



**Draft Consolidated Plan  
Programs and Activities  
For the 2015-2020 Program Years**

**Programmatic Narrative Description and Summary**

**Prepared by the Department of Sustainable Development  
Housing & Community Development (HCD) Division**



**INFRASTRUCTURE**



**PUBLIC PLACES**



**NEIGHBORHOOD  
ENHANCEMENT**



**BUSINESS  
DEVELOPMENT**



**PUBLIC SAFETY**



## INTRODUCTION

The federal government requires that a Consolidated Plan be submitted to the U.S. Department of Housing and Urban Development (HUD) before the City can receive certain federal funds, including funds under the following programs: HOME Investment Partnership Program (HOME); Community Development Block Grant Program (CDBG); and Housing Opportunities for Persons with AIDS/HIV Program (HOPWA).

This document contains the Housing and Community Development programs that will be administered over the next 5 years and those contemplated over the next 5 years, with recommended changes. This document will also outline other key items, required within the Consolidated Plan.

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### HOME Investment Partnerships (HOME)

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## HOUSING PROGRAMS

**Community Housing Development Organizations (CHDO's):** The City is required to set-aside a minimum of 15% of its annual HOME allocation for an eligible CHDO's. These HUD certified non-profit organizations are committed to develop affordable housing in the communities they serve. A formal RFP process is used to select the CHDO(s), which will receive funding from the City of Fort Lauderdale. CHDO assistance may be provided in the form of a no interest loan, low interest loan and/or forgivable loan.

**Housing Rehabilitation/Replacement:** Funds will be used to provide assistance to eligible homeowners throughout the City to bring their homes up to standard condition and to construct new homes for eligible homeowners whose units are beyond repair. If the cost to rehabilitate a home exceeds fifty (50) percent of the assessed value of the property, then the home must be replaced (demolished and reconstructed). *For additional requirements, affecting replacement homes please see the special conditions section below.* Assistance may also be provided to pay for the required homeowners, windstorm and flood insurance for up to two (2) years, as part of the emergency repair / rehabilitation process. Rehabilitation assistance is also available to assist non-profit owners of single and multi-family properties, serving eligible clients. Any illegal nonconforming structures (those built without a permit) that are found during the work write-up and/or assessment must be addressed before other home repairs are considered. These structures must be brought into compliance with the current Code or demolished as part of the emergency repair / rehabilitation process.

The assistance will be provided in the form of 0% interest deferred loans. The maximum award per unit shall not exceed \$205,000.

**The maximum awards are as follows:**

- Rehabilitation: Up to \$60,000
- Replacement Housing: Up to \$205,000

**Special Conditions:**

All eligible households assisted, will have eligible code liens, fines and violations removed (in accordance with Resolution NO. 10-97), provided that the City has addressed all code lien related issues. The hard costs for those code liens are not eligible for a waiver, but could be paid through the grant program. Hard cost associated with Code Liens, including but not limited to: cost for Demolitions or property maintenance.

In order to qualify for the Rehabilitation / Replacement Housing program, you must demonstrate that you have resided in the property as your primary residence for at least five (5) years prior to application. If your home has experienced a natural disaster (as defined by the City) within one (1) year of occupancy as your primary residence, then the five year rule can be waived.

Preference will be given to the elderly (62 and older) and disabled persons.

Preference will be given to those homeowners who reside on the streets that have been identified. The streets are chosen based on the following criteria:

- A significant number of homeowner code violations
- The location is supported by other City projects (e.g. Transportation related, CRA related, Capital projects, Strategic Plan projects, Vision Plan projects, etc.).

**Purchase Assistance Program:** Funds will be used to provide purchase assistance to qualified homebuyers in the form of First Mortgage Loans, deferred payment Second Mortgages, and infill housing assistance that is paid directly to the developer. Second mortgage assistance can be applied toward down payment, closing costs and or principle reduction for the purchase of eligible owner-occupied housing, which includes single-family homes, town homes and villas.

