

**City of North Miami
NSP 3 Substantial
Amendment**

1. NSP3 Grantee Information

NSP3 Program Administrator Contact Information	
Name (Last, First)	Calloway, Maxine
Email Address	mcalloway@northmiamifl.gov
Phone Number	305-895-9821
Mailing Address	12400 NE 8 th Ave, North Miami, FL 33161

2. Areas of Greatest Need

Map Submission

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

Data Sources Used to Determine Areas of Greatest Need

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

Response:

The City of North Miami used the NSP 3 mapping tool provided by HUD to determine the target areas to be used under the NSP 3 program. The City also reviewed the list of foreclosure sales in the target area, types of foreclosed or abandoned properties in the target area and the density of eligible property in the target area. Age of housing, property types and the level of homeownership versus rental properties in the target area was examined. Accessibility to public transportation, employment, schools and employment centers in the target area were examined. Areas selected meet the minimum needs score of 17, have a high percentage of subprime related loans and are likely to face a significant rise in the rate of foreclosure. Neighborhood attributes such as area benefit eligibility, vacancy rates, foreclosure estimates, unemployment, and home values.

Determination of Areas of Greatest Need

Describe how the areas of greatest need were established.

Response:

Several potential target areas were reviewed weighing in several factors. To select the area of greatest need the City of North Miami included the following factors:

Minimum needs score

Neighborhood attributes

Greatest number of units for sales in the various target areas

Accessibility to public transportation in the target areas

A larger share of two family homes (duplex) vs. single family units in the target area

Age of housing in the area to determine potential rehabilitation cost

Factors related to marketability and lease up such as schools, retail stores and parks

Percentage of very low, low and middle income households in the target area

Recent property sales in the target area

Based on the above factors the area of greatest need is identified in Attachment A.

The City will try to assist the estimated numbers of properties needed to provide a significant impact in the areas of greatest need. However, due to the limited amount of funds available, the age and deterioration of structures that have been abandoned or foreclosed, the need to bring units into

compliance with specific housing standard and energy efficiency requirements, as well the need to protect the homes against potential disasters, it is anticipate that there will not be sufficient funds to purchase, rehabilitate and rent 20% of the REO in the past year.

3. Definitions and Descriptions

Definitions

Term	Definition
Blighted Structure	A blighted structure is defined as one that exhibits objectively determinable signs of deterioration sufficient to constitute a threat to human health and safety.
Affordable Rents	In establishing affordable rents the City of North Miami will adopt the HOME program standards at 24 CFR 92.252(a), (c), (e), and (f).

Descriptions

Term	Definition								
Long-Term Affordability	<p>The City of North Miami will adopt the affordability standards at 24 CFR 92.254 as described below.</p> <table> <thead> <tr> <th>Per unit investment</th> <th>minimum affordability period</th> </tr> </thead> <tbody> <tr> <td>Under \$15,000.....</td> <td>5</td> </tr> <tr> <td>\$15,000 to \$40,000.....</td> <td>10</td> </tr> <tr> <td>Over \$40,000.....</td> <td>15</td> </tr> </tbody> </table>	Per unit investment	minimum affordability period	Under \$15,000.....	5	\$15,000 to \$40,000.....	10	Over \$40,000.....	15
Per unit investment	minimum affordability period								
Under \$15,000.....	5								
\$15,000 to \$40,000.....	10								
Over \$40,000.....	15								
Housing Rehabilitation Standards	<ul style="list-style-type: none"> • All units assisted including new construction with NSP 3 funds will meet applicable laws, codes relating to housing safety, quality, and habitability. The City of North Miami will comply with the Florida building code, local code and the City’s land development regulations. All properties assisted must meet the City’s Minimum Housing Quality Code, Section 8 Housing Quality Standards and the City’s Green Housing Guidelines. Where applicable, the City will comply with Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Act, including their respective provisions related to physical accessibility standards for persons with disabilities. The rehabilitation and new construction standards that will apply for NSP-assisted projects must be included in the Action Plan. Specifically, HUD requires that: <ul style="list-style-type: none"> ○ All gut rehabilitation or new construction (of residential buildings up to three stories will be designed to meet the standard for Energy Star Qualified New Homes. ○ All gut rehabilitation or new construction of mid -or high-rise multifamily housing must be designed to meet American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004, Appendix G plus 20 percent (which is the Energy Star standard for multifamily buildings 								

	<p>piloted by the Environmental Protection Agency and the Department of Energy).</p> <ul style="list-style-type: none"> ○ Other rehabilitation will meet these standards to the extent applicable to the rehabilitation work undertaken, e.g., replace older obsolete products and appliances (such as windows, doors, lighting, hot water heaters, furnaces, boilers, air conditioning units, refrigerators, clothes washers and dishwashers) with Energy Star-46 labeled products. ○ Water efficient toilets, showers, and faucets, such as those with the Water Sense label, must be installed. ○ Where relevant, the housing unit will be improved to mitigate the impact of disasters..
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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 = \$294,000.00

Meeting Low-Income Target

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

Response:

The city of north Miami will meet its low income targeting goals by acquiring rental units that will be made available for rent to low income households. The City maintains a list of potential renters interested in renting affordable rental housing and these units will be offered for rent to these individuals. The city will also advertise the availability of rental units on its website and contact local organizations that serve very low and low income client and advise them of the availability of units for rent.

