



Legislative Wrap Up 2015

SUCCESS FOR AFFORDABLE HOUSING

By Jaimie Ross and Mark Hendrickson

Three days prior to America's celebration of Independence Day, housing advocates in Florida had an additional occasion for celebration. July 1 was the effective date for the 2015 Appropriations Act which brought independence of a different and perhaps more personal kind.

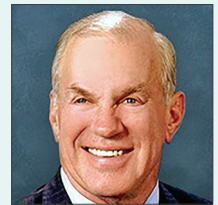
The housing trust fund appropriations of 2015 provide SHIP funds to make home repairs, helping elders to age in place and providing freedom from unnecessary institutionalization. The local government trust fund appropriations provide retrofits for housing so that people with developmental disabilities can live independently in their homes. And because of proviso language in the 2015 Appropriations Act, SHIP can be used in 2015-16 to provide rent assistance to people experiencing homelessness, offering the profound independence that comes from having a place to call home. We have ample cause to celebrate independence!

SUCCESS DID NOT COME EASILY

The ballot initiative known as Amendment 1 passed handily in November 2014. It required the legislature to use no less than 33% of the documentary stamp

taxes collected each year for land and water conservation. The Amendment 1 campaign promised that Amendment 1 would not hurt affordable housing. The 2015 legislative session began with a

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SEN. ALAN HAYS



SEN. CHRIS SMITH

very different interpretation by the Senate committee charged with drafting implementing legislation for Amendment 1. SB 586, the bill that revised the documentary stamp distribution statute to implement Amendment 1, would have reduced the funds that go into the state and local housing trust funds by over \$112 million dollars each year. That was a substantial and permanent hit to affordable housing.

The Florida Housing Coalition, together with its Sadowski Coalition partners, joined in a grassroots campaign to encourage the Senate to amend SB 586 so that Amendment 1 would be implemented without hurting affordable housing. Not a penny less would be used for water and land conservation while keeping the affordable housing trust funds whole. Housing advocates emailed, phoned, and met personally with their Senators. Editorial board meetings were held, letters to the editors were written,

and in the end we prevailed. Thanks to Senators Hays and Smith, SB 586 was fixed so that Amendment 1 would be fully funded without diverting any monies from the state and local housing trust funds.

NEXT STEP: APPROPRIATIONS

The budget bill passed in the Special Session on June 16th. The appropriations for housing were a great success, with \$175 million appropriated from the housing trust funds for housing programs. This is the highest level of funding in eight years.

The chart below shows the Governor’s proposed budget, the housing appropriation offered by the Senate, the housing appropriation offered by the House, and the final resolution. Given the volatility of the session, including the huge fight over the expansion of Medicaid and the need for a Special Session we consider this to have been a very good year for housing.

Given the volatility of the session, this was a very good year for housing. The appropriation of \$175 million for housing programs from the housing trust funds was the highest level in eight years. Also, the underlying distribution of doc stamps into the housing trust funds was not changed, keeping the trust funds whole. Housing advocates emailed, phoned and met personally with their legislators. Editorial board meetings were held, letters to the editor were written, and in the end we prevailed.

	GOVERNOR	SENATE	HOUSE	FINAL
SAIL	\$ 70,816,000	\$102,400,000	\$ 37,450,000	\$ 58,000,000
FHFC*				\$ 12,000,000
SHIP**	\$ 30,000,000	\$153,600,000	\$ 84,070,000	\$105,000,000
TOTAL HOUSING	\$100,816,000	\$256,000,000	\$121,520,000	\$175,000,000
SHTF SWEEP	\$ 12,380,000	\$0	\$ 45,000,000	\$ 6,000,000
LGHTF SWEEP	\$165,342,000	\$0	\$105,000,000	\$75,000,000
TOTAL SWEEP	\$177,722,000	\$0	\$150,000,000	\$81,000,000

*FHFC Board will have discretion to spend these funds on existing state programs, including SAIL, Catalyst Training & Technical Assistance, Predevelopment Loan Program, and others—at discretion of FHFC Board

** \$4 million of SHIP funding is taken “off the top” for homeless (\$3.8 million) and homeless training (\$200,000) programs



SHIP 2015-2016

\$101,000,000

PROPOSED GAA, LESS \$5 MILLION HOLD BACK FOR DISASTER RELIEF AND COMPLIANCE MONITORING

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/CITY SHARE
ALACHUA	1,226,143	611,600
Gainesville		614,543
BAKER	350,000	350,000
BAY	844,785	667,803
Panama City		176,982
BRADFORD	350,000	350,000
BREVARD	2,662,266	1,478,356
Cocoa		85,193
Melbourne		376,444
Palm Bay		509,824
Titusville		212,449
BROWARD	8,638,490	1,851,229
Coconut Creek		265,202
Coral Springs		591,737
Davie		456,976
Deerfield Bch		364,544
Ft. Lauderdale		821,520
Hollywood		691,079
Lauderhill		328,263
Margate		265,202
Miramar		615,060
Pembroke Pines		755,868
Plantation		415,511
Pompano Bch		501,032
Sunrise		421,558
Tamarac		293,709
CALHOUN	350,000	350,000
CHARLOTTE	808,578	722,626
Punta Gorda		85,952
CITRUS	695,135	695,135
CLAY	970,291	970,291
COLLIER	1,636,466	1,541,551
Naples		94,915
COLUMBIA	359,645	359,645
DE SOTO	350,000	350,000
DIXIE	350,000	350,000
DUVAL	4,277,004	4,277,004
ESCAMBIA	1,479,575	1,222,721
Pensacola		256,854
FLAGLER	504,456	107,247
Palm Coast		397,209

