

1 A bill to be entitled
2 An act relating to housing assistance; creating s.
3 420.518, F.S.; requiring the Florida Housing Finance
4 Corporation to establish guidelines for the
5 administration of local government risk mitigation
6 programs; authorizing certain landlords to file a
7 claim for property damage or unpaid rent
8 reimbursement; providing claim and award requirements;
9 amending s. 420.9075, F.S.; revising the percentages
10 of local housing assistance plan funds that may be
11 used for specified purposes; providing an effective
12 date.

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

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16 Section 1. Section 420.518, Florida Statutes, is created
17 to read:

18 420.518 Local government risk mitigation program.—

19 (1) (a) A county or eligible municipality participating in
20 the State Housing Initiatives Partnership Program may establish
21 through its local housing assistance plan a local government
22 risk mitigation program consistent with this section and
23 guidelines established by the corporation.

24 (b) The corporation shall establish guidelines for the
25 administration of a local government risk mitigation program.

26 (2) A landlord providing housing under a local housing
27 assistance plan created to provide affordable residential units
28 to persons of very low income, low income, or moderate income or
29 persons who have special housing needs, pursuant to s. 420.9075,
30 may file a claim for property damage or unpaid rent
31 reimbursement with such county or eligible municipality.

32 (3) (a) A landlord filing a property damage claim must
33 complete an application on a form prescribed by the corporation.
34 The landlord must include a copy of the United States Department
35 of Housing and Urban Development's "Housing Quality Standards
36 (HQS) Inspection Checklist" as required under s. 8 of the United
37 States Housing Act of 1937, 42 U.S.C. s. 1437(f); documentation
38 of the damage, including photographs before and after repairs
39 are completed; and copies of repair receipts for labor and
40 materials.

41 (b) Properly submitted claims must be reviewed within 2
42 business days after receipt of the application.

43 (c) A property damage claim of less than \$300 may be
44 awarded to a landlord without an inspection of his or her rental
45 unit.

46 (d) A property damage claim of \$300, but not more than
47 \$2,000, for a 1-bedroom unit or \$300, but not more than \$3,000,
48 for a multi-bedroom unit may be awarded to a landlord upon
49 inspection of his or her rental unit after repairs are
50 completed.

51 (e) A local government may not reimburse a landlord more
52 than 75 percent of the claimed damages in excess of any amounts
53 he or she recoups from a security deposit or homeowners'
54 insurance.

55 (f) Claims may only be awarded for damage to a rental
56 unit's interior walls; doors; cabinets; windows; flooring,
57 including tiles and carpet; and household fixtures, including
58 disposals, toilets, sinks, sink handles, and lighting fixtures:

59 1. Occurring on or after September 1, 2018.

60 2. Occurring while a tenant occupies such unit and is
61 under a rental agreement.

62 3. That exceeds normal wear and tear.

63 4. That is not reimbursed by a security deposit or
64 homeowners' insurance.

65 5. Related to the unit the tenant has leased.

66 (4) A landlord filing an unpaid rent claim must complete
67 an application on a form prescribed by the corporation. A claim
68 may be submitted for:

69 (a) A unit holding fee, if the landlord has approved an
70 applicant for a residential unit, but the applicant is not
71 available to sign the lease or move into the unit on the
72 available move-in date. If the landlord's application is
73 approved, the local government risk mitigation program shall
74 reimburse the landlord a fee of \$150 to hold the unit for the
75 tenant for 14 days or \$250 to hold the unit for the tenant for

76 30 days.

77 (b) Reimbursement of up to 3 months' unpaid rent during
78 the tenant's occupancy, minus the security deposit. Claims for
79 unpaid rent may only be awarded for leases signed on or after
80 September 1, 2018, if the landlord:

81 1. Provides documentation of unpaid rent during the
82 tenant's occupancy and documentation of the landlord's efforts
83 to collect such rent.

84 2. Provides documentation that the funds from the tenant's
85 security deposit were applied to the unpaid rent, receipts
86 documenting how the security deposit funds were used if they
87 were not applied to the unpaid rent, or documentation that a
88 security deposit was not paid by the tenant.

89 (c) Reimbursement of the full rental assistance amount,
90 excluding rent owed by the tenant, for the remaining lease
91 period after a tenant abandons the unit or until the unit is re-
92 rented, whichever occurs first. However, such reimbursement may
93 not exceed 2 months' rent, minus the security deposit, and may
94 only be awarded for leases signed on or after September 1, 2018,
95 if the landlord:

96 1. Provides a copy of the lease documenting the tenant's
97 move-in date.

98 2. Provides documentation of the date the unit was
99 abandoned by the tenant.

100 3. Provides documentation that the unit remained vacant

101 for the duration of the lease period for which reimbursement is
102 requested.

103 Section 2. Paragraphs (a), (b), and (c) of subsection (5)
104 of section 420.9075, Florida Statutes, are amended to read:

105 420.9075 Local housing assistance plans; partnerships.—

106 (5) The following criteria apply to awards made to
107 eligible sponsors or eligible persons for the purpose of
108 providing eligible housing:

109 (a) At least 65 percent of the funds made available in
110 each county and eligible municipality from the local housing
111 distribution must be reserved for home ownership for eligible
112 persons.

113 (b) Up to 40 ~~25~~ percent of the funds made available in
114 each county and eligible municipality from the local housing
115 distribution may be reserved for rental housing for eligible
116 persons or for the purposes enumerated in s. 420.9072(7)(b), of
117 which up to 10 percent may be used to establish a local
118 government risk mitigation program for the purposes in s.
119 420.518 if an equivalent percentage of local matching funds are
120 made available.

121 (c) At least 60 ~~75~~ percent of the funds made available in
122 each county and eligible municipality from the local housing
123 distribution must be reserved for construction, rehabilitation,
124 or emergency repair of affordable, eligible housing.

125 Section 3. This act shall take effect July 1, 2018.