

## **CITY OF CLEARWATER, FLORIDA**

**SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)**

**2021-2022, 2022-2023, 2023-2024**



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<b>I. Program Details:</b>	
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**A. LG(s)**

Name of Local Government	CITY OF CLEARWATER
Does this LHAP contain an interlocal agreement?	NO
If yes, name of other local government(s)	

**B. Purpose of the program:**

- To meet the housing needs of the very low, low and moderate-income households.
- To expand production of and preserve affordable housing; and
- To further the housing element of the local government comprehensive plan specific to affordable housing.

**C. Fiscal years covered by the Plan:** 2021-2022, 2022-2023, 2023-2024

**D. Governance:** The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

**E. Local Housing Partnership:** The SHIP Program encourages building active partnerships between government, lending institutions, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

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

**G. Public Input:** Public input was solicited through face-to-face meetings with housing providers, social service providers and local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

**H. Advertising and Outreach:** SHIP funding availability shall be advertised in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

**I. Waiting List/Priorities:** A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status. Applicants will be maintained in an order that is consistent with the time completed applications were submitted as well as any established funding priorities as described in this plan.

The following priorities for funding (very low income, Special Needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

- |    |   |
|----|---|
| 1. | Special Needs Households:   |
|    | a. Very low   |
|    | b. Low  |
|    | c. Moderate   |
| 2. | Essential Services Personnel:                                       |
|    | a. Very low   |
|    | b. Low  |
|    | c. Moderate   |
| 3. | After Special needs and Essential Services Personnel goals are met: |
|    | a. Very low   |
|    | b. Low  |
|    | c. Moderate   |

J. **Discrimination:** In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or marital status in the award application process for eligible housing.

K. **Support Services and Counseling:** Support services are available from various sources. Available support services may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling, Foreclosure Counseling and Transportation.

L. **Purchase Price Limits:** The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

M. **Income Limits, Rent Limits and Affordability:** The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at [www.floridahousing.org](http://www.floridahousing.org).

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

- N. Welfare Transition Program:** Should an eligible sponsor be used, a qualification system and selection criteria for applications for Awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program will be given preference in the selection process.
- O. Monitoring and First Right of Refusal:** In the case of rental housing, the staff and any entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic monitoring and determination, a municipality, county, or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above. Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.
- P. Administrative Budget:** A line-item budget is attached as Exhibit A. The city/county finds that the moneys deposited in the local housing assistance trust fund are necessary to administer and implement the local housing assistance plan.

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states:** “A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

**Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states:** “The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.” The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

- Q. Program Administration:** Administration of the local housing assistance plan will be performed by:

Entity	Duties	Admin. Fee Percentage
Local Government	CITY OF CLEARWATER	9%
Third Party Entity/Subrecipient	Third Party Entity/Subrecipient Purchase Assistance Strategy and Disaster Assistance Strategy (depending on event scale)	1%

- R. **First-time Homebuyer Definition:** For any strategies designed for first-time homebuyers, the following definition will apply: *An individual who has had no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned a home with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse. An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes, and which cannot be brought into compliance for less than the cost of constructing a permanent structure.*
- S. **Project Delivery Costs:** Project Delivery Costs will not exceed \$5,000 per project. Project delivery costs for the New Construction, Acquisition of Existing Home with Rehabilitation, Owner-Occupied Rehabilitation, Rental including project-related activities, such as: performing inspections, developing work write-ups, performing construction bid tasks, managing construction contracts, and approving change orders and project payments. Project delivery costs for the Purchase Assistance Strategy includes housing counseling, homebuyer education, and inspections of the housing units.
- T. **Essential Service Personnel Definition (ESP):** ESP includes Persons whose household income does not exceed 120% of AMI, as updated annually from the Department of Housing and Urban Development (HUD) adjusted for family size, including: teachers and educators, other school district and university employees, police and fire fighters personnel, health care personnel, construction industry personnel: Federal, State, County, and local government personnel, information technology personnel, food service personnel, service personnel, retail workers, tourism personnel.
- U. **Describe efforts to incorporate Green Building and Energy Saving products and processes:** The City of Clearwater Rehabilitation Program judiciously adheres to the U.S. Department of Housing and Urban Development's cost-effective energy conservation standards in consideration of the economic feasibility for each project.
1. When new appliances are to be installed, they are to be Energy Star™ rated to reduce the energy consumption of the residence being rehabilitated.
  2. The addition of insulation in the attic to a nominal level of R30 to further reduce the energy consumption of cooling and heating units.
  3. Installing new HVAC units which use less energy by being more efficient than previously installed units. The units must conform to the Florida Building Code and the Florida Energy Code (minimum of SEER 14) and they must be correctly sized for the building.
  4. When new HVAC Ducts are installed, they are required to be insulated to a minimum of R-8 in accordance with the Florida Energy Code.
  5. Replacement windows are to be hurricane impact, insulated and Energy Star™ A.N.S.I.A 134.1, NFRC rated.
  6. Replacing doors with new engineered products which creates better air sealing with the program required weather-stripping as well as being better constructed and more sustainable than existing products.
- V. **Describe efforts to meet the 20% Special Needs set-aside:** The Special Needs set-aside will be met through all strategies with particular attention given to the owner-occupied rehabilitation and multi-family strategies. The City of Clearwater will give first priority, in all housing strategies, to serving persons with special needs with an emphasis on removing barriers.

**W. Describe efforts to reduce homelessness:** The City of Clearwater initiated and maintains a comprehensive and holistic approach that established the City Homeless Initiative Program. The Homeless Initiative Program provides homeless individuals and families access to comprehensive services. The City has committed its support for organizations that provide wrap-around services that address the root causes of homelessness. In addition, the City contributes financially to the Homeless Leadership Alliance (HLA) which is an umbrella organization overseeing the continuum of care providers in Pinellas County. The following are some of the ways in which city funds are being used to provide services to individuals and families experiencing homelessness:

1. Overnight, emergency, transitional, or permanent housing to homeless individuals and/or families.
2. Delivery of case management.
3. Transportation services for veterans to Bay Pines Hospital.

#### **Section II. LHAP Strategies:**

<b>A. NEW CONSTRUCTION</b>	10
a. Summary: The City of Clearwater, through eligible developers (for profit and non-profit) will use SHIP funds for the development of new single-family housing units. The costs may include acquisition, site improvement and building costs to include innovative design and green principles. The City's specifications for new homes are tailored to meet green standards.	

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low- and moderate
- d. Maximum award: \$200,000 per unit for developers/non-profits. Maximum award to the homebuyer is \$45,000 in down payment assistance.

- e. Terms:

**Developer:**

1. **Repayment loan/deferred loan/grant:** deferred payment mortgage and note not to exceed 24 months
2. **Interest Rate:** 0%
3. **Years in loan term:** 2
4. **Forgiveness:** In the event that through no fault of the developer/non-profit, the project suffers a reduction in market value, the City reserves the right to allow for a buy-down (forgiveness) equal to the difference between the project development cost and market value after forgiving an amount that allows the developer a 12% developer fee on construction costs.

When the developer sells the property to an income eligible homebuyer, the loan to the developer is satisfied.

5. **Repayment:** The loan is repaid when the home is sold
6. **Default:** The loan becomes due and payable, if at the end of the loan term, the home is not sold, or if the home does not have a contract within 24 months.

**For the Homebuyer:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as an amortized loan and forgivable loan secured by a recorded subordinate mortgage and note.
2. **Interest Rate:** 0%
3. **Years in loan term:** 25 years
4. **Forgiveness:** 50% of the loan is deferred for the loan term and forgiven at maturity if no event of default exists
5. **Repayment:** Payments on the amortized amount will commence after the 5 year deferral period and is amortized over twenty (20) years.
6. **Default:** The loan will be determined to be in default in any of the following occurs during the loan term:
  - a) Death of the borrower(s). In the event the homeowner should die, this strategy allows for assumption by eligible heirs.
  - b) Upon sale or transfer of title
  - c) Property is vacated and is no longer the primary residence of the borrower
  - d) Property is converted into rental unit
  - e) Any refinancing with cash out or debt consolidation

In the event of non-payment or other default defined above, the City will follow its "Economic Development & Housing Department Affordable Housing Loan Foreclosure and Loan Foreclosure Alternative Policy".

f. Recipient/Tenant Selection Criteria:

Applicants will be ranked for assistance based on a first-qualified, first- served basis with the priorities for Special Needs, Essential Services Personnel and income groups as described in Section I. (1) of this plan.

