

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures					
Operating Costs	\$395,053				
External Revenues	(\$395,053)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	*-0-				

# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				
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Is Item Included In Current Budget? Yes _____ No X

Budget Account No.:

Fund 1100 Dept 143 Unit various Object various Program Code/Period various/GY12

B. Recommended Sources of Funds/Summary of Fiscal Impact:

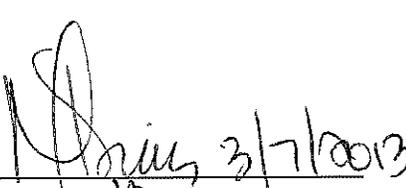
*Approval of this agenda item will appropriate \$395,053 to the Commission on Affordable Housing to operate their Fiscal Year 2012/2013 funding levels.

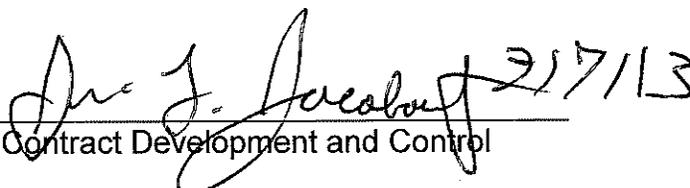
C. Departmental Fiscal Review:


 Shairette Major, Fiscal Manager I 3-7-13

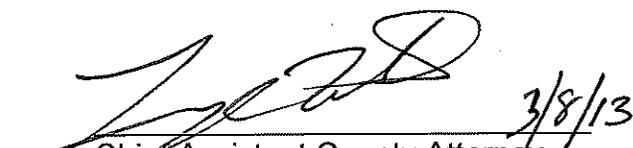
III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:


 OFMB 3/7/13
 JB
 3/6
 3/4/13
 DM
 3-7-13
 SC


 Contract Development and Control 3/7/13

B. Legal Sufficiency:


 Chief Assistant County Attorney 3/8/13

C. Other Department Review:

 Department Director

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET AMENDMENT**

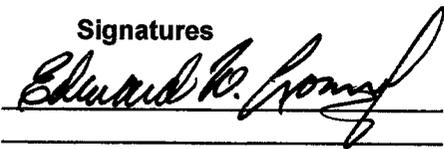
Page 1 of 1
BGRV-143-0213130000000000344
BGEX-143-02131300000000000969

FUND 1100 -AFFORDABLE HOUSING TRUST FUND (SHIP)

Use this form to provide budget for items not anticipated in the budget.

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
REVENUE								
143-7176-3469	State Grant Other Human Services	0	0	395,053	0	395,053		
	TOTAL REVENUE	<u>2,425,867</u>	<u>2,425,867</u>	395,053	0	2,820,920		
EXPENDITURES								
143-7175-3401	Other Contractual Services	5,000	5,000	39,505		44,505		
173-7176-8201	Contributions Non Governmental Agencies	2,410,867	2,410,867	155,548		2,566,415		
173-7176-8301	Contributions for Individuals	0	0	200,000		200,000		
	TOTAL EXPENDITURES	0	10,921,426	395,053	0	11,316,479		

Department of Economic Sustainability
 INITIATING DEPARTMENT/DIVISION
 Administration/Budget Department Approval
 OFMB Department - Posted

Signatures


Date
 2/28/2013

By Board of County Commissioners
 At Meeting of :
 March 12, 2013
 Deputy Clerk to the
 Board of County Commissioners

PALM BEACH COUNTY

AMENDMENT #5

**STATE HOUSING INITIATIVES PARTNERSHIP
(S.H.I.P.) PROGRAM**

**LOCAL HOUSING ASSISTANCE PLAN
(LHAP)**



FISCAL YEARS

2010/2011, 2011/2012, 2012/2013

Attachment 2

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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.

Palm Beach County

Interlocal: Yes _____ No X

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

N/A

A copy of the Interlocal Agreement is attached as N/A.

B. Purpose of the program: *Section 420.9072, F.S. and Chapter 67-37.005(3), F.A.C.*
Creation of the Plan is for the purpose of meeting the housing needs of the very-low, low and moderate income households, to expand production of and preserve affordable housing, to further the housing element of the local government comprehensive plan specific to affordable housing.

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

X 2010/2011

X 2011/2012

X 2012/2013

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. **Cities and Counties must be in compliance with all applicable statutes and rules.** The SHIP Program does further the housing element of the local government Comprehensive Plan.

E. Local Housing Partnership *Section 420.9072(1) (a), F.S.*
SHIP Program encourages building active partnerships between government, lenders, builders and developers, real estate professionals, advocates for low-income persons and community 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) Florida Statutes*
The Plans are 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 local match to obtain federal housing grants or programs.

G. Public Input: *Chapter 67-37.005(3), F.A.C.*
Public input is solicited through face to face meetings with housing providers, social service providers, local lenders and neighborhood associations during quarterly advertised meetings of the County's Commission on Affordable Housing (CAH) established and active since 1990. Additionally, open work sessions dedicated solely to the development of affordable housing programs and policies are held. These sessions are open to the public, and include representative from various non-profit and for-profit housing providers, local lenders, realtors, governmental agencies and providers of affordable housing related services.

H. Advertising and Outreach *Chapter 67-37.005(6) (a), F.A.C.*
Palm Beach County or its administrative representative shall advertise the notice of funding availability in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of

funding availability is required. In addition to advertising in newspaper, the County will advertise on its website. County staff will also participate in local homebuyers fair and workshops.

- 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.
- J. Support Services and Counseling:** *Chapter 67-37.005(5) (g), F.A.C.*
Support services are available from various sources, and may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling and Transportation. Local financial institutions and non-profit agencies provide home buyer education seminars and workshops on a regular basis to educate prospective applicants.
- K. Purchase Price Limits:** *Section 420.9075(4) (c), F.S. and Chapter 67-37.007(6) F.A.C.*
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 calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury described above.

The methodology used is:

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

The purchase price limit for new and existing homes is shown on the Housing Delivery Goals Charts

- 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:** *Chapter 67-37.005(6) (b) (7) F.A.C.*
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 employed personnel from the WAGES and Workforce Development Initiatives programs 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 at least annually for 15 years or the term of assistance whichever 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.

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

A detailed listing including line-item budget of proposed Administrative

Expenditures are attached as **Exhibit A**. These are presented on an annual basis for each State fiscal year submitted.

The Board of County Commissioners (BCC) finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:

“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.”

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:

“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, defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10% program income for administrative costs.”

The Board of County Commissioners (BCC) determined 5 percent of the local housing distribution plus 5 percent of program income is insufficient to pay the necessary costs of administering the local housing assistance plan. Instead, they determined the cost of administering the program will cost 10 percent of the local housing distribution plus 5 percent of program income which is deposited into the trust fund. As such, the BCC adopted a resolution which authorizes ten percent of the local housing distribution plus five percent (5%) of program income for administrative costs.

*The Board of County Commissioners has adopted the above findings in the attached resolution, **Exhibit E**.*

P. Program Administration

Administration of the local housing assistance plan is the responsibility of the applicable city/county. Should a third party entity or consultant contract for all or part of the administrative or other functions of the program, provide in detail the duties, qualification and selection criteria.

