Live Local Compliance and Monitoring Agreement

This agreement is between St. Johns County, referred to here as "LOCAL GOVERNMENT," and (Property owner of preemption project) ________________________, referred to here as the "Owner". It outlines rules and responsibilities related to rental housing developed in accordance with the Live Local Act's land use preemption tool found in Florida Statute Sec. 125.01055(7).

The Live Local Act prescribes certain development standards for eligible affordable housing developments in eligible zoning districts. Eligible projects (referred to here as "preemption projects") are entitled to certain use, density, height, and administrative approval standards. At least **40 percent** of the residential units in a preemption project must be affordable as defined in s. 420.0004 for at least **30 years**. For mixed-use residential projects, at least 65 percent of the total square footage must be for residential purposes.

SCOPE OF SERVICES

The Owner will construct rental housing units at (Property Name) ___________________________, a preemption project in which at least 40 percent of residential units will be affordable as defined in F.S. 420.0004.

(Property Name) ___________________________________

Total Number of Residential Units: ____ Number of Affordable Residential Units: ____

Anticipated Completion Date (fully constructed and leased): (Date)__________________.

For the first 30 years after this property's initial lease up, the affordable residential units (40% of the units) must be rented to tenants whose income is at or below 120 percent of the area median income (AMI) according to the income limits chart that is current at the time of lease up or annual recertification. This agreement references the income and rent limits chart annually generated by the Florida Housing Finance Corporation for its rental programs.

Utility costs are part of the rent affordability determination. The amount of the tenant's utility bills plus lease rent must be equal to or less than the rent limits. St. Johns County defines utilities to include electric, water, and gas services. The Owner must remain in contact with St. Johns County Housing and Community Development during the affordability period and must remain in compliance with income eligibility and rent affordability requirements. The Owner must stay updated on income qualification training by completing re-training at least once every three years.

Collect Tenant Information: The Owner must collect the names, annual income, and number of household members of tenants in affordable residential units. Since utility costs are part of rent affordability, the Owner must collect a bill for each of the defined utilities above not included in the rent. This information must be provided to St. Johns County at the time of required compliance monitoring reporting. Here is the utility bill amount that the Owner must use in the following scenarios:

1. When First Leasing Units: Use the following amount per unit size for total utilities not included in the rent: 1 Bedroom $90, 2 Bedroom $110, 3 Bedroom $130, 4 Bedroom $140.
2. Upon Annual Renewal of Lease: The Owner must obtain the most recent utility bills not included in the rent. Do not take an average of many months' bills.

3. New Tenant after Initial Lease-Up: In this scenario, the new tenant does not yet have utility bills to provide. Property manager staff must use a utility bill that another tenant has already provided for another unit with a comparable number of bedrooms and family members.

TERMS OF ASSISTANCE

This agreement is for a term of 30 years as required by section 125.01055(7) F.S. If the Owner offers this rental housing for sale before the end of this affordability period, the new owner must continue to honor the remainder of the 30-year affordability period and other details in this agreement. Any change of rental housing ownership must be communicated in writing to St. Johns County within 30 days of closing.

COMPLIANCE MONITORING

Monitoring Master File: A master file will be maintained on each rental housing preemption project. This includes a copy of the contract between the Owner and St. Johns County, all reports provided by the Owner which detail tenant eligibility, and all monitoring reports.

Documentation from Property Owner: St. Johns County will notify the Owner about the monitoring visit 60 days in advance. No less than 30 days prior to this monitoring visit, the Owner must provide the following:

- A completed annual re-certification of income eligibility for each tenant in an affordable residential unit using the attached Tenant Income Certification (TIC) form and including required verification of household income and assets.
- The current lease for each tenant in an affordable residential unit.

Income Eligibility Determination: All projects must be in compliance with the income determination rules and regulations of 24 CFR Part 5 and the HUD Handbook 4350.3, Chapters 3 and 5.

Income limits: Staff completing the monitoring must reference the income and rent limits chart annually generated by the Florida Housing Finance Corporations for its rental programs, found here: https://www.floridahousing.org/owners-and-managers/compliance/income-limits.

Rent Affordability Determination: At least 40 percent of the residential units in a preemption project must be affordable to tenants at or below 120 percent of the area median income.

Definition of Affordable: "Affordable" means that monthly rents including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the annual median Adjusted Gross Income for an Eligible Household.

Eligible Households: An "eligible household" is one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual Adjusted Gross Income for households within St. Johns County.

