

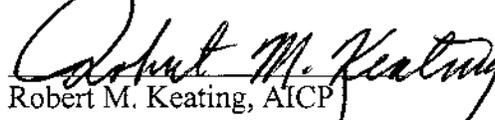
INDIAN RIVER COUNTY, FLORIDA

MEMORANDUM

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**TO:** Joseph A. Baird  
County Administrator

DIVISION HEAD CONCURRENCE:

  
Robert M. Keating, AICP  
Community Development Director

**THROUGH:** Sasan Rohani, AICP *S.R.*  
Chief, Long-Range Planning

**FROM:** Bill Schutt, AICP *B.S.*  
Senior Economic Development Planner

**DATE:** February 8, 2011

**RE: REQUEST FOR APPROVAL OF THE NEIGHBORHOOD STABILIZATION PROGRAM 3 (NSP3) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ABBREVIATED ACTION PLAN AND REQUEST FOR AUTHORIZATION FOR THE COMMUNITY DEVELOPMENT DIRECTOR TO MAKE APPLICATION FOR A NSP3 CDBG**

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It is requested that the following information be given formal consideration by the Board of County Commissioners at its regular meeting of February 15, 2011.

**INTRODUCTION**

As part of its effort to assist local governments in their recovery from the ongoing effects of the economic and housing crisis, the federal government enacted the Wall Street Reform and Consumer Protection Act of 2010, Public Law 111-203, also referred to as the Dodd-Frank Act. Included as part of that act is an allocation of \$1 billion in Community Development Block Grant (CDBG) funds under the Neighborhood Stabilization Program (NSP) for every state and for 233 local jurisdictions and territories throughout the country to purchase and redevelop abandoned, vacant, and foreclosed properties.

This is Congress's 3<sup>rd</sup> allocation of funds to the NSP; as such, this allocation is commonly referred to as NSP3. Previous allocations to the NSP were made by Congress in 2008 (NSP1) and in 2009 (NSP2). While Indian River County was awarded and is currently using \$4,680,825 in NSP1 funds to purchase and rehab residential units, the County did not receive funding from NSP2.

Of the \$1 billion in NSP3 funds, \$1,500,428 is earmarked by the Department of Housing and Urban Development (HUD) for Indian River County. The specific allocation of NSP3 funds among the states, local jurisdictions and territories is based on a formula that takes into account the number of foreclosures, number of loans in default, number of loans delinquent, and the number of subprime loans within a community.

While \$1,500,428 is earmarked for Indian River County, those funds are available to the county only through a formal application and award process through HUD. That process involves preparing an Abbreviated Action Plan that identifies a target area where housing purchases and rehabilitation will take place; identifies the amount of NSP3 funds to be used to purchase and rehabilitate homes to be used for very low income housing; and identifies the amount of NSP3 funds to be used to purchase and rehabilitate homes to be used by moderate income persons. After an Abbreviated Action Plan is prepared, that plan must then be reviewed by a Citizen's Advisory Task Force (CATF) and subsequently at a public hearing before the Board of County Commissioners (BCC).

Recently, staff prepared a draft NSP3 CDBG Abbreviated Action Plan. A copy of the draft Abbreviated Action Plan is included as Attachment 1 to this staff report. Because of a compressed submission timeline, the NSP3 CDBG Abbreviated Action Plan will be reviewed by the NSP CDBG CATF on February 14, 2011. At the February 15<sup>th</sup> BCC meeting, staff will present the results of the NSP CDBG CATF meeting. While the NSP3 CDBG Abbreviated Action Plan must be submitted to the Department of Housing and Urban Development by March 1, 2011, there is a required fifteen day comment period prior to submittal of the formal plan. That comment period began on February 11, 2011 and will end on February 25, 2011.

## ANALYSIS

Under normal CDBG program rules, "entitlement" communities, which include principal cities of Metropolitan Statistical Areas, metropolitan cities with populations of at least 50,000, urban counties with populations of at least 200,000 people, and states, are the only jurisdictions eligible to receive direct allocations of CDBG funds from HUD. With NSP3, some "non-entitlement" CDBG communities with significant need, including Indian River County, are allowed to go through a streamlined process of obtaining NSP3 funds. The streamlined process involves preparing an Abbreviated Action Plan for submission to HUD. An Abbreviated Action Plan is HUD's version of a grant application.

### NSP3 CDBG Abbreviated Action Plan

As drafted, the NSP3 CDBG Abbreviated Action Plan requests the full \$1,500,428 in earmarked funds for proposed foreclosed home acquisition and rehabilitation activities. Consistent with NSP3

rules, the Abbreviated Action Plan allocates 25% of NSP3 funds to be used to benefit households with incomes at or below 50% of the Area Median Income (AMI); allocates 10% of NSP3 funds to be used for grant administration purposes, and allocates the remaining funds to be used to benefit households with incomes at or below 120% of AMI. As such, the following activities and budgeted amounts are proposed in the County's NSP3 CDBG Abbreviated Action Plan:

| <b>Proposed Activities &amp; Budget</b>                                |                        |   |
|--|------------------------|---|
| <b>Activity</b>  | <b>Proposed Budget</b> | <b># of Housing Units to be Addressed</b> |
| Administration   | \$150,042              | NA  |
| Acquisition and Rehabilitation – Home Ownership (at or below 120% AMI) | \$975,279              | 10  |
| Acquisition and Rehabilitation – Home Ownership (at or below 50% AMI)  | \$375,107              | 3   |
| <b>Total</b>   | <b>\$1,500,428</b>     | <b>13</b>                                 |

*Activities*

As proposed in the draft NSP3 CDBG Abbreviated Action Plan, the County envisions working with one or more nonprofit housing organizations to acquire, rehabilitate, and sell housing units to income qualified households.

Overall, the Abbreviated Action Plan indicates that a total of thirteen (13) housing units will be acquired and rehabilitated using \$975,279 in NSP3 funds. Of those, ten (10) housing units will benefit households with incomes at or below 120% of AMI, while three (3) housing units will benefit households with incomes at or below 50% of AMI. While thirteen (13) housing units are listed in the action plan, county staff anticipates that additional housing units beyond the thirteen (13) will likely be purchased and rehabilitated using the \$1.5 million in NSP3 funds. Despite that fact, the County is being conservative in identifying the number of units to be acquired and rehabbed, because reducing the number of units is more difficult administratively than increasing the number.

*Proposed NSP3 Target Area*

With NSP3, the County is required to select a small target area to direct NSP3 funds to. This is different from the County's NSP1. With NSP1, the County could select a target area of any size as long as data showed a need. For NSP3, the County must select a small target area in order to meet HUD's requirement to make a visible impact on the target area with the NSP3 funds.

In selecting a target area for the use of NSP3 funds, the County is required to use HUD's NSP3 Target Area Mapping software. That tool allows the County to draw potential target areas on a map and review a range of foreclosure data for those areas. Included among the data is an NSP3 Foreclosure Need Score (NSP3NEED). The NSP3NEED is an indicator of a selected target area's need for NSP3 assistance based on a formula using such factors as number of subprime loans, foreclosure rates, vacancy rates, rate of increase in unemployment, and fall in home values. The

NSP3NEED score ranges from 1 to 20, with 1 being the least need for receiving NSP funds and 20 being the greatest need for receiving NSP funds. According to applicable regulations, proposed target areas with a NSP3NEED equal to or greater than 17 are eligible for consideration as NSP3 Target Areas.

