

FAHROgram

FLORIDA ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS

January/February 2018

President's Message

Looking Forward ...

Last year was a very productive year for FAHRO. Our annual convention had record attendance with outstanding educational and networking benefits for participants, and our regional trainings continued to provide great opportunities for local staff development. On behalf of the FAHRO membership, FAHRO's board approved a rent reform proposal in 2017 that allows options for reform based on the needs of individual communities. All options would result in the ability for PHAs to assist more families in their communities. I'm optimistic about the impact of FAHRO's rent reform proposal. If all or parts of the proposal are implemented, the families for which we provide housing assistance will be strengthened, and future generations of families will be positively impacted.

Please plan to attend the FAHRO Executive Directors' Forum and the FAHRO Annual Convention this year. As we begin the planning for both, it's an excellent time to let us know of any topics you would like covered. Your participation is vital to FAHRO in providing opportunities for professional development, networking and advocating for a brighter future for low-income families in our communities.



Debra Johnson

Looking forward, I'm excited about the road ahead and the possibilities ... and in closing, I wish you all a very prosperous and healthy New Year! 🌿

Calendar

Florida Legislative Session
January 9-March 9, 2018

**FAHRO Regional Training
UPCS Inspection Protocol
The Inspection Group**
January 17-18, 2018
Housing Authority of the
City of Fort Myers

**FAHRO Executive Directors'
Forum**
May 9-11, 2018
Wyndham Grand Jupiter at
Harbourside Place
Jupiter, Florida

**FAHRO Annual Convention &
Trade Show**
August 6-8, 2018
Wyndham Grand Orlando Resort
Bonnet Creek
Orlando, Florida

Need specific training or classes?
Email Josh@FAHRO.org to help set them up!

Legislative Affairs

Happy New Year!

by Oscar Anderson, FAHRO State Affairs Consultant

As we ring in the New Year, the members of the Florida Legislature are making their way back to the State Capitol to begin the work of the people. On Tuesday, January 9, the speaker of the House and the Senate president will gavel in the start of the 2018 Session. Bills will have been filed, committees will begin to meet in earnest and amendments will be crafted. And in 60 days—if the budget is passed—the session will end *sine die*.

Affordable housing is set to be a significant discussion item this year in the wake of Hurricane Irma, which first devastated Puer-

to Rico causing an exodus to Florida and then plowed through South Florida causing a dramatic reduction in available housing. It has been a tough year in a state that already had a shortage of affordable housing units.



Oscar Anderson

The governor and the House of Representatives seem to be united in their desire to use most of the Sadowski funds for hurricane relief specific programs.

See **LEGISLATIVE AFFAIRS** on page 6

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1/2018

Member Feedback

Do you need help with a project or issue and want to see if any of our readers have the answer? Has a colleague done something wonderful that deserves an attaboy or attagirl? Or are you just frustrated and want to vent? Here is your chance to (anonymously if you wish) say thanks, ask for assistance, vent your frustrations, express your opinion or let us know how you feel.

- Tenmast Software has been acquired by MRI Software. This acquisition demonstrates MRI Software's strong commitment to the multifamily and affordable housing markets.
- The U.S. Department of Housing and Urban Development has designated the Housing Authority of the City of Fort Myers (HACFM) a high performer in the Public Housing Assessment System (PHAS) report for 2017. The PHAS scored the HACFM 93 points out of a possible 100. Congratulations to the HACFM's board of commissioners, Executive Director Marcus D. Goodson and staff!
- Congratulations to the Broward County Housing Authority, Building Better Communities, Inc., and Pinnacle Housing Group, LLC, on the grand opening of Oakland Preserve, the new multifam-



ily, 80-unit affordable housing community in Oakland Park.



