CITY OF ST. PETERSBURG
AFFORDABLE HOUSING ADVISORY COMMITTEE (AHAC)
PUBLIC MEETING

City Hall
Council Chambers

March 16, 2021
Tuesday, 3:00 p.m.

AGENDA

COMMITTEE MEMBERS:
Ken Rush
Lindsay Boswell
Trevor Mallory
Jillian Bandes
R.V. DePugh
Jack D. Humburg
Scott Macdonald
Fredric Samson
Councilmember Amy Foster

CITY STAFF SCHEDULED:
Bradley Tennant, City Attorney’s Office
Rob Gerdes, Neighborhood Affairs Administrator
Joshua Johnson, Housing & Community Dev.
Stephanie Lampe, Housing & Community Dev.
Elizabeth Abernethy, Planning & Economic Dev
Derek Kilborn, Planning & Economic Dev.

1. Welcome & Roll call
2. Pending Affordable Housing Legislation (both State and Federal)
   a. Overview – Jeffrey Sharkey, Capitol Alliance Group via Zoom
   b. Building Department Surplus fees for Afford. Housing – comments by
      Councilmember Blackmon via Zoom if available
3. Economic Stability Fund Interfund Loan for Affordable Housing – Rob Gerdes
4. Open Discussion / Questions / Comments / Announcements
5. Adjourn

Next Meeting: Tuesday, April 20th at 3:00 p.m. – City Hall Council Chambers

In-Person Meetings Have Resumed
In-person meetings have resumed at City Hall. Those wishing to provide public input are invited to attend the
meetings in person at City Hall. Special accommodations can be made by contacting the City Clerk’s Office
at City.Clerk@stpete.org or 727-893-7448. Meeting attendees are required to maintain social distancing and
wear a mask, per The St. Pete Way toolkit, found at StPeteRacetoSafe.com.

For additional information, please telephone 727-892-5563 or email Stephanie.Lampe@stpete.org
The 2-16-2021 Affordable Housing Advisory Committee (AHAC) Meeting was called to order by Chair Macdonald at 3:02 p.m., a quorum was present in City Hall Room 100. Chair Macdonald welcomed all AHAC Members and staff.

1. Roll call of committee members present by Ms. Cortney Phillips, City Clerk’s Office.
   a. All members are present except Mr. Robert DePugh and Mr. Lindsay Boswell.
   b. There is a Quorum.

2. Sunshine meeting rules: There are no new members this year, so Legal & staff stated that if any current member has questions regarding the Sunshine meeting laws, to contact Ms. Lampe and she will provide the Legal Dept’s guidance

3. Nomination and Election of Chair and Vice-Chair
   a. Ken Rush made a motion nominating Jack Humbug for Chair, which was seconded by Trevor Mallory
   b. There was discussion regarding Jack wanting to nominate Scott Mcdonald and asking about Mr. Macdonald’s willingness to serve. CM Foster commented that in order to follow Robert’s rules of order the current motion must be dismissed in some manner before a new motion can be considered. After more discussion Mr. Rush withdrew his motion. Ms. Bandes nominated Scott Mcdonald as Chair; Jack Humbug seconded this motion. Motion passed unanimously.

4. Approval of minutes from the November 17, 2020 Public Hearing meeting
   a. A motion to approve minutes by Mr. Jack Humburg; seconded by Mr. Fredric Samson.
   b. Motion passed unanimously.

5. Approval of the 3rd Tuesdays of the month for the 2021 meeting schedule
   a. A motion to approve the schedule of 3rd Tuesday of each month was made by Mr. Ken Rush, seconded by Mr. Fredric Samson.
b. All members were in favor. Non opposed.

6. Discussion of Proposed Meeting Topics for 2021
   a. Ms. Lampe introduced a draft list of topics for 2021.
   b. Discussion by members included:
      - the recommendation that HB 1339 be presented to the AHAC committee in May instead of June.
      - requesting other pending state and federal legislative items such as HB 674 be added to the next AHAC meeting in March as an update from the City lobbyist.
      - CM Foster also stated that she wondered whether exploring the option of using the one-time federal funding such as CARES, CDBG-CV, or ESG-CV for acquisition/rehab. of affordable housing would be an incentive topic worth exploring as part of AHAC, or if maybe it should be an HLUT item? She also suggested that this group could lobby specific affordable housing legislative items outside of the City process by members possibly using their individual networking systems to reach out to the local Congressman or send letters & emails when appropriate.
      - Mr. Rush asked for a discussion of the process of being “Certified” as affordable.
      - Ms. Bandes agreed to provide YIMBY updated comments prior to April meeting.
      - Mr. Gerdes mentioned that the Lot disposition Program would be going to HLUT for revisions (to prioritize prior performance and to add land trusts) and possibly this group would like to provide input.

7. Committee Open discussion / questions/ announcements:
   No other comments or Announcements were made.

8. Adjourn
   a. Meeting adjourned at 3:47 p.m.
The Pinellas Continuum of Care is dedicated to ensuring homelessness is rare, brief and a one-time experience.

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic/Materials</th>
<th>Lead</th>
</tr>
</thead>
<tbody>
<tr>
<td>10:00-10:05 AM</td>
<td>Introductions and Purpose</td>
<td>Debbie</td>
</tr>
<tr>
<td>10:05-10:10 AM</td>
<td>Local Advocacy Needs</td>
<td>Amy</td>
</tr>
</tbody>
</table>
| 10:10 – 10:25 AM | State Advocacy Needs  
  a. Florida Coalition to End Homelessness Legislative Priorities  
  b. Florida Housing Coalition – Focus on Sadowski | Amy          |
<p>| 10:25 – 10:40 AM | Federal Advocacy Needs                                                        | Amy          |
| 10:40 – 10:50 AM | Process and Future Meetings                                                   | Amy          |
| 10:50 – 11:00 AM | Recommendations to the Continuum of Care Board of Directors &amp; Items to Track | Debbie       |</p>
<table>
<thead>
<tr>
<th><strong>Florida Coalition To End Homelessness</strong></th>
<th><a href="fchonline.org">FCEH2021-Legislative-Priorities-2.pdf</a></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>HB 13 – State Funds, by Representative Killebrew (Co-Sponsor – Silvers)</strong></td>
<td>The bill, which exempts State Housing Trust Funds &amp; Local Government Housing Trust Fund from legislative “sweeps”, is the same legislation which was filed last year. There is no Senate Companion bill at this time, however, we anticipate that one will be filed. Senator Mayfield, who filed the Companion legislation last year in the Senate, is the Majority Leader this year, and by precedence, the Majority Leader does not file legislation, however, Majority Leaders have great influence.</td>
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<tr>
<td><strong>SB 194 / HB 43 - Crimes Evidencing Prejudice</strong></td>
<td>Senator Berman (Palm Beach County) and Representative Geller (Broward, Miami-Dade County) recently filed legislation, which expands the grounds for the reclassification of crimes to include prejudice based on the gender or gender identity of any person; specifying that the reclassification occurs if the crime was based in whole or in part on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, homeless status, advanced age, gender, or gender identity of any person.</td>
</tr>
<tr>
<td><strong>Senate Bill 576 (2021)</strong></td>
<td><a href="myfloridahouse.gov">SB 576 (2021) - Residential Tenancies</a></td>
</tr>
<tr>
<td><strong>Mediation: Senate Bill 412 (2021)</strong></td>
<td><a href="flsenate.gov">Senate Bill 412 (2021) - The Florida Senate</a></td>
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<tr>
<td><strong>House Bill 481 (2021) Companion to SB412</strong></td>
<td><a href="flsenate.gov">House Bill 481 (2021) - The Florida Senate</a></td>
</tr>
<tr>
<td><strong>House Bill 6025 (2021 Court Registry)</strong></td>
<td><a href="flsenate.gov">House Bill 6025 (2021) - The Florida Senate</a></td>
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<th>National Low Income Housing Coalition Priorities Related to CoCs/Housing</th>
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<tr>
<td><strong>Housing is Infrastructure Act</strong></td>
</tr>
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<td>The Housing is Infrastructure Act would provide a one-year investment of $5 billion for the national Housing Trust Fund and $70 billion to address all of the capital backlog needs of public housing. NLIHC is committed to working with advocates and congressional leaders to ensure these robust investments are included in any infrastructure package enacted by Congress in order to increase and preserve the supply of affordable, accessible homes for people with the lowest incomes.</td>
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<td><strong>American Housing and Economic Mobility Act</strong></td>
</tr>
<tr>
<td>If enacted, this ambitious proposal would help end housing poverty and homelessness in America by directly addressing the underlying cause of the affordable housing crisis — the severe shortage of affordable rental homes for people with the lowest incomes — through a robust investment of nearly $45 billion annually in the national Housing Trust Fund. The bill also includes resources to repair public housing, build or rehabilitate housing on tribal and Native Hawaiian lands, and create and preserve affordable homes in rural areas.</td>
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<tr>
<td><strong>Affordable Housing Tax Credit Improvement Act</strong></td>
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<td>The Affordable Housing Tax Credit Improvement Act would expand the Housing Credit by 50% over five years and make important reforms to help the program better serve families with the lowest incomes as well as rural and tribal communities.</td>
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<tr>
<td><strong>Fulfilling the Promise of the Housing Trust Fund Act</strong></td>
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<td>The Fulfilling the Promise of the Housing Trust Fund Act would significantly increase funding for the national Housing Trust Fund (HTF), which provides states resources to build and preserve rental homes affordable to the lowest-income people in America. The bill preserves and redirects an existing 10-basis point – or 0.1% – “guarantee fee” currently levied by Fannie Mae and Freddie Mac to the HTF, increasing funding to the program by billions every year.</td>
</tr>
<tr>
<td><strong>Family Stability and Opportunity Vouchers Act</strong></td>
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<tr>
<td>The Family Stability and Opportunity Vouchers Act would provide 500,000 new housing vouchers and counseling services to help families with children move to areas of opportunity. The bill is also supported by the Opportunity Starts at Home campaign.</td>
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<tr>
<td>Bill Title</td>
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<td>-------------------------------------------------------------</td>
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<tr>
<td>Rent Relief Act and the Housing, Opportunity, Mobility and Equity (HOME) Act</td>
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<td>National Low Income Housing Coalition Tax Credit Proposal Comparisons</td>
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<td>Eviction Crisis Act</td>
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<td>Ending Homelessness Act</td>
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<td>Ensuring Equal Access to Shelter Act of 2019</td>
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<td>Fair Chance at Housing Act</td>
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<td>Public Housing Emergency Response Act</td>
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<td>National Alliance to End Homelessness</td>
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<td>Legislative and Regulatory Agenda</td>
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CLICK HERE TO RETURN TO AGENDA
**SB 576 - Residential Tenancies**