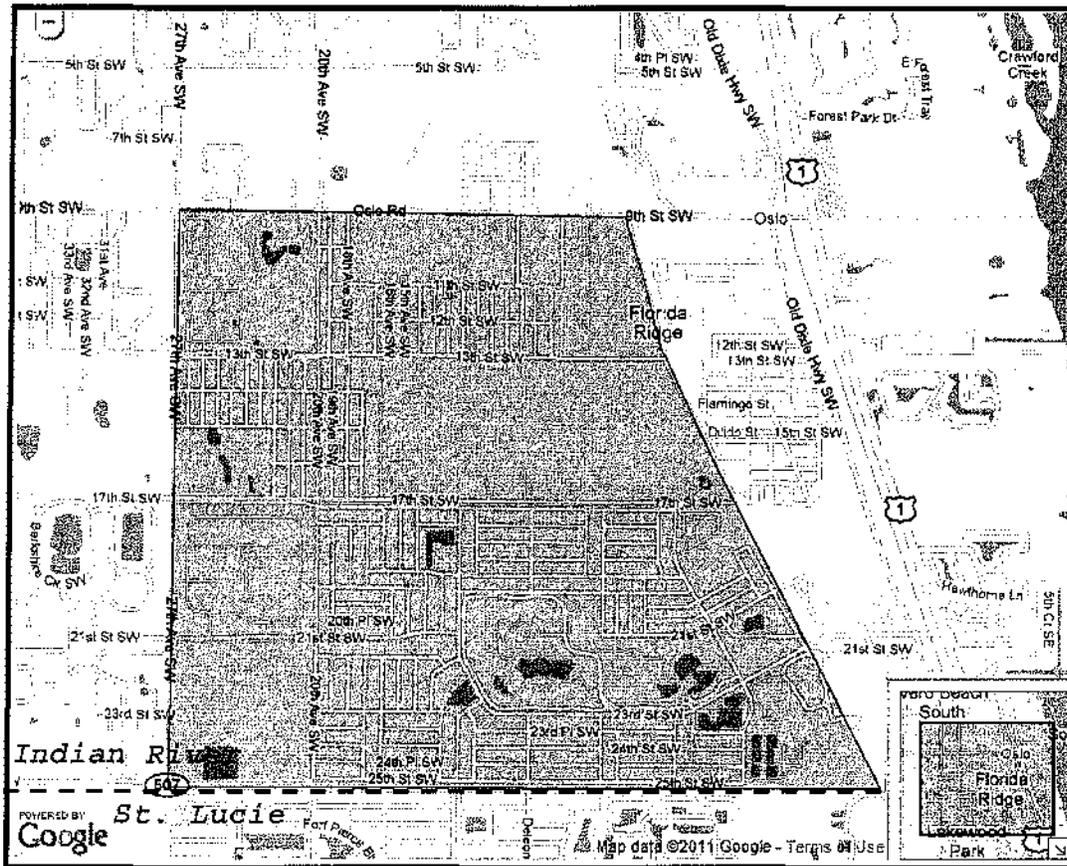
As reflected in the Abbreviated Action Plan, the area chosen for the County's NSP3 Target Area has an NSP3NEED score of 20 and is located south of Oslo Road (9th Street SW), east of 27th Avenue, north of 25th Street SW, and west of Old Dixie Highway (see target area map on next page). According to HUD's NSP3 Target Area Mapping software, approximately 42 housing units in that target area need to be acquired, rehabbed and sold to make a visible "impact".

Although there are areas in other parts of the County that also have high NSP3NEED scores, the area included in the Abbreviated Action Plan was seen as an area where the County can make the most significant impact. This is because a potential NSP3 nonprofit housing partner (Habitat for Humanity) is already investing its own funds to actively acquire, rehabilitate, and sell properties in the area. In addition, property Appraiser data show that the average sales price for foreclosed and distressed sales in the proposed target area is 1/3 to 1/2 the price of other potential target areas. With less costly housing units, the County will be able to acquire more housing units than in other target areas of the County. To make an even greater impact, the County also has the option of using NSP1 and NSP3 program income funds in the selected target area to acquire, rehabilitate, and sell additional homes to income qualified households. Program income funds are those funds that will be returned to the County upon sale of NSP housing units.

#### *Grant Administration*

With NSP3, County staff proposes to manage the grant in-house by Community Development Department staff. This is being proposed because the County has learned from its experience with NSP1 and has attained the knowledge and skills to be able to manage the grant. In addition, the amount of administrative work with this grant should be less than with NSP1 due to the smaller amount of funds involved and due to the direct involvement of HUD. Unlike DCA, HUD offers direct technical assistance and is not a pass through agency for federal funds. Because HUD is the agency that sets the rules for the NSP3 program, HUD can better provide direct and accurate guidance for managing the grant.

## Proposed Indian River County NSP3 Target Area



### CONCLUSION

As proposed, the Abbreviated Action Plan contains a focused approach for expending NSP3 funds that will allow the County to make an impact on the effects of the foreclosure crisis on the community. The Abbreviated Action Plan includes all information required by HUD.

### ALTERNATIVES

With respect to the proposed Neighborhood Stabilization Program 3 CDBG Abbreviated Action Plan, the Board of County Commissioners has three alternatives. These are:

1. To approve the NSP3 CDBG Abbreviated Action Plan as proposed;
2. To approve the proposed NSP3 CDBG Abbreviated Action Plan with changes; or
3. To reject the proposed NSP3 CDBG Abbreviated Action Plan.

Staff supports either alternatives 1 or 2.

**RECOMMENDATION**

Staff recommends that the Board of County Commissioners:

- Open the public hearing;
- Obtain public input regarding the Abbreviated Action Plan;
- Approve the proposed Abbreviated Action Plan;
- Approve the attached resolution to:
  - Authorize the chairman to sign certifications;
  - Authorize the Community Development Director to make minor changes to the Abbreviated Action Plan if warranted based on comments received in the fifteen day comment period;
  - Authorize the Community Development Director to submit the Abbreviated Action Plan to the Federal Department of Housing and Urban Development for its consideration; and
  - Authorize the Community Development Director to submit any additional information and sign subsequent forms as needed.

**ATTACHMENTS**

- 1.) Proposed NSP3 CDBG Abbreviated Action Plan
- 2.) CDBG application authorization resolution

| Indian River Co. | Approved | Date   |
|------------------|----------|--------|
| Admin.           |          |        |
| Legal            | MRA      | 2/9/11 |
| Budget           | CM       | 2/9/11 |
| Dept.            | AWK      | 2/9/11 |
| Risk Mgr.        |          |        |

Approved Agenda Item:

For: February 15, 2011

By: \_\_\_\_\_

# Indian River County NSP3 Abbreviated Action Plan

## 1. NSP3 Grantee Information

| NSP3 Program Administrator Contact Information |  |
|--|--|
| Name (Last, First)                             | Keating, Robert M.   |
| Email Address                                  | <a href="mailto:bkeating@ircgov.com">bkeating@ircgov.com</a> |
| Phone Number                                   | 772-226-1254   |
| Mailing Address                                | 1801 27 <sup>th</sup> Street, Vero Beach, FL 32960           |

## 2. Areas of Greatest Need

### Map Submission

The map generated at the HUD NSP3 Mapping Tool for Preparing Action Plan website is included as Attachment 1.

### Data Sources Used to Determine Areas of Greatest Need

#### Describe the data sources used to determine the areas of greatest need.

Response:

The main data source used to determine areas of greatest need was the web based HUD NSP3 Target Area Mapping software which allowed the County to draw potential target areas on a map and review a range of foreclosure data. Besides other data, the output from this website includes an NSP3 Foreclosure Need Score (NSP3NEED). The NSP3NEED is an indicator of a selected target area's need for NSP3 assistance based on a formula using such factors as rate of subprime loans, foreclosure rates, vacancy rates, rate of increase in unemployment, and fall in home values. According to applicable regulations, proposed target areas with a NSP3NEED greater than 17 are eligible for consideration as NSP3 Target Areas. Other categories of data provided from the HUD NSP3 Target Area Mapping software include number of housing units in a selected target area, percentage of persons 120% and 80% AMI or below, vacancy rate (number of units not receiving mail in last 90 days), number of high cost mortgages executed between 2004 and 2007, estimated rate of mortgages seriously delinquent in June 2010, estimated number of foreclosure starts over the last year, estimated number of completed foreclosures in the past year, and percent fall in housing values since peak value.

In addition to the NSP3 Target Area Mapping software, data sources used to identify the areas of greatest need included the County Property Appraiser's files on foreclosures and distressed sales, local staff experience with the County's NSP1, and input from local nonprofit housing organizations that are actively involved with purchasing foreclosed and/or distressed properties within the County.

