

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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FLORIDA HOUSING FINANCE CORPORATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
67-37	State Housing Initiatives Partnership Program
RULE NOS.:	RULE TITLES:
67-37.002	Definitions
67-37.007	Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008	Local Housing Assistance Trust Fund
67-37.015	Compliance Monitoring for Housing Developed with SHIP Local Housing Distribution Funds
67-37.016	Reporting Requirements

NOTICE OF CHANGE AND CORRECTION

Notice is hereby given that the following changes have made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 26, June 27, 2003 issue of the Florida Administrative Weekly.

SUMMARY OF CHANGE: These changes result from a review by the Joint Administrative Procedures Committee and comments received from the Rule Hearing, July 24, 2003.

In the Notice of Proposed Rulemaking the “Summary of Statement of Estimated Regulatory Cost” was omitted. Add: **“SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No statement of Estimated Regulatory Costs has been prepared. Any person wishing to provide information regarding the Statement of Estimated

Regulatory Costs, or to provide a proposal for a lower cost regulatory alternative, must do so within 21 days of this notice.”

67-37.002 Definitions.

(1) through (6) No change.

(7) “Home Ownership Activities” means the use of the local affordable housing trust fund moneys for the purpose of providing owner-occupied housing. Such uses ~~may include;~~ ~~but are not limited to;~~ construction, rehabilitation, purchase, and lease-purchase financing where the primary purpose is the eventual purchase of the housing by the occupant within twenty-four months from initial execution of a lease agreement or within 24 months of the applicable fiscal year, whichever occurs first, to meet the requirement of subsection (8).

(8) through (14) No change.

67-37.007 Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans.

(1) through (2) No change.

(3)(a) through (d) No change.

(e) Relocation costs associated with rehabilitation of the residence usually occupied by a tenant or home owner; and

(f) No change.

(4)(a) through (b) No change.

(c) Studies conducted by the county or eligible municipality or by consultants selected by the county or eligible municipality to provide data on affordable housing need and demand in the area; ~~and~~

(d) No change.

(5) through (9) No change.

(10) Rental units constructed, rehabilitated or otherwise assisted from the local housing assistance trust fund must be monitored at least annually for 15 years or the term of assistance, whichever is longer, for compliance with tenant income and affordability requirements, as referenced in Section 420.9075(3)(e), F.S. In determining the maximum allowable rents, 30 percent of the applicable income category divided by 12 months shall be used based on the number of bedrooms. A one-person household shall be used for an efficiency unit, and for units with separate bedrooms, one and one-half persons per bedroom shall be used. A rental limit chart based on the above calculation adjusted for bedroom size will be provided to the local governments by the Corporation annually.

(11) through (14) No change.

67-37.008 Local Housing Assistance Trust Fund.

(1) No change.

(2) The local housing assistance trust fund shall be separately stated as a special revenue fund in a county’s or eligible municipality’s audited financial statements. Copies of such audited financial statements shall be forwarded annually

to the Corporation as soon as available, ~~but no later than September 30th of the following fiscal year March 31.~~ In addition to providing a Consolidated Annual Financial Report (CAFR), all participating jurisdictions must provide evidence of compliance with the Florida Single Audit, as referenced in Section 215.97(6), F.S.

(3) An interlocal entity shall have its local housing assistance trust fund separately audited for each fiscal year, which audit shall be forwarded to the Corporation as soon as available, but no later than September 30 ~~March 31st~~ of the following fiscal year.

(4) No change.

67-37.015 Compliance Monitoring for Housing Developed with SHIP Local Housing Distribution Funds.

(1) through (3) No change.

(4) The staff or entity with administrative authority for a local housing assistance plan must provide documented evidence to the Corporation or its designated monitoring agent, that permits as defined in Sections 163.3164(7) and (8), F.S., for affordable housing projects are expedited to a greater degree than other projects and that there is an ongoing process for review of local policies, ordinances, regulations and plan provisions that increase the cost of housing prior to their adoption.

(5) through (8) No change.

67-37.016 Reporting Requirements.

~~The Annual Report must be filed with the Corporation utilizing the Annual Report Form SHIP-AR/02-1 and is adopted and incorporated herein by reference with an effective date of _____.~~ Annual Report Form SHIP-AR/02-1 may be obtained from the Corporation at www.floridahousing.org or by contacting the SHIP Program at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301.

Specific Authority 420.9072(9) FS. Law Implemented 420.907 FS. History--New 2-9-94, Amended 12-28-94, 1-6-98, Formerly 9I-37.016, Amended 12-26-99, Repealed _____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that Florida Communities Trust, within the Department of Community Affairs, received a Petition for Waiver on July 18, 2003, from the City of Oak Hill relating to the Oak Hill Mosquito Lagoon Park Project (FCT #03-061-FF3). The petitioner seeks a waiver of subsection 9K-7.004(4), Fla. Admin. Code, which requires that applicants must submit four (4) complete sets of Application materials. This waiver is being requested pursuant to the provisions of Section 120.542, Fla. Stat., and Rule 28-104.002, Fla. Admin. Code.

A copy of the petition, which has been assigned the number DCA03-WAI-211, may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Johnnie F. Scheib on July 24, 2003, a petition for Waiver of subsection 11B-27.002(4), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department waive certain employment requirements.

Comments on this Petition should be filed with: Grace A. Jaye, Assistant General Counsel, Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302.

A copy of the Petition may be obtained by contacting: Grace A. Jaye, Assistant General Counsel at the above address or by calling (850)410-7676.

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