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
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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.	
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).	10
The number of dwelling units reasonably expected to be made available for households whose income does not exceed 50 percent of area median income.	4

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: The City of North Miami posted the substantial amendment on its official website on February 13, 2011, for no less than 15 days and made it available for public comment.

Summary of Public Comments Received.

The summary of public comments received is included as an attachment.

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	
Activity Name	Purchase and rehabilitation of properties for rent to LMMI households (120% AMI)
Uses	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

CDBG Activity or Activities	Purchase and rehabilitate <i>homes and residential properties that have been abandoned or foreclosed upon</i> , in order to sell, rent, or redevelop such homes and properties. 24 CFR 570.201(a) Acquisition (b) Disposition, (i) Relocation , and (n) Direct homeownership assistance (as modified below); • 24 CFR 570.202 eligible rehabilitation and preservation activities for homes and other residential properties.	
National Objective	The Activity will provide assistance to Low/moderate/middle income (LMMI) = 120% of median or less.	
Activity Description	In order to increase the availability of affordable rental housing for LMMI household the City will use funds to acquire, rehabilitate and rent single family and or multifamily structures to eligible households. The City will retain ownership of the units and will hire a management agent to manage the inventory of projects. The minimum affordability period will be based on the HOME program affordability guidelines. Tenant income eligibility will be determined prior to occupancy. Limiting the use of funds to rental units will ensure that rental housing preferences under the program are met. In order to encourage vicinity hiring the City will reach out to contractors who plan to hire as a result of rehabilitation activities, and request that they hire within the proposed target areas. Contractors will also be encouraged to purchase materials and contract with small businesses that are owned and operated by persons residing in the vicinity of the NSP projects.	
Location Description	The area is bounded by Northeast 6 th Avenue to the West, Northeast 12 th Avenue to the East; Northeast 135 th Street to the South and 143 rd Street to the North.	
Budget	Source of Funding	Dollar Amount
	NSP3	\$762,037.00
	(Other funding source)	\$
	(Other funding source)	\$
Total Budget for Activity	\$762,037.00	
Performance Measures	10 units will be acquired, rehabilitated and rented to eligible LMMI households.	
Projected Start Date	March 1, 2011	
Projected End Date	March 30, 2014	
Responsible Organization	Name	City of North Miami
	Location	12400 NE 8 th Ave, North Miami, Fl 33161
	Administrator Contact Info	Maxine Calloway, Director 305-895-9821 mcalloway@northmiamifl.gov

Activity Number 2	
Activity Name	Purchase and rehabilitation of properties for rent to very low income households (50% AMI).
Use	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	
CDBG Activity or Activities	Purchase and rehabilitate <i>homes and residential properties that have been abandoned or foreclosed upon</i> , in order to sell, rent, or redevelop such homes and properties. 24 CFR 570.201(a) Acquisition (b) Disposition, (i) Relocation 24 CFR 570.202 eligible rehabilitation and preservation activities for homes and other residential properties.	
National Objective	The Activity will provide assistance to very low income (VLI) = 50% of median or less.	
Activity Description	In order to increase the availability of affordable rental housing for VLI household the City will use funds to acquire, rehabilitate and rent single family and or multifamily structures to eligible households. The City will retain ownership of the units and will hire a management agent to manage the inventory of projects. The minimum affordability period will be based on the HOME program affordability guidelines. Tenant income eligibility will be determined prior to occupancy. Limiting the use of funds to rental units will ensure that rental housing preferences under the program are met.	
Location Description	The area is bounded by Northeast 6 th Avenue to the West, Northeast 12 th Avenue to the East; Northeast 135 th Street to the South and 143 rd Street to the North.	
Budget	Source of Funding	Dollar Amount
	NSP3	\$294,000
	(Other funding source)	\$
	(Other funding source)	\$
Total Budget for Activity	\$294,000	
Performance Measures	4 units be acquired, rehabilitated and rented to VLI households.	
Projected Start Date	March 1, 2011	
Projected End Date	March 31, 2014	
Responsible Organization	Name	City of North Miami
	Location	12400 NE 8 th Ave, North Miami, FL 33161
	Administrator Contact Info	Maxine Calloway, Director 305-895-9821 mcalloway@northmiamifl.gov

Activity Number 3	
Activity Name	Administration
Use	Select all that apply:
	<input type="checkbox"/> Eligible Use A: Financing Mechanisms
	<input 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	
CDBG Activity or Activities	General program planning and administration.	
National Objective	N/A	
Activity Description	24 CFR 570.206 - General management, oversight and coordination. Reasonable costs of overall program management, coordination, monitoring, and evaluation.	
Location Description	City of North Miami	
Budget	Source of Funding	Dollar Amount
	NSP3	\$117,337.00
	(Other funding source)	\$
	(Other funding source)	\$
Total Budget for Activity	\$117,337.00	
Performance Measures	N/A	
Projected Start Date	March 1, 2011	
Projected End Date	March 31, 2014	
Responsible Organization	Name	City of North Miami
	Location	12400 NE 8 th Ave, North Miami, FL 33161
	Administrator Contact Info	Maxine Calloway, Director 305-895-9821 mcalloway@northmiamifl.gov

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

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.
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- (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.

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Signature/Authorized Official

Date

Title