## Determination of Areas of Greatest Need and Applicable Tiers

**Describe how the areas of greatest need were established and whether a tiered approach is being utilized to determine the distribution of funding.**

Response:

In 2009, Indian River County received \$4.6 million in NSP1 funding from the Florida Department of Community Affairs to purchase and rehabilitate residential housing units and sell or rent those housing units to income qualified households. The target area for the NSP1 funds included most of the urbanized mainland portion of the County (west of the Indian River Lagoon). Together with two nonprofit housing partner organizations, the County used a large share of its NSP1 funds to purchase and rehab housing units in the northern and central parts of the County. Most of the housing units acquired with NSP1 funds were relatively new and were large 3 and 4 bedroom homes. The prices of those homes were as high as \$159,000. Because newer large homes can be costly and because the County's NSP3 funding allocation is much less than the NSP1 funding allocation, the County feels that it can achieve more with NSP3 funds by focusing on other less costly areas of the County.

Using the HUD Target Area Mapping website, County staff drew several possible target areas in the southern area of the County where a potential NSP3 nonprofit housing partner (Habitat for Humanity) is already investing its own funds to actively acquire, rehabilitate, and sell properties. Data for these potential target areas were analyzed to identify an area small enough to produce an acceptable IMPACT score from the HUD Target Area Mapping website. Based on that analysis, the County selected a target area which has an IMPACT score of 42, meaning that approximately 42 housing units need to be acquired, rehabbed and sold to make a visible "impact" on the neighborhood. Because property Appraiser data show that the average sales price for the foreclosed and distressed sales in the proposed target area is 1/3 to 1/2 the price of other potential target areas within the County, the County will be able to acquire more housing units than if another target area were chosen. While NSP3 funds alone will not be sufficient to acquire, rehab, and sell 42 homes, the County's efforts can be successful because the County's prospective NSP3 non-profit partner, Habitat for Humanity, has already invested in foreclosure acquisition and rehabilitation in the target area and because the County will use both NSP1 and NSP3 program income funds in the target area to purchase, rehab, and resell additional housing units.

### 3. Definitions and Descriptions

#### Definitions

| Term               | Definition   |
|--------------------|--|
| Blighted Structure | A "Blighted Structure" shall be defined the same as an "Unsafe Structure" as defined within Indian River County's Chapter 403 "Property Maintenance Code". Such as structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible. |

|                  |  |       |       |       |         |         |
|------------------|--|-------|-------|-------|---------|---------|
| Affordable Rents | <p>Affordable rents are defined as and shall not exceed the Fair Market Rents (FMR) published annually by the US Department of Housing and Urban Development for the Sebastian-Vero Beach, Florida Metropolitan Statistical Area (MSA).</p> <p>The current 2011 fair market rates are:</p> |       |       |       |         |         |
|                  | # of Bedrooms  | 0     | 1     | 2     | 3       | 4       |
|                  | Fair Market Rent   | \$621 | \$750 | \$956 | \$1,190 | \$1,225 |

#### Descriptions

| Term                             | Definition  |
|----------------------------------|---|
| Long-Term Affordability          | <p>“Long-Term Affordability” is defined as the period of time for which the County will ensure NSP3 assisted housing units are able to be purchased and occupied by NSP3 eligible homebuyers.</p> <p>When NSP3 funds are used on properties for sale to income eligible households (homeownership), the minimum length of time that the property must remain affordable is 15 years. This will be ensured through the use of restrictions on the deed and/ or mortgages.</p> <p>If a property is sold or foreclosed upon during the 15 year affordability period, the entire amount of NSP3 funds invested in the property shall be “recaptured” by the County for use by the County for an NSP eligible use that meets a national objective.</p> |
| Housing Rehabilitation Standards | The County’s NSP1 Housing Rehabilitation Standards, Florida Residential Building Code and, when more stringent, the County Building Code shall be the Standards used in the NSP3 program in Indian River County.  |

## 4. Low-Income Targeting

### Low-Income Set-Aside Amount

Enter the low-income set-aside percentage in the first field. The field for total funds set aside will populate based on the percentage entered in the first field and the total NSP3 grant.

**Identify the estimated amount of funds appropriated or otherwise made available under the NSP3 to be used to provide housing for individuals or families whose incomes do not exceed 50 percent of area median income.**

Response:

Total low-income set-aside **percentage** (must be no less than 25 percent): 25.00%

Total funds set aside for low-income individuals = \$375,107

**Meeting Low-Income Target**

**Provide a summary that describes the manner in which the low-income targeting goals will be met.**

Response: In Indian River County, the County estimates that 25% of NSP3 grant funds will be used to assist households with incomes at or below 50% AMI. The County will achieve this by executing agreements with Partners / Developers using “Eligible Use B: Purchase and Rehabilitate Homes.” The Partners/ Developers will acquire and rehabilitate units that will be sold to qualifying households. The use of said units shall be restricted to persons whose incomes do not exceed 50%AMI. The County proposes to acquire 3 housing units for this income group.

**5. Acquisition and Relocation**

**Demolition or Conversion of LMI Units**

|   |    |
|---|----|
| Does the grantee intend to demolish or convert any low- and moderate-income dwelling units (i.e., ≤ 80% of area median income)? | No |
|---|----|

If yes, fill in the table below.

| Question   | Number of Units |
|--|-----------------|
| The number of low- and moderate-income dwelling units—i.e., ≤ 80% of area median income—reasonably expected to be demolished or converted as a direct result of NSP-assisted activities.   | NA              |
| The number of NSP affordable housing units made available to low-, moderate-, and middle-income households—i.e., ≤ 120% of area median income—reasonably expected to be produced by activity and income level as provided for in DRGR, by each NSP activity providing such housing (including a proposed time schedule for commencement and completion). | NA              |
| The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.  | NA              |

**6. Public Comment**

**Citizen Participation Plan**

**Briefly describe how the grantee followed its citizen participation plan regarding this proposed substantial amendment or abbreviated plan.**

Response:

Indian River County used its local CDBG citizen participation plan as a guide regarding this proposed abbreviated plan.

On February 8, 2011, the Board of County Commissioners (BCC), as part of its regularly scheduled meeting, considered applying for NSP3 funds and discussed a proposed approach to using those funds. At that meeting, the BCC provided general direction to staff to proceed with preparing and finalizing an NSP3 abbreviated action plan.

In accordance with applicable NSP3 requirements, the County prepared an NSP3 abbreviated action plan and made that plan available for public review and comment for 15 days (February 11, 2011 through February 25, 2011). That public review period was announced in an advertisement in a local newspaper on January 30, 2011 and was announced on the County's website as well.

The County NSP Citizens Advisory Task Force (CATF) reviewed the abbreviated action plan at a public meeting on February 14, 2011, at which advisory input was provided.

Consistent with its public notice procedures, the County announced (by advertisement in the local newspaper and on the County website) a Board of County Commissioners public hearing for and date of presentation of the proposed Abbreviated Action Plan. The public hearing was held on February 15, 2011.

Comments from the public are included as an attachment to this abbreviated action plan.

### Summary of Public Comments Received.

The summary of public comments received is included as Attachment 2.

## 7. NSP Information by Activity

Enter each activity name and fill in the corresponding information. If you have fewer than seven activities, please delete any extra activity fields. (For example, if you have three activities, you should delete the tables labeled "Activity Number 4," "Activity Number 5," "Activity Number 6," and "Activity Number 7." If you are unsure how to delete a table, see the instructions [above](#).)

The field labeled "Total Budget for Activity" will populate based on the figures entered in the fields above it.

