



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures					
Operating Costs	\$1,440,000				
External Revenues	(\$1,440,000)				
Program Income					
In-Kind Match (County)					
<b>NET FISCAL IMPACT</b>	<b>-0-</b>				

# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included In Current Budget? Yes  X  No


Budget Account No.:

Fund 1103 Dept 143 Unit 1434 Object 8201 Program Code/Period varies

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

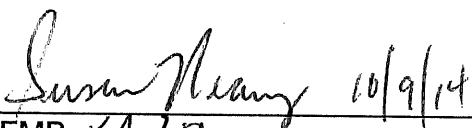
Approval of this agenda item will allocate a \$1,440,000 to the Community Land Trust of Palm Beach County, Inc.

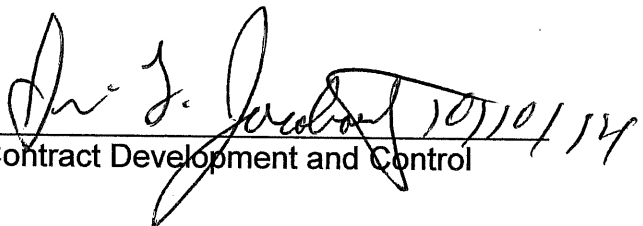
**C. Departmental Fiscal Review:**

  
Shairette Major, Fiscal Manager I

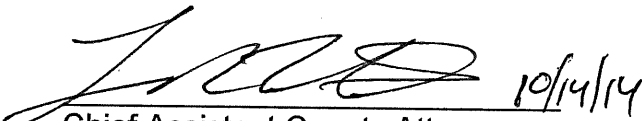
**III. REVIEW COMMENTS**

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

  
OFMB SM 10/9/14  
10/9 10/9

  
Contract Development and Control 10/10/14

**B. Legal Sufficiency:**

  
Chief Assistant County Attorney 10/14/14

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

# 2,473,996

**Palm Beach County Department of Economic Sustainability  
HOME Program RFP DES.2014.1  
Selection Committee Evaluation Criteria**

SCORING CRITERIA	SLR	EL	PR	JK	IJ	CEL	TOTAL SCORE	AVERAGE SCORE	RANK ORDER
Blue Heron Apartments	61	67	87	69	74	94	452	75.3	5
Canal Front Apartments	71	78	31	83	69	30	412	68.7	6
Courtyard Apartments	56	54	78	90	69	50	397	66.2	7
Davis Landings West	91	85	91	100	80	85	532	88.7	1
New South Bay Villas	84	80	89	93	94	85	530	88.3	2
P.L. Dunbar Senior Complex	90	81	86	92	80	90	519	86.5	3
Sunny Lane Apartments	57	67	59	70	67	37	357	59.5	8
Village of Valor	75	77	89	80	83	85	489	81.5	4

ATTACHMENT 1

# **Request for Proposals**



**Palm Beach County  
Department of Economic Sustainability**

**HOME Investment Partnerships Program**

**RFP DES.2014.1**

**August 2014**

**ATTACHMENT 2**

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## **SECTION I**

### **A. Statement of Purpose**

The Palm Beach County Board of County Commissioners (County), through the Department of Economic Sustainability (DES), is soliciting proposals from Developers to create rental or for-sale housing through new construction or rehabilitation, with or without acquisition. Through this Request for Proposal (RFP) process, the County intends to select one or more projects that will expend all HOME funding by September 30, 2016 and will complete and place into service all project housing units by September 30, 2017.

### **B. Background**

The HOME Program was created by the 1990 Title II, 42 USC 1271, SEC. 201 Cranston-Gonzalez National Affordable Housing Act, and is administered by the U.S. Department of Housing and Urban Development (HUD). The purpose of this program is to allocate funds to eligible Participating Jurisdictions to strengthen public/private partnerships for the provision of affordable housing opportunities for Very Low Income and Low Income households. In Palm Beach County, the HOME Program is administered by DES.

### **C. Funding/Available**

RFP DES.2014.1 makes available up to **\$2,473,996** in HOME entitlement funding. All funding will be provided in the form of loans requiring repayment of principal and interest. Funds are made available to provide financing for the development of HOME-Assisted Housing Units for rental or for sale to Eligible Beneficiaries.

### **D. Defined Terms**

**Administrative Fee** is defined as the fee associated with loans to rental projects, and which is paid annually during the term of the loan by the borrower to cover County costs of loan servicing, project monitoring, and other administrative requirements.

**Area Median Income (AMI)** is defined as the most current income limits published by HUD for the West Palm Beach - Boca Raton Metropolitan Statistical Area (Palm Beach County).

**Developer** is defined as an entity funded through this RFP to undertake the development of HOME-Assisted Housing Units, and which will assume responsibility for compliance with all related requirements in accordance with HOME regulations. Such entities shall be limited to private for-profit entities, private non-profit entities, or ventures between the same.

**Eligible Beneficiaries** are defined as Low Income and Very Low Income households.

**HOME-Assisted Housing Unit** is defined as a housing unit assisted with HOME funding provided through RFP DES.2014.1 and bearing all requirements related thereto.

**Low Income** is defined as an annual income that does not exceed eighty percent (80%) of AMI as annually determined by HUD.

**Mixed Income Project** is defined as a project funded through this RFP which contains a mix of subsidized and affordable housing units and unsubsidized market-rate housing units.

**Multi Family Housing** is defined as housing with five (5) or more units per residential structure.

**Period of Affordability** is defined as the time period for which HOME-Assisted Housing Units shall bear affordability requirements of the HOME Program and RFP DES.2014.1.

**Respondent** is defined as an entity that submits a proposal in response to this RFP.

**Selection Committee** is defined as the body of individuals that evaluates responsive proposals at a public meeting and formulates funding recommendations for consideration by the Palm Beach County Board of County Commissioners.

**Single Family Housing** is defined as housing with four (4) or fewer units per residential structure.

**Very Low Income** is defined as an annual income that does not exceed fifty percent (50%) of AMI as determined annually by HUD.

#### **E. Location Limitations**

Properties must be located exclusively within Palm Beach County. The Palm Beach County HOME Program jurisdiction includes the corporate bounds of Palm Beach County, but excludes the municipalities of West Palm Beach, Boynton Beach, Delray Beach, Jupiter, Wellington, and Boca Raton.

If a project is located within one of these municipalities, the municipality must make a financial contribution to the project in an amount equal to no less than half of the HOME funding request. The municipal financial contribution to the



project may be in the form of a grant, a loan, the value of donated real property, or other quantifiable means, such as waiver of permit fees, impact fees, or other development fees. The County has the sole authority to determine the value of the financial contribution. The Respondent is solely responsible for obtaining the municipal financial contribution, and for providing documentation of the financial contribution at time of proposal submittal.

Additionally, projects located within the above-identified municipalities must serve beneficiaries from both the municipality and the Palm Beach County HOME Program Jurisdiction. The County will monitor this tenancy requirement at time of initial occupancy and each year during the affordability period.

**F. Eligible Project Types**

Eligible projects are limited to new construction or rehabilitation, with or without acquisition. Eligible rental projects include both Multi Family Housing and Single Family Housing types. Eligible ownership projects are limited to Single Family Housing type.

**Projects may be mixed income and contain both HOME-Assisted Housing Units and non-HOME-Assisted Housing Units.** The number of HOME-Assisted Housing Units in the project shall be guided by the amount of HOME funding provided to the project and a maximum per unit HOME subsidy. Per 24 CFR 92.250(a), the maximum per unit HOME subsidy shall be set at the basic Section 221(d) mortgage limit for elevator construction projects, by bedroom size. Such maximum per unit HOME subsidy amounts are included at Exhibit A. There shall be a representative distribution of housing unit sizes among the mix of HOME-Assisted Housing Units and non-HOME-Assisted Housing Units.

All HOME-Assisted Housing Units must be completed, put into service, and leased by Eligible Beneficiaries no later than September 30, 2017.

**G. Eligible Beneficiaries**

All HOME-Assisted Housing Units must be either leased or sold to Eligible Beneficiaries—households whose incomes are no greater than eighty percent (80%) of AMI.

In addition, for rental projects with five (5) or more HOME-Assisted Housing Units, at least twenty percent (20%) of the HOME-Assisted Housing Units must be leased to households earning no more than fifty percent (50%) of AMI.

HUD's 2014 income limits are at Exhibit B.

**H. Period of Affordability**

All HOME-Assisted Housing Units created for rental shall bear the applicable affordability requirements of the HOME Program and RFP DES.2014.1 for a period of no less than twenty (20) years if newly constructed units, and for no less than fifteen (15) years if rehabilitated units, with or without acquisition. During the Period of Affordability, all HOME-Assisted Housing Units created for rental shall be occupied by Eligible Beneficiaries as tenants.

All HOME-Assisted Housing Units created for ownership shall bear the applicable affordability requirements of the HOME Program and RFP DES.2014.1 for a period of no less than fifteen (15) years. During the Period of Affordability, all HOME-Assisted Housing Units created for ownership must be occupied by Eligible Beneficiaries as owner-occupants.

The Period of Affordability will be enforced through an encumbrance recorded against title to the HOME-Assisted Housing Units.

**I. Affordable Rental Rates**

For rental projects, During the Period of Affordability, all HOME-Assisted Housing Units must be leased to Eligible Beneficiaries at rents which do not exceed HUD's HOME High and Low Rents, less utility allowance [24 CFR 92.252]. The High and Low HOME Rents are applicable to HOME-Assisted Housing Units set aside for income groups as follow:

- Low Income (<80% AMI) Units = High HOME Rent
- Very Low Income (<50% AMI) Units = Low HOME Rent

HUD's HOME Rents for 2014 are provided at Exhibit C. HOME Rents are subject to annual adjustment by HUD.

A utility allowance for tenant paid utilities shall be calculated based on the applicable HUD utility allowance schedule, and shall be deducted from the applicable HOME Rent to yield the maximum rent that may be charged to the tenant leasing the HOME-Assisted Housing Unit. The current applicable HUD utility allowance schedule is provided at Exhibit D. Utility allowances are subject to annual adjustment by HUD.

**J. Affordable Sale Prices**

Per 24 CFR 92.252, for ownership projects, the value and sale price of the HOME-Assisted Housing Units shall not exceed 95% of the applicable median purchase price for Palm Beach County, as determined by HUD [24 CFR 92.254]. The 2014 HOME Homeownership Value Limits for single-family detached housing are \$262,000 for newly-constructed housing and \$157,000 for existing housing. HUD limits for all single-family dwelling structure types are included at Exhibit E.

All HOME-Assisted Housing units must be sold to Eligible Beneficiaries through a purchase which is affordable to the homebuyer. The County shall consider a purchase affordable when the homebuyer's front-end ratio does not exceed 35%. If necessary to make the purchase affordable to the homebuyer, the County may elect to accept a second mortgage from the buyer for a portion of the HOME subsidy in an amount necessary to bring the front-end ratio to the acceptable level.

The County shall review and approve all proposed sales of HOME-Assisted Housing Units.

**K. Rehabilitation Standards**

Rehabilitation work completed under this program shall seek to upgrade the property to the extent practicable and feasible to applicable housing and building code standards (including the HUD Section 8 Housing Quality Standards). The rehabilitation shall address lead-based paint remediation, asbestos remediation, hurricane protection, energy efficiency and conservation, the removal of architectural barriers, as well as any construction related improvements to the property in order to comply with the requirements of the required environmental review.

**L. Eligible Costs**

Eligible uses of the HOME funds are limited to project development costs, including: closing costs of the HOME loan; acquisition; architectural and engineering services; legal and accounting fees; demolition; site improvements; rehabilitation; construction; purchase of stored materials; building permits; utility connection fees; impact fees; and developer fee. **Determination of cost eligibility and reasonableness shall be at the County's sole discretion.** Costs of off-site improvements, payment of delinquent taxes and other fees, and costs related to other project financing are ineligible for payment with HOME funds.

**M. Relocation**

Respondents are cautioned that any activities causing displacement of residents and/or businesses are required to comply with the federal Uniform Relocation Assistance and Real Properties Acquisition Policies Act (URA). The Respondent is solely responsible for all procedural requirements and costs related to the URA.

**N. Loan Terms**

Financial assistance shall be provided to Developers in the form of loans requiring repayment of principal and interest. Loans shall have a fixed interest

rate not to exceed 3.0% APR which will be determined through project underwriting and negotiation.

For loans to rental projects, the term of the HOME loan shall be congruent with the project's first mortgage, up to a maximum length of thirty (30) years. All principal and interest shall be repaid, however, the County may offer balloon payment or interest-only loans based on project underwriting and in compliance with HOME affordability requirements at 24 CFR Part 92.252. Repayment of loan interest and/or principal shall be made no less than annually.

For loans to ownership projects, the term of the HOME loan shall be negotiated and based on the schedule for project completion. Repayment of a proportionate amount of the HOME loan, plus accrued interest, shall be made upon the sale of each HOME-Assisted Housing Unit, until the sale of the final HOME-assisted Housing Unit upon which all remaining principal and interest shall be repaid.

For all loans, a fee of 150 basis points of the HOME loan amount shall be paid by the borrower at closing.

For loans to rental projects, annual payment of a \$1,500 Administrative Fee is required during each year of the term of the loan.

**O. Deadlines**

September 3, 2014 (4:00pm E.S.T.).....	Submittal of Proposal
October 30, 2014.....	Execution of Loan Agreement
September 30, 2015.....	Commence Construction
September 30, 2016.....	100% expenditure of HOME Funds
September 30, 2017.....	100% Beneficiaries Realized

**P. Federal Requirements**

The following are some of the federal regulations applicable to projects funded through this RFP. This list is not all-encompassing, and the exclusion of a requirement from this list does not relieve the Developer of its obligations related thereto.

- 24 CFR Part 92 (HOME Program Regulations)
- HOME 42 U.S.C.12704
- Davis-Bacon and Related Acts
- Uniform Relocation Assistance and Real Property Acquisition Policies (URA)
- Section 504 of the Rehabilitation Act of 1973, as amended
- Lead-Based Paint Poisoning Prevention Act
- Section 3 of the Housing and Urban Development Act of 1968, as amended

- Executive Order 11246
- Executive Order 11063
- Fair Housing Act of 1988
- Palm Beach County Purchasing Code
- OMB Circular A-122
- OMB Circular A-133
- Section 8 Housing Quality Standards
- Protecting Tenants at Foreclosure Act of 2009 (PTFA), Pub. L. No. 111-22
- Implementation of Section 418 of Division A of the Consolidated Appropriations Act, 2010, Public Law 111-117, Title IV, 123 Statute 3034, 3112 (ACORN affiliated organizations are not eligible to receive HOME funding)
- S.A.F.E. Mortgage Act and related Acts (RESPA, Consumer Protection, HOEPA, etc.)
- Section 109 Housing and Community Development Act of 1974
- Nondiscrimination under the Age Discrimination Act of 1975, as amended
- Title VII of the Civil Rights Act of 1964
- Compliance with Clean Air and Water Acts
- The Energy Policy and Conservation Act of 1975

## **SECTION II**

### **A. Proposal Requirements**

**A completed registration form for RFP DES.2014.1 shall be submitted to DES in order to be eligible to submit a proposal. The registration form is located at <http://www.pbcgov.com/des> or may be obtained by visiting DES at 100 Australian Avenue, Suite 500, West Palm Beach, FL 33406.**

**Each proposal shall meet the following criteria in order to be considered responsive and to be eligible for funding consideration:**

1. The proposal shall include a fully completed and executed Respondent Certification Form (Exhibit F). Submit the information required by this Paragraph II. A.1, as Attachment 1.
2. The proposal shall include a detailed project description including, but not limited to: project location (including a detailed location map); type of project (i.e., acquisition and rehabilitation, new construction with/or without acquisition, etc.); development lay out; architectural style; numbers and types of buildings; total numbers of housing units by type/size; numbers of HOME-Assisted Housing Units by type/size; site amenities; and status of project activities undertaken to date. Submit the information required by this Paragraph II. A.2 as Attachment 2.
3. The proposal shall include a market study prepared by an independent third

party consultant, and including an assessment of local market inventory, demand, pricing, and project marketability. Submit the information required by this Paragraph II. A.3, including a detailed location map as Attachment 3.

4. The proposal shall identify the contact information for all of the project team members. Information should include the name, business affiliation, address, phone number and contact person for each team member. The proposal must identify at a minimum the Respondent, Developer, construction contractor, architect/engineer, and attorney. Submit the information required by this Paragraph II. A.4 as Attachment 4.
5. The proposal shall include an organization chart which identifies the Respondent and the roles of all team members on the project. Submit the information required by this Paragraph II. A.5 as Attachment 5.
6. The proposal shall describe the past experience of the Respondent in undertaking similar activities, including details of the last three (3) projects of similar scope and magnitude to the project being proposed by the Respondent. In addition, the proposal shall include individual résumés which identify each of the proposed team members' experience in similar roles. Submit the information required by this Paragraph II. A.6 as Attachment 6.
7. The proposal shall include evidence of site control. Evidence means a fully executed contract for purchase and sale of the property, an option to purchase, a long term lease, a lease option, a recorded deed, or a recorded certificate of title. Submit the information required by this Paragraph II. A.7 as Attachment 7.
8. The proposal shall include, for Multi Family Housing projects, an appraisal of the project performed by a third-party independent licensed property appraiser. Submit the information required by this Paragraph II.A.8 and Attachment 8.
9. The proposal shall include a detailed development pro forma which includes all project sources and uses of funding and which explicitly states all assumptions and includes all formulas. The development pro forma must be submitted in both hard copy and electronic file (MS Excel) format. Submit the information required by this Paragraph II.A.9 as Attachment 9.
10. The proposal shall include a detailed operating pro forma which includes all project revenues and expenses and which explicitly states all assumptions and includes all formulas. For rental projects, the operating pro forma shall cover a 15-year period. For ownership projects, the operating pro forma shall cover the time period through repayment of the loan and project completion. The operating pro forma must be submitted in both hard copy and electronic file (MS Excel) format. Submit the information required by this Paragraph II.

A.10 as Attachment 10.

11. The proposal shall include a detailed litigation history of the Respondent which shall identify any litigation matter in the past five (5) years involving any projects or key personnel employed with Respondent. Submit the information required in this Paragraph II. A.11 as Attachment 11.
12. The proposal shall include documentation evidencing availability of all sources of funding required for the non-HOME balance of the project development budget. Acceptable documentation includes documentation from the financing source(s) providing a firm or a conditional commitment to financing and identifying all financing terms and conditions. Submit the information required in this Paragraph II. A.12 as Attachment 12.
13. All proposals for projects located in municipalities outside of the Palm Beach County HOME Program Jurisdiction shall include documentation of municipal financial contribution in an amount no less than one half of the HOME funding award. Acceptable documentation of the municipal contribution includes executed agreement, or evidence of official action by the municipality's governing body approving the contribution. Submit the information required by this Paragraph II A.13 as Attachment 13.
14. The proposal shall include two (2) years of Externally Audited Financial Statements, Externally Reviewed Financial Statements, Externally Compiled Financial Statements, Federal Income Tax Returns, or Internally Compiled Financial Statements. Organizations less than two (2) years old shall provide the required documents for the maximum period possible. Organizations less than one (1) year old shall submit documentation supporting why the requirements of Paragraph II.A.14 cannot be met and shall provide any documentation evidencing the financial status of the organization. Submit the information required in this Paragraph II. A.14 as Attachment 14.
15. The proposal shall identify the current zoning and land use for the project site, the status of development approvals, the availability of required infrastructure, and shall describe the proximity to and availability of schools, commercial facilities, health care services, public transit, and employment centers. Submit the information required in this Paragraph II. A.15 as Attachment 15.
16. The proposal shall include a detailed project schedule including all activities from conceptualization, pre-development, due diligence, land acquisition, engineering, development approvals, permitting, construction, marketing, completion, and lease-up to full occupancy. Submit the information required in the Paragraph II. A.16 as Attachment 16.
17. The proposal shall include an executed public disclosure, in writing, under oath and subject to the penalties prescribed for perjury, on the form attached

hereto as Exhibit G, disclosing the name and address of every person having a beneficial interest in the proposed transaction. The beneficial interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public, is exempt and need not be disclosed. All proposals shall specifically identify, in said disclosure, the name of any officer, director, or agent which is also an employee of Palm Beach County. Further, all proposals must specifically identify any County official employee who owns, directly or indirectly, an interest of Respondent's firm or any of its affiliates. Submit the information required in this Paragraph II. A.17 as Attachment 17.

18. The proposal shall include an executed Drug Free Workplace Certification indicating that the Respondent has implemented a Drug Free Workplace Program which meets requirements of Section 287.087, Florida Statutes. A Drug Free Workplace Certification is provided as Exhibit H to this RFP. If Respondent has not implemented a Drug Free Workplace program, simply complete the form using "not applicable". Submit the information required in this Paragraph II. A.18 as Attachment 18.
19. If the proposal is seeking Glades Region, disabled, veterans, and/or existing County project preference: for Glades Region preference, the proposal shall include documentation that the project is located within the Glades Region of Palm Beach County and will be actively marketed to residents of the Glades Region; for disabled preference, the proposal shall include documentation demonstrating that the project includes design features serving disabled persons and that project marketing plans include specific targeting of disabled persons; for veterans preference, the proposal shall include documentation demonstrating that project marketing plans include specific targeting of veterans; and for existing County project preference, the proposal shall identify the program, amount, and form of previous County funding investment in the project. Submit the information required in this Paragraph II.A.19 as Attachment 19.

**Proposals which fail to provide all proposal requirements listed in Section II.A above will be deemed non-responsive, and will receive no consideration for funding by the Selection Committee.**

**B. Timetable**

The anticipated schedule and deadlines for the RFP are as follows:

<u>Activity</u>	<u>Date, Time, and Location</u>
Issue RFP	Advertised Sunday, August 3 and



**Wednesday, August 6, 2014**

**Pre-Submittal Conference**      **Friday, August 15, 2014, 9:00a.m.** at the McEaddy Conference Room, 12<sup>th</sup> Floor, PBC Governmental Center, 301 North Olive Avenue, West Palm Beach, FL 33401.

**Submittal Deadline**              **Wednesday, September 3, 4:00p.m.**, at the Department of Economic Sustainability, 100 Australian Avenue, Suite 500, West Palm Beach, Florida 33406.

**Proposals received after the deadline will be returned without consideration for funding. Modifications to proposals will not be permitted after the deadline.**

**Selection Committee Meeting**      **Thursday, September 18, 2014, 1:30p.m.**, at the PBC Vista Center, VC-1E-58, 2300 Jog Road, West Palm Beach, FL 33411.

**BCC Consideration**                  **To Be Determined**

**C. Pre-Submittal Conference**

A non-mandatory pre-submittal conference will be held on Friday, August 15, 2014, and will be located at the PBC Governmental Center, 301 North Olive Avenue (12<sup>th</sup> Floor McEaddy Conference Room), West Palm Beach, FL 33401. County representatives will verbally present, highlight and reinforce the requirements of the RFP.

**D. Addenda**

If necessary, addenda will be mailed or delivered electronically to all known to have received a complete set of the RFP documents. Copies of the addenda will be made available at the Department of Economic Sustainability, 100 Australian Avenue, Suite 500, West Palm Beach, Florida 33406 where the RFP documents are on file for that purpose. No addenda will be issued later than three (3) calendar days prior to the date for receipt of submittal deadline, except an addendum withdrawing the RFP or one which includes postponement of the submittal deadline.

**E. Submittal Format**

Failure to provide all of the information and documentation required by this RFP (Section II.A—Submittal Requirements) shall result in a proposal being deemed

non-responsive. Non-responsive proposals will receive no consideration for funding.

The Respondent must submit ten (10) copies of the complete proposal. One (1) copy must be in loose leaf form, on paper no larger than 8.5" x 11" and reproducible without color copying. The remaining nine (9) copies shall be bound on paper no larger than 8.5" x 11", with tabbed/identified sections for each required Attachment.

**F. Submittal Deadline**

**Proposals must be submitted no later than 4:00p.m. E.S.T. Wednesday, September 3, 2014, at DES offices located at 100 Australian Avenue, Suite 500, West Palm Beach, FL 33406.**

The Respondent is solely responsible for ensuring that its proposal arrives prior to the closing time and date. Delivery problems by third parties are not a valid excuse for missing the closing date or time. The words RFP DES.2014.1 must be boldly printed on the proposal.

**G. Responsiveness Review and Underwriting**

Each proposal shall be reviewed by the County to determine, in its sole discretion, if the proposal is responsive to the RFP. **A responsive proposal is one which 1) has been signed; 2) has been submitted by the specified submittal deadline; 3) has provided all information and documentation required by Section II.A— Proposal Requirements; and 4) has documented the availability of all sources identified in the development budget with firm or conditional financing commitments.**

**Proposals deemed to be non-responsive shall be rejected without being evaluated by the Selection Committee.**

While poor formatting, poor documentation, and/or incomplete or unclear information may not be cause to classify a proposal as non-responsive, such substandard submissions may adversely impact the evaluation of a proposal. Respondents who fail to comply with the required and/or desired elements of this RFP do so at their own risk

**H. Contact Person**

The contact person for this RFP is Carlos Serrano, Director of Strategic Planning and Operations, in the Department of Economic Sustainability. The mailing address, phone number, fax number and e-mail address are:

Carlos Serrano

Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33406  
Phone: (561) 233-3608  
Fax: (561) 656-7563  
[cserrano@pbcgov.org](mailto:cserrano@pbcgov.org)

**I. Lobbying - "Cone of Silence"**

Respondents are advised that the "Palm Beach County Lobbyist Registration Ordinance", a copy of which is attached hereto as Exhibit I, is in effect. The Respondent shall read and familiarize themselves with all of the provisions of said Ordinance, but for convenience, the provisions relating to the Cone of Silence have been summarized here. "Cone of Silence" means a prohibition on any non-written communication regarding this RFP between any Respondent or respondent's representative and any County Commissioner or Commissioner's staff. A Respondent's representative shall include but not be limited to the Respondent's employee, partner, officer, director or consultant, lobbyist, or any actual or potential subcontractor or consultant of the Respondent. The Cone of Silence is in effect as of the submittal deadline. The provisions of this Ordinance shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, or negotiations during any public meeting. The Cone of Silence shall terminate at the time that the BCC awards or approves a funding award, rejects all proposals or otherwise takes action which ends the solicitation process.

**J. Postponement/Cancellation**

The County may, at its sole and absolute discretion, reject any and all, or parts of any and all proposals; re-advertise this RFP; postpone or cancel this RFP process; or waive any irregularities in this RFP or in the proposals received as a result of this RFP.

**K. Costs Incurred by Respondents**

All costs involved with the preparing and submission of Respondent's proposal to the County, and any work performed in connection therewith and in negotiating a proposed final agreement(s) shall be borne by the Respondent.

**L. Right of Clarification**

The County retains the right to contact Respondents after submittal in order to obtain supplemental information and/or clarification in either oral or written form.

**M. Delineation of RFP**

This is a Request for Proposals. The County reserves the right to reject all proposals or to negotiate individually with one or more Respondents, and to select a proposal on the basis of what the Selection Committee or the BCC determines to be in the best interest of the County.

**N. Oral Presentation(s)**

The County may require certain Respondents to make oral presentations, and possibly answer questions, in support of their proposal or to exhibit or otherwise demonstrate the information contained therein.

**O. Proprietary/Confidential Information**

All information submitted as part of, or in support of, proposals will be available for public inspection after submittal of proposals, in compliance with Chapters 119 and 286, Florida Statutes, popularly known as the "Public Records Law" and the "Government in the Sunshine Law", respectively.

**P. Non-Discrimination**

Palm Beach County does not discriminate on the basis of race, disability, color, sex, sexual orientation, religion, ancestry, age, gender identity or expression, genetic information, marital status, familial status, or national origin. Palm Beach County provides equal housing opportunities to all individuals.

**Q. Rules, Regulations, Licensing Requirements**

The Respondent shall comply with all laws, ordinances, and regulations applicable to the agreement contemplated herein, including those applicable to conflict of interest and collusion. Respondents are presumed to be familiar with all federal, state, and local laws, ordinances, codes, and regulations that may in any way affect the contract, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

**R. Disclaimer**

All documents and information, whether written, oral or otherwise, provided by the County relating to this RFP are being provided solely as an accommodation and for informational purposes only, and the County is not making any representations or warranties of any kind as to the truth, accuracy or completeness, or the sources thereof. County shall have no liability whatsoever relating to such documents and information and all parties receiving the same shall not be entitled to rely on such documents and information, but shall have a duty to independently verify the accuracy of the information contained therein.

**S. Public Entity Crime**

As provided in Florida Statutes 287.132-133, by entering into this RFP or performing any work in furtherance hereof, the Respondent certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida Department of Management Services within the thirty-six (36) months immediately preceding the date hereof. This notice is required by Florida Statutes 287.133(3)(a).

**T. Insurance**

The Developer shall be required to comply with County insurance requirements at such time that an agreement is executed.

**U. Palm Beach County Office of the Inspector General**

Palm Beach County has established the Office of Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of any party doing business with the County, including the party's officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud. All consultants and parties doing business with the County shall fully cooperate with the Inspector General including providing access to records relating to this RFP and any resulting contract. Failure to cooperate with Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 – 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

**SECTION III**

**A. Proposal Evaluation**

A Selection Committee will be designated for evaluation of all responsive proposals. Non-responsive proposals will not be evaluated by the Selection Committee. The Selection Committee shall conduct its evaluation in adherence with the program requirements and evaluation criteria outlined in this RFP. The County reserves the right to appoint non County employee(s) to the Selection Committee.

The following criteria will be used by the Selection Committee as a guideline in evaluating proposals, and is not intended to identify all items within each category to be considered. The Selection Committee will

award scores up to the maximum amounts identified for each criterion to result in a combined total of up to 100 points.

20 Points - Respondent and development team member qualifications and experience with similar projects

20 Points - Financial viability of the project, leveraging of other resources, and HOME per-unit subsidy

20 Points - Quality of proposed housing product (development plan, features, amenities, and proximity to public services) and impact on local housing needs

20 Points - Documented ability to meet HOME expenditure deadlines and complete project by September 30, 2017

10 Points - Glades Region, disabled, veterans, and existing County project preference

10 Points – Mixed Income Project preference

**The Selection Committee meeting will be held Thursday, September 18, 2014, 1:30pm, and located at the PBC Vista Center, VC-1E-58, 2300 Jog Road, West Palm Beach, FL 33411.**

**B. Award Recommendation(s)**

The award, if any, will be made to the Respondent(s) whose proposal(s) is considered to be the most advantageous to the County based on the Selection Committee's recommendations. The Department of Economic Sustainability will post the award recommendation(s) for review.

**C. Funding Award**

The Department of Economic Sustainability will present recommendations for funding award to the Palm Beach County Board of County Commissioners (BCC) at a public meeting. **The BCC has the sole authority to award funding under this RFP.**

**D. Agreement Negotiations**

After approval by the BCC, the County will enter into negotiations with the Respondent awarded funding. If the County and the Respondent cannot successfully negotiate an agreement, the County may terminate said negotiations and the funding award, and may elect to initiate negotiations with the second highest ranked Respondent. This process may continue

until an agreement(s) has been executed or until the County elects to terminate the process. No Respondent shall have any right against the County arising from such negotiations or termination.

**E. Right of Appeal**

Respondents may appeal any recommendation for award to the BCC. There is no administrative appeal procedure.

**EXHIBIT A: MAXIMUM HOME PER UNIT SUBSIDY AMOUNTS**

**MAXIMUM MORTGAGE LIMITS - ELEVATOR CONSTRUCTION**

Jacksonville Florida Multifamily Office

Base City: Miami

Key Locality 1: **West Palm Beach**

Key Locality 2:

Key Locality 3:

Insured

High Cost Percentage:

**265%**

**ELEVATOR CONSTRUCTION**

<b>Mortgage Amount Per Family Unit:</b>		<b>0 BR</b>	<b>1 BR</b>	<b>2 BR</b>	<b>3 BR</b>	<b>4 BR</b>
Sections 207, 220, 223(f)	Basic	\$ 56,751	63,561	77,939	97,614	110,374
	Max <sup>(1)</sup>	\$ 153,227	171,614	210,435	263,557	298,009
	High Cost at <b>265%</b>	<b>\$150,390</b>	<b>\$168,436</b>	<b>\$206,538</b>	<b>\$258,677</b>	<b>\$292,491</b>
Section 234	Basic	\$ 57,234	65,611	79,782	103,212	113,295
	Max <sup>(1)</sup>	\$ 154,531	177,149	215,411	278,872	305,896
	High Cost at <b>265%</b>	<b>\$151,670</b>	<b>\$173,869</b>	<b>\$211,422</b>	<b>\$273,511</b>	<b>\$300,231</b>
Section 213	Basic	\$ 56,751	64,298	78,186	101,148	111,031
	Max <sup>(1)</sup>	\$ 153,227	173,804	211,102	273,099	299,763
	High Cost at <b>265%</b>	<b>\$150,390</b>	<b>\$170,389</b>	<b>\$207,192</b>	<b>\$268,042</b>	<b>\$294,232</b>
Section 221(d)4	Basic	\$ 52,871	60,610	73,702	95,345	104,661
	Max <sup>(1)</sup>	\$ 142,751	163,647	198,995	257,431	282,584
	High Cost at <b>265%</b>	<b>\$140,108</b>	<b>\$160,616</b>	<b>\$195,310</b>	<b>\$252,664</b>	<b>\$277,351</b>
Section 231	Basic	\$ 52,871	60,610	73,702	95,345	104,661
	Max <sup>(1)</sup>	\$ 142,751	163,647	198,995	257,431	282,584
	High Cost at <b>265%</b>	<b>\$140,108</b>	<b>\$160,616</b>	<b>\$195,310</b>	<b>\$252,664</b>	<b>\$277,351</b>

Note (1) - Geographic Max at 270%.

