

# Board of County Commissioners Leon County, Florida

## Policy No. 97-6

Title: Housing Reclamation

Date Adopted: May 27, 1997

Effective Date: May 27, 1997

Reference: N/A

Policies Superseded: N/A

---

It shall be the policy of the Board of County Commissioners of Leon County, Florida that:

### **Section 1 PURPOSE**

Leon County has undertaken a housing program under the provisions of the Housing and Community Development Act of 1974 (Public Law 93-383).

The Housing and Community Development Act of 1974 requires compliance with the relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act), and implementing regulations issued by the United States Department of Housing and Urban Development (HUD) (CFR Title 24, Part 42) when the acquisition of real property occurs.

The County wishes to provide a local policy covering the reclamation and reuse of houses acquired by the County to support the provision of affordable housing in the unincorporated area.

The County also wishes to provide limits for program operation.

### **Section 2 SELECTION OF UNITS FOR RECLAMATION**

Units considered for reclamation shall include all housing units purchased by Leon County to further a public purpose such as drainage and right-of-way easements, flood control and construction of other public facilities. All units so acquired by the county shall be inspected and reviewed by the Housing and Human Services director or his or her designee using the following criteria defined in parentheses:

|   | <u>Yes</u> | <u>No</u> |
|---|------------|-----------|
| <b>1. Structural Integrity</b><br>(will the structure be sound after being relocated)   | ___        | ___       |
| <b>2. Cost and Feasibility of Relocation</b><br>(cost of relocation is less than cost of reconstruction)  | ___        | ___       |
| <b>3. Useful Life Remaining</b><br>(If <five years, the structure will not be reclaimed)  | ___        | ___       |
| <b>4. Cost Estimate of Rehabilitation to Meet Code</b><br>(The cost of rehabilitation, added to the cost of relocation must not exceed \$25,000 or fifty-percent of the after-rehabilitation value, whichever is less.) | ___        | ___       |

Any structure for which there is a check in the “no” column will not be considered for reclamation.

**Section 3 CRITERIA FOR MATCHING UNITS WITH ELIGIBLE CLIENTS**

Units will be matched with families using the following factors.

**Functional Adequacy**

Number of bedrooms in proposed unit \_\_\_

Number of bathrooms in proposed unit \_\_\_

Number of persons in the family:

Married couples \_\_\_

Females over 18 \_\_\_

Females under 18 \_\_\_

Males over 18 \_\_\_

Males under 18 \_\_\_

Number of bedrooms needed in the house: \_\_\_

Number of bathrooms needed in the house: \_\_\_

Proximity to new site: \_\_\_

In case of tie or lack of an exact fit, the proximity to the new site will be used as the overriding criteria to assign homes to families.

**Section 4 ELIGIBILITY CRITERIA AND PRIORITIZATION OF CLIENTS**

In order to qualify for the reclamation program, clients may not qualify for the home replacement program or the down payment assistance program unless they have obtained a first mortgage on the home. Clients must be very low or low income and own their own land in the unincorporated portion of Leon County. The owner must possess and provide clear title to the property, although it may be jointly owned and the property may be mortgaged. Clear title is normally evidenced by warranty deed, probated estate or divorce settlement documents that are recorded in public records. Ownership through life estate or trust is also considered acceptable for program participation. Providing proof of title is an owner responsibility and expense.

If the property is owned jointly with persons who do not reside in the dwelling, the resident owner must obtain a notarized statement (the format to be provided by the county) from the nonresident owner(s) declaring that they:

- a. Do not reside in the dwelling, have not resided in the dwelling for at least one year prior to the statement (to avoid fraudulently denying that a person is a member of the household so the person's income is not included when determining household income eligibility), and will not reside in the dwelling for at least six months after completion of the rehabilitation.
- b. Will not interfere with the resident owner's occupancy of the dwelling nor attempt to obtain the resident owner's interest in the property during such occupancy as the primary residence.
- c. Will agree to execute the Deferred Payment Loan Agreement (DPL) with the owner occupant, which requires that the deferred payment loan principle must be repaid to the county in the event that the owner occupant ceases ownership or primary residency in the dwelling within five years of the date that the deferred payment loan is issued.
- d. Concur with the owner occupant's right to execute a contract(s) for rehabilitation work on the property.

