

**POLK COUNTY,**

a political subdivision of the State of Florida

State Housing Initiatives Partnership (“SHIP”)

LOCAL HOUSING ASSISTANCE PLAN (“LHAP”)

FISCAL YEARS 2014/2015, 2015/2016 AND 2016/2017



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I. PROGRAM DESCRIPTION:

A. Name of the participating local government and Interlocal if Applicable:

Polk County, a political subdivision of the State of Florida (“County”)

Interlocal: Yes   X   No \_\_\_\_\_

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

SHIP Interlocal Agreements only: Ft. Meade, Frostproof, Haines City, Lake Wales.

The County has entered into an Urban County Agreement until which allows for SHIP expenditures in each of the following jurisdictions: Auburndale, Bartow, Dundee, Eagle Lake, Hillcrest Heights, and Mulberry.

Copies of the Interlocal Agreements are attached as Exhibit H.

B. Purpose of the program

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

This Local Housing Assistance Plan (“LHAP”) outlines the three year plan to implement the State Housing Initiatives Partnership (“SHIP”) program in order to provide a combination of available public and private resources to preserve, improve, and create affordable housing for very low, low, and moderate income households. The SHIP program has been created to provide flexibility in the use of resources to meet goals and objectives in this plan, Polk County Comprehensive Plan, Housing Element, and the Polk County Consolidated Plan.

The statutory requirements of the SHIP program require distribution of the funds in the following manner:

a. A minimum of 30% (thirty percent) of Polk County’s local housing distribution will be set aside for very low income households; a minimum of 30% (thirty percent) will be set aside for low income households.

b. Home-ownership opportunities: A minimum of 65% (sixty-five percent) will

be set aside for activities that promote home-ownership opportunities for very low, low, and moderate income households. Relevant activities include, but are not limited to,

1. Purchase assistance for existing units with or without rehabilitation,
2. Purchase assistance with development of new owner-occupied housing,
3. Rehabilitation of existing units.

c. Construction element: A minimum of 75% (seventy-five percent) will be set aside for activities that include construction and rehabilitation.

These set-asides are consistent with the provisions of Chapter 67-37, F.A.C.

C. Fiscal years covered by the Plan:

<u>X</u>	<u>2014/ 2015</u>
<u>X</u>	<u>2015/2016</u>
<u>X</u>	<u>2016/2017</u>

D. Governance

The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37.007 Florida Administrative Code.

**Cities and Counties must be in compliance with these applicable statutes and rules.**

E. Local Housing Partnership

Polk County continues to partner with area builders, banks, real estate firms, and non-profit organizations for the delivery of county wide housing opportunities. Local collaboration also includes coordination with homeless service providers for transitional housing, special needs housing. Polk County also partners with for profit organizations delivering housing to very low and low income households. County Partnerships have extended to Polk Vision, a group formed to bring residents, government and community leaders together to examine issues affecting the county. The purpose of the Polk County Local Housing Assistance Plan is to increase the availability of affordable residential units.

Non Profit Sponsors: Polk County relies on its partnership with IRS recognized non-profit affordable housing organizations to implement its purchase assistance program. Polk County also coordinates with non profit agencies to provide new construction for very low income households. In addition, Polk County has partnered with public non

profits, such as, area public housing authorities for various multi-family housing improvements. Eligible sponsors compete for SHIP funding according to the county's procurement procedures. Polk County considers the agency's mission, experience, capacity, financial stability and ability to meet SHIP program requirements.

**Homebuyer Education:**

Applicants will be required to register with our Non-Profit Subrecipient for the Homebuyer Education Course. Topics will include, but not be limited to: learning how to qualify for a mortgage, how to budget, how to address credit issues and work with realtors and sellers. Funds will be awarded to the Non-profit subrecipient for the cost of the homebuyer education courses and materials, funds are considered a grant.

Polk County will advertise county wide for eligible sponsors/subrecipients that are interested in providing Homebuyer Education courses for future homebuyers.

This program may be implemented by a single entity or a consortium of eligible sponsors. The eligible sponsors or subrecipients will be chosen by a Request for Proposal ("RFP") process. The successful respondents will have a proven record with the administration of very low, low, and moderate income home buyer programs. In addition, they will have successfully demonstrated capacity to handle the administrative process for the anticipated number of persons seeking homebuyer education and will ensure that the require homebuyer education criteria have been met for each client. The ability to leverage private dollars or in kind services will be an advantage to the successful respondent. All eligible sponsors must attend SHIP training.

Eligible sponsors employing Welfare Transition Program personnel will be given preference in the selection process.

F. Leveraging:

Polk County forms local housing partnerships in order to maximize local resources. These partnerships provide various cost saving measures such as reduced closing costs, and relief from mortgage point fees to the recipients of SHIP assistance. The County SHIP funds provide a local match for federal housing programs and may also be leveraged by the Polk County Housing Finance Authority Bond Program.