**General Bill** by Jones (CO-SPONSORS) Torres

**Residential Tenancies**: Prohibiting a landlord from refusing to enter into a rental agreement with a prospective tenant under certain circumstances related to COVID-19, etc.

**Effective Date**: Upon becoming a law

**Last Event**: 01/21/21 S Referred to Judiciary, Community Affairs; Rules on Thursday, January 21, 2021 9:44 AM

### Referred Committees and Committee Actions

**Senate Referrals**

- Judiciary
- Community Affairs
- Rules

**Related Bills**

(No Related Bills On Record)

### Bill Text

**Original Filed Version**

### Staff Analysis

(No Votes Recorded)

### Vote History

### Bill History

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<th>Committee</th>
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<td>01/12/2021 - 12:24 PM</td>
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### Statutes Referenced by this Bill

**Statute** 63.67

**Other Bill Citations**
A bill to be entitled

An act relating to residential tenancies; amending s. 83.67, F.S.; prohibiting a landlord from refusing to enter into a rental agreement with a prospective tenant under certain circumstances related to COVID-19; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present subsections (6), (7), and (8) of section 83.67, Florida Statutes, are redesignated as subsections (7), (8), and (9), respectively, and a new subsection (6) is added to that section, to read:

(6) A landlord may not refuse to enter into a rental agreement with a prospective tenant if such refusal is solely based upon the tenant being previously evicted during a period when a public health emergency related to COVID-19 existed, as determined by the United States Secretary of Health and Human Services.

Section 2. This act shall take effect upon becoming a law.
The Florida Senate

SB 412: Residential Tenancies

GENERAL BILL by Rouson

Residential Tenancies; Requiring that courts in a judicial circuit in which a residential eviction mediation program has been established refer matters involving a residential eviction to mediation; restricting availability of a specified summary procedure in actions where a landlord is seeking to recover possession of a residential unit; removing the requirement that a residential tenant defending against a landlord’s action for possession pay accrued rent to the registry of the court, etc.

Effective Date: 7/1/2021
Last Action: 1/15/2021 Senate - Referred to Judiciary; Community Affairs; Rules
Bill Text: Web Page | PDF

Senate Committee References:
1. Judiciary (JU)
2. Community Affairs (CA)
3. Rules (RC)

Bill History

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<tr>
<td>H 481</td>
<td>Residential Evictions</td>
<td>Driskell</td>
<td>Identical</td>
<td>Last Action: 1/27/2021 H Filed</td>
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<td>H 6025</td>
<td>Payments Made into the Registry of the Court</td>
<td>Eskamani</td>
<td>Compare</td>
<td>Last Action: 1/22/2021 H Referred to Civil Justice and Property Rights Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee</td>
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Bill Text

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Committee Amendments

https://www.flsenate.gov/Session/Bill/2021/412
No Committee Amendments Available

**Floor Amendments**

No Floor Amendments Available

**Bill Analyses**

No Bill Analyses Available

**Vote History - Committee**

No Committee Vote History Available

**Vote History - Floor**

No Vote History Available

**Citations - Statutes (5)**

<table>
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<td>44.102</td>
<td>Court-ordered mediation.</td>
<td>Page 1 (PDF)</td>
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<td>83.56</td>
<td>Termination of rental agreement.</td>
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<td>Right of action for possession.</td>
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<td>Defenses to action for rent or possession; procedure.</td>
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<td>83.61</td>
<td>Disbursement of funds in registry of court; prompt final hearing.</td>
<td>Page 5 (PDF)</td>
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</table>

**Citations - Constitution (0)**

No Constitutional citations.

**Citations - Chapter Law (0)**

No Chapter Law citations.
A bill to be entitled
An act relating to residential tenancies; amending s.
44.102, F.S.; requiring that courts in a judicial
circuit in which a residential eviction mediation
program has been established refer matters involving a
residential eviction to mediation; amending s. 83.56,
F.S.; deleting provisions requiring a residential
tenant defending against specified actions by a
landlord to comply with provisions requiring payment
of accrued rent to the registry of the court, to
conform to changes made by the act; amending s. 83.59,
F.S.; restricting availability of a specified summary
procedure in actions where a landlord is seeking to
recover possession of a residential unit; amending s.
83.60, F.S.; removing the requirement that a
residential tenant defending against a landlord’s
action for possession pay accrued rent to the registry
of the court; repealing s. 83.61, F.S., relating to
the disbursement of funds in the registry of the
court, to conform to changes made by the act;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) is added to subsection (2) of
section 44.102, Florida Statutes, to read:
44.102 Court-ordered mediation.—
(2) A court, under rules adopted by the Supreme Court:
(e) In circuits in which a residential eviction mediation

CODING: Words struck out are deletions; words underlined are additions.
program has been established, shall refer any matter involving a residential eviction to mediation.

Section 2. Subsection (5) of section 83.56, Florida Statutes, is amended to read:

83.56 Termination of rental agreement.—

(5)(a) If the landlord accepts rent with actual knowledge of a noncompliance by the tenant or accepts performance by the tenant of any other provision of the rental agreement that is at variance with its provisions, or if the tenant pays rent with actual knowledge of a noncompliance by the landlord or accepts performance by the landlord of any other provision of the rental agreement that is at variance with its provisions, the landlord or tenant waives his or her right to terminate the rental agreement or to bring a civil action for that noncompliance, but not for any subsequent or continuing noncompliance. However, a landlord does not waive the right to terminate the rental agreement or to bring a civil action for that noncompliance by accepting partial rent for the period. If partial rent is accepted after posting the notice for nonpayment, the landlord must:

1. Provide the tenant with a receipt stating the date and amount received and the agreed upon date and balance of rent due before filing an action for possession;

2. Place the amount of partial rent accepted from the tenant in the registry of the court upon filing the action for possession; or

3. Post a new 3-day notice reflecting the new amount due.

(b) Any tenant who wishes to defend against an action by the landlord for possession of the unit for noncompliance of the
rental agreement or of relevant statutes must comply with s. 83.60(2). The court may not set a date for mediation or trial unless the provisions of s. 83.60(2) have been met, but must enter a default judgment for removal of the tenant with a writ of possession to issue immediately if the tenant fails to comply with s. 83.60(2).