Q. Essential Services Personnel

“Essential Services Personnel” means persons whose household incomes do not exceed 140% of AMI, as determined annually by the Florida Housing Finance

Corporation and adjusted for family size, and shall include: teachers and educators; other school district, community college, and university employees; police and fire personnel; health care personnel; housing related professionals and employees; skilled building trade industry personnel; Federal, State, County, and local government personnel; and may also include utility system (water/sewer, electrical, communication, etc.) personnel; information technology industry personnel; child care personnel; personal service providers; retail workers; wholesale/warehouse personnel; tourism industry personnel; biotechnology industry personnel; non-profit personnel; food service personnel; landscaping industry personnel; cosmetology service providers; facility maintenance personnel; automotive service personnel; marine services personnel; persons employed in local "business clusters" as identified by the Business Development Board of Palm Beach County; the occupations in demand with the most employees and the occupations in demand gaining the most new jobs according to the Agency for Workforce Innovation (AWI); and personnel in other industries deemed essential by Palm Beach County government based on the local economy. Palm Beach County will review and possibly revise this definition of essential service workers on an annual basis to conform with local economic and industry trends.

Although essential services personnel may earn an income of up to 140% of AMI, Palm Beach County's SHIP funding can only assist individuals and households whose income does not exceed 120% of AMI.

- R. Green Building/Innovative Design:** Section 420.9075(3) (d), F.S.
Requires counties and eligible municipalities to describe initiatives in their local housing assistance plans that encourage or require innovative design, green building principles, storm resistant construction.

Palm Beach County will encourage all new construction or substantial rehabilitation to incorporate green building, also known as a sustainable building that is a structure designed, built, renovated, operated, or reused in an ecological and resource-efficient manner. Builders will be required to meet the requirements of 110-120 mph wind load for new construction and rehabilitation of existing properties and incorporate wind and solar powered energy consumption where practical.

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

A. Name of the Strategy: PURCHASING ASSISTANCE EXISTING WITH OR WITHOUT REHABILITATION:

1. **Summary of the Strategy:** Under this strategy, funding will be available strictly to income eligible first-time homebuyers for purchase assistance with or without rehabilitation. SHIP funds will be used with the goal of expanding homeownership opportunities to the targeted income groups. Assistance can be used for gap financing, lot acquisition; down payment; rehabilitation of the unit to be purchased; and closing cost; and will be based on the financing needs of the individual homebuyer up to the maximum amount of assistance available for the income group. Permanent first mortgage financing can be provided by either private sector financing institutions or other non-profit agency or governmental financing sources.

SHIP funds will not be utilized for the purchase of mobile homes.

2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013
3. **Income Categories to be served:** Very Low, Low and Moderate applicants up to 120% of the area median income can only utilize the SHIP program
4. **Maximum Award:** \$150,000 for Very Low income families, \$60,000 for low income families, and \$45,000 for Moderate income families The HOME match funding may be based on the maximum award stipulate by HOME program guidelines

5. **Terms, Recapture and Default:** Deferred payment loans are secured by mortgage and note for a term of thirty (30) years with zero interest. Payment in full is due if the property is sold within 30-year term. If sold after the 30-year term, no repayment is required. Assistance will be included in a recorded mortgage and subject to recapture provision below.

If the property is sold, title is transferred or conveyed to an income eligible buyer during the term of the mortgage, repayment may be waived if the new buyer accepts and agrees to the term and conditions of the mortgage including, but not limited to the primary residence requirement. The purchaser's eligibility will be determined by the County and must be requested by the owner prior to the sale of the property. Any applicable affordability restrictions will be transferred to the new owner.

If the home is sold, title is transferred or conveyed to an ineligible buyer, or the home ceases to be the primary residence of the applicant during the term of the mortgage, the entire amount of the loan shall become immediately due and payable. In the event of a sale, the County may exercise its right of first refusal to purchase the property at its current market value for continued occupancy by income eligible persons.

In the event of the death of the borrower prior to the end of the term of the mortgage, the outstanding balance become immediately due and payable. If the property is inherited by an income eligible heir that meets the requirements of the program, repayment may be waived, if the new homeowner accepts the terms and conditions of the program, including, but not limited to the principal residence requirement. The new owner's eligibility and entitlement shall be determined by the County in its sole discretion and must be requested by the owner within ninety (90) days of the death of the original borrower. Any applicable deed/affordability restrictions will be transferred to the new owner.

Additionally, a deed restriction or other legally sufficient document may be recorded with the Clerk of the Circuit Court to ensure the resale of the unit to a low or moderate-income homebuyer. The County is currently exploring other long-term affordability options such as Community Land Trust and Shared Equity/Appreciation. Resale restrictions as stipulated in a Community Land Trust and/or Shared Equity Agreements will be incorporated when/where applicable and imposed during the restrictive period. The Shared Equity/Appreciation policy will require homeowners receiving down payment assistance to repay a portion (*20% to 70% of excess profit depending on year sold after purchase*) of the equity/appreciation (*less any applicable repayments*) realized to the County when the property is sold at fair market value during the term of the mortgage.

In the event of default on the First Mortgage, the County may exercise its right of first refusal to purchase the property or if possible, coordinate the purchase of the property with an approved buyer. If unsuccessful, and a foreclosure or deed in lieu of foreclosure of the first mortgage transpires, any collateral agreement by the County restricting the use of the property or restricting the owner's ability to sell the property shall have no further force or effect on subsequent owners of the property. Furthermore, if the first lender acquires title to the Property pursuant to a deed in lieu of foreclosure, the County's lien shall automatically terminate upon the first lender's acquisition of title. Any person, including his successors and assigns (other than the Borrower or a related entity or person to the Borrower), receiving title to the property through a foreclosure or deed in lieu of foreclosure of the first mortgage shall receive title to the property free and clear of the County's restrictions.

6. **Recipient Selection Criteria:**
 - a. Eligible applicants will be selected on a first come, first qualified, first served basis within the income group subject to funding availability.
 - b. To qualify for assistance, eligible program participants must meet the definition of a first time homebuyer. A first time homebuyer is an applicant who has not owned a home within the three (3) years immediately preceding the SHIP assisted purchase. The only exception is a person who has lost a home due to a divorce and/or domestic violence as defined in Florida §741.28.
 - c. The applicant must have completed a Homebuyer Education class approved by the County prior to receiving financial assistance.
 - d. The purchased property must meet all applicable building codes. Deficiencies must be corrected prior to, or as part of the purchase transaction. In the case of new construction, a Certificate of Occupancy (CO) is required prior to occupancy.
 - e. Very low-income homebuyers must contribute a minimum of 2.5% and low and moderate buyers must contribute a minimum of 3%.

7. **Developer/Sponsor Selection Criteria:** N/A

8. **Additional Information:** Other state, federal, private and local funds may be leveraged with SHIP funds. But, where the County's SHIP subsidy is equal to the first mortgage, the County must share first lien position with the first mortgage lender. However, where the County's SHIP subsidy is larger than the first mortgage, then the County must be in first lien position. Also, where the County's SHIP subsidy is larger than another subsidy, the County must be placed in a superior lien position to any smaller subsidy.

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

1. **Summary of the Strategy:** Under this strategy, funding will be available strictly to first time homebuyers for purchase assistance with or without rehabilitation. Eligible applicants for this program is available on first time, first qualified, first served basis.

SHIP funds will be made available to income eligible first time homebuyers with the goal of expanding homeownership opportunities to the targeted income groups. Assistance can be used for gap financing, lot acquisition; down payment; rehabilitation of the unit to be purchased; and closing cost; and will be based on the financing needs of the individual homebuyer up to the maximum amount of assistance available for the income group. Permanent first mortgage financing can be provided by either private sector financing institutions or other non-profit agency or governmental financing sources.

SHIP funds will not be utilized for the purchase of mobile homes.

