

MEMORANDUM OF UNDERSTANDING

Between the Department of Community Development and Human and Veteran Services with regards to State Housing Initiatives Partnership (SHIP) Program Expenditures approved by the Lee County BOCC on December 18, 2018 under Blue Sheet No. _____

In accordance with Lee County BOCC approval on December 18, 2018, under Blue Sheet No. _____, the Lee County Department of Community Development/Planning Section (Planning) and Human and Veteran Services (HVS) agree that:

Part A

1. a. The Project, as approved for grant assistance, shall consist of the following authorized scope of work: Down payment/closing cost assistance, acquisition/rehab/resale and homeowner rehab for 2 low income households with priority for households with special needs. Project shall be completed and all units occupied by December 30, 2020.
- b. The amount of funds awarded under this grant is \$80,000

The purchase price of home ownership units must not exceed that established in the LHAP for dwelling unit, and must meet affordability requirements as shown in the LHAP in order to qualify as eligible.
- c. Planning is not obligated or authorized to award any funds in addition to this amount.

Part B

1. Planning agrees to provide funds to HVS, subject to documentation of project costs pursuant to and as defined in Subsection 1. a. herein, up to the maximum income eligible SHIP award amount or the amount of actual cash expended by HVS for project work, whichever is less.
2. HVS agrees to perform all necessary requirements to assist Planning in implementing its monitoring responsibilities, which include on-site inspections of the project to determine compliance with applicable laws, rules, regulations, ordinances, and codes of the federal, state, and local governments, including the requirements of the LHAP.
3. HVS agrees to return to planning any overpayments due to funds disallowed pursuant to the terms of this contract. Any expenditure of SHIP funds not in compliance with the SHIP Program Rules and Regulations shall be due and payable to the Lee County SHIP Housing Trust Fund within 30 days of receiving notice in writing regarding the overpayment.

4. HVS shall ensure that clear/marketable title is obtained for all properties to be purchased, conveyed, or made a part of in any way, a subsidy request package submitted for assistance.
 5. The following documentation must be maintained on file for each beneficiary or unit produced by HVS for a period of seven (7) years following the release of lien and, at a minimum, must be available for inspections at all reasonable times by Planning or their assigns:
 - a. Applicant Intake Forms
 - b. Income Verification and Certification Forms
 - c. Release of Information/Acknowledgment of SHIP terms signed by beneficiary
 - d. Good Faith Estimate
 - e. Final Appraisal of Property
 - f. Loan Application or copy of lender Application
 - g. Verification of Deposit of beneficiary
 - h. Verification of Employment for beneficiary
 - i. Certificate of Occupancy.
 6. All projects must be in compliance with the rules and regulations of the State Housing Initiatives Partnership Program as authorized by Florida Statutes, Section 420.907, Florida Administrative Code Rule Chapters 67-37, and the Lee County Housing Assistance Program authorized by Lee County Ordinance Number 95-17, as amended, and in particular:
 - a. Income limits
 - b. Definition of Affordability
 - c. Non-discrimination
 - d. Maximum production or purchase cost
 - e. Maximum SHIP funds per unit
 - f. Compliance reporting as required per project
 7. HVS shall provide to Planning proof of or make available the following, as applicable, for each beneficiary:
 - a. SHIP Program Recipient Profile Form
- APPLICATION DOCUMENTS:**
- b. Authorization for Release of Information Form
 - c. Income Verification Form(s)
 - d. Income Certification Form
 - e. Proof of Property Ownership
 - f. Application for Program Assistance
 - g. Letter of Commitment
 - h. Homeownership Training Course Certificate
- CONSTRUCTION DOCUMENTS:**
- i. Cost Estimate and Work Write-up

- j. Contractor(s) Bid or Proposal
- k. Contractor/Homeowner or Home Buyer Contract
- l. Work Inspection Reports
- m. Construction Payment Requests
- n. Certificate of Occupancy or Completion
- o. Final Payment Release
- p. Change Orders (if applicable)
- q. Summary per Unit Budget & Actual Expenditures

CLOSING DOCUMENTS:

- r. Recorded SHIP Lien Document(s) with Recapture Provisions showing the Lee County Department of Community Development, Planning Section as Mortgage
- s. HUD 1 Settlement or Closing Disclosure Statement
- t. All Recorded Mortgage and Note Document(s)
- u. Release of Liens
- v. Title Policy for Title Insurance on the Lee County SHIP Mortgage
- w. Final Inspection Report
- x. Appraisal

Official notices concerning this Memorandum of Understanding shall be directed to the following authorized representatives:

Community Development:

Name: David M. Loveland, AICP

Title: Director, Lee County DCD

Telephone: (239) 533-8585

Fax: (239) 485-8344

E-mail: DLoveland@leegov.com

Human Services:

Name: Roger C. Mercado

Title: Director, Lee County HVS

Telephone: 239-533-7920

Fax: 239-533-7955

E-mail: RMercado@leegov.com

The signatures of the persons shown below are designated and authorized to sign all applicable reports:

Community Development:

Signature

Director, Dept. of Community Development
Title

Human Services:

Signature

Director, Lee County HVS
Title