Eligible housing types under this strategy are existing and newly constructed homes. A first time homebuyer is an individual who meets any one of the following criteria: An individual who has had no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This includes a spouse (if either meets the above test, they are considered first-time homebuyers); a single parent who has only owned with a spouse while married; an individual who is a displaced homemaker and has only owned with a spouse; an individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; or an individual who has only owned property that was not in compliance with State, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

**The maximum Purchase Assistance Program awards are as follows:**

- Down Payment Assistance: Up to \$75,000
- Infill Lots (City owned): Up to \$140,000
- First Mortgage Loans: Up to \$205,000

**Terms, Recapture and Default:**

Funding will be provided in the form of a fifteen (15) year Deferred Payment Loan at zero percent (0)% interest rate, which will be forgiven at the end of the fifteenth-year after closing. However, for all City of Fort Lauderdale First Mortgage loans the term is thirty (30) years. At any time during the mortgage terms the loan will become due and payable immediately upon the sale, lease, rent or transfer of title to the property.

The interest rate on all City First Mortgage loans shall not exceed 4% (APR of 4.5%).

In the event of default (*failure to make required payments on the City’s First Mortgage Loan Program*), which leads to foreclosure and/or loss of property ownership, the entire sum is due and payable immediately and interest may be charged at the maximum rate allowed by law.

**Applicant Selection Criteria:**

1. Homebuyers must receive a commitment from a first mortgage lender licensed under PART III of Chapter 494, Florida Statutes;
2. Applicants must meet the definition of a First Time Homebuyer as described above.
3. Applicants must receive a Certificate of Housing Counseling from a HUD-certified or NeighborWorks Certified agency.
4. Inspection by licensed residential Inspection Company including termite and roof inspections.
5. All program funds must be used to pay closing costs, down payment or principal reduction and must not be used for debt consolidation or cash-out to applicant.
6. Applicants will be selected on a first come, first qualified, basis within the income groups pending funding availability.
7. Mobile Homes and Manufactured Housing are not eligible for assistance.

This strategy may be funded with and leveraged with CDBG, HOME, State Housing Initiative Partnership (SHIP) funds, other local resources or applicant funds.

**Administration:** The City shall use the maximum percentage allowed under HUD rules, not to exceed 10% (*unless otherwise approved*) of its annual HOME allocation for administration and sub-recipient monitoring of HOME programs.

The amount of HUD assistance provided cannot exceed the 221(d)(3) limits for the HOME Program or any other future measure used by HUD.

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**Community Development Block Grant (CDBG)**

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**HOUSING PROGRAMS**

**Barrier Free:** This program is designed to remove barriers, improve accessibility to the elderly (*62 years of age or older*) and disabled persons, and to provide for health and safety repairs. The maximum award per unit is \$50,000.

**Repair / Rehabilitation:** Funds are used to make minor and/or emergency repairs which include but are not limited to: plumbing, roofing, electrical and structural repairs to homes occupied by income eligible homeowners. Rehabilitation assistance is also available to assist non-profit owners of single and multi-family properties, serving eligible clients.

Emergency Repairs are items that address conditions that are an immediate threat to the health, safety and welfare of the occupants. For emergencies (i.e., the condition to be corrected must require an “emergency action necessary to safeguard against imminent danger to human life, health or safety or to protect property from further structural damage.”) A good rule of thumb is that if the condition is not urgent enough to require action within the next 24 to 48 hours, it is not an emergency.

Assistance may also be provided to pay for the required homeowners, windstorm and flood insurance for up to two (2) years, as part of the emergency repair / rehabilitation process. Any illegal nonconforming structures (those built without a permit) that are found during the work write-up and/or assessment must be addressed before other home repairs are considered. These structures must be brought into compliance with the current Code or demolished as part of the emergency repair / rehabilitation process.

**The maximum awards are as follows:**

- Emergency Repair: Less than \$10,000
- Minor Repair: Up to \$30,000
- Major Rehabilitation: Up to \$60,000

**Special Conditions:**

All eligible households assisted, will have eligible code liens, fines and violations removed (in accordance with Resolution NO. 10-97), provided that the City has addressed all code lien related issues. The hard costs for those code liens are not eligible for a waiver, but could be paid through the grant program. Hard cost associated with Code Liens, including but not limited to: cost for Demolitions or property maintenance.