**To qualify for assistance, an eligible buyer must meet the following requirements:**

1. The applicant is not required to be a First-Time Homebuyer to qualify for assistance, but they cannot own a property serving as the principal residence at the time of closing.
  2. In addition, households that have been assisted with any City's funds in the past are ineligible to receive funding again through any of the Housing Division's Programs, unless the prior assistance has been paid in full and a Satisfaction of Mortgage executed and recorded in Public Records, unless there is some form of "*hardship*" as defined. Examples of hardship include divorce, permanent layoff, physical or mental disability, fire, flood, or natural disaster or the death of a family member. Hardship determination will be determined and approved on a case-by-case basis by the Assistant Director of the Department.
- g. Sponsor Selection Criteria: All developers will be selected using the City's Consolidated Annual Action Plan Application process. Eligible developers (for-profit or non-profit organizations) that receive assistance under this program will be required to contractually commit and comply with all SHIP program requirements.
- h. Additional Information:

**To qualify for Down Payment Assistance:**

1. Applicants must be able to obtain a first mortgage from a licensed lending institution.
2. The first mortgage cannot exceed a term of thirty (30) years.
3. Applicants will contribute 1% of sale price toward the transaction
4. All buyers must have completed at least eight (8) hours of homebuyer education through a HUD-

- approved housing counseling agency.
5. Other state, federal, county, private and homeowner contributions may be leveraged with SHIP funds.
  6. Mobile homes are not eligible for assistance
  7. There may be instances where the cost to develop the project is higher than the sales price. When the developer sells the property to an income eligible buyer and the loan proceeds are remitted to the City, the difference between the sales price and development costs will be forgiven and recognized as a grant to the homeowner.
  8. The City may use SHIP funds as a match for the HOME program to loan funds to eligible developers (for profits and non-profits) for the construction of new single-family housing units, and in some cases, acquisition of vacant properties and infrastructure costs for new housing development. Assistance will be repaid when the unit is sold to an eligible homebuyer.

<b>B. ACQUISITION OF EXISTING HOME WITH REHABILIATION</b>	Code 1, 9
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- a. Summary: The City of Clearwater through eligible developers (for profit and non-profit) will use SHIP funds to acquire, rehabilitate and resell single-family housing units. The costs may include acquisition, rehabilitation (to include innovative design and green principles) and other costs associated with the resale of the single-family housing units.

Under this strategy, the Community Land Trust principles may be utilized. The community land trusts become the stewards of the land and maintain it permanently beginning with a ninety-nine year, renewable ground lease. The homebuyers only own their home and sign a long-term lease on the land their home sits on. This ensures the affordability of the home because the homebuyer only obtains a mortgage on the structure.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$200,000 per unit for the developers/non-profits. For the homeowner, the loan amount for down payment and closing costs assistance will not exceed \$45,000.

e. Terms:

**For the Developer:**

1. **Repayment loan/deferred loan/grant:** deferred payment mortgage and note not to exceed 24 months
2. **Interest Rate:** 0%
3. **Years in loan term:** 2
4. **Forgiveness:** N/A
5. **Repayment:** The loan is repaid when the house is sold, less a 12% fee to the developer. The 12% developer fee is calculated as 12% of the improvements on the property.
6. **Default:** The loan becomes due and payable if at the end of the loan term, the home is not sold, or if the home does not have a sales contract within the 24 month period.

**For the Homebuyer:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as an amortized loan and forgivable loan secured by a recorded subordinate mortgage and note.
2. **Interest Rate:** 0%

3. **Years in Loan term:** 25 years
4. **Forgiveness:** 50% of the loan is deferred for the loan term and forgiven at maturity if no event of default exists.
5. **Repayment:** Payments on the amortized amount will commence after the 5 year deferral period and is amortized over twenty (20) years
6. **Default:** The loan will be determined to be in default if any of the following occurs during the loan term:
  - a) Death of the borrower(s). In the event the homeowner should die, this strategy allows for assumption by eligible heirs
  - b) Upon sale or transfer of title
  - c) Property is vacated and is no longer the primary residence of the borrower
  - d) Property is converted to a rental unit
  - e) Any refinancing with cash out or debt consolidation

In the event of non-payment or other default as defined above, the City will follow its "Economic Development & Housing Department Affordable Housing Loan Foreclosure and Loan Foreclosure Alternative Policy."

- f. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities for Special Needs. Essential Service Personnel and income groups as described in Section 1. (I) of this plan.

**To qualify for assistance an eligible buyer must meet the following requirements:**

1. The applicant is not required to be a First-time Homebuyer to qualify for assistance, but they cannot own a property serving as the principal residence at the time of closing.
  2. In addition, households that have been assisted with any City funds in the past are ineligible to receive funding again through any of the Housing Division's Programs, unless the prior assistance has been paid in full and a Satisfaction of Mortgage executed and recorded in Public Records, unless there is some form of "*hardship*" as defined. Example of hardship include, divorce, permanent layoff, physical or mental disability, fire, flood or natural disaster or the death of a family member. Hardship determination will be determined and approved on a case-by-case basis by the Director of the Department. Assistance provided under the Disaster Strategy described in this plan will not disqualify a household from receiving funding through any of the Housing Division's Programs.
- g. Sponsor Selection Criteria: All program sponsors will be selected using the City's Consolidated Annual Action Plan Application process. Eligible sponsors that provide assistance under this program will be required to contractually commit and comply with all SHIP program requirements.

- h. Additional Information:

1. **To qualify for assistance**
  - a) Applicants must be able to obtain a first mortgage from a licensed lending institution.
  - b) This first mortgage cannot exceed a term of thirty (30) years.
  - c) Down Payment Assistance applicants will contribute 1% of sale price toward the transaction.
  - d) All Buyers must have completed at least eight (8) hours of homebuyer education through a HUD-approved housing counseling agency.
  - e) Other state, federal, county, private and homeowner contributions may be leveraged with SHIP funds.
  - f) All properties being purchased must meet the HUD Property Standards. An inspection is required to verify that the property meets applicable safety/code requirements. If repairs are required to bring

the property to HUD Property Standards and the cost for the repairs exceeds \$1,000, the property will be coded as "down payment and closing costs with rehabilitation." If the seller can provide documentation to show that the property had repairs over \$1,000 completed within the past twelve (12) months, the property will also be coded as "down payment and closing costs with rehabilitation". There may be instances where the cost to develop the project is higher than the sales price. When the developer sells the property to an income eligible buyer and the loan proceeds are remitted to the City, the difference between the sales price and development costs will be forgiven and recognized as a grant to the homebuyer.