Source: U.S. Department of Housing and Urban Development



**EXHIBIT B: 2014 INCOME LIMITS CHART**

**HUD 2014 Income Limits  
Palm Beach County**

2014 Area Median Income (AMI) for a Household of Four = \$63,300

Number of Persons in Household	Very Low Income (50% AMI)	Low Income (80% AMI)
1	\$22,900	\$36,650
2	\$26,150	\$41,850
3	\$29,400	\$47,100
4	\$32,650	\$52,300
5	\$35,300	\$56,500
6	\$37,900	\$60,700
7	\$40,500	\$64,900
8	\$43,100	\$69,050

Source: U.S. Department of Housing and Urban Development

## EXHIBIT C: 2014 HOME PROGRAM RENTS

U.S. DEPARTMENT OF HUD 04/2014  
STATE: FLORIDA

		2014 HOME PROGRAM RENTS					
PROGRAM	EFFICIENCY	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
<b>Lakeland Winter Haven, FL MSA</b>							
LOW HOME RENT LIMIT	477	511	610	700	791	872	953
HIGH HOME RENT LIMIT	601	623	777	888	971	1053	1135
For Information Only:							
FAIR MARKET RENT	619	623	807	1094	1337	1537	1737
50% RENT LIMIT	477	511	610	700	791	872	953
65% RENT LIMIT	601	646	777	888	971	1053	1135
<b>Fort Lauderdale, FL HUD Metro FMR Area</b>							
LOW HOME RENT LIMIT	649*	695*	824*	964*	1074*	1186*	1297*
HIGH HOME RENT LIMIT	792*	884*	1063*	1219*	1340*	1461*	1581*
For Information Only:							
FAIR MARKET RENT	767	997	1260	1797	2237	2567	2907
50% RENT LIMIT	627	671	806	931	1038	1116	1203
65% RENT LIMIT	795	853	1026	1177	1293	1400	1507
<b>Miami-Miami Beach-Kendall, FL HUD Metro FMR Area</b>							
LOW HOME RENT LIMIT	595	637	765	884	986	1088	1190
HIGH HOME RENT LIMIT	747	809	973	1115	1225	1333	1441
For Information Only:							
FAIR MARKET RENT	747	910	1166	1600	1869	2149	2430
50% RENT LIMIT	595	637	765	884	986	1088	1190
65% RENT LIMIT	754	809	973	1115	1225	1333	1441
<b>West Palm Beach-Boca Raton, FL HUD Metro FMR Area</b>							
LOW HOME RENT LIMIT	644*	689*	827*	956*	1066*	1177*	1287*
HIGH HOME RENT LIMIT	776*	876*	1056*	1210*	1330*	1449*	1567*
For Information Only:							
FAIR MARKET RENT	750	962	1202	1623	1998	2229	2519
50% RENT LIMIT	633	678	813	940	1048	1157	1265
65% RENT LIMIT	803	861	1036	1189	1306	1422	1539
<b>Naples-Marco Island, FL MSA</b>							
LOW HOME RENT LIMIT	637	683	820	946	1056	1165	1274
HIGH HOME RENT LIMIT	702	808	1006	1196	1315	1432	1550
For Information Only:							
FAIR MARKET RENT	702	808	1006	1314	1618	1861	2103
50% RENT LIMIT	637	683	820	946	1056	1165	1274
65% RENT LIMIT	809	860	1043	1196	1315	1432	1550
<b>North Port-Bradenton-Sarasota, FL MSA</b>							
LOW HOME RENT LIMIT	550*	589*	707*	817*	911*	1006*	1100*
HIGH HOME RENT LIMIT	695*	746*	897*	1029*	1128*	1226*	1324*
For Information Only:							
FAIR MARKET RENT	710	790	1011	1355	1591	1830	2068
50% RENT LIMIT	540	578	693	801	893	986	1078
65% RENT LIMIT	691	731	879	1000	1105	1201	1296

\* Adjusted Low HOME Rent, or High HOME Rent, applicable for 2010-2012 increased, valid harmless rent.  
For all HOME projects, the maximum allowable rent is the HUD calculated High HOME Rent Limit and/or Low HOME Rent Limit.

**EXHIBIT D: UTILITY ALLOWANCE SCHEDULE**

<b>Allowances for Tenant-Furnished Utilities and Other Services</b>		<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>			<b>OMB Approval No. 2577-0169 (exp04/30/2014)</b>		
<b>See Public Reporting Statement and Instructions on back</b>							
<b>Locality Palm Beach County</b>				<b>Unit Type Flat/Garden/High Rise</b>		<b>Date (mm/dd/yyyy) Effective 1-1-14</b>	
<b>Utility of Service</b>		<b>Monthly Dollar Allowances</b>					
		<b>0 BR</b>	<b>1 BR</b>	<b>2 BR</b>	<b>3 BR</b>	<b>4 BR</b>	<b>5 BR</b>
<b>Heating</b>	<b>a. Natural Gas</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>5.00</b>	<b>6.00</b>	<b>8.00</b>
	<b>b. Bottle Gas</b>	<b>5.00</b>	<b>5.00</b>	<b>6.00</b>	<b>8.00</b>	<b>10.00</b>	<b>12.00</b>
	<b>c. Oil / Electric</b>	<b>3.00</b>	<b>3.00</b>	<b>4.00</b>	<b>5.00</b>	<b>5.00</b>	<b>6.00</b>
<b>Cooking</b>	<b>a. Natural Gas</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>4.00</b>	<b>4.00</b>	<b>4.00</b>
	<b>b. Bottle Gas</b>	<b>5.00</b>	<b>5.00</b>	<b>6.00</b>	<b>7.00</b>	<b>8.00</b>	<b>8.00</b>
	<b>c. Oil / Electric</b>	<b>4.00</b>	<b>5.00</b>	<b>6.00</b>	<b>7.00</b>	<b>7.00</b>	<b>8.00</b>
<b>Other Electric</b>		<b>18.00</b>	<b>21.00</b>	<b>25.00</b>	<b>30.00</b>	<b>35.00</b>	<b>42.00</b>
<b>Air Conditioning</b>		<b>28.00</b>	<b>32.00</b>	<b>39.00</b>	<b>48.00</b>	<b>56.00</b>	<b>66.00</b>
<b>Water Heating</b>	<b>a. Natural Gas</b>	<b>11.00</b>	<b>14.00</b>	<b>16.00</b>	<b>21.00</b>	<b>24.00</b>	<b>29.00</b>
	<b>b. Bottle Gas</b>	<b>21.00</b>	<b>26.00</b>	<b>30.00</b>	<b>38.00</b>	<b>45.00</b>	<b>53.00</b>
	<b>c. Oil / Electric</b>	<b>12.00</b>	<b>15.00</b>	<b>19.00</b>	<b>26.00</b>	<b>33.00</b>	<b>40.00</b>
<b>Water</b>	<b>a. City</b>	<b>25.00</b>	<b>27.00</b>	<b>31.00</b>	<b>37.00</b>	<b>42.00</b>	<b>46.00</b>
	<b>b. County</b>	<b>13.00</b>	<b>14.00</b>	<b>15.00</b>	<b>20.00</b>	<b>24.00</b>	<b>27.00</b>
<b>Sewer</b>	<b>a. City</b>	<b>18.00</b>	<b>21.00</b>	<b>27.00</b>	<b>35.00</b>	<b>42.00</b>	<b>48.00</b>
	<b>b. County</b>	<b>18.00</b>	<b>19.00</b>	<b>21.00</b>	<b>27.00</b>	<b>33.00</b>	<b>38.00</b>
<b>Trash Collection</b>		<b>18.00</b>	<b>18.00</b>	<b>18.00</b>	<b>18.00</b>	<b>18.00</b>	<b>18.00</b>
<b>Range/Microwave</b>		<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>5.00</b>	<b>6.00</b>	<b>6.00</b>
<b>Refrigerator</b>		<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>4.00</b>	<b>4.00</b>
<b>OTHER (Specify)</b>	<b>Electric</b>	<b>7.00</b>	<b>7.00</b>	<b>7.00</b>	<b>7.00</b>	<b>7.00</b>	<b>7.00</b>
	<b>Natural Gas</b>	<b>11.00</b>	<b>11.00</b>	<b>11.00</b>	<b>11.00</b>	<b>11.00</b>	<b>11.00</b>

(continued on following page)

**Allowances for  
Tenant-Furnished Utilities  
and Other Services**

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

OMB Approval No. 2577-0169  
(exp. 04/30/2014)

See Public Reporting Statement and Instructions on back

Locality		Unit Type					Date (mm/dd/yyyy)
CITY OF LAKE WORTH, FLORIDA		Flat/Garden/HighRise Apt.					Effective 1-1-14
Utility of Service		Monthly Dollar Allowances					
		0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating	a. Natural Gas	3.00	3.00	3.00	5.00	6.00	8.00
	b. Bottle Gas	5.00	5.00	6.00	8.00	10.00	12.00
	c. Oil / Electric	4.00	5.00	6.00	7.00	7.00	8.00
Cooking	a. Natural Gas	3.00	3.00	3.00	4.00	4.00	4.00
	b. Bottle Gas	5.00	5.00	6.00	7.00	8.00	8.00
	c. Oil / Electric	6.00	7.00	8.00	9.00	10.00	11.00
Other Electric		25.00	29.00	34.00	42.00	49.00	58.00
Air Conditioning		39.00	45.00	54.00	67.00	78.00	92.00
	a. Natural Gas	11.00	14.00	16.00	21.00	24.00	29.00
	b. Bottle Gas	21.00	26.00	30.00	38.00	45.00	53.00
	c. Oil / Electric	16.00	21.00	26.00	36.00	46.00	55.00
Water		20.00	23.00	29.00	37.00	43.00	49.00
Sewer		18.00	21.00	26.00	34.00	40.00	45.00
Trash Collection		19.00	19.00	19.00	19.00	19.00	19.00
Range/Microwave		5.00	5.00	5.00	5.00	6.00	6.00
Refrigerator		3.00	3.00	3.00	3.00	4.00	4.00
OTHER (Specify)	a. Electric	13.00	13.00	13.00	13.00	13.00	13.00
	b. Natural Gas	11.00	11.00	11.00	11.00	11.00	11.00
Base Charge							

**EXHIBIT E: 2014 HOME HOMEOWNERSHIP VALUE LIMITS**

**West Palm Beach – Boca Raton, FL HUD Metro FMR Area (Palm Beach County)**

	<b>Single Family Housing Types</b>			
<b>New/Existing Construction</b>	<b>1-Unit Detached</b>	<b>2-Unit Attached</b>	<b>3-Unit Attached</b>	<b>4-Unit Attached</b>
<b>New Homes<sup>1</sup></b>	\$262,000	\$336,000	\$407,000	\$504,000
<b>Existing Homes<sup>2</sup></b>	\$157,000	\$201,000	\$243,000	\$301,000

- 1) HUD maximum permitted value and resale price for newly constructed dwelling structures.
- 2) HUD maximum permitted post-rehabilitation value and resale price of acquired/rehabilitated dwelling structures.

Source: U.S. Department of Housing and Urban Development

**EXHIBIT F: RESPONDENT CERTIFICATION FORM**

**RESPONDENT CERTIFICATION FORM**

By signing below, the undersigned \_\_\_\_\_, as \_\_\_\_\_ of \_\_\_\_\_ (the Respondent), a \_\_\_\_\_ i.e. Florida corporation) hereby certifies that the undersigned is duly authorized to sign this Respondent Certification Form on behalf of the Respondent and that this Respondent Certification Form shall be fully binding upon Respondent. Respondent hereby covenants and agrees to comply with the terms of RFP DES.2014.1, all related Federal Regulations, and related Addenda and to attempt to negotiate in good faith with County the terms of an agreement and will implement the response submitted by Respondent of the RFP. The Respondent further covenants and agrees that it has received all of the information referenced in the RFP, that Respondent fully understands the same, that Respondent completely and accurately completed the response submitted by Respondent pursuant to the RFP, that the information contained in such response submitted by Respondent is true and correct and that Respondent shall be bound by the terms and conditions of the RFP and the covenants, agreements and representations made by Respondent herein and in the response submitted by Respondent to the RFP.

Date of Execution by Respondent: \_\_\_\_\_, 2013

\_\_\_\_\_  
RESPONDENT By: \_\_\_\_\_  
Signature

Its: \_\_\_\_\_  
SEAL Print Signatory's Name

The foregoing Respondent Certification Form was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2013, \_\_\_\_\_ the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ (state and type of entity), who is personally known to me OR who produced \_\_\_\_\_ as identification and who did take an oath.

\_\_\_\_\_  
Notary Public

NOTARY PUBLIC

\_\_\_\_\_  
Print Notary Name

State of \_\_\_\_\_ at Large  
My Commission Expires:  
My Commission Expires:

**EXHIBIT G: DISCLOSURE OF BENEFICIAL INTERESTS**

**DISCLOSURE OF BENEFICIAL INTERESTS  
(REQUIRED BY FLORIDA STATUTES 286.23)**

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY  
DESIGNATED REPRESENTATIVE

**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

BEFORE ME, the undersigned authority, this day personally appeared, \_\_\_\_\_,  
hereinafter referred to as Affiant who being by me first duly sworn, under oath, deposes and  
states as follows:

1. Affiant is the \_\_\_\_\_, which entity is the Lead Entity for the Respondent to Palm Beach County Request for proposals Number \_\_\_\_\_.
2. Affiant's address is: \_\_\_\_\_.
3. Attached hereto, and made a part hereof, as Attachment -1 is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the proposed HOME project and the percentage interest of each such person or entity.
4. Affiant acknowledges that this Affidavit is given to comply with Florida Statutes 286.23, and will be relied upon by Palm Beach County.
5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

By \_\_\_\_\_

\_\_\_\_\_, Affiant

The foregoing instrument was sworn to, subscribed and acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, who is personally known to me OR who produced \_\_\_\_\_ as identification and who did take an oath.

(NOTARY SEAL BELOW)

Notary Signature: \_\_\_\_\_

Notary Name: \_\_\_\_\_  
Notary Public State of Florida

**ATTACHMENT 1 TO DISCLOSURE OF BENEFICIAL INTERESTS**

**SCHEDULE TO BENEFICIAL INTERESTS IN PROJECT PROPOSAL**

Affiant is only required to identify five percent (5%) or greater beneficial interest holders in the proposed project. If none, so state. Affiant must identify individual owners. If, by way of example, the proposed project is wholly or partially owned by another entity, such as a corporation, Affiant must identify such other entity, its address and percentage interest, as well as such information for the individual owners of such other entity.

NAME	ADDRESS	PERCENTAGE OF INTEREST



**EXHIBIT G: DRUG FREE WORKPLACE CERTIFICATION**

Preference shall be given to businesses with drug-free workplace programs. Pursuant to Section 287.087, Florida Statutes, whenever two or more competitive solicitations that are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a response received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie responses will be followed if none of the tied providers has a drug free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in Subsection (1).
4. In the statement specified in Subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or *nolo contendere* to, any violation of Chapter 894, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on any employee who is so convicted or require the satisfactory participation in a drug abuse assistance or rehabilitation program as such is available in the employee's community.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of applicable laws, rules and regulations.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

\_\_\_\_\_  
BUSINESS NAME

\_\_\_\_\_  
PROVIDER'S SIGNATURE

## EXHIBIT I: PALM BEACH COUNTY LOBBYIST REGISTRATION ORDINANCE

### Sec. 2-351. Title and purpose

(a) This article may be cited as the "Palm Beach County Lobbyist Registration Ordinance."

(b) The board of county commissioners of the county hereby determines that the operation of responsible government requires that the fullest opportunity be afforded to the people to petition their county government for the redress of grievances and to express freely to the elected officials their opinions on legislation and other actions and issues; that to preserve and maintain the integrity of the governmental decision-making process, it is necessary that the identity and activities of certain persons who engage in efforts to influence county commissioners, advisory board members, and employees on matters within their official duties, be publicly and regularly disclosed.

(Ord. No. 03-018, § 1, 5-20-03)

### Sec. 2-352. Definitions

Unless expressly provided herein to the contrary, for purposes of this article, the following definitions will apply:

*Advisory board* will mean any advisory or quasi-judicial board created by the board of county commissioners.

*Board* will mean the board of county commissioners of Palm Beach County, Florida.

*County commissioner* will mean any member of the board of county commissioners of Palm Beach County, Florida.

*Employee* will mean all personnel employed by the board of county commissioners.

*Lobbying* shall mean seeking to influence the decision of any county commissioner, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board or board of county commissioners as applicable.

*Lobbyist* shall mean any person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal or most significant responsibilities to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government. "Lobbyist" shall not include any employee as defined by this article when acting in the course of his or her employment, any elected local official when the official is lobbying on behalf of the governmental agency which the official serves, or any member of the official's staff when such staff member is lobbying on an occasional basis on behalf of the governmental agency by which the staff member is employed.

*Person* shall mean individuals, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations (profit or not-for-profit),

professional corporations, or associations, and all other groups or combinations however constituted.

*Principal* shall mean the person or entity a lobbyist represents for the purpose of lobbying.

(Ord. No. 03-018, § 2, 5-20-03; Ord. No. 03-055, Pt. I, 11-18-03; Ord. No. 2009-051, pt. 2, 12-15-09)

### **Sec. 2-353. Registration and expenditures**

(a) *Registration required.* Prior to lobbying, all lobbyists shall submit an original, fully executed registration form to county administration. A separate registration is required for each principal represented. A registration fee of twenty-five dollars (\$25.00) must be included with each registration form submitted. A registrant shall promptly send a written statement to county administration canceling the registration for a principal upon termination of the lobbyist's representation of that principal. This statement shall be signed by the lobbyist. Lobbying prior to registration is prohibited.

(b) *Registration form.* The registration form shall be prepared by county administration and shall require the following information: 1) the name and address of the lobbyist; 2) the name and address of the principal represented; 3) the date the lobbyist was initially retained by the principal; 4) the nature and extent of any direct business association or partnership the lobbyist and principal might have with any current county commissioner, advisory board member, or employee; 5) the area of legislative interest; and 6) a statement confirming that the registrant is authorized to represent the principal. The form shall be signed by the registrant and the principal.

(c) *Registration exceptions.* Registration shall not be required for the following:

- (1) County commissioners, advisory board members or employees discussing matters relevant to their official duties;
- (2) Persons under contract with the county who communicate with county commissioners, advisory board members or employees regarding issues related only to the performance of their services under their contract;
- (3) Any person who lobbies only in his or her individual capacity for the purpose of self-representation; or
- (4) Any person who appears before the board or advisory board in a quasi-judicial proceeding.

(d) *Reporting of expenditures.* Commencing October 1, 2011, and on October 1 of each year thereafter, the lobbyist shall submit to county administration a signed statement under oath listing all expenditures made by the lobbyist in lobbying county officials and employees in excess of twenty-five dollars (\$25.00) for the preceding year. A statement shall be filed even if there have been no expenditures during the reporting period. The statement shall list in detail each expenditure category, including food and beverage, entertainment, research, communications, media advertising, publications, travel, lodging and special events.

(1) The county administrator shall provide notice of violation to any lobbyist who fails to timely file an expenditure report and shall also notify the county commission on ethics of this failure. In addition to any other penalties which may be imposed under this article, any lobbyist who fails to file the required expenditure report within thirty (30) days of the date of notice of violation shall be suspended from lobbying unless the notice of violation has been appealed to the commission on ethics.

(e) *False statements.* A lobbyist shall not knowingly make, or cause to be made, a false statement or misrepresentation in maintaining registration or when lobbying county commissioners, advisory board members, or employees.

(Ord. No. 03-018, § 3, 5-20-03; Ord. No. 03-055, Pt. II, 11-18-03; Ord. No. 2009-051, pt. 2, 12-15-09)

**Sec. 2-354. Record of lobbying contacts**

(a) *Contact log.* Except when appearing before the board or any advisory board, all persons shall sign, for each instance of lobbying, contact logs maintained and available in the office of reception of each department of county government. The person shall provide his or her name, whether or not the person is a lobbyist as defined in this article, the name of each principal, if any, represented in the course of the particular contact, and the subject matter of the lobbying contact. All contact logs shall be transmitted to the county administrator at the end of each calendar quarter.

(b) *Lobbying outside of county offices.* In the event that a lobbyist engages in lobbying which is outside of county offices, and which is a scheduled appointment initiated by any person for the purpose of lobbying, the lobbyist shall advise the commissioner's office or employee's department office as appropriate of the calendar scheduling of an appointment and the subject matter of the lobbying contact.

(Ord. No. 03-018, § 4, 5-20-03)

**Sec. 2-355. Cone of silence**

(a) *Cone of silence* means a prohibition on any communication, except for written correspondence, regarding a particular request for proposal, request for qualification, bid, or any other competitive solicitation between:

(1) Any person or person's representative seeking an award from such competitive solicitation; and

(2) Any county commissioner or commissioner's staff, or any employee authorized to act on behalf of the commission to award a particular contract.

(b) For the purposes of this section, a person's representative shall include but not be limited to the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

(c) The cone of silence shall be in effect as of the deadline to submit the proposal, bid, or other response to a competitive solicitation. The cone of silence shall remain in effect

and subject to the terms of this section for any person or person's representative who responds to a particular request for proposal, request for qualification, bid, or any other competitive solicitation, and such response is either rejected by the county or withdrawn by the person or person's representative. Each request for proposal, request for qualification, bid or any other competitive solicitation shall provide notice of cone of silence requirements and refer to this article.

(d) The provisions of this article shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meeting, presentations made to the board, and protest hearings. Further, the cone of silence shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence at any time with any employee, county commissioner, or advisory board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

(e) The cone of silence shall not apply to any purchases made in an amount less than the competitive bid threshold set forth in the county purchasing ordinance (County Code, chapter 2, article III, division 2, part A, section 2-51 et seq.).

(f) The cone of silence shall terminate at the time the board, or a county department authorized to act on behalf of the board, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

(g) Any contract entered into in violation of the cone of silence provisions in this section shall render the transaction voidable.

(Ord. No. 03-018, § 5, 5-20-03; Ord. No. 03-055, Pt. 3, 11-18-03; Ord. No. 2009-051, pt. 2, 12-15-09)

#### **Sec. 2-356. Enforcement**

(a) If the county administrator is informed of any person who has failed to comply with the requirements of this article, he or she shall conduct a preliminary investigation as deemed necessary under the circumstances. In the event the county administrator determines that a violation may have occurred based on the results of the investigation, the county administrator shall forward the matter to the county commission on ethics for further investigation and enforcement proceeding as set forth in article XIII of this chapter, the county code of ethics.

(b) A notice of violation shall be transmitted to the person indicating the nature of the violation and the penalty imposed. The lobbyist shall have up to thirty (30) days after the date of the notice to seek appeal of the penalty. In the event the lobbyist fails to submit an appeal in writing to the county administrator within thirty (30) days of the date of such notice, the violation shall be deemed final, and the penalty imposed shall be effective immediately.

(Ord. No. 03-018, § 6, 5-20-03; Ord. No. 2009-051, pt. 2, 12-15-09)

**Sec. 2-357. Penalties**

Violations of this article shall be punishable as follows:

- (1) Failure to properly register as required by section 3-353 of this article shall be deemed a single violation, punishable by a fine of two hundred fifty dollars (\$250.00) per day for each day an unregistered lobbyist engages in lobbying activity, in an amount not to exceed a total of two thousand five hundred dollars (\$2,500.00).
- (2) Failure to properly provide lobbying contact information as required by section 2-354 of this article shall be punishable by a fine of two hundred fifty dollars (\$250.00) for each violation.
- (3) Violations of the cone of silence set forth in section 2-355 of this article shall be punishable by a fine of two hundred fifty dollars (\$250.00) for each violation.
- (4) Any person who knowingly makes or causes to be made a false statement or misrepresentation in maintaining a lobbyist registration shall be subject to a fine of two hundred fifty dollars (\$250.00) for each violation.
- (5) Any person who violates the provisions of this article more than once during a twelve-month period shall be prohibited from lobbying as follows: A second violation shall result in a prohibition of one (1) year; a third violation shall result in a prohibition of two (2) years.
- (6) The penalties provided in this section shall be exclusive penalties imposed for any violation of the registration, contact log, and cone of silence requirements of this article. Willful violations of this article shall be referred by the commission on ethics to the state attorney for prosecution in the same manner as a second degree misdemeanor pursuant to Florida Statutes, § 125.69. Failure or refusal of any lobbyist to comply with any order of the commission on ethics shall be punishable as provided by law, and shall otherwise be subject to such civil remedies as the county may pursue, including injunctive relief.

(Ord. No. 03-018, § 7, 5-20-03; Ord. No. 2009-051, pt. 2, 12-15-09)

Secs. 2-358--2-370. Reserved.



**ADDENDUM No. "1" TO RFP No. DES.2014.1**

**REQUEST FOR PROPOSALS (RFP) FOR  
HOME INVESTMENTS PARTNERSHIP PROGRAM**

Date of Addendum No. "1" Issued:

August 22, 2014

Addendum Coordinator:

Carlos Serrano  
Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33406  
Phone: 561-233-3608  
Fax: 561-656-7563  
E-mail: [cserrano@pbcgov.org](mailto:cserrano@pbcgov.org)

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**PURPOSE OF THIS ADDENDUM:**

The purpose of this Addendum is to:

1. Provide revisions to the RFP; and
2. Provide written responses to questions raised regarding the RFP.

**GENERAL INSTRUCTIONS:**

- This Addendum No. "1" constitutes an integral part of the RFP and shall be read in conjunction with the RFP.
- Where inconsistent with the original RFP, this Addendum shall govern.
- It is the responsibility of all respondents to the RFP to conform to this Addendum.
- Unless specifically changed herein, all other requirements, terms and conditions of the RFP remain unchanged and can only be modified if in writing.
- Respondents shall acknowledge receipt of this Addendum on the form

included with this Addendum as Exhibit "A". Respondents shall include Exhibit "A" in their submittal in response to the RFP as **Attachment 20**.

### **REVISIONS TO THE RFP**

- 1. Respondents are directed to Section I.D. The corresponding paragraph struck out below shall be deleted and replaced with the underlined paragraph below:**

~~Developer is defined as an entity funded through this RFP to undertake the development of HOME Assisted Housing Units, and which will assume responsibility for compliance with all related requirements in accordance with HOME regulations. Such entities shall be limited to private for-profit entities, private non-profit entities, or ventures between the same.~~

Developer is defined as an entity which: 1) is funded through this RFP to complete the development of HOME-Assisted Housing Units; 2) has site control of the project site; and 3) plans, obtains permits, and manages the project from start to finish. Such entities shall be limited to private for-profit entities, private non-profit entities, public agencies, or ventures between the same. Developers shall assume responsibility for compliance with all program requirements in accordance with HOME regulations.

- 2. Respondents are directed to Section I.F. The corresponding paragraph, struck out below shall be deleted and replaced with the underlined paragraph below:**

~~All HOME Assisted Housing Units must be completed, put into service, and leased to Eligible Beneficiaries no later than September 30, 2017.~~

Developers shall set aside certain specific units within the project which shall be "fixed" with the designation as HOME-Assisted Housing Units. All HOME-Assisted Housing Units must be completed, put into service, and either leased or sold to Eligible Beneficiaries no later than September 30, 2017.

- 3. Respondents are directed to Section II.A.3. The corresponding paragraph, struck out below shall be deleted and replaced with the underlined paragraph below:**

~~The proposal shall include a market study prepared by an independent third party consultant, and including an assessment of local market inventory, demand, pricing, and project marketability. Submit the information required by this Paragraph II. A.3, including a detailed location map as Attachment 3.~~

The proposal shall include a market study prepared by an independent third party consultant, which includes an assessment of local market inventory, demand, pricing, and project marketability, or shall include a market assessment prepared



utilizing third party data and identifying all sources of such data which assesses local market inventory, demand, pricing, and project marketability. Submit the information required by this Paragraph II. A.3, as Attachment 3.

### **RESPONSES TO QUESTIONS RELATED TO THE RFP**

1. **Question:** Can Public Housing Authorities (PHAs) or Community Redevelopment Agencies (CRAs) qualify as Developers?  
**Response:** HUD has confirmed that for the HOME Program a public agency (including a PHA or CRA) can participate individually acting as a Developer or can participate through ownership in an entity acting as a Developer.
2. **Question:** For second mortgages to homebuyers, will there be repayment with interest on these mortgages?  
**Response:** Second mortgages from homebuyers will not require repayment if the homebuyer maintains ownership and occupancy of the home as his/her principal place of residence for the entire Period of Affordability. If the homebuyer/owner sells, rents, or otherwise violates the terms of the mortgage, the principal and interest, if any, must be repaid.
3. **Question:** For second mortgages on rental projects, if a Developer gets a 40 year HUD loan, will the County extend its term to 40 years?  
**Response:** If the primary lender is unwilling to offer a term of 30 years or less, the County may consider a term longer than 30 years.
4. **Question:** Regarding subordinate financing for multi-family projects, will the HOME loan be a soft second mortgage or will hard payment of interest be required?  
**Response:** Although the County will consider balloon and interest only loans, the mortgage will be "hard payment" of interest and/or principal due in accordance with the structure established by the mortgage. The County is not offering cash flow loans through this RFP.
5. **Question:** If doing scattered site homeownership, how would you ever have a mixed income project?  
**Response:** Scattered site Single Family detached development (1 housing unit per structure) does not offer the opportunity for mixed income. Scattered site Single Family attached development (2 – 4 housing units structure) could offer a mixed income arrangement.
6. **Question:** Explain the definition of mixed income, in particular for rental, mixing public housing with Section 8 subsidized housing?  
**Response:** A Mixed Income Project is a housing project that contains a mix of subsidized affordable units and unsubsidized market-rate units. This definition applies to both public housing and non-public housing projects. Project-Based Section 8 funding is a subsidy to the housing unit, and would result in a subsidized/affordable housing unit. Tenant Based Section 8 funding is a subsidy to the tenant household, and unto itself would not result in a subsidized/affordable housing unit.
7. **Question:** How current must the required market study be?

**Response:** The RFP does not specify a timeframe in which the market study must have been prepared.

8. **Question:** Would it be allowable to submit a proposal without identifying the members of the development team?

**Response:** No. The RFP requires the identification of the following development team members, at a minimum: Respondent, Developer, construction contractor, architect/engineer, and attorney.

9. **Question:** Is the Developer required to procure members of the development team?

**Response:** No. Entities funded through the RFP will be treated as Developers, and consequently Federal procurement requirements do not apply.

10. **Question:** Will grants and improvement programs provided to end-users count towards leveraging?

**Response:** Sources that fund costs in the project development budget may qualify as leveraging.

11. **Question:** Will there be involvement by DES with client eligibility and the income qualification of end-users?

**Response:** For rental projects, the Developer will be required to income qualify tenants. DES will monitor tenant income qualifications and eligibility. For ownership projects, DES will review and approve homebuyer deals for income qualification, eligibility, affordability, and other requirements prior to closing.

12. **Question:** Is there a limitation on number of proposals that may be submitted, or can respondents submit more than one proposal?

**Response:** A Respondent may submit proposals for more than one project.

13. **Question:** For rental properties, is there any special consideration given to projects that target Extremely Low Income (<30% AMI) beneficiaries?

**Response:** The RFP gives no preference to projects targeting 30% AMI beneficiaries.

14. **Question:** Is there a cap on total development costs per unit?

**Response:** No. However, Respondents are reminded of the maximum per-unit HOME subsidy amounts, and for ownership projects, the maximum value and sale price amounts for HOME-Assisted Housing Units.

15. **Question:** When calculating the 50% set-aside requirement, should the numbers be rounded up or rounded down?

**Response:** When calculating required numbers of set-aside units, the number must always be rounded up to the nearest integer.

**EXHIBIT A**

**to**

**ADDENDUM No. "1"**

**to**

**RFP No. DES.2014.1**

**ADDENDUM ACKNOWLEDGEMENT FORM**

to

**Addendum No. "1"**

to

**RFP No. DES.2014.1**

**By signing this Form, Respondent acknowledges receipt of this Addendum No. "1" to RFP No. DES.2014.1**

**Respondents shall include this Acknowledgement Form as Attachment 20 to their proposal.**

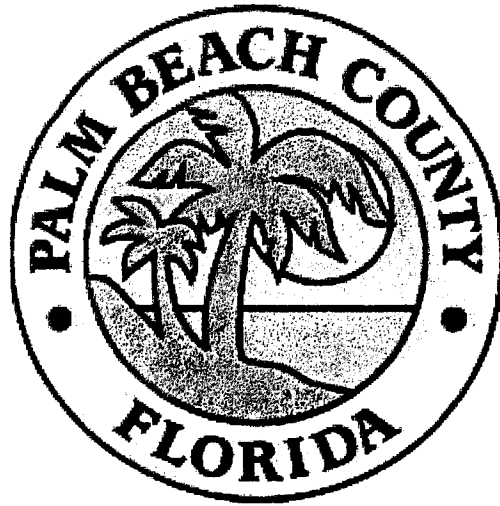
**This Addendum consists of six (6) pages.**

**Respondent:** \_\_\_\_\_

**Name & Title:** \_\_\_\_\_

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Palm Beach County Department of Economic Sustainability**



**HOME Investments Partnership Program**

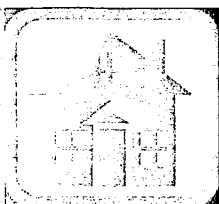
**RFP DES.2014.1  
September 3, 2014**

**Submitted by:  
Cindee LaCourse-Blum, Executive Director  
The Community Land Trust of Palm Beach County, Inc.  
4938 Davis Road  
Lake Worth, FL 33461  
clacourse-blum@cltofabc.org  
561.318.8430**



***The Community Land Trust of Palm Beach County, Inc.***

**ATTACHMENT 3**



The Community Land Trust  
of Palm Beach County, Inc.

# Community Land Trust of Palm Beach County, Inc.

4938 Davis Rd  
Lake Worth, Florida 33461

## OFFICERS:

*Hazel Lucas*  
President - Florida  
Rural Legal  
Services

*Dorothy Ellington*  
Vice President -  
Delray Beach  
Housing Authority

*John Templeton,*  
Treasurer -  
Templeton &  
Company, LLP

*Tim Wheat,*  
Secretary  
Pinnacle Housing  
Group

## DIRECTORS:

*Tangenica Henry*  
CLT Lessee  
Member

*Vice Mayor Scott  
Maxwell, City of  
Lake Worth*

*Tammy McDonald-  
Anderson*  
Urban League of  
Palm Beach County

*Semantha  
Santangelo*  
CLT General  
Member

*Angela Usher*  
School District of  
Palm Beach County

*Lidia Vargas*  
CLT Lessee  
Member

*Randy S. Wertepny,*  
P.E.  
Kesahavarz and  
Assoc.