Preference will be given to the elderly (62 and older) and disabled persons.

In order to qualify for the Repair / Rehabilitation Program, you must demonstrate that you have resided in the property as your primary residence for at least five (5) years prior to application. If your home has experienced a natural disaster (as defined by the City) within one (1) year of occupancy as your primary residence, then the five year rule can be waived.

Preference will be given to those homeowners who reside on the streets that have been identified. The streets are chosen based on the following criteria:

- A significant number of homeowner code violations
- The location is supported by other City projects (e.g. Transportation related, CRA related, Capital projects, Strategic Plan projects, Vision Plan projects, etc.).

**Terms, Recapture and Default:**

Eligible persons shall sign a fifteen (15) year Deferred Payment Loan at 0% interest rate, which will be forgiven at the end of the fifteen-year after closing. At any time during the first fifteen (15) years, the loan will become due and payable immediately upon the sale, lease, rent or transfer of title to the property or refinance unless for the purpose of lowering the interest rate.

In the event of default (*failure to make required payments on a loan secured by a first mortgage*) which leads to foreclosure and/or loss of property ownership, the entire sum is due and payable immediately and interest may be charged at the maximum rate allowed by law.

**Applicant Selection Criteria:**

Certified eligible homeowners will be selected on a first come, first qualified, first served basis for those neighbors living in the identified target areas/neighborhoods. Additionally:

1. Homeowners must own and occupy the property as their principal residence at time of assistance and throughout the life of the loan.
2. Property must have violations as identified in the City's housing/building code or to correct other conditions that create an immediate health or safety threat.
3. Property must be homestead.
4. All property taxes must be current.
5. Mortgage payments on the first mortgage must be current.
6. Property assessed value as stated on Broward County Property Appraiser's website may not exceed the maximum Treasury limits.
7. Applicants may not receive assistance more than once in a fifteen (15) year period.
8. Mobile Homes and Manufactured Housing are not eligible.

This strategy may be funded with and leveraged with CDBG, HOME, SHIP, other local resources or applicant funds.

### **NEIGHBORHOOD REVITALIZAION STRATEGY AREA (NRSA)**

The purpose of this Neighborhood Revitalization Strategy Area (NRSA) is to continue the efforts of the past years to revitalize the northwest quadrant of the City. The boundaries for the NRSA are: N.W. 7th Avenue on the east; Broward Boulevard on the south; I-95 on the west; and Sunrise Boulevard on the north. The target area has been designed to be of manageable and efficient size, so that proposed activities can be accomplished within a five-year time frame.

In order to qualify to perform work for the City in the NRSA, an agency must meet HUD's qualifications as a Community Based Development Organization (CBDO.)

### **PUBLIC SERVICE ACTIVITIES**

The Public Service agencies that carry out these activities are recommended for funding by the Community Service Board (CSB). While there is not a minimum threshold on funding for Public Service Activities, HUD requires that no more than 15% of CDBG funds be used toward this activity.

**Fair Housing Activities:** HUD requires that every municipality fund fair housing activities annually. This includes fair housing education and outreach to residents of the City on fair housing issues, rights and remedies. The agency selected for this activity will also address and update the City's Analysis of Impediments (AI) to Fair Housing.

**Homeless Initiatives:** This is a collaborative activity where the City will utilize funds to support operations of a safe, decent and sanitary location(s) that will allow community partners to coordinate food services 7-days a week for our most vulnerable homeless population. This initiative continues the Comprehensive Homeless Strategy to ending homelessness in Fort Lauderdale as it expands the opportunities to engage the homeless and connect them with services that may enable them to acquire housing, treatment, job training, and other services. The City's goal is the set aside at least \$100,000 annually for this activity.