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/CITY SHARE
FRANKLIN	350,000	350,000
GADSDEN	350,000	350,000
GILCHRIST	350,000	350,000
GLADES	350,000	350,000
GULF	350,000	350,000
HAMILTON	350,000	350,000
HARDEE	350,000	350,000
HENDRY	350,000	350,000
HERNANDO	864,090	864,090
HIGHLANDS	504,456	504,456
HILLSBOROUGH	6,241,723	4,550,840
Tampa		1,690,883
HOLMES	350,000	350,000
INDIAN RIVER	695,135	695,135
JACKSON	350,000	350,000
JEFFERSON	350,000	350,000
LAFAYETTE	350,000	350,000
LAKE	1,508,540	1,508,540
LEE	3,149,825	2,026,598
Cape Coral		788,401
Ft. Myers		334,826
LEON	1,368,543	464,620
Tallahassee		903,923
LEVY	350,000	350,000
LIBERTY	350,000	350,000
MADISON	350,000	350,000
MANATEE	1,648,529	1,400,261
Bradenton		248,268
MARION	1,638,877	1,359,612
Ocala		279,265
MARTIN	733,753	733,753
MIAMI-DADE	7,933,166	5,139,898
Hialeah		699,705
Miami		1,299,453
Miami Beach		277,661
Miami Gardens		328,433
North Miami		188,016
MONROE	381,361	381,361
NASSAU	388,602	388,602
OKALOOSA	938,915	836,855
Ft. Walton Beach		102,060

LOCAL GOVERNMENT	COUNTY TOTAL	COUNTY SHARE/CITY SHARE
OKEECHOBEE	350,000	350,000
ORANGE	5,898,984	4,670,816
Orlando		1,228,168
OSCEOLA	1,440,957	1,127,117
Kissimmee		313,840
PALM BEACH	6,521,710	4,961,065
Boca Raton		415,433
Boynton Bch		343,042
Delray Beach		300,651
West Palm Bch		501,519
PASCO	2,317,115	2,337,137
PINELLAS	4,482,166	2,363,446
Clearwater		525,310
Largo		381,432
St. Petersburg		1,211,978
POLK	3,000,175	2,337,137
Lakeland		484,828
Winter Haven		178,210
PUTNAM	374,120	374,120
ST. JOHNS	1,016,151	1,016,151
ST. LUCIE	1,378,203	346,204
Ft. Pierce		204,112
Port St. Lucie		827,887
SANTA ROSA	794,095	794,095
SARASOTA	1,870,585	1,616,560
Sarasota		254,025
SEMINOLE	2,114,364	2,114,364
SUMTER	557,557	557,557
SUWANNEE	350,000	350,000
TAYLOR	350,000	350,000
UNION	350,000	350,000
VOLUSIA	2,432,969	1,713,540
Daytona Bch		302,418
Deltona		417,011
WAKULLA	350,000	350,000
WALTON	350,000	350,000
WASHINGTON	350,000	350,000
TOTAL	95,747,500	95,747,500
Compliance Monitoring		252,500
Disaster Relief Holdback		5,000,000
APPROPRIATION TOTAL		101,000,000

DETAILS OF THE \$175 MILLION APPROPRIATED FROM THE STATE AND LOCAL HOUSING TRUST FUNDS:

STATE HOUSING TRUST FUND

\$48 MILLION for SAIL targeted to developments serving elderly, families and homeless AND Each development funded must have at least 5%, but not more than 10% targeted to for persons who have disabling conditions as defined in section 420.0004 (7), F.S.

SECTION 68, IMPLEMENTING BILL

In order to implement Specific Appropriation 2240 of the 2015-2016 General Appropriations Act, subsection (10) is added to section 420.5087, Florida Statutes, to read:

- 420.5087 State Apartment Incentive Loan Program.— There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.
- (10)(a) Notwithstanding subsection (3), for the 2015-2016 fiscal year, the reservation of funds for the tenant groups within each notice of fund availability shall be:
 1. Not less than 10 percent of the funds available at that time for the following tenant groups:
 - a. Families;
 - b. Persons who are homeless;
 - c. Persons with special needs; and
 - d. Elderly persons
 2. Not less than 5 percent of the funds available at that time for the commercial fishing workers and farmworkers tenant group.

This subsection expires July 1, 2016.

\$10 MILLION for a competitive grant program for developments designed, constructed, and targeted for persons

with developmental disabilities as defined in 393.063, F.S. AND the money must go to private nonprofit organizations whose primary mission includes serving persons with developmental disabilities.