September 3, 2014

Edward Lowery, JD, Director  
Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, Florida 33406

Dear Mr. Lowery:

The Community Land Trust of Palm Beach County, Inc. (CLT of PBC) is requesting a total of \$1,440,000 HOME Investment Partnerships Program funding under Palm Beach County's Request for Proposal DES.2014.1 for the construction of Davis Landings West. Davis Landings is a mixed income residential community land trust affordable housing development located in Suburban Lake Worth on Davis Road just south of Melaleuca Drive. The project is located within the Lake Worth Target Area and within the County's URA.

Phase I of the project is located on the east side of Davis Road and is comprised of 25 affordable multifamily rental apartments. Phase I was completed in July 2012. Davis Landings West, Phase II of the project being developed on the west side of Davis Road, is a 24 unit development consisting of 16 single family homes and 8 townhomes. All 16 of the single family homes and six of the townhomes will be sold to households with incomes at or below 80% AMI and the remaining two will be sold to households with incomes at or below 120% AMI. As in all community land trust developments, these units will remain affordable in perpetuity.

This project is ready for implementation. Final approval of the site plan was granted by Palm Beach County in July 2012. The majority of the development team for Davis Landings West is comprised of the same partners that successfully undertook Phase I of the project with NSP2 funding from Palm Beach County. Specifically, team members include Zabik and Associates as the Project Manager and Colome and Associates leading the design team.

The CLT of PBC and the proposed team have a proven track record with Palm Beach County. Our team has successfully worked with you and the DES staff to insure full compliance with all HUD and PBC requirements in the past.

I hope you will support this request and assist us in building up a permanent affordable housing infrastructure that will be available to current and future residents of Palm Beach County.

Please call me at (561)318.8430 to discuss this request and/or provide additional information.

Sincerely,

Cindee LaCourse-Blum, Executive Director  
Community Land Trust of Palm Beach County, Inc.

**Ph: (561)318.8430**

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HOME Investment Partnerships Program

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EXHIBIT F: RESPONDENT CERTIFICATION FORM

**RESPONDENT CERTIFICATION FORM**

By signing below, the undersigned Cindee LaCourse-Blum, as Executive Director of Community Land Trust of Palm Beach County, Inc (the Respondent), a Florida, Non-Profit Corporation i.e. Florida corporation) hereby certifies that the undersigned is duly authorized to sign this Respondent Certification Form on behalf of the Respondent and that this Respondent Certification Form shall be fully binding upon Respondent. Respondent hereby covenants and agrees to comply with the terms of RFP DES.2014.1, all related Federal Regulations, and related Addenda and to attempt to negotiate in good faith with County the terms of an agreement and will implement the response submitted by Respondent of the RFP. The Respondent further covenants and agrees that it has received all of the information referenced in the RFP, that Respondent fully understands the same, that Respondent completely and accurately completed the response submitted by Respondent pursuant to the RFP, that the information contained in such response submitted by Respondent is true and correct and that Respondent shall be bound by the terms and conditions of the RFP and the covenants, agreements and representations made by Respondent herein and in the response submitted by Respondent to the RFP.

Date of Execution by Respondent: \_\_\_\_\_, 2013<sup>4</sup>

Community Land Trust of Palm Beach County, Inc.

RESPONDENT

By: *Cindee LaCourse-Blum*

Signature

Its: Executive Director

SEAL

Cindee LaCourse-Blum

Print Signatory's Name

The foregoing Respondent Certification Form was acknowledged before me this 26<sup>th</sup> day of August, 2013 Cynthia LaCourse-Blum the Executive Director of Community Land Trust of Palm Beach County, Inc., a Florida Non-profit Corporation (state and type of entity), who is personally known to me OR who produced Drivers License as identification and who did take an oath.

*Liseanne Jolivet*  
Notary Public

NOTARY PUBLIC

Liseanne Jolivet  
Print Notary Name

State of Florida at Large  
My Commission Expires:  
My Commission Expires:





## Davis Landings West Project Description

Davis Landings West, a 24-unit affordable housing development, will be comprised of 16 single family homes and eight town-homes. All 16 homes and six of the eight town-homes will be HOME assisted units.

The development is located on a cul-de-sac at the southern end of Davis Road across from the Atlantis golf course. The residents of Davis Landings West will be able to share amenities with the residents of Davis Landings East including the community meeting room and playground with tot-lot.

The development will be constructed with a closed loop road that will surround a recreational Common Area that residents will be able to use as an open playfield with an improved walking path.

### Location

4938 Davis Road, Lake Worth, FL 33460

### Type of Project

New construction of single family homes and town-homes without acquisition.

### Development Layout

Traditional family neighborhood

### Architectural Style

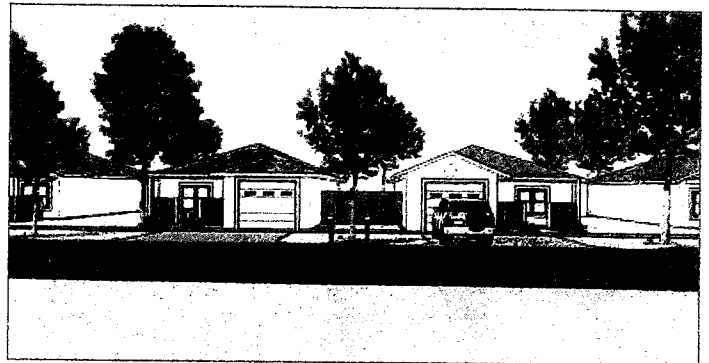
Classic Florida

### Site Amenities

- Spacious energy-efficient homes
- Attached parking garages
- Ample off-street guest parking
- Quiet cul-de-sac location
- Recreational areas with walking path
- Community garden
- Lush landscaping
- Use of a community meeting room & tot lot at Davis Landings East



*Town-homes*



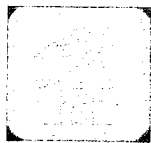
*Single Family Homes*

### Target Market

First-time homebuyers with incomes at or below 80% AMI. Two town-homes at 120% AMI.

### Activities to Date

- Site acquired
- Davis Landings East under construction
- Davis Road improvements underway including utility upgrades and relocations
- Lake Worth Drainage District coordination under way
- DRO and PBC P&Z site plan approved 7/2012
- Preliminary building designs underway



The Community Land Trust of Palm Beach County, Inc.

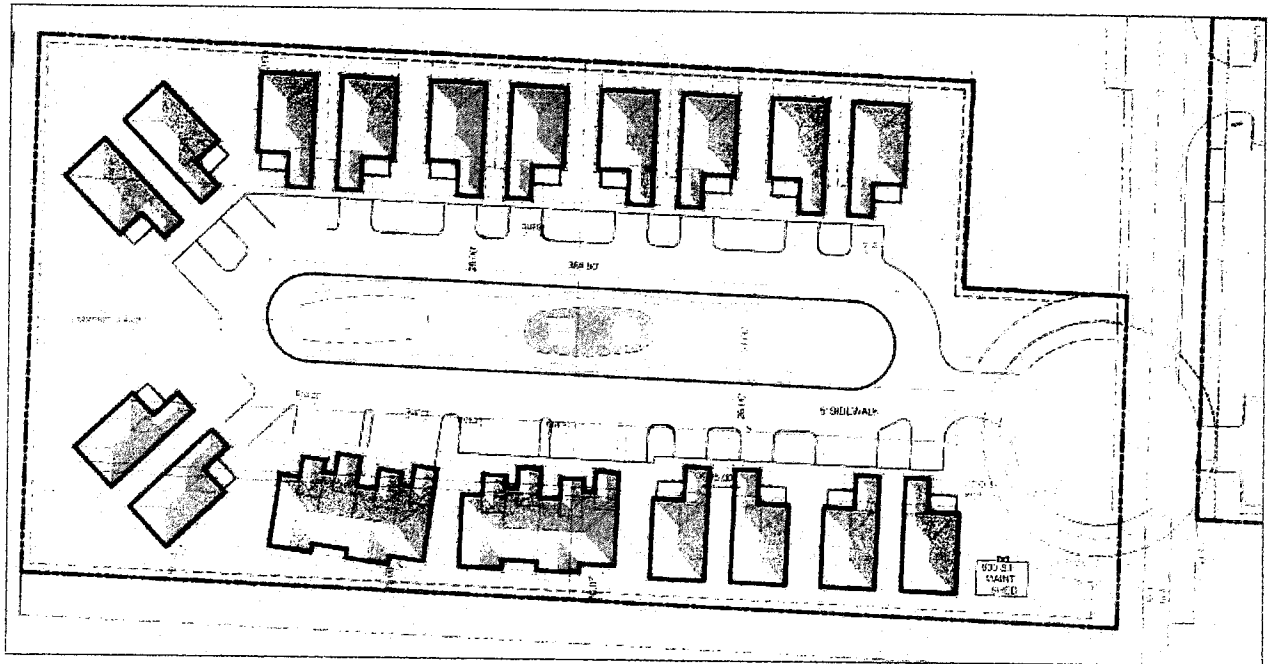
RFP DES.2014.1  
September 3, 2014

**Detached Single Family Homes Features - 16 Units**

- 1,890 total SF
- 1,448 SF under air + 1-car garage + covered front porch + rear patio
- 3 Bedrooms, 2 Bathrooms
- Single story construction
- Energy-efficient, all electric design
- Laundry with washer and dryer included
- Energy Star rated kitchen appliances
- Tile floors, fully tiled baths
- Private fenced rear-yard

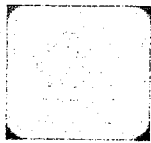
**Town-homes - 4 Buildings, 8 Units**

- Type A (4-units) 2,318 total SF: 1,967 SF under air + 1-car garage + covered front porch + rear patio
- Type B (4-units) 2,033 total SF: 1,707 SF under air + 1-car garage + covered front porch + rear patio
- 3 Bedrooms, 2 Bathrooms
- Two story construction
- Energy-efficient, all electric design
- Laundry with washer and dryer included
- Energy Star rated kitchen appliances
- Tile floors, fully tiled baths



Davis Landings West Site Plan

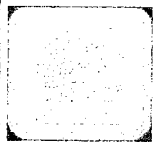
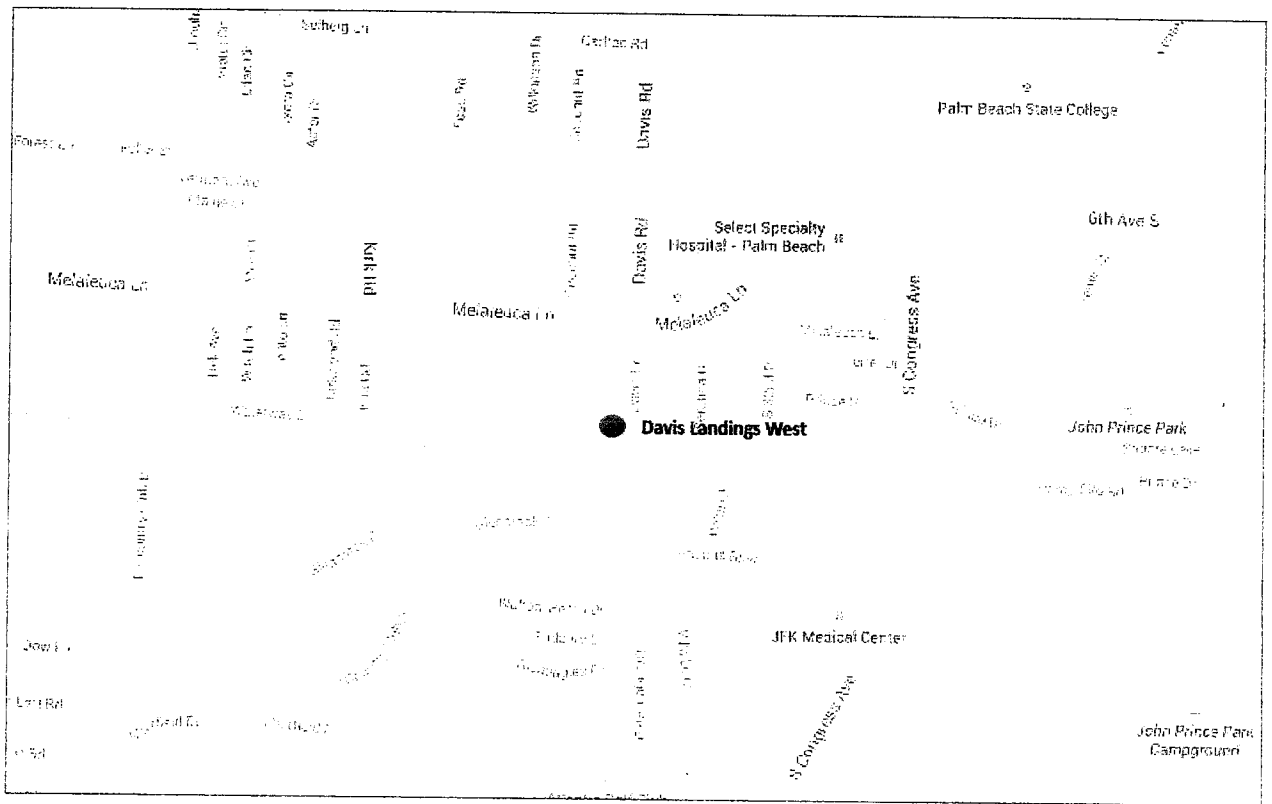
Phase II  
 16 Single Fam  
 8 Townhouses  
 24



The Community Land Trust of Palm Beach County, Inc.

RFP DES.2014.1  
 September 3, 2014

### Detailed Location Map



**MARKET ANALYSIS**

Davis Landings West  
Affordable Housing Development

Davis Road South of Melaleuca Lane  
Palm Beach County, Florida

Prepared for:  
Community Land Trust of Palm Beach County

August 2014

Prepared by:  
Land Research Management, Inc.

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ZONING & URBAN PLANNING  
MARKET RESEARCH & ANALYSIS  
ENVIRONMENTAL ASSESSMENTS

LAND RESEARCH MANAGEMENT, INC.  
2240 PALM BEACH LAKES BLVD. • SUITE 103  
WEST PALM BEACH, FLORIDA 33409  
TEL: (561) 686-2481 • FAX: 681-1551

August 29, 2014

Cindee LaCourse-Blum, Executive Director  
Community Land Trust of Palm Beach County  
4938 Davis Road  
Lake Worth, FL 33461

**Re:** Market Study: Proposed Davis Landings West 24-unit affordable housing development, located on Davis Road south of Melaleuca Lane, Palm Beach County, Florida.

Dear Ms. LaCourse-Blum:

Land Research Management, Inc. (LRM) is pleased to submit the following Market Study, which is structured to meet the requirements of Section II.A.3 of the Home Investment Partnerships Program RFP DES.2014.1 prepared by the Palm Beach County Department of Economic Sustainability.

The purpose of the Market Study is to assist in determining the demand, pricing and marketability of the proposed 24-unit new construction for-sale residential community. Conclusions regarding each of these RFP requirements are presented on pages 14 – 16 of the following study.

If you have any questions regarding the attached analysis, please contact our offices.

Respectfully submitted,

James P. Fleischmann  
Vice President

## DAVIS LANDINGS WEST MARKET STUDY

### Description of the Subject Site

**1. Location and Proposed Development Concept:** The Subject Site is located on the west side of Davis Road, approximately 0.2 miles south of its intersection with Melaleuca Lane in unincorporated Palm Beach County, Florida (Ref: Map 1). The proposed Davis Landings West affordable for-sale community consists of 24 residential units; 16 single-family homes and 8 townhomes (Ref: Map 2).

One-story single-family homes will contain 3 bedrooms and 2 bathrooms within 1,448 sq. ft. of air-conditioned space. In addition, each home will contain an attached one-car garage, covered front porch, rear patio and a fenced rear-yard.

Two-story townhomes will contain 3 bedrooms and 2/12 bathrooms. Two models are proposed: Type A - 1,967 sq. ft. of air-conditioned space plus an attached one-car garage, covered front porch and a rear patio; and Type B - 1,707 sq. ft. of air-conditioned space plus an attached one-car garage, covered front porch and a rear patio.

Market rate selling prices are established at approximately \$200,000 for both single-family and Type A and Type B townhome models, with a deferred payment mortgage of up to \$65,000 available to income qualified buyers. The deferred payment mortgage is payable upon sale of the home or forgiven after 15 years of occupancy.

Project amenities include off-street guest parking, a 0.2 acre recreation area, including a children's play area and walking path, and a community garden.

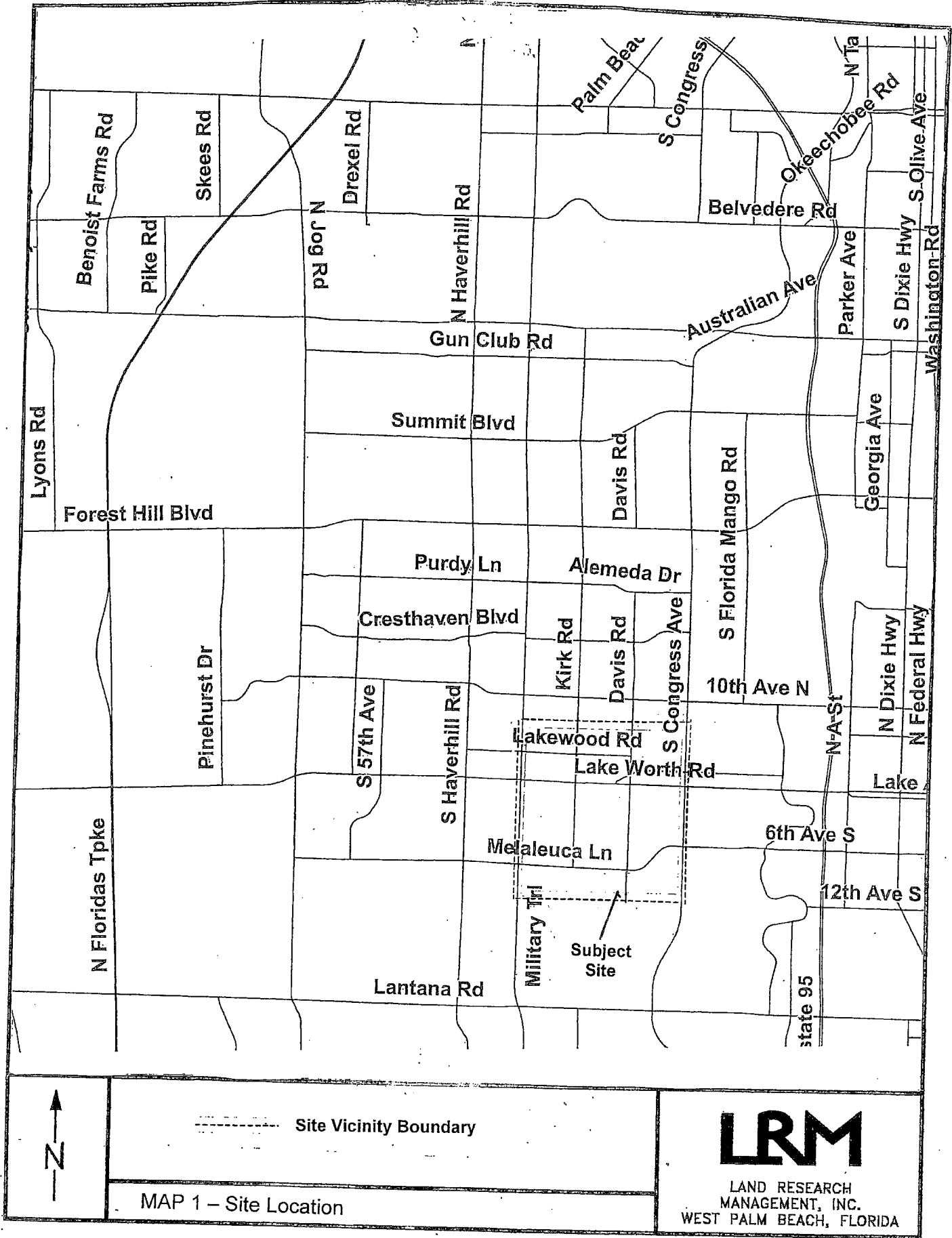
**2. Existing Use:** The Subject Site is currently vacant and cleared of vegetation.

**3. Size and Configuration:** The proposed community is approximately 4.29 acres in size, with approximately 660 feet of frontage along the north side of the Lake Worth Drainage District L-14 Canal and 310 feet of frontage along the west side of Davis Road..

**4. Accessibility:** The Subject Site is located along Davis Road at its southern terminus at the L-14 Canal. Approximately 0.2 miles to the north, Davis Road has intersection access to Melaleuca Lane Avenue South, a six-lane divided east-west designated urban minor arterial.

**5. Neighboring Properties:** To the north are Augustine Acres, a 16-lot single-family subdivision developed primarily during the late 1960's to early 1980's and an unrelated single-family lot. Augustine Acres lot sizes generally range from 0.2 to 0.25 acres each.

To the south the Subject Site is bounded by the 200-foot L-14 Canal right-of-way. Beyond the right-of-way is an Atlantis Country Club golf course fairway.



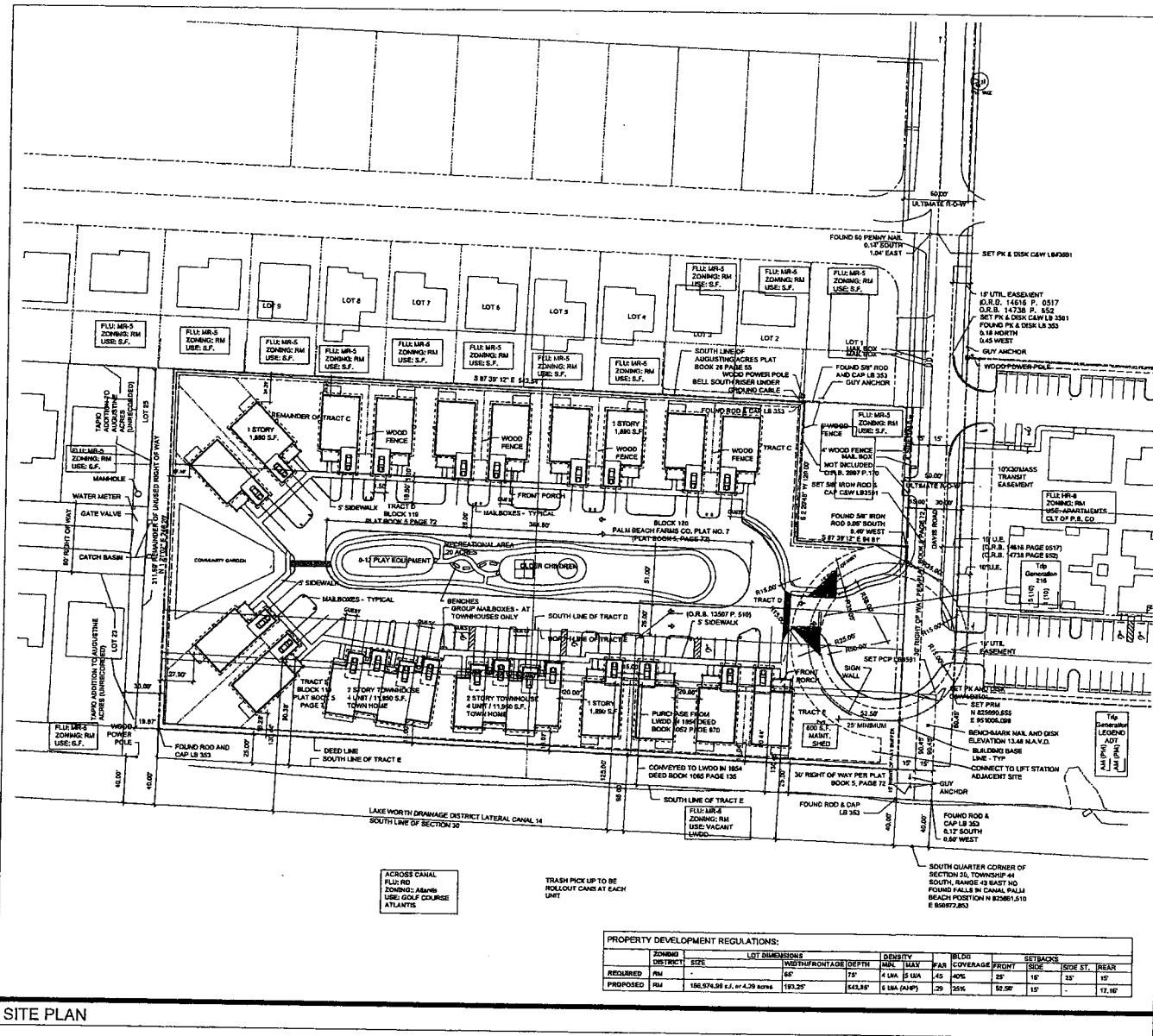
--- Site Vicinity Boundary

**LRM**

LAND RESEARCH  
MANAGEMENT, INC.  
WEST PALM BEACH, FLORIDA

MAP 1 - Site Location

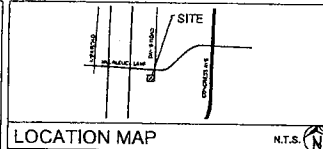




SITE PLAN

PROPERTY DEVELOPMENT REGULATIONS:

ZONING DISTRICT	SPEC	LOT DIMENSIONS		DENSITY	MIN. COVERAGE	MIN. SETBACKS	FRONT	SIDE	REAR
		WIDTH	DEPTH						
REQUIRED RM		60'	75'	4 LVA, 5 UA	40%	25'	15'	25'	15'
PROPOSED RM	156,974.98 S.F. OR 4.29 ACRES	193.25'	543.85'	5 LVA (AHP)	25%	52.50'	15'	-	17.16'



LOCATION MAP

**SITE DATA:**  
 PROJECT NAME: DAVIS LANDINGS WEST  
 PROJECT ADDRESS: 487 DAVIS ROAD  
 CONTROL NUMBER: 2011-450  
 APPLICATION NUMBER: CR-2011-08-001-1  
 PROJECT NUMBER: 0803-000  
 CONTROL NUMBER: 0803-000  
 ZONING DISTRICT: CURRENT: RM PROPOSED: RM  
 FLU CURRENT: MR-5 PROPOSED: MR-5  
 OVERLAY: ECRT #74 - CONGRESS PARK - 32ND DRIVE SOUTH / LRA  
 SECTION TOWNSHIP RANGE SECTION 30 TOWNSHIP 48S RANGE 47E  
 PROPERTY CONTROL NUMBERS: 60-43-44-36-01-120-001 AND 60-43-44-36-01-120-002

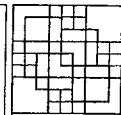
**LAND USE:**  
 CURRENT: VACANT APPROVED PROPOSED: MULTI FAMILY RESIDENTIAL (SINGLE FAMILY AND TOWN HOMES)  
 TOTAL GROSSNET SITE AREA: 188,877.28 S.F. OR 4.29 ACRES  
 EXISTING DENSITY: 0 UNITS PER ACRE APPROVED DENSITY: 6 UNITS PER ACRE  
 PROPOSED DENSITY: 6 UNITS PER ACRE  
 EXISTING DENSITY BONUS PROGRAM: NA APPROVED PROPOSED DENSITY PROGRAM: AHP & TOWNHOMES RENTALS AT 50% AND BELOW AND 4 AT 80% AND BELOW AND SINGLE FAMILY HOMEOWNERSHIP: 14 AT 80% AND BELOW AND

**BUILDING DATA:**  
 SQUARE FOOTAGE: BUILDING DATA: SINGLE-FAMILY RESIDENCE (16) 1,448 S.F. GARAGE 136 S.F. FRONT PORCH 1,880 S.F. 1,880 S.F. 1,175 S.F. 182 S.F.  
 TOTAL TOWN HOUSE (4 UNITS EACH) 6,436 S.F. GARAGE 416 S.F. FRONT PORCH 4,168 S.F. 1,175 S.F. 182 S.F.  
 1ST FLOOR 6,436 S.F. GARAGE 416 S.F. FRONT PORCH 4,168 S.F. 1,175 S.F. 182 S.F.  
 2ND FLOOR 4,168 S.F. 1,175 S.F. 182 S.F.  
 TOTAL 11,800 S.F.

**PARKING DATA:**  
 REQUIRED: 24 UNITS X 2 SPACES = 48 SPACES + 1 SPACE PER EVERY 4 UNITS = 6 SPACES = 54 SPACES  
 PROVIDED: 54 SPACES  
 HANDICAP PARKING REQUIRED = 3 PROVIDED = 3

**BUILDING HEIGHT ALLOWED:**  
 REQUIRED: 35 FEET MAXIMUM HEIGHT  
 PROPOSED: 35 FEET MAXIMUM HEIGHT  
 EXISTING RECREATION: NA

**TRAFFIC ANALYSIS ZONE:** 03



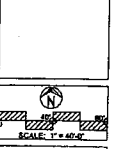
MAP 2

**DAVIS LANDINGS WEST**  
 487 DAVIS ROAD - PALM BEACH COUNTY  
 FINAL SITE PLAN

**CONCURRENCY**  
 MULTI-FAMILY RESIDENTIAL:  
 24 UNITS 84,140 S.F.  
 MAINTENANCE SHED 800 S.F.  
 PER AHP ALL 24 UNITS TO BE AT 80% AMI OR BELOW AS PER DEED RESTRICTION BOOK PAGE D.R.B. BOOK PAGE

concurrency is approved for the above uses and amounts shown on this plan

-4-



REVISIONS:

SP-1  
2

To the east, the property is bounded by Davis Road. Beyond Davis Road is the 25-unit Davis Landings, an affordable rental apartment community constructed in 2012 and L-14 Canal right-of-way.

To the west are 35 single-family homes on 0.2 acre lots located along Brooklyn Lane (Blocks 117, 118 and 119 of the vast Palm Beach Farms Plat 7 subdivision). Most of the homes were constructed in the 1980's.

### **Description of the Site Vicinity**

**1. General Land Use Patterns:** The Subject Site is located on Davis Road approximately 0.2 miles south of the Melaleuca Lane corridor. Consistent with most major suburban roadway corridors, development consists of a mixture of residential, commercial and institutional land uses. Commercial development, including Congress Point (shopping center) and Military Crossing (shopping center) tends to cluster at major intersections with north-south roadways (Congress Avenue and Military Trail), with residential, institutional and small-scale commercial development filling areas in between.

Residential uses along Melaleuca Lane are a mixture of older single-family and multiple-family (duplex, triplex and quads) communities, with the more recent development consisting of planned townhome and rental apartment communities. Major residential communities in the immediate site vicinity include Congress Park (288-unit rental apartment community), Emerald Lake (284-unit rental apartment community) and Emerald Lake Townhomes (135 townhomes). Villas Santorini, originally developed as townhome condominiums in 2007, is currently being completed as a rental community. A few institutional uses, including Select Specialty Hospital and JFK Charter School, are also located along the corridor.

**2. Roadway Network and Transit Opportunities:** The Subject Site is located on Davis Road, approximately 0.2 miles south of its intersection with Melaleuca Lane, a six-lane divided east-west designated urban minor arterial roadway with interchange access to I-95 approximately 3.0 miles to the east. While providing convenient access to Melaleuca Lane, Davis Road does not extend south the L-14 Canal, thus prohibiting through traffic and enhancing the residential neighborhood character of the area.

The Melaleuca Lane/Davis Road intersection provides site access from both east and west-bound vehicles. In addition, Melaleuca Lane intersections with Congress Avenue (0.5 miles to the east) and Military Trail (0.75 miles to the west) provide convenient access to destinations throughout central Palm Beach County.

The Subject Site is conveniently served by Palm Tran at the following locations within a one-quarter mile walk: (1) Bus Route #64 (Stop 5660) - north side of Melaleuca Lane at Davis Road; and (2) Bus Route #64 (Stop 5693) - south side Melaleuca Lane at Davis Road.

A Tri-Rail train station is located on High Ridge Road, approximately 5 miles east of the Subject Site, via Congress Avenue, and Gateway Boulevard. Park-and-ride facilities are available at the train station. Tri-Rail provides commuter rail service to most major communities from West Palm Beach to Miami.

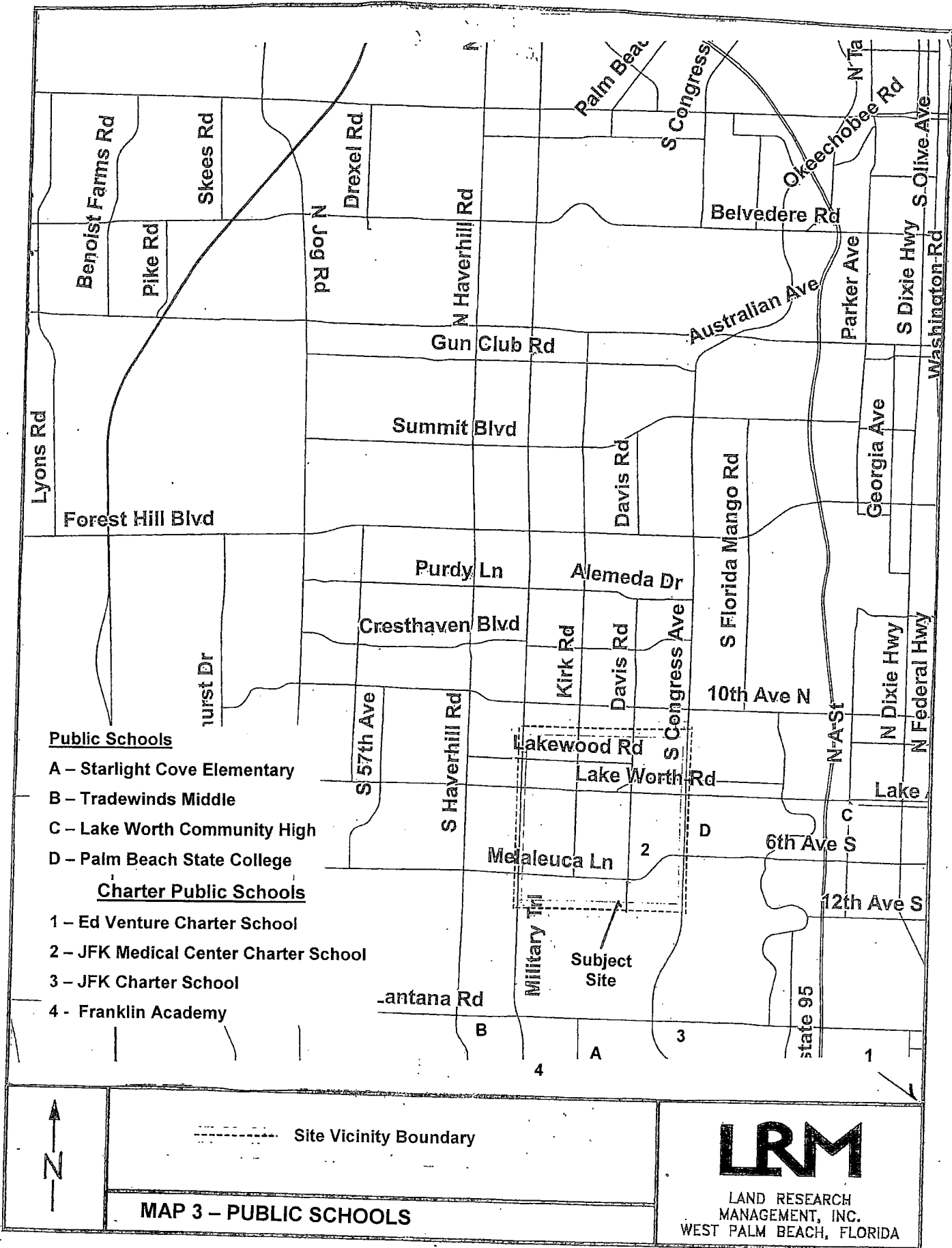
**3. Convenient Shopping Opportunities:** Commercial shopping centers are clustered at the intersections of Melaleuca Lane with Congress Avenue and Military Trail. Congress Point Plaza, a 40,000 sq. ft. convenience center is located at the northwest corner of Melaleuca Lane and Congress Avenue, approximately 0.5 miles from the Subject Site. Businesses include a convenience store, 4 casual dining specialty restaurants, dry cleaner, print shop, an emergency medical center, chiropractor and a Wendy's fast-food restaurant.