2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013
3. **Income Categories to be served:** Very Low, Low and Moderate applicants up to 140% of the area median income only can utilize the SHIP program
4. **Maximum Award:** \$150,000 for Very Low income families, \$60,000 for Low income families, and \$45,000 for Moderate income families
5. **Terms, Recapture and Default:** Deferred payment loans secured by mortgage and note for a term of thirty (30) years with zero interest. Payment in full is due if the property is sold within 30-year term. If sold after the 30-

year term, no repayment is required. Assistance will be included in a recorded mortgage and subject to recapture provision below.

If the property is sold, title is transferred or conveyed to an income eligible buyer during the term of the mortgage, repayment may be waived if the new buyer accepts and agrees to the term and conditions of the mortgage including, but not limited to the primary residence requirement. The purchaser's eligibility will be determined by the County and must be requested by the owner prior to the sale of the property. Any applicable affordability restrictions will be transferred to the new owner.

If the home is sold, title is transferred or conveyed to an ineligible buyer, or the home ceases to be the primary residence of the applicant during the term of the mortgage, the entire amount of the loan shall become immediately due and payable. In the event of a sale, the County may exercise its right of first refusal to purchase the property at its current market value for continued occupancy by income eligible persons.

In the event of the death of the borrower prior to the end of the term of the mortgage, the outstanding balance become immediately due and payable. If the property is inherited by an income eligible heir that meets the requirements of the program, repayment may be waived, if the new homeowner accepts the terms and conditions of the program, including, but not limited to the principal residence requirement. The new owner's eligibility and entitlement shall be determined by the County in its sole discretion and must be requested by the owner within ninety (90) days of the death of the original borrower. Any applicable deed/affordability restrictions will be transferred to the new owner.

Additionally, a deed restriction or other legally sufficient document may be recorded with the Clerk of the Circuit Court to ensure the resale of the unit to a low or moderate-income homebuyer. The County is currently exploring other long-term affordability options such as Community Land Trust and Shared Equity/Appreciation. Resale restrictions as stipulated in a Community Land Trust and/or Shared Equity Agreements will be incorporated when/where applicable and imposed during the restrictive period. The Shared Equity/Appreciation policy will require homeowners receiving down payment assistance to repay a portion (*20% to 70% of excess profit depending on year sold after purchase*) of the equity/appreciation (*less any applicable repayments*) realized to the County when the property is sold at fair market value during the term of the mortgage.

In the event of default on the First Mortgage, the County may exercise its right of first refusal to purchase the property or if possible, coordinate the purchase of the property with an approved buyer. If unsuccessful, and a foreclosure or deed in lieu of foreclosure of the first mortgage transpires, any collateral agreement by the County restricting the use of the property or restricting the owner's ability to sell the property shall have no further force or effect on subsequent owners of the property. Furthermore, if the first lender acquires title to the Property pursuant to a deed in lieu of foreclosure, the County's lien shall automatically terminate upon the first lender's acquisition of title. Any person, including his successors and assigns (other than the Borrower or a related entity or person to the Borrower), receiving title to the property through a foreclosure or deed in lieu of foreclosure of the first mortgage shall receive title to the property free and clear of the County's restrictions.

6. **Recipient Selection Criteria:**

- a. Eligible applicants will be selected on a first come, first qualified, first served basis within the income group subject to funding availability.

- b. To qualify for assistance, eligible program participants must meet the definition of a first time homebuyer. A first time homebuyer is an applicant who has not owned a home within the three (3) years immediately preceding the SHIP assisted purchase. The only exception is a person who has lost a home due to a divorce; within the (3) three years preceding the SHIP assisted purchase.
- c. The applicant must have completed a Homebuyer Education class approved by the County prior to receiving financial assistance.
- d. The purchased property must meet all applicable building codes. Deficiencies must be corrected prior to, or as part of the purchase transaction. In the case of new construction, a Certificate of Occupancy (CO) is required prior to occupancy.
- e. Very low-income homebuyers must contribute a minimum of 2.5% and low and moderate buyers must contribute a minimum of 3%.

7. **Developer/Sponsor Selection Criteria:** N/A

8. **Additional Information:** Other state, federal, private and local funds may be leveraged with SHIP funds. However:
- Where the County's SHIP subsidy is equal to the first mortgage, the County must share first lien position with the first mortgage lender.
 - Where the County's SHIP subsidy is larger than the first mortgage, then the County must be in first lien position.
 - Where the County's SHIP subsidy is larger than another subsidy, the County must be placed in a superior lien position to any smaller subsidy.
 - Where the County is both the first and second mortgage lien holder superior or subordinate lien is not applicable.

C. **Name of the Strategy:** **HOME MATCH**

1. **Summary of the Strategy:** SHIP funds will be used to provide the local required dollar match for the federal HOME program. Under this strategy, the only initiative funded will be purchase assistance for first time homebuyers. Funds will be made available to first time homebuyers. Assistance will be based on the financing needs of the individual homebuyer up to the maximum amount of assistance available for the income group. Permanent first mortgage financing is required and provided through private sector financing institutions.
2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013
3. **Income Categories to be served:** Very Low, and Low
4. **Maximum Award:** \$75,000 for very low income families and \$60,000 for low income families. The maximum award may also be based on the maximum award stipulated by HOME program guidelines.
5. **Terms, Recapture and Default.** The County will develop a legally sufficient agreement maintaining affordability for a minimum period of 30 years. The Recapture and default provisions require the home remains the primary residence of the applicant. If the property is sold, title is transferred or conveyed to an income eligible buyer during the term of the mortgage, repayment may be waived if the new buyer accepts and agrees to the term and conditions of the mortgage including, but not limited to the primary residence requirement. The purchaser's eligibility will be determined by the County and must be requested by the new owner prior to the sale of the property. All applicable affordability restrictions will be transferred to the new owner.

If the home is sold, title is transferred or conveyed to an ineligible buyer, or the home ceases to be the primary residence of the applicant during the term of the mortgage, the entire amount of the loan shall become immediately due and payable. In the event of a sale, the County may exercise its right of first refusal to purchase the property at its current market value for continued occupancy by income eligible persons.

In the event of the death of the borrower prior to the end of the term of the mortgage, the outstanding balance becomes immediately due and payable. If the property is inherited by an income eligible heir that meets the requirements of the program, repayment may be waived, if the new homeowner accepts the terms and conditions of the program, including, but not limited to the principal residence requirement. The new owner's eligibility and entitlement shall be determined by the County in its sole discretion and must be requested by the new owner within ninety (90) days of the death of the original borrower. All applicable deed/affordability restrictions will be transferred to the new owner. Additionally, a deed restriction or other legally sufficient document may be recorded with the Clerk of the Circuit Court to ensure the resale of the unit to a low or moderate-income home buyer. The County is currently exploring other long-term affordability options such as a Community Land Trust and Shared Equity/Appreciation policies. Resale restrictions as stipulated in a Community Land Trust and/or Shared Equity Agreements will be incorporated when/where applicable and imposed during the restrictive period. The Shared Equity/Appreciation policy will require homeowners receiving down payment assistance to repay a portion (20% to 75% of excess profit depending on year sold after purchase) of the equity/appreciation (less any applicable repayments) realized to the County when the property is sold at fair market value during the term of the mortgage.

