

11-15-2011

CITY OF GAINESVILLE
COMMUNITY DEVELOPMENT/HOUSING DIVISION
DISPLACED MOBILE HOMEOWNER/TENANT ASSISTANCE
PROGRAM

PURPOSE

The purpose of the Displaced Mobile Homeowner/Tenant Assistance Program is to address the needs of residents who are displaced due to mobile home park closures. Funds are provided to eligible owner and/or tenant households who live in mobile home parks that are being closed due to a change in the use of the land that comprises the mobile home park. The assistance is designed to help reduce the relocation costs of the displaced mobile home owners and/or tenants.

This program is designed to supplement the funding assistance options offered by the Florida Mobile Home Relocation Corporation and any relocation packages that may be offered by the mobile home park owner/purchaser. Assistance is available to eligible displaced mobile homeowners and/or tenants who live in mobile home parks located within the city limits of the City of Gainesville that are being closed due to a change in the use of the land. With a public/private partnership of developers/mobile home park owners, the Florida Mobile Home Relocation Corporation and the City to provide relocation contributions, the housing needs of some of the displaced mobile residents could be addressed through this program.

ELIGIBLE APPLICANT

The applicant's annual gross household income must be less than 120% of the median family income adjusted for family size as published by the U.S. Department of Housing and Urban Development, which includes very low, low and moderate-income households.

ELIGIBLE PROPERTIES

The mobile home unit must be certified by the Department of Community Affairs (DCA), including the seal of approval. The mobile home park must be located within the corporate city limits of the City of Gainesville.

ELIGIBLE COSTS

The eligible mobile home owner and/or tenant must be relocating, renting or purchasing a property located within the corporate city limits of the City of Gainesville. The following eligible costs include, but are not limited to:

- Transportation of the mobile home unit (including personal property)
- Fees for utility connections, such as electrical, water, sewer, etc.
- Reinstallation of equipment such as mobile home skirting, steps, decking, etc.
- Storage fees for personal property for a period not to exceed 30 days
- Temporary rental expenses for a period not to exceed 30 days
- Security deposit (including first/last month rent)
- Any license, permit, or certification required for the replacement location
- Downpayment assistance to purchase land located in the existing mobile home park, to purchase land to relocate a mobile home and/or to purchase a single-family detached or attached unit.

All payments will be made directly to eligible vendors providing the relocation and other moving services for the applicant.

MAXIMUM AWARD

The maximum award is \$3,000 per household unit and assistance will be provided in the form of a grant, so recipients will not be required to repay the funds awarded. Funds are made available based on a first-come, first-ready basis. Applicant(s) must own and occupy and/or rent and occupy the property as a principal residence.

**MOBILE HOME PARK CONVERSION
OPTIONS AVAILABLE TO
DISPLACED MOBILE HOME OWNERS**

FLORIDA MOBILE HOME RELOCATION CORPORATION

Through the years, the Florida State Legislature has passed legislation to assist residents who must move out of their homes in a change of land use situation. A property owner must give a six-month notice of the projected change of use to residents and of their need to secure other accommodations. In 2002, the Florida State Legislature passed a bill that established the Florida Mobile Home Relocation Trust Fund to assist residents who must move from a mobile home community due to a change in land use. Moneys for the fund are collected by the Department of Business and Professional Regulation from mobile home park owners who change the use of their mobile home parks.

The Florida Mobile Home Relocation Trust Fund was created for the purpose of funding the administration and operations of the Florida Mobile Home Relocation Corporation. The purpose of the corporation is to make payments to mobile home owners who are required to move due to a change in use of the land comprising their mobile home park. These payments are designed to help offset the expense of the home owner's cost of relocating.

A mobile home owner who is required to move due to a change in use of the land comprising the mobile home park is entitled to payment from the Florida Mobile Home Relocation Corporation of the following:

If a homeowner chooses to abandon the mobile home, the homeowner will receive \$1,375 for a single section and \$2,750 for a multi-section home as long as the mobile homeowner gives to the park owner the current title to the mobile home endorsed by the owner of record and valid releases of all liens shown on the title. To collect payment, a homeowner must submit an application for funds and submit a document signed by the park owner stating that the home has been abandoned; or

If a homeowner wants to move the home to a new location, the homeowner will receive the amount of actual moving expenses of relocating the mobile home to a new location within a 50-miles radius of the vacated community, or the amount of \$3,000 for a single-section mobile home or \$6,000 for a multi-section mobile home, whichever is less. Moving expenses include the cost of taking down, moving and setting up the mobile home in a new location. To collect payments, a homeowner must submit an application to the Florida Mobile Home Relocation Corporation and include a copy of the notice of eviction due to change in use and a contract with a moving or towing contractor for the moving expenses for the home.

