

CITY OF POMPANO BEACH



SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP)

2018-2019, and 2019-2020, 2020-2021

Office of Housing and Urban Improvement

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I. **Program Details:**

a. Name of the participating local government: **City of Pompano Beach**

Is there an Interlocal Agreement: ☐ Yes ☒ No

- b. Purpose of the program:
1. To meet the housing needs of the very low, low and moderate income households;
 2. To expand production of and preserve affordable housing; and
 3. To further the housing element of the local government comprehensive plan specific to affordable housing.
- c. Fiscal years covered by the Plan: **2018-2019, 2019-2020, 2020-2021**
- 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, lenders, builders and developers, real estate professionals, advocates for low-income persons and community groups.
- 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 partnerships housing providers, social service providers, local lenders and neighborhood associations. Public input of the Local Housing Assistance Plan was solicited through a public notice on the City of Pompano Beach website 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 applications were submitted as well as any established funding priorities as described in this plan.

Priorities for funding described here apply to all strategies unless otherwise stated in the strategy:
The City will accept applications during the advertised "Application Period" which will be 30 days. From the end of the application period, applicants will have 30 days to submit all required documentation in order to be deemed eligible. Applications will be placed in order of receipt and separated based on strategy applied for. When funds are available for a particular strategy, the applicants from the waiting list will be contacted to complete/update the application for SHIP assistance. Applicants will be placed in the queue for assistance once they have provided all required documentation and been deemed SHIP eligible.

Once there is a list of eligible applicants, they will be ranked giving first priority to households qualifying as Special Needs households. These applicants will further be ranked with priority given to very-low income, then low, then moderate and up to 140% if allowed under the specific strategy. After serving enough Special Needs households to meet set-asides, all applicants deemed eligible will be considered equally with priority given to very-low, then low, then moderate and up to 140 % if allowed under the specific strategy.

Ranking Priority:

1. Special Needs Households
 - a. Very low
 - b. Low
 - c. Moderate and up to 140% if allowed under the specific strategy
 2. After Special Needs Set-asides
 - a. Very Low
 - b. Low
 - c. Moderate and up to 140% if allowed under the specific strategy
- 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. Homebuyers will receive credit counseling from HUD certified counseling agencies. Homeless or those near homelessness will receive services through the Continuum of Care.
- 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 median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

- ☒ U. S. Treasury Department
- ☐ 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.

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 periodically 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 of proposed Administrative Expenditures is attached as Exhibit A. **City of Pompano Beach** finds that the moneys deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

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

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states: "The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 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 wholly performed and maintained by the City of Pompano Beach.

- r. Project Delivery Costs: The City will not charge project delivery cost.

- s. Essential Service Personnel Definition: For purpose of SHIP funding, the City considers the following groups as Essential Services to our City: Teachers and educators, other school district, community college and university employees, police and fire personnel, health care personnel, and skilled building trades' personnel.

- t. Describe efforts to incorporate Green Building and Energy Saving products and processes:

In accordance with Section 420.9075 (3) (d), Florida Statutes, in the rehabilitation and construction of housing, the City will encourage innovative design, green building principles, storm resistant construction or other elements that reduce long term costs relating to maintenance, utilities or insurance. When required, all work will meet the Florida Building Code standards. The City may require any of the features listed below when economically feasible in the rehabilitation or construction of homes. This list is not all-inclusive.

- i. Water-Conserving Appliances and Fixtures
- ii. Energy Star Appliances
- iii. Efficient Lighting Interior / Exterior
- iv. Upgrading of Insulation
- v. Air Conditioning Units with a Higher Seer Rating
- vi. Impact Resistant Windows

- u. Describe efforts to meet the 20% Special Needs set-aside: The City of Pompano Beach will collaborate with social service agencies serving the designated special needs populations to achieve the goal of the special needs set-aside. The goals will be met through the owner-occupied rehabilitation, emergency repair and rental assistance strategies.

- v. Describe efforts to reduce homelessness: The City of Pompano Beach will work with agencies serving the homeless populations primarily through rental assistance to place these individuals or families in rental or transitional housing for the purpose of providing a stable housing situation for twelve months or more.