(e) This subsection does not apply to that portion of rent subsidies received from a local, state, or national government or an agency of local, state, or national government; however, waiver will occur if an action has not been instituted within 45 days after the landlord obtains actual knowledge of the noncompliance.

Section 3. Subsection (2) of section 83.59, Florida Statutes, is amended to read:

83.59 Right of action for possession.—

(2) A landlord, the landlord’s attorney, or the landlord’s agent, applying for the removal of a tenant, shall file in the county court of the county where the premises are situated a complaint describing the dwelling unit and stating the facts that authorize its recovery. A landlord’s agent is not permitted to take any action other than the initial filing of the complaint, unless the landlord’s agent is an attorney. The landlord is entitled to the summary procedure provided in s. 81.011, and the court shall advance the cause on the calendar.

Section 4. Section 83.60, Florida Statutes, is amended to read:

83.60 Defenses to action for rent or possession; procedure.—

(1) (a) In an action by the landlord for possession of a
dwelling unit based upon nonpayment of rent or in an action by
the landlord under s. 83.55 seeking to recover unpaid rent, the
tenant may defend upon the ground of a material noncompliance
with s. 83.51(1), or may raise any other defense, whether legal
or equitable, that he or she may have, including the defense of
retaliatory conduct in accordance with s. 83.64. The landlord
must be given an opportunity to cure a deficiency in a notice or
in the pleadings before dismissal of the action.

(2) (b) The defense of a material noncompliance with s.
83.51(1) may be raised by the tenant if 7 days have elapsed
after the delivery of written notice by the tenant to the
landlord, specifying the noncompliance and indicating the
intention of the tenant not to pay rent by reason thereof. Such
notice by the tenant may be given to the landlord, the
landlord’s representative as designated pursuant to s. 83.50, a
resident manager, or the person or entity who collects the rent
on behalf of the landlord. A material noncompliance with s.
83.51(1) by the landlord is a complete defense to an action for
possession based upon nonpayment of rent, and, upon hearing, the
court or the jury, as the case may be, shall determine the
amount, if any, by which the rent is to be reduced to reflect
the diminution in value of the dwelling unit during the period
of noncompliance with s. 83.51(1). After consideration of all
other relevant issues, the court shall enter appropriate
judgment.

(2) In an action by the landlord for possession of a
dwelling unit, if the tenant interposes any defense other than
payment, including, but not limited to, the defense of a
defective 3-day notice, the tenant shall pay into the registry
of the court the accrued rent as alleged in the complaint or as determined by the court and the rent that accrues during the pendency of the proceeding, when due. The clerk shall notify the tenant of such requirement in the summons. Failure of the tenant to pay the rent into the registry of the court or to file a motion to determine the amount of rent to be paid into the registry within 5 days, excluding Saturdays, Sundays, and legal holidays, after the date of service of process constitutes an absolute waiver of the tenant's defenses other than payment, and the landlord is entitled to an immediate default judgment for removal of the tenant with a writ of possession to issue without further notice or hearing thereon. If a motion to determine rent is filed, documentation in support of the allegation that the rent as alleged in the complaint is in error is required. Public housing tenants or tenants receiving rent subsidies are required to deposit only that portion of the full rent for which they are responsible pursuant to the federal, state, or local program in which they are participating.

Section 5. Section 83.61, Florida Statutes, is repealed.

Section 6. This act shall take effect July 1, 2021.
The Florida Senate

HB 481: Residential Evictions

GENERAL BILL by Driskell

Residential Evictions; Requires courts to refer matters involving residential eviction to mediation, if such program is available; removes provisions requiring residential tenant to pay accrued rent to registry of court; restricts availability of specified summary procedure in certain actions; removes provisions relating to disbursement of funds in registry of court.

Effective Date: 7/1/2021
Last Action: 1/27/2021 House - Filed
Bill Text: PDF

Bill History

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<th>Date</th>
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Related Bills

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Bill Text

Version  | Posted          | Format
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H 481     | Filed 1/27/2021 | 8:48 AM PDF

Committee Amendments

No Committee Amendments Available

Floor Amendments

No Floor Amendments Available

Bill Analyses

https://www.flsenate.gov/Session/Bill/2021/481
## Citations - Statutes (5)

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## Citations - Constitution (0)

No Constitutional citations.

## Citations - Chapter Law (0)

No Chapter Law citations.
A bill to be entitled
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Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (e) is added to subsection (2) of
section 44.102, Florida Statutes, to read:

44.102 Court-ordered mediation.—

(2) A court, under rules adopted by the Supreme Court:

(e) In circuits in which a residential eviction mediation program has been established, shall refer any matter involving a residential eviction to mediation.

Section 2. Subsection (5) of section 83.56, Florida Statutes, is amended to read:

83.56 Termination of rental agreement.—

(5)(a) If the landlord accepts rent with actual knowledge of a noncompliance by the tenant or accepts performance by the tenant of any other provision of the rental agreement that is at variance with its provisions, or if the tenant pays rent with actual knowledge of a noncompliance by the landlord or accepts performance by the landlord of any other provision of the rental agreement that is at variance with its provisions, the landlord or tenant waives his or her right to terminate the rental agreement or to bring a civil action for that noncompliance, but not for any subsequent or continuing noncompliance. However, a landlord does not waive the right to terminate the rental agreement or to bring a civil action for that noncompliance by accepting partial rent for the period. If partial rent is accepted after posting the notice for nonpayment, the landlord must:

1. Provide the tenant with a receipt stating the date and
amount received and the agreed upon date and balance of rent due
before filing an action for possession;

2. Place the amount of partial rent accepted from the
tenant in the registry of the court upon filing the action for
possession; or

3. Post a new 3-day notice reflecting the new amount due.

(b) Any tenant who wishes to defend against an action by
the landlord for possession of the unit for noncompliance of the
rental agreement or of relevant statutes must comply with s.
83.60(2). The court may not set a date for mediation or trial
unless the provisions of s. 83.60(2) have been met, but must
enter a default judgment for removal of the tenant with a writ
of possession to issue immediately if the tenant fails to comply
with s. 83.60(2).

(e) This subsection does not apply to that portion of rent
subsidies received from a local, state, or national government
or an agency of local, state, or national government; however,
waiver will occur if an action has not been instituted within 45
days after the landlord obtains actual knowledge of the
noncompliance.

Section 3. Subsection (2) of section 83.59, Florida
Statutes, is amended to read:

83.59 Right of action for possession.—

(2) A landlord, the landlord's attorney, or the landlord's
agent, applying for the removal of a tenant, shall file in the
county court of the county where the premises are situated a
complaint describing the dwelling unit and stating the facts
that authorize its recovery. A landlord's agent is not permitted
to take any action other than the initial filing of the
complaint, unless the landlord's agent is an attorney. The
landlord is entitled to the summary procedure provided in s.
51.011, and the court shall advance the cause on the calendar.

Section 4. Section 83.60, Florida Statutes, is amended to
read:

83.60 Defenses to action for rent or possession;

procedure.—

(1) (a) In an action by the landlord for possession of a
dwelling unit based upon nonpayment of rent or in an action by
the landlord under s. 83.55 seeking to recover unpaid rent, the
tenant may defend upon the ground of a material noncompliance
with s. 83.51(1), or may raise any other defense, whether legal
or equitable, that he or she may have, including the defense of
retaliatory conduct in accordance with s. 83.64. The landlord
must be given an opportunity to cure a deficiency in a notice or
in the pleadings before dismissal of the action.

(2) (b) The defense of a material noncompliance with s.
83.51(1) may be raised by the tenant if 7 days have elapsed
after the delivery of written notice by the tenant to the
landlord, specifying the noncompliance and indicating the
intention of the tenant not to pay rent by reason thereof. Such
notice by the tenant may be given to the landlord, the
landlord's representative as designated pursuant to s. 83.50, a
resident manager, or the person or entity who collects the rent
on behalf of the landlord. A material noncompliance with s.
83.51(1) by the landlord is a complete defense to an action for
possession based upon nonpayment of rent, and, upon hearing, the
court or the jury, as the case may be, shall determine the
amount, if any, by which the rent is to be reduced to reflect
the diminution in value of the dwelling unit during the period
of noncompliance with s. 83.51(1). After consideration of all
other relevant issues, the court shall enter appropriate
judgment.