A Walgreens pharmacy, 7-11 and Cumberland Farms convenience stores and Military Crossing, a 78,000 sq. ft. Publix-anchored neighborhood shopping center are located at the intersection of Melaleuca Lane and Military Trail, approximately 0.75 miles from the Subject Site. Additional businesses located in Military Crossing include: 3 casual dining specialty restaurant, nail and hair salons and 2 branch banks.

**4. Public Schools:** Davis Landings West is within the service area boundaries of the following Palm Beach County School District public schools: Starlight Cove Elementary School, Trade Winds Middle School, and Lake Worth Community High School. In addition, 4 public charter schools are located in the vicinity, all of which serve kindergarten through high school-age children; Ed Venture Charter School, JFK Medical Center Charter School, JFK Charter School, and Franklin Academy. The locations of School District and proximate Charter public schools are illustrated on Map 3.

The Palm Beach State College (PBSC) Lake Worth Campus is located at the northeast corner of Melaleuca Lane/6<sup>th</sup> Avenue South and Congress Avenue, approximately 0.75 miles from the Subject Site. In addition to offering Associates Degrees in multiple professional and technical fields, PBSC offers a Bachelor of Science Degree program in nursing and will be expanding its four-year degree offerings in the near future.

**5. Recreation Facilities:** John Prince Park, a 726-acre County Regional Park, including 308-acre fishing and boating lake, is located 0.75 miles to the east of the Subject Site, at the intersection of Congress Avenue and Melaleuca Lane/6<sup>th</sup> Avenue South.



Among the many facilities and activities available at the Park include sports fields and courts (softball, basketball and tennis), camping, canoeing and kayaking, fishing, picnic pavilions, golf learning center, playgrounds and a boat launching facility.

Affron Park, a 2.7-acre county owned neighborhood park, is accessed from Melaleuca Lane, an approximate 0.25 mile walk from the Subject Site. The facility contains basketball courts, a tot's lot and an open playfield area.

**6. Employment Opportunities:** Several major employers are located within, or immediately adjacent to the defined Site Vicinity, including Palm Beach State College, John Prince Park (Palm Beach County Recreation Department), JFK Hospital, including 160,000 sq. ft. of "on-campus" and 164,000 sq. ft. of "off-campus" medical and professional office facilities, Select Specialty Hospital, Publix, Walgreens and JFK Charter School.

**7. Demographic Characteristics:** The Site Vicinity is defined using a combination of Census Tracts (i.e. Tracts 46.02, 49.03 and 49.04) and illustrated on Map 4. Census Tracts used to define the Site vicinity encompass an area bounded by the following: North – 7<sup>th</sup> Avenue North (extended); South – North corporate limits of the City of Atlantis; East – Congress Avenue; and West – Military Trail.

Several data tables are used to perform the following Census-based demographic and housing analysis.

Population and household characteristics and 2012 income estimates for Palm Beach County and the Site Vicinity are presented in Tables 1 - 3. Site Vicinity observations made from these data tables are useful in preparing conclusions regarding the market for the proposed residential development concept:

1. The Site Vicinity contained 15,188 residents in 2010, with a median age of 28.5 years; substantially lower than the countywide median of 43.5 years. Twenty percent of the Site Vicinity population is within the 25 – 34 years age group; nearly double that (11.4%) of the county

2. Consistent with the median age differential, the Site Vicinity has a higher percentage of school-age (5-19 years of age) children than the county; 23.5% within the Site Vicinity versus 17.3% countywide.

3. The Site Vicinity has a high percentage (53.4%) of Hispanic or Latino residents in comparison to that (19.0%) of the county.

4. Of the total households in the Site Vicinity, 73.3% are families. Reflective of the high family and household sizes in the Site Vicinity are substantially higher than those of the county. Average family size in the Site Vicinity is 3.64 persons and average household size is 3.4 persons.

**Table 1 – Age-Group Distribution and Hispanic or Latino**

Age-Group	Site Vicinity*		Palm Beach County	
	Population	Percent (%)	Population	Percent (%)
Under 5 Years	1,585	10.4	70,852	5.4
5 to 9 Years	1,348	8.9	72,847	5.5
10 to 14 Years	1,063	7.0	76,917	5.8
15 to 19 Years	1,101	7.2	79,570	6.0
20 to 24 Years	1,435	9.5	74,105	5.6
25 to 34 Years	3,038	20.0	146,694	11.1
35 to 44 Years	2,187	14.4	165,576	12.6
45 to 54 Years	1,765	11.6	188,126	14.3
55 to 64 Years	1,006	6.6	160,292	12.1
65 to 74 Years	374	2.5	130,427	9.9
75 Years and Older	286	1.9	154,728	11.7
<b>Total Population</b>	<b>15,188</b>	<b>100.0</b>	<b>1,320,134</b>	<b>100.0</b>
<b>Median Age</b>	<b>28.5 Years</b>		<b>43.5</b>	
Hispanic or Latino	8,110	53.4	250,823	19.0
Not Hispanic or Latino	7,078	46.6	1,069,311	81.0

Source: 2010 Census; SF 1.

**Table 2 – Family and Non-Family Households**

Households by Type	Site Vicinity*		Palm Beach County	
	Households	Percent (%)	Households	Percent (%)
Family	3,203	73.3	340,709	62.6
Average Size	3.64 persons		2.97 persons	
Nonfamily	1,168	26.7	203,518	37.4
Total Households	4,371	100.0	544,227	100.0
Average Size	3.40 persons		2.39 persons	

Source: 2010 Census; SF 1.

**Table 3 – 2012 Household and Family Income Ranges**

Household Income Range Adjusted to 2012 Dollars	Palm Beach County		Site Vicinity*	
	Households	Families	Households	Families
Income Range	% Estimate	% Estimate	% Estimate	% Estimate
Less than 25,000	22.5	15.2	35.1	40.0
\$25,000 to \$34,999	10.7	9.4	16.5	16.1
\$35,000 to \$49,999	14.3	13.9	18.3	17.6
\$50,000 to \$74,999	17.9	18.5	17.2	17.4
\$75,000 to \$99,999	11.2	12.6	8.9	6.1
Greater than \$100,000	23.4	30.4	4.0	2.8
<b>Total Households/Families</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Median income (dollars)</b>	<b>52,806</b>	<b>64,367</b>	<b>34,699</b>	<b>31,405</b>
<b>Mean income (dollars)</b>	<b>80,467</b>	<b>95,804</b>	<b>40,789</b>	<b>37,143</b>

\* - Census Tracts 46.02, 49.03 and 49.04

Source: American Community Survey 5-Year Estimates; Land Research Management, Inc.

5. Median household (\$34,699 per year) and family (\$31,409) income in the Site Vicinity are lower than the countywide rates; \$52,806 and \$64,367 per year. However, 26.1% of households in the Site Vicinity are estimated to have a household income within the \$50,000 to \$100,000 per year range.

Population growth, housing and household tenure characteristics for the Site Vicinity are presented in Tables 4 and 5. Observations made from these data tables are useful in projecting growth trends within the Site Vicinity:

1. Population grew by 2,224 residents, or an average of 222 residents per year during the 2000 – 2010 period.

2. Dwelling units increased by 644, or an average of 64 units per year while households increased by 323 or an average of 32 households per year during the 2000 – 2010 period. Although the increase in dwelling units outpaced households during the period, the low 2010 vacancy rate (4.8%) in owner-occupied units indicates that demand was not seriously affected.

3. Renters occupy 66.2% of the households in the Site Vicinity, as opposed to 28.8% countywide.

4. Housing stock in the Site Vicinity is relatively old. As of the year 2010, 56.5% of the dwelling units were built prior to 1980 (i.e. 30 years and older) and 40.1% prior to 1970 (i.e. 40 years and older).

5. Owner-occupied housing stock in the Site Vicinity is generally moderately valued, with 71.6% being valued at less than \$200,000 in 2010. Approximately 24% of the units were valued in the \$125,000 - \$199,999 range.

**Table 4 – Site Vicinity Population and Housing Trends**

Site Vicinity Population and Housing Characteristics	Year		2000 to 2010 Change
	2000	2010	
Population	12,964	15,188	2,224
Dwelling Units	4,371	5,015	644
Total Households	4,048	4,371	323
Renter-Occupied Households	2,530	2,894	364
Owner-Occupied Households	1,518	1,477	(41)

Source: 2000 and 2010 Census; SF 1.

**Table 5 – Site Vicinity 2010 Household Tenure Characteristics**

Housing Tenure	Site Vicinity		Palm Beach County	
	Households	Percent (%)	Households	Percent (%)
Owner-Occupied	1,477	33.8	388,493	71.4
Vacancy Rate	4.8%		3.4%	
Renter-Occupied	2,894	66.2	155,734	28.6
Vacancy Rate	11.8%		12.3%	
Total Households	4,371	100.0	544,227	100.0

Source: 2010 Census; SF 1.

**Table 6 – Site Vicinity 2010 Age of Housing Structures**

Year Built	Site Vicinity	
	Units	Percent
Built 2005 or later	158	3.5
Built 2000 to 2004	336	7.4
Built 1990 to 1999	423	9.4
Built 1980 to 1989	1,056	23.3
Built 1970 to 1979	741	16.4
Built 1960 to 1969	716	15.8
Built 1950 to 1959	618	13.7
Built 1940 to 1949	360	8.0
Built 1939 or earlier	116	2.6
<b>Totals</b>	<b>4,524</b>	<b>100.0</b>

Source: 2010 5-Year American Community Survey.

**Table 7 – Site Vicinity 2010 Value of Owner-Occupied Housing**

Value Range	Site Vicinity	
	Units	Percent
Less than \$50,000	121	8.5
\$50,000 to \$69,999	28	2.0
\$70,000 to \$79,999	83	5.8
\$80,000 to \$89,999	41	2.9
\$90,000 to \$99,999	0	0.0
\$100,000 to \$124,999	100	7.0
\$125,000 to \$149,999	121	8.5
\$150,000 to \$174,999	143	10.0
\$175,000 to \$199,999	75	5.3
\$200,000 to \$249,999	219	15.4
\$250,000 and more	494	12.9
<b>Totals</b>	<b>1,425</b>	<b>100.0</b>

Source: 2010 5-Year American Community Survey.



## Housing Market Conditions

Proposed market rate selling prices are established at approximately \$200,000 for both single-family and townhome models; a single-family rate of \$138/sq. ft. of air-conditioned space, and a townhome rates of \$102/sq. ft. and \$117/sq. ft. of air-conditioned space. With the deferred payment mortgage of up to \$65,000 available, net selling prices to income qualified buyers can be reduced to as low as \$135,000.

Analysis of Census data and Property Appraiser records indicates that housing stock within the Site Vicinity is relatively old and no new construction has occurred within the last several years. As a result, recent sales activity has consisted of resales of existing homes. Resales can vary widely within an individual subdivision depending upon the specific location and the condition and features of individual units. As the proposed Davis Landings West will consist of new construction, it is helpful to review the upper end of the range of resales activity within and proximate to the Site Vicinity to assist in deriving a conclusion regarding the proposed pricing structure. Sales transactions, summarized in Table 8, within the last 6 months in several subdivisions were reviewed to assist in deriving this conclusion. From the review of Property Appraiser records and data in Table 8, the following observations are made:

1. The most recent construction activity within the Site Vicinity consisted of townhomes built during the housing bubble of the mid-2000's. These homes initially sold for substantially more than current sales prices; generally in the \$250,000 to \$325,000 range.

2. Recent single-family home sales ranged from ~~\$132,000 to \$169,000~~. However, most of the homes were built in the 1970's. The lone exception was the sale of a home in St. George Landing (\$169,000) which was built in 2006. The home contains 1,203 sq. ft. of air-conditioned space and a garage. The selling price equates to a rate of \$140/sq. ft. of air-conditioned space.

3. Townhome sales ranged from ~~\$120,000 to \$185,000~~. All of these homes were built between 2000 and 2008. The more recently built (2006 - 2008) townhomes generally sold in the ~~\$150,000 to \$185,000~~ range, with selling prices equating to a rate of ~~\$75 - \$106/sq. ft.~~ of air-conditioned space.

The most proximate development offering new homes for sale is Verona Estates, a 53 unit single-family community located on Haverhill Road, immediately north of Lantana Road. Selling prices for 3-bedroom homes range from \$311,000 (1,588 sq. ft.), a rate of \$196/sq. ft., to \$321,000 (1,766 sq. ft.), a rate of \$182/sq. ft.

**Table 8 – Sample of Last Six Months Site Vicinity Home Resales**

Subdivision	Type	Selling Price (\$)	Year Built	A/C Space (sq. ft.)	Garage
Normandy Addition					
Lot 294	Single-Family	136,000	1979	1,180	No
Military Trail PUD					
Lot 71	Townhouse	139,000	2007	1,574	Yes
Lot 41	Townhouse	140,000	2008	1,881	Yes
Lot 26	Townhouse	140,000	2008	1,881	Yes
Ixora Park Plat 3					
Lot 7	Single-Family	132,000	1978	1,505	Yes
Kirkwood East Addition 1					
Lot 15	Single-Family	155,000	1976	1,494	No
Pine Grove Townhomes					
Lot 4	Townhouse	131,000	2007	2,227	Yes
Emerald Lake Townhomes					
Lot 31	Townhouse	140,000	2007	1,674	Yes
Lot 41	Townhouse	150,000	2006	1,618	Yes
Palm Springs Village Plat 8A					
Lot 17	Single-Family	152,000	1976	1,104	No
Estancia at Palm Springs					
Lot 2	Townhouse	138,000	2004	1,543	Yes
St. George Landings					
Lot	Single-Family	169,000	2006	1,203	Yes
Southwind					
Lot 50	Townhouse	122,000	2000	1,561	Yes
Lot 33	Townhouse	120,000	1999	1,561	Yes
Verona Palms					
Lot 11	Townhouse	166,425	2006	1,748	Yes
Lot 74	Townhouse	166,500	2007	1,748	Yes
Lot 71	Townhouse	170,000	2007	1,748	Yes
Lot 66	Townhouse	174,000	2007	1,748	Yes
Lot 88	Townhouse	185,000	2008	1,748	Yes

Source: Palm Beach County Property Appraiser; Land Research Management, Inc.

## **Analysis and Conclusions**

The following conclusions are offered regarding the viability of the proposed 24 unit Davis Landings residential community.

**1. Demand:** From Table 4, population in the Site Vicinity increased by 2,224 residents and 644 housing units during the 2000 – 2010 period. Using this trend as the basis, it is projected that population within the Site Vicinity will grow by an additional 1,112 residents during the 2015 – 2019 period, supporting an increase of 322 residential units. Based upon 2010 tenure distribution (66% renters and 34% owners), it is projected that there will be demand for an additional 109 owner-occupied units within the Site Vicinity during that period. The proposed Davis Landings West, consisting of 29 units, comprises a 27% capture of projected demand. As there are no additional approved but unbuilt residential communities within the Site Vicinity, it is concluded that growth in demand for owned housing within the Site Vicinity is adequate to support the proposed community. Further, the large average household size (3.40 persons) in the Site Vicinity is supportive of the proposed unit mix consisting entirely of 3-bedroom models.

**2. Pricing:** Proposed market rate selling prices are established at approximately \$200,000 for both single-family and townhome models; a single-family rate of \$138/sq. ft. of air-conditioned space, and a townhome rates of \$102/sq. ft. and \$117/sq. ft. of air-conditioned space. With the deferred payment mortgage of up to \$65,000 available, net selling prices to income qualified buyers can be reduced to as low as \$135,000, or \$93.00/sq. ft. for single-family homes and \$69.00/sq. ft. and \$70.00/sq/ ft. for the townhome models.

There are no new home communities within the Site Vicinity that can be used to evaluate the Davis Landings West market rate pricing structure. However, several recent sales (Ref: Table 8) of older single-family and townhome units within and proximate to the Site Vicinity can assist in determining the appropriateness of the established pricing structure. New homes generally sell for a higher price per square foot than comparable previously owned homes. As a result, market rate home prices at Davis Landings West are expected to exceed levels established by nearby resales, particularly since several are determined to be "short sales" resulting from the collapse of the real estate bubble in the late 2000's.

From Table 8, the most recently built townhomes sold at a rate of \$75 - \$106/sq. ft. of air-conditioned space. In comparison, Davis Landing West townhome prices are established at \$102/sq. ft. and \$117/sq. ft. The increase above the rates for recent resales is determined to be reasonable.

Verona Estates, offering 3-bedroom single-family units at rates of \$182/sq. ft. to \$196/sq. ft. is the only community marketing new homes within or proximate to the Site Vicinity. In addition, the survey of recent sales (Ref: Table 8) found only one recently built resale; a home in St. George Landing which was built in 2006 recently sold at a rate of \$140/sq. ft. The established market rate single-family home price at Davis Landings West is \$200,000, or \$138/sq. ft., which is considerably less than new home prices at Verona Estates and consistent with the lone resale found within the Site Vicinity.

**3. Marketability:** As previously concluded, the Davis Landings 3-bedroom home concept is properly designed to accommodate the relatively large households that tend to locate within the Site Vicinity at selling prices slightly above, but compatible with recent resales and less than the only proximate new construction. In addition, the following neighborhood characteristics will enhance the ability to market homes:

- The L-14 Canal is the southern terminus of Davis Road as well as the southern boundary of the Subject Site. The Canal, followed by an Atlantis Country club golf fairway, creates a scenic vista from the Subject Site and prevents through traffic on Davis Road, both of which are positive residential neighborhood features.
- Although located in a residential neighborhood, the Subject Site is located only 0.2 miles south of its intersection with Melaleuca Lane, a designated urban minor arterial roadway with convenient interchange access to I-95 and Palm Tran bus stops.
- Shopping opportunities offering a range of convenience retail goods and services are located on Melaleuca Lane at its intersections with Congress Avenue and Military Trail.
- In addition to proximately located public schools, 4 public charter schools and Palm Beach State College are located in the vicinity.
- John Prince County Regional Park and Affron Park, a 2.7-acre county owned neighborhood park are both located within a reasonable walking distance of the Subject Site.

- Several employers are located within close proximity to the Subject Site including Palm Beach State College, John Prince Park, JFK Hospital, including major "on-campus" and "off-campus" medical and professional office facilities, Select Specialty Hospital, Publix, Walgreens and JFK Charter School.

## **Contact Information**

### **Respondent / Developer**

Community Land Trust of Palm Beach County, Inc.  
4938 Davis Road  
Lake Worth, FL 33461  
Phone: 561.318.8430  
Cindee LaCourse-Blum, Executive Director

### **Project Manager**

Zabik & Associates, Inc.  
650 Royal Palm Beach Blvd., Suite 3  
Royal Palm Beach, FL 33411  
Phone: 561.791.2468  
Lawrence Zabik, Managing Partner

### **Construction Contractor**

Royal Building Group, LLC  
9100 Belvedere Road, Ste. 105  
Royal Palm Beach, FL 33411  
Phone: 561.798.0901  
Dan Walesky, Vice President

### **Architect/Design Team**

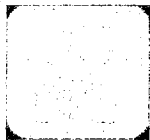
Colomé & Associates, Inc.  
530 24th Street  
West Palm Beach, FL 33407  
561.833.9147  
Liz Colomé, President

### **Attorney**

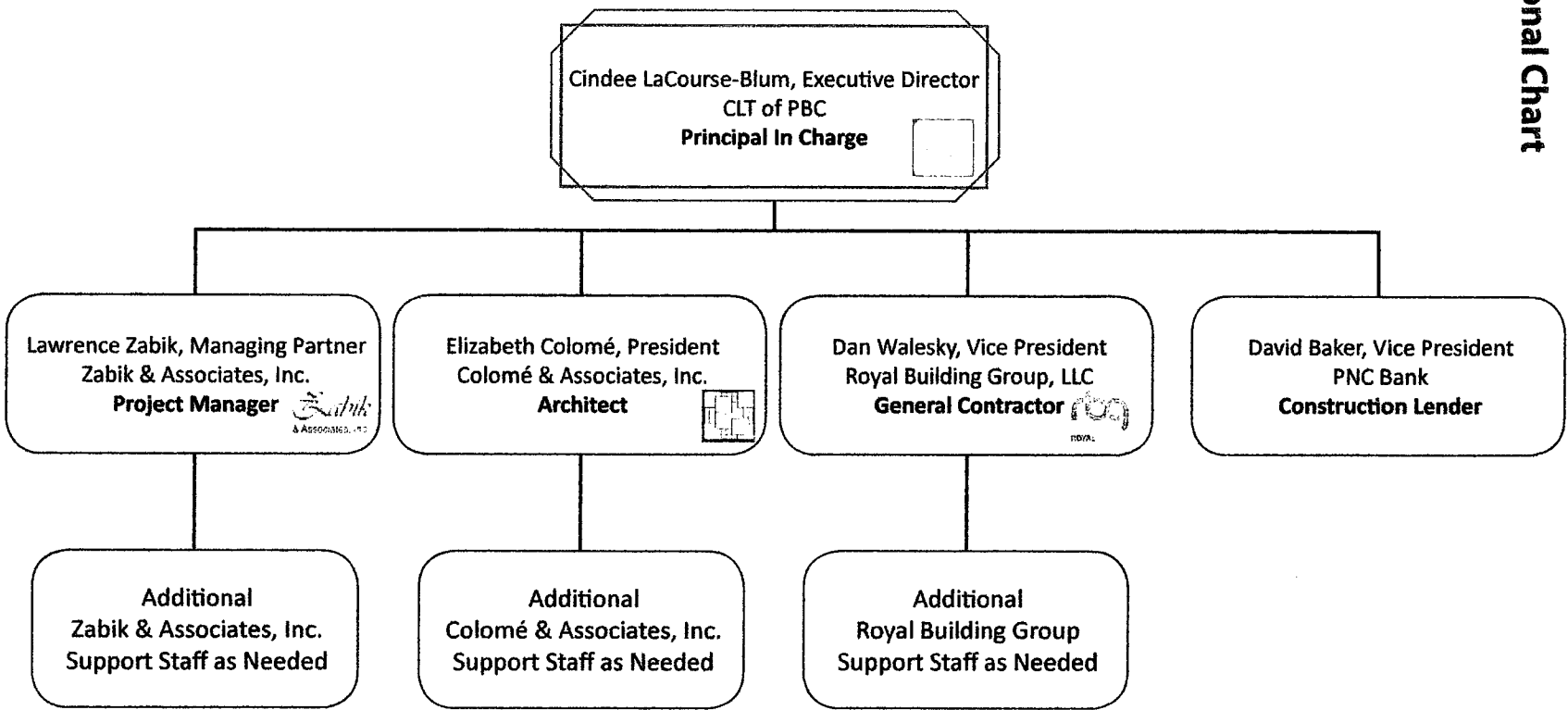
Simon and Schmidt  
140 N.E. Fourth Avenue, Suite A  
Delray Beach, Florida 33483  
Phone: 561.278.2601  
David W. Schmidt

### **Finance**

PNC Bank  
205 Datura Street  
West Palm Beach, FL 33401  
Phone: 561.803.9946  
David Baker, Vice President  
Community Development Banking



**Organizational Chart**



The Community Land Trust of Palm Beach County, Inc.

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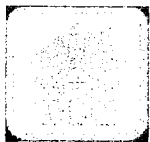
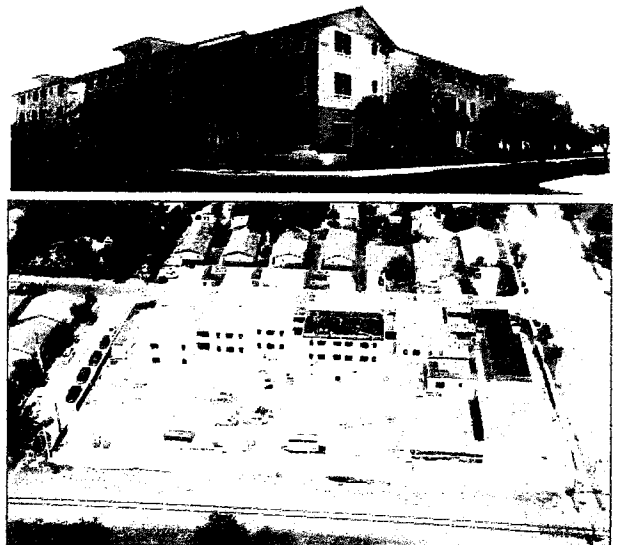
## CLT of PBC Project Experience

The Community Land Trust of Palm Beach County, Inc. (CLT of PBC) is a non-profit housing provider founded in 2006 to help address the need for affordable housing in Palm Beach County. The core mission of the CLT of PBC is to create a permanent stock of rental and homeownership opportunities that will remain affordable in perpetuity and that is controlled by the community it serves. To fulfill its mission, the CLT of PBC undertakes the following activities:

- **Housing Development** – In 2012 the CLT of PBC completed Davis Landings, an affordable multi-family rental development consisting of 25 rental units that have been made available to extremely low, very-low and moderate income households.
- **Housing Acquisition and Neighborhood Stabilization** - Through the Urban Infill Housing Program and Neighborhood Stabilization Program (NSPP), the CLT of PBC has acquired twenty-seven (27) vacant and/or foreclosed housing units, to rehab if needed, and make them available to very-low and low income households.
- **Lease with an Option to Purchase** -The CLT of PBC manages an affordable rental with lease with an option to purchase program.
- **Homebuyer Counseling** – CLT of PBC staff provides one-on-one confidential homebuyer counseling and a two hour CLT specific orientation in-house. All buyers of CLT of PBC homes are provided pro-bono legal counseling to review all documents relating to the purchase.
- **Coordinate Services** – CLT of PBC staff coordinates services with other providers for credit and budget counseling, to establish IDA Accounts, for financial literacy classes, for homebuyer post purchase counseling and to obtaining financing from homebuyer assistance programs.
- **1st Mortgage Financing** – CLT of PBC staff assists clients in obtaining first mortgage financing from one of our partner lenders.
- **Stewardship** – One of the defining roles that a CLT undertakes is stewardship. Once a homeowner purchases a CLT home, the CLT of PBC has and will continue to ensure that the owners are well served during their tenure of ownership. The role of stewardship is assisting homebuyers with their homestead exemption and reviewing annual tax assessments; assistance with questions about escrow accounts, homeowner warranties, home improvements and permits, and hundreds of other questions and on-going budget counseling.

### La Joya Villages Affordable Housing Development Lake Worth, FL

In 2013, the CLT of PBC partnered with a private partner, Realtex Southeast, to develop La Joya Villages, a 55 unit affordable multi-family housing development in Lake Worth, Florida. The development will be comprised of two and three bedroom rental units. Twenty five percent of the units will be set-aside for households whose incomes are at or below 50% of the AMI. The remaining units will be set aside for households whose income is at or below 60% of the AMI. The construction is over 50% complete and will be completed in November of 2014.



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### Davis Landings Affordable Housing Development Suburban Lake Worth, FL

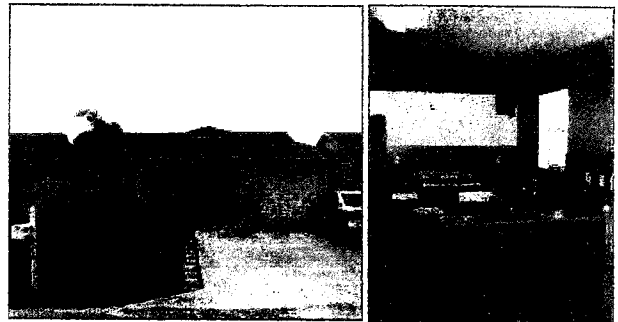
In 2011, the CLT of PBC was awarded \$5.7 million in Federal Neighborhood Stabilization Program 2 (NSP2) funds to construct Davis Landings, a 25-unit affordable multifamily rental development. The project was completed in July 2012.



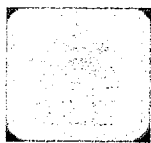
### NSP2 Housing Rehabilitation Program, 2011 Palm Beach County

In 2011, the CLT of PBC was awarded \$2.1 million in NSP2 funds for the acquisition and rehabilitation of a minimum of 11 foreclosed single family units. To date, the CLT of PBC has acquired and rehabilitated 13 foreclosed properties.

The CLT of PBC met all reporting requirements and exceeded the 50% spending threshold requirement of the NSP2 program.



*124 Amanda Street Rehabilitation pictured before (top) and after (bottom).*



**Cynthia LaCourse-Blum**  
Executive Director



Ms. LaCourse-Blum is the founding Executive Director of the Community Land Trust of Palm Beach County, Inc. She is responsible for developing and overseeing all programs, projects, services, and policies of the organization.

**Education:**

University of Colorado at Denver Graduate School of Politics & Public Policy 2003-2005  
University of Colorado at Denver, Bachelor of Arts – Political Science 2002

**Experience:**

Ms. LaCourse-Blum manages all aspects of real estate development for the organization including acquisition, rehabilitation and disposition; obtaining public financing; coordinating due diligence and entitlement; and property management. She is also responsible for all budgeting, tracking, and reporting finances to constituents and government.

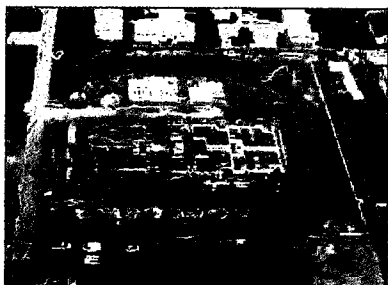
During her tenure as Executive Director, Ms. LaCourse-Blum has been responsible for project management and contract administration of over \$10 million in Federal and State dollars.

Ms. LaCourse-Blum has twelve years of experience working in the affordable housing and community development industry in both the public and non-profit sector.

*Davis Landings*



*September, 2012*



*November, 2011*



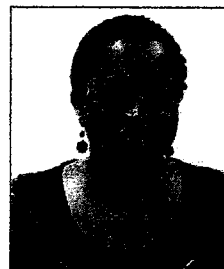
*Ms. LaCourse-Blum leading a tour of the Davis Landings site to HUD officials including NSP Team Leader, John Laswick.*



*July, 2012*



**Tanya Ward Benjamin, AICP**  
Housing Coordinator



**Education:**

Michigan State University, Masters of Urban Planning, 1981-1984  
University of the West Indies, Bachelor of Arts, 1977-1981

**Experience:**

Tanya Ward Benjamin joined CLT of PBC in June 2012 in the dual roles of NSP2 Housing Rehab Project Manager and NSP2 Housing Coordinator. She is a Certified Planner with a Masters in Urban Planning from Michigan State University. Her thesis focused on housing for the elderly and disabled in Barbados, West Indies. Tanya brings more than 15 years grant management experience through previous work with an international development agency, non-profit organizations and federal grant programs. Since 2006, she has worked with Florida state and federal affordable Housing and Community Development programs.

**Miilind Chokski**  
Finance Manager

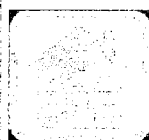


**Education:**

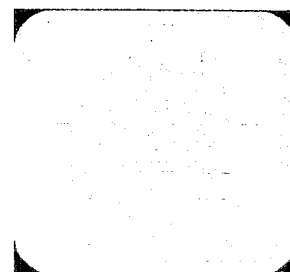
BS in Law from Gujarat University, India  
CS Institute of Company Secretary, India  
Computer Information System from BCC, Melbourne, Florida.

**Experience:**

Mr. Chokski has over 30 years of experience in the accounting field. He has also specialized in non-profit fund accounting for over 20 years. Mr. Chokski's areas of experience include not-for-profit, governmental, and entrepreneurial services. He maintains an in-depth knowledge of federal, state and local grants regulations, which include single and Multi-family Low Income Housing Project funded by Sec 8, by HUD under sec. 202, NSP grant, and CHDO grant. Mr. Chokski is highly skilled in setting up internal control systems, cost allocation systems, and financial policies and procedures. He was previously responsible for the fiscal monitoring of programs funded by Children's Services Council of Palm Beach County as well as auditing Palm Beach County, City of West Palm Beach and Children's Services Council.



# The Community Land Trust of Palm Beach County, Inc.



The Community Land Trust of Palm Beach County, Inc.

## 2013-2014 Board of Directors

The Community Land Trust of Palm Beach County Board of Directors is comprised of CLT of PBC lessees, members of the Palm Beach County Community at large, and seasoned professionals from all facets of the housing industry including, but not limited to, a private affordable housing developer who has overseen the development, financing, and management of close to 5,000 multifamily affordable and market rate units, a civil engineer who has a great deal of experience improving communities, institutions, facilities and infrastructure for public and private entities, a real estate broker, and the CEO of the Delray Beach Housing Authority (DBHA) whom during her tenure created the Delray Housing Group (DHG) the non-profit development and property management arm of DBHA and serves as its President.