Section II. LHAP Strategies:

A. Owner Occupied Rehabilitation	Code 3
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- a. Summary of Strategy: SHIP funds will be awarded to households in need of repairs to correct code violations, health and safety issues, electrical, plumbing, roofing, windows and other structural items. Cosmetic items may be included on rehabilitation projects if funds are available after completing all required repairs listed above.
- b. Fiscal Years Covered: 2018-2019, 2019-2020, 2020-2021
- c. Income Categories to be served: Very-low, low
- d. Maximum award: \$60,000
- e. Terms
 1. Repayment Loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded subordinate mortgage and note.
 2. Interest Rate: 0%
 3. Years in Loan term: 15 years
 4. Forgiveness: The loan will be forgiven 20% per year in the last 5 years, providing there is no conveyance, encumbrance, transfer, rental, or refinancing of the property, and providing that the property continues to be occupied as the applicant's principal residence.
 5. Repayment: Not required as long as the loan is in good standing.
 6. Default: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

In cases where the qualifying homeowner(s) die(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the outstanding balance of the loan will be due and payable.

If the home is foreclosed on by a superior mortgage holder, the county will make an effort to recapture funds through the legal process if it is determined that adequate funds may be available to justify pursuing a repayment.

- f. Recipient Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities for Special Needs and income groups as described in section I. (I) of this plan.
- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information: All work will be performed by contractors on the City's approved contractor's list.

Subordination of the Program Loan for the purpose of refinancing an existing debt that is in a superior lien position to the Program Loan may be allowed in accordance with the OHUI Loan Subordination Policy, as amended from time to time. Subordination restrictions:

1. Subordination of the Program Loan will not be approved for a purpose other than refinance debt that was secured by the subject property prior to or of the same date of the Program Loan.
2. The City of Pompano Beach will only allow one subordination approval during the course of the Program Loan.

The City of Pompano Beach reserves the right to deny any subordination request it deems not in its' or the homeowner's best interest. The authority to approve subordination requests or exceptions to the City's Loan Subordination Policy will rest with the City Manager or his/her designee.

B. Demolition / Reconstruction	Code 4
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- a. Summary of Strategy: Structures will be demolished and rebuilt in the following cases:
 - 1) Single family properties that are in a flood zone and have estimated rehabilitation costs exceeding 50% of the assessed value will be demolished and rebuilt to meet the Building Code.
 - 2) Single family properties that are not in a flood zone but are beyond repair and unsafe for human habitation. The property must meet the definition of an unsafe structure, and the building department in cooperation with the OHUI shall determine the economic feasibility.
- b. Fiscal Years Covered: 2018-2019, 2019-2020, 2020-2021
- c. Income Categories to be served: Very-low, low
- d. Maximum award: \$140,000
- e. Terms:

1. Repayment Loan/deferred loan/grant: Funds will be awarded as a deferred loan secured by a recorded subordinate mortgage and note.
2. Interest Rate: 0%
3. Years in Loan term: 15 years
4. Forgiveness: The loan will be forgiven 20% per year in the last 5 years, providing there is no conveyance, encumbrance, transfer, rental, or refinancing of the property, and providing that the property continue to be occupied as the applicant's principal residence.
5. Repayment: Not required as long as the loan is in good standing.
6. Default: The loan will be determined to be in default if any of the following occurs during the Loan term: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

In cases where the qualifying homeowner(s) die(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the outstanding balance of the loan will be due and payable.

If the home is foreclosed on by a superior mortgage holder, the county will make an effort to recapture funds through the legal process if it is determined that adequate funds may be available to justify pursuing a repayment.

- f. Recipient Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities for Special Needs and income groups as described in section I. (I) of this plan.
- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information: All work will be performed by contractors on the City's approved contractor's list.

Subordination of the Program Loan for the purpose of refinancing an existing debt that is in a superior lien position to the Program Loan may be allowed in accordance with the OHUI Loan Subordination Policy, as amended from time to time. Subordination restrictions:

1. Subordination of the Program Loan will not be approved for a purpose other than refinance debt that was secured by the subject property prior to or of the same date of the Program Loan.
2. The City of Pompano Beach will only allow one subordination approval during the course of the Program Loan.
3. The City of Pompano Beach reserves the right to deny any subordination request it deems not in it is or the homeowner's best interest. The authority to approve subordination requests or exceptions to the City's Loan Subordination Policy will rest with the City Manager or his/her designee.

C. Purchase Assistance with or without Rehab	Code 1, 2
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- a. Summary of Strategy: SHIP funds will be awarded for down payment and closing costs to households to purchase a newly constructed or existing home. A newly constructed home must have received a certificate of occupancy within the last twelve months. The City may provide repairs to existing homes that address code violations, property standards, disaster mitigation, energy efficiency, and accessibility improvements.