2. Other: Mobile homes are not eligible for assistance.

<b>C. DOWN PAYMENT AND CLOSING COSTS ASSISTANCE FOR EXISTING HOMES WITHOUT REHABILITATION</b>	Code 2
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- a. Summary: The City of Clearwater through its housing programs and through its subrecipients will use SHIP funds to provide down payment and closing costs assistance to homebuyers of existing homes. Property purchased must be the primary residence of the buyer.
- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$47,000.00
- e. Terms:
  1. **Repayment loan/deferred loan/grant:** Funds will be awarded as an amortized loan and forgivable loan secured by a recorded subordinate mortgage and note.
  2. **Interest Rate:** 0 %
  3. **Years in loan term:** The City's loan term is 25 years.
  4. **Forgiveness:** 50% of the loan is deferred for the loan term and forgiven at maturity if no event of default exists
  5. **Repayment:** Funds will be awarded as an amortized loan and forgivable loan secured by a recorded subordinate mortgage and note. For repayment, the loan will be deferred for five (5) years with monthly payments commencing at the end of the deferred period.
  6. **Default:** The loan becomes due and payable if one of the following occurs:
    - a) Death of a borrower(s). In the event the homeowner should die, this strategy allows for assumption by eligible heirs.
    - b) Upon sale or transfer of title.
    - c) Property is vacated and no longer the primary residence of the borrower.
    - d) Property is converted into a rental unit. In the event of non-payment or other default defined above, the City will follow its "Economic Development & Housing Department Affordable Housing Loan Foreclosure and Loan Foreclosure Alternative Policy."
- f. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities for Special Needs, Essential Services Personnel and income groups as described in section I.(I) of this plan.

- g. Sponsor Selection Criteria: All program sponsors or sub-recipients will be selected using the City's Consolidated Annual Action Plan Application. Eligible sponsors or sub recipients that provide assistance under this program will be required to contractually commit and comply with all SHIP program requirements.
- h. Additional Information:
  - 1. To qualify for assistance
    - a) Applicants must be able to obtain a first mortgage from a licensed lending institution.
    - b) This first mortgage cannot exceed a term of thirty (30) years.
    - c) Down Payment Assistance applicants will contribute 1% of sale price toward the transaction.
    - d) All Buyers must have completed at least eight (8) hours of homebuyer education through a HUD-approved housing counseling agency.
    - e) Other state, federal, county, private and homeowner contributions may be leveraged with SHIP funds.
    - f) All properties being purchased must meet the HUD Property Standards. An inspection is required to verify that the property meets applicable safety/code requirements. If repairs are required to bring the property to HUD Property Standards and the cost for the repairs exceeds \$1,000, the property will be coded as "down payment and closing costs with rehabilitation." If the seller can provide documentation to show that the property had repairs over \$1,000 completed within the past twelve (12) months, the property will also be coded as "down payment and closing costs with rehabilitation". There may be instances where the cost to develop the project is higher than the sales price. When the developer sells the property to an income eligible buyer and the loan proceeds are remitted to the City, the difference between the sales price and development costs will be forgiven and recognized as a grant to the homebuyer.
  - 2. Other: Mobile homes are not eligible for assistance.

<b>D. OWNER-OCCUPIED REHABILITATION</b>	3, 6
<p>a. Summary: The City of Clearwater will award SHIP funds to income eligible households for the rehabilitation of owner-occupied residences. Funds for assistance may be used for housing rehabilitation such as the following:</p> <ol style="list-style-type: none"> <li>1. Correcting housing code deficiencies</li> <li>2. Adapting the residence to meet accessibility needs of a disabled family member</li> </ol> <p>In cases where health, safety and welfare of the household are in jeopardy, they shall receive priority and the Housing Coordinator shall evaluate the situation to determine if the work may be done as emergency repairs. Such things that are considered "emergency repairs" are:</p> <ol style="list-style-type: none"> <li>1. Structural components that show signs of imminent collapse</li> <li>2. Inoperable heating systems during the winter months</li> <li>3. Water leaks in walls or foundation</li> <li>4. Roof leaks causing electrical hazards, ceiling collapse or structural damage</li> <li>5. Inoperable exterior doors and/or windows, preventing emergency egress</li> <li>6. Falling Ceiling</li> <li>7. Lead-based paint</li> <li>8. ADA modifications of an immediate nature</li> </ol> <p>Priority will be given to those whose homes need renovations to allow elderly or those with special needs to remain independent in their homes and prevent them from having to move into an assisted living-type arrangement. Improvements may include things as:</p> <ol style="list-style-type: none"> <li>1. Widening of doorways</li> <li>2. Lowering of cabinets</li> <li>3. Installation of grab-bars</li> <li>4. Visual guiding systems for the hearing impaired</li> </ol>	

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$50,000.00.
- e. Terms:
  1. **Repayment loan/deferred loan/grant:** SHIP Funds will be awarded as a deferred loan secured by a note and mortgage.
    - a) Borrowers with incomes less than 50% Area Median Income will be awarded a 30-year deferred payment loan up to an amount of \$45,000. In addition, project delivery costs will not exceed \$5,000.00. The deferred payment loan is satisfied at the end of 30 years, if no default occurs.
    - b) Borrowers with current housing debt that exceeds 35% of their gross monthly income will be awarded a 30-year deferred payment loan up to an amount of \$45,000.00

**To qualify for a twenty-year, zero percent interest loan, eligible borrower must meet the following criteria:** All eligible borrowers with household income above 50% of AMI, and current housing debt below 35% of their gross monthly income will repay the rehabilitation assistance at zero percent interest with the following stipulations:

- a) The payments are deferred for 120 days from the note date with monthly payments commencing at the end of the deferred period and amortized over 20 years.
- b) Loans will be secured by a Mortgage and Note and recorded in public records
- 2. **Interest Rate:** 0%
- 3. **Years in loan term:** For the deferred payment loan, the term is 30 years. For the payment loan, the loan term is 20 years.
- 4. **Forgiveness:** 30-year, 0% deferred payment loan, the loan balance is forgiven after 30 years, if no default occurs.
- 5. **Repayment:** 20-year 0% interest payment loan.
- 6. **Default:** The loan will be determined to be in default if any of the following occurs during the loan term:
  - a) Death of a borrower(s). In the event the homeowner should die, this strategy allows for assumption by eligible heirs
  - b) Upon sale or transfer of title
  - c) Property is vacated and no longer the primary residence of the borrower
  - d) Property is converted into rental unit
  - e) Any refinancing with cash out or debt consolidation

In the event of non-payment or other default defined above, the City will follow its Economic Development & Housing Department Affordable Housing Loan Foreclosure Alternative Policy.

- 7. Recipient/Tenant Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with priorities for Special Needs, Essential Services Personnel and income groups as described in Section I. (1) of this plan.

In addition, households that have been assisted through the rehabilitation strategy with city funds within the past are ineligible to receive funding again through any of the Housing Division's Programs, unless prior assistance has been paid in full and a Satisfaction of Mortgage executed and recorded in Public Records, unless there is some form of "hardship" as defined. Examples of hardship include, but may not be limited to divorce, permanent layoff, physical or mental disability, fire, flood or natural disaster or the death of a family member. Hardship determination will be determined and approved on a case-by-case basis by the Director of the Department.

g. Sponsor Selection Criteria: N/A

h. Additional Information:

1. Applicants must be the owner-occupant of the property.
2. The applicant must be current on their current mortgages, property taxes and homeowners and, if the property is located in a flood zone flood insurance is required.
3. Applicant must have sufficient equity in the property for the rehabilitation loan. Maximum Loan to value must not exceed 145% of Comparable Sales Value calculated by the Pinellas County Property Appraiser. An appraisal performed by a licensed appraiser may also be used to determine value.

#### **E. MULTI-FAMILY HOUSING**

Code 14, 21

- a. Summary: SHIP funds may be provided as loans to developers (for profit and non-profit) to support the acquisition, rehabilitation and/or new construction of multi-family housing, including single-family room occupancy, transitional housing, or the housing portion of a mixed-used facility and/or mixed-income projects.

- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$150,000 – per unit new construction; \$45,000 per unit for rehabilitation.
- e. Terms:
  1. Repayment loan/deferred loan/grant: Funds will be awarded as a loan secured by a recorded mortgage and note.
  2. Interest Rate: Up to 4 %. Interest rate will be determined based on an analysis of projected revenues and expenditures.
  3. Years in loan term: A maximum of 30 years
  4. Forgiveness: N/A
  5. Repayment: Loan is due and payable at the end of the loan term
  6. Default: The loan will be determined to be in default if any of the following occurs during the loan term:
    - a) Sale, transfer, or conveyance of property
    - b) Conversion to another use
    - c) Failure to maintain standards for compliance as required by any of the funding sources
    - d) If any of these occur, the outstanding balance will be due and payable
- f. Recipient/Tenant Selection Criteria: All applicants for residence in a SHIP-assisted unit must meet income qualifications of the program as determined and reported by the developer's management company of the development.
- g. Sponsor/Sub-recipient Selection Criteria: Eligible developers (for profit or non-profit) will be selected using the City's Consolidated Annual Action Plan Application process. Eligible individuals, developers or non-profit organizations that provide assistance under this program will be required to contractually commit and comply with all SHIP program requirements.  
Criteria includes:
  1. The non-profit must have received a tax-exempt ruling from the IRS under section 501(c ) (3). The non-profit corporation must be organized and established under the laws of the State of Florida.
  2. The non-profit or for-profit corporation must have financial accountability standards that permit the Economic Development & Housing Department to verify organizational and financial capacity to carry out the project.
  3. The non-profit or for-profit corporation must have experience in development appropriate to this strategy.
- h. Additional Information:
  1. Projects funded by loans for eligible rental housing constructed, rehabilitated, or otherwise assisted under this strategy must be reserved for eligible persons for at least the term of the assistance.
  2. Developers (for profit or not-for-profit) will be required to meet compliance reporting requirements on the development necessary to meet the statutory requirements for monitoring of SHIP rental units.
  3. Depending on the financial projection of the project, the City may pay the developer up to a 12% developer fee.

**F. DISASTER ASSISTANCE**

**Code 5, 16**

- a. Summary: The Disaster Strategy provides assistance to households following a disaster as declared by the President of the United States or Governor of the State of Florida. This strategy will only be implemented in the event of a disaster using any funds that have not yet been encumbered or with additional disaster funds allocated by Florida Housing Finance Corporation. SHIP disaster funds may be used for items such as, but not limited to:
  - 1. Purchase of emergency supplies for eligible households to weatherproof damaged homes; interim repairs to avoid further damage, tree debris removal required to make the individual housing unit habitable.
  - 2. Construction of wells or repair of existing wells where public water is not available.
  - 3. Payment of insurance deductibles for rehabilitation of homes covered under homeowners' insurance policies
  - 4. Security deposits for eligible recipients that have been displaced from their homes due to disaster
  - 5. Rental and utility assistance for eligible applicants
  - 6. Mortgage and utility payment for eligible applicants
  - 7. Strategies included in the approved LHAP that benefit applicants directly affected under the Executive Orders
  - 8. Other eligible activities as proposed to and approved by Florida Housing
- b. Fiscal Years Covered: 2021-2022, 2022-2023, 2023-2024
- c. Income Categories to be served: Very low, low and moderate
- d. Maximum award: \$10,000
- e. Terms:
  - 1. Repayment loan/deferred loan/grant: Funds will be awarded as a grant with no recapture terms.
  - 2. Interest Rate: N/A
  - 3. Years in loan term: N/A
  - 4. Forgiveness: N/A
  - 5. Repayment: N/A
  - 6. Default: N/A
- f. Recipient/Tenant Selection Criteria: Applicants will be assisted on a first-qualified, first-served basis. Priority shall be given to persons who have special housing needs and individuals or households that qualify as Elderly as defined in 420.503, F.S., with the following additional requirements.
- g. Sponsor Selection Criteria:
 

A sponsor may be selected during a disaster declaration in or to provide project delivery services for assistance to households in the community. Sponsors selection will be based on an agency's experience and capacity to carry out project delivery. A project delivery fee will be determined based on the scope of the project based on the type of disaster and assistance being provided to households.
- h. Additional Information:
  - 1. Annual funding is not allocated toward this Strategy. In the event of a disaster declaration, unencumbered funds and/or additional funds award through Florida Housing Finance Corporation for the disaster will be used to fund this Strategy.

2. If homeowner is insured, proceeds from the insurance must be used first before SHIP funds, except for the payment of the deductible.

### **III. LHAP Incentive Strategies**

In addition to the **required Incentive Strategy A and Strategy B**, include all adopted incentives with the policies and procedures used for implementation as provided in Section 420.9076, F.S.:

**A. Name of the Strategy: Expedited Permitting**

Permits as defined in s. 163.3177 (6) (f) (3) for affordable housing projects are expedited to a greater degree than other projects.

Provide a description of the procedures used to implement this strategy:

The City of Clearwater Economic Development & Housing Division continues to provide a form titled, "Request for Expedited Permit Process for Affordable Housing Activity" to fast track affordable housing projects.

**B. Ongoing Review Process**

An ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

Provide a description of the procedures used to implement this strategy:

The Economic Development & Housing Department typically receives new City Comprehensive Plan and Community Development Code provisions and ordinances for comment and participates in the City's review process prior to adoption. This review process is maintained as a regular agenda item during Senior Executive Team bi-monthly meetings.

**C. The allowance of flexibility in densities for affordable housing**

The City of Clearwater supports flexibility in densities for affordable housing through its Comprehensive Plan policies and through its Community Development Code.

Provide a description of the procedures used to implement this strategy:

Comprehensive Plan policies in support of flexible densities are adopted in the Future Land Use Element (FLUE) and Housing Element as follows:

Policy A.2.2.12 – The City will provide density bonuses for affordable housing developments that demonstrate that a minimum of 15% of the total units are reserved as affordable housing units. Such bonuses shall not exceed 50% of the density permitted by the Future Land Use Map and shall not include properties located in the Coastal Storm Area. The density bonus shall be established by ordinance in the Community Development Code. (FLUE)

Policy C.1.9.1 – The City will provide density bonuses for affordable housing developments that demonstrate that a minimum of 15% of the total units are reserved as affordable housing units. Such bonuses shall not exceed 50% of the density permitted by the Future Land Use Map and shall not include properties located in the Coastal Storm Area. The density bonus shall be established by ordinance in the Community Development Code. (Housing Element)

- D. **The reduction of parking and setback requirements** for affordable housing  
The Housing Element of the City's Comprehensive Plan supports the reduction of parking and setback requirements for affordable housing.

Provide a **description of the procedures** used to implement this strategy:

The following policies in the Housing Element support the reduction of parking and setback requirements for affordable housing:

*Policy C.1.9.2 – Allow flexibility with regard to setbacks and off-street parking to accommodate density bonuses associated with affordable housing developments provided the project design does not detract from the established or emerging character of the immediate vicinity.*

*Policy C.1.9.3 – Allow flexibility with regard to off-street parking for projects containing affordable housing units located within 1000 feet of a transit stop.*

- E. The allowance of **flexible lot configuration, including zero-lot-line** configuration for affordable housing:

The City currently allows flexible site plan configurations, including zero-lot line configurations for affordable housing. The plan must be sensitive to the character and context of existing neighborhoods. To this end, the City's incentives for affordable housing include compatibility criteria in conjunction with the density bonus as follows

Provide a **description of the procedures** used to implement this strategy:

The City currently allows for site plan flexibility through the development review process, as supported by the City's Community Development Code. The City's incentives for affordable housing include compatibility criteria in conjunction with the density bonus as follows:

*Article 3, Division 9, Section 3-920.A.3.c.i. Compatibility Criteria –*

- b. Proportionality and scale of the proposed development shall be consistent with the community character of the immediate vicinity of the parcel proposed for development.*
- c. The overall aesthetics of the proposed development shall be compatible with or an improvement to the community character as determined by the community development coordinator.*
- d. The scale and coverage of the proposed development shall be compatible with adjacent properties. If the overall bulk is larger than the surrounding buildings, the bulk may be reduced with the help of design elements such as step backs and setback.*

- F. The preparation of a printed **inventory of locally-owned public lands** suitable for affordable housing:

The Affordable Housing Inventory List is maintained by Comprehensive Plan Policy:

*Policy C.1.2.6 - The City shall identify vacant and underutilized city-owned property that may be deemed surplus property and make it available for the development of affordable housing. (Housing Element)*

Provide a description of the procedures used to implement this strategy:

The Affordable Housing Inventory List is State-mandated by Section 166.0451, F.S. and was triennially updated. Updates occurred in 2009 by City Resolution #09-41 (November 5, 2009), in 2013 by City Resolution #13-10 (June 6, 2013), in 2016 by City Resolution #16-14 (June 16, 2016), and in 2019 by City Resolution #19-10 (June 20, 2019). As of 2019, there were 19 parcels suitable for the development of affordable housing.