G. Public Input

Public input is solicited through a variety of means including meetings with housing providers, social service providers, local lenders and neighborhood associations. All notices pertaining to affordable housing, including the Local Housing Assistance Plan and the Notice of Funding Availability are advertised in local newspapers. Additionally, Polk County will continue to seek input from its Affordable Housing Advisory

Committee (“AHAC”) which meets regularly.

H. Advertising and Outreach

The County advertises the notice of funding availability in a newspaper of general circulation at least 30 days before the beginning of the application period. Polk County has an established waiting list for assistance; specific program advertising is not recommended until such time as the waiting list of potential clients is significantly reduced.

I. Discrimination

In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, creed, religion, color, age, sex, marital status, familial status, national origin or handicap in the award application process for eligible housing. Polk County complies with the requirements of the Federal Fair Housing regulations and has completed a countywide Analysis of Impediments to fair housing choice.

J. Support Services and Counseling

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

- Homebuyer education and credit counseling programs  
Homeownership counseling and education is available for first time home buyers through Polk County’s partnering agencies. These programs offer a certificate upon completion of the homebuyer education course, one on one counseling for foreclosure prevention, credit repair, budget and debt management, and lender prequalification.  
Counseling services are made available to eligible Polk County residents.
- A variety of transportation services are available to eligible Polk County citizens. To include elderly, low income, disabled, health care clients, and individuals without means of transportation.
- Social Services are provided at county offices and outpost locations. These services include but are not limited to low cost medical, prescription reimbursement, rental assistance, indigent burials, utilities payments, and geriatric services.

K. Purchase Price Limits

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.

Polk County accepts the published maximum area purchase price as the purchase price limits for Polk County's Local Housing Assistance Plan. The FHFC provides periodic updates to the published maximum area purchase price and Polk County desires to update its purchase price limits to correspond with the FHFC updates. Staff has the authority to change the maximum purchase price to reflect the needs of the County, as long as it does not exceed the maximum established by the U.S. Treasury Department and provided by FHFC. Staff will notify the County of such changes.

The methodology used is:

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

The purchase price limit for new and existing homes is shown on the Housing Delivery Goals Chart attached in Exhibit C.

L. Green Initiatives

Section 420.9075 (3) (d), Florida Statutes, requires counties and eligible municipalities to describe initiatives in their local housing assistance plans that encourage or require innovative design, green building principles, storm resistant construction or other elements that reduce long term costs relating to maintenance, utilities or insurance. Polk ensures that housing repairs or reconstruction homes meet the Florida Building Code standards with regard to storm resistant construction. Polk County also encourages the use of building materials and installation of appliances that improve energy efficiency.

M. Income Limits, Rent Limits and Affordability

The Income and Rent Limits used in the SHIP Program are updated annually from the Department of Housing and Urban Development and distributed by the Florida Housing Finance Corporation.

Affordable means that monthly rents or mortgage payments including taxes and insurance do not exceed 30% of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071 (19), (20) and (28), F.S. However, it is not the intent to limit an individual household's ability to devote more than 30 % of its income for housing, any 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. In the case of rental housing, the rent payment does not exceed those rental limits adjusted for bedroom size.

**Very Low Income Person or Household:** A household with a total annual gross income that does not exceed 50% of the annual median income adjusted for household size within the Lakeland-Winter Haven MSA.

**Low Income Person or Household:** A household with a total annual gross income that does not exceed 80% of the annual median income adjusted for household size within the Lakeland-Winter Haven MSA.

**Moderate Income Person or Household:** A household with a total gross income that does not exceed 120% of the annual median income adjusted for household size within the Lakeland –Winter Haven MSA.

N. Welfare Transition Program

The successful sponsor will have demonstrated capacity to administer the proposed program. Should an eligible sponsor be used, the county will develop a qualification system. The selection criteria for applications for awards to eligible sponsors will include a description that demonstrates how employed personnel from the Welfare Transition Program will be given preference in the selection process. The eligible sponsor will be chosen by a RFP process.

O. Monitoring and First Right of Refusal

In the case of rental housing, the staff, as the entity with administrative authority for implementing the local housing assistance plan shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides the same monitoring and determination, county may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$3,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored at least annually for 15 years, or the term of assistance, which ever is longer or 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 non-profit organizations for purchase at the current market value for continued occupancy by eligible persons.

P. Administrative Budget

A detailed listing including line-item budget of proposed administrative expenditures is attached as Exhibit A. These are presented on an annual basis for each state fiscal year submitted.

Polk County solely uses all funds deposited in the Local Housing Assistance Trust Fund to administer and implement the local housing assistance plan. In accordance with Section 420.9075, Florida Statutes and Chapter 67-37, Florida Administrative Code, a County or an eligible municipality may not exceed the 5% limitation on administrative costs, unless its governing body finds, by resolution, that 5% of the local housing distribution plus 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 10% of the local housing distribution plus 5% of program income deposited into the trust fund, except that small counties, as defined in s.120.52 (17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 % of program income for administrative costs.