Clients who have an outstanding deferred payment loan from the county program for rehabilitation can be awarded assistance under this program if that loan is \$5,000 or less. In determining feasibility for these units, the amount of the previous deferred payment loan will be added to the cost of reconstruction. The purpose of this provision is to permit the program to assist families who had minor or emergency repairs done to their homes in the past five years whose unit cannot be further rehabilitated.

Clients will be prioritized based upon their present living conditions as follows:

***Present Living Conditions***

The following factors determine the urgency of the client's present situation and will be used to rank candidates for priority status.

|                                       | <i>Yes</i> | <i>No</i> |
|---------------------------------------|------------|-----------|
| ■ Presence of approvable water supply | ___        | ___       |
| ■ Indoor plumbing                     | ___        | ___       |
| ■ Presence of sanitary septic system  | ___        | ___       |
| ■ Presence of electricity             | ___        | ___       |
| ■ Safe electrical system              | ___        | ___       |
| ■ Presence of a safe heating system   | ___        | ___       |
| ■ Safe/adequate roof                  | ___        | ___       |
| ■ Presence of exterior doors          | ___        | ___       |
| ■ Windows present                     | ___        | ___       |
| ■ Floors in safe condition            | ___        | ___       |
| ■ Ceiling in safe condition           | ___        | ___       |
| ■ Working stove or range with oven    | ___        | ___       |
| ■ Space for food preparation          | ___        | ___       |
| ■ Refrigerator                        | ___        | ___       |
| ■ Flush toilet in enclosed room       | ___        | ___       |
| ■ Fixed basin or lavatory             | ___        | ___       |
| ■ Tub or shower                       | ___        | ___       |
| ■ Adequate ventilation for cooking    | ___        | ___       |
| ■ Sanitary refuse disposal            | ___        | ___       |
| ■ No evidence of insect infestation   | ___        | ___       |
| ■ Good interior air quality           | ___        | ___       |

- |  |       |       |
|--|-------|-------|
| ■ Exterior surfaces adequate to protect the interior walls | _____ | _____ |
| ■ Foundation safety  | _____ | _____ |
| ■ Absence of lead paint                                    | _____ | _____ |
| ■ Absence of asbestos                                      | _____ | _____ |

Total number of "no" answers. \_\_\_\_\_

Priority for receipt of a house will be determined by the number of "no" answers to the factors listed above. In case of a tie, priority will be given to the individual/family with elderly member(s), dependent children and those with handicaps.

**Section 5 REHABILITATION ASSISTANCE FOR RECLAIMED UNITS**

Clients receiving reclaimed homes must qualify as very low or low income as determined by the United States Housing and Urban Development guidelines, as adjusted for family size and amended from time to time. Therefore, all clients will be eligible to receive rehabilitation assistance from one or more of the following available sources: the State Housing Initiatives Partnership Program (SHIP), the HOME Investments Partnerships Program or the Community Development Block Grant Program. All state, federal and local policies, rules and regulations pertaining thereto will become applicable. These include, but are not limited to 49 Code of Federal Regulations, Section 570.495; Chapter 9B-43, Florida Administrative Code; and Florida Small Cities Community Development Block Grant Program Act, Sections 290.0401--.049, Florida Statutes.

Rehabilitation assistance for reclaimed units shall include, but not be limited to:

- installation of the unit to the Southern Building Code standards including a foundation;
- hook-up of plumbing, including, if necessary, the installation of a well and septic system;
- any repairs necessary to bring the unit up to the Leon County Housing Code standards and HUD Section Eight Minimum Housing Quality Standards;
- connection to electrical service to National Electrical Code standards;
- costs to relocate the unit but **only if no other resources are available.**

**Section 6 LIMITATIONS**

No reclaimed homes shall be relocated in a one hundred year floodplain. All recipients must own the land upon which the reclaimed home is to be placed. All land upon which a reclaimed unit is to be placed must meet all concurrency standards, including legal access.