

From: [County Ordinances](#)
To: [Heidi Kurppe](#); [County Ordinances](#)
Cc: [Patricia Tapia](#)
Subject: RE: Hernando County Ordinance No. 2024-08 - Adopted on March 26, 2024
Date: Thursday, April 4, 2024 4:46:18 PM
Attachments: [Hernando20240404_Ordinance2024_08_Ack.pdf](#)

Good afternoon,

Please find the attached acknowledgment letter for Hernando County Ordinance No. 2024-08, which was filed in this office on April 4, 2024.

Best,

County Ordinances
Florida Administrative Code and Register
Room 701 The Capitol | Tallahassee, Florida

From: Heidi Kurppe <hkurppe@hernandoclerk.org>
Sent: Thursday, April 4, 2024 1:11 PM
To: County Ordinances <CountyOrdinances@dos.myflorida.com>
Cc: Heidi Kurppe <hkurppe@hernandoclerk.org>; Patricia Tapia <ptapia@hernandoclerk.org>
Subject: Hernando County Ordinance No. 2024-08 - Adopted on March 26, 2024

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Sender Full Name: Heidi Kurppe
Send Phone Number: 352-754-4970
County Name: Hernando
Ordinance Number: 2024-08

NOTICE:

Please note: Florida has a very broad Public Records Law. Most written communications to or from the Clerk's Office are public records available to anyone upon request. Your e-mail, including your e-mail address, may therefore, be subject to public disclosure.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 4, 2024

Honorable Doug Chorvat, Jr.
Hernando County Clerk's Office
20 North Main Street, Rm. 362
Brooksville, Florida 34601

Dear Honorable Doug Chorvat Jr.,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2024-08, which was filed in this office on April 4, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

ORDINANCE NO.: 2024-08

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III (HOUSING ASSISTANCE PROGRAM AND TRUST FUND), OF THE HERNANDO COUNTY CODE OF ORDINANCES TO DESIGNATE RESPONSIBILITY FOR IMPLEMENTING AND ADMINISTERING THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM TO THE COUNTY; PROVIDING FOR FEE-FOR-SERVICE PAYMENT TO THE HERNANDO COUNTY HOUSING AUTHORITY FOR CERTAIN ADMINISTRATIVE SERVICES; REDUCING THE CAP ON STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ADMINISTRATIVE EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is in Hernando County's best interests to assume responsibility for implementing and administering the State Housing Initiatives Partnership ("SHIP") Program pursuant to Chapter 420, Part VII, Florida Statutes; and

WHEREAS, the County desires the Hernando County Housing Authority ("Housing Authority") to perform certain administrative services in furtherance of the SHIP Program, at the

request of the County, for which the Housing Authority will invoice the County for payment of those certain services; and

WHEREAS, the County desires to pay the Housing Authority for said administrative services on a fee-for-service basis, maintaining the limitation for such costs in compliance with Section 420.9075(7), Florida Statutes; and

WHEREAS, the County desires to update and amend certain provisions of Chapter 16, Article III, of the Hernando County Code of Ordinances ("Code") to provide for designating responsibility for implementing and administering the SHIP Program to the County, and paying the Housing Authority for administrative services in furtherance of the SHIP Program on a fee-for-service basis.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY:

Section 1. Amending Chapter 16 (Housing), Article III (Housing Assistance Program and Trust Fund). Sections 16.52 (Definitions), 16.53 (Purposes and Objectives), 16.55 (Designation of Responsibility for Implementation of the Program), and 16.56 (County housing assistance trust fund), of Chapter 16 (Housing), Article IV (Housing Assistance Program and Trust Fund), are amended to read as follows, with underlined matter added and struck-through matter deleted:

1 **Sec. 16.52. Definitions.**

2 As used in this article, the terms:

3 *Adjusted for family size* means adjusted in a manner which results in an income
4 eligibility level that is lower for households having fewer than four (4) people, or higher for
5 households having more than four (4) people, than the base income eligibility determined as
6 provided in Florida Statutes, based upon a formula established by the United States
7 Department of Housing and Urban Development.

8 *Adjusted gross income* means wages, income from assets, regular cash or non-cash
9 contributions, and any other resources and benefits determined to be income by the United
10 States Department of Housing and Urban Development, adjusted for family size, minus the
11 deductions under Section 61 of the Internal Revenue Code of 1986, as amended.

12 *Affordable* means that monthly rents or monthly mortgage payments including taxes
13 and insurance do not exceed thirty (30) percent of that amount which represents the
14 percentage of the median annual gross income for the households as indicated in the
15 definitions of "low-income person", "moderate income person" or "very low income person".
16 However, it is not the intent to limit an individual household's ability to devote more than
17 thirty (30) percent of its income for housing, and housing for which a household devotes
18 more than thirty (30) percent of its income shall be deemed affordable if the first institutional

1 mortgage lender is satisfied that the household can afford mortgage payments in excess of
2 the thirty (30) percent benchmark.