*Polk County has adopted the above referenced summary attached resolution, Exhibit E.*

Q. Program Administration

Administration of the local housing assistance plan is the responsibility of Polk County Housing and Neighborhood Development Office. Should a third party entity or consultant contract with the county for any of the administration or implementation functions of the program, they must provide in detail a summary of their duties, qualifications, and selection criteria.

The eligible sponsor will be chosen by a RFP process. The successful respondent will have a proven record with the administration of very low, low, and moderate income programs. The selected sponsor must attend SHIP training within 12 months of the award of funds. Eligible sponsors employing Welfare Transition Program personnel will be given preference in the selection process.

R. Essential Service Personnel

Define in accordance with Rule Chapter 67-37.002(8) F.A.C. and Chapter 67-37.005(8),

F.A.C. and Section 420.9075(3) (a) FS.

**Essential Service Personnel:** Is defined to include, but not limited to, teachers and educators, other school districts, community college and university employees, police and fire personnel, health care personnel, skilled building trade personnel.

**LHAP HOUSING STRATEGIES:**

**A. Down Payment and Closing Cost Assistance:**

- a. Summary of Strategy:** The purpose of this strategy is to provide down payment and closing costs assistance to SHIP eligible homebuyers.
- b. Fiscal Years Covered:** Fiscal Years 2014/15, 2015/16, and 2016/17.
- c. Income Categories to be served:** Very low, low and moderate income
- d. Maximum award:** Maximum award is noted on the Housing Delivery Goals Charts. (Exhibit C)
- e. Terms, Recapture and Default:** The down payment assistance under this program will be secured through a deferred, 0% interest subordinate mortgage, with the following terms:

<b>Homeownership Assistance Amount Per Unit</b>	<b>Minimum Period of Affordability</b>
Under \$ 15,000	5 years
Over \$15,000	10 years

The amount of the subordinate mortgage shall be secured by a deferred payment mortgage. A deferred payment mortgage is one in which no payments are required as long as the homeowner remains in the home and complies with the terms of the SHIP mortgage. The loan is forgiven at the end of the affordability period. The full down payment assistance loan is due and payable at time of sale, refinancing, transfer of title, or if the property ceases to be the full time residence of the assisted client. Closing costs assistance will be provided as a grant. In cases where the combined loan to value exceeds 100%, the amount over 100% may not be subject to recapture, per the requirements of the first mortgage holder.

- f. Recipient Selection Criteria:** In all cases, down payment assistance applicants will be required to obtain a first mortgage for the balance of the purchase price. To be eligible, applicants cannot currently own a home. Applicants are also

required to complete a Homebuyer Education course provided by Polk County's contracted Non-Profit Subrecipient who teaches the Homebuyer Education Classes or other approved Homebuyer Education course. Eligible applicants will be assisted on a first-come, first qualified basis.

Down payment/closing costs assistance may be for the purchase of existing homes, for newly constructed homes, or for rehabilitated existing homes.

**g. Sponsor Selection Criteria:**

Selection Criteria: Polk County will advertise county wide for eligible sponsors that are interested in participating in Polk County's down payment assistance delivery program.

This program may be implemented by a single entity or a consortium of eligible sponsors. The eligible sponsors or eligible subrecipients will be chosen by a RFP process. The successful respondents will have a proven record with the administration of very low, low, and moderate income home buyer programs. In addition, they will have successfully demonstrated capacity to handle the administrative process for the anticipated number of loans, and will ensure the required home buyer education criteria have been met for each client. The ability to leverage private dollars/in kind services will be an advantage to the successful respondent. All eligible sponsors must attend SHIP training.

Eligible sponsors employing Welfare Transition Program personnel will be given preference in the selection process. (Exhibit C)

**h. Additional Information:**

Mobile Homes are not eligible for purchase under this program. Per SHIP guidelines, no more than 20% of SHIP funds may be used for manufactured homes.

**B. Minor Repairs (rehabilitation):**

- a. Summary of the Strategy:** This strategy will provide one-time minor repairs for SHIP eligible very low, low, and moderate income owner-occupied homes (as defined by Section 420.9071(8)). Homes requiring minor repairs costing up to \$ 25,000.00 will be repaired to meet adopted codes. Eligible minor repairs will correct roofing systems (including soffit and fascia), onsite sewage disposal systems or replace with sewer taps if available, water systems (including wells, pressure tanks, pumps and wiring) or replace with water taps if available, and removal of architectural barriers for households with special housing needs as defined in Chapter 67-37.002 (21), FAC. The strategy includes repairs necessary

to make the eligible housing unit safe or sanitary per Section 67-37.002 (24) of the SHIP Rule.