Building Better Communities, Inc., BoD members Russell Marcus, Karlyne Pompilus, Mercedes J. Núñez and Mark O'Loughlin; Mayor Tim Lonergan, City of Oakland Park; Commissioner Nan Rich, Broward County; Commissioner Matthew Sparks, City of Oakland Park; and President Michael S. Long, Building Better Communities

If you would like to contribute to Sounding Off, please email your comments to Susan Trainor, FAHROgram editor, editor.trainor@gmail.com.

Job Opportunity

MAINTENANCE MECHANIC OCALA HOUSING AUTHORITY

The Ocala Housing Authority (OHA) is seeking a full-time maintenance mechanic. This position will be responsible for repairs and maintenance duties in occupied and unoccupied units, as it relates to building maintenance, structure and grounds. In addition, the person must be able to work independently and complete assigned tasks with minimal supervision. Additionally, the prospective employee will be required to, at minimum, walk on a single-story roof, as well as serve in the on-call rotation during nights and weekends. Minimum qualifications: skilled laborer with a high school diploma/GED and a minimum of three years' experience in construction/remodeling/home repairs, and must be in good physical condition—able to lift at least 50 pounds. Must be motivated, organized, personable and dependable; able to multi-task; have ability to establish effective working relationships with clients, other staff, contractors and the general public; and display professionalism. The successful candidate should possess high integrity, exemplary work ethics and confidentiality, and have the ability to operate an iPad for processing work orders. A valid Florida driver license is required. Qualified applicants, please submit cover letter, application and three verifiable work references to Mrs. Gwendolyn Dawson, CEO, Ocala Housing Authority Administrative Office, 1629 NW 4th St., Ocala, FL 34475. You may also fax or email to Ms. Glenda Roberts at 352/369-2648 or groberts@ocalahousing.org. Applications and job description are available at www.ocalahousing.org. Compensation: \$12.50 per hour, excellent benefits. Successful candidate must pass a criminal background check and drug screening. Position open until filled. OHA is a HUD Certified Housing Counseling Agency as well as an Equal Opportunity Employer, an Equal Opportunity Housing Agency and a Drug-Free Workplace.

It's a New Year – Text Messaging Update

by Ricardo L. Gilmore, Esq.

I know, I know. You're tired of reading about text messages being public records and having me say that the best way to deal with this issue is simply to disable text messaging altogether on your agency-issued cell phones and to have a policy against business texting on personal cell phones. Well, it's a new year! And guess what ... my advice is still the same! I do, however, want to bring something to your attention that could provide you with a viable alternative to the "don't text" solution.

Late last year, William Russell, CEO of the Sarasota Housing Authority, brought to my attention a matter against the City of Venice, Florida ("City") involving a public records request for text messages. It seems that a concrete recycling company was in a dispute with the City's code enforcement department, and a paralegal for a Sarasota law firm famous for suing for public records violations made a public records request for

text messages between code enforcement employees. As a result of a 2009 settlement in an open records lawsuit, because the City did not have the capability of capturing texts on City cell phones, the City forbade employees from texting on City-issued cell phones. This latest public records request uncovered a flaw in the way the City handled text messages. The City's cell phone bills showed texting activity starting in January 2016. It showed texting between code enforcement employees. As a result of this information, the paralegal expanded his public records request to include all texting activity by City employees, public officials and appointed board members from January 2016 to the date of the request. In order to comply with the expanded request, the City had to hire a firm specializing in forensic data retrieval to examine the cell phones—**both City issued and personal**—of all City employees. The paralegal

indicated this was a huge transparency issue since the presumption previously had been "don't bother asking the City for text messages because city employees don't text."

The City indicated that it has always asked its cell provider, Verizon, to block the ability of City-issued cell phones to send SMS texts, but the ability to receive texts could not be blocked. All text messages received, including spam texts, would show up on a Verizon bill. The City handled the blocking of Apple's proprietary iMessage texting through a Cisco networking product called Meraki.

In January of last year, the City started a refresh cycle with Verizon for new cell phones. Most City employees were



Ricardo L. Gilmore, Esq.

See LEGAL UPDATE on page 6

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We Love Our Lindsey Software.