3 *Eligible housing* means any real and personal property located within the county
4 which is designed and intended for the primary purpose of providing decent, safe and
5 sanitary residential units that are designed to meet the standards of Chapter 8, County's Code
6 of Ordinances and Chapter 553, Florida Statutes, for home ownership or rental for eligible
7 persons as designated by the County.

8 *Eligible person* means one or more natural persons or a family determined by the
9 county to be of very low-income, low-income or moderate-income according to the adjusted
10 gross income of the resident with adjustment made for family size.

11 *Eligible sponsor* means a person or a private or public for-profit or not-for-profit
12 entity that applies for a loan under the Hernando County Housing Assistance Program for the
13 purpose of providing eligible housing for eligible persons.

14 *Grant* means an award from the local housing assistance trust fund to an eligible
15 sponsor or eligible person to partially assist in the construction, rehabilitation, or financing
16 of eligible housing or to provide the cost of tenant or ownership qualifications without
17 requirement or repayment as long as the condition of award is maintained.

1 *Loan* means an award from the local housing assistance trust fund to an eligible
2 sponsor or eligible person to partially finance the acquisition, construction, or rehabilitation
3 of eligible housing with requirement for repayment or provision for forgiveness for
4 repayment if the condition of the award is maintained.

5 *Hernando County Housing Assistance* means a concise description of the Hernando
6 County Housing Assistance Program adopted by this article with an explanation of the way
7 in which the program meets the requirements of this article and F.S. §§ 420.907 through
8 420.9079.

9 *Local housing partnership* means the implementation of the Hernando County
10 Housing Assistance Plan in a manner that involves the County, and may involve lending
11 institutions, housing builders and developers, real estate professionals, advocates for low-
12 income persons, community-based housing and service organizations, and providers of
13 professional services relating to affordable housing. The term includes initiatives to provide
14 support services for housing program beneficiaries such as training to prepare persons for the
15 responsibility of homeownership, and counseling of tenants.

16 *Low-income person* means one (1) or more natural persons or a family, not including
17 students, that has a total annual adjusted gross household income that does not exceed eighty
18 (80) percent of the median annual adjusted gross income for households within the state or
19 eighty (80) percent of the median annual adjusted gross income for households within the

1 metropolitan statistical area or, if not within a metropolitan statistical area within the county,
2 whichever amount is greater. With respect to rental units, the low-income person's annual
3 income at the time of initial occupancy may not exceed eighty (80) percent of the state's
4 median income adjusted for family size. While occupying the rental unit, a low-income
5 person's annual income may increase to an amount not to exceed one hundred forty (140)
6 percent of eighty (80) percent of the state's median income adjusted for family size.

7 *Moderate income person* means one (1) or more natural persons or a family, not
8 including students, that has a total annual adjusted gross household income that is less than
9 one hundred twenty (120) percent of the median annual adjusted gross income for
10 households within the state or one hundred twenty (120) percent of the median annual
11 adjusted gross income for households within a metropolitan statistical area or, if not within
12 a metropolitan statistical area, within the County, whichever is greater. With respect to rental
13 units, the moderate-income person's annual income at the time of initial occupancy may not
14 exceed one hundred twenty (120) percent of the state's median income adjusted for family
15 size. While occupying the rental unit, a moderate income person's annual income may
16 increase to an amount not to exceed one hundred forty (140) percent of one hundred twenty
17 (120) percent of the state's median income adjusted for family size.

18 *Persons who have special housing needs* means individuals who have incomes not
19 exceeding moderate income and because of particular social, economic or health-related

1 circumstances, may have greater difficulty acquiring or maintaining affordable housing. Such
2 persons may have, for example, encountered resistance to their residing in particular
3 communities, and may have suffered increased housing costs resulting from their unique
4 needs and high risk of institutionalization. Such persons may include, but are not limited to,
5 persons with developmental disabilities; persons with mental illnesses or chemical
6 dependency; persons with Acquired Immune Deficiency Syndrome (AIDS) and Human
7 Immunodeficiency Virus (HIV) disease; runaway and abandoned youth; public assistance
8 recipients; migrant and seasonal farm workers; refugees and entrants; the elderly; and
9 disabled adults.

10 *SHIP* or *SHIP program* means the State Housing Initiatives Partnership Program
11 created pursuant to the State Housing Initiative Partnership Act, F.S. §§ 420.907 through
12 420.9079.

13 *Very low income person* means one (1) or more natural persons or a family, not
14 including students, that has a total annual adjusted gross household income that does not
15 exceed fifty (50) percent of the median annual adjusted gross income for households within
16 the state or fifty (50) percent of the median annual adjusted gross income for households
17 within the metropolitan statistical area or, if not within a metropolitan statistical area, within
18 the county, whichever is greater. With respect to rental units, the very low-income person's
19 annual income at the time of initial occupancy may not exceed fifty (50) percent of the state's

1 median income adjusted for family size. While occupying the rental unit, a very low-income
2 person's annual income may increase to an amount not to exceed one hundred forty (140)
3 percent of fifty (50) percent of the state's median income adjusted for family size.