A full listing of the CLT of PBC Board of Directors is as follows:

### OFFICERS:

Hazel Lucas, President  
Florida Rural Legal Services

Dorothy Ellington, Vice President  
Delray Beach Housing Authority

John Templeton, Treasurer  
Templeton & Company, LLP

Tim Wheat, Secretary  
Pinnacle Housing Group

### DIRECTORS:

Shevon Banks, CLT General Member

Tangenica Henry, CLT Lessee Member

Lidia Vargas, CLT Lessee Member

Vice Mayor Scott Maxwell  
City of Lake Worth

Tammy McDonald-Anderson  
Urban League of Palm Beach County

Sementha Santangelo, CLT General Member

Angela Usher  
School District of Palm Beach County

Randy S. Wertepny, P.E.  
Kesahavarz and Assoc.



**Lawrence Zabik**

Managing Partner



*One of the founding partners of Zabik and Associates, Inc., Mr. Larry Zabik has been managing construction projects for 34 years. His undergraduate degree is in Electrical Engineering from Norwich University, B.S.E.E. He also has a Master's Degree in Economics from the University of Oklahoma. He has also completed graduate studies in Engineering and Educational Leadership.*

*As a Managing Partner at Zabik and Associates, Inc., Mr. Zabik is responsible for daily operations, direction of staff and specializes in total project management.*

**Selected Experience:****Owner's Construction Representative.**

Mr. Zabik has acted as the Owner's Representative for over \$500M in new construction and renovation work. His duties included coordination of design, permitting, contract negotiation, management of the contractor's critical path schedule, inspection of the work, coordination of inspections, coordination of Owner's vendors, review and approval of pay applications and change orders.

**Cost Estimating, Broward & Palm Beach School Districts.**

Zabik and Associates, Inc., in partnership with ONM&J, held a continuing contract with both the Palm Beach County and Broward County School Districts to provide Cost Estimating and Scheduling services from 2004-2008. Zabik and Associates reviewed, analyzed and approved 2300 continuing contract cost estimates. The team was recently re-selected for this continuing contract and will provide services from 2011-2014.

**Assistant Superintendent for Support Services, School District of Palm Beach County.**

Mr. Zabik directly managed all resources and personnel required for the physical operation and maintenance of all 132 district campuses. During his tenure, \$500M in construction and renovation was completed with 90% completed on-time and within budget, with a change order rate cited by Coopers and Lybrand as being half the national and state averages.

**Employment History:**

**Zabik & Associates, Inc.,** Managing Partner  
**School District of Palm Beach County,**  
 Asst. Superintendent for Support Services  
**U.S.A.F.,** Commissioned Officer, Construction Engineer

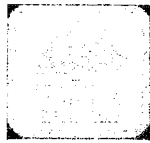
**Years with Firm:**  
17

**Total Year's Experience:**  
34

**Education:**  
 B.S./1980  
 Electrical Engineering  
 Norwich University

M.A./ 1982  
 Economics  
 University of Oklahoma

*Zabik*  
 & Associates, Inc.



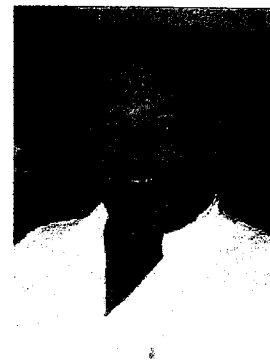
*The Community Land Trust of Palm Beach County, Inc.*

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## Greg Kopp

### Senior Project Manager

*Mr. Kopp has 32 years experience in all areas of the construction industry. His special areas of expertise include building mechanical and structural systems. He has worked extensively on both public and private sector projects. His extensive field experience allows him to be effective in dealing with construction professionals, design team members and owners.*



#### Selected Experience:

#### Years with Firm:

8

#### Total Year's Experience:

32

#### Education:

Building Const. &  
Administration  
Palm Beach  
State College

#### Certifications:

Southern Building Code  
Certified Building Inspector  
(inactive)

#### **Davis Landings Affordable Housing Complex, Lake Worth, FL.**

Mr. Kopp is acted as the on-site project manager for the 25-unit affordable apartment complex. Mr. Kopp worked hand-in-hand with the contractor and design team to expedite the project and assist the County in achieving their spending goals for the 2011 calendar year.

#### **BallenIsles Golf & Country Club, Palm Beach Gardens, Florida.**

Mr. Kopp acted as the on-site representative for this two-phase, \$40 million expansion/renovation at BallenIsles Country Club in Palm Beach Gardens. Phase I involved the new construction of a 50,000SF fitness center, spa and casual dining venue. Phase II involved the renovation of the 72,000SF Grand Clubhouse and complete rehab of the kitchen facilities.

#### **Wycliffe Golf & Country Club, Lake Worth, FL.**

Mr. Kopp was the on-site Project Manager for this \$23 million renovation and construction project, completed in 2009. The work included new construction of a fitness center and specialty restaurant, followed by the renovation of the 40,000SF Clubhouse including the main dining room, kitchen and banquet center.

#### **Palm Beach County Justice Complex, West Palm Beach, FL.**

Representing the Engineer as Special Inspector on this twelve story complex, Mr. Kopp was responsible for coordination between the local building department and the Contractor, structural inspections and supervision of three additional inspectors.

#### Employment History:

**Zabik & Associates, Inc.**, Project Manager

**Kopp Construction**, Owner, GC

**Dunkelberger Engineering & Testing, Inc.**, Special Inspector

*Zabik*  
& Associates, Inc.



*The Community Land Trust of Palm Beach County, Inc.*

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**Elizabeth A. G. Colome'**  
ARCHITECT

Elizabeth Colome' established this firm in 1994, (incorporated as Colomé & Associates, Inc in 2000), dedicated to providing commitment to clients and attention to quality. Her experience includes residential, as well as religious, educational, institutional, and many commercial buildings.

**Registration**

**Florida Registration**  
1994 - AR 0014839  
2001 - AA 0003439

**Education**

**Bachelor of Architecture**  
Virginia Polytechnic Institute and State University, 1988

**Design Studies**

Washington / Alexandria  
Architecture Center, 1986

**Professional Experience**

**Residential Projects**

**Riviera Beach Housing Authority  
Emerald Palms - Preliminary Site Plan**  
Rental / Purchase / Elder Housing  
Riviera Beach, Florida

**Latona Avenue Model Block**  
16 home Workforce-Housing Project  
Lake Worth, Florida

**Brooks Subdivision**  
22 Mixed-income homes Northwest  
Riviera Beach CRC,  
Riviera Beach, Florida

**Delray Beach Housing Authority  
West Settlers Office Building**  
Office and Affordable Housing 3-  
story building / Historic District  
Delray Beach, Florida

**Davis Landings - Affordable  
Housing Project**  
(2) buildings / 25 units with office  
Florida Green Building  
Palm Beach County, Florida

**Community / Governmental  
Projects**

**Delray Beach Housing Authority  
Office Space**  
Interior Remodel  
Delray Beach, Florida

**Northrop Grumman Technologies**  
Interior Remodel  
Weston, Florida

**The Flagler Institute Medical Office  
Building**  
New Medical Office Building  
West Palm Beach, Florida

**Palm Beach County**  
Minor Projects Contract for under  
\$3,000,000.00 2007-ongoing  
**West Palm Beach Head Start  
Community Center, Museum  
Renovation, Library Renovations**  
Palm Beach County, Florida

**Hurst A.M.E. Chapel**  
Multipurpose Building  
Riviera Beach, Florida

**Florida Atlantic University**  
Slattery Early Child Research and  
Education Center - Building  
Addition  
Boca Raton, Florida

**Palm Beach Community College**  
Minor projects contract for projects  
below \$1,000,000 (2006-ongoing)

**Holycross Preschool and  
Community Center**  
West Palm Beach, Florida

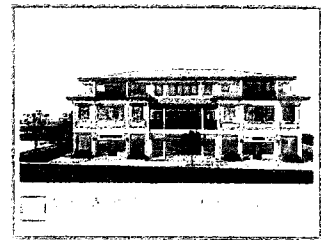
**Florida Atlantic University**  
Minor Projects Contract  
\$1,000,000 and under  
2000 - 2008

**Diocese of Palm Beach**  
(3) Residence for Priests  
Port St. Lucie, Palm Beach and Delray  
Beach, Florida

**Our Lady of Florida Retreat Center**  
Renovation of 65,000 S.F. including  
Fair Housing and Life Safety  
North Palm Beach, Florida



Davis Landings  
Palm Beach County, Florida



West Settlers Office Building  
Delray Beach Housing Authority  
Delray Beach, Florida



The Flagler Institute Medical Office  
Building  
West Palm Beach, Florida



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**Joe O. Colome'**  
PROJECT MANAGER

Joe Colome' has over 24 years of experience in projects ranging from interior remodeling to \$15 million Educational facilities. His project management expertise includes commercial, educational, private sector and public use facilities.

**Education**

**Bachelor of Architecture**  
Florida A & M University, 1988

Palm Beach Community College,  
1984

**Design Studies**  
Washington / Alexandria Architecture  
Center, 1985

**Educational Projects**

**FAU Continuing Contract**  
2000 - 2008

**FAU Golf Cart Storage**  
Boca Raton, Florida

**FAU Dining Hall Addition**  
Jupiter, Florida



FAU Dining Hall /Trellis Addition

**FAU Library Elevator Renovation**  
Boca Raton, Florida

**FAU Gladys Davis Pavilion for Reading for the Blind and Dyslexic**  
Boca Raton, Florida

**FAU Teaching and Research Greenhouse**  
Davie, Florida

**FAU Pool Building and Locker Room Renovation**  
Jupiter, Florida

**PBSC Concession Stand**  
Palm Beach Community College  
Palm Beach Gardens, Florida

**FAU Clocktower Courtyard**  
Boca Raton, Florida

**PBSC Dining Room Renovations**  
Palm Beach Community College  
Palm Beach Gardens / Boca Raton,  
Florida

**The Benjamin School**  
Athletic Complex Concession  
Building Concept  
Palm Beach Gardens, Florida

**Community Projects**

**Greenacres Library Renovation**  
Greenacres, Florida

**West Palm Beach Head Start**  
Building Addition  
West Palm Beach, Florida

**Our Lady of Florida Spiritual Center**  
Renovation of 65,000 square feet  
North Palm Beach, Florida

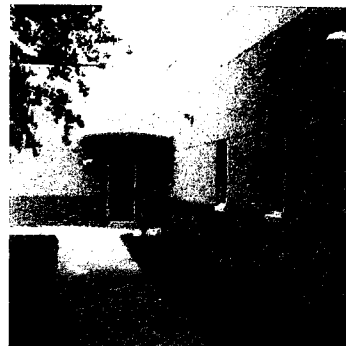
**Morakami Museum Dwelling Exhibit**  
Interior and Exterior Renovations  
Palm Beach County, Florida

**Concession Stand**  
P.B. Co. Building in Santaluces Park  
Palm Beach County, Florida

**St. Therese Parish Center**  
New 1-story building and pavilion -  
total 23,000 GSF  
Wellington, Florida

**Holy Cross Preschool and Community Center**  
15,000 square feet - New  
Construction  
West Palm Beach, Florida

**Hurst AME Chapel Multipurpose Building**  
Riviera Beach, Florida



FAU Gladys Davis Pavilion  
Boca Raton, Florida



Northrop Grumman  
Ft. Lauderdale, Florida

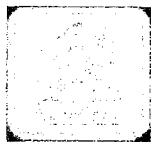
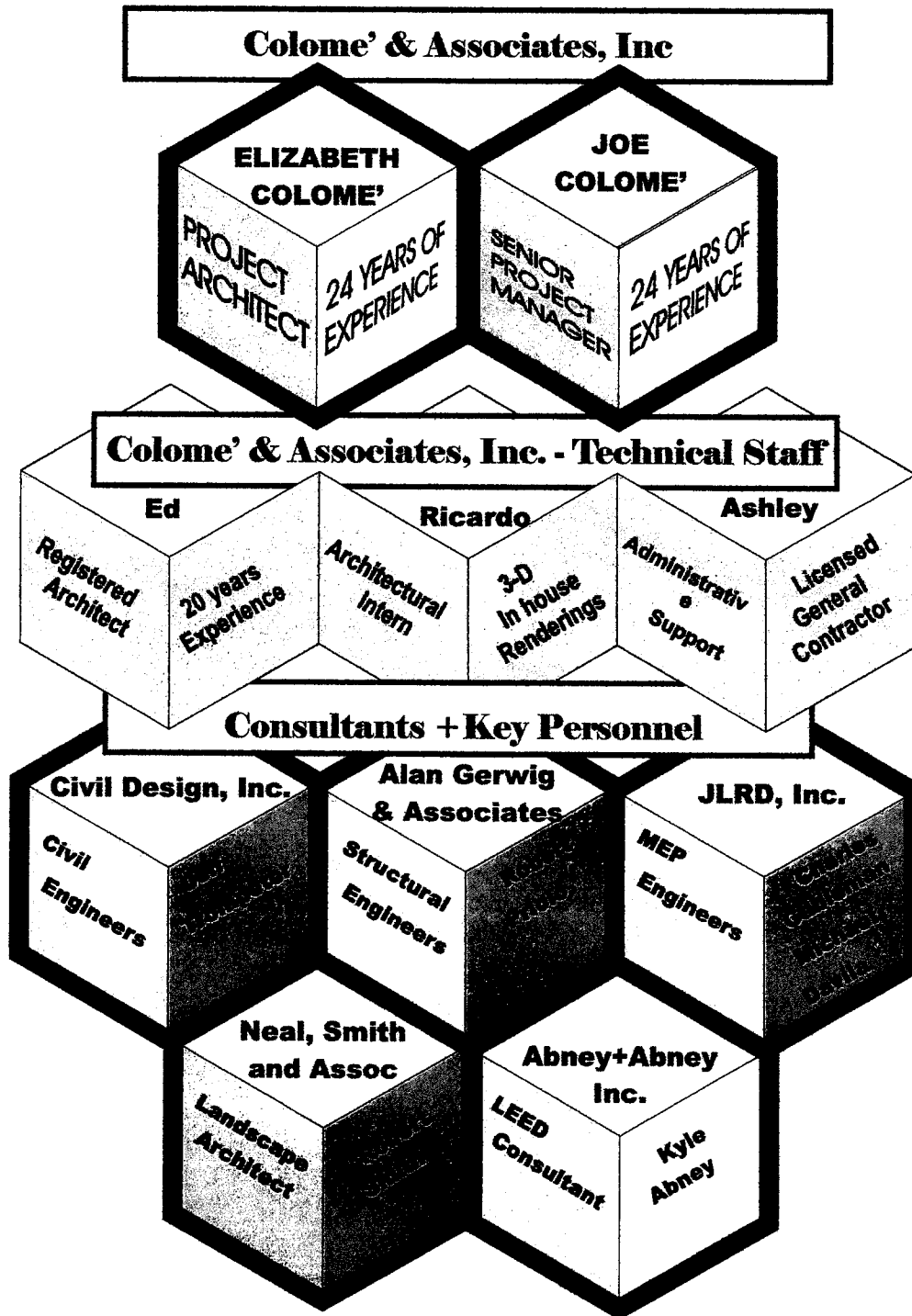


PBSC Eissey Cafeteria  
Palm Beach Gardens, Florida





# Colome' & Associates, Inc. Team Organizational Chart



## Background

Jeff Trompeter has over 22 years of civil engineering experience. He was a member of the U.S. Navy's Civil Engineer Corps for 6½ years prior to entering private practice. Jeff has extensive experience with all facets of land development projects including design, permitting, and construction services. Jeff founded Civil Design Inc. in May of 2003 and continues to be the engineer of record for numerous commercial, residential and public sector projects throughout Florida & the Caribbean.

## Representative Experience

**Davis Landings** – Fast-track design/bid/build project for 25 affordable housing units utilizing NSP 2 funds with considerable time and budget milestones, Palm Beach County, FL.

**Urban Arts Lofts** – Fast-track design/build project utilizing NSP 2 funds for 12 affordable artist housing units with considerable time and budget milestones, Lake Worth, FL.

**Aspen Square** – Fast-track project for 171 income restricted apartments utilizing TDR density credits for affordable housing, Palm Beach County, Florida.

**La Joya Villages** – Fast-track design/bid/build project utilizing NSP 2 funds and tax credit financing for 55 affordable housing units with considerable time and budget milestones, Lake Worth, Florida.

**City of West Palm Beach**  
Contracted engineering services for the City on a task order basis including Windsor Avenue Roadway Improvements, Banyan City Garage FEMA grant money repairs.

**City of Lake Worth Public Works**  
Contracted to perform City Engineer functions from 2004 to 2010. Responsibilities included performing reviews of site plan submittals for compliance with City drainage criteria (including storm-water modeling), miscellaneous projects review and construction administration.

**Palm Beach School District**  
Annual Civil Engineering consultant past 6 years. Have performed work on over 60 distinct school sites through the county including Lake Shore Annex in Belle Glade.

**Continuing Services Contract Palm Beach County**  
Annual consultant for PBC on a task order basis. Contract has included studies, design, permitting and construction phase services for various civil projects including roadways, utilities, drainage issues, irrigation (reclaim), etc.

**Jail Expansion II Palm Beach County**  
Design, permitting and construction phase services for Palm Beach County's largest bond initiative project to date, totaling close to \$280M. Included three principal sites (Belle Glade, Central Detention Center and Gun Club Facility).

**Renovations to Bldg. 284 NAF Monroe County, FL**  
Design/Build project renovations to existing facilities to support the U.S Navy's SEPTAR program.

**Anti-Terrorism Force Protection (ATFP) Improvements NAF Monroe County, FL**  
Design/Build project for facilities improvements complying with ATFP program.



**T. Jeff Trompeter, P.E.**  
**President**

**Professional Registrations:**  
Professional Engineer  
State of Florida PE No. 51045  
LEED AP BD+C

**Years of Experience: 22**

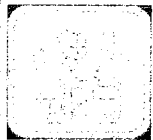
**Education:**  
*Bachelor of Science,*  
*Civil Engineering,*  
*Minor in Mathematics*  
University of Florida 1990

**Affiliations:**  
Fellow,  
American Society of Civil Engineers  
  
President, Palm Beach Branch  
American Society of Civil Engineers  
2001-2002

Active Member,  
Florida Engineering Society & NSPE  
  
FAU Civil Eng. Dept. Adv. Council,  
2002-2007

312 9th Stret • West Palm Beach, Florida 33401  
Tel: 561.659.5760 • Fax: 561.659.5772 • www.civil-design.com • CA 9664

 **CIVIL DESIGN, INC.**  
SERVICE DRIVEN CIVIL ENGINEERING CONSULTANTS



*The Community Land Trust of Palm Beach County, Inc.*

RFP DES.2014.1  
September 3, 2014

# Professional Resume

Wallace Sanger  
 President – Royal Building Group  
 wsanger@royalbuildinggroup.com

Profile	<b>Wally Sanger's 50+ years of construction experience as a builder, developer and innovator have been focused on quality and customer satisfaction.</b>
Education	Madison High School, Trotwood Ohio, Class of 1961
Certifications	Certified General Contractor License number CGA 24856
Major Project Accomplishments	SF and MF Residences— 1982-2011, \$660 million, 3,000+ units President and CEO—Royal Professional Builders Crestwood Baptist Church, First Baptist Church of Royal Palm Beach, St Michael Evangelical Lutheran Church of Wellington – President and CEO – Royal Companies PBC Schools (2003 to 2010) \$145 million Over 1 million sq. ft. President and CEO Royal Concrete Concepts Broward Schools (2003 to 2010) \$38.5 million 485 classroom units President and CEO Royal Concrete Concepts Quiet Waters Senior Living Center (2009) - \$10.7 million 98 senior units President and CEO Royal Concrete Concepts Cheeca Lodge Resort and Spa (2009-2010)- \$9.4 Million 64,280 sqft 4 star hotel President and CEO Royal Concrete Concepts
Career Experience	Recipient of the prestigious Excalibur Award presented by The Sun-Sentinel in 2007 for his entrepreneurial spirit and commitment to the community, Wally has established an organizational culture that emphasizes building quality and customer satisfaction as his highest priorities.  Wally's knowledge and experience combined with his endless desire to construct stronger and more energy-efficient buildings have made him a pioneer in the construction industry recognized throughout Florida and beyond. He has been continuously recognized locally for the high quality, energy efficiency, and sustainability of his buildings as well as for his community involvement. Wally has extensive experience in all construction delivery methods including CM@Risk, Design-Build and Design-Bid-Build gathered during his 35 years of Building/Development
Awards	BUILDER OF THE YEAR awarded by Gold Coast Builder Association.  EXCALIBUR AWARD presented to the Business Leader of the Year awarded by the Business Development Board of Palm Beach County and sponsored by the Sun Sentinel.  ENERGY EFFICIENCY AWARDS: 7 consecutive years BUILDER OF THE YEAR Award for Most Energy Efficient Home presented by BuildSmart division of Florida Power and Light. 5 time Winner of AURORA AWARD for Energy Efficiency awarded at Southeast Builders Conference by Florida Home Builder Association. 4 time Parade of Homes Award winner presented by the Treasure Coast Builders Association

**WWW.ROYALBUILDINGGROUP.COM**



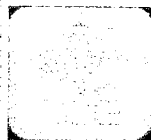


# Professional Resume

Dan Walesky  
 Vice President – Royal Building Group  
 dwalesky@royalbuildinggroup.com

Profile	<b>Dan Walesky is an experienced Project Manager and founding partner of Royal Building Group who specializes in innovative materials and methods of construction.</b>
Education	B.S. Mechanical Engineering, Georgia Institute of Technology – Class of 2000 Graduate of Math Science and Engineering Magnet Program, Suncoast High School, Riviera Beach Florida – Class of 1996
Certifications	LEED Accredited Professional
Major Project Accomplishments	<p>Directly responsible for managing all operations for 180 acre modular construction facility in Okeechobee Florida, including engineering, scheduling, production, safety, and quality control including the following projects:</p> <p><i>PBC Schools (2007 to 2010) Various Projects</i>  <i>Broward Schools TPM (2009 to 2010) - \$20 Million 3 new Schools</i>  <i>Quiet Waters Senior Living Center (2009) - \$10.7 million 98 senior units</i>  <i>Cheeca Lodge Resort and Spa (2009-2010)- \$9.4 Million 64,280 sqft 4 star hotel</i>              – Royal Concrete Concepts – 2005-2011</p> <p>Project Manager for the first ever residence certified to the LEED for homes rating standard. –Royal Professional Builders – 2005-2007</p> <p>Responsible for project management, design, and testing and reporting in support of Engineering Model Prototype PEM Fuel Cell Contract with NASA's Glenn Research Center – Teledyne Energy Systems 2003-2005</p> <p>Project Manager for Hydrogen detection system design and production for 2004 Ford Focus Fuel Cell Electric Vehicle – Ford Motor Company – 2000-2003</p>
Career Experience	<p>As a Founding partner of Royal Building Group responsible for Project Management and Site Supervision Mr Walesky brings a range of project management experience spanning more than 10 years across several industries. Mr Walesky started working with the Royal group of companies in 2005 as the Director of Research and Development after having worked for 5 years in the field of Project management for alternative energy system design and manufacturing. At the Royal Companies he quickly moved up to become the Director of Manufacturing Operations where he supervised all aspects of construction for projects with a combined value of over 250 million.</p> <p>Mr Walesky has been invited to speak at several conferences about innovative and green construction technologies including the future of next generation classrooms and state of the art construction methods for building residential construction.</p>

**WWW.ROYALBUILDINGGROUP.COM**



The Community Land Trust of Palm Beach County, Inc.

RFP DES.2014.1  
 September 3, 2014

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THIS INSTRUMENT PREPARED BY:  
PLEASE RECORD AND RETURN TO:  
JAYNE REGISTER BARKDULL, ESQUIRE  
LEVY KNEEN, P.L.  
1601 Forum Place, Suite 300  
West Palm Beach, Florida 33401  
(407) 478-4755

CFN 20090060318  
OR BK 23091 PG 0695  
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Palm Beach County, Florida  
AMT 10.00  
Doc Stamp 0.70  
Sharon R. Bock, CLERK & COMPTROLLER  
Pgs 0695 - 697; (3pgs)

PROPERTY CONTROL NO.:  
00-43-44-30-01-121-0030  
00-43-44-30-01-121-0041  
00-43-44-30-01-120-0041  
00-43-44-30-01-119-0032

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made this 17 day of February, 2009, by and between HOUSING PARTNERSHIP, INC., a Florida not-for-profit corporation, whose mailing address is 2001 West Blue Heron Blvd., Riviera Beach, Florida, 33404, hereinafter called the Grantor, and COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC., a Florida not-for-profit corporation, whose post office address is 160 Australian Avenue, Suite 500, West Palm Beach, Florida, 33406, hereinafter called the Grantee.

WITNESSETH, that the Grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land, situate in Palm Beach County, State of Florida, viz::

SEE EXHIBIT "A" ANNEXED HERETO AND FORMING A PART HEREOF

SUBJECT to restrictions, reservations, easements, conditions and limitations of record and to real property taxes for the year 2009, and subsequent years which are not yet due and payable.

TO HAVE AND TO HOLD, the same in fee simple forever.

NOTE TO RECORDER: THIS PROPERTY is being transferred pursuant to an agreement between Grantor and Palm Beach County, for the use and development of the Community Development Block Grant Program, which agreement required Grantor to transfer title to a grantee to be selected by Palm Beach County at no cost to such grantee. No consideration is exchanged between Grantor and Grantee.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, the Grantor, HOUSING PARTNERSHIP, INC., has caused this Special Warranty Deed to be executed by the undersigned duly authorized corporate officers as of the day and year first above written.

"GRANTOR"

Signed, Sealed and Delivered  
in the Presence of:

HOUSING PARTNERSHIP, INC., a Florida not-for-profit corporation

PRINT NAME: Jayne Register Barkdull

By: Patrick McNamara  
PRINT NAME: JAYNE REGISTER BARKDULL PATRICK MCNAMARA, its President

**SINGLE-FAMILY HOUSING DEVELOPMENT**  
**Development Budget**

**Project:** DL West

**DEVELOPMENT BUDGET**

ITEM	Cost	% Total
<b>ACQUISITION</b>		
Building Acquisition	0	0%
Land Acquisition	0	0%
<b>UNIT CONSTRUCTION (see below)</b>	<b>2,549,988</b>	<b>51%</b>
<b>OTHER CONSTRUCTION</b>		
Landscaping	25,000	1%
Permits	150,000	3%
Clearance and Demolition	0	0%
Utility Connections & Tap Fees	125,000	3%
Contingency	88,080	2%
<b>INFRASTRUCTURE</b>	<b>1,525,000</b>	<b>31%</b>
Streets and Sidewalks	450,000	9%
Water and Sewer	350,000	7%
Stormwater & Drainage	325,000	7%
Impact Fees	150,000	3%
<b>PROFESSIONAL FEES</b>	<b>1,225,000</b>	<b>25%</b>
Site Planning	0	0%
Architecture & Engineering	240,000	5%
Real Estate Attorney	10,000	0%
Consultant	0	0%
Survey	0	0%
Market Study	0	0%
Environmental	20,000	0%
Organization Expense	125,000	3%
<b>FINANCE COSTS</b>		
Construction Loan Interest	22,147	0%
Construction Origination	25,000	1%
Appraisal	0	0%
Construction Insurance	25,000	1%
Property Taxes	0	0%
<b>SOFT COSTS</b>		
Marketing	10,000	0%
Other	40,000	1%
<b>DEVELOPER FEE</b>	<b>200,000</b>	<b>4%</b>
<b>TOTAL DEVELOPMENT COST</b>	<b>4,900,215</b>	

<b>Uses</b>	<b>TOTAL</b>
<b><u>Acquisition Costs</u></b>	
Land	-
Sub-Total	-
<b><u>Hard Costs</u></b>	
Site Work	1,125,000
Building Construction	2,519,988
Contingency	88,080
Builder's Risk Insurance	25,000
Sub-Total	3,758,068
<b><u>Financing Costs</u></b>	
Construction Period Interest	22,147
Title & Recording-Construction	25,000
Sub-Total	47,147
<b><u>Soft Costs</u></b>	
Environmental/Soils	20,000
Architectural	240,000
Legal	10,000
Marketing	10,000
Permit Fees	150,000
Impact Fees	150,000
Utility Connection Fees	125,000
Project Management Fees	125,000
Parks Recreation	25,000
Soft Cost Contingency	40,000
Sub-Total	895,000
<b><u>Developer Fees/Overhead</u></b>	200,000
<b>TOTAL USES</b>	<b>4,900,215</b>
<b>Sources</b>	
Construction Loan	3,326,699
PBC Impact Fee Grant	133,516
AHP	-
HOME	1,440,000
CDBG	-
Soft Loan	-
Soft Loan	-
Deferred Developer Fee	0.00%
<b>TOTAL SOURCES</b>	<b>4,900,215</b>

# / type	AMI	Sale Price	Purchase Assistance
16 single family	80%	\$207,000	\$65,000
2 townhomes	80%	\$205,000	\$65,000
4 townhomes	80%	\$207,000	\$65,000
2 townhomes	120%	\$215,000	\$50,000



SINGLE FAMILY HOUSING DEVELOPMENT  
Operating Proforma - DL West

Key  
White spaces indicate data entry

Bank  
House 144,661  
62,531  
206,992

	Project #	Acquisition	% Debt	% City Grant	% Equity															
Construction cost	\$106,000		0%	0%	100%															
Sales price	\$207,333		100%	0%	0%															
Sales expense	4.00%		0%	0%	100%															
Construction interest rate	4.00%		64%	10%	26%															
Months to construct	1		0%	0%	100%															
Months to sell	2		0%	0%	100%															
		Other Construction	0%	0%	100%															
		Infrastructure	0%	0%	100%															
		Professional Fees	0%	0%	100%															
		Construction Interest	0%	0%	100%															
		Other Finance Costs	0%	0%	100%															
		Soft Costs	0%	0%	100%															
MONTH			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16		
1 # Housing Starts	24		0	0	0	0	0	0	0	0	2	2	2	2	2	2	2	2		
2 Project Expenses	Budget	Cumulative Expenditure																		
Property Acquisition	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
Unit Construction	\$2,519,988	\$2,519,988	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$209,999	\$209,999	\$209,999	\$209,999	\$209,999	\$209,999	\$209,999	\$209,999	\$209,999		
Other Construction	\$388,080	\$388,080	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,007	\$8,007	\$8,007	\$8,007	\$8,007	\$8,007	\$8,007	\$8,007	\$8,007		
Infrastructure	\$1,275,000	\$1,275,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000		
Professional Fees	\$395,000	\$395,000	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$40,000	\$35,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000		
Construction Interest	\$22,147	\$22,147	\$0	\$0	\$0	\$0	\$0	\$0	\$880	\$1,360	\$2,740	\$4,120	\$5,507	\$6,887	\$8,267	\$9,647	\$11,027	\$12,407		
Other Finance Costs	\$50,000	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
Soft Costs	\$50,000	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
Total Monthly Expenses	\$4,700,215	\$4,700,215	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$433,750	\$529,430	\$690,109	\$549,496	\$232,126	\$231,673	\$231,018	\$230,491	\$229,902	\$229,342	\$229,342		
2a Cumulative Project Expenses			\$0	\$20,000	\$85,000	\$150,000	\$190,000	\$623,750	\$1,153,180	\$1,843,289	\$2,392,785	\$2,624,912	\$2,856,485	\$3,087,503	\$3,317,964	\$3,547,866	\$3,777,208	\$3,777,208		
3 Number of New Constr. Sales			0	0	0	0	0	0	0	0	0	2	2	2	2	2	2	2		
4 Project Revenue			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$414,667	\$414,667	\$414,667	\$414,667	\$414,667	\$414,667	\$414,667		
Sales			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$414,667	\$414,667	\$414,667	\$414,667	\$414,667	\$414,667	\$414,667		
- Cost of Sale			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$16,557	\$16,557	\$16,557	\$16,557	\$16,557	\$16,557	\$16,557		
= Net Monthly Revenue			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$398,080	\$398,080	\$398,080	\$398,080	\$398,080	\$398,080	\$398,080		
5 Cash Flow			\$0	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$433,750	\$529,430	\$690,109	\$549,496	\$232,126	\$231,573	\$231,018	\$230,491	\$229,902	\$229,342		
Net Monthly Revenue (4)			\$0	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$433,750	\$529,430	\$690,109	\$549,496	\$232,126	\$231,573	\$231,018	\$230,491	\$229,902	\$229,342		
- Total Monthly Expenses (2)			\$0	\$0	(\$20,000)	(\$65,000)	(\$65,000)	(\$40,000)	(\$433,750)	(\$529,430)	(\$690,109)	(\$549,496)	(\$232,126)	(\$231,573)	(\$231,018)	(\$230,491)	(\$229,902)	(\$229,342)		
= Monthly Cash Flow (+ go to 6, - go to 7)			\$0	\$0	(\$20,000)	(\$65,000)	(\$65,000)	(\$40,000)	(\$433,750)	(\$529,430)	(\$690,109)	(\$549,496)	(\$232,126)	(\$231,573)	(\$231,018)	(\$230,491)	(\$229,902)	(\$229,342)		
6 Uses of Cash Flow (CF)			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$165,954	\$166,507	\$167,062	\$167,619	\$168,176	\$168,736		
6a Debt Repayment			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$165,954	\$166,507	\$167,062	\$167,619	\$168,176	\$168,736		
+ Equity Repayment			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
= Total Uses of Monthly CF			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$165,954	\$166,507	\$167,062	\$167,619	\$168,176	\$168,736		
7 Sources of Investment			\$0	\$0	\$0	\$0	\$0	\$204,000	\$204,000	\$413,999	\$413,999	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
7a Debt			\$0	\$0	\$0	\$0	\$0	\$204,000	\$204,000	\$413,999	\$413,999	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
+ Owner Equity			\$0	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$196,361	\$292,041	\$242,721	\$102,108	\$0	\$0	\$0	\$0	\$0	\$0		
+ City Grant			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
= Total Sources of Monthly Investment			\$0	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$433,750	\$529,430	\$690,109	\$549,496	\$0	\$0	\$0	\$0	\$0	\$0		
INVESTMENT SUMMARY																				
Outstanding Debt			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
Previous Month's Outstanding Debt			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$204,000	\$408,000	\$621,999	\$1,235,998	\$1,070,044	\$903,537	\$736,475	\$568,857		
- CF for Debt Repayment (#6a)			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$165,954)	(\$166,507)	(\$167,062)	(\$167,619)	(\$168,176)	(\$168,736)		
+ This Month's Debt Invested (#7a)			\$0	\$0	\$0	\$0	\$0	\$0	\$204,000	\$204,000	\$413,999	\$413,999	\$0	\$0	\$0	\$0	\$0	\$0		
= OUTSTANDING DEBT			\$0	\$0	\$0	\$0	\$0	\$0	\$204,000	\$408,000	\$821,999	\$1,235,998	\$1,070,044	\$903,537	\$736,475	\$568,857	\$400,679	\$231,941		
Equity Invested			\$0	\$0	\$20,000	\$65,000	\$150,000	\$190,000	\$386,361	\$678,402	\$921,123	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231		
Previous Month's Outstanding Equity			\$0	\$0	\$20,000	\$65,000	\$150,000	\$190,000	\$386,361	\$678,402	\$921,123	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231		
- CF for Equity Repayment (#6b)			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
+ This Month's Equity Invested (#7b)			\$0	\$0	\$20,000	\$65,000	\$65,000	\$40,000	\$196,361	\$292,041	\$242,721	\$102,108	\$0	\$0	\$0	\$0	\$0	\$0		
= EQUITY INVESTED			\$0	\$0	\$20,000	\$65,000	\$150,000	\$190,000	\$386,361	\$678,402	\$921,123	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231	\$1,023,231		
Project Cash Balance			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$398,080	\$796,160	\$1,194,240	\$1,592,320	\$1,990,400	\$2,388,480		
Cumulative Project Revenue (#4)			\$0	\$0	\$20,000	\$65,000	\$150,000	\$190,000	\$623,750	\$1,153,180	\$1,843,289	\$2,392,785	\$2,624,912	\$2,856,485	\$3,087,503	\$3,317,964	\$3,547,866	\$3,777,208		
- Cumulative Expenses			\$0	\$0	\$20,000	\$65,000	\$150,000	\$190,000	\$623,750	\$1,153,180	\$1,843,289	\$2,392,785	\$2,624,912	\$2,856,485	\$3,087,503	\$3,317,964	\$3,547,866	\$3,777,208		
+ Cumulative Grants Invested			\$0	\$0	\$0	\$0	\$0	\$0	\$33,369	\$66,778	\$100,167	\$133,556	\$133,556	\$133,556	\$133,556	\$133,556	\$133,556			
= CASH BALANCE			\$0	\$0	(\$20,000)	(\$65,000)	(\$150,000)	(\$190,000)	(\$590,361)	(\$1,066,402)	(\$1,743,122)	(\$2,250,229)	(\$2,093,275)	(\$1,926,768)	(\$1,759,707)	(\$1,592,088)	(\$1,423,910)	(\$1,255,172)		



**HOME BUYER MORTGAGE ANALYSIS**

**Project:** DL West  
**Buyer:** 80% AMI

**Key**  
 White spaces indicate data entry

**House Information**

Purchase Price: \$207,000  
 Appraised Value: \$207,000

**Bank Requirements**

Bank Ratio Front End: 33%  
 Bank Ratio Back End: 43%  
 Annual Interest Rate: 4.00%  
 Loan Term (Years): 30  
 Constant Annual Percent: 0.0573  
 Loan to Value: 97%  
 Closing Costs: \$5,000

**Family Information**

Annual Income: \$48,000 \$4,000.00 Monthly Income  
 Annual Taxes: \$2,900 \$241.67 Monthly Taxes  
 Annual Insurance: \$1,700 \$141.67 Monthly Insurance  
 Total Credit Card Debt: \$2,000

**Debt Capacity**

Monthly Income x Front Ratio: \$ 1,320.00  
 - Taxes: \$ 241.67  
 - Insurance: \$ 141.67  
 - Other Monthly Housing Cost: \$ 200.00  
 = Max. Monthly Debt Service-Front: \$ 736.67

Debt Service for Loan Using LVR: \$958.60  
 + Monthly Taxes: \$241.67  
 + Monthly Insurance: \$141.67  
 = Monthly Mortgage Payment: \$1,341.94

Monthly Income x Back Ratio: \$ 1,720.00  
 - Taxes: \$ 241.67  
 - Insurance: \$ 141.67  
 - Other Monthly Housing Cost: \$ 200.00  
 - Loan Payments: \$ 100.00  
 - Credit Card Payments: \$ 100.00  
 - Other Monthly Obligation: \$ 25.00  
 = Max. Monthly Debt Service-Back: \$ 911.67

Maximum Monthly Debt Service: \$ 736.67  
 Maximum Loan Using Front/Back: \$ 154,303

Maximum Loan Using LVR: \$ 200,790

Maximum Loan: \$ 154,303

**Permanent Mortgage**

Purchase Price: \$ 207,000  
 Loan Amount: \$ 154,303  
 Equity Needed: \$ 52,697  
 Closing Costs: \$ 5,000  
 Cash Available from Buyer: \$ 6,000

Home Buyer Subsidy: \$ 51,697

## Litigation

The Community Land Trust of Palm Beach County, Inc. has not been involved in any litigation matter in the past five (5) years.





