be directly involved in the action appealed. If the displaced person is still not in agreement with the determination, the Agency may direct the person to the local HUD Office of Community Planning and Development for a review of the appeal and determination. For the Agency, the address of the local HUD Office of Community Planning and Development is listed here:

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development  
Brickell Plaza Federal Bldg.  
909 SE Federal Avenue. Room 500  
Miami, FL 33131

**Attention:** Director, Office of Community Planning and Development

All persons are reminded that they have a right to be represented by legal counsel or other representatives in connection with his or her appeal, but solely at the person's own expense.

## 5. Replacement of Lower-Income Housing

The Agency will replace all occupied and vacant occupiable lower-income affordable housing demolished or converted to a use other than as lower-income affordable housing in connection with a project assisted with funds provided under the CDBG and/or HOME programs. This is in accordance with the HCD Act at section 104(d), and the program regulation at 24 CFR 570.606.

The person responsible for tracking the replacement of lower-income affordable housing and ensuring that it is provided within the required period is identified here.

Please contact the following individual if you have questions regarding the replacement of housing.

Name of Individual & Title: Charles F. Dodge City Manager

Office Name & Number: Office of the City Manager (954) 431-7866

Office Address & Hours: 10100 Pines Blvd. Pembroke Pines, FL 33026 8:00 a.m. – 5:00 p.m.

Lower-income affordable unit is a unit having a market rent, including utility costs paid by the occupant, that does not exceed the applicable Fair Market Rent (FMR) for existing housing and moderate rehabilitation as established under the Section 8 existing housing program. An analysis must be completed to determine the market rent for each affected property. This provision pertains to all rental and non-rental residential properties.

Occupied dwelling unit is a unit that is lawfully occupied.

Vacant occupiable dwelling unit is:

1. A dwelling unit which meets Section 8 Housing Quality Standards (HQS) regardless of how long it has been vacant); or
2. A vacant unit that is in substandard condition that is suitable for rehabilitation (regardless of how long it has been vacant); or
3. A dilapidated unit, not suitable for rehabilitation, that has been occupied (except by squatters) within three months before the execution of the agreement leading to demolition between the funds recipient and the property owner.

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the Agency to provide funds for a project that will directly result in demolition or conversion, the Agency will make public, and submit to HUD in writing, the following information (see 24 CFR 42.375(c)):

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income affordable housing that will be demolished or converted to a use other than as lower-income affordable housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of bedrooms, and location on a map of the replacement housing;
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain lower-income affordable for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (i.e., a two-bedroom unit with two one-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

To the extent that the specific location of the replacement housing and other data in items 4 through 7 are not available at the time of the general submission, the Agency assures that it will identify the general location of such housing on a map, and complete the disclosure and submission requirement as soon as the specific data is available. Therefore, in the event the specific location of the replacement housing and other data listed below are not available at the time of the general submission of a proposed project, the Agency assures that it will identify the general location of such housing on a map, and complete the disclosure and submission requirement as soon as the specific data is available.

4. The address, number of bedrooms, and location on a map of the replacement housing;
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain lower-income affordable for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (i.e., a two-bedroom unit with two one-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

**Certification of Residential Anti-Displacement and Relocation Assistance Plan**

On behalf of the City of Pembroke Pines, I hereby certify that the City has formally adopted and approved this Residential Anti-Displacement Relocation and Assistance Plan by way of City resolution.

\_\_\_\_\_  
Date \_\_\_\_\_  
Witness

\_\_\_\_\_  
Date \_\_\_\_\_  
Chief Elected Official

Frank C. Ortis  
\_\_\_\_\_  
(Type) Name & Title

\_\_\_\_\_  
Date \_\_\_\_\_  
Witness

\_\_\_\_\_  
Date \_\_\_\_\_  
City Manager

Charles F. Dodge, City Manager  
\_\_\_\_\_  
(Type) Name & Title

Or

\_\_\_\_\_  
Date \_\_\_\_\_  
Attest (Seal)

## One-for-One Replacement of Housing Report

Section 104(d) of the Housing and Community  
Development Act of 1974, as amended

The \_\_\_\_\_, herein referred to as the Agency, is submitting this report form for CDBG- and/or HOME-assisted activities that will precipitate the need to replace housing available to low- and moderate-income persons. This report is being submitted to HUD in accordance with the regulation found at 24 CFR 42, Subpart 3, and requires the Agency submit to HUD information on the demolition, rehabilitation, or conversion of housing units that will make a unit unaffordable or unavailable to low- and moderate-income persons. This report is in support of the Residential Anti-Displacement and Relocation Assistance Plan (RARAP) that the Agency adopted, made public, and that it is following. A copy of the Agency's RARAP is attached.

<b>Units Demolished or Converted to Another Use</b>				
<b>Unit Size</b>	<b>Year ____</b>	<b>Year ____</b>	<b>Year ____</b>	<b>TOTALS</b>
<i>1 bedroom</i>	0	0	0	0
<i>2 bedrooms</i>	0	0	0	0
<i>3 bedrooms</i>	0	0	0	0
<i>4 bedrooms</i>	0	0	0	0
<i>5 bedrooms</i>	0	0	0	0
<b>TOTALS</b>				

<b>Time-Line and Identification of Units That Replace Units* (Units That Were Demolished or Converted to Another Use)</b>					
<b>Unit Size</b>	<b>Year ____</b>	<b>Year ____</b>	<b>Year ____</b>	<b>Year ____</b>	<b>TOTALS</b>
<i>1 bedroom</i>	0	0	0	0	0
<i>2 bedrooms</i>	0	0	0	0	0
<i>3 bedrooms</i>	0	0	0	0	0
<i>4 bedrooms</i>	0	0	0	0	0
<i>5 bedrooms</i>	0	0	0	0	0
<b>TOTALS</b>	0	0	0	0	

\* Replacement units may be provided one year prior to making public the information required under 24 CFR 42.375(c), and up to three years after.