In the event of default on the First Mortgage, the County may exercise its right of first refusal to purchase the property or if possible, coordinate the purchase of the property with an approved buyer. If unsuccessful, and a foreclosure or a deed in lieu of foreclosure of the first mortgage transpires, any collateral agreement by the County restricting the use of the property or restricting the owner's ability to sell the property shall have no further force or effect on subsequent owners of the property. Furthermore, if the first lender acquires title to the Property pursuant to a deed in lieu of foreclosure, the County's lien shall automatically terminate upon the first lender's acquisition of title. Any person, including his successors and assigns (other than the Borrower or a related entity or person to the Borrower), receiving title to the property through a foreclosure or deed in lieu of foreclosure of the first mortgage shall receive title to the property free and clear of the County's restrictions.

6. **Recipient Selection Criteria:**
- a. Eligible applicants will be selected on a first come, first qualified, first served basis within the income groups subject to funding availability.
 - b. Eligible program participants must meet the definition of a first time homebuyer. The only exception is a person who has lost a home due to a divorce; within the (3) three years preceding the SHIP assisted purchase.
 - c. The applicant must have completed a Homebuyer Education class approved by the County prior to receiving financial assistance.
 - d. The purchased property must meet all applicable building codes. Deficiencies must be corrected prior to, or as part of the purchase transaction. In the case of new construction, a Certificate of Occupancy (CO) is required prior to occupancy.

7. **Sponsor Selection Criteria:** N/A
8. **Additional Information:** Other state, federal, private and local funds may be leveraged with SHIP funds.

D. Name of the Strategy: RENTAL HOUSING ENTRY ASSISTANCE

1. **Summary of the Strategy:** This strategy will provide financial assistance to eligible extremely-low, very-low, and low income households to pay for rental security deposits and utility deposits and connection fees.
2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013
3. **Income Categories to be served:** Extremely low, Very-low and low income
4. **Maximum Award:** \$5,000
5. **Terms, Recapture and Default:** The assistance will be in the form of a grant with required guarantees from the landlord and the SHIP recipient.
6. **Recipient Selection Criteria:** Recipients will be selected on a first come, first qualified, first served basis within the eligible income groups and subject to funding availability. Recipients will only receive financial assistance once through this SHIP funded program.
7. **Sponsor Selection Criteria:**
Applications will be accepted while funding is available from individual households as well as non-profit and community based organizations with housing delivery experience and documented ability to deliver results. Funding may be awarded to the non-profit organizations with documented housing delivery experience. Successful non-profits will be selected according to the following criteria:
 - Organization's past experience with direct assistance.
 - Outreach capability to targeted client groups and ability to serve County residents.
 - Proof of ability to income certify applicants utilizing State SHIP standards.
8. **Additional Information:** None

E. Name of the Strategy: FORECLOSURE PREVENTION

1. **Summary of the Strategy:** Funding will be provided to income eligible single family owner occupied households who are facing foreclosure, to preserve and maintain homeownership within the targeted income groups. The goal of this strategy is to avoid foreclosure by paying the maximum award amount to assist with delinquent mortgage payments (PITI), including late fees, attorney's fees, homeowners' association payments, special assessments, other foreclosure associated costs, property taxes, homeowners insurance, and mortgage delinquency and default resolution counseling.

Funding for property taxes and homeowners insurance will be provided only if they are currently escrowed or will become escrowed as a result of receiving assistance.
2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013.
3. **Income Categories to be served:** Very Low, Low and Moderate Income

4. **Maximum Award:** \$15,000 for very low, low, and moderate income families. The amount awarded is what is needed to reinstate loans and maintain affordable homeownership.
5. **Terms, Recapture and Default.** Funding in the amount of \$15,000 or less will be in the form of a deferred payment zero percent (0%) interest loan secured by a Mortgage and Promissory Note for a period of five (5) years, without amortization. No payment is required as long as the home remains the primary residence of the applicant. If the home is sold, title is transferred (voluntarily or involuntarily) or the home ceases to be the primary residence of the applicant during the term of the mortgage, the entire amount of the loan shall become immediately due and payable.

A subordination of this deferred payment mortgage will only be approved under the guidelines of the Subordination Policy established by Palm Beach County's SHIP Program.

6. **Recipient Selection Criteria:**
 - Income eligible applicants will be selected on a first-come, first qualified, first served basis subject to funding availability.
 - Applicants must be very low, low, or moderate income homeowners and the property must be owner occupied.
 - Applicants must verify the ability to avoid default by showing that the 1st mortgage lender is willing to stop foreclosure upon assistance being provided.
 - The homeowner must demonstrate their ability to make future mortgage payments after assistance is received.
 - The application process will include a review of the funding request and the cause of the delinquency. Applicant must prove that the delinquency is due to considerable loss of income, unexpected medical expenses, or unanticipated home repairs or costs associated with increases escrows.
 - Participants can only receive assistance once.
 - Fair Market value of the property may not exceed the established maximum sales price.
7. **Sponsor Selection Criteria:** N/A
8. **Additional Information:** SHIP funds may be leveraged with other private funding and local funding.

F. **Name of the Strategy:** **DISASTER MITIGATION**

1. **Summary of the Strategy:** Financial assistance will be provided to income eligible households following a natural disaster as declared by Executive Order of the United States, Governor of the State of Florida, or by the Board of County Commissioners. This strategy will only be implemented in the event of a natural disaster using any funds that have not yet been encumbered and/or additional disaster funds issued by the Florida Housing Finance Corporation. When necessary, SHIP funds may be used for items such as, but not limited to:
 1. Purchase of emergency supplies for eligible households to weatherproof damaged homes;

2. Interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable;
3. Construction of wells or repair of existing wells where public water is not available;
4. Payment of insurance deductibles for rehabilitation of homes covered under homeowner insurance and homeowner association policies;
5. Security deposits and rental assistance by Executive Order, for eligible recipients displaced from their homes due to damage caused by the natural disaster;
6. Repair / replace / reconstruct / retrofit eligible single family owner-occupied units (structures of one to four dwelling units) for the purpose of upgrading damaged substandard properties to correct code violations and prevent additional deterioration;
7. Payment for rehabilitation of homes with non-insured repairs;
8. Other activities as proposed by Palm Beach County and approved by Florida Housing Finance Corporation.

2. **Years Covered:** 2010/2011; 2011/2012; 2012/2013

3. **Income Categories to be served:** Very Low, Low, and Moderate income

4. **Maximum Award:** \$55,000 for very low income families, \$45,000 for low income families, and \$40,000 for moderate income families.

5. **Terms, Recapture and Default:** All assistance provided is due upon sale, title transfer or conveyance. No payment is required as long as the home remains the primary residence of the applicant. If the home is sold, title is transferred or conveyed to an ineligible buyer, or the home ceases to be the primary residence of the applicant during the term of the mortgage, the entire amount of the loan shall become due and payable immediately. If the property is sold, title is transferred or conveyed to an income eligible buyer during the term of the mortgage, repayment may be waived if the new buyer accepts and agrees to the term and conditions of the mortgage, including, but not limited to the primary residence requirement. The purchaser's eligibility will be determined by the County and must be requested by the owner prior to the sale of the property. Any applicable affordability restrictions will be transferred to the new owner. Other recapture and default provisions will also be similar to the Purchase Assistance Program. In the event of death of the owner, recapture and default, provisions will be similar to the Purchase Assistance Program provisions for income eligible heirs, and ineligible persons.

Financial assistance to rental owners will be secured with a mortgage and note that will require repayment at an interest rate of three percent (3%) for a term of fifteen (15) years. All rental owners will be required to comply with the Monitoring and First Right of Refusal requirements shown on page 5 of the LHAP.

