



## Greater Tampa REALTORS® Public Policy Report- April 2021

### LOCAL ISSUES

#### Pasco County

- **Multi-Family Moratorium:** On **April 1, 2021**, the Pasco County Planning Commission recommended approval of a six-month moratorium on new applications for multifamily development in a portion of Pasco County. Planning commissioners also think the land development code should be changed to limit the ability to receive a conditional use approval for multifamily uses on commercial land. The Pasco County Commission will now have the final authority on both issues.

**TIMELINE:** The county attorney's office and staff will have to prepare the moratorium. It will then go to the planning commission and full county commission. Dates for those meetings have not been set, but it is expected to take about 90 days to get to a first public hearing (possibly May). If approved, the motion would take effect for 180 days, and could be extended.

**BACKGROUND:** On **February 9, 2021**, the Pasco Board voted (Moore, Fitzpatrick and Mariano voting Yes), to start the process of potentially establishing a moratorium. The proposal is for six months (180 days), which is the time it will take county staff to determine how many new multifamily units have already been approved for Pasco County but not yet built. The moratorium would be on the submission and acceptance of applications for conditional uses, rezonings, and comprehensive plan amendments proposing to increase multi-family entitlements within the moratorium area. The moratorium proposed would impact the corridors along U.S. 41 to just south of State Road 52, then east to Bruce B. Downs Boulevard and back to the south along State Roads 54 and 56. If approved, it would mean the county would not consider new projects submitted after the first hearing on the moratorium.

- **Commercial Property Landscaping Grant Program:** Under an approved redevelopment landscaping grant program, Pasco business owners will now be able to receive up to a \$20,000 grant. Grant requirements will require owners to commit a match of other site improvements worth at least 20% of their grant. This can involve external redevelopment projects including facade improvements and painting, restriping and/or repaving of parking areas, and new business signage conforming to county codes. The grant funds cannot be used for labor, dirt, mulch, or irrigation systems, according to the program rules. <https://www.pascocountyfl.net/4522/Commercial-Landscaping-Grant-Program>
- **Emergency Rental Assistance:** Pasco County Community Development has been partnering with multiple local agencies that are assisting in providing Emergency Rental Assistance to people experiencing economic hardship due to COVID-19. Helping with Emergency Assistance Relief for Tenants (H.E.A.R.T.) will provide assistance to renters with funds distributed by the U.S. Treasury to Pasco County. All partner agencies, listed below, are offering to help pay rental and utility bills directly for anyone living in Pasco County who meets the Pasco H.E.A.R.T. Program guidelines.

To qualify for Pasco H.E.A.R.T. funding, you must be a U.S. citizen (or have legal status) and Pasco County resident, who meets the income guidelines of 80 percent or below of the Area Median Income (please see chart) and has been economically impacted by COVID-19. Those households who

earn less than 50% of the Area Median Income, as well as, an applicant who has been unemployed for 90 days or more will be prioritized. The agency will reach out to you explaining the paperwork required to document your income, residency, and economic hardship.

<https://www.pascocountyfl.net/4385/Pasco-HEART>

## **Hillsborough County**

- **Emergency Rental Assistance:** On Monday, **April 12, 2021** the Emergency Rental Assistance Program online application portal is will open for eligible residents at or below 80% Area Media Income (AMI). Hillsborough County will receive \$44 million in rental assistance funds. Approximately \$12 million will go to the City of Tampa and \$32 million will go to unincorporated Hillsborough, Temple Terrace, and Plant City. These funds are different from previous funding in that they are more stringent and can only be used for rental assistance. They cannot be used for mortgage assistance. The Social Services Department will administer the program and are beginning the rollout process.

The Affordable Housing Department has also created a 10-point Affordable Housing Response Plan to mitigate evictions. A lot will have to go into ensuring this plan is successful including County staff working with the judiciary, community partners, municipalities, and code/land use departments.

- **All for Transportation Surtax:** Currently, no remedy has been reached on how the surtax will be refunded to the citizens of Hillsborough County.

<https://www.tampabay.com/news/hillsborough/2021/03/30/no-remedy-yet-for-hillsborough-sales-tax-refund/>

The County Attorney's Office will collaborate with County Administration to prepare the appropriate one percent transportation surtax timeline and present the timeline back to the Board on **April 21, 2021**; the timeline will include the public hearing dates, the date of the Supervisor of Elections shall receive the ballot information, the audit, County workshops, date of election, and any other related items to the one percent transportation surtax timeline.

BACKGROUND: On Thursday, **February 25, 2021**, the Florida Supreme Court decided 4-1 that restrictions on how and where the revenue from the tax could be spent were unconstitutional. What to do with the money collected was not discussed but could be revisited. There are several options including: refunding the money to the people, use it for local transportation improvements (as the voters intended), turn it over to the State, or some combination of the three. On Wednesday, **March 3, 2021** the Board voted to support Commissioner Hagan's motion (passed unanimously) to direct staff to work with the Florida Department of Revenue and the Clerk's Office to determine if the county needs to wait for further judicial decisions to refund taxpayers. Another motion was made (Commissioner Myers) to create a county-led tax referendum to replace the All for Transportation surtax (passed unanimously). The item directs the county attorney's office to collaborate with administrators and prepare documents that enable a 1% transportation sales surtax referendum. If the draft is approved, it could come before Hillsborough County voters by 2022 (the earliest possible election).