Consult the [NSP3 Program Design Guidebook](#) for guidance on completing the "Performance Measures" component of the activity tables below.

| Activity Number 1                  |   |
|------------------------------------|---|
| <b>Activity Name</b>               | Acquisition and Rehabilitation – Homeownership (at or below 120%AMI)  |
| <b>Uses</b>                        | Select all that apply:<br><input type="checkbox"/> Eligible Use A: Financing Mechanisms<br><input checked="" type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation<br><input type="checkbox"/> Eligible Use C: Land Banking<br><input type="checkbox"/> Eligible Use D: Demolition<br><input type="checkbox"/> Eligible Use E: Redevelopment   |
| <b>CDBG Activity or Activities</b> | Purchase and rehabilitation of homes and residential properties that have been abandoned or foreclosed upon, in order to sell such homes and properties (HERA Section 2301(c)(3)(B)).<br><br>Eligible under 24CFR570.201(a), (b), and (n): Acquisition and disposition of residential property and direct homeownership assistance; and 24CFR570.202: Eligible rehabilitation and preservation activities for homes |

|                             |   |
|-----------------------------|---|
|                             | and other residential properties.   |
| <b>National Objective</b>   | Low Moderate Middle Income Housing (LMMH)   |
| <b>Activity Description</b> | <p>The County will select one or more nonprofit housing partners to use NSP3 funds to purchase, rehabilitate and re-sell foreclosed housing units to income qualified households (at or below 120% of AMI) within the identified target area. The housing units purchased will be vacant Real Estate Owned (REO) and other NSP eligible properties that do not trigger Uniform Relocation Act (URA) requirements.</p> <p>If the County selects a "developer" housing partner, that partner will be eligible to receive a reasonable developer's fee for service performed. That developer will take ownership of each housing unit and may provide a 1<sup>st</sup> mortgage to each home purchaser using its own funds or require the purchaser to obtain a 1<sup>st</sup> mortgage from a financial institution. NSP funds may be used to provide a deferred payment, subordinated second mortgage covering downpayment, closing cost, and gap financing assistance. The exact terms will be negotiated between the County and the developer.</p> <p>All properties receiving NSP funding will have a 15 year affordability restriction on the deed and/or recorded mortgage on the property. The County will monitor the properties that are assisted with NSP funds during the 15 year affordability period. NSP3 funds will be recaptured if the property is sold during the 15 year affordability period.</p> <p>All homebuyers will be required to have a minimum of eight hours of homebuyer counseling from a HUD approved counseling agency.</p> <p>The County will work with its NSP3 housing partner organizations to provide opportunities for local contractors and small businesses that employ people residing in the vicinity of the NSP3 projects to participate in the NSP3. The County will specify in housing partner contracts that housing partners will reach out to individuals in the target area when hiring new employees and when selecting service providers.</p> <p>Services that are needed to carry out the County's NSP3 Abbreviated Action Plan that are not secured by the County's NSP3 housing partner organization(s) will be advertised in accordance with the County's CDBG Procurement Policies, as modified by State, and Federal procurement procedures. A reference to the NSP3 local hiring preference will be included in advertisements.</p> <p>According to County Property Appraiser data, there are a total of 3,659 housing units within the target area. Of those 3,659 housing units, 3,442 (94.1%) are designated as Single Family, 40 (1.1%) are designated as residential condominiums, and 174 (4.8%) are designated as multi-family. All of the 174 multi-family housing units are included as part of 1</p> |

|                                  |  |                      |
|----------------------------------|--|----------------------|
|                                  | <p>apartment complex. Because the target area consists overwhelmingly of single family owner occupied homes and owner occupied condominium units, it would be problematic for the County to pursue the development of affordable rental housing in the target area. Therefore, a rental housing strategy with procedures to create preferences for the development of affordable rental housing is not proposed.</p> <p>Through the program, the County commits to acquiring, rehabilitating, and selling thirteen (13) single family housing units to income qualified households. Of those thirteen (13) housing units, ten (10) will be sold to households with incomes at or below 120% AMI, and three (3) will be sold to households at or below 50% AMI. While the County commits to the thirteen (13) total housing units for NSP3, the county anticipates acquisition and rehabilitation of between twenty (20) and twenty four (24) with the NSP3 \$1,500,428 base allocation. Because the County cannot predict future market conditions and does not want to be locked into a number that is too high, the County is committing to fewer than the 20-24. In addition to the housing units to be acquired and rehabbed with the base NSP3 allocation, the County anticipates using NSP1 and NSP3 Program Income to acquire and rehab another eight (8) to ten (10) housing units. That should result in the County's total number of units being closer to the HUD NSP3 Target Area Mapping software's projected number of units to make an impact. These numbers do not take into account the number of homes in the target area that Indian River Habitat for Humanity has already acquired, rehabilitated and sold.</p> |                      |
| <b>Location Description</b>      | <p>Area of Greatest Need is located south of Oslo Road (9th Street SW), east of 27th Avenue, north of 25th Street SW, and west of Old Dixie Highway. Refer to Attachment 1 for the results of the proposed target area.</p>  |                      |
| <b>Budget</b>                    | <b>Source of Funding</b>   | <b>Dollar Amount</b> |
|                                  | NSP3   | \$975,279.00         |
|                                  | (Other funding source)   | \$                   |
|                                  | (Other funding source)   | \$                   |
| <b>Total Budget for Activity</b> | <b>\$975,279.00</b>  |                      |
| <b>Performance Measures</b>      | <p>Decreased number of vacant homes in market and increased average sales price of homes in Area of Greatest Need (AGN). Approximately 10 housing units will be purchased, rehabbed, and re-sold to income qualified households (at or below 120% AMI). Additional housing units may be</p>  |                      |

|                                 |   |  |
|---------------------------------|---|--|
|                                 | purchased, rehabbed, and re-sold to income qualified households utilizing NSP1 and NSP3 "program income". |  |
| <b>Projected Start Date</b>     | 6/1/2011  |  |
| <b>Projected End Date</b>       | 5/31/2014   |  |
| <b>Responsible Organization</b> | <b>Name</b>   | Indian River County                                      |
|                                 | <b>Location</b>   | 1801 27th Street<br>Vero Beach, FL 32960                 |
|                                 | <b>Administrator Contact Info</b>   | Robert M. Keating<br>772-226-1253<br>bkeating@ircgov.com |

| <b>Activity Number 2</b>                               |   |
|--|---|
| <b>Activity Name</b>                                   | Acquisition and Rehabilitation – Home Ownership (at or below 50%AMI)  |
| <b>Use</b>   | Select all that apply:  |
|  | <input type="checkbox"/> Eligible Use A: Financing Mechanisms   |
|  | <input checked="" type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation  |
|  | <input type="checkbox"/> Eligible Use C: Land Banking   |
|  | <input type="checkbox"/> Eligible Use D: Demolition   |
| <input type="checkbox"/> Eligible Use E: Redevelopment |   |
| <b>CDBG Activity or Activities</b>                     | <p>Purchase and rehabilitation of homes and residential properties that have been abandoned or foreclosed upon, in order to sell such homes and properties (HERA Section 2301(c)(3)(B)).</p> <p>Eligible under 24CFR570.201(a), (b), and (n): Acquisition and disposition of residential property and direct homeownership assistance; and 24CFR570.202: Eligible rehabilitation and preservation activities for homes and other residential properties.</p>  |
| <b>National Objective</b>                              | Low-Income Housing to Meet 25% Set-Aside (LH25)   |
| <b>Activity Description</b>                            | <p>The County will select one or more nonprofit partners to use NSP3 funds to purchase, rehabilitate and re-sell to income qualified households (at or below 50% of AMI) within the identified target area.</p> <p>If the County selects a "developer" housing partner, that partner will be eligible to receive a reasonable developer's fee for service performed. That developer will take ownership of each housing unit and may provide a 1<sup>st</sup> mortgage to each home purchaser using its own funds or require the purchaser to obtain a 1<sup>st</sup> mortgage from a financial institution. NSP funds may be used to provide a deferred payment, subordinated second mortgage covering downpayment, closing cost, and gap financing assistance. The exact terms will be negotiated between the County and the developer.</p> <p>All properties receiving NSP funding will have a 15 year affordability restriction on the deed and/or recorded mortgage on the property. The County will monitor the properties that are assisted with NSP funds during the 15 year affordability period. NSP3 funds will be recaptured if the property is</p> |

sold during the 15 year affordability period.

All homebuyers will be required to have a minimum of eight hours of homebuyer counseling from a HUD approved counseling agency.

The County will work with its NSP3 housing partner organizations to provide opportunities for local contractors and small businesses that employ people residing in the vicinity of the NSP3 projects to participate in the NSP3. The County will specify in housing partner contracts that housing partners will reach out to individuals in the target area when hiring new employees and when selecting service providers.