(2) In an action by the landlord for possession of a
dwelling unit, if the tenant interposes any defense other than
payment, including, but not limited to, the defense of a
defective 3-day notice, the tenant shall pay into the registry
of the court the accrued rent as alleged in the complaint or as
determined by the court and the rent that accrues during the
pendency of the proceeding, when due. The clerk shall notify the
tenant of such requirement in the summons. Failure of the tenant
to pay the rent into the registry of the court or to file a
motion to determine the amount of rent to be paid into the
registry within 5 days, excluding Saturdays, Sundays, and legal
holidays, after the date of service of process constitutes an
absolute waiver of the tenant's defenses other than payment, and
the landlord is entitled to an immediate default judgment for removal of the tenant with a writ of possession to issue without further notice or hearing thereon. If a motion to determine rent is filed, documentation in support of the allegation that the rent as alleged in the complaint is in error is required. Public housing tenants or tenants receiving rent subsidies are required to deposit only that portion of the full rent for which they are responsible pursuant to the federal, state, or local program in which they are participating.

Section 5. Section 83.61, Florida Statutes, is repealed.

Section 6. This act shall take effect July 1, 2021.
The Florida Senate

HB 6025: Payments Made into the Registry of the Court

GENERAL BILL by Eskamani

Payments Made into the Registry of the Court; Removes requirement that certain money be paid into registry of court.

Effective Date: 7/1/2021
Last Action: 1/22/2021 House - Referred to Civil Justice and Property Rights Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee
Bill Text: PDF

Bill History

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| 1/22/2021  | House   | • Referred to Civil Justice and Property Rights Subcommittee; Justice Appropriations Subcommittee; Judiciary Committee

Related Bills

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Bill Text

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Committee Amendments

No Committee Amendments Available

Floor Amendments

No Floor Amendments Available

Bill Analyses

https://www.flsenate.gov/Session/Bill/2021/6025
A bill to be entitled
An act relating to payments made into the registry of
the court; amending s. 83.60, F.S.; removing a
requirement that certain money be paid into the
registry of the court; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (2) of section 83.60, Florida
Statutes, is amended to read:

83.60 Defenses to action for rent or possession;
procedure.—

(2) In an action by the landlord for possession of a
dwelling unit, if the tenant interposes any defense other than
payment, including, but not limited to, the defense of a
defective 3-day notice, the tenant shall pay into the registry
of the court the accrued rent as alleged in the complaint or as
determined by the court and the rent that accrues during the
pendency of the proceeding, when due. The clerk shall notify the
tenant of such requirement in the summons. Failure of the tenant
to pay the rent into the registry of the court or to file a
motion to determine the amount of rent to be paid into the
registry within 5 days, excluding Saturdays, Sundays, and legal
holidays, after the date of service of process constitutes an
absolute waiver of the tenant's defenses other than payment, and

CODING: Words struck are deletions; words underlined are additions.
the landlord is entitled to an immediate default judgment for removal of the tenant with a writ of possession to issue without further notice or hearing thereon. If a motion to determine rent is filed, documentation in support of the allegation that the rent as alleged in the complaint is in error is required. Public housing tenants or tenants receiving rent subsidies are required to deposit only that portion of the full rent for which they are responsible pursuant to the federal, state, or local program in which they are participating.

Section 2. This act shall take effect July 1, 2021.
**BOLD PROPOSALS FOR RENTERS’ TAX CREDITS**

Federal policymakers have recently introduced bold, innovative tax credit proposals to address the growing affordable housing crisis facing millions of the lowest income seniors, people with disabilities, families with children, and individuals. The "Rent Relief Act" and the “Housing, Opportunity, Mobility, and Equity (HOME) Act” provide refundable tax credits to cost-burdened taxpayers. These proposals would help bridge the widening gap between incomes and housing costs by creating new tax credits to help renters who face impossible choices between paying rent and meeting their other basic needs, including putting groceries on the table and taking care of their health. Separate from his tax credit bill, Senator Booker has called for a significant expansion of the national Housing Trust Fund, resources to build and preserve affordable housing in rural and tribal communities, and an expansion of fair housing protections.

The National Low Income Housing Coalition strongly supports the creation of a renters’ tax credit that could make housing affordable for millions of the lowest income people.

<table>
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<tr>
<th><strong>INDIVIDUAL TAX CREDITS</strong></th>
<th>&quot;Rent Relief Act&quot;</th>
<th>&quot;Housing, Opportunity, Mobility, and Equity (HOME) Act&quot;</th>
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</thead>
</table>
| **Sponsor**               | Senator Kamala Harris (D-CA)  
Congressmembers Danny Davis (D-IL)  
Scott Peters (D-CA), Jimmy Gomez (D-CA) | Senator Cory Booker (D-NJ)  
Congressman James Clyburn (D-SC) |
| **Type**                  | Fully Refundable | Fully Refundable |
| **Eligibility**           | Taxpayers earning less than $125,000 annually | All cost-burdened taxpayers |
| **Value of Credit**       | A share of the difference between 30% of income and rent, capped at 100% of Small Area Fair Market Rent | The difference between 30% of income and rent, capped at 100% of Small Area Fair Market Rent |
| **Schedule**              | If gross income is:  
< $25,000 – The percentage is:  
100%  
Between $25,000 and $50,000 – 75%  
Between $50,000 and $75,000 – 50%  
Between $75,000 and $100,000 – 25%  
More than $100,000* – 0% | 100% of cost burdens for all incomes |
| **Utilities**             | Included | Included |
| **Residents in Federally Subsidized Housing** | Provided a separate tax credit – in lieu of the one above – equal to the amount paid by the taxpayer in rent for 1 month | Eligible for the tax credit, if they have cost burdens |
| **Interest Accrued**      | Creates a Rainy Day Fund for taxpayers who choose to defer tax credit for 180 days to collect interest accrued | Requires states and local communities to develop new inclusive zoning policies, programs, or regulatory initiatives to create more affordable housing supply. |
| **Other Provisions**      | Allows taxpayers to receive their benefit in monthly payments. | |

*If the taxpayer is located in an area that uses HUD Small Area Fair Market Rents, the maximum income is increased to $125,000. For more information, contact NLICH Vice President of Public Policy, Sarah Saadian at ssaadian@nlhh.org or by calling 202-662-1530, ext. 228 1000 Vermont Avenue, NW | Suite 500 | Washington, DC 20005 | 202-662-1530 | www.nlihc.org
ADVOCACY & POLICY

Legislative & Regulatory Agenda
NAHRO Priorities

Fully Fund Affordable Housing and Community Development Programs

Congress should provide full funding of affordable housing and community development programs that — by meeting the needs of local communities —
Preserve and Develop the Nation’s Housing Stock

NAHRO’s members work hard to use existing federal housing programs and policies to create and maintain housing opportunities for families, youth, seniors, and persons with disabilities. This work is critical given high demand and low construction rates. NAHRO believes that “housing is infrastructure” and housing providers should all have access to programs and funding that preserve and improve subsidized housing.

Support Local, CommunityBased Solutions

NAHRO members understand best the complex and unique circumstances facing their communities – rural, urban, and suburban. It is crucial that all federal programs allow local housing providers to nimbly respond to evolving local circumstances.

Champion Resilient Families and Communities

NAHRO supports programs that help its members foster stable communities, recover quickly from disasters, and operate mobility and place-based initiatives that help families succeed. NAHRO supports critical federal, state, and local resident supportive service programs that help families meet their basic needs.

Keep the Government Open for Efficient and Effective Program Operations

Congress and the Administration must maintain their federal commitment to housing assistance and community development by prioritizing the appropriations process to ensure that the federal government remains open, deploys resources, and maximizes use of federal resources through sensible program design which does not unduly burden local housing providers, particularly smaller agencies with limited staff and access to financial resources.
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The NAHRO Monitor < https://www.nahro.org/news-publications/the-nahro-monitor/>

Journal of Housing & Community Development < https://www.journalofhousing.org/>

NAHRO Blog < http://nahroblog.org>


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Toll Free: 877-866-2476  |  Phone: 202-289-3500  |  Fax: 202-289-8181
Florida Housing Coalition
SADOWSKI AFFILIATES WEBINAR

It’s Free. Thanks to support from JPMORGAN CHASE & CO.