Prospective homebuyers must qualify as a First Time Homebuyer under the HUD definition: 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 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.

- b. Fiscal Years Covered: 2018-2019, 2019-2020, 2020-2021
- c. Income Categories to be served: Very-low, low, moderate and up to 140% AMI
- d. Maximum award: \$50,000
- e. Terms:
1. Repayment Loan/deferred loan/grant: Funds will be awarded as a deferred subordinate loan secured by a recorded subordinate mortgage and note.
 2. Interest Rate: 0%
 3. Years in Loan term: 20 years

4. Forgiveness: The loan will be forgiven at the end of the 20-year term.
5. Repayment: No repayment is required if applicant complies with the terms of the loan.
6. Default: The loan will be determined to be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the outstanding balance will be due and payable.

In cases where the qualifying homeowner(s) die(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the outstanding balance of the loan will be due and payable.

If the home is foreclosed on by a superior mortgage holder, the county will make an effort to recapture funds through the legal process if it is determined that adequate funds may be available to justify pursuing a recapture.

- f. Recipient Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities for Special Needs, and income groups as described in section I. (I) of this plan.
- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information:
 1. Applicants must secure a first mortgage by an approved lender.
 2. Applicant must attend an 8-hour Homebuyer Education class from a HUD-approved housing counseling agency and receive a certificate of Pre-purchase housing counseling upon completion of the course. This certificate is required prior to loan closing.
 3. All first mortgage loans must be at a fixed rate mortgage not to exceed a term of thirty (30) years.
 4. Subordination of a Loan for the purpose of refinancing an existing debt that is in a superior lien position to the Program Loan may be allowed in accordance with the OHUI Loan Subordination Policy, as amended from time to time. Subordination restrictions:
 - a) Subordination of the Program Loan will not be approved for a purpose other than refinance debt that was secured by the subject property prior to or of the same date of the Program Loan.

- b) The City of Pompano Beach will only allow one subordination approval during the course of the Program Loan.
- c) The City of Pompano Beach reserves the right to deny any subordination request it deems not in its' or the homeowner's best interest. The authority to approve subordination requests or exceptions to the City's Loan Subordination Policy will rest with the City Manager or his/her designee.

D. Emergency Repair	Code 6
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- a. Summary of Strategy: Funds will be awarded to applicants in need of rehabilitation of their home related to a dire situation that needs to be mitigated immediately. This includes damaged roofing that is leaking, damaged windows causing exposure to the elements, or electrical or plumbing problems that could cause damage (fire) to the home or is an immediate health hazard to the occupants. Applicant who receive emergency repair assistance are eligible to receive Residential rehabilitation assistance.
- b. Fiscal Years Covered: 2018-2019, 2019-2020, 2020-2021
- c. Income Categories to be served: Very-low, low
- d. Maximum award: \$15,000
- e. Terms:
 - 1. Repayment Loan/deferred loan/grant: Assistance will be provided in the form of a grant.
 - 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 Selection Criteria: Applicants will be ranked for assistance based on a first-qualified, first-served basis with the priorities for Special Needs and income groups as described in section I. (I) of this plan.
- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information: N/A

<i>E.. Security and/or Utility Deposit</i>	<i>Code 13, 23</i>
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- a. Summary of Strategy: The Utility and Security Deposit Strategy will provide assistance for first and last month's rent, security and/or utility deposits for a new residential lease. The rental unit must meet Housing Quality Standards as defined in 24 CFR 982.401. Utilities for which deposits and arrearages may be paid include water, sewer, solid waste, electricity and gas. Funds will be awarded to renters that are in need of a one-time payment to assist with obtaining a lease on a rental unit.
- b. Fiscal Years Covered: 2018-2019, 2019-2020, 2020-2021
- c. Income Categories to be served: Very-low, low, moderate up to 140%
- d. Maximum award: \$5,000
- 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 Selection Criteria: Priority will be given to applications received in the following order on a first come, first eligible basis:
 1. Applicant's meeting the definition of homeless (420.0004 (13), F.S.)
 2. Applicants referred by the housing authority
 3. Veteran's households
 4. Walk in applicants
- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information: The lease must be at least twelve months.

