

HOUSING FINANCE AUTHORITY OF LEON COUNTY DIRECTIVE

Re: Coordination of Legal Authority regarding Down Payment Assistance Loans

Date: _____, 2018

WHEREAS, the Housing Finance Authority of Leon County, Florida (“HFA”) and Leon County, Florida (“County”) previously entered into an Interlocal Agreement (“Interlocal Agreement”) concerning coordination and collaboration of affordable housing efforts between the parties; and

WHEREAS, the Interlocal Agreement addressed the management, transfer, and ownership of funds recaptured from existing down payment assistance agreement loans (“DPA Loans”) previously granted by the HFA; and

WHEREAS, the Interlocal Agreement segregated the DPA Loans into two groups: the "Exhibit B DPA Loans" described in Exhibit B to the Interlocal Agreement, which shall run to the benefit of the County, and the "Exhibit C DPA Loans" described in Exhibit C to the Interlocal Agreement, which shall run to the benefit of the HFA; and

WHEREAS, foreclosure litigation or other matters may arise in situations where the HFA has granted an Exhibit B DPA Loan and has a lien on the property subject to such Exhibit B DPA Loan, thereby requiring the County to protect its interests; and

WHEREAS, the HFA wishes to issue this Directive concerning legal and other actions involving Exhibit B DPA Loans.

1. The County's legal counsel shall be responsible for representing and responding to any litigation concerning the Exhibit B DPA Loans. The HFA agrees to provide immediate notice of any legal action with respect thereto of which the HFA becomes aware, and to execute any documentation reasonably requested by the County to protect the County interest in such Exhibit B DPA Loans.
2. Except as aforesaid, the HFA will take no legal or other action with respect to Exhibit B DPA Loans. Any payments received by the HFA with respect to Exhibit B DPA Loans will be transferred immediately to the County.

DONE AND ADOPTED by the Housing Finance Authority of Leon County this ____ day of _____, 2018.

ATTEST:

**LEON COUNTY HOUSING FINANCE
AUTHORITY**

JEFFREY SHARKEY, Secretary

TOM LEWIS, Chairman