6. **Recipient Selection Criteria:** Income eligible renter and owner occupied households will be assisted on a first-come, first qualified, first served basis subject to funding availability. The housing unit must be located within the urban service area of the County and the applicant must own and occupy the property as their primary residence.

7. **Sponsor Selection Criteria:** N/A

8. **Additional Information:** Other state, federal, private and local funds may be leveraged with SHIP funds.

G. Name of Strategy: DEVELOPER ASSISTANCE RENTAL HOUSING

1. **Summary of Strategy:** This strategy will provide assistance to developers and owners of affordable rental housing serving lower income households. Eligible recipients of this assistance shall include owners of 25 units and fewer. These eligible recipients include owner of affordable rental units serving lower income special needs population. The goal of this strategy is to preserve and increase the number of affordable rental housing units available to income eligible persons in Palm Beach County. Funds awarded under this strategy will be encumbered within 12 months and expended within 24 months with the units occupied by eligible applicants. SHIP funds may be used for site acquisition, site development, rehabilitation, infrastructure improvements, impact fees or construction related costs. SHIP funds may not be used to pay rental subsidies. All SHIP assisted units must be occupied by income eligible families.
2. **State Fiscal Years:** 2010/2011; 2011/2012; 2012/2013.
3. **Income Categories to be served:** Very Low, Low Income
4. **Maximum Award:** \$15,000 per unit
5. **Terms, Recapture and Default:** The financial assistance will be secured with a mortgage and note that will require repayment at an interest rate of three percent (3%) annually with a minimum of fifteen (15) years and a maximum term of their (30) years to preserve affordability. Assisted developments must commit to rent limits as established by HUD for the term of the mortgage and all other stipulations of the loan agreement. Assisted developments must commit to rent stipulations as established by HUD for the term of the mortgage and all other stipulations of the loan agreement. The housing must remain affordable, and all SHIP assisted units must be occupied by income eligible persons during the affordability period. If the project ceases to remain affordable for the term of the loan, the entire unpaid balance is due and payable.
6. **Recipient Selection Criteria:**
Management of the development will select potential renters for the SHIP assisted units on a first come, first qualified, first served, basis. SHIP recipients must meet all SHIP affordability and income guidelines for the income group. County staff will ensure that the management of the development income-certify all renters prior to providing assistance.
7. **Developer (Sponsor) Selection Criteria:**
The County will advertise the availability of funds. Sponsors of affordable rental development will be selected through an RFP and review process based upon a point scoring system. Applicants must score a minimum of fifty percent (50%) of total available points to be reviewed for funding. Applicants scoring less than fifty percent (50%) will be disqualified. An application scoring the most points does not necessarily guarantee funding of the request. It is the goal of the County to provide funding for a variety of housing projects in a variety of locations. If staff deems a project "not feasible", staff reserves the right to recommend no funding for that project stating the reason for such recommendation.

Management of the development will select and place income eligible persons into the SHIP assisted units on a first come, first qualified, first served basis. Qualification criteria for SHIP recipients must meet all SHIP affordability and income guidelines for the income group. The County will be responsible for monitoring the project annually for compliance with tenant

income and affordability requirements. Preference will be given to sponsors who hire employees through the local Welfare Transition Program.

8. **Additional Information:** Other state, federal, private and local funds may be leveraged with SHIP funds.

H. **Name of the Strategy:** **HOUSING REHABILITATION/BARRIER FREE**

1. **Summary of the Strategy:** Home repair assistance will be provided to income-eligible owner-occupied applicants (structure of one to four dwelling units) for substantial rehabilitation, emergency repair to correct code violations or incipient items that will become a code violation. This strategy will also fund water and or sewer connections to include assessments from local municipalities charged by local governments for new improvements, home modification and architectural barrier removal.

Eligible homes requiring rehabilitation will be renovated to meet the County's applicable building code standards. If the maximum SHIP award combined with other public or private dollars is not sufficient to bring a home up to County's building code standards, the home will not be eligible for assistance under this Strategy

Additionally, Homeowner and Condominium Associations are eligible to apply for assistance to install elevators and lifts for SHIP eligible applicants. This assistance will only be provided to those Homeowner and Condominium Associations where at least 51% of the homeowners (*in that particular building*) are either lower income or elderly (*62 years of age or older*). Assistance will also be provided to qualified sponsors of rental housing who serve extremely low, very low, and low income elderly (*62 years or older*) and disabled households. Eligible activities include new construction, rehabilitation, emergency repairs, code compliance accessibility and energy efficiency improvements, for people with disabilities and those who are elderly (*62 years or older*).

Eligible home repairs: include but are not limited to:

- **Emergency repairs:** Conditions that must be considered as an emergency are: Structural components that show signs of imminent collapse, damage caused by fire, broken water pipes, heating and water heating system failure, inoperative air conditioning system, water leaks in walls or foundation, sewer/sanitation failure, roof leaks causing electrical hazards, ceiling collapse or structural damage, inoperable exterior doors and or windows, preventing emergency egress, inoperable toilet or hot water heater, exposed bare wires or other imminent fire hazard, electrical failures, lead based paint, gas leaks and any other repairs threatening the life, health and safety of the resident, which has been identified as being in violation of applicable building/housing codes.
- **Roof Repairs and/or replacement:** complete repair or replacement of deteriorated roofing systems to eliminate substandard or unsafe roofing conditions
- **General Home Repairs:** window replacement, door replacement, re-wiring, re-plumbing, kitchen and bathroom remodeling to reverse deterioration, a/c and heating system replacement, interior and exterior painting, floor covering replacement to replace deteriorated existing floor covering, insulation, repair cracked or hazardous driveways, termite treatment and repairs, room additions to alleviate overcrowded living conditions, and hurricane shutters installation (eligible item when included in overall repair project, and only if required by code or ordinance). This strategy may also allow for addressing unforeseen conditions of deterioration or other conditions discovered during a substantial rehabilitation project.

- Housing modifications and architectural barrier removal to improve accessibility for owner occupants who are elderly (62 years or older) and/or medically or physically disabled, or have family members who are medically or physically disabled. Barrier removal and home modification for owner occupied housing include:
 - Modification to widen doorways and hallways; installation of accessible doors and hardware; kitchen, bathroom and bedroom modification to accommodate mobility; grab bars; entry ramps; railings; walkways; landings, non-slip floor surfaces; delayed closing mechanisms on egress and garage doors; accessible appliances; installation of accessible cabinets, shelves, drawers, sinks, toilets, roll in showers; removal of architectural barriers.
2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013
 3. **Income Categories to be served:** Extremely Low, Very Low, and Moderate income households
 4. **Maximum Award:** \$75,000 for very low, \$60,000 for low, and \$45,000 for moderate income families. The amount of subsidy will be the maximum amount needed to make the necessary repairs to bring the house up to applicable building code requirements.
 5. **Terms, Recapture, and Default:**
Funding up to \$15,000 will be in the form of a deferred payment zero (0) interest loan secured by a mortgage and note for a period of five (5) years, without amortization. Assistance in the amount of more than \$15,000 up to \$40,000 will have a ten (10) year affordability requirement with an amortization component reducing the principal amount owed by ten percent (10%) annually. Assistance exceeding \$40,000 will have 15 year affordability requirement with an amortization component reducing the principal amount owed by ten percent (10%) annually. No payments will be due as long as the home remains the primary residence of the applicant. If the home is sold, title is transferred or conveyed (voluntarily or involuntarily), or the home ceases to be the primary residence of the applicant during the term of the loan, the entire amount of assistance provided, less amortized amounts, will be due and payable.