F. Disaster Repair/Mitigation	Code 5
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- a. Summary of Strategy:
Funds will be awarded to applicants in need of home repairs directly caused by a disaster that is declared by an Executive Order of the President or Governor. Repairs will be prioritized as follows:
1. Immediate threats to health and life safety (sewage, damaged windows, roofing) in cases where the home is still habitable.
 2. Imminent residual damage to the home (such as damage caused by a leaking roof) in cases where the home is still habitable.
 3. Repairs necessary to make the home habitable.
 4. Repairs to mitigate dangerous situations (exposed wires)
 5. Insurance deductibles
 6. Temporary rental assistance up to 3 months including first and last month's rent, security and utility deposits for displaced homeowners
- b. Fiscal Years Covered: 2018-2019, 2019-2020, 2020-2021
- c. Income Categories to be served: Very-low; low
- d. Maximum award: \$15,000
- 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 Selection Criteria:
Applicants will be assisted on a first-qualified, first-served basis with the following additional requirements:
1. Must provide proof of homeowner's insurance, if insured
 2. Must file for and use proceeds from insurance as first option
- g. Sponsor/Developer Selection Criteria: N/A
- h. Additional Information: Funds for disaster mitigation will only be allocated from unencumbered funds or additional funds awarded through Florida Housing Finance Corporation for the disaster.

III. LHAP Incentive Strategies

(a) EXPEDITED PERMITTING

The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.

Existing Strategy: This incentive is presently implemented. Once a project is identified as an affordable housing project, reviewers have five days (5) to review and process the plans for affordable housing. If on the third submittal, the resubmitted plans are not 100% corrected, the contractor will then be required to submit his plans through the normal permitting process for a building permit.

(b) PROCESS OF ONGOING REVIEW

The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

Existing Strategy: The Office of Housing and Urban Improvement will be assigned to the City's Development Review Committee (DRC) team as an optional reviewer. Wherein, all proposed development can be reviewed and commented on by the Office of Housing and Urban Improvement. These comments are then submitted to the various governing boards. Additionally, the Office of Housing and Urban Improvement will by matter of policy be consulted on all matters that impact affordable housing.

(c) MODIFICATION OF IMPACT FEES

The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Existing Strategy: The Office of Housing and Urban Improvement using grant funds currently pays the impact fees for contractors to reduce the cost of housing to low and moderate-income homebuyers. The individual applicant submits the request to the Office of Housing and Urban Improvement, who review the request and approves them on a case by case basis, and subject to funding availability. The criterion for eligibility determination is based on whether the tenants are low to moderate income households or the project is a senior facility and the amount of funds requested and the amount of funds available to pay these fees.

(d) FLEXIBLE DENSITIES

The allowance of flexibility in densities for affordable housing.

Existing Strategy: Flexibility and densities for affordable housing can be captured through the use of flexibility units for commercial land use designations. If flex units are awarded to a property, in accordance with the requirements of 154.61, applicants will either need to build affordable housing or can pay into the affordable housing trust fund.

(e) AFFORDABLE ACCESSORY RESIDENTIAL UNITS

The allowance of affordable accessory residential units in residential zoning districts.

Existing Strategy: Section 155.4303 of the City's zoning Code allows accessory Dwelling Units. For purposes of determining maximum density, an accessory dwelling unit shall be considered to be a half dwelling unit. Additional use specific standards to regulate this use exist within the zoning code.

(f) PARKING AND SETBACK REQUIREMENTS

The reduction of parking and setback requirements for affordable housing.

Existing Strategy: Affordable housing projects taking advantage of the Residential Planned Unit Development process can determine what parking requirements and setbacks their project will have. Additionally, the City allows for major and minor administrative adjustments at varying percentage rates from code requirements. Deed-restricted workforce and/or affordable housing can be used to demonstrate a public benefit to compensate for the requested modification of standards

(g) FLEXIBLE LOT CONFIGURATIONS

The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Existing Strategy: Flexible lot configurations (including zero lot line) are currently permitted in RS-4, all RM districts, and the DPOD district. Additionally, affordable housing projects can consider the RPUD process, which can offer further flexibility in private development.

(h) MODIFICATION OF STREET REQUIREMENTS

The modification of street requirements for affordable housing.

Existing Strategy: If street modification of streets are desired, modified streets can be permitted by rezoning to the planned development process.

(i) PUBLIC LAND INVENTORY

The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Existing Strategy: In 2015, a group of city staff in conjunction with staff from the CRA meet bi-weekly for a 6-month period. The purpose of these meetings was to review all property owned by the City and CRA, in order to identify the current or future intended purpose for the land. In the end, the committee presented the work to the City Manager.