Mobile homes are not generally eligible for Minor Repair assistance. However, if repairs are needed for the removal of architectural barriers for households with special housing needs, as defined in the Florida Administrative Code Chapter 67-37.002 (21), in a mobile or manufactured home, for health and safety purposes, the case may be submitted to the Housing and Neighborhood Development manager for review and approval. In accordance with SHIP guidelines, no more than 20 percent of SHIP funds may be used for assistance for mobile homes.

- b. Fiscal Years Covered:** This strategy will cover the 2014/15, 2015/16, and 2016/17 state fiscal years
- c. Income Categories to be served:** Very low, low, and moderate income eligible homeowners.
- d. Maximum award:** Maximum award is noted on the Housing Delivery Goals Charts. (Exhibit C)
- e. Terms, Recapture and Default:** The assistance for minor repairs will be provided as a grant and is not subject to recapture.
- f. Recipient Selection Criteria:** Eligible applicants will be assisted on a first-come, first qualified basis, except waiting list priority for minor repairs that will be given in the following circumstances:
  - 1. Documented special need of an eligible homeowner (or immediate household member) that faces imminent institutionalization without repairs to the home. This exception to waiting list priority is intended to be available only in cases of last resort. If institutionalization is not imminent, the applicant will not receive priority.
  - 2. Eligible homeowner who has suffered a catastrophic single event emergency (e.g. fire, localized weather damage, etc.) that will cause imminent homelessness. This exception to waiting list priority is intended to be available only in cases of last resort. If homelessness is not imminent, the applicant will not receive priority.
  - 3. Eligible residents in the County's Green Swamp Area.

- g. **Sponsor Selection Criteria:** This program will be administered by the Polk County Housing and Neighborhood Development Office.
- h. **Additional Information:** Mobile homes will not be eligible for assistance. Per SHIP guidelines, no more than 20% of SHIP funds may be used for manufactured homes. If there is an emergency accessibility hardship case involving a manufactured home, it will be evaluated based on the merits of the hardship claim, supporting documentation, as well as, the amount of assistance needed and is subject to HND management approval. Total funding for such hardship cases will not exceed the 20% of SHIP funds per Florida statutes.

**C. Substantial Housing Rehabilitation:**

- a. **Summary of the Strategy:** Eligible homes requiring substantial rehabilitation using SHIP funds will be repaired to meet Polk County’s Housing Rehabilitation Standards including repairs necessary to make the housing unit safe or sanitary per Section 67-37.002 (24) of the SHIP Rule. If the maximum award amount combined with any other public or private dollars is not sufficient to bring a home up to Polk County’s Housing Rehabilitation Standards, then the home will not be eligible for assistance under this strategy. In the event that the maximum award is insufficient, the very –low, and low income homeowner (over age 55) may qualify under the Reconstruction Strategy, or may be referred for replacement housing under the Home Investments Partnership Program (“HOME”).

This strategy may be combined with other state, federal, or local programs.

- b. **Fiscal Years Covered:** This strategy will cover the 2014/15, 2015/16, and 2016/17 state fiscal years
- c. **Income Categories to be served:** Very low and low income eligible homeowners.
- d. **Maximum award:** Maximum award is noted on the Housing Delivery Goals Charts. (Exhibit C)
- e. **Terms, Recapture and Default:** A grant of up to \$8,000.00 will be provided for temporary relocation expenses (if necessary), permits, ownership and encumbrance Reports, title commitment and service delivery costs. Allowable relocation expenses may include, but not be limited to, the costs of moving, storing, and insuring personal property during moving and storage. The grant

amount of \$8,000.00 is included in the maximum award noted on the Housing Delivery Goals Chart.

The Substantial Rehabilitation program strategy for very low and low income homeowners will consist of the following:

Housing rehabilitation costs for very low and low income homeowners will be secured with a 15-year 0% interest deferred payment mortgage. A deferred payment mortgage is one in which no payments are required as long as the homeowner remains in the home and complies with the terms of the SHIP mortgage. The loan deferred mortgage is forgiven at the end of the affordability period. The 15- year affordability period begins one year after the completion of the rehabilitation project. The loan becomes due and payable from the time of the loan if one of the following events occurs:

- 1) The homeowner sells, transfers or disposes the property or home either voluntarily or involuntarily:
- 2) The homeowner fails or ceases to occupy the home as their principal residence.
- 3) The homeowner or if the homeowner is married, the survivor of the homeowner or the homeowner's spouse dies and the heir (s) to the property is not a low income person as defined by the program criteria.
- 4) The homeowner refinances the first mortgage loan.
- 5) The homeowner violates any terms of the mortgage and mortgage or mortgage note entered into with Polk County.