That leaves **\$12 MILLION** available for FHFC to fund its existing programs within its discretion.

LOCAL GOVERNMENT HOUSING TRUST FUND

\$105 MILLION to SHIP

(Note: Net to SHIP is \$101 million)

Each local government must use 20% of its allocation to serve persons with special needs as defined by s. 420.0004, F.S. AND first priority for use of these funds must be to serve persons with developmental disabilities as defined in s.363.063, F.S. The priority for the developmental disability funding must be home renovations to allow the persons to maintain their home ownership.

SECTION 67, IMPLEMENTING BILL

This section permits SHIP funds to be used for time-limited rental assistance in FY 2015-2016 for certain populations. In order to implement Specific Appropriation 2241 of the 2015-2016 General Appropriations Act, subsection (10) is added to section 420.9072, F.S., to read:

...(10) Notwithstanding ss. 420.9071(26) and 420.9075(5) and subsection (7), for the 2015-2016 fiscal year:

- (a) The term “rent subsidies” means ongoing monthly rental assistance.
- (b) Up to 25 percent of the funds made available in each county and each eligible municipality from the local housing distribution may be used for rental assistance and rent subsidies as provided in paragraph (c).

(c) A county or an eligible municipality may expend its portion of the local housing distribution to provide the following types of rental assistance and rent subsidies:

1. Security and utility deposit assistance.
2. Eviction prevention subsidies not to exceed 6 months' rent.
3. Rent subsidies for very-low-income households with at least one adult who is a person with special needs as defined in s. 420.0004 or a person who is homeless as defined in s. 420.621 when the person initially qualified for a rent subsidy. The period of rental subsidy may not exceed 12 months for any eligible household or person.

(d) This subsection expires July 1, 2016.

From the entire SHIP allocation, local governments are permitted to create regional partnerships across jurisdictional boundaries through the pooling of appropriated funds to address homeless housing needs identified in local housing assistance plans.

\$3.8 million of SHIP funds transferred to DCF to implement the provisions of s. 420.622, F.S. [Homeless]

\$200,000 to be used by DEO to provide training and technical assistance (from the Florida Housing Coalition) regarding affordable housing to designated lead agencies of homeless assistance continuums of care

THE COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM (CCTCP)

In the tax package bill HB 33A that passed during the Special Session (and was signed into law), the maximum amount for Community Contribution Tax Credits was increased as follows:

- \$18.4 million in fiscal year 2015-2016
- \$21.4 million in fiscal year 2016-2017, and

House and Senate leadership are to be thanked for their support this 2015 legislative session. Senator Jack Latvala, in particular, in his role as TED Subcommittee Chair and champion for people experiencing homelessness was the driving force behind opening SHIP up as a vehicle to help end homelessness through rapid rehousing, short term rental and case management assistance.



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- \$21.4 million in fiscal year 2017-2018 annually

The CCTCP statute now describes the purposes of the CCTC to be: “for projects that provide housing for persons with special needs or homeownership opportunities for low-income households or very-low-income households.” See 624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration. [HNN](#)

LINE ITEMS FOR HOMELESS NOT VETOED BY THE GOVERNOR:

- \$4,000,000 – Challenge Grant (\$200,000 for training and technical assistance)
- \$ Unexpended Balance – Current Fiscal Year Challenge Grant Appropriation
- \$2,050,000 – Staffing Grant (\$2 million in base budget)
- \$100,000 – Tallahassee Comprehensive Emergency Services Center (direct and preventative services for homeless persons)
- \$150,000 – National Veterans Homeless Support in Brevard County (Transition House Homeless Veterans program)
- \$150,000 - Pasco Mobile Medical Unit (homeless medical and legal services outreach)
- \$100,000 - Virgil Hawkins Justice Foundation (Homeless persons legal services)
- \$300,000 – Fort Walton Beach Homeless Center

ABOUT THE SADOWSKI COALITION



The Sadowski Coalition is a broad and diverse group of 30 statewide organizations, ranging from industry groups such as the Florida Realtors and Florida Home Builders Association, Florida business organizations, such as the Florida Chamber of Commerce and Florida AIF, to low income, special needs, and faith based advocates, such as the Florida Housing Coalition, Florida AARP, LeadingAge, Florida Arc, Florida Veterans Foundation, Florida United Way, Florida Catholic Conference, and Florida Impact, and local governments, including the Florida League of Cities and the Florida Association of Counties,

ABOUT THE AUTHORS



JAIMIE ROSS, attorney at law, is the president/CEO of the Florida Housing Coalition. She initiated the Sadowski Coalition in 1991 and continues to facilitate the Sadowski Coalition today.



MARK HENDRICKSON, president of The Hendrickson Company, is a past Chair and serves as an Executive Committee member for the Florida Housing Coalition. He served as Executive Director of the Florida Housing Finance Agency from its inception in 1981 to 1994. As its first Chief Executive Officer, he led the way in creation of the Sadowski Act. The Hendrickson Company specializes in assisting clients in all areas of affordable housing, including finance and related legislative issues. His clients include for-profit and non-profit developers, the Florida Association of Local Housing Finance Authorities, and four County HFA's.