

FLORIDA HOUSING FINANCE CORPORATION  
REGULATORY PLAN FOR 2020-2021

Pursuant to Section 120.74, Florida Statutes (F.S.), the Florida Housing Finance Corporation (FHFC) has prepared the following regulatory plan for 2020-2021. Sections below correspond with the requirements set forth in Section 120.74(1), F.S.

- (a) In compliance with Section 120.74(1)(a), F.S., below is a list of laws enacted or amended during the 12 months prior to October 1, 2019, which create or modify the statutory duties or authority of FHFC.

HB 1339 created s. 420.518, and amended ss. 420.5087, 420.5095, 420.531, 420.9071, 420.9075, and 420.9076.

- (b) In compliance with Section 120.74(1)(b), F.S., the following is a list of statutes FHFC expects to implement by rulemaking before July 1, 2021:

1. Sections 420.507, 420.508, 420.5087, 420.5089, and 420.5099, F.S., will be implemented by amending the following rules in order to clarify the processes and requirements in those rules:

67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Selection Procedures for Developments
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match contribution Requirements for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing

67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Qualified Contracts
67-48.040	EHCL General Program Procedures and Restrictions
67-48.041	Terms and Conditions of EHCL Loans

2. Sections 420.507, 520.508, 520.509, and 420.5099, F.S., will be implemented by amending the following rules in order to clarify the processes and requirements in those rules:

67-21.001	Purpose and Intent
67-21.002	Definitions
67-21.0025	Miscellaneous Criteria
67-21.003	Application and Selection Process for Development
67-21.004	Federal Set-Aside Requirements for MMRB Loans
67-21.0045	Determination of Method of Bond Sale
67-21.006	MMRB Development Requirements
67-21.007	MMRB Fees
67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	MMRB Credit Underwriting Procedures
67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership of a MMRB Development
67-21.018	Refunding and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities
67-21.025	HC Fees
67-21.026	HC Credit Underwriting Procedures
67-21.027	HC General Program Procedures and Requirements
67-21.028	HC with Tax-Exempt Bond-Financed Developments
67-21.029	HC Extended Use Agreement
67-21.030	Sale or Transfer of a Housing Credit Development
67-21.031	Qualified Contracts

3. Sections 420.9071, 420.9072, and 420.9075, F.S., will be implemented by amending the following rules as necessary to be consistent with legislative changes:

67-37.002	Definitions
67-37.005	Local Housing Assistance Plans (LHAP)
67-37.006	Review of Local Housing Assistance Plans and Amendments
67-37.007	Uses of and Restrictions Upon SHIP Local Housing Distribution Funds for Local Housing Assistance Plans
67-37.008	Local Housing Assistance Trust Fund
67-37.010	Local Affordable Housing Advisory Committees and Incentive Strategies (Repealed)
67-37.011	Interlocal Entities
67-37.019	Compliance Monitoring for Housing Developed With SHIP Local Housing Distribution Funds

4. Subsections 420.507(23), 420.5088, 420.5089(2) will be implemented by amending the following rules in order to clarify the processes and requirements in those rules:

67-57.001	Purpose and Intent
67-57.005	Definitions
67-57.010	Fees
67-57.020	Notice of funding Availability (NOFA)
67-57.030	Membership Application Procedures
67-57.040	Property Standards
67-57.050	HOP Program Restrictions
67-57.060	Eligible Homebuyer Requirements
67-57.070	Homebuyer Loan Process
67-57.080	HOME Regulations

5. The following rules will be repealed as obsolete:

67-43.002	Definitions
67-43.005	Program Income Targeting
67-43.006	Eligible Activities
67-43.008	Terms and Conditions of Loans
67-43.010	Construction Disbursements and Permanent Loan Servicing
67-43.012	Fees

6. The following rules will be amended or repealed in part as obsolete:

67-25.002	Definitions
67-25.003	Issuance of Revenue Bonds
67-25.004	Security for Repayment of Bonds

67-25.005	Notice of Program and Invitation and Application to Participate
67-25.006	Program Documents
67-25.007	Allocation of Proceeds
67-25.008	Program Fees
67-25.009	Commitment and Origination Periods
67-25.011	Loan Processing
67-25.012	Eligible Persons
67-25.013	Transfer of Single-Family Residence by Eligible Borrower
67-25.014	Rental of Bond Financed Residences
67-25.015	Interest Rate on Program Loans and Financing Programs
67-25.0155	Private Mortgage Insurance
67-25.016	Waiver of Repayment Terms under Mortgage
67-25.017	Rating of Bonds