Maximum Rent: Staff completing the monitoring must reference the income and rent limits chart annually generated by the Florida Housing Finance Corporations for its rental programs, found here: https://www.floridahousing.org/owners-and-managers/compliance/income-limits.

Frequency of Monitoring: St. Johns County Housing and Community Services Staff will complete monitor responsibilities including a monitoring visit to review income compliance and affordability of affordable residential units at least once every three years starting one year after the property has been fully leased.

STEPS TO ADDRESS NONCOMPLIANCE

St. Johns County will write a report provided to the Owner documenting the noncompliance and reference what has been violated in this agreement. St. Johns County will provide written notification of the beginning of a three-year probationary period.

Noncompliance during the Probationary Period: Any further noncompliance identified during a three-year probationary period will result in a $5000 fine to the Owner for each instance of noncompliance.

Addressing Types of Noncompliance:

- *The income of a household increases*- Once a household in a current income-restricted unit experiences an increase in income, the next available unit anywhere in the property must be rented to an income-eligible household. The landlord may raise the rent on the original unit with higher income tenant and this unit will no longer be counted among the affordable residential units.
- *Income calculations are incorrect, but the household is still income eligible*- Correct the tenant income certification form to show accurate information about household income. Briefly train property managers on the specifics of why this was incorrectly done. Consider scheduling a general income calculation training for the Owner.
- *Rent is Too High*- If the rent for an affordable residential unit is discovered to exceed the rent limits, the Owner must refund the amount of the overpayment to the tenant. This may be done with a check written to the tenant for the amount that exceeded all past rent payments or may be addressed by reducing the rents in future months not to exceed 12 months.

ATTACHMENTS:

1. Authorization for Release of Information
2. Live Local Tenant Income Certification
3. Sample Notice of Rental Monitoring

SIGNATURES

________________________ ________________________
LOCAL GOVERNMENT Owner

AUTHORIZATION FOR RELEASE OF INFORMATION

I ___________________________, the undersigned, hereby authorize ________________________ to release without liability, information regarding my employment, income, and/or assets to __________________________, for the purposes of verifying information provided as part of determining initial and/or continued income qualification eligibility for rental programs under F.S. 125.01055(2). I understand that only information necessary for determining eligibility can be requested.

Types of Information to be verified:

I understand that previous or current information regarding me may be required. Verifications that may be requested are, but not limited to: employment history, hours worked, salary and payment frequency, commissions, raises, bonuses, and tips; cash held in checking/savings accounts, stocks, bonds, certificated of deposits, Individual Retirement Accounts, interest, dividends; payments from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, unemployment, disability or worker's compensation, welfare assistance, net income from the operation of a business, and alimony or child support payments.

Organizations/Individuals that may be asked to provide written/oral verifications are, but not limited to:

Past/Present Employers
Banks, Financial or Retirement Institutions
State Unemployment Agency
Welfare Agency

Alimony/Child Support Providers
Social Security Administration
Veteran's Administration
Other: ____________________

Agreement to Conditions:

I agree that a photocopy of this authorization may be used for the purposes stated above. I understand that I have the right to review this file and correct any information found to be incorrect.

____

Signature of Applicant Printed Name Date

____

Signature of Co-Applicant Printed Name Date

Note: This general consent may not be used to request a copy of a tax return. If one is needed, contact your local IRS office for Form 4506, "Request for Copy of Tax Return" and prepare and sign separately.

LIVE LOCAL TENANT INCOME CERTIFICATION

Preemption Property

A. **Tenant Information** (select one)

____	Tenant for multiple years	Initial Lease Date:	____________
____	First Year Tenant	Lease Date:	____________

B. **Certification Information** (select one)

____	Initial Certification (IC)	Effective Date:	____________
____	Annual Recertification (AR)	Effective Date:	____________

C. **Household Information:** Include all household members

Member	Full Name	Relationship to Head	Age
1		HEAD	
2			
3			
4			
5			
6			
7			
8			

D. **Assets**: All household members including assets owned by minors

Member	Asset Description	Cash Value	Actual Income from Asset
1			
2			
3			
4			
5			
6			
7			
8			
Total Cash Value of Assets	D(a)	$	
Total Income from Assets		D(b)	$
If line D(a) is greater than $50,000, add the actual income from any assets for which actual income can be calculated, then calculate the imputed income for the assets where actual income cannot be calculated by multiplying the amount of assets where actual income cannot be calculated by the HUD rate (.40%). Add amounts and enter results in D(c), which must be counted on page two alongside other sources of household income.		D(c)	$