To join, email your contact info to Johnitta Wells at (Wells@flhousing.org)

March 9, 2021
Webinar Logistics

- All participants are on mute
- We will answer questions at the end of Webinar
- Type you question into the question box on the side panel
- We will not identify who as asked the question
- Webinar is recorded and can be found FLHousing.org (www.flhousing.org/past-sadowski-affiliates-webinars/)
- There are handouts that can be downloaded attached
Panelists

**Jaimie Ross**, President & CEO
Florida Housing Coalition;
Facilitator, Sadowski Coalition

**Kody Glazer**, Legal Director
Florida Housing Coalition
Agenda

- Governor’s Budget opens door to July 1 SHIP distributions
- Projected SHIP Distributions Estimates FY 21-22
- Legislative One-Pagers
- Press Coverage
- Housing Bills filed 2021 Session
Governor’s Budget

• $423.3 Million- Total Budget Recommendation for Housing
  • SHIP- $296.6M
  • SAIL- $126.7M

• Governor DeSantis recommended that funds distributed into the Housing Trust Funds during Fiscal Year 2021-22 be appropriated for housing programs
Projected SHIP Estimates for FY 2021-22

- SHIP allocations based upon the Governor’s Fiscal Year 2021-22 budget recommendation.
- SHIP distributions for 2021 could begin as early as July 1, 2021. Governor’s proposed budget provides:

  “Funds Specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year, except funds from the Local Government Housing Trust Fund, which shall transfer fifty percent by March 1, 2022 and fifty percent by June 30, 2022.”
THE FLORIDA HOUSING COALITION

Legislator Sadowski “One Pagers”
Seminal Study showed that every dollar used from the state and local housing trust funds for housing returns $0.40 to Florida, which equates to more than $167 million in revenue, if lawmakers appropriate $423.3 million for housing.
Editorial: Full Sadowski funding, and more, needed to mitigate affordable housing crisis

Unless the state can deliver all the Sadowski funds — and not just for one year — local counties and municipalities are going to have to get creative if they ever want to make a dent in the affordable housing crisis.

- March 1, 2021
Full Sadowski funding, and more needed to mitigate affordable housing crisis

“An economic study released by the Sadowski Coalition earlier this month suggests actually using the money for housing could have a cumulative $5 billion economic impact. The full allocation might house 47,845 people and create 33,286 jobs.”

- February 18, 2021
Community Voices: In Support of the Sadowski Affordable Housing Trust Fund

“Now, the 2021 Florida Legislature will decide how to appropriate an anticipated $600 million earmarked for affordable housing. A newly released economic analysis prepared by the Regional Economic Consulting Group concluded fully funding the Sadowski Housing Trust Fund would provide $3.5 billion in total development, see 30,473 units newly constructed or rehabilitated, 48,199 jobs created, and an economic impact of more than $7.3 billion. With the economic activity created, $245 million taxes would be generated, with $127.2 million going back to the state. Housing is an economic engine and a smart investment.”

- Feb. 5, 2021
Key Persons for Housing Trust Funds

**Senate**
- Senate President
  - Wilton Simpson
- Appropriations Chair
  - Kelli Stargel
- Transportation, Tourism, and Economic Development Subcommittee
  - Chair George Gainer

**House**
- House Speaker
  - Chris Sprowls
- Appropriations Chair
  - Jay Trumbull
- Infrastructure & Tourism Appropriations Subcommittee
  - Chair Jayer Williamson
Key Persons for Housing Trust Funds

Senate President
Wilton Simpson
(R., Dist 10- Part of Citrus, Hernando, Pasco Counties)

Appropriations Chair
Kelli Stargel
(R., Dist 22- Part of Lake, Polk Counties)

TED Chair
George Gainer
(R., Dist 2- Part of Bay, Holmes, Jackson, Okaloosa, Walton, Washington Counties)

House Speaker
Chris Sprowls
(R., Dist 65- Part of Pinellas County)

Appropriations Chair
Jay Trumbull
(R., Dist 6- Part of Bay County)

Infrastructure & Tourism Appropriations Chair
Jayer Williamson
(R., Dist 13- Part of Okaloosa and Santa Rosa Counties)
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<tr>
<th>Name</th>
<th>Office</th>
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<tbody>
<tr>
<td>Gainey, George</td>
<td>District 2</td>
<td>Bay, Holmes, Jackson, Okaloosa, Walton, Washington</td>
<td>(850) 487-5002 Andrea Gainey (Capitol and District Scheduler), Kimberly Rodgers, Tina Sain</td>
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<td>Hooper, Ed</td>
<td>District 16</td>
<td>Pasco, Pinellas</td>
<td>(850) 487-5016 Brian Pitony, Charles Smith (Capitol Scheduler), Mari Elida (District Scheduler)</td>
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<tr>
<td>Ausley, Loranne</td>
<td>District 3</td>
<td>Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla</td>
<td>(850) 487-5003 Bailey McCray (Capitol and District Scheduler), Jerome Maples, Katelyn Norman (Capitol and District Scheduler), Leisa Wiseman, Melissa Durham</td>
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<td>Boyd, Jim</td>
<td>District 21</td>
<td>Hillsborough, Manatee</td>
<td>(850) 487-5021 Amanda Romant (District Scheduler), Jack Rogers (Capitol and District Scheduler), Kathy Galea (District Scheduler)</td>
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<td>Cruz, Janet</td>
<td>District 18</td>
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<td>(850) 487-5018 Beatz Zdra, Deborah Martin (Capitol and District Scheduler), John Leam</td>
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<td>Garcia, Illeana</td>
<td>District 37</td>
<td>Miami-Dade</td>
<td>(850) 487-5037 Ana del Valle, Kim Barton, Lisette Vasquez, Sarah Homiques</td>
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<td>Gibson, Audrey</td>
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<td>Duval</td>
<td>(850) 487-5006 Fariba Hamidi (Capitol and District Scheduler), Teresa Williams-Flan (Capitol and District Scheduler)</td>
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<td>Mayfield, Debbie</td>
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<td>Brevard, Indian River</td>
<td>(850) 487-5017 Doris Leeper, Jacob Dimond (Capitol Scheduler), Kaitlyn Gentry</td>
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<td>Perry, Keith</td>
<td>District 8</td>
<td>Alachua, Marion, Putnam</td>
<td>(850) 487-5008 Jessica Caruso, Keenen Vernon (Capitol Scheduler), Megan Romba, Suzanne McGuire (District Scheduler)</td>
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<td>Taddeo, Annette</td>
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<td>Miami-Dade</td>
<td>(850) 487-5040 Julian Santos (Capitol and District Scheduler), Veronica Sandoval</td>
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<td>Wright, Tom A</td>
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<td>Brevard, Volusia</td>
<td>(850) 487-5014 Carolyn Gizzan, Elisha Converse, Lindsey Swinittel (District Scheduler), Nicholas Ancheta (Capitol Scheduler)</td>
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House Infrastructure & Tourism Appropriations Subcommittee

Williamson, Jayer  (Chair)  (R)  District 3 Okaloosa, Santa Rosa  (850) 717-5003
Ashley Jeffrey (District Scheduler), Sabrina McLaughlin, Sydney Fowler (Capitol Scheduler)

Rommel, Bob (Vice Chair)  (R)  District 106 Collier  (850) 717-5106
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Hart, Dianne "Ms Dee" (Minority Ranking Member)  (D)  District 61 Hillsborough  (850) 717-5061
Mallie Moore, Paiviette Smith (District Scheduler)

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Brian Bees, Troy Gras

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Corey Stanislaw, Samantha Verner (District Scheduler)

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Becky Tromp, Clay Gunter

Mooney, Jr., James Vernon "Jim"  (R)  District 120 Miami-Dade, Monroe  (850) 717-5120
Elsa Rodriguez, Nicolas Freyola

Persons-Mullica, Jenna  (R)  District 78 Lee  (850) 717-5078
Morgan Parish, Olivia Tenzel

Piasencia, Rene  (R)  District 50 Brevard, Orange  (850) 717-5050
Nitin "Sunny" Aswani (Capitol and District Scheduler), Steven Thompson (District Scheduler)

Silvers, David  (D)  District 87 Palm Beach  (850) 717-5087
Audrey Piedra (District Scheduler), Christi Fearnley (Capitol Scheduler)
Message

- Appropriate all the Sadowski state and local housing trust funds solely for Florida’s housing programs

Why?
- In FY 21-22 using all the Sadowski Trust Funds for Florida’s housing programs has a $5billion dollar positive economic impact.
- We have a housing crisis.
- We have the best housing programs in the nation.
Legislative Process

• Session began March 2, 2021.
• Session Week 2
• Consideration of the appropriation of the state and local housing trust fund programs is underway.
Panelist

Kody Glazer, Legal Director
Florida Housing Coalition
American Rescue Plan Act: Housing Funding

• $27.4 billion more for emergency rental assistance (in addition to the $25 billion passed in the December 2020 COVID relief bill)
  • $21.55 billion through Coronavirus Relief Fund (CRF) program (available through 2025)
  • $5 billion for housing vouchers (available through 2030)
  • $100 million for rural households living in USDA-financed properties

• Extends current ERA program to September 30, 2022

• $5 billion for homelessness assistance

• $10 billion for foreclosure assistance

• $4.5 billion for utility assistance through Low-Income Home Energy Assistance Program (LIHEAP) & $500 million for water assistance

• $120 million for housing counseling and fair housing

THE FLORIDA HOUSING COALITION
Federal housing assistance **cannot** replace SHIP.