August 21, 2014

Cindee LaCourse-Blum, Executive Director  
Community Land Trust of Palm Beach County, Inc.  
4938 Davis Road  
Lake Worth, Florida 33461  
Via Email: [clacourse-blum@cltcfpbc.org](mailto:clacourse-blum@cltcfpbc.org)

Re: Davis Landings West

Dear Mrs. LaCourse-Blum:

You have requested that PNC Bank, National Association ("PNC") provide Davis Landings West or new entity to be formed ("Borrower") with approximately \$3,855,000 of construction financing ("Credit Facility"), the proceeds of which will be used to build 24 homes, 16 single family and eight (8) town home style units on the property located at 4938 Davis Road, Lake Worth, FL 33460 in Palm Beach County. This letter outlines, for discussion purposes only, some of the principal terms of the suggested credit facilities:

**Borrower(s):** A To Be Newly Formed Entity Single Member LLC

**Credit Facility:** A construction loan in an amount no more than \$3,855,000. The funds under the Credit Facility would be available as follows:

- Upon receipt of a specified number to be determined of presale contracts and the receipt of acceptable deposits, funds sufficient to fund construction costs for a specified number of units determined up to the loan amount satisfactory to the Bank.
- At no time will the amount available under the Credit Facility exceed a "to be determined" loan to present value of the net sales proceeds or a "to be determined" total cost of the project budget as submitted by the borrower as determined by a FIRREA compliant appraisal of the Property satisfactory to the Bank.

**Amortization:** Interest only payable monthly. Principal is to be repaid via the sale of individual properties with partial releases for each unit using the greater of net sales proceeds or as according to a to-be-determined schedule, satisfactory to the bank.

**Maturity:** Up to twenty four (24) months.

**Interest Rate:** PNC One Month LIBOR Rate plus three hundred (375) basis points (or 3.75%), fully fluctuating.

**Fee:** 1% of the aggregate amount of the Credit Facility, payable by closing with \$15,000 payable at the issuance and acceptance of any term sheet.

**Collateral:** The Credit Facility would be secured by first-priority perfected liens and security interests in the following collateral:

- Property located at 4938 Davis Road, Lake Worth, FL 33460.

The Property and all personal property (both tangible and intangible) related thereto, both now existing and hereafter acquired and arising.

An assignment of all sales agreements, grants, and profits related to the Property. An assignment of the plans and specifications for the construction of the improvements and all construction contracts, architects' agreements and other documents related to the Property.

The Credit Facility will be cross-collateralized and cross-defaulted with all other present and future obligations of the Borrower and the Community Land Trust of Palm Beach County, Inc. to the Bank.

**Construction Matters:**

- (a) Construction shall commence within sixty (60) days after the closing date and shall be completed in accordance with the plans on or before twenty four months (24) months following the closing date.
- (b) The Borrower shall arrange all layers of equity in advance to be contributed to the project as forecasted and agreed to satisfactory to the Bank prior to the use of Bank's funds for construction.
- (c) Each disbursement of proceeds shall be subject to a retainage equal of up to 10% of costs incurred under the Construction Contract.
- (d) Payment of the developer fee will be deferred until the construction is completed and all units sold and/or the PNC credit facility is paid in full and terminated.
- (e) Disbursements shall be limited to once per month subsequent to satisfactory review by the Bank and its construction consultant of draw requests and shall be accompanied by an endorsement to the title policy indicating no change to the status of matters affecting title to the Property.
- (f) The construction consultant shall review the plans and project budget, and, on a monthly basis, inspect the Property at borrower cost and provide reports to the Bank on such inspections.
- (g) Other matters as required by the Bank.

**Guarantors:** Irrevocable and unconditional guaranty and suretyship agreements for payment and performance of the Credit Facility and completion of the improvements by the Community Land Trust of Palm Beach County, Inc.

**Information**

**Required:** The Borrower will provide the following information for review and acceptance by the Bank:

- Project budget, construction budget (including a contingency and interest reserve), and a complete project sources and uses break-down.
- Construction plans and specifications along with information on the proposed general contractor.
- Information regarding the terms, conditions and timing of the equity or other funding sources.
- Information regarding any municipal development agreements and any financial security relate to these agreements.
- Copy of any purchase agreement for the site upon which the proposed improvements would be built.
- Projected Property operating statement, covering the presale period and the period following completion.
- Copies of any sales agreements for any part of the Property along with a copy of the standard sales agreement that would be used for the Property.
- Three (3) years financial statements on the Borrower plus a current interim year to date.



August 21, 2014

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- Three (3) years financial statements on each of the Corporate Guarantors plus a current interim year to date.
- Other information as required by the Bank.

**Conditions**

**Precedent:** Conditions to lending will include but not be limited to:

- Proof, acceptable to the Bank, that the First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions has been recorded;
- Signed Commitment Letter and Fee;
- Title Insurance Commitment listing "PNC, National Association its successors and/or assigns as their interest may appear", along with the loan amount;
- Borrower/Guarantor Organizational documents including, but not limited to, operating agreements;
- Completed and accepted appraisal indicating an "as complete" value for the property;
- Lien free construction completion or lien free completion Guarantee;
- Flood zone certification with flood insurance required if the Property is in a flood hazard area, with PNC Bank named as mortgagee;
- Proof of property and liability insurance with PNC Bank as mortgagee and 30 day notice of cancellation;
- Executed loan documentation including interest rate protection acceptable to Bank;
- Payment of all fees; and
- Borrower to maintain operating accounts at PNC.
- Background Information on entire development team
- Project Budget
- Sources & Uses of funds
- All grant proceeds to be assigned to the Bank
- GMP Construction Contract
- Construction Schedule
- Soils Report/Geotechnical Report
- Environmental Reports e.g. Phase I and Phase II Analysis, Environmental Questionnaire
- Plans & Specs
- Building Permits
- Utility Availability
- Zoning information and compliance
- Architects Agreement
- Survey
- Detailed release price schedule for each unit "to be determined"
- Other information as required by the Bank.

**Reporting:** Reporting requirements will include, but not be limited to:

- Borrower annual financial statements within 120 days of fiscal year end, audited by a CPA acceptable to the Bank.
- Periodic sales status reports, as requested by the Bank.



August 21, 2014

Page 4

**Covenants:** Affirmative and negative covenants, including financial covenants, will be specified by the Bank for inclusion in the Loan Documents. Financial covenants are expected to include but may not be limited to tangible net worth, and leverage, with definitions and covenant levels to be determined by Bank in accordance with GAAP. Other Covenants are expected to include, but may not be limited to, the following:

- No subordinate liens or security interests are permitted on the Property.
- 100% of net sale proceeds will go towards pay down or/and payoff of the PNC credit facility.
- There will be a limitation on the number of units that are under construction and/or in inventory that are unsold. This would include any model units.
- There would be a limitation on the total number of units that are financed by the Credit Facility at any one time.
- Borrower to maintain its operating, security deposits, reserves, and all project related deposit accounts at PNC Bank.

**Expenses:** All expenses incurred by Bank, including appraisal, environmental, property condition or structural inspections, searches, recording of UCC filings and other security interests, and reasonable legal fees, and any other expenses in reference to structuring, documenting, closing, monitoring or enforcing the Credit Facility, shall be for the account of the Borrower and payable at closing and otherwise on demand.

**Documentation:** Loan Documents in form and substance satisfactory to the Bank must be executed and delivered containing representations, warranties, covenants, indemnities, conditions to lending, events of default and other provisions as are appropriate in the Bank's opinion and specified by the Bank.

**Governing Law: Florida**

**Miscellaneous:** Waiver of jury trial.

This letter and the Preliminary Terms and conditions are delivered to the Company on the condition that they be kept confidential and not to be shown to, or discussed with, any third party, including any financial institution (other than on a confidential or need-to-know basis with the Company's directors, officers, employees, counsel and other advisors, or as required by law) without PNC's prior approval. Although not inclusive, this letter highlights many of the principal terms of the suggested facilities and is intended only as a basis for further discussion. **The Bank will not be deemed to extend a commitment to the Borrower unless and until all terms are agreed upon and acknowledged satisfactory to the Bank and a formal commitment letter is issued.**

We appreciate the opportunity to provide this letter and look forward to discussing it further with you.

Sincerely,

PNC BANK, NATIONAL ASSOCIATION

*David E Baker, CPA*

By: \_\_\_\_\_

David E. Baker, CPA  
Vice President and Development Advisor, State of Florida





**Department of  
Economic  
Sustainability**

Administration

100 Australian Avenue  
Suite #500

West Palm Beach,  
FL 33406

(561) 233-3600

E-Fax  
(561) 656-7589

[www.pbcgov.com](http://www.pbcgov.com)

**Palm Beach  
County  
Board of County  
Commissioners**

Priscilla A. Taylor,  
Mayor

Paulette Burdick, Vice  
Mayor

Hal Valeche

Shelley Vana

Steven Abrams

Mary Lou Berger

Jess R. Santamaria

**County  
Administrator**

Robert Weisman,  
P.E.

*"An Equal  
Opportunity  
Affirmative Action  
Employer"*

August 26, 2014

Cindee LaCourse-Blum, Executive Director  
Community Land Trust of Palm Beach County, Inc.  
4938 Davis Road  
Lake Worth FL 33461

**RE: *Davis Landing West NOFA No.:DESIFAHAP1.2014.1***

Dear Ms. LaCourse-Blum:

Be advised that your submission of documentation required by the Department of Economic Sustainability's (DES) NOFA No.: DESIFAHAP1.2014.1 has been found responsive. DES's NOFA advertised on May 18<sup>th</sup> and May 25<sup>th</sup> 2014 announced the availability of \$4,102,445 in Palm Beach County (County) impact fee assistance funding to facilitate affordable housing development within the County's various Impact Fee Zones.

It has been confirmed that the proposed Davis Landings West project is to be located in the following County Impact Fee Zones: "Roads" – Zone 4; "Parks" – Zone 2; and "Public Buildings" – Zone 1. Your funding request sought: \$128,494.56; \$19,487.44; and \$4,056.72 for Roads, Parks and Public Building impact fee assistance respectively. However, due to the timing of your funding request and the balance of available funding, Palm Beach County can not provide the full amounts requested in your response to our NOFA. Therefore, DES will recommend that the Davis Landings West project receive impact fee assistance funding in the following amounts/categories: Roads-\$128,494.56; Parks-\$0.00; and Public Buildings-\$4,056.72.



Please keep in mind that the above amounts do not include the impact fee amount for "Schools", because this impact fee is not a part of the County's Impact Fee Affordable Housing Assistance Program. Also, be advised that the recommended funding amounts above are only estimates since actual impact fees are based upon architectural drawings submitted with building permit applications. The Palm Beach County Impact Fee Coordinator may not yet have reviewed architectural drawings for the Davis Landings West project. Thusly, it is suggested that you submit your architectural drawings to the County's Impact Fee Coordinator for review, if you have not already done so. This review will confirm and verify the exact amount and type of impact fees that are being assessed on this project. Once the actual amounts are finalized, DES will negotiate and draft a Certificate of Award and Conditions of Issuance and submit them to the Board of County Commissioners (BCC) for approval.

Once BCC approval is acquired, you will be asked to submit original documents evidencing ownership of the Davis Landings West project site. Once the County Attorney has reviewed and confirmed proper ownership of the project site, you will then be asked to execute a Declaration of Restrictions encumbering the Davis Landings West project site for fifteen (15) years. DES will then provide you with the Certificate of Award for your submission to the Impact Fee Coordinator to receive credit towards the impact fees owed at the time of building permit issuance.

Finally, be aware that IFAHAP projects approved by the BCC must acquire all building permits within one (1) year of BCC approval and construction of the affordable housing project MUST be completed within four (4) years of BCC approval.



Congratulations on submitting a responsive proposal to our NOFA No.: DESIFAHAP1.2014.1. Please contact Ms. Dorina Jenkins-Gaskin at (561) 233-3635 for answers to any questions you may have.

Sincerely,

A handwritten signature in black ink, which appears to read "Edward W. Lowery".

Edward W. Lowery, J.D., Director  
Department of Economic Sustainability

cc: Shannon LaRocque-Baas, Assistant County Administrator  
Sherry Howard, DES Deputy Director  
Tammy K. Fields, Chief Assistant County Attorney  
Betsy Barr, Director of Contract Development & Quality Control  
Amin Houry, Agenda Coordinator  
Carol E. Langford, Manager Housing & Community  
Investments  
Dorina Jenkins-Gaskin, Housing Coordinator  
Willie Swoope, Impact Fee Coordinator PZB

## **Attachment 13 - HOME Program Jurisdiction**

The Davis Landings West development site is located within the Palm Beach County HOME Program Jurisdiction.



**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**

**FINANCIAL STATEMENTS**

**YEARS ENDED SEPTEMBER 30, 2012 AND 2011**

---

**Gina L. Clayton, P. A.**  
Certified Public Accountant  
18075 Perigon Way, Jupiter, Florida 33458  
(561) 972-7533

COMMUNITY LAND TRUST  
OF PALM BEACH COUNTY, INC.

FINANCIAL STATEMENTS

SEPTEMBER 30, 2012 AND 2011

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Certified Public Accountant

Gina L. Clayton, P. A.

INDEPENDENT AUDITOR'S REPORT

To the Board of Trustees of  
Community Land Trust of Palm Beach County, Inc.

We have audited the accompanying statements of financial position of Community Land Trust of Palm Beach County, Inc. (a nonprofit organization) as of September 30, 2012 and 2011, and the related statements of activities, functional expenses, and cash flows for the years then ended. These financial statements are the responsibility of the Organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Community Land Trust of Palm Beach County, Inc. as of September 30, 2012 and 2011, and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated August 12, 2013, on our consideration of Community Land Trust of Palm Beach County, Inc.'s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audit was conducted for the purpose of forming an opinion on the basic financial statements of Community Land Trust of Palm Beach County, Inc. taken as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.



Jupiter, Florida  
August 12, 2013

Main Office  
18075 Perigon Way  
Jupiter, Florida 33458  
(561) 972-7533

Fax: (561)-658-3866  
ginalclaytoncpa@yahoo.com

Satellite Office  
7630 N. W. 6th Avenue  
Boca Raton, Florida 33487  
(561) 352-3375

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**

**FINANCIAL STATEMENTS**

**YEARS ENDED SEPTEMBER 30, 2012 AND 2011**

---

**Gina L. Clayton, P. A.**

**Certified Public Accountant**

**18075 Perigon Way, Jupiter, Florida 33458**

**(561) 972-7533**



**COMMUNITY LAND TRUST  
OF PALM BEACH COUNTY, INC.**

**FINANCIAL STATEMENTS**

**SEPTEMBER 30, 2012 AND 2011**

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*Gina L. Clayton, P. A.*

Jupiter, Florida  
August 12, 2013

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**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**STATEMENTS OF FINANCIAL POSITION**  
**SEPTEMBER 30, 2012 AND 2011**

**ASSETS**

	<u>2012</u>	<u>2011</u>
Cash	\$ 303,056	\$ 322,706
Grant receivable	75,357	-
Other receivables	325	98
Prepaid expenses	34,250	1,600
Other assets		
Leased property improvements	205,262	202,159
Property improvements held for sale	1,503,810	582,303
Construction in progress	5,276,948	334,330
Leased land - restricted	120,586	94,006
Land held for long term purposes	<u>1,407,999</u>	<u>1,299,299</u>
 Total assets	 \$ <u>8,927,593</u>	 \$ <u>2,836,501</u>

**LIABILITIES AND NET ASSETS**

Liabilities:		
Accounts payable and accrued expenses	\$ 11,751	\$ 22,937
Construction draws payable	270,117	35,507
Grant repayments payable	-	150,623
Deposits	4,645	2,667
Notes payable	<u>5,313,108</u>	<u>278,441</u>
 Total liabilities	 <u>5,599,621</u>	 <u>490,175</u>
Net assets:		
Unrestricted	753,729	370,718
Temporarily restricted	1,045,658	582,303
Permanently restricted	<u>1,528,585</u>	<u>1,393,305</u>
 Total net assets	 <u>3,327,972</u>	 <u>2,346,326</u>
	 \$ <u>8,927,593</u>	 \$ <u>2,836,501</u>

The accompanying notes are an integral part of these financial statements.

**2011**

<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>Totals</u>
\$ -	\$ -	\$ -	\$ -
-	471,893	339,299	811,192
-	15,868	-	15,868
-	10,800	-	10,800
25	-	-	25
853	-	-	853
<u>361,647</u>	<u>(361,647)</u>	<u>-</u>	<u>-</u>
<u>362,525</u>	<u>136,914</u>	<u>339,299</u>	<u>838,738</u>
598,586	-	32,280	630,866
46,961	-	-	46,961
<u>2,383</u>	<u>-</u>	<u>-</u>	<u>2,383</u>
<u>647,930</u>	<u>-</u>	<u>32,280</u>	<u>680,210</u>
(285,405)	136,914	307,019	158,528
<u>656,123</u>	<u>445,389</u>	<u>1,086,286</u>	<u>2,187,798</u>
<u>\$ 370,718</u>	<u>\$ 582,303</u>	<u>\$ 1,393,305</u>	<u>\$ 2,346,326</u>

The accompanying notes are an integral part of these financial statements.

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**STATEMENTS OF CASH FLOWS**  
**FOR THE YEARS ENDED SEPTEMBER 30, 2012 AND 2011**

	<b>2012</b>	<b>2011</b>
<b><u>OPERATING ACTIVITIES</u></b>		
Change in net assets	\$ 981,646	\$ 158,528
Adjustments to reconcile change in net assets to net cash (used in) operating activities:		
In-kind donation of property for resale	(960,852)	(811,193)
Subsidy on improvements sold	109,356	64,221
Subsidized ground lease	50,720	30,280
(Increase) decrease in:		
Grants receivable	(75,357)	-
Prepaid expenses	(32,650)	(1,600)
Other receivables	(227)	(1,022)
Increase (decrease) in:		
Accounts payable and accrued expenses	(11,186)	18,489
Grant repayments payable	(150,623)	150,623
Net cash ( used in) operating activities	(89,173)	(391,674)
<b><u>CASH FLOWS FROM INVESTING ACTIVITIES</u></b>		
Purchase of property	(5,209,015)	(209,834)
Payment on construction draws payable	(35,507)	-
Proceeds on sale of property	277,400	184,000
Net cash (used in) investing activities	(4,967,122)	(25,834)
<b><u>CASH FLOWS FROM FINANCING ACTIVITIES</u></b>		
Deposits received	1,978	1,187
Loan proceeds	6,129,719	529,750
Loan repayments	(1,095,052)	(251,409)
Net cash provided by financing activities	5,036,645	279,528
Net decrease in cash	(19,650)	(137,980)
Cash, beginning of year	322,706	460,686
Cash, end of year	\$ 303,056	\$ 322,706
<b><u>SUPPLEMENTAL DISCLOSURE: NON-CASH INVESTING ACTIVITY</u></b>		
Acquired land and residential property through in-kind donation	\$ 960,852	\$ 811,193
Acquired property improvements through the assumption of debt	\$ 270,117	\$ 35,507
<b><u>SUPPLEMENTAL CASH FLOW DISCLOSURE:</u></b>		
Cash paid for interest during the year	\$ 4,331	\$ 950

The accompanying notes are an integral part of these financial statements.

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**STATEMENTS OF ACTIVITIES**  
**FOR THE YEARS ENDED SEPTEMBER 30, 2012 AND 2011**

	<u>2012</u>			<u>Totals</u>
	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	
<b>REVENUE AND OTHER SUPPORT</b>				
Contributions and grants	\$ 67,350	\$ 5,000	\$ -	\$ 72,350
Governmental grants	-	1,391,450	186,000	1,577,450
Rental income	-	16,006	-	16,006
Program service fees	-	3,850	-	3,850
Membership and miscellaneous revenues	1,436	-	-	1,436
Interest earnings	395	-	-	395
Net assets released from restrictions	<u>952,951</u>	<u>(952,951)</u>	<u>-</u>	<u>-</u>
<b>Total revenue and other support</b>	<u>1,022,132</u>	<u>463,355</u>	<u>186,000</u>	<u>1,671,487</u>
<b>Expenses:</b>				
Program services	579,423	-	50,720	630,143
Supporting services:				
Management and general	57,193	-	-	57,193
Fundraising	<u>2,505</u>	<u>-</u>	<u>-</u>	<u>2,505</u>
<b>Total expenses</b>	<u>639,121</u>	<u>-</u>	<u>50,720</u>	<u>689,841</u>
<b>Change in net assets</b>	383,011	463,355	135,280	<u>981,646</u>
<b>Net assets, beginning of year</b>	<u>370,718</u>	<u>582,303</u>	<u>1,393,305</u>	<u>2,346,326</u>
<b>Net assets, end of year</b>	<u>\$ 753,729</u>	<u>\$ 1,045,658</u>	<u>\$ 1,528,585</u>	<u>\$ 3,327,972</u>

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**STATEMENTS OF FUNCTIONAL EXPENSES**  
**FOR THE YEARS ENDED SEPTEMBER 30, 2012 AND 2011**

	2012			
	Program Services	Supporting Services		Total
		Management and General	Fundraising	
Consultant fees	\$ 561	\$ 18,148	\$ -	\$ 18,709
Legal fees	675	4	-	679
Equipment rental and expenses	-	2,614	-	2,614
Bank, credit card fees	-	2,230	-	2,230
Postage, printing and copying	576	3	12	591
Office supplies	5	1,495	-	1,500
Software	307	307	-	614
Insurance, taxes and licenses	18	3,407	-	3,425
Advertising and marketing	2,659	-	-	2,659
Staff and Board training	460	84	-	544
Dues & subscriptions	-	110	-	110
Salaries and wages	115,046	18,204	1,623	134,873
Payroll taxes	8,767	1,464	140	10,371
Fringe benefits	21,277	3,529	335	25,141
Telephone	2,087	894	-	2,981
Travel	1	335	-	336
Vacant land expense	177	-	-	177
Occupancy	16,031	3,334	395	19,760
Repairs and equipment	-	-	-	-
Property insurance	798	-	-	798
Property tax	-	-	-	-
Lawn maintenance	9,021	-	-	9,021
Miscellaneous	-	1,031	-	1,031
NSP1 expenses	21,905	-	-	21,905
NSP2 expenses	82,737	-	-	82,737
Townhouse expenses	11,891	-	-	11,891
Housing development costs	3,126	-	-	3,126
Appraisal and inspections	-	-	-	-
Closing costs	11,856	-	-	11,856
Reimbursement of NSP funding	160,086	-	-	160,086
Subsidized improvements sold	109,356	-	-	109,356
Subsidized ground lease	50,720	-	-	50,720
	<u>\$ 630,143</u>	<u>\$ 57,193</u>	<u>\$ 2,505</u>	<u>\$ 689,841</u>

2011			
Program Services	Supporting Services		Total
	Management and General	Fundraising	
\$ 230	\$ 7,420	\$ -	\$ 7,650
3,576	20	-	3,596
-	661	-	661
-	330	-	330
1,354	3	28	1,385
5	2,334	-	2,339
448	448	-	896
15	2,849	-	2,864
1,469	-	-	1,469
1,323	147	-	1,470
-	315	-	315
107,991	17,857	1,686	127,534
8,492	1,404	133	10,029
19,472	3,244	310	23,026
1,704	730	-	2,434
4	1,470	-	1,474
1,212	-	-	1,212
9,170	1,908	226	11,304
-	5,821	-	5,821
1,011	-	-	1,011
146	-	-	146
10,118	-	-	10,118
-	-	-	-
152,607	-	-	152,607
12,210	-	-	12,210
15,259	-	-	15,259
14,093	-	-	14,093
1,820	-	-	1,820
20,013	-	-	20,013
150,623	-	-	150,623
64,221	-	-	64,221
32,280	-	-	32,280
<u>\$ 630,866</u>	<u>\$ 46,961</u>	<u>\$ 2,383</u>	<u>\$ 680,210</u>

The accompanying notes are an integral part of these financial statements.



**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 1 - NATURE OF ACTIVITIES, DATE OF MANAGEMENT'S REVIEW AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Nature of Activities

The Community Land Trust of Palm Beach County, Inc. (the "Organization") is a not-for-profit corporation organized in March 2006 under the laws of the State of Florida for the purpose of providing and preserving the quality and affordability of housing for low and moderate-income individuals of Palm Beach County, Florida. The Organization is located in West Palm Beach, Florida.

Support and revenue are obtained primarily from local government grants, contributions from local governments and memberships. Property consists of land and property improvements (homes).

Date of Management's Review

In preparing the financial statements, the Organization has evaluated events and transactions for potential recognition or disclosure through August 12, 2013, the date that the financial statements were available to be issued.

Summary of Significant Accounting Policies

Basis of Accounting

The financial statements of the Organization have been prepared on the accrual basis of accounting and accordingly reflect all significant receivables, payables, and other liabilities.

Financial Statement Presentation

The Organization is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets and permanently restricted net assets.

Other Assets

Other assets which are principally land and homes held by the Organization for future sale are recorded at cost, if purchased by the Organization or at fair value at the date of the gift, if received as a donation. Constructed assets are recorded at cost, including all project costs for construction and development.

Concentration of Contributions or Grants

The Organization receives approximately 94% of its annual revenue from Palm Beach County.

COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.  
NOTES TO FINANCIAL STATEMENTS  
SEPTEMBER 30, 2012 AND 2011

**NOTE 1 - NATURE OF ACTIVITIES, DATE OF MANAGEMENT'S REVIEW AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Estimates and Assumptions

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Contributions and Promises to Give

Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support, depending on the existence or nature of any donor restrictions. All contributions are considered to be available for unrestricted use unless specifically restricted. Amounts received that are designated for future periods or restricted by the donor for specific purposes are reported as temporarily restricted or permanently restricted support that increases those net asset classes. When a temporary restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions.

Unconditional promises to give are recognized at their fair value based on the present value of estimated future cash flows using a discount rate commensurate with the risks involved. The Organization uses the allowance method to determine uncollectible unconditional promises receivable. The allowance is based on prior years' experience and management's analysis of specific promises made.

Contributed Services and In-kind Contributions

The estimated fair value of the free use of assets owned by others are recorded. Contributed services are recognized if the services received create or enhance nonfinancial assets or require specialized skills, are provided by individuals possessing those skills and would typically need to be purchased if not provided by donation. There were no services contributed during the years ended September 30, 2012 and 2011 that met the criteria to be recorded in the accompanying financial statements.

Cash and Cash Equivalents

For purposes of the statement of cash flows, the Organization considers all cash and other highly liquid investments with initial maturities of three months or less to be cash equivalents.

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 1 - NATURE OF ACTIVITIES, DATE OF MANAGEMENT'S REVIEW AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

Income Taxes

The Organization is exempt from federal income tax under Section 501(c) (3) of the Internal Revenue Code. However, income from certain activities not directly related to the Organization's tax-exempt purpose is subject to taxation as unrelated business income. In addition, the Organization qualifies for the charitable contribution deduction under Section 170 (b) (1) (A) and has been classified as an organization other than a private foundation under Section 509(a) (2).

Functional Allocation of Expenses

The costs of providing the various programs and other activities have been summarized on a functional basis in the accompanying statement of activities. Accordingly, certain costs have been allocated among the programs and supporting services benefited.

Fair Value of Financial Instruments

Cash, grants receivable, other receivables, prepaid expenses, accounts payable and accrued expenses, contracts payable and grant repayments payable are reflected in the financial statements at cost, which approximate fair value.

Real Estate Property Sales

The difference between the proceeds received and the carrying value of property improvements is recognized as a gain or loss at the time the home is sold.

**NOTE 2 - OTHER ASSETS**

The Organization maintains ownership of the land for which the homes are sold to individual homeowners. Individual homeowners are required to enter into 99-year ground leases on the land to ensure that property is retained for affordable housing purposes. The land is to be held by the Organization through the end of a 99-year ground lease, as such is classified as land held for long term use in the accompanying financial statement when acquired. Upon execution of the 99-year ground lease, the land under lease is adjusted to the net present value of the estimated cash flows over the 99-year ground lease term. As of September 30, 2012 and 2011, the leased land has a net present value totaling \$120,586 and \$94,006, respectively.

A portion of the land acquired was donated by Palm Beach County. Total contributed land for the years ended September 30, 2012 and 2011 was \$186,000 and \$275,999, respectively. Land contributed by the Palm Beach County is required to be used for affordable housing programs in accordance with the deed restrictions. The value of these lands is shown as permanently restricted net assets on the Statement of Financial Position.

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 2 – OTHER ASSETS (CONTINUED)**

Property improvements held for sale represent homes that are being held by the Organization for resale to low and moderate income individuals. Several of these homes have been leased to potential homebuyers under rent-to-purchase lease agreements. These assets have been shown as leased property improvements and are recorded at cost as of September 30, 2012 and 2011.

Conditions in the real estate market in Florida may become unstable and result in potential declines in the value of property held by the Organization.

**NOTE 3 – PERMANENTLY RESTRICTED NET ASSETS**

Land purchased or donated with donor restrictions requiring the land to be used for the general purpose of providing affordable housing opportunities for low and moderate income individuals in Palm Beach County, Florida has been reported as permanently restricted.

**NOTE 4 – GRANTS AND GRANT REPAYMENTS PAYABLE**

Grants are subject to annual renewal and periodic amendments and require the fulfillment of certain conditions as set forth in the instrument of the grant. Failure to fulfill the conditions could result in the return of the funds to the grantors. Although that is a possibility, the Organization deems the contingency remote, since by accepting the contracts and their terms it has accommodated the objectives of the grantors to the provisions of these contracts.