Barrier removal and other modification related repair funding for owner occupied households in the amount of \$5,000 or less will be provided as an unsecured grant with no recapture or deferred payment provision. Assistance in the amount of \$5,001 up to \$10,000 will be a deferred payment zero interest loan for a term of five (5) years secured by a note and mortgage. Assistance exceeding \$10,000 up to the maximum award will be in the form of a deferred payment zero interest loans for a term of ten (10) years secured by a note and mortgage.

No payment is required as long as the home remains the primary residence of the applicant. If the home is sold, title is transferred or conveyed (voluntarily or involuntarily), or the home ceases to be the primary residence of the applicant during the term of the mortgage, the entire amount of the loan shall become immediately due and payable. If the property is sold, title is transferred or conveyed to an income eligible buyer during the term of the mortgage, repayment may be waived if the new buyer accepts and agrees to the term and conditions of the mortgage including, but not limited to the primary residence requirement. The purchaser's eligibility will be determined by the County and must be requested by the owner prior to the sale of the property. Any applicable affordability restrictions will be transferred to the new owner.

In the event of death of the owner, recapture and default, provisions will be similar to the Purchase Assistance Program provisions for income eligible heirs, and ineligible persons.

6. **Recipient Selection Criteria:**

The County will advertise the availability of funds. Eligible owner occupied applicants will be considered on an ongoing basis subject to funding. Applicants will be awarded assistance on a first come, first qualified, first served basis until all available funds are allocated.

Property owners seeking assistance in this program must meet the program requirements outlined in Palm Beach County's Department of Economic Sustainability's policies for the Property Rehabilitation Program for Single-Family Structures and the Emergency Rehabilitation Program. Waiting list priority may be given in the following circumstances:

1. Documented special needs (as defined by Chapter 67-37.002(13), F.A.C.) of eligible homeowner (or immediate household member) who faces immediate institutionalization without the rehabilitation to the home. If institutionalization is not imminent, the applicant will not receive priority.
2. Eligible homeowner who has suffered a catastrophic single event emergency (e.g. fire, localized weather damage, etc) that will cause imminent homelessness. If homelessness is not imminent, the applicant will not receive priority.
3. Other selection criteria are as follows:
 - Applicant promises to pay all property taxes, insurance, utilities, existing mortgage payments and other assessments when due.
 - Applicant promises to maintain property and not allow deterioration of mortgaged property.
 - First time applicants will generally be given priority over previously assisted persons. Exceptions may be made for eligible property owners in cases where living conditions threaten the personal health and safety of the household.
 - Property must be owner occupied.
 - Verification of ownership and documented payment of property taxes must be provided.

7. **Sponsor Selection Criteria, if applicable:** N/A

8. **Additional Information:**

In addition to being income eligible as described above, applicants must meet the following selection criteria:

- a) Applicant may not currently own or have assets exceeding \$200,000 (monetary gifts and real estate excluding applicant's primary residence are included in the asset calculation).
- b) The residence must be owner occupied with a maximum that does not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located.
- c) Mortgage payments and taxes must be current / paid up to date.
- d) Applicants must provide proof of current homeowners insurance.

- e) SHIP funds may be combined with CDBG and/or HOME funds where needed.
- f) When SHIP funds are combined with CDBG or HOME funds, any SHIP loan repayment proceeds will be prorated and deposited into a separate Housing Trust Fund account as required.
- g) Rehabilitation/repairs will be performed by a State certified licensed contractor licensed to do business in Palm Beach County. The home owner must utilize the contractors within Palm Beach County's Facilities and Operations' Residential Repair Program or contractors from the Department of Economic Sustainability's approval contractor's list.
- h) Eligible repairs for barrier removal modifications include: ADA/UFAS compliant repairs, installations and modifications (*for things such as widening of doors, and installation of accessible doors and hardware*), widen halls, kitchens, bathrooms and bedrooms to accommodate mobility aides (*canes, walkers, wheelchairs and scooters*), Energy Star rated products should be used whenever available, installation of grab bars, entry ramps, railings, walkways landings, and elevators/lifts. Installation and repair of light switches, electrical outlets, thermostats and other environmental controls in accessible locations. Installation of non-slip floor surfaces throughout the home, installation of lever hardware, delayed opening and closing mechanism on egress and garage doors, improved lighting, accessible appliances which include but not limited to front or touch-type controls, installation of accessible cabinets, shelves, drawers, sinks, toilets, kitchen and bathroom, installation and provision of assisted technology products to increase accessibility in the home (*shower chair, hand accessible touch-type light switches and thermostats, hand held shower, non-slip surfaces roll-in with or without curb shower*), alternative communication devices, hurricane impact windows and doors, accommodations for service or companion animals, roof repairs and/or replacement, complete repair or replacement of deteriorated roofing systems to eliminate substandard or unsafe roofing conditions, window repair, replacement and weather-stripping, re-wiring, re-plumbing, termite treatment and repair, interior wall repairs and painting, a/c and heating systems repair or replacement and repair cracked or hazardous driveway and/or sidewalks.

I. Name of the Strategy: REPLACEMENT HOUSING

1. **Summary of the Strategy:** This strategy will provide financing to ~~extremely low and very low~~ income eligible homeowners residing in dilapidated structures which are beyond rehabilitation. Eligible uses of funding include, but are not limited to:
 - Demolition of the existing property;
 - Construction cost of a replacement home on the same lot;
 - Purchase of an existing home; and/or
 - Relocation costs
2. **Income Categories to be served:**
 - Extremely low, very low, and low income based on total household income and family size.
 - Elderly (*62 years or older*) and/or disabled head of household, for the extremely low, very low and low income categories.
3. **Maximum Award:** ~~\$108,000~~ \$215,000
4. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013

5. **Selection Criteria:**
Income eligible applicants will be assisted on a first come, first qualified, first served basis subject to funding availability. Applicants must demonstrate the ability to pay property taxes, insurance, utilities, and mortgage payments (*where applicable*); and must also demonstrate the ability to maintain the property.
6. **Terms, Recapture and Default:**
- a) SHIP/HOME Match funded projects will utilize a 30 year deferred payment loan at zero-percent interest. Payment in full is due upon sale if sold within the 30 year term. If sold after the 30 year term, no repayment is required, as long as, the recipient continues to own the assisted property and live in the property as their principle residence during the term of the mortgage. Assistance will be included in a recorded mortgage and subject to the above recapture provisions.
 - b) Default of loan occurs if the Mortgagor no longer resides in the home as the principle residence, or if any part of the property or an interest in it is sold, transferred, gifted or otherwise conveyed, whether by voluntary act, involuntarily, by operation of law or otherwise, or if the Mortgagor is divested by the title by judicial sale, levy or other proceeding, or if foreclosure action is instituted against the property, or if the property is leased or rented.
 - c) A subordination of this deferred payment mortgage will only be approved under the guidelines of the Subordination Policy established by Palm Beach County's SHIP Program.
 - d) In the event of a sale, the County may exercise its right of first refusal to purchase the property at its current market value for continued occupancy by income eligible persons.
 - e) In the event of death of the borrower prior to the end of the term of the mortgage, the outstanding balance become immediately due and payable. If the property is inherited by an income eligible heir that meets the requirements of the program, repayment may be waived, if the new homeowner accepts the terms and conditions of the program, including, but not limited to the principal residence requirement. The new owner's eligibility and entitlement shall be determined by the County in its sole discretion and must be requested by the new owner within ninety (90) days of the death of the original borrower. All applicable deed/affordability restrictions will be transferred to the new owner.
 - f) Additionally, a deed restriction or other legally sufficient document may be recorded with the Clerk of the Circuit Court to ensure the resale of the unit to a low or moderate income homebuyer. Moderate income households are not eligible where HOME match financing was used. The County is currently exploring other long term affordability options such as a Community Land Trust and Shared Equity/Appreciation policies. Resale restrictions as stipulated in a Community Land Trust and/or Shared Equity Agreements will be incorporated when/where applicable and imposed during the restrictive period. The Shared Equity/Appreciation policy will require homeowners receiving down payment assistance to repay a portion (20% to 75% of excess profit depending on year sold after purchase) of the equity/appreciation (less any applicable repayments) realized to the County when the property is sold at fair market value during the term of the mortgage.
 - g) In the event of default on the First Mortgage, the County may exercise its right of first refusal to purchase the property or if possible, coordinate the purchase of the property with an approved buyer. If unsuccessful, and a