<table>
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<th>Program</th>
<th>Federal Emergency Rental Assistance (ERA) - $1.4 billion to FL</th>
<th>American Rescue Plan Act (ARPA) – FL amount TBD</th>
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<td>Homeownership and Rental Construction</td>
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<td>Gap Financing</td>
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<td>Home Rehabilitation</td>
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<tr>
<td>Impact Fee Payments</td>
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</tbody>
</table>
Talking Points:

• Not all housing funding is the same.

• Federal funds are vital to keeping Floridians stably housed during the pandemic, but they cannot replace SHIP.

• Federal funds keep renters & homeowners in their current housing, but SHIP is vital to building, preserving, and purchasing new housing.

• On the homeownership side, supply is down and prices are up – keeping many households out of first-time homeownership. SHIP is needed to provide down payment and closing cost assistance to create new first-time homeowners.

• On the rental side, SHIP is needed to provide gap financing for new multi-family developments to keep up with population growth and housing demand.

• With its tremendous economic impact, Sadowski Funds are fundamental to creating jobs, generating tax revenue, and rebuilding the economy post-COVID.
Senate Bill 510-
Stop Sweeps of Housing Trust Funds

Senator Ed Hooper
(R., District 16- Part of Pasco and Pinellas Counties)

- Prohibits transferring monies in Housing Trust Funds to the Budget Stabilization Fund and the General Revenue Fund

Reported favorably out of the first two of three committee assignments.
House Bill 13-
Stop Sweeps of Housing Trust Funds

Representative Sam Killebrew
(R., District 41- Part of Polk County)

• Prohibits transferring monies in Housing Trust Funds to the Budget Stabilization Fund and the General Revenue Fund
**Housing Bills Heard in Committee**

**HB 423/SB 168**  
(Rep. Tuck/Sen. Hooper)  
- Extends Hurricane Loss Mitigation Program (HLMP) to June 30, 2031.

**HB 55/SB 284**  
- Preempts local governments from regulating building design elements for single & two-family homes with certain exceptions.

**HB 1059/SB 1788**  
(Committee Bill/Sen. Boyd)  
- Clarifies that local governments are required to post building permit application material, permitting processes, and status updates on their website; requires local governments to accept electronic applications for building permits.

**HB 883/SB 60**  
- Prevents local government code enforcement officers from investigating an anonymous complaint. A person who reports a code violation must state their name and address.

**SB 132**  
(Sen. Hutson)  
- Provides that a homeowner’s homestead exemption will not be abandoned if the homeowner rents a portion of the dwelling while the dwelling is physically occupied by the owner.
### Housing Bills *Not* Heard in Committee

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsorship</th>
<th>Description</th>
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<tbody>
<tr>
<td>HB 965/SB 1160</td>
<td>Rep. Roth/Sen. Rodriguez</td>
<td>Gives FHFC board the authority to make final determination on issuance of revenue bonds</td>
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<tr>
<td>HB 499/SB 576</td>
<td>Rep. Benjamin/Sen. Jones</td>
<td>Prohibits landlords from refusing to rent to a tenant solely based upon the tenant being previously evicted during COVID-19</td>
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<tr>
<td>HB 567/SB 1068</td>
<td>Rep. Bartleman/Sen. Taddeo</td>
<td>Lowers SHIP homeownership set-aside to 50%; lowers construction set-aside to 50%; increases rental allowance to 50%.</td>
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</table>
“Always Ready” Initiative – Statewide Response to Flooding & Sea Level Rise

- Priority of Legislature and Governor
- Forms the **Resilient Florida Grant Program** with Department of Environmental Protection (PCB EAF 21-01/SB 1954)
  - Provides grants to local governments to fund the costs of community resilience planning, vulnerably assessments that identify or address risks of flooding and sea-level rise, and development of plans and policies that allow communities to prepare for threats from flooding and sea-level rise.
  - Vulnerability assessments must include risks to “critical assets”
  - The term “critical asset” includes “affordable public housing”
“Always Ready” Initiative –
Statewide Response to Flooding & Sea Level Rise

• Directs DEP to annually provide a 3-year statewide flooding and sea level rise resilience plan (which includes identified threats to “critical assets”)

• Allows local governments to form “Regional Resilience Coalitions” to coordinate intergovernmental solutions to mitigate adverse impacts of flooding and sea level rise

• Proposes a constitutional amendment that would prohibit an increase in the assessed value of a home for ad valorem tax purposes as a result of any change or improvement made to improve the property’s resistance to flood damage (SJR 1182/SB 1186)
Sadowski Affiliates Webinars - Tuesdays at 10am

Sadowski Affiliates Webinar every Tuesday at 10am
Registration links will be sent weekly
Locating Sadowski Materials

Tour of SadowskiCoalition.org

• Legislator “One Pagers”
• SHIP Distribution Estimates FY 21-22
• Advocates Toolkit
How do you help the Sadowski Coalition?

Provide Feedback

We need to know about your meetings with legislators or their aides – we can follow up in Tallahassee.

You do not have to be an expert in housing or the trust fund numbers to meet with your legislator/aide.

If you are asked a question you don’t feel comfortable answering just say “I’ll be happy to get back to you with that info” And give us a call! 850/212/0587.
Contact Us

For Assistance Contact
Jaimie Ross
President/CEO
Florida Housing Coalition
Ross@FLHousing.org
(850) 212-0587
Federal housing dollars **cannot** replace SHIP.

Beginning with the CARES Act in March of 2020, federal dollars have been deployed to Florida for emergency housing assistance related to COVID-19. In December 2020, Congress authorized an additional COVID-relief package which contained $25 billion in emergency rental assistance (ERA program) for households making 80% of AMI or below – around $1.4 billion of which has been sent to Florida. Congress is set to pass the American Rescue Plan Act which contains an additional $27.4 billion for rental housing assistance, $5 billion for homelessness, $10 billion for homeowner assistance, $5 billion for utility assistance, and $120 million for housing counseling and fair housing.

**Although these federal funds are vital in keeping Floridians stably housed during the pandemic, they cannot replace SHIP.** While the recently enacted federal funds work to keep renters and homeowners in their current housing, SHIP is vital to building, preserving, and purchasing new housing. We have an affordable housing crisis and fully funding SHIP is necessary to help Florida recover after the pandemic.

The chart below demonstrates the breadth of the SHIP program compared to the new federal housing assistance.

<table>
<thead>
<tr>
<th></th>
<th>Federal Emergency Rental Assistance (ERA) - $1.4 billion</th>
<th>American Rescue Plan Act (ARPA) – Florida amount TBD</th>
<th>State Housing Initiatives Partnership (SHIP)¹ - $296 million</th>
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<tr>
<td>Rental Assistance²</td>
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</tr>
</tbody>
</table>

¹ On the homeownership side, supply is down and prices are up – keeping many households out of first-time homeownership. Families are mortgage ready across the state and only need down payment and closing cost assistance to leave rental housing and become homeowners. The SHIP program provides down payment assistance and financing for new affordable homes to help keep up with demand. On the rental side, new multi-family housing construction was down in 2020 although our population and demand for housing continues to increase. SHIP provides gap financing for new multi-family rental developments. Additionally, fully funding the Sadowski Trust Fund programs would create over 33,000 jobs, generate $4.9 billion in economic impact, and provide the state a 40% return on investment in the form of tax collections.