The Florida Mobile Home Relocation Corporation must approve payment within 45 days after receipt of the information or payment is deemed automatically approved. To be entitled to compensation, the homeowner must meet the following requirements:

- Body type on the title must read 'HS' (designation given to mobile homes by the Department of Highway Safety and Motor Vehicles).
- Mobile home park that is closing must be recognized by the Department of Business and Professional Regulation (DBPR) as a Chapter 723 park. (Chapter 723 of the Florida Statutes is the chapter also known as the Florida Mobile Home Act. This chapter applies to "any residential tenancy in which a mobile home is placed upon a rented or leased lot in a mobile home park in which 10 or more lots are offered for rent or lease.")
- Have received an Eviction Notice due to a change in land use.
- Applicant must be the registered owner on title.
- If applying for abandonment, mobile home title must be free and clear of any liens.
- If applying for relocation, moving contractor must be a Florida Licensed Mobile Home Installer and recognized as such by the Department of Highway Safety and Motor Vehicles.

A homeowner will not be entitled to compensation if one of the following occurs:

- The park owner moves the homeowner to another space in the community or to another park at the park owner's expense.
- The mobile home owner was vacating the property and informed the park owner of this prior to the notice of change in use being given.
- The mobile home owner has a pending legal eviction action for nonpayment of rent that was filed against him prior to the notice of change in use being mailed.
- A mobile home owner abandons the mobile home.
- A home owner whose park is not registered as a Chapter 723 park with DBPR.
- An individual who rents the home (does not own).
- Those who are involved in litigation against their park owner or the Corporation relating to the change in land use unless they file a notice of voluntary dismissal with prejudice.

The Florida Mobile Home Trust Fund is not liable to pay any funds if there are insufficient funds to pay the amounts claimed. The Florida Mobile Home Relocation Corporation will keep a record of the time and date of its approval of payment and when sufficient funds become available, the corporation will pay the homeowners at the earliest time and date of approval.

Any homeowner who is approved for payment by the Florida Mobile Home Trust Fund will be barred from asserting any claim or cause of action relating to the change in use of the mobile home community.

In addition, no application for funding will be approved if the homeowner has filed a claim or cause of action, is actively pursuing a claim or cause of action or has a judgment against the park owner or its successors under Chapter 723, Florida Statutes, directly relating to the change in use of the community.

FUNDING FROM MOBILE HOME PARK OWNER/PURCHASER

If a mobile home owner is required to move due to a change in use of the land comprising a mobile home park as set forth in s. 723.061(1)(d), the mobile home park owner shall, upon such change in use, pay to the Florida Mobile Home Relocation Corporation for deposit in the Florida Mobile Home Relocation Trust Fund the amounts as listed below for which a mobile home owner has made application for payment of moving expenses. The mobile home park shall make the payments required by this section and by s. 723.0612(7) to the corporation within 30 days after receipt from the corporation of the invoice for payment.

Moving Expenses

If the mobile home owner moves the home, the park owner must pay to the Florida Mobile Home Relocation Corporation for deposit in the Trust Fund \$3,000 for each single-section mobile home and \$6,000 for each multi-section mobile home for which the homeowner has made application for payment of moving expenses.

Mobile Home Abandonment

If the mobile home owner abandons the home, the mobile home park owner must pay to the Florida Mobile Home Relocation Corporation for deposit in the Trust Fund \$1,375 for a single section and \$2,750 for a multi-section for which a mobile homeowner has made application for payment for abandoning a mobile home.

In addition, it may be possible for mobile home park owners/purchasers to negotiate with the displaced mobile home owners to make additional payments above the amount the Florida Mobile Home Relocation Corporation requires; however, if the mobile park owner/purchaser pays any funds directly to the mobile home owner, then the Florida Mobile Home Relocation Corporation will not pay any assistance to the mobile home owners. In cases of this nature, the mobile home owners, the park owner/purchaser would have to use a third party such as the City and/or other qualifying entity to disburse the funds to preserve the Florida Mobile Home Relocation Corporation funds for the homeowners.