foreclosure or a deed in lieu of foreclosure of the first mortgage transpires, any collateral agreement by the County restricting the use of the property or restricting the owner's ability to sell the property shall have no further force or effect on subsequent owners of the property. Furthermore, if the first lender acquires title to the property pursuant to a deed in lieu of foreclosure, the County's lien shall automatically terminate upon the first lender's acquisition of title. Any person, including his successors and assigns (other than the Borrower or a related entity or person to the Borrower), receiving title to the property through a foreclosure or deed in lieu of foreclosure of the first mortgage shall receive title to the property free and clear of the County's restrictions.

h) A land use restriction agreement may be utilized to maintain affordability for a period of time.

7. **Sponsor Selection Criteria, if applicable:** N/A

8. **Additional Information:**

Other state, federal, private and local funds may be leveraged with SHIP funds. SHIP funds may be leveraged with CDBG, HOME, private financing and other public financing sources where applicable. Family size will dictate the size of the replacement home.

J. Name of Strategy: FIRST MORTGAGE LOAN ASSISTANCE PROGRAM WITH OR WITHOUT REHABILITATION

1. **Summary of Strategy:** This strategy will provide first mortgage loan assistance to individuals and households earning up to 120% of the area median income. SHIP funds will be used with the goal of expanding homeownership opportunities to targeted income groups. Maximum loan amounts are based upon established affordability guidelines. Purchase price cannot exceed 95% of Federal Housing Administration (FHA) median sales price.
2. **Fiscal Years Covered:** 2010/2011; 2011/2012; 2012/2013
3. **Income Categories to be served:** Very Low, Low and Moderate Applicants up to 120% of the area median income
4. **Maximum Award:** \$211,375 (The award amount will be based upon prospective homebuyer's affordability).
5. **Terms, Recapture and Default:** Acquisition and acquisition with Rehabilitation Assistance will be in the form of a low interest loan at four percent (4%) with a term of up to 30 years. This funding can be used in conjunction with other public or private financing. SHIP funding will not be utilized for the purchase of mobile homes.
 - a. SHIP funded projects will utilize a direct loan with a mortgage term of 30 years. The mortgage balance at the time the property is sold, leased or rented, title is transferred, gifted or otherwise conveyed, whether by voluntary act, involuntarily, by operation of law or otherwise, or if the Mortgagor is divested of the title by judicial sale, levy or other proceedings, become immediately due and payable. The home must remain the Mortgagor's principal residence over the life the loan, unless the remaining balance is paid-in-full. The financing provided will be secured by a recorded mortgage and subject to recapture.
 - b. Default on the loan occurs if the Mortgagor fails to make the required monthly payment to include a principal and interest payment plus escrow payment and the annual property tax assessment for

homeowner's, flood and windstorm insurance, as applicable

- c. In the event of the death of the Mortgagor prior to the end of the mortgage, the outstanding, balance shall become immediately due and payable.

6. **Recipient Selection Criteria:**

- a. Eligible applicants are selected on a first come, first qualified, and first served basis with the targeted income groups subject to funding availability.
- b. An income eligible household may not have liquid assets that exceed \$50,000. Liquid Assets are defined as any cash or cash equivalent that can be immediately converted into cash at an established rate or value. Cash equivalents include savings bonds and other bond investments; corporate stock and stock futures; mutual bonds; and any other investment security or note.
- c. The applicant cannot own other residential properties.
- d. The applicant must complete 8 hours of homebuyer education classes approved by the County prior to receiving financial assistance.
- e. The purchased property must meet all applicable building codes, deficiencies must be corrected prior to, or as part of the purchase transaction. In the case of new construction, a Certificate of Occupancy is required before the home can be occupied.
- f. Very low- income homebuyers (50% or below area median income) must contribute a minimum downpayment of 1% of the total purchase price and the cost of rehabilitation.

Low and moderate-income homebuyers, (between 51% and 120% of area median income) must contribute a minimum downpayment of 2% of the total purchase price and cost of rehabilitation.

7. **Sponsor/Developer Selection Criteria:** N/A

8. **Additional Information:**

Rehabilitation Standards:

- Eligible homes requiring rehabilitation shall only be renovated to upgrade the property to ensure compliance with applicable municipal, county and state housing and building standards to the extent that the repairs performed are practical and feasible.

III. LHAP INCENTIVE STRATEGIES

Section 420.9071(16), F.S.

A. Name of the Incentive Strategy: THE PROCESSING OF APPROVALS OF DEVELOPMENT ORDERS OR PERMITS, AS DEFINED IN S. 163.3164(7) AND (8), FOR AFFORDABLE HOUSING PROJECTS IS EXPEDITED TO A GREATER DEGREE THAN OTHER PROJECTS.

To ensure the review of affordable housing projects is expedited to a greater degree than other projects, Palm Beach County has instituted a "Pre-Application Review Process", in which Affordable Housing Developers are encouraged to participate. The pre-application review process will occur prior to the submittal of a Zoning or Building permit application, for purposes of establishing a density bonus determination. The pre-application shall be established by the Planning Director, and made available to the public and be subject to Sufficiency Review. The Planning Director shall provide a written density determination letter within ten days

of determining the pre-application is sufficient. The determination shall be based on the sector analysis, size, location and development characteristics of the project with consideration given towards affordability, accessibility, proximity to mass transit or employment centers, compatibility, quality of design, pedestrian and vehicular circulation, open space, and resource protection. The Planning Director shall prepare a report for the applicant, Development Review Officer (DRO) Committee, Zoning Commission (ZC), or Board of County Commissioners (BCC), whichever is appropriate, making a determination of compliance with this chapter, consistent with the Plan and recommend approval, approval with conditions, or denial of the request.

Additionally, HCD staff will serve as one of the agencies that make up the Development Review Officer (DRO) Committee. The DRO Committee meets monthly and provides the process by which private land development proposals are reviewed by various County Departments and agencies for compliance with County development regulations. This process is administered by PZ&B's Zoning Division. HCD will be one of the review agencies certifying projects for public hearings before the County's Zoning Commission and the Board of County Commissioners. HCD will also help certify site development plans prior to building permit applications being submitted by a developer. As Affordable Housing Projects are presented, HCD staff will work with the PZ&B staff, as well as the developer to ensure that affordable housing projects are expedited to a greater degree than other projects.