Additionally, the City's Economic Development & Housing Department has a procedure in place to make publicly-owned land available to prospective developers and non-profit agencies to construct affordable housing. Since 2017, the Planning and Development Department has implemented a foreclosure program targeting properties with substantial code violations. As a result, several properties have been donated for affordable housing development.

G. **The Support of development near transportation hubs, and major employment centers and mixed-used development**

The City promotes areas suitable for affordable housing through the Future Land Use Element (FLUE) of the Comprehensive Plan. The FLUE contains a number of policies related to activity centers and transit hubs as part of the City's overall design structure.

Provide a description of the procedures used to implement this strategy:

The Housing Element of the Comprehensive Plan also supports the location of assisted housing near major activity centers through the following policies :

*Policy C.1.4.2 – Assisted housing should be located in close proximity to employment centers, mass transit services, parks, and commercial centers. Additionally, both the City's Comprehensive Plan and Community Development Code allow flexibility in parking for affordable housing projects if located near a transit stop (Housing Element).*

*Policy C.1.9.3 as well as Community Development Code Article 3, Division 9, Section 3-920.B. for the City's "affordable housing parking incentive".*

**IV. EXHIBITS:**

Required

- A. Administrative Budget for each fiscal year covered in the Plan.
- B. Timeline for Estimated Encumbrance and Expenditure.
- C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.
- D. Signed LHAP Certification.
- E. Signed, dated, witnessed or attested adopting resolution.

Optional

- F. Ordinance: (If changed from the original creating ordinance).
- G. Interlocal Agreement.
- H. Other Documents Incorporated by Reference.
  - Consolidated Annual Action Plan
  - Economic Development & Housing Department Affordable Housing Loan Foreclosure and Loan Foreclosure Alternative Policy

## ADMINISTRATIVE BUDGET FOR EACH FISCAL YEAR

**Exhibit A****Exhibit A (2021)****(Local Government name)**

Fiscal Year: 2021-2022		
Estimated SHIP Funds for Fiscal Year:	\$	202,000.00
Salaries and Benefits	\$	20,200.00
Office Supplies and Equipment		
Travel Per diem Workshops, etc.		
Advertising		
Other*		
Total	\$	20,200.00
Admin %		10.00%
		<b>OK</b>
Fiscal Year 2022-2023		
Estimated SHIP Funds for Fiscal Year:	\$	202,000.00
Salaries and Benefits	\$	20,200.00
Office Supplies and Equipment		
Travel Per diem Workshops, etc.		
Advertising		
Other*		
Total	\$	20,200.00
Admin %		10.00%
		<b>OK</b>
Fiscal Year 2023-2024		
Estimated SHIP Funds for Fiscal Year:	\$	202,000.00
Salaries and Benefits	\$	20,200.00
Office Supplies and Equipment		
Travel Per diem Workshops, etc.		
Advertising		
Other*		
Total	\$	20,200.00
Admin %		10.00%
		<b>OK</b>
*All "other" items need to be detailed here and are subject to review and approval by the SHIP review committee. Project Delivery Costs that are outside of administrative costs are not to be included here, but must be detailed in the LHAP main document.		
Details:		

**Exhibit B**  
**Timeline for SHIP Expenditures**

City of Clearwater affirms that funds allocated for these fiscal years will  
*(local government)*  
 meet the following deadlines:

Fiscal Year	Encumbered	Expended	1 <sup>st</sup> Year AR	2 <sup>nd</sup> Year AR	Closeout AR
<b>2021-2022</b>	6/30/2023	6/30/2024	9/15/2022	9/15/2023	9/15/2024
<b>2022-2023</b>	6/30/2024	6/30/2025	9/15/2023	9/15/2024	9/15/2025
<b>2023-2024</b>	6/30/2025	6/30/2026	9/15/2024	9/15/2025	/9/15/2026

If funds allocated for these fiscal years is not anticipated to meet any of the deadlines in the table above, Florida Housing Finance Corporation will be notified according to the following chart:

Fiscal Year	Funds Not Encumbered	Funds Not Expended	1 <sup>st</sup> Year AR Not Submitted	2 <sup>nd</sup> Year AR Not Submitted	Closeout AR Not Submitted
<b>2021-2022</b>	3/30/2023	3/30/2024	6/15/2022	6/15/2023	6/15/2024
<b>2022-2023</b>	3/30/2024	3/30/2025	6/15/2023	6/15/2024	6/15/2025
<b>2023-2024</b>	3/30/2025	3/30/2026	6/15/2024	6/15/2025	6/15/2026

**Requests for Expenditure Extensions (close-out year ONLY) must be received by FHFC by June 15 of the year in which funds are required to be expended. The extension request shall be emailed to [robert.dearduff@floridahousing.org](mailto:robert.dearduff@floridahousing.org) and [terry.auringer@floridahousing.org](mailto:terry.auringer@floridahousing.org) and include:**

1. A statement that "(city/county) requests an extension to the expenditure deadline for fiscal year \_\_\_\_\_.
2. The amount of funds that is not expended.
3. The amount of funds that is not encumbered or has been recaptured.
4. A detailed plan of how/when the money will be expended.

*Note: an extension to the expenditure deadline (June 30) does not relieve the requirement to submit (September 15) the annual report online detailing all funds that have been expended. Please email [terry.auringer@floridahousing.org](mailto:terry.auringer@floridahousing.org) when you are ready to "submit" the AR.*

***Other Key Deadlines:***

AHAC reports are now due annually by December 31. Local governments receiving the minimum (or less) allocation may choose not to report.

FLORIDA HOUSING FINANCE CORPORATION HOUSING DELIVERY GOALS CHART 2021-2022													
Name of Local Government:			CITY OF CLEARWATER										
Estimated Funds (Anticipated allocation only):			\$ 202,000										
Code	Strategies	Qualifies for 75% set-aside	VLI Units	Max. SHIP Award	LI Units	Max. SHIP Award	Mod Units	Max. SHIP Award	New Construction	Without Construction	Total	Units	
	Homeownership												
10	DPA FOR NEWLY CONSTRUCTED UNITS	Yes	0	\$45,000	1	\$45,000	0	\$45,000	\$45,000.00	\$0.00	\$45,000.00	1	
2	DPA FOR EXISTING UNITS W/REHABILITATION	Yes	0	\$47,000	1	\$47,000	0	\$47,000	\$47,000.00	\$0.00	\$47,000.00	1	
3	OWNER-OCCUPIED REHABILITATION	Yes	1	\$50,000	0	\$50,000	0	\$50,000	\$50,000.00	\$0.00	\$50,000.00	1	
5	DISASTER MITIGATION	No	0	\$10,000	0	\$10,000	0	\$10,000	\$0.00	\$0.00	\$0.00	0	
2	DPA FOR EXISTING UNITS WITHOUT/REHABILITATION	No	0	\$47,000	0	\$47,000	0	\$47,000	\$0.00	\$0.00	\$0.00	0	
									\$0.00	\$0.00	\$0.00	0	
									\$0.00	\$0.00	\$0.00	0	
									\$0.00	\$0.00	\$0.00	0	
									\$0.00	\$0.00	\$0.00	0	
									\$0.00	\$0.00	\$0.00	0	
									\$0.00	\$0.00	\$0.00	0	
	Total Homeownership		1	\$137,000.00	2	\$122,000.00	0		\$142,000.00	\$0.00	\$142,000.00	3	
	Purchase Price Limits:		New	\$ 311,980	Existing	\$ 311,980							