ASSISTANCE FROM CITY HOUSING PROGRAM

This year, House Bill 1363 amended the SHIP Statute to encourage each county and eligible municipality to develop a strategy within its Local Housing Assistance Plan (LHAP) to address the needs of persons that are deprived of affordable housing due to the closure of mobile home parks or the conversion of affordable rental units to condominiums. As such, the City could amend its LHAP to include a program strategy to provide assistance to displaced income-eligible residents.

The City currently does not have a program specifically geared toward providing relocation assistance to mobile home owners. Setting up a local funding program with SHIP or other local funds will not prevent the owners of the mobile homes from collecting the state program funds.

Under the City's current housing programs, those displaced from mobile home parks can, if they are eligible homebuyers, receive up to \$5,000 of down payment assistance if they purchase a new/existing unit, modular home, or purchase a mobile home that is certified by Florida Department of Community Development. The Downpayment Assistance Program budget for FY 2007 is \$50,000.

ASSISTANCE FROM GAINESVILLE HOUSING AUTHORITY (GHA)

The GHA is currently working with the developer of Buck Bay mobile home park to provide assistance to the displaced residents. Representatives of GHA attended a neighborhood workshop with the developer to take applications to reserve units in public housing. GHA has 10 units available in Public and Elderly Housing. At this time, GHA does not have Section 8 assistance available for vouchers that the tenant household can take to any complex that will accept it. GHA plans to re-open their Section 8 voucher program sometime during this year.

ASSISTANCE FROM ALACHUA COUNTY HOUSING AUTHORITY (ACHA)

ACHA does not have any emergency housing assistance available, unless other arrangements are made. Their Public Housing waiting list is about six months long, and the Section 8 waiting list is approximately one year long and is reserved for disabled households. These options may be available to residents in mobile home parks who will not be moving for six to twelve months.

LIMITS ON CDBG FUNDS

Unless the displacement is caused by a CDBG-assisted project, CDBG funds could only be used if the City established an "optional relocation assistance" policy pursuant to §570.606(d) of the CDBG regulations. In that case, the City would have to make a written determination that such assistance was "appropriate" for the use of CDBG funds and that it was consistent with the City's Consolidated Plan. Of course, funds would have to be budgeted for such purpose, and a written policy created to describe the kind of relocation assistance that would be provided.

LIMITS ON HOME FUNDS

HOME Program funds may only be used to provide relocation assistance to persons who are displaced by a HOME-assisted project.

There is no provision in the HOME regulations for optional relocation assistance for persons who are not displaced by a HOME-assisted project. However, displaced tenants could be eligible for the standard down-payment assistance program.

OTHER CITY/COUNTY MOBILE HOME DISPLACEMENT PROGRAMS:

Staff conducted a survey of various cities and counties across the State of Florida to inquire about available mobile home relocation assistance programs for displaced mobile home residents. The majority of the survey responses received noted: 1) no program available/offered; 2) no mobile home park redevelopment issues; and/or 3) have established and/or creating an ordinance to address mobile home redevelopment issues. Attached is a summary of the survey responses. The following summary is a brief summary of housing assistance programs available:

Orange County: Manufactured Homes Downpayment Assistance

This program strategy provides assistance to qualified homebuyers for downpayment and closing cost associated with purchasing a new or post 1994 manufactured home. Assistance of up to \$20,000 is available for new or existing manufactured homes. This program is funded through the Hurricane Housing Recovery Program (HHRP), which was a creative method of utilizing a one-time funding source, with a three-year period to expenditure timeline.

Brevard County: Affordable Housing Ordinance

Brevard County is attempting to pass an affordable housing ordinance by March 2007 that would require the developer to make arrangements to take care of residents that are displaced when development replaces affordable housing. Attached is a copy of the draft ordinance.