On April 1, 2010, the Organization entered into an agreement with the Palm Beach County Department of Economic Sustainability, formerly the Department of Housing and Community Development (HCD) with funds from the United States Department of Housing and Urban Development (HUD) related to a Community Development Block Grant Program (CDBG) through its Neighborhood Stabilization Program (NSP1). The agreement calls for the Organization to acquire and rehabilitate at least four single-family detached dwelling units for homeownership purposes for low and moderate income individuals in Palm Beach County, Florida. The maximum reimbursement under the agreement is \$1,019,414 with a funding obligation deadline of April 1, 2011.

During the year ended September 30, 2010, the Organization received the transfer of four properties totaling \$539,104 in value through Palm Beach County under this agreement. During the year ended September 30, 2011, the Organization sold two of the properties to qualified home buyer in which the Organization received funds totaling \$163,638 at closing.

During the year ended September 30, 2011 the Organization received the transfer of four additional properties totaling \$326,559 in value, as well as reimbursements for rehabilitation totaling \$112,289 from Palm Beach County under this agreement.

During the year ended September 30, the Organization sold two of the properties to qualified home buyer in which the Organization received funds totaling \$175,932 at closing.

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 4 – GRANTS AND GRANT REPAYMENTS PAYABLE (CONTINUED)**

During the year ended September 30, 2012, the Organization received reimbursements for rehabilitation totaling \$73,405 from Palm Beach County under this agreement.

On October 28, 2011, the above agreement was amended such that the program income associated with the resale of the acquired properties is to be returned to Palm Beach County within 30 days of the closing of the resold properties. As a result of the amendment to the agreement, the Organization recorded a payable as of September 30, 2011 totaling \$150,623 representing the amount funds received at closing less \$13,015 in eligible NSP1 carrying costs. For the fiscal year ending September 30, 2012, the Organization reimbursed funds totaling \$160,086 representing the amount of funds received at closing less \$15,846 in eligible NSP1 carrying costs.

On May 5, 2011, the Organization entered into an agreement with the Palm Beach County Department of Economic Sustainability with funds totaling \$2,092,075 made available through the United States Department of Housing and Urban Development (HUD) related to a Community Development Block Grant Program (CDBG) through its Neighborhood Stabilization Program (NSP2) under its Residential Redevelopment Grant Program (RRGP) for the acquisition and rehabilitation of a minimum of eleven vacant single-family dwelling units. All units will be lease purchased, rented or resold as affordable housing units. The Organization must meet the total expenditure obligated by November 15, 2012, unless such date is amended by the Department of Economic Sustainability.

On June 5, 2012, the above agreement was amended increasing the total funds available to \$2,465,395. In addition, the amendment also extended the date the Organization must meet the total expenditure obligated from November 15, 2012 to January 31, 2013.

During the year ended September 30, 2011, the Organization received the transfer one property totaling \$96,345 in value through Palm Beach County under this agreement.

During the year ended September 30, 2012, the Organization received the transfer of twelve properties totaling \$963,672 in value through Palm Beach County under this agreement. During the year ended September 30, 2012, the Organization recorded reimbursements for rehabilitation totaling \$540,373 including \$56,282 in grants receivable as of September 30, 2012.

All program income acquired by the Organization for rental occupancy or resale must be reported and returned to the Department of Economic Sustainability. The Organization may request that program income be used by the Organization to fund other NSP-2 eligible activities, subject to approval.

**NOTE 5 – NOTES PAYABLE**

On August 3, 2011, the Organization entered into a loan agreement with Palm Beach County (“County”) to provide a loan in the principal amount of \$4,523,006 of Neighborhood Stabilization Program 2 (NSP2) funds for the construction of 25 affordable rental housing units to be known as Davis Landings. The total funds under this agreement must be expended by December 15, 2012, unless such date is changed by the County.

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 5 – NOTES PAYABLE (CONTINUED)**

The loan bears interest at 2% per annum on outstanding principal balance. Repayment shall be limited to the actual cash flow of the Project which shall be determined annually on a calendar year basis, commencing with the year 2013. The first annual payment shall be on December 15, 2013. Subsequent annual payments due be on the 15<sup>th</sup> day of each month through December 14, 2042. On January 18, 2012, the agreement was amended to increase the principal amount of the loan to \$5,723,006 and 100% of the funds must be expended by January 31, 2013.

During the year ended September 30, 2011, the Organization entered into an agreement with the Housing Finance Authority of Palm Beach County (“HFA”) for a construction revolving line of credit in the amount of \$500,000. The loan bears interest at 3% on outstanding disbursements with the first installment due in full by September 28, 2011 and all others within 90 days of disbursements or 10 days of the NSP2 reimbursement by the County. As of September 30, 2012, the balance of the loan is \$11,026 and the unused line of credit totaling \$488,974. As of September 30, 2011, the balance of the loan is \$26,897 and the unused line of credit totaling \$473,103. For the year ended September 30, 2012 and 2011, interest expense related to this loan totaled \$2,828 and \$950, respectively.

The loans are collateralized by the land and property improvements acquired by the loan. The loan agreements restrict the use of the real property acquired by the loans to be used for affordable housing programs.

In June 2011, the Organization entered into an agreement with a bank for a revolving line of credit in the amount of \$100,000. The loan bears interest at 3.75 % on outstanding disbursements. As of September 30, 2012, the Organization has an unused line of credit totaling \$30,976. Interest expense related to this loan totaled \$1,503 for the year ended September 30, 2012.

Notes payable at September 30, 2012 are as follows:

	<u>9/30/11</u>	<u>Additions</u>	<u>Repayments</u>	<u>9/30/12</u>
Construction loan – NSP2	\$ 251,544	\$ 4,981,515	\$ -	\$ 5,233,059
Construction line of credit-HFA	26,897	766,565	782,436	11,026
Line of credit	-	381,641	312,618	69,023
Total Notes Payable	<u>\$ 278,441</u>	<u>\$ 6,129,721</u>	<u>\$ 1,095,054</u>	<u>\$ 5,313,108</u>

Notes payable at September 30, 2011 are as follows:

	<u>9/30/10</u>	<u>Additions</u>	<u>Repayments</u>	<u>9/30/11</u>
Construction loan – NSP2	\$ -	\$ 251,544	\$ -	\$ 251,544
Construction line of credit-HFA	-	278,306	251,409	26,897
Total Notes Payable	<u>\$ -</u>	<u>\$ 529,850</u>	<u>\$ 251,409</u>	<u>\$ 278,441</u>

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 6 - NET ASSETS**

Temporarily restricted net assets contain donor-imposed restrictions that expire upon the passage of time or once specific actions are undertaken by the Organization. These net assets are released and reclassified to unrestricted support when they are expended.

Temporarily restricted net assets are available for the following purposes as of September 30, 2012 and 2011:

	<u>2012</u>	<u>2011</u>
Property held for sale - 6095 Plains Drive	\$ -	\$ 116,145
Property held for sale - 441 Jennings Ave.	-	106,554
Property held for sale - 124 Amanda Place	82,345	82,345
Property held for sale - 5914 Ithaca Circle	96,249	96,249
Property held for sale - 5904 Corson Place	84,392	84,392
Property held for sale - 235 Bobwhite Road	-	96,618
Property held for sale - 4259 Brentwood Court	47,327	-
Property held for sale - 334 Foresta Terr.	28,356	-
Property held for sale - 4264 Forest Lane	90,827	-
Property held for sale - 1201 Edgehill Road	80,934	-
Property held for sale - 3827 Riedell Ave.	83,819	-
Property held for sale - 2066 Kudza Road	60,314	-
Property held for sale - 1386 W. Libby Drive	99,402	-
Property held for sale - 2965 Via Vizcaya	49,469	-
Property held for sale - 128 Venessa St.	76,758	-
Property held for sale - 4619 Sutton Terr.	55,680	-
Property held for sale - 2615 Florida St.	33,088	-
Property held for sale - 790 Fitch Drive	71,698	-
Homebuyer purchase assistance	5,000	-
Total	<u>\$ 1,045,658</u>	<u>\$ 582,303</u>

Temporarily restricted net assets were released from donor restrictions by incurring expenses satisfying the purpose restrictions specified by donors as follows:

	<u>2012</u>	<u>2011</u>
Property taxes and insurance, maintenance	\$ 19,856	\$ 26,668
Neighborhood Stabilization Program reimbursement	613,778	112,289
Restrictions satisfied by payments	633,634	138,957
Activity delivery of Neighborhood Stabilization Program		
Property held for sale - 6095 Plains Drive	\$ 116,145	\$ -
Property held for sale - 441 Jennings Ave.	106,554	-
Property held for sale - 235 Bobwhite Road	96,618	-
Property held for sale - 876 Briarwood Way	-	104,037
Property held for sale - 9072 Arpege Place	-	118,653
Purpose restrictions accomplished	<u>319,317</u>	<u>222,690</u>
Net assets released from restrictions	<u>\$ 952,951</u>	<u>\$ 361,647</u>

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 7 – CONCENTRATIONS**

The Organization obtains a substantial portion of its funding from Palm Beach County Department of Economic Sustainability. Loss of funding from this source could significantly affect the Organization's operating ability.

**NOTE 8 – COMMITMENTS**

Lease of properties owned by the Organization

The Organization has entered into several ground lease agreements whereby the Organization has leased the land underlying several properties sold to individual homeowners under 99-year leases. The Organization has also entered into lease-to-purchase agreements whereby the Organization has leased certain property improvements to potential homebuyers with the option to purchase the property improvements. Total rental income for the year ended September 30, 2012 and 2011 totaled \$14,256 and \$15,868, respectively.

Davis Landings Development Project

On November 16, 2010, the Organization entered into an agreement with the HCD to acquire and develop improvements on certain real property consisting of 7.29 acres. Under the agreement, the Organization will develop the property, at its sole cost and expense, and construct the maximum number of multi-family rental units and single-family units permissible under planning and zoning codes. In addition, the Organization shall complete the construction of all multi-family rental units and single-family units, as well as rent or sell such units, respectively by December 31, 2012. On January 18, 2012, the December 31, 2012 completion date was extended to March 31, 2013.

On March 25, 2011, the Organization entered into an agreement with a vendor for architectural services for the design and construction documents related to the Davis Landings project. As of September 30, 2012 the total contract price is \$374,926. During 2012 and 2011, the Organization incurred total expenses related to this contract totaling \$124,943 and \$220,128, respectively, including \$9,764 in amounts payable on the contract at September 30, 2012.

On May 6, 2011, the Organization entered into an agreement with a vendor for development consultation and project management services in connection with the development and construction of the Davis Landings project. The terms of the agreement calls twelve monthly payments of \$9,500 with a payment in advance commencing with the signing of the agreement, with the remaining billings paid in advance per month for a total contract price of \$114,000, not including reimbursable expenses and any additional services. During 2012 and 2011, the Organization paid a total of \$57,000 and \$61,740, respectively, towards this contract.



**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**SEPTEMBER 30, 2012 AND 2011**

**NOTE 8- COMMITMENTS (CONTINUED)**

On November 3, 2011, the Organization entered in to an agreement with a vendor with an original contract price of \$4,155,000 for construction services related to the Davis Landings project. Through a series of contract change orders, the total contract price was increased to \$4,465,162 as of September 30, 2012. During 2012, the Organization paid a total of \$4,120,636 towards this contract. As of September 30, 2012, the remaining commitment on the contract totals \$344,526 including retainage payable of \$216,876. However, subsequent additional contract change orders has increased the contract price to \$4,535,949 through December 21, 2012.

**NOTE 9 - UNCERTAINTY IN INCOME TAXES**

The accounting standard on accounting for uncertainty in income taxes addresses the determination of whether tax benefits claimed or expected to be claimed on a tax return should be recorded in the financial statements. Under that guidance, the Organization may recognize the tax benefit from an uncertain tax position only if it is more likely than not that the tax position will be sustained on examination by taxing authorities based on the technical merits of the position. Examples of tax positions include the tax-exempt status of the Organization and various positions related to the potential sources of unrelated business taxable income (UBIT). The tax benefits recognized in the financial statements from such a position are measured based on the largest benefit that has a greater than 50% likelihood of being realized upon ultimate settlement. There were no unrecognized tax benefits identified or recorded as liabilities for the years 2012 and 2011. The Organization files its form 990 in the U.S. federal jurisdiction and is generally no longer subject to examination by the Internal Revenue Service for years before 2008.

**NOTE 10- SUBSEQUENT EVENTS**

In November 2012, the Organization entered in to an agreement with a vendor with an original contract price of \$84,947 for construction services related to the rehabilitation of a property held for sale. Through a series of changes orders the contract was increased to \$99,680 as of February 2, 2013.

On January 29, 2013, the Organization became the sole member of the newly formed Community Land Trust of PBC LaJoya Villages, LLC, a Florida limited liability company. On April 15, 2013, the Organization entered into an operating agreement with the Community Land Trust of PBC LaJoya Villages, LLC.

On January 29, 2013, the Community Land Trust of PBC LaJoya Villages, LLC entered into an agreement of limited partnership of La Joya Villages, Ltd, a Florida limited partnership as a .005% Co-General Partner. The principal purposes of the Partnership are the acquisition, improvement, financing, and refinancing of a tract of real property and a residence in Lake Worth, Florida, to be known as La Joya Villages.

**SUPPLEMENTARY INFORMATION**

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.  
 SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
 FOR THE YEAR ENDED SEPTEMBER 30, 2012**

Federal Grantor/(Pass-through Grantor) Program Titles	Federal CFDA Number	Contract Number (if-Pass-through)	Federal Expenditures
U.S. Department of Housing and Urban Development passed through Palm Beach County Housing and Community Development			
Community Development Block Grant: Housing and Economic Recovery Act of 2008 (HERA) Neighborhood Stabilization Program (NSP)	14.218		\$ 5,338,255
Total Schedule of Expenditures of Federal Awards			\$ <u>5,338,255</u>

See accompanying notes to schedule of expenditures of federal awards

**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.  
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEAR ENDED SEPTEMBER 30, 2012**

**NOTE 1 – BASIS OF PRESENTATION**

The accompanying schedule of expenditures of Federal awards presents the activity of all Federal financial assistance programs of Community Land Trust of Palm Beach County, Inc. during the year ended September 30, 2012. The information in this Schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Because the Schedule presents only a selected portion of the operations of Community Land Trust of Palm Beach County, Inc., it is not intended to and does not present the financial position, changes in net assets, or cash flows of Community Land Trust of Palm Beach County, Inc.

**NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES**

(1) The accompanying schedule of expenditures of Federal awards is a summary of the accrual basis activity of the Organization's Federal awards programs. Such expenditures are recognized following the cost principles contained in OMB Circular A-122, *Cost Principles for Non-Profit Organizations*, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

(2) Pass-through entity indentifying numbers are presented where available.

Certified Public Accountant

Gina L. Clayton, P. A.

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**REPORT ON INTERNAL CONTROL OVER FINANCIAL  
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON  
AN AUDIT OF FINANCIAL STATEMENTS PERFORMED  
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors  
Community Land Trust of Palm Beach County, Inc.

We have audited the financial statements of Community Land Trust of Palm Beach County, Inc. (a nonprofit organization) as of and for the years ended September 30, 2012 and 2011 and have issued our report thereon dated August 12, 2013. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

**Internal Control over Financial Reporting**

In planning and performing our audit, we considered Community Land Trust of Palm Beach County, Inc.'s internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Community Land Trust of Palm Beach County, Inc.'s internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the organization's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles, such that there is more than a remote likelihood that a misstatement of the organization's financial statements that is more than inconsequential will not be prevented or detected by the organization's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the organization's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

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(561) 352-3375

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether Community Land Trust of Palm Beach County, Inc.'s financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

We noted certain matters that we reported to management of Community Land Trust of Palm Beach County, Inc.'s in a separate letter dated August 12, 2013.

This report is intended solely for the information and use of management, audit committee, the Board of Directors, others within the entity, and federal awarding agencies, and is not intended to be and should not be used by anyone other than these specified parties.

*Gene L. Clayton, P.A.*

Jupiter, Florida  
August 12, 2013

Certified Public Accountant

Gina L. Clayton, P. A.

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS  
APPLICABLE TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL  
OVER COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Board of Directors of  
Community Land Trust of Palm Beach County, Inc.

Compliance

We have audited the compliance of Community Land Trust of Palm Beach County, Inc. (a nonprofit organization) with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended September 30, 2012. Community Land Trust of Palm Beach County, Inc.'s major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of Community Land Trust of Palm Beach County, Inc.'s management. Our responsibility is to express an opinion on Community Land Trust of Palm Beach County, Inc.'s compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Community Land Trust of Palm Beach County, Inc.'s compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination of Community Land Trust of Palm Beach County, Inc.'s compliance with those requirements.

In our opinion, Community Land Trust of Palm Beach County, Inc. complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended September 30, 2012.

Internal Control Over Compliance

The management of Community Land Trust of Palm Beach County, Inc. is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered Community Land Trust of Palm Beach County, Inc.'s internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Community Land Trust of Palm Beach County, Inc.'s internal control over compliance.

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A *control deficiency* in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A *significant deficiency* is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the entity's internal control.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of management, others within the entity, the Board of Directors, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

*Gina R. Clayton, P.A.*

Jupiter, Florida

August 12, 2013



**COMMUNITY LAND TRUST OF PALM BEACH COUNTY, INC.  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
SEPTEMBER 30, 2012**

**A. SUMMARY OF AUDITORS' RESULTS**

1. The auditor's report expresses an unqualified opinion on the financial statements of Community Land Trust of Palm Beach County, Inc.
2. No significant deficiencies were identified during the audit of the financial statements.
3. No instances of noncompliance material to the financial statements of Community Land Trust of Palm Beach County, Inc.
4. No significant deficiencies were identified during the audit of the major federal award programs.
5. The auditor's report on compliance for the major federal award programs for Community Land Trust of Palm Beach County, Inc. expresses an unqualified opinion.
6. There are no audit findings relative to the major federal award programs for Community Land Trust of Palm Beach County, Inc.
7. Major program:

Department of Housing and Urban Development – Community  
Development Block Grant Program, CFDA No. 14.218
8. The threshold for distinguishing Type A and B programs was \$500,000
9. Community Land Trust of Palm Beach County, Inc. qualified as a low-risk auditee.

**B. FINDINGS- FINANANCIAL STATEMENT AUDIT – NONE**

**C. FINDINGS AND QUESTIONED COSTS – MAJOR FEDERAL AWARD PROGRAMS AUDIT - NONE**

**Community Land Trust of  
Palm Beach County, Inc.**

**Financial Statements**

*As of and for years ended September 30, 2013 and 2012*

**Community Land Trust of  
Palm Beach County, Inc.**

**As of and for years ended September 30, 2013 and 2012**

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**COCUY, BURNS & Co., P.A.**

CERTIFIED PUBLIC ACCOUNTANTS

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## **Report of Independent Auditors**

The Board of Trustees of  
Community Land Trust of Palm Beach County, Inc.

### **Report on the Financial Statements**

We have audited the accompanying statements of financial position of Community Land Trust of Palm Beach County, Inc. (the "Organization") as of September 30, 2013 and 2012, and the related statements of activities, cash flows and functional expenses, for the years then ended, and the related notes to the financial statements.

### **Management's Responsibility for the Financial Statements**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### **Auditors' Responsibility**

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## **Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Organization as of September 30, 2013, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

## **Prior Period Financial Statements**

The financial statements of Community Land Trust of Palm Beach County, Inc. as of September 30, 2012, were audited by other auditors whose report dated August 12, 2013 expressed an unmodified opinion on those statements.

## **Other Matters**

### **Other Information**

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards, as required by Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, is presented for purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole.

## **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated May 27, 2014, on our consideration of Community Land Trust of Palm Beach County, Inc., internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Organization's internal control over financial reporting and compliance.

*Cocuy, Burns & Co., P.A.*

Wellington, FL  
May 27, 2014

**Community Land Trust of Palm Beach County, Inc.**  
**Statements of Financial Position**  
**As of September 31, 2013 and 2012**

	<b>2013</b>	<b>2012</b>
<b>Assets</b>		
Cash and cash equivalents	\$ 287,757	\$ 303,056
Grant receivable	66,500	75,357
Other receivables	2,254	325
Prepaid	46,997	34,250
Property and equipment, net	8,953,790	8,514,605
Total assets	\$ 9,357,298	\$ 8,927,593
 <b>Liabilities and net assets</b>		
Accounts payable and accrued expenses	\$ 14,727	\$ 11,751
Construction draws payable	-	270,117
Deposits	32,117	4,645
Line of credit	8,217	80,049
Notes payable	5,723,006	5,233,059
Total liabilities	5,778,067	5,599,621
 Net assets (deficit):		
Unrestricted	(56,191)	85,806
Temporarily restricted	2,106,837	1,713,581
Permanently restricted	1,528,585	1,528,585
Total net assets	3,579,231	3,327,972
Total liabilities and net assets	\$ 9,357,298	\$ 8,927,593

*See accompanying notes to financial statements.*

**Community Land Trust of Palm Beach County, Inc.**

**Statements of Activities  
Years ended September 30, 2013 and 2012**

	Year Ended September 30, 2013				Year Ended September 30, 2012			
	Unrestricted	Temporarily Restricted	Permanently Restricted	Totals	Unrestricted	Temporarily Restricted	Permanently Restricted	Totals
<b>Revenue and other support</b>								
Contributions and grants	\$ 134,250	\$ -	\$ -	\$ 134,250	\$ 67,350	\$ 5,000	\$ -	\$ 72,350
Governmental grants	17,992	654,403	-	672,395	-	1,391,450	186,000	1,577,450
Rental income	-	196,409	-	196,409	-	16,006	-	16,006
Program service fees	46,405	2,937	-	49,342	-	3,850	-	3,850
Membership and miscellaneous revenues	1,891	6,593	-	8,484	1,436	-	-	1,436
Interest earnings	299	-	-	299	395	-	-	395
Total support and revenue	200,837	860,342	-	1,061,179	69,181	1,416,306	186,000	1,671,487
Net assets released from restrictions	467,086	(467,086)	-	-	285,028	(285,028)	-	-
	667,923	393,256	-	1,061,179	354,209	1,131,278	186,000	1,671,487
<b>Expenses:</b>								
Program services	638,344	-	-	638,344	579,423	-	50,720	630,143
Supporting services:								
Management and general	171,576	-	-	171,576	57,193	-	-	57,193
Fund-raising	-	-	-	-	2,505	-	-	2,505
Total expenses	809,920	-	-	809,920	639,121	-	50,720	689,841
(Decrease) increase in net assets	(141,997)	393,256	-	251,259	(284,912)	1,131,278	135,280	981,646
Net assets at the beginning of year	85,806	1,713,581	1,528,585	3,327,972	370,718	582,303	1,393,305	2,346,326
Net assets (deficit) at end of year	\$ (56,191)	\$ 2,106,837	\$ 1,528,585	\$ 3,579,231	\$ 85,806	\$ 1,713,581	\$ 1,528,585	\$ 3,327,972

*See accompanying notes to financial statements.*

**Community Land Trust of Palm Beach County, Inc.**  
**Statements of Cash Flows**  
**For the Years ended December 31, 2013 and 2012**

	<b>2013</b>	<b>2012</b>
<b>Cash Flows from Operating Activities</b>		
Change in net assets	\$ 251,259	\$ 981,646
Adjustments to reconcile change in net assets to net cash provided by operating activities:		
Depreciation	201,720	-
Changes in assets and liabilities:		
Decrease (increase) in grant receivable	8,857	(75,357)
Increase in other receivable	(1,929)	(227)
Increase in prepaids	(12,747)	(32,650)
Increase (decrease) in accounts payable	2,976	(11,186)
Decrease in grant repayment payable	-	(150,623)
Increase in deposits	27,472	1,978
Net cash provided by operating activities	477,608	713,581
<b>Cash Flows for Investing Activities</b>		
(Decrease) increase in construction draws payable	(270,117)	234,610
Purchases of property and equipment	(640,905)	(6,002,508)
Net cash used in investing activities	(911,022)	(5,767,898)
<b>Cash Flows for Financing Activities</b>		
(Decrease) increase in line of credit, net	(71,832)	53,152
Increase in notes payable	489,947	4,981,515
Net cash provided by financing activities	418,115	5,034,667
Decrease in cash and cash equivalents	(15,299)	(19,650)
Cash and cash equivalents at beginning of year	303,056	322,706
Cash and cash equivalents at end of year	\$ 287,757	\$ 303,056

*See accompanying notes to financial statements.*



**Community Land Trust of Palm Beach County, Inc.**  
**Statement of Functional Expenses**  
**For the year ended September 31, 2013 with Comparative**  
**Totals for year ended September 31, 2012**

	<u>Supporting Services</u>		<u>2013 Total</u>	<u>2012 Total</u>
	<u>Program Services</u>	<u>General and Administrative</u>		
Advertising and marketing	\$ 3,804	\$ 30	\$ 3,834	\$ 2,659
Association dues	8,164	-	8,164	-
Appraisal and inspections	2,600	-	2,600	-
Background and credit checks	3,580	-	3,580	-
Bank and credit card fees	1,120	2,025	3,145	2,230
Closing costs	6,653	-	6,653	11,856
Consultant fees	-	-	-	18,709
Depreciation	201,720	-	201,720	-
Dues and subscriptions	-	510	510	110
Equipment rental and expenses	5,089	445	5,534	2,614
Fringe benefits	4,915	18,432	23,347	25,141
Housing development costs	-	-	-	3,126
Insurance, taxes and licenses	499	3,902	4,401	3,425
Lawn maintenance	32,539	290	32,829	9,021
Legal fees	14,155	9,659	23,814	679
Management fees	27,374	-	27,374	-
Miscellaneous	389	(66)	323	1,031
Moving	-	544	544	-
NSP1 expenses	3,422	-	3,422	21,905
NSP2 expenses	12,558	-	12,558	82,737
Occupancy	-	3,360	3,360	19,760
Office supplies	745	2,685	3,430	1,500
Payroll taxes	-	12,078	12,078	10,371
Pest control	2,091	-	2,091	-
Postage, printing and copying	124	1,047	1,171	591
Property insurance	69,116	-	69,116	798
Property tax	18,534	(8)	18,526	-
Reimbursement of NSP funding	73,247	-	73,247	160,086
Repairs and equipment	17,832	1,061	18,893	-
Salaries and wages	50,216	109,363	159,579	134,873
Security	3,880	-	3,880	-
Software	-	1,141	1,141	614
Staff and board training	541	510	1,051	544
Subsidized ground lease	-	-	-	50,720
Subsidized improvements sold	26,610	-	26,610	109,356
Telephone	8,291	3,179	11,470	2,981
Townhouse expenses	-	-	-	11,891
Travel	-	1,389	1,389	336
Utilities	37,769	-	37,769	-
Waste disposal	767	-	767	-
Vacant land expense	-	-	-	177
<b>Total Expenses</b>	<b>\$ 638,344</b>	<b>\$ 171,576</b>	<b>\$ 809,920</b>	<b>\$ 689,841</b>

*See accompanying notes to financial statements.*

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**Organization**

Community Land Trust of Palm Beach County, Inc., (the “Organization”) is a Florida not-for-profit corporation organized in March 2006 under the laws of the State of Florida for the purpose providing and preserving the quality and affordability of housing for low and moderate-income individual of Palm Beach County, Florida. The Organization is located in Lake Worth, Florida.

Support and revenue are obtained primarily from local government grants, contributions from local governments and memberships. Property consists of land and property improvements (homes).

**Subsequent Events**

In preparing the financial statements, the Organization has evaluated events and transactions for potential recognition or disclosure through May 27, 2014, the date that the financial statements were available to be issued.

**Basis of Accounting**

The financial statements of the Organization have been prepared on the accrual basis of accounting and accordingly reflect all significant receivables, payables, and other liabilities.

**Financial Statement Presentation**

The Organization is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets and permanently restricted net assets.

**Unrestricted net assets** – Net assets available for the support of the Organization’s operations. The unrestricted net assets may be used at the discretion of the Organization’s management and the Board of Directors.

**Temporarily restricted net assets** – Net assets subject to donor-imposed stipulations that may or will be met either by actions of the Organization or the passage of time.

**Permanently restricted net assets** – Net assets subject to donor-imposed stipulations to be maintained permanently by the Organization. Generally, the donors of these assets permit the Organization to use all or part of the earnings on related investments for general or specific purpose.

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Other Assets**

Other assets, which are principally land and homes held by the Organization for future sale, are recorded at cost, if purchased by the Organization, or at fair value at the date of the gift, if received as a donation. Constructed assets are recorded at cost, including all project costs for construction and development.

**Concentration of Contributions or Grants**

The Organization receives approximately 62% of its annual revenue from Palm Beach County.

**Estimates and Assumptions**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

**Contributions and Promises to Give**

Contributions received are recorded as unrestricted, temporarily restricted, or permanently restricted support, depending on the existence or nature of any donor restrictions. All contributions are considered to be available for unrestricted use unless specifically restricted. Amounts received that are designated for future periods or restricted by the donor for specific purposes are reported as temporarily restricted or permanently restricted support that increases those net asset classes. When a temporary restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished), temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions.

Unconditional promises to give are recognized at their fair value based on the present value of estimated future cash flows using a discount rate commensurate with the risks involved. The Organization uses the allowance method to determine uncollectible unconditional promises receivable. The allowance is based on prior years' experience and management's analysis of specific promises made.

**Contributed Services and In-kind Contributions**

The estimated fair value of the free use of assets owned by others are recorded. Contributed services are recognized if the services received create or enhance nonfinancial assets or require specialized skills, are provided by individuals possessing those skills and would typically need to be purchased if not provided by donation. There were no services contributed during the years ended September 30, 2013 and 2012 that met the criteria to be recorded in the accompanying financial statements.

For purposes of the statement of cash flows, the Organization considers all cash and other highly liquid investments with initial maturities of three months or less to be cash equivalents.

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Income Taxes**

The Organization is a tax exempt, not-for-profit corporation under Internal Revenue Code (IRC) Section 501(c)(3). Accordingly, no provision for income taxes has been made in the accompanying combined financial statements.

The Organization files income tax returns in the U.S. Federal jurisdiction. The Association is no longer subject to U.S. Federal income tax examinations by taxing authorities for years before 2010.

**Functional Classification of Expenses**

In the accompanying combined Statement of Activities, expenses have been reported by their functional classification, a method of grouping expenses according to the purpose for which they were incurred. The primary functional classifications are program services and supporting activities. Program services are the activities that result in services being provided to members that fulfill the purposes or mission for which the organization exists. Supporting activities are all activities of an organization other than program services and are included in the combined financial statements as management and general expenses.

**Fair Value of Financial Instruments**

FASB ASC 825, "Disclosure About Fair Value of Financial Instruments" requires certain disclosures regarding the fair value of financial instruments. Cash and cash equivalents, receivables, other assets, accounts payable, and accrued liabilities are reflected in the financial statements at cost, which approximate fair value.

**Real Estate Property Sales**

The difference between the proceeds received and the carrying value of property improvements is recognized as a gain or loss at the time the home is sold.

**Reclassification**

Reclassifications have been made to the prior year financial information in order for them to be in conformity with the current year's presentation.

**NOTE 2 – OTHER ASSETS**

The Organization maintains ownership of the land for which the homes are sold to individual homeowners. Individual homeowners are required to enter into 99-year ground leases on the land to ensure that property is retained for affordable housing purposes. The land is to be held

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 2 – OTHER ASSETS (CONTINUED)**

by the Organization through the end of a 99-year ground lease, as such is classified as land held for long term use in the accompanying financial statement when acquired. Upon execution of the 99-year ground lease, the land under lease is adjusted to the net present value of the estimated cash flows over the 99-year ground lease term. As of September 30, 2013 and 2012, the leased land has a net present value totaling \$120,586 and \$120,586, respectively.

A portion of the land acquired was donated by Palm Beach County. There was no land contributed for the year ended September 30, 2013. Total contributed land for the year ended September 30, 2012 was \$186,000. Land contributed by the Palm Beach County is required to be used for affordable housing programs in accordance with the deed restrictions. The value of these lands is shown as permanently restricted net assets on the Statement of Financial Position.

Property improvements held for sale represent homes that are being held by the Organization for resale to low and moderate income individuals. Several of these homes have been leased to potential homebuyers under rent-to-purchase lease agreements. These assets have been shown as leased property improvements and are recorded at cost as of September 30, 2013 and 2012.

Conditions in the real estate market in Florida may become unstable and result in potential declines in the value of property held by the Organization.

**NOTE 3 – PERMANENTLY RESTRICTED NET ASSETS**

Land purchased or donated with donor restrictions requiring land to be used for the general purpose of providing affordable housing opportunities for low and moderate income individuals in Palm Beach County, Florida has been reported as permanently restricted.

**NOTE 4 – PROPERTY AND EQUIPMENT**

Property and equipment at September 30, 2013 and 2012, consist of the following:

	2013	2012
Furniture and equipment	14,520	—
Leased property improvements	205,262	205,262
Property improvements held for sale	1,901,575	1,503,810
Construction in progress	5,505,568	5,276,948
Leased land	120,586	120,586
Land held for long term purpose	1,407,999	1,407,999
	<u>9,155,510</u>	<u>8,514,605</u>
Less accumulated depreciation	(201,720)	—
	<u>\$ 8,953,790</u>	<u>\$ 8,514,605</u>

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 5 – GRANTS AND GRANT REPAYMENTS PAYABLE**

Grants are subject to annual renewal and periodic amendments and require the fulfillment of certain conditions as set forth in the instrument of the grant. Failure to fulfill the conditions could result in the return of the funds to the grantors. Although that is a possibility, the Organization deems the contingency remote, since by accepting the contracts and their terms it has accommodated the objectives of the grantors to the provisions of these contracts.

On April 1, 2010, the Organization entered into an agreement with the Palm Beach County Department of Economic Sustainability, formerly the Department of Housing and Community Development (HCD) with funds from the United States Department of Housing and Urban Development (HUD) related to a Community Development Block Grant Program (CDBG) through its Neighborhood Stabilization Program (NSPI). The agreement calls for the

Organization to acquire and rehabilitate at least four single-family detached dwelling units for homeownership purposes for low and moderate income individuals in Palm Beach County, Florida. The maximum reimbursement under the agreement is \$1,019,414 with a funding obligation which expired on December 31, 2011.