E. **Annual Income**: Includes unearned income and support paid on behalf of minors.

Member					**Asset Income**
1					Enter the greater of box D(b) or box D(c) above in box E(e) below
2					
3					
4					
5					
6					
7					
8					
	(a)	**(b)**	**(c)**	**(d)**	**(e)**
Totals					
Enter total of items E(a) through E(e). This is the annual household income.					$

F. **Recipient Statement:** The information on this form is to be used to determine maximum income for eligibility. I/we certify that the statements are true and complete to the best of my/our knowledge and belief and are given under penalty of perjury. **WARNING:** Florida Statute 817 provides that willful false statements or misrepresentation concerning income and assets relating to financial condition is a misdemeanor of the first degree and is punishable by fines and imprisonment provided under S 775.082 or 775.83.

______________________________ Date ______________
Signature of Head of Household

______________________________ Date ______________
Signature of Spouse or Co-Head of Household

______________________________ Date ______________
Signature of Household Member (over 18 years)

______________________________ Date ______________
Signature of Household Member (over 18 years)

______________________________ Date ______________
Signature of Household Member (over 18 years)

______________________________ Date ______________
Signature of Household Member (over 18 years)

G. **Property Management Staff Statement:** Based on the representations herein, and upon the proofs and documentation submitted, the family or individual(s) named in item C of this Resident Income Certification is/are eligible under the provisions of Chapter 420, Part V, Florida Statutes, the family or individual(s) constitute(s) a: (check one)

Extremely Low Income (ELI) Household means individuals or families whose annual income does not exceed 30% of the area median income as determined by the U.S. Department of Housing and Urban Development with adjustments for household size.
Maximum Income Limit: ______________________

Very Low Income (VLI) Household means individuals or families whose annual income does not exceed 50% of the area median income as determined by the U.S. Department of Housing and Urban Development with adjustments for household size.
Maximum Income Limit: ______________________

Low Income (LI) Household means individuals or families whose annual income does not exceed 80% of the area median income as determined by the U.S. Department of Housing and Urban Development with adjustments for household size.
Maximum Income Limit: ______________________

Moderate Income (MI) Household means individuals or families whose annual income does not exceed 120% of the area median income as determined by the U.S. Department of Housing and Urban Development with adjustments for household size.
Maximum Income Limit: ______________________

Based upon the _____________ (year) income limits for __________________ (Metropolitan Statistical Area (MSA) or County), Florida

Signature of the Property Management Staff:

Signature ____ Date ______________________

Name (print or type) ____ Title ______________________

H. **Household Data** (to be completed by Head of Household only)

Household elects to not participate.			___________			(Initials of Household Head)			
Head of Household Data									
By Race / Ethnicity						**By Age**			
White	Black	Hispanic	Asian	American Indian	Other	**0 - 25**	**26 - 40**	**41 - 61**	**62 +**
Household Members Data									
Special Target / Special Needs (Check all that apply to any member)									
Farm worker	**Developmentally Disabled**	**Homeless**	**Elderly**	**Special Needs (define)**	**Special Needs (define)**				

NOTE: Information in Section H is being gathered for statistical use. No resident is required to provide this information. Refusal to provide this information will not affect eligibility.

Notice of Rental Monitoring

DATE
CONTACT NAME
ORGANIZATION NAME
ADDRESS
CITY, ST ZIP

RE: Notice of Rental Monitoring

Dear CONTACT NAME,

You have developed rental housing that is entitled to certain use, density, and height standards regarding administrative approval. As a condition of development, you were required to reserve at least 40 percent of the residential units in this 'preemption project' as affordable rental housing as defined in s. 420.0004 for 30 years.

Certain requirements were outlined in a written signed agreement with St. Johns County regarding a 30-year term of affordability, the income limits for tenants living in the affordable residential units, and rent affordability. The St. Johns County Housing and Community Services Department is responsible for monitoring compliance. The property at (Address)___________________________________, for which you are the identified Owner, is scheduled for monitoring, to be completed 60 days from now. Please accept this Notice of Rental Monitoring and respond to me within thirty (30) calendar days of receipt via telephone ___________ or email _______________ to set up an meeting to review the agreement between the Owner and St. Johns County and discuss the monitoring process.

