

Non-Substantial Amendment 12			
Previous Page #	New Page #	Section	Change/Addition/Deletion
79	77	General Action Plan Requirements	Updated affordability period for single-family rental units from a minimum of 1 year to a minimum of 5 years.
79	N/A	General Action Plan Requirements	Removed “unless local governments have established higher affordability periods” to clarify that affordability periods for single-family rental units will be a minimum of 5 years.
109	106	Projects and Activities	Updated affordability period for single-family rental units from a minimum of 1 year to a minimum of 5 years.
109	N/A	Projects and Activities	Removed “unless local governments have established higher affordability periods” to clarify that affordability periods for single-family rental units will be a minimum of 5 years.
N/A	106-107	Projects and Activities	Added the definition of affordable rent for rental activities.
N/A	106-107	Projects and Activities	Added clarifying language to specify that Affordability Periods apply to Rebuild Florida’s Housing programs
N/A	107	Projects and Activities	Added provision that clearly describes the terms of recapture, the specific circumstances under which these provisions will be used, and how the provisions will be enforced.

### 3. Minimize or Address Displacement

The state and its subrecipients plan to minimize displacement of persons or entities and assist persons or entities displaced as a result of implementing a project with CDBG-DR funds. Should any projects cause displacement, DEO will follow the Uniform Relocation Assistance (URA) and the Real Property Acquisition Policies Act to ensure tenants are relocated to safe and sanitary locations. The state's policies and procedures plan, which will be updated to reflect Hurricane Irma activities, will ensure subrecipients minimize displacement. In the event of a voluntary buyout, when homeowners or tenants are located in a flood plain to prevent future loss, DEO will require subrecipients to develop policies and procedures to make sure this population is relocated into areas outside of floodplain and will receive full benefits as stated in the URA. The URA provides certain displaced persons with the right to benefits for moving expenses, housing counseling services, rental assistance payments and/or housing replacement costs depending upon the nature of the circumstances requiring relocation.

The relocation assistance requirements at section 104(d)(2)(A) of the Housing and Community Development Act and 24 CFR 42.350 are waived to the extent that they differ from the requirements of the URA and implementing regulations at 49 CFR part 24, as modified by the notice, for activities related to disaster recovery. Without this waiver, disparities exist in relocation assistance associated with activities typically funded by HUD and FEMA (e.g., buyouts and relocation). Both FEMA and CDBG funds are subject to the requirements of the URA; however, CDBG funds are subject to Section 104(d), while FEMA funds are not. The URA provides that a displaced person is eligible to receive a rental assistance payment that covers a period of 42 months. By contrast, Section 104(d) allows a lower-income displaced person to choose between the URA rental assistance payment and a rental assistance payment calculated over a period of 60 months. This waiver of the Section 104(d) requirements assures uniform and equitable treatment by setting the URA and its implementing regulations as the sole standard for relocation assistance under the Federal Register Notice. If CDBG-DR is matched with any other HUD funding sources, it will be subject to standard URA or Section 104(d) of the Housing and Community Development Act requirements.

Consistent with the goals and objectives of activities assisted under the Housing and Community Development Act of 1974, DEO will take the following steps to minimize the direct and indirect displacement of persons from their homes: (DEO will determine the full list of actions it will take based on local needs and priorities and will develop the Residential Anti-displacement and Relocation Assistance Plan (RARAP) at a later date in accordance with the [HUD Handbook 1378: Tenant Assistance, Relocation and Real Property Acquisition](#))

- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- The affordability periods for single-family rental units will be a minimum of 5 years.
- Ensuring that rehabilitated or reconstructed multifamily rental housing with eight or more units remains affordable for a minimum of 15 years.
- Ensuring that newly constructed multifamily rental housing consisting of five or more units remains affordable for a minimum of 20 years.
- Where feasible, rehabilitate housing, as opposed to demolition, to avoid displacement.

### 4. Maximum Assistance and Cost Reasonableness Assessment

DEO follows a cost analysis process as part of standard contracting procedures, which includes a review of each cost element to determine allowability, reasonableness, and necessity. Maximum assistance available to housing incentives. DEO's policies will ensure that its resettlement incentives comply with applicable Civil Rights and Affirmatively Furthering Fair Housing requirements and that there is no discrimination against a protected class.