The City will also consider other public service activities that are within any of the following categories:

1. Economic Empowerment / Development Program
2. Education Program (*including childcare and the like*)
3. Emergency Food and Shelter Program
4. Grassroots Community Projects in Eligible Neighborhoods

5. Health Care and Substance Abuse Program
6. Health Care and Substance Abuse Program
7. Other Eligible Programs

**OTHER ACTIVITIES**

**Public Works Department Projects:** Funds are utilized to address public works projects which include, but are not limited to: Business Capital Improvement Program (BCIP), Capital Improvement Program (CIP), and the Neighborhood Capital Improvement Program (NCIP). The City’s goal is the set aside at least \$500,000 annually for this effort.

**CDBG ADMINISTRATION**

**General Administration:** Funding for program administrative costs related to planning, execution of community development activities and sub-recipient monitoring. The City shall use the maximum percentage allowed under HUD rules, not to exceed 20% (*unless otherwise approved*) of its annual CDBG allocation for general administrative costs.

**Rehabilitation Administration/Project Delivery Costs:** This line item is used to cover salaries and benefits of eligible HCD staff that work within the CDBG and HOME programs. The types of eligible costs under this category are costs for the housing inspectors and the staff that underwrites all loan files.

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**Housing Opportunities for Persons with HIV/AIDS (HOPWA)**

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**Developing the HOPWA Housing Model**

The HOPWA program was established through the National Affordable Housing Act of 1990, authorized by the AIDS Housing Opportunity Act of 1992, and is currently administered by the Department of Housing and Urban Development’s (HUD’s) Office of HIV/AIDS Housing. The HOPWA program provides housing assistance and related supportive services for income eligible persons (and their families) who are living with HIV/AIDS.

For fiscal years 2015-2018, we will focus more on HOPWA Outcomes that will be achieved through the development and implementation of individualized housing stability plans. The housing plans will be comprehensive and designed to help HOPWA clients achieve housing stability without long-term dependence on HOPWA assistance. Comprehensive housing plans will provide the following benefits:

1. Stabilize housing by providing housing assistance and supportive services for income eligible HOPWA clients to reduce the risk of homelessness;
2. Annually, move low-income HOPWA households off HOPWA housing subsidy to self-sufficiency;
3. Income eligible persons living with HIV/AIDS and their families will be able to maintain self-sufficiency through the use of HOPWA STRMU and PHP housing assistance program;
4. Enables assisted households to establish or better maintain stable living in an environment that is decent, safe and sanitary; and
5. Improves clients’ access to medical care and linkages to supportive services associated with HIV/AIDS.

The City recognizes that some clients who have documented medical conditions may require long term dependence and these cases will be handled on a case by case.

**HOPWA ACTIVITIES**

**Facility Based Housing (FBH):** Provides resources to develop and operate community residences and other supportive housing. With facility-based housing, the expectation is that participants will be in need of some level of supportive services in order to maintain stability and receive appropriate levels of care. HOPWA regulations require the sponsor to certify that they will give residents an adequate level of support and work with qualified service providers, accessing such support in an ongoing manner. This includes all HOPWA housing expenditures, which provide support to facilities, including community residences, Single Room Occupancy dwellings, short-term or transitional facilities, project-based units, master leased units, scattered site units leased by the organization, and other housing facilities as approved by HUD.

**Short-Term Rent, Mortgage and Utilities (STRMU):** Continued support for emergency financial assistance for payment of rent, mortgage and utilities. Rent or mortgage payments will be limited to 13 weeks per year per calendar year and per household. Payments will be made directly to the landlord and/or mortgage company. No payments are made directly to a client. Utility payments will be disbursed directly to the utility company. If the client meets the “emergency need”, a waiver can be requested to exhaust the maximum allowance not to exceed 21 weeks per year. Once an initial assistance is paid, the client must develop and comply with their comprehensive housing stability plan to receive future STRMU assistance. Utility payments will be limited to \$1,000 per year and will be disbursed directly to the utility company.

The maximum lifetime cap is 39 weeks. Once 39 weeks (279 days) is reached, a client may request a waiver submitted through the Provider agency for consideration if their situation meets the definition of “emergency need”.