4 **Sec. 16.53. Purposes and Objectives.**

5 The purpose of the Hernando County Housing Assistance Program is to make
6 affordable residential units available to persons for very low-income, low-income or
7 moderate income and persons who have special housing needs, including, but not limited to,
8 homeless people, migrant farm works and persons with developmental disabilities. The
9 Hernando County Housing Assistance Program shall combine local resources and cost saving
10 measures into a partnership by using private and public funds in order to reduce the cost of
11 housing. Implementation of the housing assistance program shall: (1) involve to the greatest
12 extent possible, local government, lending institutions, housing developers, community
13 based housing and service organizations, and providers of professional services relating to
14 affordable housing, ~~The Hernando County Housing Assistance Program; through and~~ the
15 Hernando County Housing Authority ~~as the administrative coordinator;~~ (2) enlist the support
16 of local lending institutions for innovative financing techniques designed to meet the special
17 needs of eligible persons or eligible sponsors; (3) encourage developers to construct low-cost
18 housing; and (4) otherwise encourage local organizations to construct or assist in
19 construction of affordable housing using creative and innovative techniques designed to

1 provide affordable homes to eligible persons. Inclusive in the ~~administrator's responsibilities~~
2 Hernando County Housing Assistance Program's mission will be the securing of professional
3 services to provide training to prepare persons for the responsibility of home ownership, and
4 to counsel tenants who are beneficiaries of the program.

5 Sec. 16-55. ~~Designation of responsibility for implementation~~ Implementation and
6 Administration of the program ~~Program.~~

7 The Hernando County Board of County Commissioners hereby ~~designates the~~
8 ~~Hernando County Housing Authority as the agency whose~~ assumes responsibility ~~will be the~~
9 ~~development and for the~~ implementation and administration of the Hernando County
10 Housing Assistance Program. ~~The county's housing authority shall be responsible for~~
11 ~~coordinating with the agency in facilitating the funding of SHIP loans and in setting up~~
12 ~~advertisements and workshops to advise potential home buyers of the down payment~~
13 ~~assistance program.~~ The ~~Hernando~~ County ~~Housing Authority~~ will work with the Local
14 Housing Partnership to monitor the success of the program, and provide advice and
15 suggestions as to whether and in what ways the program might be improved from year to
16 year. The Hernando County Housing Authority ("Housing Authority") shall provide
17 administrative services to the County in connection with the SHIP Program, as agreed in
18 writing between the County and the Housing Authority. The Housing Authority will submit
19 itemized invoices to the County for such administrative services, pursuant to an agreed-upon

fee schedule. ~~The total amount paid for administrative expenses in connection with such program, including any costs of employee's salary and benefits, shall not exceed ten (10) percent of the proceeds of the SHIP funds. The county will not treat as an administrative expense any costs previously borne by another funding source which continue to be available at the time the agency's local housing assistance plan is submitted.~~

Sec. 16-56. County housing assistance trust fund.

There is hereby established a separate trust fund to be known as the Hernando County Housing ~~Authority~~ Assistance Trust Fund. All monies received from the state pursuant to the State Housing Initiative Partnership Act or the federal government and any local or private monies contributed for the purposes established by the Hernando County Housing Assistance Program shall be deposited into this trust fund. The assets in the trust fund may be deposited or invested as provided by law. No expenditure, other than for the administration and implementation of the Hernando County Housing Assistance Program, may be made from this trust fund. ~~Expenditures other than for administrative expenses and implementation of the Hernando County Housing Assistance Program may not be made from the Hernando County Assistance Trust Fund.~~ Until utilized for the purposes thereof, monies in the trust fund shall be held in trust by the ~~county~~ County solely for usage pursuant to the program. All program income, including investment earnings, shall be retained in the Hernando County Assistance Trust Fund and used for the purposes hereof. The ~~county~~ County agrees that the

~~total~~ administrative expenses paid to the Housing Authority (as described in Section 16.55 herein) in connection with the SHIP ~~such~~ program ~~including any costs of employee's salary and benefits~~, shall not exceed ~~ten (10)~~ five (5) percent of the proceeds of the SHIP funds. ~~The county feels that the five (5) percent is not sufficient to administer and implement the SHIP program in the initial year.~~ The ~~county~~ County will not treat as ~~an~~ administrative expenses any costs previously borne by another funding source which continue to be available at the time the Hernando County Local Housing Assistance Plan is submitted.

Section 2. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this ordinance.

Section 3. Inclusion in the Code. It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section," "article," or any other appropriate designation.

Section 4. Conflicting Provisions Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. Effective Date. This ordinance shall take effect immediately upon receipt of official acknowledgment from the office of the Secretary of State of Florida that this ordinance has

1 been filed with said office.

2 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
3 HERNANDO COUNTY in Regular Session this 26th day of March 2024.

4
5 BOARD OF COUNTY COMMISSIONERS
6 HERNANDO COUNTY, FLORIDA
7

8
9 Attest: Hiedi Kuyper, Deputy Clerk By: [Signature] Vice Chairman
10 DOUGLAS CHORVAT, JR. ELIZABETH NARVERUD
11 Clerk and Comptroller Chair

12
13 Approved for Form and Legal Sufficiency

14
15
16 County Attorney