**Allocation for Activity:** \$44,117,239

**Eligible Applicants:** Counties and municipalities within those counties that received a declaration of both FEMA IA and PA after Hurricane Irma.

**Eligibility Criteria:** Buyout areas that result in a feasible project that will meet a LMA benefit.

**Maximum Award:** \$5,000,000

**Responsible Entity for Administering:** Units of General Local Government (UGLG)

**Eligibility:** 105(a)(1), 83 FR 5844-35 Housing incentives in disaster-affected communities

**National Objective:** Low- and moderate-income benefit

Proposed buyout areas will undergo a review of eligibility to ensure that the end use of the properties results in a project service area where at least 51 percent of the residents are LMI.

#### Creative compatible reuse of the property

DEO will create guidance and best practices for communities to consider on how property that is acquired through this program can be utilized for public benefit, that meet HUD requirements for permanent green space. This may include creative stormwater design, park space and other examples. Communities that participate in this program will be encouraged to have a plan for how this property will be used in the future to further reduce flood risk and/or serve as a recreational space for the public.

#### Affordability Periods

Properties seeking assistance through **Rebuild Florida's Housing** programs **listed in** the state of Florida's action plan may be required to adhere to affordability period requirements. The affordability requirements are:

1. Rehabilitation or reconstruction multifamily rental projects with five or more will require the assisted rental property to remain affordable for LMI tenants for a minimum of 15 years. The assistance to Public Housing Authorities may fall under this category.
2. New construction multi-family rental projects with five or more units will require the assisted rental property to remain affordable for LMI tenants for a minimum of 20 years.
3. The affordability periods single-family rental units will be a minimum of **5 years**. Public Housing Authorities seeking rehabilitation or reconstruction of multifamily housing units must ensure that the assisted rental property remains affordable for LMI tenants for a minimum of 15 years (if eight or more units).
4. Special consideration may be given to rental property owners in the Florida Keys on a case-by-case basis.

#### Affordable Rent

Properties seeking assistance through Rebuild Florida's Housing programs listed in the state of Florida's action plan may be required to adhere to affordability period requirements. The affordability requirements are:

1. The fair market rent for existing housing for comparable units in the area as established by HUD under 24 CFR 888.111; or
2. A rent that does not exceed 30 percent of the adjusted income of a family whose annual income equals 65 percent of the AMI, as determined by HUD, with adjustments for number of bedrooms in the unit. The HUD HOME rent limits will include average occupancy per unit and adjusted income assumptions.

### Recapture

Applicants for assistance must sign a subrogation agreement prior to the receipt of assistance. If the applicant fails to comply with the program requirements, the program will exercise its rights to institute legal proceedings to enforce the provisions of the subrogation agreement and recapture the full amount of the assistance provided. The program's policies will set forth the process the program will utilize to enforce this provision.

### Economic Revitalization Activities

Florida's housing programs, detailed above, will address the significant unmet need for housing recovery across the state. However, recovery for individuals and communities must include consideration of the businesses and jobs that provide services and employment. As recognized in the unmet needs assessment, businesses and local economies were significantly impacted by Hurricane Irma. Individuals whose jobs or businesses were impacted by the storm may have difficulty obtaining or retaining housing due to lost income. Further, it is anticipated that recovery and redevelopment needs will likely stress the current construction workforce, leading to the need for programs to support the growth of the skilled labor workforce required to sustain housing recovery activities. To ensure the complete recovery of communities, it is essential that the State of Florida support businesses and the workforce through activities designed to address unmet economic recovery needs.

Florida will prioritize economic revitalization and public assistance activities that retain or create jobs, as well as activities that provide training and support services helping Floridians gain employment and remain employed. The two economic recovery programs described below are designed with the goal of long-term recovery for businesses, the workforce and the entire community.

To address these essential recovery needs, DEO will implement the following economic revitalization and public assistance programs:

- Workforce Recovery Training Program
- Business Recovery Grant Program

#### *Workforce Recovery Training Program*

Hurricane Irma had a significant impact on the housing supply, creating an increased demand for new construction and home repair activities, with additional impact on commercial construction and repair activities. The increased demand for construction activities following Hurricane Irma has created or increased the supply gap in many construction occupations. The unmet needs assessment shows a long-term supply gap for skilled workers across several construction trades. By addressing the unmet needs in the construction trades, Florida can