A report was produced by the CRA, with the information that the Development Services Department assembled. Development Services still has this database and updates it as needed. As a result of this intense review process, it was a recommendation to the City Manager to create a new for job for someone to manage and review all that is related to the acquisition, management and maintenance of these properties. Until such time that this position is filled, this Department has the database/inventory of all City Owned land.

(j) SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

The support of development near transportation hubs and major employment centers and mixed-use developments.

Existing Strategy: The City has a current transit-oriented district and a proposed transit-oriented corridor. There is the existing Downtown Pompano Transit Oriented District and the proposed East Transit Oriented Corridor. The ETOC or East Transit Oriented Corridor is a designated area where the City is proposing major land use plan and zoning code changes to implement a district that allows mixed-use development with commercial uses on the first floor, primarily along US 1 and Atlantic Boulevard, and residential units on upper floors. Affordable housing must be addressed in any land use plan amendments that increase permitted residential units by more than 100 units. To meet County requirements in the ETOC, 15% or 360 units, of the additional 2,399 units will be affordable housing or the developer will have to pay an in lieu of fee into the City's Affordable Housing Trust Fund to buy out of the affordable housing requirement.

IV. EXHIBITS:
A. Administrative Budget for each fiscal year covered in the Plan.

LHAP 2009-001
Exhibit A
1-Jul-18

City of Pompano Beach

Fiscal Year: 2018-2019		
Estimated Allocation for Calculating:	\$	45,746.00
Salaries and Benefits	\$	43,496.00
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	45,746.00
Fiscal Year: 2019-2020		
Estimated Allocation for Calculating:	\$	45,746.00
Salaries and Benefits	\$	43,496.00
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	45,746.00
Fiscal Year 2020-2021		
Estimated Allocation for Calculating:	\$	45,746.00
Salaries and Benefits	\$	43,496.00
Office Supplies and Equipment	\$	1,000.00
Travel Per diem Workshops, etc.	\$	500.00
Advertising	\$	750.00
Other*	\$	
Total	\$	45,746.00

*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.

B. Timeline for Estimated Encumbrance and Expenditure.

CITY OF POMPANO BEACH affirms that funds allocated for these fiscal years will meet the following deadlines:
(Local government)

Fiscal Year	Encumbered	Expended	1 st Year AR	2 nd Year AR	Closeout AR
2018-2019	6/30/2020	6/30/2021	9/15/2019	9/15/2020	9/15/2021
2019-2020	6/30/2021	6/30/2022	9/15/2020	9/15/2021	9/15/2022
2020-2021	6/30/2022	6/30/2023	9/15/2021	9/15/2022	9/15/2023

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 st Year AR Not Submitted	2 nd Year AR Not Submitted	Closeout AR Not Submitted
2018-2019	3/30/2020	3/30/2021	6/15/2019	6/15/2020	6/15/2021
2019-2020	3/30/2021	3/30/2022	6/15/2020	6/15/2021	6/15/2022
2020-2021	3/30/2022	3/30/2023	6/15/2021	6/15/2022	6/15/2023

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 and 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 when you are ready to “submit” the AR.

Other Key Deadlines:

AHAC reports are due for each local government the same year as the local government’s LHAP being submitted. Local governments receiving the minimum or less allocation are not required to report.

C. Housing Delivery Goals Chart (HDGC) For Each Fiscal Year Covered in the plan.

[illegible]

SHIP LHAP Template 2009-001
Effective July 1, 2018[illegible]

D. Signed LHAP Certification

CERTIFICATION TO FLORIDA HOUSING FINANCE CORPORATION

Local Government or Interlocal Entity: **CITY OF POMPANO BEACH**

Certifies that:

- (1) The availability of SHIP funds will be advertised pursuant to program requirements in 420.907-420.9079, Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, 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 420.907-9079 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).