Also, Palm Beach County updated its Unified Land Development Code (ULDC) (*located in Article 5, CHAPTER G, Section 1*) ordinance (#2006-055) in 2006. The ULDC allows for the following processes with regards to expedited review for a proposed Affordable Housing Development:

a. Design Review

Review of multifamily or townhouse structures by the Building Division and Fire Rescue shall be allowed concurrent with final DRO review, prior to permit application.

b. Platting

- 1) If only a boundary plat is required for an existing single lot, building permits may be issued after submittal of the final plat for recordation.
- 2) If a subdivision plat is required, permits will be concurrently reviewed, but only issued at recording of the plat.
- 3) Pursuant to Article 3.E.1.G.1.a, Permits, Building permits may be issued for sales offices, sales models, gate houses, entry features, and utilities may be issued prior to the recording of a final plat.

THIS "EXPEDITED PERMITTING" INCENTIVE HAS BEEN IN OPERATION SINCE NOVEMBER 2006.

B. Name of the Incentive Strategy: THE ESTABLISHMENT OF A PROCESS BY WHICH A LOCAL GOVERNMENT CONSIDERS, BEFORE ADOPTION, POLICIES, PROCEDURES, ORDINANCES, REGULATIONS, OR PLAN PROVISIONS THAT INCREASE THE COST OF HOUSING.

In order to ensure that this incentive is met, HCD staff shall attend all monthly Planning Commission meetings. The Planning Commission serves as the Local Planning Agency (LPA) per sec. 163.3174, F.S. and provides recommendations on amendments to the Palm Beach County Comprehensive Plan. HCD staff will provide appropriate input at all Planning Commission meetings regarding issues related to Affordable Housing. Also, a member of our Affordable Housing Advisory Committee is currently serving as a board member of the Planning Commission. This provides further insight and an affordable housing advocate on the Planning Commission. By participating as one of the County Departments responsible for presenting information to the Planning Commission, specifically for Affordable Housing Projects, this will further ensure that HCD is up to date and/or at the forefront on all discussions related to policies, procedures, ordinances, regulations, or plan provisions that may increase the cost of housing. HCD staff will draft monthly reports outlining issues discussed at the Planning Commission meetings

which may potentially impact the cost of housing. HCD staff will then submit the report to the HCD Director and the Commission on Affordable Housing Advisory Committee.

Palm Beach County's Housing and Community Development (HCD) Department shall also work with the Planning Zoning and Building (PZ&B) Department and serve as staff to the Land Development Regulation Advisory Board (LDRAB). The LDRAB meets monthly and reviews and makes a recommendation to the Board of County Commissioners (BCC) on proposed amendments to the Unified Land Development Code (ULDC). HCD will work with the Code Revision Section of PZ&B, which is responsible for: coordinating the periodic review and updates to the ULDC for the LDRAB; conducting on-going research of various projects and topics related to the code amendment process; the coordination of amendments to the Articles with the various County Divisions for compliance with the Comprehensive Plan, Board of County Commission directives and in response to changes in industry standards. HCD will be involved with this process by regularly attending meetings with the Code Revision Section to review all of the proposed code revisions that are being presented to the LDRAB. HCD staff will work with the Code Revision Section to ensure that if any policy, procedure, ordinance or plan provisions that address housing development, that it is adequately reviewed by HCD Staff and presented to our Commission on Affordable Housing Advisory Committee. HCD staff will draft monthly reports outlining issues discussed at the LDRAB meetings which may potentially impact the cost of housing. HCD staff will then submit the report to the HCD Director and the Commission on Affordable Housing Advisory Committee.

Finally, HCD staff will serve as one of the agencies that make up the Development Review Officer (DRO) Committee. The DRO Committee meets monthly and provides the process by which private land development proposals are reviewed by various County Departments and agencies for compliance with County development regulations. This process is administered by PZ&B's Zoning Division. HCD will be one of the review agencies certifying projects for public hearings before the County's Zoning Commission and the Board of County Commissioners. HCD will also help certify site development plans prior to building permit applications being submitted by a developer. HCD staff will draft monthly reports outlining issues discussed at the DRO Committee meetings which may potentially impact the cost of housing. HCD staff will then submit the report to the HCD Director and the Commission on Affordable Housing Advisory Committee.

THIS "ONGOING REVIEW PROCESS" INCENTIVE WAS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON JANUARY 27, 2009, AND IS CURRENTLY IN OPERATION.

C. Name of the Incentive Strategy: THE PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING.

On September 9, 2008 (*R-2008-1562*) the Palm Beach County Board of County Commissioners approved a list of County owned land that was determined to be suitable for affordable housing. This list will be updated tri-annually.

FLORIDA HOUSING FINANCE CORPORATION

HOUSING DELIVERY GOALS CHART#2002

STRATEGIES FOR THE LOCAL HOUSING ASSISTANCE PLAN FOR STATE FISCAL YEAR: 2012/2013

Please check applicable box, & if Amendment, enter number

New Plan:		
Amendment: #5	3/12/2013	X
Fiscal Yr. Closeout:		

Name of Local Government:	Palm Beach County						Available Funds:	\$395,053.00				
							A	B	C	D	E	F
HOME OWNERSHIP STRATEGIES	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
Purchase Assistance Existing	0	\$100,000	0	\$65,000	0	\$50,000	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Purchase Assistance New Const.	0	\$100,000	0	\$65,000	0	\$50,000	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Foreclosure Prevention	0	\$15,000	0	\$15,000	0	\$15,000	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Disaster Mitigation	0	\$55,000	0	\$45,000	0	\$40,000	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Housing Rehabilitation/Barrier Free	2	\$75,000	0	\$60,000	0	\$45,000	\$0.00	\$140,553.00	\$0.00	\$140,553.00	35.58%	2
Replacement Housing	0	\$108,000	1	\$215,000	0	\$0	\$0.00	\$215,000.00	\$0.00	\$215,000.00	54.42%	1
First Mortgage Loan Assistance	0	\$211,375	0	\$211,375	0	\$211,375	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
HOME Match	0	\$75,000	0	\$60,000	0	\$0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Subtotal 1 (Home Ownership)	2		1		0		\$0.00	\$355,553.00	\$0.00	\$355,553.00	90.00%	3
RENTAL STRATEGIES	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
Rental Housing Entry Assistance	0	\$5,000	0	\$5,000	0	\$0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Developer Asst. Rental Housing	0	\$15,000	0	\$15,000	0	\$0	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
										\$0.00	0.00%	0
										\$0.00	0.00%	0
										\$0.00	0.00%	0
Subtotal 2 (Non-Home Ownership)	0		0		0		\$0.00	\$0.00	\$0.00	\$0.00	0.00%	0
Administration Fees										\$39,500.00	10.00%	
Admin. From Program Income											0.00%	
Home Ownership Counseling											0.00%	
GRAND TOTAL							\$0.00	\$355,553.00	\$0.00	\$395,053.00	100.00%	3
Add Subtotals 1 & 2, plus all Admin. & HO Counseling												
Percentage Construction/Reh										Calculate Constr./Rehab Percent. by adding Grand Total Columns A&B, then divide by Annual Allocation Amt.		90%
Maximum Allowable							New	\$215,000	Existing	\$215,000		
Purchase Price:												
Allocation Breakdown		Amount	%	Projected Program Income:		\$0.00	Max Amount Program Income For Admin:		\$0.00			
Very-Low Income		\$140,553.00	35.6%	Projected Recaptured Funds:		\$0.00						
Low Income		\$215,000.00	54.4%	Distribution:		\$395,053.00						
Moderate Income		\$0.00	0.0%	Total Available Funds:		\$395,053.00						
TOTAL		\$355,553.00	90.0%								11-Apr-12	