Within the next 30 days, please provide in scanned electronic form, the following:

- A completed annual re-certification of income eligibility for each tenant in an affordable residential unit using the attached tenant income certification (TIC) form and including required verification of household income and assets.

- The current lease for each tenant in an affordable residential unit.

I look forward to hearing from you.

Respectfully,

Note: The general hold harmless provisions of IRC Section 142(d)(2)(E) mean that projects with at least one building placed in service on or before the end of the 45-day transition period for newly-released limits use whichever limits are greater, the current-year limits or the limits in use the preceding year.

HUD release: 5/1/2026
Effective: 5/1/2026
HUD revised AIT limits 5/18/2026
Implement on/before: 6/14/2026

2026 Income Limits and Rent Limits
Florida Housing Finance Corporation
Multifamily Rental Programs and CWHIP Homeownership Program

NOTE: Does not pertain to CDBG-DR, HHRP, HOME, NHTF or SHIP

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Saint Johns County	**20%**	**15,220**	**17,400**	**19,580**	**21,740**	**23,480**	**25,220**	**26,960**	**28,700**	**30,436**	**32,175**	**380**	**407**	**489**	**565**	**630**	**695**
(Jacksonville HMFA)	25%	19,025	21,750	24,475	27,175	29,350	31,525	33,700	35,875	38,045	40,219	475	509	611	706	788	869
	28%	**21,308**	**24,360**	**27,412**	**30,436**	**32,872**	**35,308**	**37,744**	**40,180**	**42,610**	**45,045**	**532**	**570**	**685**	**791**	**882**	**974**
	30%	22,830	26,100	29,370	32,610	35,220	37,830	40,440	43,050	45,654	48,263	570	611	734	847	945	1,043
	33%	**25,113**	**28,710**	**32,307**	**35,871**	**38,742**	**41,613**	**44,484**	**47,355**	**50,219**	**53,089**	**627**	**672**	**807**	**932**	**1,040**	**1,147**
	35%	26,635	30,450	34,265	38,045	41,090	44,135	47,180	50,225	53,263	56,307	665	713	856	989	1,103	1,217
	40%	**30,440**	**34,800**	**39,160**	**43,480**	**46,960**	**50,440**	**53,920**	**57,400**	**60,872**	**64,350**	**761**	**815**	**979**	**1,130**	**1,261**	**1,391**
	45%	34,245	39,150	44,055	48,915	52,830	56,745	60,660	64,575	68,481	72,394	856	917	1,101	1,271	1,418	1,565
	50%	**38,050**	**43,500**	**48,950**	**54,350**	**58,700**	**63,050**	**67,400**	**71,750**	**76,090**	**80,438**	**951**	**1,019**	**1,223**	**1,413**	**1,576**	**1,739**
	60%	45,660	52,200	58,740	65,220	70,440	75,660	80,880	86,100	91,308	96,526	1,141	1,223	1,468	1,695	1,891	2,087
	70%	**53,270**	**60,900**	**68,530**	**76,090**	**82,180**	**88,270**	**94,360**	**100,450**	**106,526**	**112,613**	**1,331**	**1,427**	**1,713**	**1,978**	**2,206**	**2,435**
Median: 108,700	80%	60,880	69,600	78,320	86,960	93,920	100,880	107,840	114,800	121,744	128,701	1,522	1,631	1,958	2,261	2,522	2,783
	90%	**68,490**	**78,300**	**88,110**	**97,830**	**105,660**	**113,490**	**121,320**	**129,150**	**136,962**	**144,788**	**1,712**	**1,834**	**2,202**	**2,543**	**2,837**	**3,130**
	100%	76,100	87,000	97,900	108,700	117,400	126,100	134,800	143,500	152,180	160,876	1,902	2,038	2,447	2,826	3,152	3,478
	110%	**83,710**	**95,700**	**107,690**	**119,570**	**129,140**	**138,710**	**148,280**	**157,850**	**167,398**	**176,964**	**2,092**	**2,242**	**2,692**	**3,108**	**3,467**	**3,826**
	120%	91,320	104,400	117,480	130,440	140,880	151,320	161,760	172,200	182,616	193,051	2,283	2,446	2,937	3,391	3,783	4,174
	140%	**106,540**	**121,800**	**137,060**	**152,180**	**164,360**	**176,540**	**188,720**	**200,900**	**213,052**	**225,226**	**2,663**	**2,854**	**3,426**	**3,956**	**4,413**	**4,870**