## **Set-Asides**

<b>Percentage Construction/Rehab (75% requirement)</b>		<b>90.0%</b>	<b>OK</b>
<b>Homeownership % (65% requirement)</b>		<b>70.3%</b>	<b>OK</b>
<b>Rental Restriction (25%)</b>		<b>19.7%</b>	<b>OK</b>
<b>Very-Low Income (30% requirement)</b>	\$ 69,900	34.6%	<b>OK</b>
<b>Low Income (30% requirement)</b>	\$ 92,000	45.5%	<b>OK</b>
<b>Moderate Income</b>	\$ -	0.0%	





**CERTIFICATION TO**  
**FLORIDA HOUSING FINANCE CORPORATION**

Local Government or Interlocal Entity:

CITY OF CLEARWATER

Certifies that:

- (1) The availability of SHIP funds will be advertised pursuant to program requirements in 420.907-420.9089, Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will ensure that there will be no discrimination on the basis of race, color, national origin, sex, handicap, familial status, or religion.
- (3) A process to determine eligibility and for selection of recipients for funds has been developed.
- (4) Recipients of funds will be required to contractually commit to program guidelines and loan terms.
- (5) Florida Housing will be notified promptly if the local government /interlocal entity will be unable to comply with any provision of the local housing assistance plan (LHAP).
- (6) The LHAP provides a plan for the encumbrance of funds within twelve months of the end of the State fiscal year in which they are received and a plan for the expenditure of SHIP funds including allocation, program income and recaptured funds within 24 months following the end of the State fiscal year in which they are received.
- (7) The LHAP conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the LHAP.
- (8) Amendments to the approved LHAP shall be provided to the Florida Housing for review and/or approval within 21 days after adoption.
- (9) The trust fund exists with a qualified depository for all SHIP funds as well as program income or recaptured funds.
- (10) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (11) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements (CAFR). An electronic copy of the CAFR or a hyperlink to the document shall be provided to Florida Housing by June 30 of the applicable year.

- (12) Evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97, F.S. shall be provided to Florida Housing by June 30 of the applicable year.
- (13) SHIP funds will not be pledged for debt service on bonds.
- (14) Developers receiving assistance from both SHIP and the Low-Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.
- (15) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.
- (16) Rental Units constructed or rehabilitated with SHIP funds shall be monitored for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e). To the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility.
- (17) The LHAP meets the requirements of Section 420.907-9089 FS, and Rule Chapter 67-37 FAC.
- (18) The provisions of Chapter 83-220, Laws of Florida have not been implemented (except for Miami-Dade County).

Tammy L Cummings  
Witness Tammy L Cummings

Frank V. Hibbard  
Chief Elected Official or designee

Scott Burrows  
Witness Scott Burrows

Frank V. Hibbard, Mayor  
Type Name and Title

April 28, 2021  
Date

OR

Nicole Sprague  
Attest:  
(Seal) Nicole Sprague



## **RESOLUTION NO. 21-04**

A RESOLUTION OF THE CITY OF CLEARWATER, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9089, FLORIDA STATUTES AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE, AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the State Housing Initiatives Partnership Act (hereafter, SHIP Act), ss.420.907-420.9089, Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one to three-year Local Housing Assistance Plan outlining how funds will be used, and

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

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

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

WHEREAS, the Economic Development and Housing Department has prepared a three-year Local Housing Assistance Plan incorporating the above-referenced provisions and requirements for submission to the Florida Housing Finance Corporation; and

WHEREAS, the City Council finds that it is in the best interest of the public for the City of Clearwater to submit the Local Housing Assistance Plan for review and approval so as to qualify for said documentary stamp tax funds.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, FLORIDA:

Section 1. The City Council of the City of Clearwater hereby approves the Local Housing Assistance Plan for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420.9089, Florida Statutes, for state fiscal years 2021-22, 2022-23 and 2023-24 (attached hereto and incorporated herein as Exhibit "A"), which, among other things, establishes the maximum SHIP funds allowable for each local housing assistance strategy, establishes an average area purchase price for new and existing housing, and finds that five percent (5%) of the local housing distribution plus five percent (5%) of the program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.

Section 2. The Mayor is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 15<sup>th</sup> day of April, 2021.



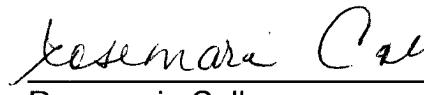
Frank V. Hibbard  
Mayor

Approved as to form:

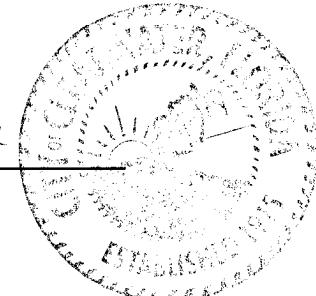


Laura Mahony  
Senior Assistant City Attorney

Attest:



Rosemarie Call  
City Clerk





## /// 2020/2021-2024/2025 CONSOLIDATED PLAN /// 2020/2021 ANNUAL ACTION PLAN

CITY OF CLEARWATER, FLORIDA  
JULY 16, 2020



## **Executive Summary**

### **ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)**

#### **1. Introduction**

The City of Clearwater, Florida, has completed the planning process for the 2020/2021-2024-2025 Consolidated Plan as required by the U.S. Department of Housing and Urban Development (HUD). The purpose of the Consolidated Plan is to identify goals, objectives, and strategies for addressing housing and community development needs, including those of the homeless and other special needs populations. This Consolidated Plan guides the use of City resources to address housing and community development needs over a five-year period.

The Consolidated Plan is developed in a manner specified by HUD, and the City has followed the prescribed format in completing the plan. The Consolidated Plan was developed using HUD and U.S. Census data for demographics and housing, input from public meetings and hearings, community surveys, and past program performance. During the planning process, the City conducted two community meetings with residents of low- and moderate-income neighborhoods. Additionally, the City conducted a subrecipient grant application workshop that specifically consulted housing and public service providers for these neighborhoods. The City also held two public hearings with the Neighborhood and Affordable Housing Advisory Board (NAHAB), and one public hearing with the City Council. The purpose of this process was to receive citizen input on the current housing and community development needs of the City. Concurrent with this plan, the City jointly conducted an Analysis of Impediments to Fair Housing Choice with Pinellas County; the citizen participation process for which was led and facilitated by Pinellas County.

There are four major areas of focus in the Consolidated Plan: Housing, Homelessness, Non-Housing Community Development and Non-Homeless Special Needs. The Consolidated Plan process requires the City of Clearwater to identify priority needs for each area and prepare an Annual Action Plan to address the priorities. For every priority, there are goals, objectives, and strategies established to measure progress. The citizen input was critical in developing the goals, objectives, and strategies of this Consolidated Plan.

This Consolidated Plan not only identifies goals to address the priority needs of the City, but also to address the statutory goals established by Federal law, which include:

Decent Housing:

- Assist homeless persons to obtain affordable housing
- Assist persons at risk of becoming homeless
- Retain affordable housing stock
- Increase the availability of affordable housing in standard condition to low- and moderate income families, particularly to economically disadvantaged persons (and without discrimination on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin, disability, gender identity or sexual orientation)
- Increase the supply of supportive housing which includes structural features and services to enable persons with special needs (including persons with HIV/AIDS) to live in dignity and independence
- Provide affordable housing that is accessible to job opportunities.

A Suitable Living Environment:

- Improve the safety and livability of neighborhoods Increase access to quality public and private facilities and services.

Expanded Economic Opportunities:

- Job creation and retention for low-income persons
- Availability of mortgage financing for low-income persons at reasonable rates using nondiscriminatory lending practices
- Empowerment and self-sufficiency for low-income persons to reduce generational poverty in federally assisted housing.

## **2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview**

The City of Clearwater Consolidated Plan is structured around seven (7) goals in administering the City's housing and community development programs. Each goal is accompanied by corresponding objectives toward meeting that goal.