² The federal ERA program is extended to September 30, 2022 and can only be used for households at 80% of Area Median Income or below. ARPA provides additional funding that can be spent until 2025. SHIP provides assistance to a range of incomes and has a 3-year expenditure period.

Contact: Jaimie Ross, President/CEO, Florida Housing Coalition, ross@flhousing.org  
Kody Glazer, Legal Director, Florida Housing Coalition, glazer@flhousing.org
By Senator Powell

A bill to be entitled
An act relating to waiver of fees for affordable
housing construction; amending s. 553.80, F.S.;
authorizing local governments to waive fees associated
with enforcing the Florida Building Code for costs
relating to the construction of affordable housing;
authorizing local governments to adopt ordinances
exempting permits relating to the construction of
affordable housing from certain fees; providing an
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (7) of section
553.80, Florida Statutes, is amended to read:
553.80 Enforcement.—
(7)(a) The governing bodies of local governments may
provide a schedule of reasonable fees, as authorized by s.
125.56(2) or s. 166.222 and this section, for enforcing this
part. These fees, and any fines or investment earnings related
to the fees, shall be used solely for carrying out the local
government’s responsibilities in enforcing the Florida Building
Code. When providing a schedule of reasonable fees, the total
estimated annual revenue derived from fees, and the fines and
investment earnings related to the fees, may not exceed the
total estimated annual costs of allowable activities. Any
unexpended balances shall be carried forward to future years for
allowable activities or shall be refunded at the discretion of
the local government. A local government may not carry forward
an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous 4 fiscal years. For purposes of this subsection, the term “operating budget” does not include reserve amounts. Any amount exceeding this limit must be used as authorized in subparagraph 2.

However, a local government which established, as of January 1, 2019, a Building Inspections Fund Advisory Board consisting of five members from the construction stakeholder community and carries an unexpended balance in excess of the average of its operating budget for the previous 4 fiscal years may continue to carry such excess funds forward upon the recommendation of the advisory board. The basis for a fee structure for allowable activities shall relate to the level of service provided by the local government and shall include consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not provided by the local government. Fees charged shall be consistently applied. However, a local government may waive fees associated with enforcing the Florida Building Code for costs related to the construction of affordable housing under chapter 420.

1. As used in this subsection, the phrase “enforcing the Florida Building Code” includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.
2. A local government must use any excess funds that it is prohibited from carrying forward to rebate and reduce fees.

3. The following activities may not be funded with fees adopted for enforcing the Florida Building Code:
   a. Planning and zoning or other general government activities.
   b. Inspections of public buildings for a reduced fee or no fee.
   c. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.
   d. Enforcement and implementation of any other local ordinance, excluding validly adopted local amendments to the Florida Building Code and excluding any local ordinance directly related to enforcing the Florida Building Code as defined in subparagraph 1.

4. A local government shall use recognized management, accounting, and oversight practices to ensure that fees, fines, and investment earnings generated under this subsection are maintained and allocated or used solely for the purposes described in subparagraph 1.

5. The local enforcement agency, independent district, or special district may not require at any time, including at the time of application for a permit, the payment of any additional fees, charges, or expenses associated with:
   a. Providing proof of licensure pursuant to chapter 489;
   b. Recording or filing a license issued pursuant to this chapter;
   c. Providing, recording, or filing evidence of workers’
compensation insurance coverage as required by chapter 440; or

d. Charging surcharges or other similar fees not directly related to enforcing the Florida Building Code.

6. A local government may adopt an ordinance creating an exemption from fees for enforcing the Florida Building Code applicable to permits related to the construction of affordable housing under chapter 420.

Section 2. This act shall take effect July 1, 2021.
SB 1648: Waiver of Fees for Affordable Housing Construction

Effective Date: 7/1/2021
Last Action: 3/4/2021 Senate • Referred to Community Affairs; Regulated Industries; Appropriations
Bill Text: Web Page | PDF

SB 290: Retaliatory Conduct by Landlords

Effective Date: 7/1/2021
Last Action: 3/2/2021 Senate • Introduced - SJ 58
Bill Text: Web Page | PDF
SB 1548: Evictions During a Declared State of Emergency

GENERAL BILL by Pizzo

Evictions During a Declared State of Emergency; Prohibiting specified service of process during an emergency declaration period; providing immunity from liability for certain persons for failing to take certain actions during an emergency declaration period; defining the term “emergency declaration period”; tolling specified time periods for certain evictions under certain circumstances; requiring a court to stay eviction proceedings during an emergency declaration period; defining the term “emergency declaration period”, etc.

Effective Date: 7/1/2021
Last Action: 3/2/2021 Senate - Introduced - SJ 148
Bill Text: Web Page | PDF

Senate Committee References:
1. Judiciary (JU)
2. Military and Veterans Affairs, Space, and Domestic Security (M)
3. Rules (RC)

Bill History

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<td>3/2/2021</td>
<td>Senate</td>
<td>Referred to Judiciary; Military and Veterans Affairs, Space, and Domestic Security; Rules - SJ 148</td>
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<td>Introduced - SJ 148</td>
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</table>
MEMORANDUM

TO: Chair Montanari and Member of the Budget, Finance and Taxation Committee

FROM: Robert Gerdes, Neighborhood Affairs Administrator, Tom Greene, Assistant City Administrator, Macall Dyer, Managing Assistant City Attorney, Anne Fritz, Finance Director/CFO, Liz Makofske, Budget and Management Director

CC: Dr. Kanika Tomalin, Deputy Mayor/City Administrator

DATE: February 18, 2021

RE: Affordable Housing – Interfund Loan from Economic Stability

Goal

To create a flexible funding source to incentivize the development of affordable and workforce multi-family dwelling units.

Introduction

An important goal of the city’s 10-year housing plan: For All – From All, is to create and preserve 2,400 affordable/workforce multi-family housing units over the term of the plan (2020-2029). In order to achieve this goal, we are working with multiple developers, Pinellas County and the Pinellas County Housing Finance Authority to expand the financing opportunities for such developments to be completed. There is significant interest in the private and non-profit sectors to collaborate with the city to construct affordable/workforce housing units. We believe that leveraging the interest of the private and non-profit sectors by assisting with the funding of affordable housing units is a cost-effective use of city resources.

For each potential development, staff reviews available funding sources and attempts to match appropriate funding sources with the proposed development. Examples of these funding sources are: Home Investment Partnership (HOME), State Housing Initiative Partnership (SHIP), Penny for Pinellas Land Acquisition and Community Redevelopment Area Tax Increment Financing (TIF). However, in order to dramatically increase the supply of affordable and workforce dwelling units, the city needs to add a flexible funding source to use in instances where the available funding sources are not adequate or are not eligible.

During 2018 and into 2019, staff developed a proposal to create a linkage fee on new development with the purpose of creating a flexible funding source to incentivize affordable and workforce development. However, due to state law restrictions on linkage fees which would make an equitable linkage fee extremely difficult, and the current economic instability related to COVID-19, the City Administration has decided not to pursue a linkage fee in 2020. As a result, we are bringing forward this proposal to create a credit facility from the Economic Stability Fund to fund affordable and workforce housing.
Interfund Loan/Credit Facility Concept

In short, this plan would provide for the flexibility to draw resources from the Economic Stability Fund for investment in Affordable Housing projects. The interfund loan would be repaid from annual appropriated General Fund investments in affordable housing initiatives.

Our fiscal policies allow for interfund loans or advances from the Economic Stability Fund to other funds so long as there is a designated plan for repayment.

Fiscal Policy

iii) The Economic Stability Fund may be used to provide short-term (one year or less) advances, or long-term loans exceeding one-year in length, to other funds of the city for shortfalls due to economic impacts or for other purposes, as recommended by the mayor and approved by City Council. A plan for repayment of the funds will be established before any such advance or loan is made.

Previous Interfund Loans from Economic Stability

In the past we have made advances (short-term) and interfund loans (long-term) from the Economic Stability Fund. In 2017 we made an advance in the amount of $3.8 million from the Economic Stability Fund to the Water Resources Capital Improvement Fund. The goal of this advance was to fund priority sanitary sewer improvements. This advance was repaid in 2018 with proceeds from a planned bond offering. Similarly, in 2009, an interfund loan from the Economic Stability Fund was made to the Airport Operating Fund for the purposes of repaying externally borrowed resources which included a higher interest rate. This transaction was later documented by a resolution approving an interfund loan with an amortization schedule and loan agreement to comply with our fiscal policies.