Witness SEE ATTACHED COPB SIGNATURE PAGE
Chief Elected Official or designee

Witness LAMAR FISHER, MAYOR
Type Name and Title

Date

OR

Attest:
(Seal)

“CITY”:

Witnesses: **CITY OF POMPANO BEACH**

By: _____
LAMAR FISHER, MAYOR

By: _____
GREGORY P. HARRISON,
CITY MANAGER

Attest:

ASCELETA HAMMOND, CITY CLERK (SEAL)

Approved As To Form:

MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this _____ day of _____, 2018 by **LAMAR FISHER** as Mayor, **GREGORY P. HARRISON**, as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY’S SEAL: _____
NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

E. Signed, dated, witnessed or attested adopting resolution.

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ANY NECESSARY 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 (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one to three-year Local Housing Assistance Plan outlining how funds will be used; and

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

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

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

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

WHEREAS, the City Commission finds that it is in the best interest of the public for the City of Pompano Beach 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 COMMISSION OF THE CITY OF POMPAÑO BEACH, FLORIDA:

SECTION 1. The City Commission of the City of Pompano Beach hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2018-2019, 2019-2020, 2020-2021.

SECTION 2. The City Manager is hereby designated and authorized to execute any 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. City staff is hereby authorized and directed to submit the said approved plan for review and approval by the Florida Housing Finance Corp.

SECTION 4 This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2018.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

MEB/jrm
3/9/18
l:reso/2018-139

F. Subordination Policy

CITY OF POMPANO BEACH

Office of Housing and Urban Improvement
HOMEOWNER SUBORDINATION POLICY AND REQUEST FORM

(Revised October 1, 2017)

(Return This Form with Required Documentation, if applicable)

POLICY STATEMENT

Upon written request, the City of Pompano Beach may consider the subordination of its mortgage(s) for refinancing proposals that will not seriously affect the affordability of the property or security of the public investment.

To outline the practices and procedures, which utilized by the Office of Housing and Urban Improvement (OHUI) to determine if the City will subordinate its loan to another lending institution, the policy to grant subordination based on the following criteria:

1. The original borrower has been approved by the holder of the first mortgage for a loan refinance or modification that will reduce the borrower's monthly first mortgage payment through reduction of the principal loan amount, reduction of the loan's interest rate, extension of the loan's repayment term, or a combination of any those factors; and
2. At least (1) year has passed since work was completed, or two years have passed since the original borrower's last subordination; and
3. The original borrower continues to own and occupy the home as its primary residence; and
4. The original borrower is experiencing financial hardship which would be benefited by securing a lower interest rate on his or her first mortgage accompanied by lower payments; and
5. The new monthly payment included escrows for taxes, and insurance, and represents between 30%-45% front and back ratio of a borrower's gross monthly income; and
6. The new first mortgage interest rate is at least two percentage points below the original first mortgage, and/or as a result of the monthly savings, the borrower should be able to recoup (break-even) the loan closing costs within 3-5 years; and

7. The new loan origination fee, point, commitment fees, buy down fees and other lender charges do not exceed 2% of the loan amount; and
8. The first mortgage shall be for a term no longer than 30 years; and
9. The mortgage is fixed rate; and
10. The mortgage borrower does not receive any cash out for any purpose; and
11. Property insurance and taxes must be escrowed for annual payment for the life of the loan; and
12. The borrower has must have sufficient equity in the home so as not to displace the City beyond a 95% loan to value ratio; and
13. If the borrower has a payment type loan, the account must be current; and
14. Property taxes must not be delinquent.
15. The CITY WILL NOT subordinate if we are in 1st position.
16. Borrower must submit proof of the homeowner's insurance. Borrowers interested in seeking approval from the City's Office of Housing & Urban Improvement to subordinate a first mortgage must:
 - Write to the City of Pompano Housing & Urban Improvement Office requesting the City subordinate to their lender and authorizes the lender to receive information regarding their loan for the purposes of the refinance.
 - The Lender must provide the details of the loan being requested such as a copy of the truth in lending statement, a copy of the appraisal and a copy of the projected settlement costs.
 - Provided additional information as needed to establish that the loan is strictly for a reduction in payment/interest rate and that the lender is not charging rates or providing terms that will in some way fall under the category of predatory lending practices.
 - The City must review a copy of the CD-1 Closing Statement prior to release of the City's executed Subordination Agreement. If a title company faxes the CD-1 to the City when completed, and supplies their FedEx (or overnight carrier) account number, the City will overnight, fax, if acceptable, the executed Subordination Agreement, if in agreement with the figures on the CD-1.

- All requests for subordination will require a minimum of 15 working days to review the documents and make a determination.

This Loan Subordination Policy may be amended from time to time. For the most up to date version please contact the City of Pompano Beach-Office of Housing & Urban Improvement at 954-786-4659.
I have read the above City of Pompano Beach.