### **Goals and Objectives**

These goals and objectives are as follows:

**GOAL: PROGRAM ADMINISTRATION – ADMINISTER THE CITY OF CLEARWATER'S FEDERALLY FUNDED GRANT PROGRAMS TO IMPLEMENT THE GOALS OF THE FIVE-YEAR CONSOLIDATED PLAN.**

**GOAL: HOUSING – PROVIDE AVAILABILITY OF, AND ACCESSIBILITY TO, DECENT AFFORDABLE HOUSING FOR THE RESIDENTS OF THE CITY OF CLEARWATER.**

Objective 1: Preserve the existing housing stock.

Objective 2: Increase the availability of affordable housing units.

Objective 3: Assist qualified low- and moderate-income households to become homeowners through supporting agencies that provide housing counseling.

Objective 4: Provide mortgage assistance for low- and moderate-income homebuyers.

Objective 5: Provide rental and utility assistance for low- and moderate-income persons.

**GOAL: HOMELESSNESS – HELP TO PREVENT AND REDUCE HOMELESSNESS WITHIN THE CITY OF CLEARWATER.**

Objective 1: Support programs that offer shelter facilities and beds for the homeless.

Objective 2: Assist agencies that engage in homeless prevention and service programs.

**GOAL: NON-HOMELESS SPECIAL NEEDS – EXPAND THE ACCESSIBILITY AND COORDINATION OF SOCIAL SERVICES TO CITY OF CLEARWATER SPECIAL NEEDS POPULATIONS.**

Objective 1: Support construction, expansion, and improvement of facilities that assist the elderly, frail elderly, disabled, veterans, and other populations with special needs.

Objective 2: Support programs to assist the elderly, frail elderly, disabled, veterans, and other populations with special needs.

**GOAL: COMMUNITY DEVELOPMENT & PUBLIC SERVICES – ENHANCE THE LIVING ENVIRONMENT FOR PERSONS IN LOW- AND MODERATE-INCOME AREAS THROUGH COMMUNITY DEVELOPMENT ACTIVITIES, PUBLIC SERVICE PROGRAMS, AND ELIMINATION OF BLIGHT.**

Objective 1: Support the construction, expansion, and improvement of public facilities in low- and moderate-income areas.

Objective 2: Encourage and support programs that promote neighborhood safety and security, youth accountability and mentoring, and community outreach to underserved populations in low- and moderate-income areas.

Objective 3: Support agencies that offer meal and/or food bank services for persons and families of low- and moderate-income.

Objective 4: Support the construction, expansion, and improvement of public parks, infrastructure, and utilities in low- and moderate-income areas.

Objective 5: Eliminate blighted conditions through code enforcement and demolition in low- and moderate-income areas.

GOAL: ECONOMIC DEVELOPMENT – SUPPORT PROGRAMS THAT CREATE ECONOMIC OPPORTUNITIES IN THE CITY OF CLEARWATER, PARTICULARLY FOR PERSONS OF LOW- AND MODERATE-INCOME AND IN NEIGHBORHOOD REVITALIZATION STRATEGY AREAS.

Objective 1: Support building façade programs in Neighborhood Revitalization Strategy Areas and low- and moderate-income areas.

Objective 2: Support non-profit organizations in developing facilities that support the local economy.

Objective 3: Support programs that create economic opportunity for low- to moderate-income persons, such as job training and entrepreneurship, small-business start-ups and incubators, and other economic development activities.

GOAL: EMERGENCY/DISASTER RESPONSE – PROVIDE ASSISTANCE PRIOR TO, DURING AND AFTER A COMMUNITY EMERGENCY AND/OR DISASTER EVENT TO PREPARE FOR AND/OR MITIGATE LOSS, PROTECT DURING AN EVENT, AND AID WITH RECOVERY.

Objective 1: Provide assistance for activities that meet a particular urgent need or to prepare for, respond to, and recover from an event triggering a local, state, or national emergency declaration.

### **3. Evaluation of past performance**

The Economic Development and Housing Department oversees implementation of the CDBG and HOME programs. The previous Consolidated Plan covered a four-year period to align the City's planning cycle with that of Pinellas County. The past four years have shown significant progress in the City's efforts to implement HUD entitlement programs. The City is compliant with HUD regulations and continues to deliver housing and community development services in an efficient manner. Over the past four-year period, the City received an average annual allocation of approximately \$707,000 in Community Development Block Grant (CDBG) funds and \$333,000 in HOME Investment Partnerships (HOME). This amount totaled approximately \$2.8 million in CDBG funds and \$1.3 million in HOME funds over the past four years. With those funds, between 2,000 and 15,000 people were assisted annually.

With these funds, the Economic Development and Housing Department offered an array of housing programs and services providing the foundation needed to aid in promoting homeownership and/or sustainable neighborhoods:

- Homeowner rehabilitation, including emergency repairs and accessibility retrofitting for persons with disabilities
- Down payment and closing cost assistance for homebuyers

**City of Clearwater**  
**Economic Development & Housing Department**  
**Affordable Housing Loan Foreclosure and Loan Foreclosure Alternative Policy**  
June 1, 2017

The City of Clearwater, through its affordable housing and community development programs, provides a variety of loans to very-low, low and moderate income households and to qualifying businesses. The funds for these loans come from local, state and federal affordable housing and community/economic development grant programs. From time to time, loans issued by the city fall into default status. This policy sets forth the guidelines of an analysis of whether city staff will seek permission from Clearwater City Council to take legal measures to initiate a foreclosure. Prior to initiating a foreclosure, staff will evaluate all reasonably available alternative options to foreclosure.

## **Loan Foreclosure Alternatives**

### Change of Ownership (typically following the death of a borrower)

Under the city's loan programs, the full balance of a loan is due when the borrower no longer resides in the mortgaged home. With written approval from the Director of the Economic Development & Housing Department, the loan may be assumed by a new owner and/or restructured at the city's discretion if the following requirements are met:

- The new owner obtains title to the home and conditions of title are satisfactory to the city.
- The new owner meets income-qualifying criteria as determined by the applicable loan program requirements.
- The new owner will occupy the home as his/her principal address.

If the new homeowner fails to meet all of the aforementioned conditions, but is willing to make payments on the loan, the city will convert the loan to a low-interest loan under the following conditions provided the loan was not funded with HOME program funds:

- The proposed loan conversion is allowable under the applicable loan program.
- City staff and the new homeowner agree to modified loan terms.
- The new interest rate shall not be more than three percent (3%).
- The loan balance will be due upon the sale of the home.

If staff and the new homeowner are unable to agree on loan payment terms and the new owner of the property is unable or unwilling to pay the balance of the loan in full, the city may seek a deed in lieu of foreclosure; otherwise, city staff will seek City Council approval to initiate foreclosure.

If the loan was funded with HOME program funds and the new homeowner does not income-qualify, the city shall recapture the loan balance per HOME program requirements. Failure to recapture funds will be cause for staff to seek City Council approval to initiate the foreclosure process. See attached flow chart titled "Change in Ownership – Loan Balance Due" showing the process staff will follow under a Change in Ownership situation.

### Nonpayment/Noncompliance

If a monetary or non-monetary delinquency or default occurs, city staff will notify the borrower in writing of the delinquency. The notice will also inform the borrower of housing counseling programs that may be available to the borrower. Should borrower fail to respond, city staff will follow the following guidelines:

- Borrower will have thirty (30) days to bring the account current, supply the requested information and/or contact city staff.
- If borrower fails to respond within thirty (30) days of the date of the first notice, staff will send a second notice.
- If borrower fails to respond within thirty (30) days of the date of the second notice, staff will send a third notice.
- If borrower fails to respond to the third notice within thirty (30) days, the borrower's loan will be placed in default status and will accrue charges per the loan documents.
- If borrower responds during the notice period and represents a valid hardship preventing borrower from making payments, city staff will evaluate borrower's circumstances and may grant up to a six-month (6-month) deferral. If the deferral is granted, borrower's loan will be placed in a "Suspense/Deferred" status and will not accrue late fees during the deferral period.