In the event of a voluntary (sale) or involuntary (foreclosure) transfer of the property during the applicable period of affordability, Polk County will recapture all of the SHIP assistance provided to the homebuyer. If the net proceeds from a voluntary (sale) or involuntary (foreclosure) sale are insufficient to repay the amount of the SHIP subsidy, the County shall recapture the balance due on the loan or 100% of net proceeds from the sale, whichever is less. If there are no net proceeds from the sale, no repayment is required. Net proceeds are defined as the sales price minus superior loan repayment and any closing costs incurred by the homebuyer.

**f. Recipient Selection Criteria:** Eligible applicants will be assisted on a first-come, first qualified basis, except that waiting list priority for substantial housing rehabilitation will be given in the following circumstances:

1. Documented special need of eligible homeowner (or immediate household member) that faces imminent institutionalization without the rehabilitation to the home. This exception to waiting

list priority is intended to be available only in cases of last resort. If institutionalization is not imminent, the applicant will not receive priority.

2. Eligible homeowner who has suffered a catastrophic single event emergency (e.g. fire, localized weather damage, etc.) that will cause imminent homelessness. This exception to waiting list priority is intended to be available only in cases of last resort. If homelessness is not imminent, the applicant will not receive priority.
3. Eligible residents' property is located in the County's Green Swamp Area.

First Qualified means the applicant has a complete application with all required supporting documentation, provides proof of homeownership, clear title, homeowner insurance, and is current on payment of property taxes.

- g. **Sponsor Selection Criteria:** The program will be administered by the Polk County Housing and Neighborhood Development Office.
- h. **Additional Information:** This strategy will provide substantial rehabilitation for SHIP-eligible very low and low income owner-occupied homes. In the event of the death of the homeowner(s), an income-eligible heir may occupy the home and assume the mortgage by means of a mortgage modification. If there is not an income-eligible heir, the mortgage will be due and payable. This mortgage may be paid at any time without penalty.

Mobile homes and manufactured homes will not be eligible for assistance.

**D. Reconstruction:**

- a. **Summary of the Strategy:** This strategy will provide replacement housing for SHIP eligible very low and low income owner-occupied homes that are unfeasible for rehabilitation, preference is given to homes owned by the elderly (over age 55). Mobile homes and manufactured homes will not be eligible for assistance unless the owner agrees that the mobile/manufactured home will be removed from the site.

Under current County policy, no owner-occupied dwelling will be subject to condemnation. Only those dwellings occupied by eligible home-owners wishing

to participate in a voluntary demolition program will be considered qualified for replacement if:

1. The homeowner's household income is very low or low as defined previously;
2. The home is found to be unfit for human habitation in accordance with standards set forth in the Florida Building Code.
3. The home has been determined to be structurally unfeasible for rehabilitation or rehabilitation costs exceed the allowed limit in the Substantial Rehabilitation strategy; the homeowner agrees to permit the County to have the dilapidated structure demolished.
4. The homeowner has owned and occupied the dwelling to be demolished for not less than 365 days prior to execution of such an agreement.

Homeowners assisted under this strategy will be encouraged to obtain temporary housing on their own. A grant of up to \$8,000.00 may be provided for temporary relocation expenses, permits, Ownership and Encumbrance Report, title commitment, and service delivery costs. Allowable relocation expenses may include, but not be limited to, the costs of moving, storing, and insuring personal property during moving and storage. The grant amount of \$8,000.00 is included in the maximum award noted on the Housing Delivery Goals Chart. (Exhibit C)

First Qualified means the applicant has a complete application with all required supporting documentation, provides proof of homeownership, clear title, homeowner insurance, and is current on payment of property taxes

- b. **Fiscal Years Covered:** Fiscal years 2014/15, 2015/16, and 2016/17.
- c. **Income Categories to be served:** Very low and low income eligible homeowners.
- d. **Maximum award:** Maximum award is noted on the Housing Delivery Goals Charts. (Exhibit C)
- e. **Terms, Recapture and Default:** Housing replacement costs for very low and low income homeowners will be secured with a 15-year 0% interest deferred payment mortgage. A deferred payment mortgage is one in which no payments are required as long as the homeowner remains in the home and complies with

the terms of the SHIP mortgage. The loan deferred mortgage is forgiven at the end of the affordability period. The 15- year affordability period begins one year after the completion of the reconstruction project. The loan becomes due and payable if one of the following events occurs:

- 1) The homeowner sells, transfers or disposes the property or home either voluntarily or involuntarily;
- 2) The homeowner fails or ceases to occupy the home as their principal residence.
- 3) The homeowner and if the homeowner is married, the survivor of the homeowner or the homeowner's spouse dies and the heir (s) to the property is not a low income person as defined by the program criteria.
- 4) The homeowner refinances the first mortgage loan.
- 5) The homeowner violates any terms of the mortgage and mortgage or mortgage note entered into with Polk County.

In the event of the death of a homeowner, an income eligible heir may occupy the home and assume the loan. Polk County Housing and Neighborhood Development will determine the heirs income eligibility, and if income eligible, a modification of the loan will be prepared and presented to the Polk County BoCC for approval.