Services that are needed to carry out the County's NSP3 Abbreviated Action Plan that are not secured by the County's NSP3 housing partner organization(s) will be advertised in accordance with the County's CDBG Procurement Policies, as modified by State, and Federal procurement procedures. A reference to the NSP3 local hiring preference will be included in advertisements.

According to County Property Appraiser data, there are a total of 3,659 housing units within the target area. Of those 3,659 housing units, 3,442 (94.1%) are designated as Single Family, 40 (1.1%) are designated as residential condominiums, and 174 (4.8%) are designated as multi-family. All of the 174 multi-family housing units are included as part of 1 apartment complex. Because the target area consists overwhelmingly of single family owner occupied homes and owner occupied condominium units, it would be problematic for the County to pursue the development of affordable rental housing in the target area. Therefore, a rental housing strategy with procedures to create preferences for the development of affordable rental housing is not proposed.

Through the program, the County commits to acquiring, rehabilitating, and selling thirteen (13) single family housing units to income qualified households. Of those thirteen (13) housing units, ten (10) will be sold to households with incomes at or below 120% AMI, and three (3) will be sold to households at or below 50% AMI. While the County commits to the thirteen (13) total housing units for NSP3, the county anticipates acquisition and rehabilitation of between twenty (20) and twenty four (24) with the NSP3 \$1,500,428 base allocation. Because the County cannot predict future market conditions and does not want to be locked into a number that is too high, the County is committing to fewer than the 20-24. In addition to the housing units to be acquired and rehabbed with the base NSP3 allocation, the County anticipates using NSP1 and NSP3 Program Income to acquire and rehab another eight (8) to ten (10) housing units. That should result in the County's total number of units being closer to the HUD NSP3 Target Area Mapping software's projected number of units to make an impact. These numbers do not take into account the number of homes in the target area that Indian River Habitat for Humanity has already acquired, rehabilitated and sold.

|                                  |  |                                   |
|----------------------------------|--|-----------------------------------|
| <b>Location Description</b>      | Area of Greatest Need is located south of Oslo Road (9th Street SW), east of 27th Avenue, north of 25th Street SW, and west of Old Dixie Highway. Refer to Attachment 1 for the results of the proposed target area.   |                                   |
| <b>Budget</b>                    | <b>Source of Funding</b>   | <b>Dollar Amount</b>              |
|                                  | NSP3   | \$375,107.00                      |
|                                  | (Other funding source)   | \$                                |
|                                  | (Other funding source)   | \$                                |
| <b>Total Budget for Activity</b> | \$375,107.00   |                                   |
| <b>Performance Measures</b>      | Decreased number of vacant homes in market and increased average sales price of homes in Area of Greatest Need (AGN). Approximately 3 housing units will be purchased, rehabbed, and re-sold to income qualified households (at or below 50% AMI). Additional housing units may be purchased, rehabbed, and re-sold to income qualified households utilizing "program income". |                                   |
| <b>Projected Start Date</b>      | 6/1/2011   |                                   |
| <b>Projected End Date</b>        | 5/31/2014  |                                   |
| <b>Responsible Organization</b>  | <b>Name</b>  | <b>Name</b>                       |
|                                  | <b>Location</b>  | <b>Location</b>                   |
|                                  | <b>Administrator Contact Info</b>  | <b>Administrator Contact Info</b> |

| <b>Activity Number 3</b>                               |  |
|--|--|
| <b>Activity Name</b>                                   | Program Administration   |
| <b>Use</b>   | Select all that apply:   |
|  | <input type="checkbox"/> Eligible Use A: Financing Mechanisms  |
|  | <input checked="" type="checkbox"/> Eligible Use B: Acquisition and Rehabilitation   |
|  | <input type="checkbox"/> Eligible Use C: Land Banking  |
|  | <input type="checkbox"/> Eligible Use D: Demolition  |
| <input type="checkbox"/> Eligible Use E: Redevelopment |  |
| <b>CDBG Activity or Activities</b>                     | General Administration   |
| <b>National Objective</b>                              | NA   |
| <b>Activity Description</b>                            | NSP3 Program Administration funds will be used to pay reasonable and necessary expenses of implementing the program. This will include but not be limited to County staff salaries/wages, office supplies, and the possible engagement of a consulting firm to provide administrative and rehabilitation assistance. Administration cost to administer the NSP program and ensure compliance with regulations will be ten percent (10%) of the total allocated amount. |
| <b>Location Description</b>                            | Area of Greatest Need is located south of Oslo Road (9th Street SW), east of   |

|                                  |  |                                   |
|----------------------------------|--|-----------------------------------|
|                                  | 27th Avenue, north of 25th Street SW, and west of Old Dixie Highway. Refer to Attachment 1 for the results of the proposed target area.  |                                   |
| <b>Budget</b>                    | <b>Source of Funding</b>   | <b>Dollar Amount</b>              |
|                                  | NSP3   | \$150,042.00                      |
|                                  | (Other funding source)   | \$                                |
|                                  | (Other funding source)   | \$                                |
| <b>Total Budget for Activity</b> |  | \$150,042.00                      |
| <b>Performance Measures</b>      | The County will utilize administration funds to pay reasonable and necessary expenses in implementing the NSP3 program, adhere to all requirements and guidelines of the program, and ensure that all subgrantees meet all requirements and guidelines. Fifty percent of allocated NSP3 funds will be expended within two years of the signed agreement and 100 percent of the NSP3 funds will be expended within three years of the signed agreement. |                                   |
| <b>Projected Start Date</b>      | 6/1/2011   |                                   |
| <b>Projected End Date</b>        | 5/31/2014  |                                   |
| <b>Responsible Organization</b>  | <b>Name</b>  | <b>Name</b>                       |
|                                  | <b>Location</b>  | <b>Location</b>                   |
|                                  | <b>Administrator Contact Info</b>  | <b>Administrator Contact Info</b> |

## 8. Certifications

### Certifications for State and Entitlement Communities

(1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing, which means that it will conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

(2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.

(3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.

(4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the

legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.

(5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.

(6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.

(7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.

(8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.

(9) **Following a plan.** The jurisdiction certifies it is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD. [Only States and entitlement jurisdictions use this certification.]

(10) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.

(11) **The jurisdiction certifies:**

- a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and
- b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(12) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and

- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(13) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

(14) **Compliance with lead-based paint procedures.** The jurisdiction certifies that its activities concerning lead-based paint will comply with the requirements of part 35, subparts A, B, J, K, and R of this title.

(15) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(16) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(17) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**  
BY   
**MELISBA P. ANDERSON**  
**ASSISTANT COUNTY ATTORNEY**

## Certifications for Non-Entitlement Local Governments

- (1) **Affirmatively furthering fair housing.** The jurisdiction certifies that it will affirmatively further fair housing.
- (2) **Anti-displacement and relocation plan.** The applicant certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan.
- (3) **Anti-lobbying.** The jurisdiction must submit a certification with regard to compliance with restrictions on lobbying required by 24 CFR part 87, together with disclosure forms, if required by that part.
- (4) **Authority of jurisdiction.** The jurisdiction certifies that the consolidated plan or abbreviated plan, as applicable, is authorized under state and local law (as applicable) and that the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations and other program requirements.
- (5) **Consistency with plan.** The jurisdiction certifies that the housing activities to be undertaken with NSP funds are consistent with its consolidated plan or abbreviated plan, as applicable.
- (6) **Acquisition and relocation.** The jurisdiction certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and implementing regulations at 49 CFR part 24, except as those provisions are modified by the notice for the NSP program published by HUD.
- (7) **Section 3.** The jurisdiction certifies that it will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u), and implementing regulations at 24 CFR part 135.
- (8) **Citizen participation.** The jurisdiction certifies that it is in full compliance and following a detailed citizen participation plan that satisfies the requirements of Sections 24 CFR 91.105 or 91.115, as modified by NSP requirements.
- (9) **Use of funds.** The jurisdiction certifies that it will comply with the Dodd-Frank Wall Street Reform and Consumer Protection Act and Title XII of Division A of the American Recovery and Reinvestment Act of 2009 by spending 50 percent of its grant funds within 2 years, and spending 100 percent within 3 years, of receipt of the grant.
- (10) **The jurisdiction certifies:**
  - a. that all of the NSP funds made available to it will be used with respect to individuals and families whose incomes do not exceed 120 percent of area median income; and
  - b. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if NSP funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with NSP funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect

to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than NSP funds if the jurisdiction certifies that it lacks NSP or CDBG funds to cover the assessment.