Pinellas County: Mobile Home Transition Program

Pinellas County has enacted a mobile home transition ordinance to provide a mechanism for developers seeking rezoning to either show there is adequate affordable housing available or to pay into a fund for rental assistance for displaced residents. However, the only legal trigger for the County's involvement is when a developer requests rezoning. Developers have quickly figured out that it is better to buy the park, empty it out, and then submit a request for rezoning. Anecdotally, however, it appears that because of the ordinance, developers are giving residents a more decent settlement than had occurred before the ordinance.

Pinellas County offers a Mobile Home Transition Program to help mobile home owners secure affordable housing when parks are rezoned for other use. This program offers counseling services to develop individualized replacement housing plans based on the specific housing needs of the displaced mobile home owner. The program provides rental assistance for up to two years when affordable housing is not available.

Pinellas County also provides a ParkSaver loan program to help income eligible residents when parks are converted for other use. The ParkSaver is a 0% interest second mortgage loan product that is secured by the unit and leasehold. A resident can borrow up to \$10,000 and repayment begins 5 years after the loan is made. Details on these programs are attached hereto.

SUMMARY

Funding assistance options available to mobile homeowners in the City of Gainesville that are being displaced due to a change in the use of the land that comprise the mobile home park are those offered by the Florida Mobile Home Relocation Corporation and any that might be offered by the mobile home park owner/purchaser. The Gainesville Housing Authority has offered assistance, and will open up Section 8 assistance during this year. The Alachua County Housing Authority may provide emergency housing if specific arrangements are made, and the City Housing Division offers downpayment assistance to income-eligible purchasers. The City has the option to add a specific program strategy in its LHAP to address the needs of persons deprived of affordable housing due to the conversion of mobile home parks.

With a public/private partnership of developers/mobile home park owners, the Florida Mobile Home Relocation Corporation and City Downpayment Assistance Program and possible SHIP-funded program for mobile home relocation contributions, the relocation needs of some of the displaced mobile homeowners could be addressed.

**City of Gainesville
Community Development Department
Relocation Assistance Program-Displaced Mobile Home Residents
Survey**

	City/County	Program Available	Program Summary
1	Alachua	N/A	
2	Boca Raton	N/A	
3	Boyton Beach	N/A	
5	Brevard	N/A	Attempting to pass an affordable housing Ordinance that would require the developer to make arrangements to take care of displaced residents (copy attached).
6	Broward	N/A	Offer Downpayment Assistance Program.
7	Charlotte	N/A	Considering the development of a program.
8	Clay	N/A	Majority of mobile homes in rural areas and not in parks.
9	Cocoa	N/A	Limited SHIP funds.
10	Davie (Town of)	TBD	Area contains 31 mobile home parks (~21k residents-majority are seniors on fixed income & working families). Currently researching the possibility of a one-year moratorium on redevelopment of mobile home parks.
11	Deerfield	N/A	
12	DeSoto	N/A	
13	Escambia	N/A	No major changes or lands use shifts in the area.

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	City/County	Program Available	Program Summary
14	Glades	N/A	Assistance (very low and low-income) for mobile homes beyond repair-replace w/ a CBS or modular home.
15	Hamilton	N/A	
16	Highlands	N/A	
17	Hillsborough	N/A	
18	Indian River	N/A	
19	Lake	N/A	
20	Lauderhill	N/A	No mobile home parks in area.
21	Levy	N/A	
22	Monroe	N/A	
23	Nassau	N/A	
24	Palm Bay	N/A	Have discussed developing a similar policy.
25	Palm Beach	N/A	
26	Pasco	N/A	
27	Pinellas		Enacted mobile home transition ordinance. Provides counseling services for any displaced resident. Provides a Park Saver program to help residents buy their parks. Details attached.

**City of Gainesville
Community Development Department
Relocation Assistance Program-Displaced Mobile Home Residents
Survey**

	City/County	Program Available	Program Summary
28	Port St. Lucie	N/A	Area contains only two small mobile home parks.
29	Seminole	N/A	
30	Sunrise	N/A	No mobile home parks.
	Tallahassee	N/A	Conversions are rare. In the past, have requested one-time funding from City Commission and has required for the developer to contribute to relocation costs. Examining the status of mobile home parks in Tallahassee- Program TBD
31			
32	Taylor	N/A	
33	Volusia	N/A	
34	West Palm Beach	N/A	

Note: Survey conducted via a List Serve from Florida Housing- some City/County contact information was unavailable and/or no response was received.