During the year ended September 30, 2012, the Organization received reimbursements for rehabilitation totaling \$73,405 from Palm Beach County under this agreement.

On October 29, 2011, the above agreement was amended such that the program income associated with the resale of the acquired properties is to be returned to Palm Beach County within 30 days of the closing of the resold properties. For the fiscal year ending September 30, 2013 and 2012, the Organization reimbursed funds totaling \$160,086 and \$70,247 representing the amount of funds received at closing less \$6,653 and \$15,846 in eligible NSP1 carrying costs, respectively.

During the year ended September 30, 2013, the Organization received reimbursements for rehabilitation totaling \$52,580 from Palm Beach County under this agreement.

On May 5, 2011, the Organization entered into an agreement with the Palm Beach County Department of Economic Sustainability with funds totaling \$2,092,075 made available through the United States Department of Housing and Urban Development (HUD) related to a Community Development Block Grant Program (CDBG) through its Neighborhood Stabilization Program (NSP2) under its Residential Redevelopment Grant Program (RRGP) for the acquisition and rehabilitation of a minimum of eleven vacant single-family dwelling units. All units will be leased purchased, rented or resold as affordable housing units. The Organization was originally required to meet the total expenditure obligated by November 15, 2012, unless such date is amended by the Department of Economic Sustainability.

On June 5, 2012, the above agreement was amended increasing the total funds available to \$2,465,395. In addition, the amendment also extended the date the Organization must meet the total expenditure obligated from November 15, 2012 to January 31, 2013.

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 5 – GRANTS AND GRANT REPAYMENTS PAYABLE (CONTINUED)**

During the year ended September 30, 2012, the Organization received the transfer of twelve properties totaling \$963,672 in value through Palm Beach County under this agreement. During the year ended September 30, 2012, the Organization recorded reimbursements for rehabilitation totaling \$540,373 including \$56,282 in grants receivable as of September 30, 2012.

On January 31, 2013, the above agreement was amended decreasing the total funds available to \$2,337,451. In addition, the amendment also extended the date the Organization must meet the total expenditure obligated from January 31, 2013 to February 11, 2013.

During the year ended September 30, 2013, the Organization received reimbursements for rehabilitation totaling \$619,815 from Palm Beach County under this agreement.

All program income acquired by the Organization for rental occupancy or resale must be reported and returned to the Department of Economic Sustainability. The Organization may request that program income be used by the Organization to fund other NSP2 eligible activities, subject to approval.

**NOTE 6 – LINE OF CREDIT**

In June 2011, the Organization entered into an agreement with a bank for a revolving line of credit in the amount of \$100,000. The loan bears interest at 3.75% on outstanding disbursements. As of September 30, 2013 and 2012, the Organization has an unused line of credit totaling \$91,783 and \$30,976, respectively. Interest expense related to this loan totaled \$2,168 and \$1,503 for the years ended September 30, 2013 and 2012, respectively.

**NOTE 7 – NOTES PAYABLE**

On August 3, 2011, the Organization entered into a loan agreement with Palm Beach County (“County”) to provide a loan in the principal amount of \$5,523,006 of Neighborhood Stabilization Program 2 (NSP2) funds for the construction of 25 affordable rental housing units to be known as Davis Landings. The total funds under this agreement were required to be expended by December 15, 2012, unless such date is changed by the County.

The loan bears interest at 2% annum on outstanding principal balance. Repayment shall be limited to the actual cash flow of the Project which shall be determined annually on a calendar year basis commencing with the year 2013. The first annual payment shall be on December 15, 2013. Subsequent annual payments will be due on the 15<sup>th</sup> of each month through December 14, 2042. On January 18, 2012, the agreement was amended to increase the principal amount of the loan to \$5,723,006 and 100% of the funds were required to be expended by January 31, 2013.

During the year ended September 30, 2011, the Organization entered into an agreement with the Housing Finance Authority of Palm Beach County (“HFA”) for a construction revolving line of credit in the amount of \$500,000. The loan bears interest at 3% on outstanding disbursements

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 7 – NOTES PAYABLE (CONTINUED)**

with the first installment due in full by September 28, 2011 and all others within 90 days of disbursements or 10 days of the NSP2 reimbursement by the County. As of September 30, 2012, the balance of the loan is \$11,026 and the unused line of credit totaling \$488,974. As of the year ended September 30, 2012, interest expense related to this loan totaled \$2,828. On March 11, 2013, the Organization paid off the remaining balance of the loan.

The loans are collateralized by the land and property improvements acquired by the loan. The loan agreements restrict the use of the real property acquired by the loans to be used for affordable housing programs.

Notes payable at September 30, 2013 are as follows:

	<u>9/30/12</u>	<u>Additions</u>	<u>Repayments</u>	<u>9/30/13</u>
Construction loan – NSP2	\$5,233,059	\$ 489,947	\$ –	\$5,723,006
Total Notes Payable	<u>\$5,233,059</u>	<u>\$ 489,947</u>	<u>\$ –</u>	<u>\$5,723,006</u>

Notes payable at September 30, 2012 are as follows:

	<u>9/30/11</u>	<u>Additions</u>	<u>Repayments</u>	<u>9/30/12</u>
Construction loan – NSP2	\$251,544	\$4,981,515	\$ –	\$5,233,059
Total Notes Payable	<u>\$ 251,544</u>	<u>\$4,981,515</u>	<u>\$ –</u>	<u>\$ 5,233,059</u>

**NOTE 8 – NET ASSETS**

At September 30, 2013 and 2012, the Organization held temporarily restricted net assets available for the following specified purposes:

	<u>2013</u>	<u>2012</u>
Property held for sale – 124 Amanda Place	119,924	119,924
Property held for sale – 5914 Ithaca Circle	98,140	96,249
Property held for sale – 5904 Corson Place	135,447	84,392
Property held for sale – 4259 Brentwood Court	124,134	121,361
Property held for sale – 334 Foresta Terrace	103,825	33,230
Property held for sale – 4264 Forest Lane	178,012	172,357
Property held for sale – 1201 Edgehill Road	185,561	86,286
Property held for sale – 3827 Riedell Ave.	129,135	131,049
Property held for sale – 2066 Kudza Road	129,065	65,265
Property held for sale – 1386 W. Libby Drive	151,072	116,921



**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 8 – NET ASSETS (CONTINUED)**

	2013	2012
Property held for sale – 2965 Via Vizcaya	–	102,146
Property held for sale – 128 Venessa St.	109,839	111,544
Property held for sale – 4619 Sutton Terrace	146,546	99,989
Property held for sale – 2615 Florida Street	157,594	54,958
Property held for sale – 790 Fitch Drive	133,281	107,646
Property held for sale – 2216 Oakmont Drive	100,923	100,923
Property held for sale – 2210 Oakmont Drive	104,339	104,339
Homebuyer purchase assistance	–	5,000
Total	\$ 2,106,837	\$ 1,713,579

**NOTE 9 - CONCENTRATIONS**

The Organization obtains a substantial portion of its funding from Palm Beach County Department of Economic Sustainability. Loss of funding from this source could significantly affect the Organization's operating ability.

**NOTE 10- LEASE COMMITMENTS**

**Lease of properties owned by the Organization**

The Organization has entered into several ground lease agreements whereby the Organization has leased the land underlying several properties sold to individual homeowners under 99-year leases. The Organization has also entered into lease-to-purchase agreements whereby the Organization has leased certain property improvements to potential homebuyers with the option to purchase the property improvements. Total rental and lease income for the year ended September 30, 2013 and 2012 totaled \$199,834 and \$14,256, respectively.

**Davis Landings Development Project**

On November 16, 2010, the Organization entered into an agreement with the HCD to acquire and develop improvements on certain real property consisting of 7.29 acres. Under the agreement, the Organization will develop the property, at its sole cost and expense, and construct the maximum number of multi-family rental units and single-family units permissible under planning and zoning codes. In addition, the Organization shall complete the construction of all multi-family rental units and single-family units, as well as rent or sell such units, respectively by December 31, 2012. On January 18, 2012, the December 31, 2012 completion date was extended to March 31, 2013.

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 10- LEASE COMMITMENTS (CONTINUED)**

On March 25, 2011, the Organization entered into an agreement with a vendor for architectural services for the design and construction documents related to the Davis Landings project. As of September 30, 2012 the total contract price is \$374,926. During 2013 and 2012, the Organization incurred total expenses related to this contract totaling \$20,691 and \$124,943, respectively, including \$0 and \$9,764 in amounts payable on the contract at September 30, 2013 and 2012, respectively.

On May 6, 2011, the Organization entered into an agreement with a vendor for development consultation and project management services in connection with the development and construction of the Davis Landings project. The terms of the agreement calls twelve monthly payments of \$9,500 with a payment in advance commencing with the signing of the agreement, with the remaining billings paid in advance per month for a total contract price of \$114,000, not including reimbursable expenses and any additional services. During 2013 and 2012, the Organization paid a total of \$4,928 and \$57,000, respectively, towards this contract.

On November 3, 2011, the Organization entered into an agreement with a vendor with an original contract price of \$4,155,000 for construction services related to the Davis Landings project. Through a series of contract change orders, the total contract price was increased to \$4,465,162 as of September 30, 2012. During 2012, the Organization paid a total of \$4,120,636 towards this contract. As of September 30, 2012, the remaining commitment on the contract totals \$344,526 including retainage payable of \$216,876. However, subsequent additional contract change orders have increased the contract price to \$4,535,949 through December 21, 2012. During 2013, there were no increases in contract price and the Organization paid \$196,436 toward this contract.

**NOTE 11 – UNCERTAINTY IN INCOME TAXES**

The accounting standard on accounting for uncertainty in income taxes addresses the determination of whether tax benefits claimed or expected to be claimed on a tax return should be recorded in the financial statements. Under that guidance, the Organization may recognize the tax benefit from an uncertain tax position only if it is more likely than not that the tax position will be sustained on examination by taxing authorities based on the technical merits of the position. Examples of tax positions include the tax-exempt status of the Organization and various positions related to the potential sources of unrelated business taxable income (UBIT). The tax benefits recognized in the financial statements from such a position are measured based on the largest benefit that has a greater than 50% likelihood of being realized upon ultimate settlement. There were no unrecognized tax benefits identified or recorded as liabilities for the years 2013 and 2012.

**NOTE 12 – SUBSEQUENT EVENTS**

On November 1, 2013, the Organization entered into a Development Fee Sharing Agreement with a

**Community Land Trust of Palm Beach County, Inc.**  
**Notes to Financial Statements**  
**As of and for years ended September 30, 2013 and 2012**

**NOTE 12 – SUBSEQUENT EVENTS (CONTINUED)**

development company to provide construction, development, monitoring and related administrative management services to LaJoya Villages, Ltd which is co-owned by Community Land Trust of PBC LaJoya Villages LLC which is a wholly owned subsidiary of Community Land Trust of Palm Beach County, Inc. The Organization and the development company will be compensated for such services through payment of a Development Fee by LaJoya Villages Ltd.

## SUPPLEMENTARY INFORMATION



**COCUY, BURNS & Co., P.A.**

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**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED  
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

To the Board of Directors of  
Community Land Trust of Palm Beach County, Inc.

We have audited the financial statements of Community Land Trust of Palm Beach County, Inc. (the "Organization") as of and for the years ended September 30, 2013 and 2012. We conducted our audits in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. The financial statements of Community Land Trust of Palm Beach County, Inc., (the "Organization"), which comprise the statement of financial position as of September 30, 2013 and 2012, and the related statements of activities, and cash flows for the years then ended, and the related notes to the financial statements, and have issued our report thereon May 27, 2014.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Organization's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

## **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Organization's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*COCUY, Burns & Co., P.A.*

Wellington, Florida  
May 27, 2014



**COCUY, BURNS & Co., P.A.**

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**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE WITH REQUIREMENTS  
APPLICABLE TO EACH MAJOR PROGRAM  
AND ON INTERNAL CONTROL OVER COMPLIANCE  
IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Board of Directors of  
Community Land Trust of Palm Beach County, Inc.

**Report on Compliance for Each Major Federal Program**

We have audited Community Land Trust of Palm Beach County, Inc. (the "Organization") compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of Organization's major federal programs for the year ended September 30, 2013. The Organization's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

***Management's Responsibility***

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

***Auditor's Responsibility***

Our responsibility is to express an opinion on compliance for each of the Organization's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about ABC Organization's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of Organization's compliance.

### ***Opinion on Each Major Federal Program***

In our opinion, the Organization complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2013.

### **Report on Internal Control Over Compliance**

Management of the Organization is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Organization's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose specified parties.

***COCUY, BURNS & CO., P.A.***

Wellington, Florida  
May 27, 2014



**Community Land Trust of Palm Beach County, Inc.  
 Schedule of Findings and Questioned Costs  
 For the Year ended September 30, 2013**

**I. Summary of Auditor's Results**

**Financial Statements**

- A. Type of auditor's report issued: Unqualified
- B. Internal controls over financial reporting:
- Material weakness(es) identified? \_\_\_\_\_ Yes   X   No
  - Reportable condition (s) identified not considered to be material weaknesses? \_\_\_\_\_ Yes   X   No
- C. Noncompliance material to financial statements noted? \_\_\_\_\_ Yes   X   No

**Federal Awards**

- D. Type of auditor's report issued on compliance for major federal programs: Unqualified
- E. Internal controls over major federal programs:
- Material weakness(es) identified? \_\_\_\_\_ Yes   X   No
  - Reportable condition (s) identified not considered to be material weaknesses? \_\_\_\_\_ Yes   X   No
- F. Any audit findings disclosed that are required to be reported in accordance with OMB Circular A-133 \_\_\_\_\_ Yes   X   No
- G. Identification of major federal programs:

**CFDA Numbers**

**Name of Program**

- |  |  |
|--|--|
| 14.256 - US Department of Housing and Urban Development passed through Palm Beach County Housing and Community Development | Neighborhood Stabilization Program - Davis Landings                            |
| 14.256 - US Department of Housing and Urban Development passed through Palm Beach County Housing and Community Development | Neighborhood Stabilization Program 2 - Residential Redevelopment Grant Program |

Dollar threshold used to distinguished between Type A and Type B programs:

- Federal: \$500,000
- Auditee qualified as low-risk auditee? \_\_\_\_\_ Yes   X   No

**Community Land Trust of Palm Beach County, Inc.**  
**Schedule of Findings and Questioned Costs (Continued)**  
**For the Year ended September 30, 2013**

**II. Financial Statement Findings**

None noted

**III. Federal Awards Findings and Questioned Costs**

None noted

**IV. Management Letter**

Separately issued with no current year comments.

**Community Land Trust of Palm Beach County, Inc.  
Schedule of Expenditures of Federal Awards  
For the Year Ended September 31, 2013**

Federal/State Agency Pass-through Entity Federal Program/State Project	CFDA CFSA Number	Grant or CFSA Number	Expenditures
<b>FEDERAL</b>			
U.S Department of Housing and Urban Development Passed-through Palm Beach County Housing and Community Development Community Development Block Grant Program (CDBG) Neighborhood Stabilization Program (NSP)	14.218	R 2011 0396	\$ 52,580
U.S Department of Housing and Urban Development Passed-through Palm Beach County Housing and Community Development Neighborhood Stabilization Program (NSP2) - Davis Landings	14.256	R 2010-1944	\$ 489,947
US Department of Housing and Urban Development Passed-through Palm Beach County Housing and Community Development Residential Redevelopment Grant Program (RRGP) Neighborhood Stabilization Program (NSP2)	14.256	R 2012-0854	\$ 601,823
Total Expenditures of Federal Awards			<u>\$ 1,144,350</u>

See Independent auditors' report

**Community Land Trust of Palm Beach County, Inc.  
Notes to Schedule of Expenditures of Federal Awards  
for the Year Ended September 30, 2013**

**NOTE 1 – BASIS OF PRESENTATION**

The accompanying Schedule of Expenditures of Federal Awards (the “Schedule”) presents the activity of all applicable federal and state awards, as well as federal financial assistance passed through other entities, of the Organization for the fiscal year ended September 30, 2013.

The Schedule is presented on the accrual basis of accounting. The information on this Schedule is presented in accordance with the requirements of U.S. Office of Management and Budget (“OMB”) Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. The Schedule does not present the financial position of the Organization and some amounts presented in this Schedule may differ from amounts presented in, or used in the preparation of, the basic financial statements. Major program categories are identified in accordance with the provisions of OMB Circular A-133.

**NOTE 2 – SCOPE OF SINGLE AUDIT**

All federal grant operations of Community Land Trust of Palm Beach County, Inc. (the “Organization”) are included in the scope of the office of Management and Budget Circular A-133 audit (the “Single Audit”). The Single Audit was performed in accordance with the provisions of the OMB Circular A-133 Compliance Supplement. Compliance testing was performed for the grant programs noted below. These programs represent the federal award programs for fiscal year ended September 30, 2013.

<u>Major Federal Award Programs Description</u>	<u>Fiscal 2013 Expenditures</u>
Neighborhood Stabilization Program – Davis Landing	\$ 489,947
Neighborhood Stabilization Program – RRGP	601,823
	\$ 1,091,770



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**Independent Auditors' Report  
On Supplementary Information**

To the Board of Directors of  
Community Land Trust of Palm Beach County, Inc.

We have audited the financial statements of Community Land Trust of Palm Beach County, Inc. (a nonprofit organization) as of and for the year ended September 30, 2013, and have issued our report thereon dated May 27, 2014, which contained an unmodified opinion on those financial statements. Our audit was performed for the purpose of forming an opinion on the financial statements as a whole. The Schedule of Income and Expenses for the Davis Landing Apartments is presented for the purposes of additional analysis and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

*Cocuy, Burns & Co., P.A.*

Wellington, Florida  
May 27, 2014

**Community Land Trust of Palm Beach County, Inc.**  
**Schedule of Income and Expenses**  
**Davis Landing Apartments**  
**For the Year ended December 31, 2012**

	<b>Total</b>
Revenues and support:	
Rental income	\$ 13,860
Other income	610
Total revenues and support	14,470
 Expenses:	
Advertising and marketing	478
Legal fees	263
Utilities	7,596
License and fees	25
Lawn maintenance	1,150
Telephone	2,169
Background and credit checks	2,660
Security	348
Equipment rental and maintenance	1,680
Repairs and maintenance	90
Pest control	585
Waste disposal	170
Total expenses	17,214
 Net income (loss)	\$ (2,744)

*See accompanying notes to financial statements.*

## Zoning, Land Use, Development Approvals, Infrastructure

### Current Zoning

RM (unincorporated Palm Beach County)

### Current Land Use

MR-5

### Current status of development approvals

This project obtained site plan approval in July 2012 and is fully entitled.

### Availability of Required Infrastructure

All required infrastructure is in place or included as a part of our proposed budget.



## Availability & Proximity of Schools, Transportation, Employment & Health Care

### Mass Transit

Nearest Palm Tran Stop & Distance:

Melaleuca & Davis

.25 miles

### Parks and Recreation

#### Regional

John Prince Park

4759 South Congress Avenue Lake Worth

.9 miles

#### District

Buttonwood Park

5300 Lantana Road, Lake Worth

3.3 miles

#### Neighborhood

Affron Park

4777 Serafica Drive, Lake Worth

.19 miles

### Libraries

Greenacres Branch Library

4639 Lake Worth Rd.

1.58 miles

### Public Schools

#### Elementary

Diamond View Elementary School

5300 Haverhill Road

1.53 miles

#### Middle

Tradewinds Middle School

5090 Haverhill Road

1.54 miles

#### High

Lake Worth High School

1701 Lake Worth Road

1.97 miles

### Amenities Within ¼ Mile

#### Public Park (including a neighborhood park)

Affron Park

#### Civic Uses (libraries & schools)

JFK Center Charter School

### Mass Transit

Route 64 Bus Route - two bus stops at Davis Rd. & Melaleuca Rd., one on the north and one on the south side of the Melaleuca. Bus Stop No. 5660 and 5693.

### Amenities Within 1/2 Mile

#### Social Services

JFK Hospital

#### Regional Commercial Facility(> 300,000 sq/ft)

JFK Hospital / Palm Beach State College

### Industrial Facility

Palm Beach County Park Airport

#### Additional Civic Uses (public parks, libraries & schools)

Palm Beach State College

#### Additional Employment Opportunities

Palm Beach County Parks and Recreation Offices





Start: 09/01/14  
Finish: 08/10/16

## CLTof PBC : Davis Landings Phase II

### Gantt View: Gantt Table

?	Activity Name	Duration	2015				2016				2017				2018			
			Apr	Jul	Oct	Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct	Jan	Apr	Jul	Oct	
1	Prepare Capital Budget	0	09/01/14 ▾ Prepare Capital Budget															
2	Activity	7	09/01/14 ▾ Activity															
3	Complete Financing and Funding	119	09/01/14 ██████████ Complete Financing and Funding															
4	Submit for Home RFP	0	09/03/14 ▾ Submit for Home RFP															
5	Complete A-E Design Plans	126	12/12/14 ██████████ Complete A-E Design Plans															
6	Complete Civil Design	100	01/12/15 ██████████ Complete Civil Design															
7	Confirm footprint/finish floor elevation	0	01/22/15 ▾ Confirm footprint/finish floor elevation															
8	DL RoW Acquisition	77	02/18/15 ██████████ DL RoW Acquisition															
9	LWDD Coordination	71	02/20/15 ██████████ LWDD Coordination															
10	County Pre-coordination	63	02/25/15 ██████████ County Pre-coordination															
11	SFWMD review	63	02/25/15 ██████████ SFWMD review															
12	Davis Road Improvements	56	03/30/15 ██████████ Davis Road Improvements															
13	DL Phase 2 Site Work	42	04/07/15 ██████████ DL Phase 2 Site Work															
14	Marketing	234	05/11/15 ██████████ Marketing															
15	SFWMD permit submitted	0	05/22/15 PM ▾ SFWMD permit s submitted															
16	Water/Sewer Permit Review	32	06/01/15 ██████████ Water/Sewer Permit Review															
17	PBC for plan review	37	06/08/15 ██████████ PBC for plan review															
18	Site Mobilization	6	06/15/15 ██████████ Site Mobilization															
19	DL Phase 2 Townhouses	148	06/23/15 ██████████ DL Phase 2 Townhouses															
20	Construction	267	06/23/15 ██████████ Construction															
21	DL Phase 2 Homes	267	06/23/15 ██████████ DL Phase 2 Homes															
22	PBC Building Permit Issued	0	07/28/15 PM ▾ PBC Building Permit Issued															
23	Sales	217	09/01/15 ██████████ Sales															
24	Final TCO	0	06/29/16 PM ▾ Final TCO															
25	Commissioning	29	06/30/16 ██████████ Commissioning															

Project	Start (Early)	Description	Non Crit. Activity	Start (Early)	Description	Hammock	<None>		Description
Subproject	Start (Early)	Description	Event	Start (Early)	Description	Summary	Start (Early)		Description
Critical Activity	Start (Early)	Description	Interface Event	Start (Early)	Name				

**EXHIBIT G: DISCLOSURE OF BENEFICIAL INTERESTS**

**DISCLOSURE OF BENEFICIAL INTERESTS  
(REQUIRED BY FLORIDA STATUTES 286.23)**

TO: PALM BEACH COUNTY CHIEF OFFICER, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

BEFORE ME, the undersigned authority, this day personally appeared, Cindee LaCourse-Blum hereinafter referred to an Affiant who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Executive Director of the Community Land Trust of Palm Beach County, Inc., which entity is the Lead Entity for the Respondent to Palm Beach County Request for proposals Number RFP DES.2014.1.
2. Affiant's address is: 4938 Davis Road, Lake Worth, Florida 33461.
3. Attached hereto, and made a part hereof, as Attachment -1 is a complete listing of the names and addresses of every person or entity having a five percent (5%) or greater beneficial interest in the proposed HOME project and the percentage interest of each such person or entity.
4. Affiant acknowledges that this Affidavit is given to comply with Florida Statutes 286.23, and will be relied upon by Palm Beach County.
5. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
6. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

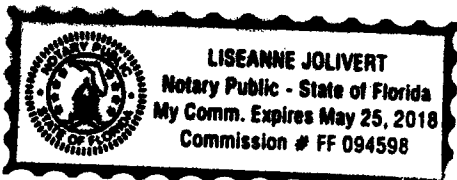
By [Signature]

Community Land Trust of Palm Beach County, Inc., Affiant

The foregoing instrument was sworn to, subscribed and acknowledged before me this 26<sup>th</sup> day of August, 2014, by Cynthia LaCourse-Blum, who is personally known to me OR who produced Driver's License as identification and who did take an oath.

(NOTARY SEAL BELOW)

Notary Signature: [Signature]  
Notary Name: Liseanne Jolivet  
Notary Public State of Florida



**ATTACHMENT 1 TO DISCLOSURE OF BENEFICIAL INTERESTS**

**SCHEDULE TO BENEFICIAL INTERESTS IN PROJECT PROPOSAL**

Affiant is only required to identify five percent (5%) or greater beneficial interest holders in the proposed project. If none, so state. Affiant must identify individual owners. If, by way of example, the proposed project is wholly or partially owned by another entity, such as a corporation, Affiant must identify such other entity, its address and percentage interest, as well as such information for the individual owners of such other entity.

NAME	ADDRESS	PERCENTAGE OF INTEREST
NONE		

**EXHIBIT G: DRUG FREE WORKPLACE CERTIFICATION**

Preference shall be given to businesses with drug-free workplace programs. Pursuant to Section 287.087, Florida Statutes, whenever two or more competitive solicitations that are equal with respect to price, quality, and service are received by the State or by any political subdivision for the procurement of commodities or contractual services, a response received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie responses will be followed if none of the tied providers has a drug free workplace program. In order to have a drug-free workplace program, a business shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under proposal a copy of the statement specified in Subsection (1).
4. In the statement specified in Subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or *nolo contendere* to, any violation of Chapter 894, Florida Statutes, or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on any employee who is so convicted or require the satisfactory participation in a drug abuse assistance or rehabilitation program as such is available in the employee's community.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of applicable laws, rules and regulations.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Community Land Trust of Palm Beach County, Inc.

BUSINESS NAME



PROVIDER'S SIGNATURE

## **Attachment 19 - Existing County Project Preference**

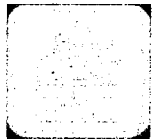
### **Program**

Community Development Block Grant Program (CDBG)

### **Funding Amount**

\$2,400,000 from the period July 11, 2006 to June 30, 2007

DL West is included in the 7.29 acres of land purchased by Palm Beach County with CDBG funds from the South County Mental Health Foundation. The property was initially held by the Housing Partnership to later be transferred to the Community Land Trust of Palm Beach County to be used for affordable/attainable housing.



*The Community Land Trust of Palm Beach County, Inc.*

RFP DES.2014.1  
September 3, 2014



**ADDENDUM No. "1" TO RFP No. DES.2014.1**

**REQUEST FOR PROPOSALS (RFP) FOR  
HOME INVESTMENTS PARTNERSHIP PROGRAM**

Date of Addendum No. "1" Issued:

August 22, 2014

Addendum Coordinator:

Carlos Serrano  
Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, FL 33406  
Phone: 561-233-3608  
Fax: 561-656-7563  
E-mail: [cserrano@pbcgov.org](mailto:cserrano@pbcgov.org)

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**PURPOSE OF THIS ADDENDUM:**

The purpose of this Addendum is to:

1. Provide revisions to the RFP; and
2. Provide written responses to questions raised regarding the RFP.

**GENERAL INSTRUCTIONS:**

- This Addendum No. "1" constitutes an integral part of the RFP and shall be read in conjunction with the RFP.
- Where inconsistent with the original RFP, this Addendum shall govern.
- It is the responsibility of all respondents to the RFP to conform to this Addendum.
- Unless specifically changed herein, all other requirements, terms and conditions of the RFP remain unchanged and can only be modified if in writing.
- Respondents shall acknowledge receipt of this Addendum on the form

included with this Addendum as Exhibit "A". Respondents shall include Exhibit "A" in their submittal in response to the RFP as **Attachment 20**.

### **REVISIONS TO THE RFP**

- 1. Respondents are directed to Section I.D. The corresponding paragraph struck out below shall be deleted and replaced with the underlined paragraph below:**

~~Developer is defined as an entity funded through this RFP to undertake the development of HOME-Assisted Housing Units, and which will assume responsibility for compliance with all related requirements in accordance with HOME regulations. Such entities shall be limited to private for-profit entities, private non-profit entities, or ventures between the same.~~

Developer is defined as an entity which: 1) is funded through this RFP to complete the development of HOME-Assisted Housing Units; 2) has site control of the project site; and 3) plans, obtains permits, and manages the project from start to finish. Such entities shall be limited to private for-profit entities, private non-profit entities, public agencies, or ventures between the same. Developers shall assume responsibility for compliance with all program requirements in accordance with HOME regulations.

- 2. Respondents are directed to Section I.F. The corresponding paragraph, struck out below shall be deleted and replaced with the underlined paragraph below:**

~~All HOME-Assisted Housing Units must be completed, put into service, and leased to Eligible Beneficiaries no later than September 30, 2017.~~

Developers shall set aside certain specific units within the project which shall be "fixed" with the designation as HOME-Assisted Housing Units. All HOME-Assisted Housing Units must be completed, put into service, and either leased or sold to Eligible Beneficiaries no later than September 30, 2017.

- 3. Respondents are directed to Section II.A.3. The corresponding paragraph, struck out below shall be deleted and replaced with the underlined paragraph below:**

~~The proposal shall include a market study prepared by an independent third party consultant, and including an assessment of local market inventory, demand, pricing, and project marketability. Submit the information required by this Paragraph II. A.3, including a detailed location map as Attachment 3.~~

The proposal shall include a market study prepared by an independent third party consultant, which includes an assessment of local market inventory, demand, pricing, and project marketability, or shall include a market assessment prepared

utilizing third party data and identifying all sources of such data which assesses local market inventory, demand, pricing, and project marketability. Submit the information required by this Paragraph II. A.3, as Attachment 3.

### **RESPONSES TO QUESTIONS RELATED TO THE RFP**

1. **Question:** Can Public Housing Authorities (PHAs) or Community Redevelopment Agencies (CRAs) qualify as Developers?  
**Response:** HUD has confirmed that for the HOME Program a public agency (including a PHA or CRA) can participate individually acting as a Developer or can participate through ownership in an entity acting as a Developer.
2. **Question:** For second mortgages to homebuyers, will there be repayment with interest on these mortgages?  
**Response:** Second mortgages from homebuyers will not require repayment if the homebuyer maintains ownership and occupancy of the home as his/her principal place of residence for the entire Period of Affordability. If the homebuyer/owner sells, rents, or otherwise violates the terms of the mortgage, the principal and interest, if any, must be repaid.
3. **Question:** For second mortgages on rental projects, if a Developer gets a 40 year HUD loan, will the County extend its term to 40 years?  
**Response:** If the primary lender is unwilling to offer a term of 30 years or less, the County may consider a term longer than 30 years.
4. **Question:** Regarding subordinate financing for multi-family projects, will the HOME loan be a soft second mortgage or will hard payment of interest be required?  
**Response:** Although the County will consider balloon and interest only loans, the mortgage will be "hard payment" of interest and/or principal due in accordance with the structure established by the mortgage. The County is not offering cash flow loans through this RFP.
5. **Question:** If doing scattered site homeownership, how would you ever have a mixed income project?  
**Response:** Scattered site Single Family detached development (1 housing unit per structure) does not offer the opportunity for mixed income. Scattered site Single Family attached development (2 – 4 housing units structure) could offer a mixed income arrangement.
6. **Question:** Explain the definition of mixed income, in particular for rental, mixing public housing with Section 8 subsidized housing?  
**Response:** A Mixed Income Project is a housing project that contains a mix of subsidized affordable units and unsubsidized market-rate units. This definition applies to both public housing and non-public housing projects. Project-Based Section 8 funding is a subsidy to the housing unit, and would result in a subsidized/affordable housing unit. Tenant Based Section 8 funding is a subsidy to the tenant household, and unto itself would not result in a subsidized/affordable housing unit.
7. **Question:** How current must the required market study be?



**Response:** The RFP does not specify a timeframe in which the market study must have been prepared.

8. **Question:** Would it be allowable to submit a proposal without identifying the members of the development team?

**Response:** No. The RFP requires the identification of the following development team members, at a minimum: Respondent, Developer, construction contractor, architect/engineer, and attorney.

9. **Question:** Is the Developer required to procure members of the development team?

**Response:** No. Entities funded through the RFP will be treated as Developers, and consequently Federal procurement requirements do not apply.

10. **Question:** Will grants and improvement programs provided to end-users count towards leveraging?

**Response:** Sources that fund costs in the project development budget may qualify as leveraging.

11. **Question:** Will there be involvement by DES with client eligibility and the income qualification of end-users?

**Response:** For rental projects, the Developer will be required to income qualify tenants. DES will monitor tenant income qualifications and eligibility. For ownership projects, DES will review and approve homebuyer deals for income qualification, eligibility, affordability, and other requirements prior to closing.

12. **Question:** Is there a limitation on number of proposals that may be submitted, or can respondents submit more than one proposal?

**Response:** A Respondent may submit proposals for more than one project.

13. **Question:** For rental properties, is there any special consideration given to projects that target Extremely Low Income (<30% AMI) beneficiaries?

**Response:** The RFP gives no preference to projects targeting 30% AMI beneficiaries.

14. **Question:** Is there a cap on total development costs per unit?

**Response:** No. However, Respondents are reminded of the maximum per-unit HOME subsidy amounts, and for ownership projects, the maximum value and sale price amounts for HOME-Assisted Housing Units.

15. **Question:** When calculating the 50% set-aside requirement, should the numbers be rounded up or rounded down?

**Response:** When calculating required numbers of set-aside units, the number must always be rounded up to the nearest integer.

**EXHIBIT A**

**to**

**ADDENDUM No. "1"**

**to**

**RFP No. DES.2014.1**

**ADDENDUM ACKNOWLEDGEMENT FORM**

to

**Addendum No. "1"**

to

**RFP No. DES.2014.1**


**By signing this Form, Respondent acknowledges receipt of this Addendum No. "1" to RFP No. DES.2014.1**

**Respondents shall include this Acknowledgement Form as Attachment 20 to their proposal.**

**This Addendum consists of six (6) pages.**

**Respondent:** Community Land Trust of Palm Beach County, Inc.

**Name & Title:** Cindee LaCourse-Blum

**Signed:**  **Date:** 8/25/14