Design of the Interfund Loan

The interfund loan would be established with a “not to exceed” amount of for example $10 million and would act like a line of credit. As transactions present themselves resources will be drawn and transferred from the Economic Stability Fund to the soon to be created Affordable Housing Fund. Funds will then be appropriated by City Council to the specific project. The planned pay back will be from future General Fund annual appropriations for affordable housing. The attached spread sheet is provided for illustration purposes only and show how this structure would work.

Each project will have its own loan agreement which will include repayment terms, i.e. $1 million interfund loan would require an appropriation of $100,000 for a term of 10 years to repay such loan. The Administration would bring each potential investment in a specific project to City Council for approval by resolution.
Evaluation

Each proposed transaction would be evaluated on its merit. Administration will present the funding opportunity to City Council in the form of a Resolution approving the interfund loan. The terms (including repayment terms) will be incorporated into such resolution. City Council will have the final say in the approval of each proposed transaction.

Use of Advance of Loan

As referenced above, each affordable housing transaction will be brought to City Council for approval. The developer will be granted resources from the interfund loan for the purposes of offsetting the cost of constructing affordable housing units and will agree to make those units affordable for a period of no less than 15 years. The levels of affordability will be evaluated on a case by case basis.

Example Development

If City Council approves the credit facility, staff anticipates that our first request to use funds from the credit facility will be for a proposed development named New Northeast, which will be located west of 1st Street North and north of 54th Avenue North. The proposed development will include 415 multi-family rental units on a 20-acre site. One hundred and twenty-five (125) of these units will be affordable workforce units with 59 units restricted to households at 80% AMI or below and 66 units restricted to households at 120% AMI or below for an affordability period of 30 years. This development received site plan approval from the Development Review Commission on January 6th. The developer has requested a $4,000,000 subsidy from Pinellas County through the County Penny for Pinellas workforce development program and a $1,000,000 subsidy from the City of St. Petersburg in order to make the affordable/workforce units economically feasible. Pinellas County staff recommended approval of the developer’s request and the County Commission approved the funding on January 12th.

Conclusion

Because of the changing landscape with respect to identifying a new dedicated funding source for affordable housing investment, the interfund loan structure is being recommended. This structure has an identified repayment plan that will force budget discipline and allow us to leverage the private and non-profit sectors interest in constructing affordable/workforce housing units. Absent this structure or an alternative that yields comparable results the City will need to revisit the goals for the “For All, From All” housing affordability plan and realign its aspirations to match available resources.

Attachments:

1) $10 million not to exceed amount
2) $5 million not to exceed amount
Credit Facility for Housing Affordability
St. Petersburg’s Housing Plan: For All, From All

LOW- AND MODERATE-INCOME HOUSEHOLDS
For those who earn up to 120% of Area Median Income

• Create and preserve 2,400 multi-family units
FROM ALL

FEDERAL AND STATE FUNDING

FEDERAL
**HOME** (HOME Investment Partnership) | $1.5 million:
a federal funding source that provides money to the City through annual Federal budget process

STATE
**SHIP** (State Housing Initiative Partnership) | $2.5 million:
a state funding source that provides money to the City through annual state budget process
FROM ALL

LOCAL FUNDING

City-Owned Land | $10 million:
existing City-owned land and future acquisitions, valued at approximately
$10 million, for the use of housing that is affordable

Penny for Pinellas | $15 million:
a portion of the 1% sales tax that funds long-term capital projects in Pinellas
County
FROM ALL

LOCAL FUNDING

**SSP CRA** (South St. Petersburg Community Redevelopment Area) | $8.5 million:
a City program by which local taxes collected from the CRA are used for projects located within the CRA alone

**Floor Area Ratio Bonus** | $2.5 million:
a fee paid by developers for the right to develop additional square footage on a property

**Linkage Fee** | $20 million:
a proposed impact fee on new market-rate construction pending results of the City’s nexus study, in progress
Example Development

New Northeast

- Located between 1st Street North and 4th Street North on the Northeast corner of 54th Avenue North and 4th Street
- 415 multi-family dwelling units
- Approximately $97 million construction cost
- 125 Workforce dwelling units
- 59 dwelling units at 80% AMI or below
- 66 dwelling units at 120% AMI or below
- Pinellas County Commission approved $4 million contribution
- Developer requests $1 million from City of St. Petersburg
- $8,000 City incentive per unit
## Multi Family Pipeline

<table>
<thead>
<tr>
<th>Development Name</th>
<th>Location</th>
<th>Total Units</th>
<th>Affordable/Workforce Units</th>
<th>Status</th>
<th>60% AMI and below</th>
<th>61% to 80% AMI</th>
<th>81% to 120% AMI</th>
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**Totals**                | 270                          | 270         | 257                        | 13                              |
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<td><strong>257</strong></td>
<td><strong>72</strong></td>
<td><strong>66</strong></td>
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</tr>
</tbody>
</table>
How It Will Work

**Key Terms**

- **Loan** = Interfund Loan from ESF to Affordable Housing Fund.
- **Source of Repayment** = General Fund annual appropriations for Affordable Housing.
- **Grant** = Support given to developer to offset the cost of construction.

**Economic Stability Fund**
($5 million or $10M Cap)

**Affordable Housing Fund**
(Rec. Interfund Loans from ESF /makes grants to developers)

**Process**

1) Interfund Loan from ESF to Affordable Housing Fund.
2) Loan/Grants recommended by Admin./approved by City Council.
3) Grants typically made to developer at C.O. to partially offset the cost of constructing affordable units.
How It Will Work ($10 Million Cap)

$10M cap = $1 million annual appropriation in General Fund for Affordable Housing beginning in FY23

### Summary of Loans

<table>
<thead>
<tr>
<th>Advances</th>
<th>Loan Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project #1 FY21</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Project #2 FY21</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Project #3 FY22</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Project #4 FY22</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Project #5 FY22</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>$10,000,000</td>
<td></td>
</tr>
</tbody>
</table>

### Annual Repayment (10-Year Term)

<table>
<thead>
<tr>
<th>Year of Payment</th>
<th>Loan #1</th>
<th>Loan #2</th>
<th>Loan #3</th>
<th>Loan #4</th>
<th>Loan #5</th>
<th>Fiscal Year Total Repayments</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY22</td>
<td>$ 200,000</td>
<td>$ 200,000</td>
<td>$ 200,000</td>
<td>$ 200,000</td>
<td>$ 200,000</td>
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<tr>
<td>FY32</td>
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</tr>
</tbody>
</table>
## How It Will Work ($10 Million Cap)

**General Fund Affordable Housing Appropriations -- Source of Repayment**

<table>
<thead>
<tr>
<th>FY22</th>
<th>FY23</th>
<th>FY24</th>
<th>FY25</th>
<th>FY26</th>
<th>FY27</th>
<th>FY28</th>
<th>FY29</th>
<th>FY30</th>
<th>FY31</th>
<th>FY32</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000,000</td>
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<td>$1,000,000</td>
<td>$1,000,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Balance Available from Annual Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>$400,000</td>
</tr>
</tbody>
</table>

**Assumptions & Notes**

1) Requires an annual General Fund appropriation of $1 million for affordable housing.
2) Each loan will have its own loan agreement and debt service schedule.
3) Each loan will be repaid in ten (10) equal installments.
4) In the table, Projects 3-6 are assumed to be made during FY22 and will have a ten-year repayment.
5) Loan repayments are scheduled in the Fiscal Year following the loan origination.
**How It Will Work ($5 Million Cap)**

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</tr>
<tr>
<td></td>
<td>$5,000,000</td>
</tr>
</tbody>
</table>

$5M cap = $500K annual appropriation in General Fund for Affordable Housing in FY23

<table>
<thead>
<tr>
<th>Year of Payment</th>
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<th>Loan #2</th>
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<td>$200,000</td>
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<tr>
<td>FY32</td>
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<td>$100,000</td>
<td>$100,000</td>
<td>$100,000</td>
<td>$300,000</td>
</tr>
</tbody>
</table>

Annual Repayment (10-Year Term)
### How It Will Work ($5 Million Cap)

<table>
<thead>
<tr>
<th>General Fund Affordable Housing Appropriations -- Source of Repayment</th>
<th>Balance of Annual Appropriation</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY22</td>
<td>FY23</td>
</tr>
<tr>
<td>------</td>
<td>------</td>
</tr>
<tr>
<td>$ 500,000</td>
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