



# Brevard County Board of County Commissioners

2725 Judge Fran Jamieson  
Way  
Viera, FL 32940

## Legislation Text

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**File #:** 1651, **Version:** 1

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### **Subject:**

Approval, Re: Terminating Agreements with Brevard Community Partnership, Inc. and entering into new Agreements with Housing for Homeless, Inc.

### **Fiscal Impact:**

FY 2020-2021 There will be no impact to the General Fund.

### **Dept/Office:**

Housing and Human Services

### **Requested Action:**

It is requested that the Board of County Commissioners authorize: (1) the termination of four agreements with Brevard Community Partnership, Inc., (2) the Housing and Human Services Department Director to take any actions necessary to facilitate the transfer of properties, (3) the Chair to execute four agreements with Housing for Homeless, Inc., a certified Community Housing Development Organization, to manage ten housing units for the remaining terms of their affordability periods, and (4) the Chair to execute any amendments, modifications, and/or any other related documents upon review and approval from the County Attorney's office and Risk Management.

### **Summary Explanation and Background:**

On April 03, 2012, July 15, 2012, January 08, 2013 and August 18, 2015 the Brevard County Board of County Commissioners entered into four separate rental housing agreements with Brevard Community Partnership, Inc. (BCP) for the rehabilitation of ten housing units for persons at or below 80% of Area Median Income. Following rehabilitation, the Agreement required BCP to operate as the property owner, maintaining the units, collecting rents, certifying income eligibility, and other conditions during the affordability period. As another condition of the agreements, BCP was required to maintain their Community Housing Development Organization (CHDO) designation and the capability to perform HOME Investment Partnerships Program activities. Currently, BCP is not in compliance with their Brevard County agreements.

A CHDO is required to provide recertification information annually to document continued compliance. Community Housing Development Organization eligibility includes, but is not limited to legal status, capacity, organizational structure, and relationship with for profit entities. Brevard County is required to document this information in order to comply with HOME Investment Partnerships Program requirements as set forth by the Department of Housing and Urban Development.

On October 01, 2018, a letter was sent to Brevard Community Partnership, Inc. notifying them that they had missed the deadline (September 11, 2018) for submitting their required documentation in regards to their annual CHDO recertification. Additional contact with the Agency (emails and telephone calls) occurred over

the next 9 months in an effort to remedy the situation. However, the Agency failed to comply and on July 09, 2019 another letter was sent via certified mail (to BCP's business address and the President's last known home address) advising that the organization's Community Housing Development Organization status has been rescinded due to noncompliance. The letter sent to the business address was returned as undeliverable and the certified letter sent to the President's home address was received.

The Housing and Human Services Department (HHS) has attempted to contact the President and CEO of Brevard Community Partnership, Inc. by certified mail, by regular U.S mail, and by telephone numerous times, but none of these efforts has resulted in a successful resolution of their issues. HHS has worked with the County Attorney's Office to explore options, our legal position, and avenues for compliance with local and federal regulations. Based upon these discussions, staff is requesting that Brevard Community Partnership, Inc.'s four agreements be terminated due to non-compliance. This requested action will not have any impact upon the households currently renting units from BCP.

Due to the nature of these projects, it is necessary to transfer the properties to another agency that is currently in compliance with CHDO regulations. On February 20, 2020, a Request for Qualification process was completed with all other local CHDO compliant agencies and the Affordable Housing Council recommended that the properties be transferred to Housing for Homeless, Inc. (HFH). The attached Draft Agreement for HFH is the first of 4, and the remaining Agreements will be created and approved by the County Attorney's Office and Risk Management prior to execution by the Chair.

### **Clerk to the Board Instructions:**

None