(11) **Excessive force.** The jurisdiction certifies that it has adopted and is enforcing:

- a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and
- b. A policy of enforcing applicable state and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such nonviolent civil rights demonstrations within its jurisdiction.

(12) **Compliance with anti-discrimination laws.** The jurisdiction certifies that the NSP grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

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(14) **Compliance with laws.** The jurisdiction certifies that it will comply with applicable laws.

(15) **Vicinity hiring.** The jurisdiction certifies that it will, to the maximum extent feasible, provide for hiring of employees that reside in the vicinity of NSP3 funded projects or contract with small businesses that are owned and operated by persons residing in the vicinity of NSP3 projects.

(16) **Development of affordable rental housing.** The jurisdiction certifies that it will abide by the procedures described in its NSP3 Abbreviated Plan to create preferences for the development of affordable rental housing for properties assisted with NSP3 funds.

\_\_\_\_\_  
Signature/Authorized Official

\_\_\_\_\_  
Date

Chairman of the Board of County Commissioners

Title

## Appendix: NSP3 Action Plan Contents Checklist

The checklist below is an optional tool for NSP3 grantees to help to ensure that all required elements of the NSP3 Substantial Amendment or the Abbreviated Plan are submitted to HUD. This checklist only includes the minimum required elements that must be included in the NSP3 Action Plan and grantees may want to add additional details. This document must be protected, as described above, in order to use the checkboxes in this checklist.

### 1. NSP3 Grantee Information

|  | Yes                                 |
|--|-------------------------------------|
| Did you include the Program Administrator's name, address, phone, and email address? | <input checked="" type="checkbox"/> |

### 2. Areas of Greatest Need

|  | Yes                                 |
|--|-------------------------------------|
| Does the narrative description describe how funds will give priority emphasis to areas of greatest need?                                   | <input checked="" type="checkbox"/> |
| Does the narrative description specifically address how the funds will give priority emphasis to those areas:                              |                                     |
| • With the highest percentage of home foreclosures?  | <input checked="" type="checkbox"/> |
| • With the highest percentage of homes financed by subprime mortgage related loan?; and  | <input checked="" type="checkbox"/> |
| • Identified by the grantee as likely to face a significant rise in the rate of home foreclosures?   | <input checked="" type="checkbox"/> |
| Did you create the area of greatest needs map at <a href="http://www.huduser.org/NSP/NSP3.html">http://www.huduser.org/NSP/NSP3.html</a> ? | <input checked="" type="checkbox"/> |
| Did you include the map as an attachment to your Action Plan?  | <input checked="" type="checkbox"/> |
| <i>ONLY Applicable for States:</i> Did you include the needs of all entitlement communities in the State?                                  | <input type="checkbox"/>            |

### 3. Definitions and Descriptions

|   | Yes                                 |
|---|-------------------------------------|
| Are the following definitions and topics included in your substantial amendment?: |                                     |
| • Blighted structure in context of state or local law,                            | <input checked="" type="checkbox"/> |

|   |                                     |
|---|-------------------------------------|
| <ul style="list-style-type: none"> <li>Affordable rents,</li> </ul>   | <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"> <li>Ensuring long term affordability for all NSP funded housing projects,</li> </ul> | <input checked="" type="checkbox"/> |
| <ul style="list-style-type: none"> <li>Applicable housing rehabilitation standards for NSP funded projects</li> </ul>   | <input checked="" type="checkbox"/> |

#### 4. Low-Income Targeting

|  | Yes                                 |
|--|-------------------------------------|
| Did you identify the estimated amount of funds appropriated to provide housing that meets the low-income set aside target? | <input checked="" type="checkbox"/> |
| Did you provide a summary describing how your jurisdiction will meet its low-income set aside goals?                       | <input checked="" type="checkbox"/> |

#### 5. Acquisition & Relocation

|   | Yes                      |
|---|--------------------------|
| For all acquisitions that will result in displacement did you specify:  |                          |
| <ul style="list-style-type: none"> <li>The planned activity,</li> </ul>   | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>The number of units that will result in displacement,</li> </ul>                     | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>The manner in which the grantee will comply with URA for those residents?</li> </ul> | <input type="checkbox"/> |

#### 6. Public Comment

|   | Yes                                 |
|---|-------------------------------------|
| Did you provide your draft of the NSP3 substantial amendment for a minimum of 15 days for public comment? | <input checked="" type="checkbox"/> |
| Did you include the public comments you received on the NSP3 substantial amendment in your plan?          | <input checked="" type="checkbox"/> |

#### 7. NSP Information by Activity

|   | Check all that apply                |
|---|-------------------------------------|
| Did you include a description of all eligible NSP3 activities you plan to implement with your NSP3 award? | <input checked="" type="checkbox"/> |
| For each eligible NSP3 activity you plan to implement did you include:                                    |                                     |

|  |                                     |
|--|-------------------------------------|
| • Eligible use or uses?  | <input checked="" type="checkbox"/> |
| • Correlated eligible CDBG activity or activities?   | <input checked="" type="checkbox"/> |
| • Associated national objective?   | <input checked="" type="checkbox"/> |
| • How the activity will address local market conditions?   | <input checked="" type="checkbox"/> |
| • Range of interest rates (if any)?  | <input checked="" type="checkbox"/> |
| • Duration or term of assistance?  | <input checked="" type="checkbox"/> |
| • Tenure of beneficiaries (e.g. rental or homeowner)?  | <input checked="" type="checkbox"/> |
| • If the activity produces housing, how the design of the activity will ensure continued affordability?  | <input checked="" type="checkbox"/> |
| • How you will, to the maximum extent possible, provide for vicinity hiring?   | <input checked="" type="checkbox"/> |
| • Procedures used to create affordable rental housing preferences?   | <input checked="" type="checkbox"/> |
| • Areas of greatest need addressed by the activity or activities?  | <input checked="" type="checkbox"/> |
| • Amount of funds budgeted for the activity?   | <input checked="" type="checkbox"/> |
| • Appropriate performance measures for the activity (e.g. units of housing to be acquired, rehabilitated, or demolished for the income levels represented in DRGR) ? | <input checked="" type="checkbox"/> |
| • Expected start and end dates of the activity?  | <input checked="" type="checkbox"/> |
| • Name and location of the entity that will carry out the activity?  | <input checked="" type="checkbox"/> |

## 8. Certifications

|   | Yes                                 |
|---|-------------------------------------|
| Did you sign and submit the certification form applicable to your jurisdiction? | <input checked="" type="checkbox"/> |

## 9. Additional Documentation

|                                  | Yes                                 |
|----------------------------------|-------------------------------------|
| Did you include a signed SF-424? | <input checked="" type="checkbox"/> |

**APPLICATION FOR  
FEDERAL ASSISTANCE**

CMB Approved No. 3076-0006

Version 7/03

|  |                                       |   |                              |
|--|---------------------------------------|---|------------------------------|
| <b>1. TYPE OF SUBMISSION:</b><br>Application         |                                       | <b>2. DATE SUBMITTED</b><br>February 25, 2011 | Applicant Identifier         |
| <input type="checkbox"/> Construction                | Pre-application                       | <b>3. DATE RECEIVED BY STATE</b>              | State Application Identifier |
| <input checked="" type="checkbox"/> Non-Construction | <input type="checkbox"/> Construction | <b>4. DATE RECEIVED BY FEDERAL AGENCY</b>     | Federal Identifier           |
| <input type="checkbox"/> Non-Construction            |                                       |   |                              |

**5. APPLICANT INFORMATION**

|  |   |
|--|---|
| Legal Name:<br>Indian River County             | <b>Organizational Unit:</b><br>Department:<br>Community Development Department                                    |
| Organizational DUNS:<br>079208989              | Division:<br>Planning Division  |
| <b>Address:</b><br>Street:<br>1801 27th Street | <b>Name and telephone number of person to be contacted on matters involving this application (give area code)</b> |
| City:<br>Vero Beach                            | Prefix:<br>Mr.  |
| County:<br>Indian River County                 | First Name:<br>Robert   |
| State:<br>Florida                              | Middle Name   |
| Zip Code:<br>32960                             | Last Name:<br>Keating   |
| Country:<br>United States of America           | Suffix:   |
|  | Email:<br>bkeating@ircgov.com   |

**6. EMPLOYER IDENTIFICATION NUMBER (EIN):**

|                     |   |   |
|---------------------|---|---|
| 5 9 - 6 0 0 0 6 7 4 | Phone Number (give area code)<br>772-226-1254 | Fax Number (give area code)<br>772-978-1806 |
|---------------------|---|---|

**8. TYPE OF APPLICATION:**

New     Continuation     Revision

If Revision, enter appropriate letter(s) in box(es)  
(See back of form for description of letters.)