Financial hardships may include but are not limited to the following:

- Loss of full-time job or substantial loss of income, through no fault of their own
- Death of spouse or partner that substantially reduces household income
- Call to duty – U.S. Armed Forces
- Loss of value where repayment of the city loan will result in a negative equity situation
- Substantial decrease in household income
- Temporary or permanent disability that reduces income
- Recent divorce that reduces income

For those loans that have payments and that are in a Suspense/Deferred status, the City will reevaluate the financial situation of the borrower in six (6) months from the date that the loan was put into Suspense/Deferred status to determine if the borrower is in a position to resume payments. If the borrower is still unable to resume payments after six (6) months, the City will reevaluate the borrower once again at one (1) year from the date that the loan was put in Suspense/Deferred status. If after one (1) year, the borrower is still unable to resume payments, and if a hardship exists that is preventing the borrower from repaying the loan or resuming payments, the City, at its sole discretion, may grant a longer deferment (up to six months). City staff will monitor borrower's circumstances during the deferment period to confirm that a hardship continues to exist. The city may consider requiring lower payments or converting a payment-type loan into a deferred payment-type loan whereby payment is deferred until such time as the borrower's financial situation improves or no longer resides at the mortgaged property. Regardless of borrower's hardship, the full balance of the loan is due upon sale of the home or if borrower no longer resides at the home (refer to "Change of Ownership" section herein). See attached flow chart titled "Loan Default" showing the process staff will follow under a Nonpayment/Noncompliance situation.

#### Deed in Lieu of Foreclosure

If city staff and borrower are unable to agree to a workout plan, then city staff will determine whether a deed in lieu of foreclosure is a viable option. A staff analysis will determine the financial feasibility and the condition of the home. If staff determines that a deed in lieu of foreclosure is an acceptable alternative to foreclosure, and borrower is amenable, staff will seek approval from City Council to accept a deed whereby the city takes title to the property and borrower's loan is forgiven.

## **Foreclosure**

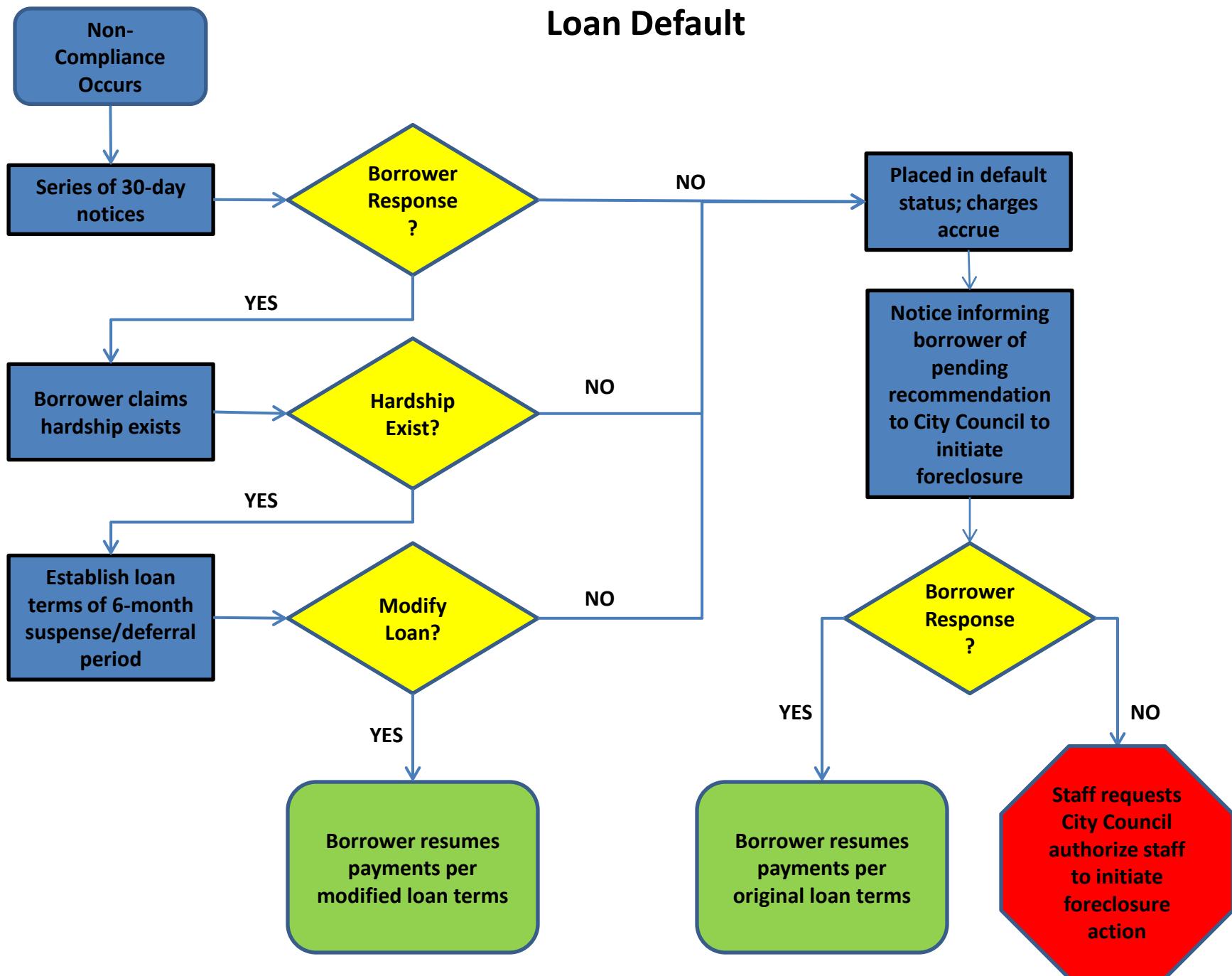
Foreclosure may occur if the City and borrower (or heir(s)) are unable to come to an agreeable workout plan. Foreclosure is the legal means the City of Clearwater may use to recover the balance of a loan from a borrower who has stopped making payments on a loan, by forcing the sale of the asset used as

the collateral for the loan. When this happens, a person must move out of the mortgaged property. If a property is worth less than the total amount owed on the mortgage loan, the City may seek a Deficiency Judgment which may result in the borrower owing the lender an additional debt. Foreclosure will serve as the last resort the City will use when pursuing recovery of loans, delinquent payments and/or required documentation (see Loan Foreclosure Alternative section herein).

Housing Division staff will conduct a comprehensive analysis of funding source rules & regulations, financial and other repercussions of a potential foreclosure, and a borrower's willingness and ability to pay back the loan. For properties encumbered by a Land Use Restriction Agreement (LURA), staff will consult with the City Attorney's Office to determine potential consequences arising from the LURA if a foreclosure action is taken. Such consequences must be acceptable to staff and allowable under the funding program used to finance the subject loan. Following the staff analysis, the Director of the Economic Development and Housing Department will determine whether to submit a staff recommendation to City Council to initiate a foreclosure. Initiating the foreclosure process requires City Council approval at a duly noticed City Council meeting. If staff determines that alternatives to foreclosure are not adequate and pursuing foreclosure is in the city's best interest, staff will inform the borrower of the Council Meeting at which staff will seek City Council approval to initiate a foreclosure action.

In certain situations, a property may have been foreclosed on without the City of Clearwater, as a debtor, being notified of the foreclosure action. When the City is informed of a foreclosure that has occurred, the Housing Division will notify the City Attorney's Office and request that they obtain a copy of the Final Summary Judgment. The Legal Department will also confirm that the title to the property has been transferred and that it is no longer in the original borrower's name. If the property is in the original borrower's name then the City will pursue recovery. If the City has verified, via Final Summary Judgment and Certificate of Title, that the property has been transferred and is not in the borrower's name, the City will evaluate legal options on a case-by-case basis.

# Loan Default



## Change in Ownership – Loan Balance Due