Bartow Housing Authority

Executive Director: Catherine E. Reddick
Bartow, Florida

*“I have been using
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23 years, and I would
not use anything else.
Lindsey has so many
good shortcuts, that it
doesn’t take me long
to do anything!”*

— CATHERINE REDDICK —

KEY TAKEAWAYS

- User-friendly software
- Easy to learn
- Economical
- Saves time
- Free, unlimited training
- Great support
- Mobile solutions
- Online rental applications

THE SITUATION

Catherine Reddick, Executive Director of Bartow Housing Authority in Florida loves to talk about Lindsey software. With more than 23 years as a user, she feels that Lindsey is user-friendly, very easy to learn and helps her do her job more effectively.

Catherine began her career in public housing at the Winter Haven Housing Authority. After 13 years, she moved to the Bartow Housing Authority as Executive Director and has been there for 11 years.

THE SOLUTION

Lindsey is a total solution for Catherine and her staff and she is not afraid to tell other agencies. “I know I am not their largest client, but they always treat me like I am,” says Catherine.

Bartow HA uses almost every module Lindsey has, plus the mobile solutions and HousingManager.com online rental applications. They have made an investment in the entire package and like the way everything works together.

MOBILE

Catherine comments, “When we first got the mobile products, I was a little afraid of making the change. Then I went out and did an inspection on the iPad myself and realized that it was much easier than I ever expected.”

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Moving applications online has been extremely beneficial in reducing tenant traffic in the office. Tenants are very versatile and have adapted well to filling out applications from their computer, tablet or mobile device.

TRAINING & SUPPORT

Catherine and her staff take advantage of the free training opportunities whenever possible, attending webinars and using the online Portal. “We use support when there is a problem, or something I just cannot figure out. They know me by my first name,” says Catherine with a smile.

Bartow Housing Authority is a satisfied Lindsey customer. After 23 years using Lindsey, Catherine says it would be hard to find another company that could change her mind. “Lindsey has made an investment in this industry by creating products that make my job easier, and I have made an investment in Lindsey.”

The Senate has been the most steadfast defendant of fully funding Sadowski, but it is unclear if the Senate is in favor of using the bulk of those dollars for hurricane recovery only. Given the amount of buzz around the topic of affordable housing in Tallahassee during the last few months, there will be significant affordable housing bills considered this year, creating an opportunity for FAHRO to address some of our pressing issues such as RAD deal property taxation and the tipping fee.

Beyond hurricane recovery discussions, the most significant study and creation of recommendations for affordable housing have come through the state's Affordable Housing Workgroup. FAHRO presented testimony and attended several meetings over the course of the year. The Florida Housing Finance Corporation's board of directors met on December 8 to approve the workgroup's recommendations. At this writing, FHFC has a deadline of December 31 to send its final report to the governor, the House speaker and the Senate president.

Some workgroup recommendations of interest to public housing authorities include:

- The Legislature should appropriate all Sadowski funds in the state and local government housing trust funds solely for Florida's affordable housing programs.
- The workgroup recommends that local governments assessing impact fees either waive fees outright for affordable housing or establish local dedicated funds to make such affordable housing waivers possible.
- With the decrease in the homeownership rate in Florida, local governments should evaluate the need for affordable rental housing in their communities and consider using SHIP funds to assist in developing new affordable rental housing.
- Florida Housing Finance Corporation should develop a simple monitoring report template for local governments to use for any rental properties that are not covered by compliance reporting under other FHFC-administered programs.
- Florida Housing Finance Corporation should evaluate whether legal challenges in which all parties agree after litigation has occurred can be sent to the FHFC executive director rather than the board for issuance of a final order.
- Florida Housing Finance Corporation should assess its application process with the goal to remove or simplify scoring items that are most likely to be litigious, but should maintain scoring items that allow FHFC to differentiate and choose the best developments for funding. With these changes, FHFC must adopt an approach that discourages developers from not having completed "ability to proceed" items by the start of the credit underwriting process. Before implementation, FHFC should workshop these proposals with stakeholders participating in FHFC programs.
- Florida Housing Finance Corporation should continue efforts to reduce the allocation of awards based upon the lottery.
- Florida Housing Finance Corporation should continue implementation of the local government area of opportunity preference in low income housing tax credit requests for applications in large counties, and explore the expansion of its use in medium and small counties.