**Permanent Housing Placement (PHP):** To assist eligible clients with move in assistance and cost associated with obtaining permanent housing:

- Application fees and credit checks;
- First months, last months and security deposits (not to exceed two months’ rent);
- Security deposits are program funds that are returned to the program when the assisted client/tenant leaves unit;
- One time utility connection fees and processing cost; and
- Needs based program and should be used sparingly.
- Assists with move in assistance with rent/deposits/utility connection.

To assist client in maintaining self-sufficiency through development of individualized housing stability plans:

- Identify client housing instability;
- Ensure client’s financial resources can sustain living in the housing unit;
- Create objectives and goals for independent living; and
- Provide supportive services.

Clients are eligible for PHP every 24 months. A client may request a waiver of the 24 month rule for the following:

- Domestic Violence (documented)
- Rent increase not making unit sustainable
- Decrease in Unit Size where rent decreases and makes unit sustainable
- Divorce



- Unusual utility connection (new meter/split meter)
- Loss of unit due to documented extended medical hospitalization

**Tenant-Based Rental Vouchers (TBRV):** Continued support to provide lower-income HIV/AIDS persons or families rental assistance to live in private, independent apartment units. The household assisted will be required to pay no more than 10% of its gross income or 30% of adjusted income for rent and utilities, whichever is greater. The voucher will pay the difference. A utility allowance will be used to determine utility costs.

**Project-Based Rental (PBR) Assistance:** Continued support for apartment units operated by nonprofit organizations for HIV/AIDS clients. Clients will be required to pay either 10% of gross income or 30% of adjusted income for rent and utilities whichever is greater.

**Non-Housing Supportive Services – Housing Case Management:** To provide housing service plans that establish or better maintain a stable living environment in housing that is decent, safe, and sanitary; reduces the risk of homelessness, and to improve access to health care and supportive services for clients who are not receiving FBH, PBR or TBRV services. Provide assistance to clients in applying for STRMU or PHP assistance. Provider shall collaborate with the Provider who provides Legal services. Assist clients who are transitioning off FBH, PBR or TBRV subsidy to self-sufficiency.

**Non-Housing Supportive Services – Legal Services:** To provide legal advice and/or direct legal representation to clients who were referred by Housing Case Management Providers for the following issues:

- Eviction/Foreclosures
- Three Day Writ
- Land Lord Tenant issues on executed (signed) leases
- Unit Habitability

Provider may not represent clients who are challenging HOPWA termination for program violations.

**Homeless Management Information System (HMIS):** To provide an automated service delivery system connecting HOPWA resources with the lead Continuum of Care Agency that manages health care services and support under the Ryan White CARE Act.

**Administration:** Funding for program administrative costs related to planning, execution of HOPWA activities and sub-recipient monitoring. The City shall use the maximum percentage allowed under HUD rules, not to exceed 6% (*unless otherwise approved*) of its annual HOPWA allocation for general administrative costs.

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## Fair Housing and Civil Rights

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The City supports Fair Housing and Civil Rights for all its residents. As a Community Development Block Grant (CDBG) recipient, the City is subject to the following federal laws:

1. Title VI of the Civil Rights Act of 1964, as amended;
2. Section 504 of the Rehabilitation Act of 1973, as amended;
3. Subtitle A of Title II of the Americans with Disability Act (ADA) of 1990;
4. Section 109 of the Housing and Community Development Act of 1974, as amended; and
5. Section 3 of the Housing and Urban Development Act of 1968, as amended.

The City has an established a Voluntary Compliance Agreement (VCA) with the Department of Housing and Urban Development (HUD) to ensure all requirements are being met. The VCA includes things such as, citizen participation, limited English proficient program, affirmative marketing and more.

The City has a designated Section 504/ADA Coordinator, Matthew Cobb. Matthew will be assisted on all HUD related program questions, by the VCA Administrator, Jonathan Brown (City of Fort Lauderdale, Housing and Community Development Manager).