Other (specify)

**7. TYPE OF APPLICANT:** (See back of form for Application Types)

B

Other (specify)

**10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:**

TITLE (Name of Program):  
Labor Management Cooperation Program: Community Development Block Grants

1 4 - 2 1 8

**11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:**  
Community Development Block Grant Neighborhood Stabilization Program 3 funds for use to acquire, rehabilitate, and sell abandoned and foreclosed housing units to income eligible households.

**12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):**  
Indian River County

**13. PROPOSED PROJECT**

|                       |                         |
|-----------------------|-------------------------|
| Start Date:<br>6/1/11 | Ending Date:<br>5/31/14 |
|-----------------------|-------------------------|

**14. CONGRESSIONAL DISTRICTS OF:**

|                      |                    |
|----------------------|--------------------|
| a. Applicant<br>15th | b. Project<br>15th |
|----------------------|--------------------|

**15. ESTIMATED FUNDING:**

|                   |    |           |    |
|-------------------|----|-----------|----|
| a. Federal        | \$ | 1,500,428 | 00 |
| b. Applicant      | \$ |           | 00 |
| c. State          | \$ |           | 00 |
| d. Local          | \$ |           | 00 |
| e. Other          | \$ |           | 00 |
| f. Program Income | \$ |           | 00 |
| g. TOTAL          | \$ | 1,500,428 | 00 |

**16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?**

a. Yes.  THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON

DATE:

b. No.  PROGRAM IS NOT COVERED BY E. O. 12372

OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

**17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?**

Yes If "Yes" attach an explanation.     No

**18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.**

**a. Authorized Representative**

|   |                                      |             |
|---|--------------------------------------|-------------|
| Prefix                                    | First Name                           | Middle Name |
| Last Name                                 | Suffix                               |             |
| b. Title                                  | c. Telephone Number (give area code) |             |
| d. Signature of Authorized Representative | e. Date Signed                       |             |

## INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

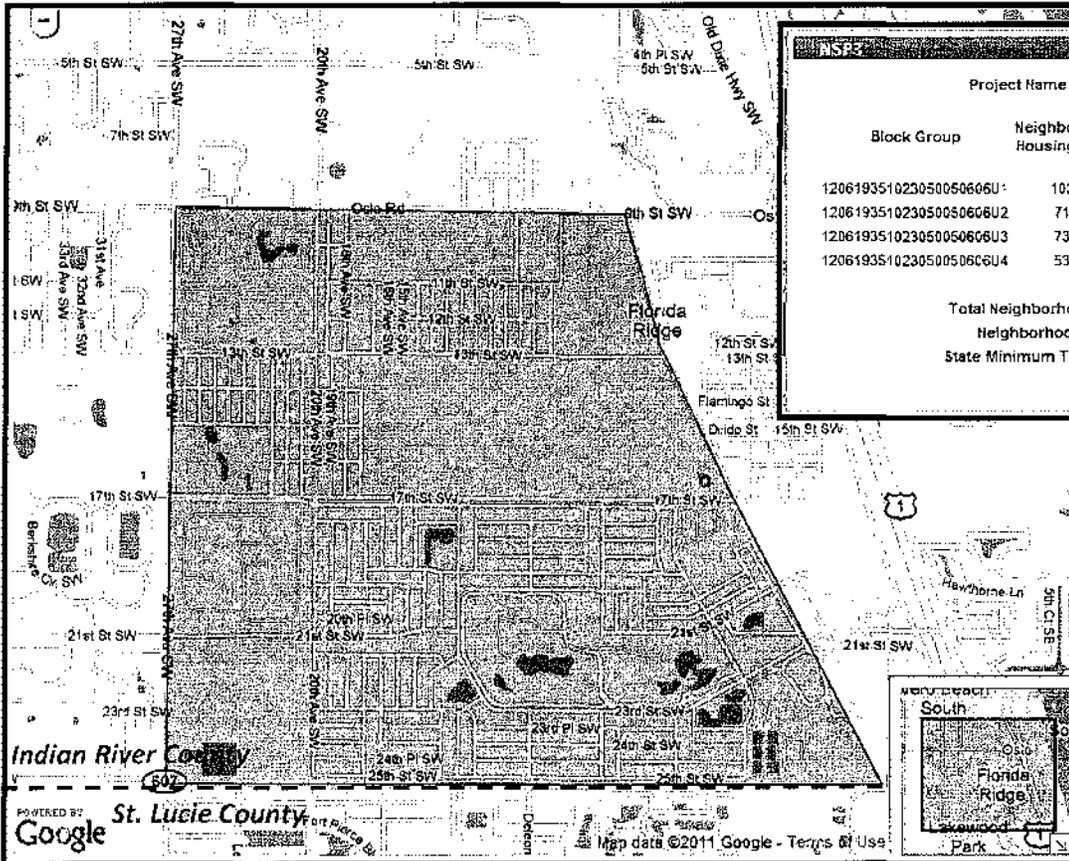
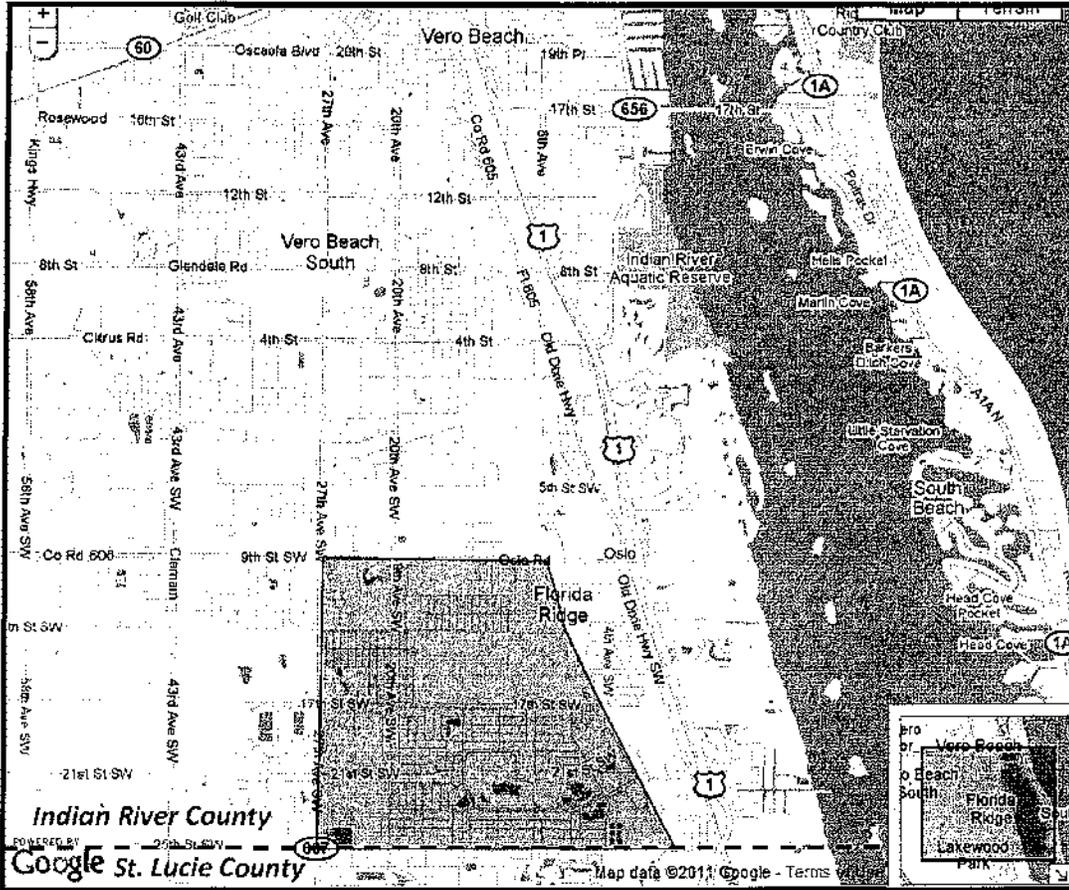
**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