7. The following rules will be amended or repealed in part as obsolete:

67-45.001	Definitions
67-45.002	Notice of Funding Availability
67-45.003	General Program Restrictions
67-45.004	Application Procedures
67-45.005	Terms and Conditions of Loans
67-45.006	Loan Processing
67-45.007	Fees

8. The following rules will be amended or repealed in part as obsolete:

67-50.001	Purpose and Intent
67-50.005	Definitions
67-50.010	Fees
67-50.020	Notice of Funding Availability (NOFA)
67-50.030	General Program Eligible Activities
67-50.040	General Program Restrictions
67-50.045	Scattered Site Developments
67-50.050	HAP Restrictions
67-50.060	HOME Restrictions
67-50.070	Application and Selection Procedures
67-50.080	Credit Underwriting Procedures
67-50.090	Disbursement of Funds, Draw Requests, and Loan Servicing
67-50.105	Reallocation for Disaster Areas

9. The following rules will be amended or repealed in part as obsolete:

67-51.001	Definitions
67-51.003	General Program Restrictions
67-51.004	Application Procedures
67-51.005	Terms and Conditions of Loans
67-51.006	Loan Processing
67-51.007	Fees

10. The following rules will be amended or repealed in part as obsolete:

67-54.002	Definitions
67-54.003	Notice of Program and Invitation and Application to Participate
67-54.004	Program Documents
67-54.005	Issuance of Certificates
67-54.006	Loan Processing
67-54.007	Eligible Borrowers
67-54.008	Eligible Properties
67-54.009	Reporting Requirements
67-54.010	Fees

11. The following rules will be amended or repealed in part as obsolete:

67-58.001	Purpose and Intent
67-58.002	Definitions
67-58.003	Application and Selection Procedures for Projects
67-58.004	Applicant Administrative Appeal Procedures
67-58.005	Fees
67-58.006	General Program Procedures and Restrictions
67-58.010	Total Project Cost
67-58.015	Supplemental Loans for Green Building
67-58.020	Credit Underwriting and Loan Procedures
67-58.030	Terms and Conditions of Loans
67-58.040	Sale or Transfer of a Project
67-58.050	Construction Disbursements
67-58.060	Loan Servicing
67-58.070	Credit Underwriting
67-58.080	Terms of the Loans to Applicants
67-58.090	Disbursement of Funds, Draw Requests, and Construction Loan Servicing
67-58.100	Terms of the Loans to Eligible Persons
67-58.110	Permanent Loan Servicing – Annual Review

12. The following rules will be amended or repealed in part as obsolete:

67-59.001	Purpose and Intent
67-59.005	Definitions

67-59.010	Programs
67-59.020	Eligibility for UMAP or UMAP/MLRP
67-59.030	Eligibility for MLRP Only
67-59.040	Application
67-59.050	Form of Assistance
67-59.060	Quarterly Reviews
67-59.201	Overview
67-59.210	Eligibility for PR
67-59.220	Application
67-59.230	Form of Assistance

- (c) FHFC's Regulatory Plan from 2019-2020 identified five rule chapters that the agency expected to adopt before July 1, 2020. The identified rules in Chapter 67-38 did not need to be amended. The identified rules in Chapter 67-57 were not amended due to internal delays. A Notice of Proposed Rule for Chapter 67-49 was published on December 18, 2019 in volume 45, page 244 of the F.A.R. A Notice of Proposed Rule for Chapter 67-48 was published on April 21, 2020 in volume 46, page 78 of the F.A.R. A Notice of Proposed Rule for Chapter 67-21 was published on April 21, 2020 in volume 46, page 78 of the F.A.R.
- (d) The Chair of the Board of Directors of FHFC and the General Counsel of FHFC hereby certify that this Regulatory Plan has been reviewed by each signatory and is true and complete to the best of our knowledge. We also certify that FHFC regularly reviews all of its rules, most recently in August of 2020, to determine whether the rules remain consistent with FHFC's rulemaking authority and the laws implemented.

Ron Lieberman  
Chair of the Board of Directors  
Florida Housing Finance Corporation

Hugh Brown  
General Counsel  
Florida Housing Finance Corporation

Done this 29<sup>th</sup> day of September 2020, in Tallahassee, Florida. A copy of this Regulatory Plan will be posted on FHFC's website on or before October 1, 2020.