**PROPOSED RESOLUTION NO. 2012-R-16**

**RESOLUTION NO. 3347**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE THE SUBORDINATION OF THE CITY'S INTEREST OBTAINED PURSUANT TO THE CITY'S HOUSING ASSISTANCE PROGRAM WHERE THE GRANTEE REFINANCES THEIR HOME THROUGH THE MAKING HOME AFFORDABLE PROGRAM AND THE HOME AFFORDABLE REFINANCE PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Federal Government has implemented the Making Home Affordable Program ("MHA") in an effort to assist homeowners who are facing the possibility of being unable to make their mortgage payments, and subsequent foreclosure of their home; and

**WHEREAS**, as part of the MHA, the United States Department of Housing and Urban Development established the Home Affordable Refinance Program ("HARP"); and

**WHEREAS**, pursuant to HARP, homeowners who are not behind on the mortgage payments may refinance their mortgage at a lower interest rates, provided that they meet certain criteria, including the fact that the loan to value ratio for their property is greater than eighty percent (80%); and

**WHEREAS**, the enactment of Ordinance No. 1119 on April 19, 1995, as amended by Ordinance No. 1232 adopted October 8, 1997, created Chapter 157 of the City Code of Ordinances entitled "Local Housing Assistance Program"; and

**WHEREAS**, the Local Housing Assistance Program enables the City to provide financial assistance to repair and buy homes within the City's boundaries through the State Housing Initiatives Partnership Act (SHIP); and

**PROPOSED RESOLUTION NO. 2012-R-16**

**RESOLUTION NO. 3347**

**WHEREAS**, the City also provides similar funds pursuant to federally funded programs, including, but not limited to, the Community Development Block Grant Program (CDBG); and

**WHEREAS**, the occasion has arisen where the recipient of these state and federal programs such as SHIP or CDBG finds it necessary to refinance their property; and

**WHEREAS**, the financial institutions providing the refinancing require the City's lien to be subordinated to their interest in the property; and

**WHEREAS**, pursuant to Resolution No. 2597, adopted August 5, 1998, the City Commission has granted the authority to the City Manager to approve a subordination request without City Commission approval so long as there is "sufficient equity in the grantee's property to cover the City's interest after the refinancing has occurred."; and

**WHEREAS**, pursuant to the authority provided by Resolution No. 2597, the City Manager approves subordination requests so long as the loan to value ratio for the grantee's property does not exceed ninety percent (90%); and

**WHEREAS**, under HARP, and other programs that may be authorized pursuant to the MHA, the property owners will likely have a loan to value ratio which exceeds ninety percent (90%); therefore, it would be necessary to bring each of the requests to the City Commission for approval; and

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**PROPOSED RESOLUTION NO. 2012-R-16**

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**WHEREAS**, in addition to the prior authorization granted pursuant to Resolution No. 2597, the City Commission desires to improve the housing assistance program by reducing the time period for approval of subordination requests by grantees refinancing under the HARP and MHA, by delegating this authority to the City Manager and preventing the grantee from being prejudiced by any undue delays.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:**

**SECTION 1.** The foregoing "WHEREAS" clauses are confirmed and ratified as being true and correct and are hereby incorporated herein.

**SECTION 2.** The City Commission hereby delegates the authority to the City Manager to review and approve the subordination of the City's interest in a grantee's property upon the refinancing of the grantee's property under the Making Home Affordable Program ("MHA"), and the Home Affordable Refinance Program ("HARP"). The City Manager may approve such subordination requests even if the loan to value ratio for the grantee's property exceeds eighty percent (80%).

**SECTION 3.** All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 4.** If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part

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**PROPOSED RESOLUTION NO. 2012-R-16**

**RESOLUTION NO. 3347**

or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

**SECTION 5.** This Resolution shall become effective immediately upon its passage and adoption.

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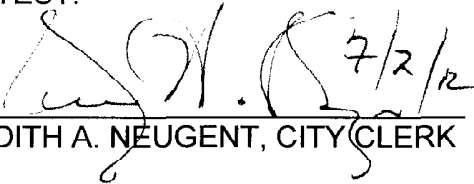
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PROPOSED RESOLUTION NO. 2012-R-16

RESOLUTION NO. 3347

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF  
PEMBROKE PINES, FLORIDA, THIS 20th DAY OF JUNE, 2012.

ATTEST:

  
JUDITH A. NEUGENT, CITY CLERK

CITY OF PEMBROKE PINES, FLORIDA

By:   
MAYOR FRANK C. ORTIS

ORTIS AYE

CASTILLO AYE

SCHWARTZ AYE

SHECHTER AYE

SIPI F AYE

APPROVED AS TO FORM:

  
OFFICE OF THE CITY ATTORNEY