| Item:                          | Entry:  | Item:             | Entry:  |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
|--------------------------------|---|-------------------|---|----------------------|-----------------------|--------------|---|-------------|---------------|---------------|------------------------|-------------------|--------------------|---------------------|--------------------------------|--------------------------------|--|-----|---|
| 1.                             | Select Type of Submission.  | 11.               | Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 2.                             | Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).   | 12.               | List only the largest political entities affected (e.g., State, counties, cities).  |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 3.                             | State use only (if applicable).   | 13.               | Enter the proposed start date and end date of the project.  |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 4.                             | Enter Date Received by Federal Agency<br>Federal Identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.   | 14.               | List the applicant's Congressional District and any District(s) affected by the program or project  |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 5.                             | Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.   | 15.               | Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15. |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 6.                             | Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.   | 16.               | Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 7.                             | Select the appropriate letter in the space provided.<br><table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>B. County</td> <td>J. Private University</td> </tr> <tr> <td>C. Municipal</td> <td>K. Indian Tribe</td> </tr> <tr> <td>D. Township</td> <td>L. Individual</td> </tr> <tr> <td>E. Interstate</td> <td>M. Profit Organization</td> </tr> <tr> <td>F. Intermunicipal</td> <td>N. Other (Specify)</td> </tr> <tr> <td>G. Special District</td> <td>O. Not for Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td></td> </tr> </table> | A. State          | I. State Controlled Institution of Higher Learning  | B. County            | J. Private University | C. Municipal | K. Indian Tribe   | D. Township | L. Individual | E. Interstate | M. Profit Organization | F. Intermunicipal | N. Other (Specify) | G. Special District | O. Not for Profit Organization | H. Independent School District |  | 17. | This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes. |
| A. State                       | I. State Controlled Institution of Higher Learning  |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| B. County                      | J. Private University   |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| C. Municipal                   | K. Indian Tribe   |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| D. Township                    | L. Individual   |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| E. Interstate                  | M. Profit Organization  |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| F. Intermunicipal              | N. Other (Specify)  |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| G. Special District            | O. Not for Profit Organization  |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| H. Independent School District |   |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 8.                             | Select the type from the following list:<br><ul style="list-style-type: none"> <li>• "New" means a new assistance award.</li> <li>• "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.</li> <li>• "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter:<br/> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> </li> </ul> | A. Increase Award | B. Decrease Award   | C. Increase Duration | D. Decrease Duration  | 18.          | To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.) |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| A. Increase Award              | B. Decrease Award   |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| C. Increase Duration           | D. Decrease Duration  |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 9.                             | Name of Federal agency from which assistance is being requested with this application.  |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |
| 10.                            | Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.   |                   |   |                      |                       |              |   |             |               |               |                        |                   |                    |                     |                                |                                |  |     |   |

# Attachment 1

## Indian River County NSP3 Target Area: Oslo Area



| Block Group             | Neighborhood Housing Units | Block Group Housing Units | Block Group Score | State Min | USPS | HMDA |
|-------------------------|----------------------------|---------------------------|-------------------|-----------|------|------|
| 120619351023050050606U1 | 1035                       | 1685                      | 20                | 17        | 2109 | 979  |
| 120619351023050050606U2 | 714                        | 714                       | 20                | 17        | 894  | 415  |
| 120619351023050050606U3 | 731                        | 848                       | 20                | 17        | 1061 | 493  |
| 120619351023050050606U4 | 532                        | 712                       | 20                | 17        | 891  | 414  |

Total Neighborhood Housing Units: 3012  
 Neighborhood NSP3 Score: 20.00  
 State Minimum Threshold NSP3 Score: 17

**Attachment 2**  
**Citizen Comments**

**TO BE ADDED AT END OF COMMENT PERIOD**

**RESOLUTION NO. 2011 - \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO MAKE APPLICATION TO THE FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A NEIGHBORHOOD STABILIZATION PROGRAM 3 COMMUNITY DEVELOPMENT BLOCK GRANT FOR FEDERAL FISCAL YEAR 2010-2011.**

WHEREAS, the federal government enacted the Wall Street Reform and Consumer Protection Act, Public Law 111-203, which act appropriated \$1 billion in Community Development Block Grant (CDBG) funds under the Neighborhood Stabilization Program 3 (NSP3) for local governments to purchase and redevelop abandoned or foreclosed properties; and

WHEREAS, \$1,500,428 from the \$1 billion in NSP3 CDBG funds is earmarked by the Federal Department of Housing and Urban Development for Indian River County; and

WHEREAS, it is the desire of the Indian River County Board of County Commissioners to submit an application to the Federal Department of Housing and Urban Development for those earmarked Neighborhood Stabilization Program 3 Community Development Block Grant funds to benefit persons of low and moderate income; and

WHEREAS, acquisition and rehabilitation of foreclosed homes for sale to very low, low, and moderate income households achieves the intent of the Neighborhood Stabilization Program; and

WHEREAS, the proposed NSP3 Community Development Block Grant (CDBG) Abbreviated Action Plan is consistent with the Indian River County Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY; that

**Attachment 2**

SECTION 1. The Board of County Commissioners hereby approves the Abbreviated Action Plan.

SECTION 2. The Board of County Commissioners hereby authorizes the Chairman to execute all necessary certifications for the Community Development Block Grant Abbreviated Action Plan to be submitted on or before March 1, 2011.

SECTION 3. The Board of County Commissioners directs the Community Development Director to make minor changes to the Abbreviated Action Plan if warranted based on comments received in the fifteen day comment period.

SECTION 4. The Board of County Commissioners directs the Community Development Director to execute and submit an Abbreviated Action Plan to the Federal Department of Housing and Urban Development for approval.

SECTION 5. The Board of County Commissioners authorizes and directs the Community Development Director to submit additional information in a timely manner as may be required by the Federal Department of Housing and Urban Development for the Abbreviated Action Plan.

SECTION 6. The Board of County Commissioners authorizes the Community Development Director to sign any subsequent forms as needed for the CDBG Abbreviated Action Plan and project.

SECTION 7. The Indian River County Comprehensive Plan is hereby adopted as the County's Community Development Plan.

SECTION 8. This Resolution shall take effect immediately upon its passage.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_, and being put to vote, the vote was as follows:

Chairman, Bob Solari \_\_\_\_\_

Vice Chairman, Gary C. Wheeler \_\_\_\_\_

Commissioner, Joseph E. Flescher \_\_\_\_\_  
Commissioner, Wesley S. Davis \_\_\_\_\_  
Commissioner, Peter D. O'Bryan \_\_\_\_\_

The Chairman thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of February, 2011.

BOARD OF COUNTY COMMISSIONERS  
OF INDIAN RIVER COUNTY

BY \_\_\_\_\_  
Bob Solari, Chairman  
BCC Approved: February 15, 2011

ATTEST BY: \_\_\_\_\_

Date: \_\_\_\_\_

Jeffrey K. Barton, Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:  \_\_\_\_\_  
For Alan S. Polackwich  
County Attorney

Date: \_\_\_\_\_