- The Legislature should adopt legislation that would provide an exemption from documentary stamp and intangible taxes related to all mortgages financed by or on behalf of local housing finance agencies.

As legislation on affordable housing comes together this session, please be on the lookout for requests to reach out to your local delegation in support of our efforts in Tallahassee. Your voice—from your legislators' own backyard—can have a tremendous impact on our advocacy efforts. 🌿

LEGAL UPDATE from page 4

issued iPhones purchased at a discount on a government contract. Currently the City can buy iPhone 6s for \$0.99 each. That's not a typo, so some of you may want to look at piggybacking on that contract! When the refresh occurred, Verizon apparently forgot to disable the texting capabilities on the new cell phones. After this was discovered, the City told Verizon to turn off that capability. Ironically, during the January refresh, the City was installing an app from a Portland, Oregon-based company called Smarsh that allows the City to archive text messages, and it could lift the prohibition against employee texting.

So, what would I suggest you take from this update? First, the potential that someone will make a public records request for text messages from your agency remains a real possibility. Second, that request could necessitate an examination of both business and personal cell phones for applicable text messages. Third, I still recommend disabling the ability to send text messages, realizing that the ability to disable the *receiving* of text messages may not be available, and creating a policy against any business texting. Fourth, if you still want to be able to use text messaging in your agency, now there is a low-cost method to archive your messages without the aid of the cell provider through an app known as Smarsh. I am not advocating on behalf of any products mentioned here, but I have been told that Smarsh does seem to work. Additionally, Corey Mathews has mentioned a free app called "If This Then That" or "IFTTT" that potentially would allow for the same type of archiving. It requires establishing applets that you or your IT person or consultant can create.

Ricardo L. Gilmore, Esq., is a senior partner and co-founder of Saxon Gilmore & Carraway P.A. He has practiced law for more than 30 years and specializes in the areas of business and corporate law, real estate, public finance and commercial litigation. He serves as special counsel to housing authorities in Florida and other states relative to affordable housing development matters.

Sustainable Communities Innovation Challenge

Fannie Mae is seeking proposals through **February 23** that focus on affordable housing and economic opportunity. Contracts will be awarded to fund proposals with the greatest potential to increase access to affordable housing within sustainable communities.

Learn more at www.fanniemae.com/thechallenge.

Jacksonville HA's Felicia Johnson Uses Her Story to Inspire Others

Felicia Johnson has served as the neighborhood network coordinator at the Jacksonville Housing Authority for the past eight years. She helps program participants become self-sufficient through education.

Open to all—and not just JHA residents—the Neighborhood Network Centers prepare participants to advance their education through obtaining a GED. Services include GED prep classes, computer literacy training, adult literacy coaching and self-esteem-building workshops.

“As a past Section 8 resident, I was in the same shoes as many of my students. So, I use my story as a tool to encourage and motivate my students,” Felicia says, having authored two books to help her do so.

Born and raised in Jacksonville, she dropped out of school in 10th grade and shortly thereafter entered into an abusive

marriage. After ten years and six children, Felicia decided that she needed to do something for herself and children. So, she went back to school, eventually earning her bachelor's degree in organizational management and her master's in business administration.

Believing in the words of Nelson Mandela that “education is the most powerful weapon which you can use to change the world,” Felicia has helped more than 800 students graduate from the program. And after receiving their GEDs, Felicia continues to assist her students in looking for a job. Many have gone on to work in the medical field while others have chosen to go into the military or start their own business.