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### Loan Subordination Policy

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In general, the City of Fort Lauderdale **does not** subordinate mortgages made using CDBG, HOME, HOPWA and SHIP finds. However, under the following circumstances, the City will consider taking a subordinate position:

1. The borrower is experiencing financial hardship which could be alleviated by securing a lower fixed interest rate first mortgage and the corresponding lower monthly payments. The original borrower continues to own and occupy the home as his or her primary residence for the life of the loan with the City of Fort Lauderdale. The new monthly payment includes escrows for taxes, and insurance, and represents no more than 45% of a borrower's gross monthly income.
2. If the borrower is a business or organization, there must be a clear benefit for the subordination request, which includes but is not limited to: lower interest rate that results in a lower monthly payment and the debt service coverage ratio consistent with industry or lending standards.
3. The borrower has a pending foreclosure, through no fault of the borrower and a subordination is needed to save the home.
4. The borrower has suffered a personal hardship (i.e. death of spouse, loss of employment, reduction of employment, illness, fire or natural disaster, etc.) through no fault of the borrower, and is unable to make the current mortgage payment.
5. If the borrower is a business or organization, the business must document the hardship and the hardship must not be through any fault of the borrower.

The City of Fort Lauderdale will not subordinate to a reverse mortgage.

In order for the City of Fort Lauderdale to consider subordinating its interest for residential mortgages, the following conditions must be met:

1. The new residential first mortgage interest rate is at least two percentage points below the original first mortgage, and as a result of the monthly savings, the borrower should be able to recoup (break-even) the loan closing costs within 3-5 years, with proof provided to the City.
2. The new residential first mortgage's origination fee, points, commitment fees, buy down fees and other lender charges **do not** exceed 2% of the loan amount.
3. The new residential first mortgage is a permanent fixed rate mortgage with no balloon payments and no pre-payment penalty. Loan can be for a term no lower than ten years and not exceeding forty years, as appropriate, based on the original loan balance, the term remaining on the original note, compliance with subordination requirements and benefit to the client.
4. If the City is in first lien position the borrower must demonstrate why the City lien cannot be paid off, as part of the subordination loan.
5. If the borrower receives any cash out, at least 51% **must** be utilized for improvements to the property as evidenced by valid, reputable estimates and notarized execution of "Intent to Perform" Affidavit.

6. The subordination request date must be at least one year after the completion of the assistance or at least two years from the last subordination.
7. The borrower must have sufficient equity in the home so that the total liens after subordination would not exceed a 95% loan to value ratio.
8. All liens against the property must be current, with proof provided to the City.
9. Property Taxes must not be delinquent, with proof provided to the City.
10. The borrower must submit proof of current homeowner's insurance (plus windstorm and flood as necessary) and proof that the property tax payment is current.

In order for the City of Fort Lauderdale to consider subordinating its interest for non-residential mortgages, the following conditions must be met:

1. The new non-residential first mortgage interest rate must be lower than the original rate (if applicable) and show a reduced monthly payment.
2. If the City is in first lien position the borrower must demonstrate why the City lien cannot be paid off, as part of the subordination loan.
3. If the borrower receives any cash out, at least 51% **must** be utilized for improvements to the property as evidenced by valid, reputable estimates and notarized execution of "Intent to Perform" Affidavit.
4. The subordination request date must be at least one year after the date of original assistance or at least two years from the last subordination.
5. The borrower must have sufficient equity in the property so that the total liens after subordination would not exceed a 95% loan to value ratio. If sufficient equity exists, the borrower must demonstrate why the City lien is not being satisfied as part of the subordination process.
6. All liens against the property must be current, with proof provided to the City.
7. Property Taxes must not be delinquent, with proof provided to the City.
8. The borrower must submit proof of current property insurance (plus windstorm and flood as necessary).

If sufficient equity exists in the property, the borrower must provide justification as to why our lien is not being paid off completely or paid down.