Borrower	Date
-----------------	-------------

Borrower	Date
-----------------	-------------

REQUEST FOR SUBORDINATION OF MORTGAGE- DOCUMENTATION REQUIREMENTS

In order to begin processing a subordination request, the City of Pompano Beach requires that **ALL** of the following documentation be received. You can expect a decision within **10-15 business** days following receipt of **ALL** these items listed below (**NOTE:** Any missing information may delay processing of this request):

- ✓ A Letter from the owner of record with a City Mortgage, authorizing this request.
- ✓ A commitment letter from the appropriate lending institution detailing the amount, rate, term reason for new financing.
- ✓ A Good Faith Estimate of Settlement Charges (Loan processing fees, Origination fees, Recording fee, etc.) or CD Statement.
- ✓ A copy of the appraisal instrument used by the lender in making their decision.
- ✓ A copy of the mortgage and any amendments with the City or recording information for the same.
- ✓ Completed subordination request form (attached). This form must be completely filled out for the subordination request to be processed.
- ✓ A copy of the title commitment
- ✓ Evidence of the outstanding balances of all liens on the property with the exception of the City of Pompano's lien, and evidence of the interest rates associated with those liens (include payoff statements)

Note: Subordination requests will not be consider unless all documents are receive. It is the responsibility of the sender to make sure all documents are submit accordingly. The review process can take up to fourteen (14) business days before a subordination request is approve.

Please forward this documentation to:

***City of Pompano Beach
Office of Housing & Urban Improvement
100 West Atlantic Blvd, Suite 220
Pompano Beach FL33060
Fax: (954) 786-5534***

Telephone questions may be directed to Joann Martin-Onesky at (954) 786-4657 or email to Joann.martin-onesky@copbfl.com

SUBORDINATION REQUEST FORM

Please provide the information requested below so that your request for subordination from the OHUI may be expedited. The OHUI reviews requests for subordination on an individual basis. **There is no guarantee that requests for subordination will be granted - please check the terms and conditions of your loan.**
(NOTE: Additional documents may be requested as necessary).

Homeowner(s) Name(s): _____ Date Requested: _____
Property Address: _____
Day Phone: _____ Evening Phone: _____
City's Mortgage Amount: _____ Date Executed: _____
Date Recorded: _____ Recorded in Book _____ at Page _____
If Registered Land, Document# _____ and Certificate of Title# _____

If you are seeking to refinance an existing mortgage, please provide the following information:

Ist Mortgage Amount: _____ Outstanding Balance: _____ Interest Rate: _____
Loan Term: _____ Loan Type: _____
2nd Mortgage Amount: _____ Outstanding Balance: _____ Interest Rate: _____
Loan Term: _____ Loan Type: _____
3rd Mortgage Amount: _____ Outstanding Balance: _____ Interest Rate: _____
Fees (\$ amt. and type) ex. Pre-payments penalties _____
New loan Amount: _____ Credit Score: _____ Rate Expiration Date: _____

The following mortgage (s) will be superior to the City's mortgage after subordination.

Exact name of the Lender (Mortgagee): _____
Loan Amount: _____ Terms: _____ Interest Rate: _____
Present Appraised Value of Property: _____ Appraised supplied by: _____
New Lender Contact Name: _____ Phone#: _____
Closing Attorney and/or Paralegal for Lender: _____ Phone#: _____
Fax#: _____ Email: _____ Phone#: _____

Reason for Subordination Request (Please check all that apply):

- ☐ Lower interest rate/monthly payments
- ☐ Security of a fixed rate loan
- ☐ Obtain a Reversed Mortgage
- ☐ Mortgagee to receive cash for home improvement loan
- ☐ Eliminate mortgage insurance
- ☐ Other: _____

OFFICE USE ONLY: THIS SECTION TO BE COMPLETED BY THE CITY OF POMPANO BEACH OFFICE OF HOUSING AND URBAN IMPROVEMENT

Date Received: _____

Amount of Existing City Mortgage: \$ _____

Date Recorded: _____

Have all subordination request documents been submitted? ____ Yes ____ No

Subordination Agreement Request: ____ Approved ____ Denied

Reason(s) for denial:

1. _____
2. _____
3. _____

If approved:

- Prepare subordination agreement
- Director approves/signs the agreement
- Original agreement goes to Mortgage Company with reminder to have the document recorded and to return a copy to the City or our file.
- Agreement will returned to the Office of Housing & Urban Improvement

Reviewer: _____ Date: _____

Approver: _____ Date: _____