In the event of a voluntary (sale) or involuntary (foreclosure) transfer of the property during the applicable period of affordability, Polk County will recapture all of the SHIP assistance provided to the homebuyer. If the net proceeds from a voluntary (sale) or involuntary (foreclosure) sale are insufficient to repay the amount of the SHIP subsidy, the County shall recapture the balance due on the loan or 100% of net proceeds from the sale, whichever is less. If there are no net proceeds from the sale, no repayment is required. Net proceeds are defined as the sales price minus superior loan repayment and any closing costs incurred by the homebuyer.

This strategy may be combined with other state, federal, or local programs.

- f. **Recipient Selection Criteria:** In the event that the Substantial Rehabilitation maximum award is insufficient, the very low and low income homeowner may qualify under this Reconstruction Strategy, or may be referred for replacement housing under the HOME Program .
- g. **Sponsor Selection Criteria:** The program will be administered by the Polk County Housing and Neighborhood Development Office.

- h. Additional Information:** Mobile homes and manufactured homes will not be eligible for assistance unless the owner agrees that the mobile/manufactured home will be removed from the site. This strategy may be combined with other state, federal, or local programs.

**E. Disaster Assistance:**

- a. Summary of the Strategy:** This strategy will provide assistance for minor repairs, substantial rehabilitation, or reconstruction of eligible housing for very low, low, and moderate income households in the aftermath of a disaster declared at the Federal or State level. To be eligible for disaster assistance, the house must have been owner-occupied at the time of the disaster. Assistance will only be provided for those repairs not covered by insurance or any other disaster relief program. Examples of the types of rehabilitation would include repairing structural damage, roof repair/replacement, demolition costs, and retrofitting activities such as waterproofing or elevating a structure to meet requirements of the National Flood Insurance Program and F.S. 161. The strategy will be administered by the County, and will be implemented only in the event of a Federal or State, disaster, using funds that have not been encumbered or additional SHIP funds designated for disaster relief.

The Polk County Disaster Strategy will follow the guidelines for the Minor Repair Strategy, Substantial Rehabilitation Strategy and Reconstruction Strategy, and Down Payment Assistance Strategies previously listed in the LHAP. However, the Disaster strategy allows for assistance to be provided to moderate income individuals for all three strategies. This strategy may be combined with other state, federal, or local programs.

- b. Fiscal Years Covered:** This strategy will cover the 2014/15, 2015/16, and 2016/17 state fiscal years
- c. Income Categories to be served:** Very low, low, and moderate income eligible homeowners
- d. Maximum award is noted on the Housing Delivery Goals Charts**
- e. Terms, Recapture and Default:** The terms and recapture provisions from the Substantial Rehabilitation, Reconstruction, and Down Payment Assistance Strategies will be used for the Disaster Strategy. First Qualified means the applicant has a complete application all required supporting documentation, provides proof of homeownership, clear title, homeowner insurance, and is current on payment of property taxes.

- f. **Recipient Selection Criteria:** Eligible applicants will be assisted on a first-come, first qualified basis.
- g. **Sponsor Selection Criteria:** This program will be administered by Polk County Housing and Neighborhood Development Office.
- h. **Additional Information:** Mobile homes and manufactured homes will not be eligible for assistance unless the owner agrees that the mobile/manufactured home will be removed from the site. This strategy may be combined with other state, federal, or local programs.

F. Rapid Re-Housing Program:

- a. **Summary of the Strategy:** This strategy will provide housing relocation and stabilization services and short and/or medium-term rental assistance as necessary to help individuals living in shelters or in places not meant for human habitation move as quickly as possible into permanent housing and achieve stability in that housing. Eligible cost also include utilities, rental application fees, security deposits, last month's rent, utility deposits and payments, moving costs, housing search and placement, housing stability case management, landlord-tenant mediation, tenant legal services, identification fees and documents and credit repair.
- b. **Fiscal Years Covered:** This strategy will cover the 2016/2017 state fiscal years
- c. **Income Categories to be Served:** Very low, low income eligible individuals
- d. **Maximum award is noted on the Housing Delivery Goals Charts**
- e. **Terms, Recapture and Default:** The assistance for Rapid Re-Housing will be provided as a grant and is not subject to recapture.
- f. **Recipient Selection Criteria:** Eligible applications will be assisted on a first-come, first qualified basis.
- g. **Sponsor Selection Criteria:** The program will be administered by \_\_\_\_\_ and monitor/reviewed by the Polk County Housing and Neighborhood Development Office.
- h. **Additional Information:** This strategy will provide housing relocation and stabilization services as necessary to help individual living in shelters or in places not meant for human habitation.

### III. LHAP INCENTIVE STRATEGIES

In addition to Strategy A and Strategy B listed below, list all incentives as provided in 420.9076(4) FS.

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

Permits as defined in s. 163.3164(7) and (8) for affordable housing projects are expedited to a greater degree than other projects.