Borrowers interested in seeking approval from the City to subordinate its interest must:

1. Write a letter signed by all property owners and their spouses (as applicable) to the City of Fort Lauderdale's Housing and Community Development Division (HCD) requesting the City subordinate to the proposed new first mortgage loan, specifying the reason(s) for the request along with proof the request meets at least one of the eligible circumstances specified above. The request must include the borrower's name, address and telephone number; the lender's name, address, telephone and fax numbers; and the Closing Agent/Title Company's contact person, address and telephone number. A copy of the current property insurance (homeowners/flood/windstorm) policy and proof of paid taxes must be included. If any cash out received from the refinance, at least 51% **must** be used for property improvements.
2. The lender must provide the details of the loan being requested as evidenced by the following:
  - a. Good Faith Estimate
  - b. Truth In Lending Disclosure
  - c. Executed Loan Application

- d. Underwriting & Transmittal Summary
  - e. Copy of the Mortgage and Note to be executed by client for refinance.
  - f. HUD-1 Preliminary Settlement Statement
  - g. Current Property Appraisal
  - h. Loan Commitment
  - i. Copy of lender's license, showing they are licensed under Part III of Chapter 494 of Florida Statutes.
  - j. Current mortgage / loan statement showing the payoff amount and the client's current interest rate.
  - k. If applicable, current payoff statements (or most recent monthly statement) of any other credit accounts being paid off.
3. Provide additional information as needed to establish that the loan is strictly for a reduction in payment/interest rate and that the lender is not charging rates or providing terms that will in any way fall under the category of predatory lending practices.
  4. The City will express mail the executed Subordination Agreement if the title company requests and if they fax the final HUD-1 Settlement Statement, when completed, and supplies their account number with the overnight mail carrier of their choosing. The figures on the HUD-1 must be in accord with the requirements of the Subordination Agreement and the information contained therein.
  5. Requests for subordination must be made far enough in advance of closing to allow sufficient time for processing. We require at a minimum thirty (30) business days. Requests for subordination that do not meet the criteria contained within the City of Fort Lauderdale's Loan Subordination Policy should anticipate a processing time of at least sixty (60) days as the request will have to be submitted to the City Commission for approval.

This Loan Subordination Policy may be amended from time to time. For the most up to date version, please contact the City of Fort Lauderdale Housing and Community Development Division.

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### **Substantial Amendments to the Consolidated Plan**

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The City submits on an annual basis an Annual Action Plan (AAP) of the Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD), which describes the activities to be undertaken with Community Development Block Grant funds. The City may find it necessary, from time-to-time, to amend its AAP because it decides:

1. To cancel an activity described in the AAP; or
2. To undertake an activity not described in the AAP; or
3. To substantially change the purpose, scope, location or beneficiaries of an activity.

An activity **will be** considered substantially changed if:

- a. The proposed funding of the activity is increased by more than \$50,000 or 45% of the activity budget, whichever is greater; or

Changes that **are not** considered substantial amendments:

- a. Changes to the budget that are less than \$50,000 or 45% of the activity budget do not constitute a substantial change.
- b. Consolidated Plan data updates such as census data, income limits, fair market rents, subsidy limits and similar types of data does not constitute a substantial change.

- c. Activity budget line item changes in the HOPWA Program. The transfer of some (but not all) funds from one approved activity to another approved activity does not constitute a substantial change.

Prior to amending its AAP, the City will publish a public notice in local newspapers, informing citizens of the amendment and providing a 30-day public comment period. The City will consider all written comments received, and, if appropriate, will modify the proposed amendment(s). City Commission approved amendments will be submitted to HUD. A complete description of any changes adopted will be made available to the public. The City Commission adopted this revised policy on June 15, 2010.

The following format will be used for published notices on CDBG amendments:

“The City of Fort Lauderdale is considering amending its (insert year) Annual Action Plan of the Consolidated Plan, submitted to the U.S. Department of Housing and Urban Development (HUD) for funding under the Community Development Block Grant (CDBG) program. In accordance with the Substantial Change Policy of the City’s HUD approved Consolidated Plan, any change in a CDBG assisted activity as a result of the addition or cancellation of a program or a change in the purpose, scope, location or beneficiary of an activity, requires a program amendment to the Annual Action Plan of the Consolidated Plan.