When asked what motivates her to wake up every morning and go to work, Felicia says that it is her students: “They



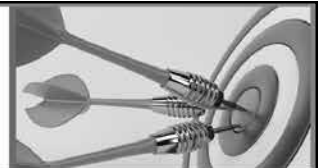
Felicia Johnson uses books to inspire students, including two books she authored herself.

are my joy; I love seeing the excitement in their eyes. If they apply themselves and are determined, they can be whatever they want to be.”

Felicia is now pursuing a PhD in education, with hopes of inspiring more individuals to better themselves. 🌱



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Sarasota Housing Authority Partners for 6th Annual Shop with a Cop Event

The Sarasota Housing Authority held its sixth annual *Shop with a Cop* event on December 9 with its key partners, the City of Sarasota Police Department and Target.



Their smiles say it all!

SHA's *Shop with a Cop* shopping event is an initiative designed to help build positive and respectful relationships between law enforcement and children living in SHA communities. The event pairs 100 local underprivileged children with Sarasota police officers to shop for holiday gifts at a local Target store prior to opening for the day.

"We launched this event six years ago to foster improved relationships and respect between families living in public housing and the men and women sworn to protect them," says SHA President & CEO William Russell. "*Shop with a Cop* has been a huge success in building positive relationships through this uplifting holiday event."

SHA raises over \$10,000 for this event through its 501(c)(3) affiliate Sarasota Housing Funding Corporation. Funding for this year's event was made possible by the Community Foundation



Happy children and police officers get ready to shop at a local Target in Sarasota.

of Sarasota County, which matched donations from a number of private donors, as well as a grant from IBERIABANK.

Those wishing to donate for next year's event can do so through SHFC. Checks can be made payable to Sarasota Housing Funding Corporation with "Shop with a Cop" in the memo line. Credit card donations can be made online at www.sarasotahousing.org/SHFC.aspx. Checks or cash donations can be dropped off at the Sarasota Housing Authority, 269 South Osprey Avenue, Sarasota; Monday through Thursday 8 a.m. to 5 p.m. and Friday 8 a.m. to noon. For more information, contact the Sarasota Housing Authority at 941/361-6210. 100% of donations are spent on Target gift cards for the children. 🌿

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When and Why to Check an Employee's Driver License

Driving is an essential function for couriers, bus drivers or service technicians who do not work in pairs, just as a few examples. Unless driving is an essential function of the job, checking whether a new hire has a valid driver license could create risk.

Suppose you check the driver license of your new hire, Amanda, whose job duties do not include driving. You learn by inspecting her license that she has restrictions from a visual impairment, which she did not disclose and had no



Photo: Ingo Joseph @ pexels

intention of disclosing. Amanda will feel as if her medical privacy has been violated and may view any future adverse action against her during her employment as potential disability discrimination.

Of course, if driving is an essential function, the employee must provide verification of a valid, current license and his or her current driving record. Make sure he or she knows to update you should the driving record change, even as the result of activities outside work. If the driving record is less than stellar, examine what the infractions were. Repeated DUIs are a big red flag while failing to signal before turning is of lesser importance.

Is the employee driving an employer-owned vehicle or a personal one? It matters, in case of liability. The employer's insurance may be implicated in both scenarios because the purpose of the driving is to benefit the employer.

Of course, if driving is an essential function, the employee must provide verification of a valid, current license and his or her current driving record.

One last point: Be careful about asking an employee whose job does not include the essential function of driving to "run a quick errand" for you. These spur-of-the-moment requests can result in liability risk if the employee is not a holder of a valid license or has a poor driving record and causes an accident while running that "quick errand."

This informational piece, written by Leslie Zieren, Esq., was published on My Community Workplace, Sept. 21, 2016. Republished from mycommunityworkplace.org on behalf of Hunt Insurance Group, LLC.



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Mission Statement

FAHRO is committed to the professional development of the people who provide public and assisted housing in Florida by offering a network for increased communication and education. We will continue to support legislation for the improvement and development of affordable housing and economic opportunities.

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