- a. **Established policy and procedures:** An expedited permitting process for affordable housing was implemented by Polk County in December, 1998. The expedited permitting process applies to those units eligible for impact fee waivers. Building permit processing times for both single family and multifamily units are shortened: Applicants for same day single family permits are processed ahead of conventional same day permits; the turn around time for drop off permits is shortened to 24 hours. Building permits for affordable multifamily units are now identified as such and given priority in the approval process. Pre-construction plan review for affordable housing developments is shortened from 15 working days to 10 days; and plat approval review times are reduced to 5 working days.

The Polk County Land Development Code describes the expedited review procedures for affordable housing in Section 908 (E). Polk County Land development code states the following: “In order to expedite the review of affordable housing developments, the application shall be identified with yellow paper and placed ahead of other incoming applications for plan review and permit processing. Initial plan review shall be completed within ten working days.”

#### B. **Name of the Strategy: Ongoing Review Process**

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

- a. **Established policy and procedures:** The AHAC was created by resolution to review established policies and procedures, ordinances, and regulations, as well as, plan provisions that may increase the cost of housing.

Polk County HND staff coordinates with other County departments regarding ordinances or regulations impacting affordable housing and provides reports and updates to the AHAC for review and discussion at their regularly scheduled meetings. The AHAC meets bi monthly, and sometimes on a monthly basis depending on the needs of the staff and committee. The AHAC provides staff with input and

recommendations. HND staff prepares various reports for the consideration of Polk County's Board of County Commissioners consideration.

**C. Name of Strategy: Waiver of Impact Fees**

**a. Established policy and procedures:** Very low, low and moderate income eligible homebuyers may be eligible for impact fee waivers. Polk County has adopted Ordinance 07-18, as amended by Ordinances 07-35 and 07-40, which provides for the imposition of impact fees within the county, establishes certain exemptions for such impact fees, and sets forth the criteria for those exemptions.

Polk County Impact Fee Ordinance Section 2.06 Exemptions states the following:

**SECTION 2.06 EXEMPTIONS**

Any Residential Construction that qualifies as Affordable Housing and meets the following requirements:

a. Any Person seeking an Affordable Housing exemption shall file with the County Manager an Application for Exemption prior to the Impact Fee payment date pursuant to Section 2.01 for the proposed Residential Construction. The Application for Exemption shall contain the following:

- i. The name and address of the Owner;
- ii. The legal description of the Residential Construction;
- iii. The proposed selling price or the proposed rental price, as applicable;
- iv. Evidence that the Residential Construction shall be occupied by Low Income Persons or Very-Low Income Persons; and
- v. Evidence that the Residential Construction is part of a multi-family project, which is funded by a governmental affordable housing program, if applicable.

. For Residential Construction to receive an Affordable Housing exemption it must meet all the restrictions of Affordable Housing as provided herein and these restrictions must continue for a period of at least seven (7) years from the date of issuance of a Certificate of Occupancy. Such restrictions must either be contained within the deed for the Residential Construction; the terms, restrictions and conditions of a direct government grant or subsidy that will fund the Residential Construction; or within the terms of a development agreement between the County and the Owner.

c. If the Residential Construction meets the requirements for an Affordable Housing exemption, the County Manager shall issue an exemption. The exemption shall be presented in lieu of payment of the Impact Fees.

d. The amount of the Impact Fees shall not be increased to replace any revenue lost due to the Affordable Housing Exemption.

e. In the event the Residential Dwelling Unit fails to meet the restrictions of Affordable Housing as provided herein within the 7-year period following the issuance of the Certificate of Occupancy such that the property no longer qualifies as Affordable Housing and is no longer occupied by Low-Income Persons or Very-Low-Income Persons, the Impact Fees in effect at the time of the change in circumstances shall be immediately due.

Polk County Impact fee Ordinance Section 2.09 Workforce Housing Impact Fee Mitigation states the following:

E. To be eligible for a Workforce Housing Impact Fee Mitigation, the Residential Construction must qualify as Workforce Housing and meet the following requirements:

1. Any Person seeking a Workforce Housing Impact Fee Mitigation for an Owner-occupied Residential Construction shall file with the County Manager a Polk County Impact Fee Mitigation Application for Workforce Housing prior to receiving a Certificate of Occupancy for the proposed Residential Construction. The Application shall contain the following:

- a. The name and address of the Owner;
- b. The legal description of the Residential Construction;
- c. The proposed selling price of the Residential Construction;
- d. A notarized *affidavit* affirming that the Residential Construction qualifies as Workforce Housing and that it shall be occupied by Moderate Income Persons;
- e. Evidence that the Residential Construction shall be occupied as the legal homestead of the Owner; and
- f. A copy of a fully executed and recordable lien upon the Residential Construction in the amount of the Impact Fees mitigated here under and that contains a due on sale clause requiring the payment of the mitigated Impact Fees in the event the Residential Construction is sold within seven (7) years from the date of the issuance of a Certificate of Occupancy and no longer qualifies as Workforce Housing. Such lien shall have priority over all other liens except for taxes and other governmental liens and assessments.

2. Any Person seeking a Workforce Housing Impact Fee Mitigation for a rental Residential Construction located within a qualifying multi-family rental project shall file with the County Manager a Polk County Impact Fee Mitigation Application for Workforce Housing prior to receiving a Certificate of Occupancy for the proposed Residential Construction. The Application shall contain the following:

- a. The name and address of the Owner;
- b. The legal description of the Residential Construction;
- c. The proposed rental rates;
- d. Evidence that the Residential Construction shall be occupied by Moderate Income Persons;
- e. Evidence that the Residential Construction is part of a multi-family project, which is funded by a governmental affordable housing program; and
- f. A copy of a fully executed and recordable lien upon the Residential Construction in the amount of the Impact Fees mitigated hereunder and that requires the payment of the mitigated Impact Fees in the event the Residential Construction fails to meet the restrictions of Workforce Housing as provided herein within the 7-year period following the issuance of the Certificate of Occupancy such that the property no longer qualifies as Workforce Housing and is no longer occupied by Moderate Income Persons. Such lien shall have priority over all other liens except for taxes and other governmental liens and assessments.

3. If the Residential Construction meets the requirements above for Owner occupied or rental Workforce Housing, it shall be eligible to receive a Workforce Housing Impact Fee Mitigation in the amount of 50% of the Impact Fees due for such Residential Construction, subject to the limitations on mitigation availability pursuant to paragraph G below.

4. When granted a Workforce Housing Impact Fee Mitigation, the Applicant shall annually submit to the County by December 31 a report demonstrating its continued eligibility for the Workforce Housing Impact Fee Mitigation. In the event the Residential Construction fails to meet the restrictions of the Workforce Housing Impact Fee Mitigation as provided herein within the 7-year period following the issuance of the Certificate of Occupancy such that the property no longer qualifies as Workforce Housing and is no longer occupied by Moderate-Income Persons, the mitigated Impact Fee amount shall be immediately due and payable.

5. Any Applicant or Owner who submits an Application for Workforce Housing Impact Fee Mitigation pursuant to this Section and desires the immediate issuance of a Certificate of Occupancy prior to approval of the application shall pay prior to the issuance of the Certificate of Occupancy the Impact Fees imposed herein or pursuant to an Annual Rate Resolution. Any difference between the amount paid and the amount due, should the County Manager approve and accept the application, shall be refunded to the Applicant or Owner.

F. The amount of the Impact Fees shall not be increased to replace any revenue lost due to the Workforce Housing Mitigation Program.

G. To provide certainty for annual budgeting and capital improvement planning for the Capital Facilities, the total amount of Workforce Housing Impact Fee Mitigation granted pursuant to this Section shall not exceed \$250,000 in any fiscal year, without the direction and approval of the Board.

**D. Name of Strategy: Inventory of Publically Owned Land Suitable for Affordable Housing**

**a. Established policy and procedures:** Polk County maintains a list of properties that are suitable for affordable housing and open to public sale. This inventory list is available on the County website and is a tool that can be used by interested developers to encourage increased production of affordable housing.

**E. Name of Strategy: The Support of Development Near Transportation Hubs, Employment Centers and Mixed Use Developments**

**a. Established policy and procedures:** The Polk County Comprehensive Plan encourages development to locate near transportation hubs, major employment centers and promotes mixed use- developments. The goal of the Polk County Comprehensive Plan is “To achieve an economically viable, efficient, safe, quality-living environment, through balanced and compact growth, compatible land use patterns, and wise use of economic and physical resources, while protecting and managing the natural environment”

In addition, the Polk County Comprehensive Plan discourages urban sprawl and outlines criteria to follow when determining the appropriateness of establishing or expanding any land use or development area, in accordance with the Florida Administrative Code. The Urban Sprawl Criteria are outlined in Policy 2.102-A10 of the Polk County Comprehensive Plan.

Policy 2.102-A11: Urban Sprawl Criteria In accordance with Rule 9J-5.006(5) of

the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

- a. Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.
- b. Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.
- c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.
- d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine system and other natural systems.
- e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.
- f. Fails to maximize use of existing public facilities and services.
- g. Fails to minimize the use of future public facilities and services.
- h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, storm water management, law enforcement education health care, fire and emergency response, and general government.
- i. Fails to provide a clear separation between urban and rural uses.
- j. Discourages or inhibits in-fill development or redevelopment

significant

of existing neighborhoods and communities.

- k. Fails to encourage an attractive and functional mix of land uses.
- l. Results in poor accessibility among linked or related land uses.
- m. Results in the loss of a significant amount of functional open space.

IV. EXHIBITS:

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