- **Residential Rental Registry Program:** The Board has requested staff to review the feasibility of using a private provider to establish and maintain a registry of residential rental properties in Hillsborough County. They believe that a registry program can offer several benefits to the County. Staff estimates there are over 120,000 residential rental units in Hillsborough. This includes different types of accommodations, including apartment units, single-family homes, duplexes, short-term rentals, etc. It appears staff will be primarily focused on more traditional rental units including apartments and

single-family homes. Staff will also be analyzing why the County's prior ordinance involving rental housing – the “Rental Housing Inspection Program” (Ordinance 04-37) – was repealed in 2007. Item will be brought back before the Board on **April 21, 2021**.

- **PACE Program:** The issue will be deferred to the **April 21, 2021** Board meeting. Currently, it is unclear what action will be taken, but if it comes back as a staff report, Commissioners can make motions for approval. Currently, Greater Tampa REALTORS has a stance opposing the PACE Program in Hillsborough County.

BACKGROUND: On December 2, 2020, the Board authorized staff to engage in conversation with stakeholders to renew or bring a plan back to the Board to perhaps re-implement the PACE program with stringent consumer protections in place.

- **Tampa Passenger Ferry:** On **April 7, 2021**, the Board confirmed that Hillsborough County would take the lead in negotiating a new agreement to continue the seasonal Tampa to St. Petersburg Cross Bay Ferry service that began in November 2018. The County is assuming the role as lead negotiator with private partners HMS Ferris and South Swell Development Group LLC from the City of St. Petersburg. Additionally, the Board agreed to hire consultant Kimley-Horn for a \$100,000 study on expanding the service to include daily commuter trips between South Hillsborough County and MacDill Air Force Base. The proposed site for the south county terminal is on land offered by Mosaic Fertilizer at its Big Bend marine terminal in Gibsonton. The county has not identified a funding source for the capital costs.

BACKGROUND: On January 21 2021, the Board directed staff and the County Attorney's Office to prepare the appropriate documentation for future consideration by the Board to reinstate the Tampa Bay Passenger Ferry Interim Public Private Partnership Agreement with HMS Ferris and South Swell Development Group, LLC, as previously amended, in order to further extend the Agreement to adequately assess the proposed Mosaic Big Bend site as the south County ferry terminal site and develop the terms and conditions of a 2nd Interim Agreement for subsequent Board consideration after February 17, 2021, or as soon as practical after that date.

**Mobility and Park Impact Fees:** Hillsborough County mobility (transportation) fees will increase to the full amount of \$9,183 for a new house and Park Impact fees will increase to 75% of the recommended amount. The park fee will be \$2,475 per new home.

Hillsborough County charges impact fees on new construction to help pay for the roads, parks, utilities, schools, and fire safety demands created by growth.

BACKGROUND: On **March 25, 2021**, the Board hosted a public hearing on mobility fees and park impact fees. The public hearing was to consider amending the phase-in schedule to begin assessing mobility & parks impact fees at their full, 100% assessment rate, effective no later than June 30, 2021. A motion was made to eliminate the mobility fees phase-in schedule and raise it to its full, 100% assessment rate (Up from 80%). Another (substitute) motion was made to raise the park impact fee to 75%. Both motions passed with an effective date of June 30, 2021.

- **Library Impact Fees:** The issue will be addressed in greater detail at the **June 2, 2021** Board meeting.

BACKGROUND: On **February 17, 2021**, Commissioner Kemp directed County staff to bring back a report on creating library impact fees.

- **School Board Workshop:** On **April 14, 2021**, a joint workshop will be held with the School Board to address school siting issues.

BACKGROUND: On **January 21, 2021**, the Board directed staff to schedule a joint workshop with the School Board to address school siting issues.

## **City of Tampa**

- **CHHA Moratorium/Abatement:** Item will be coming back to Council for review on **April 15, 2021**. Currently, Greater Tampa REALTORS opposes the ordinance proposed by the City that places a moratorium on multi-family development land use changes and rezonings throughout the City of Tampa, including the area South of Gandy Boulevard.

BACKGROUND: On February 4<sup>th</sup>, after extensive discussion, a motion was made by Councilman Dingfelder for city staff to bring back a draft ordinance back at the **March 4, 2021** regular meeting based on staff recommendations. The original motion suggested a 9-month abatement; allow a maximum 25 unit per acre multi-family projects; and mandate a 10% mix-use requirement. The abatement would be restricted to citywide Coastal High Hazard Areas. Please refer to January issues report for more information.

- **Proposed Sidewalk Ordinance:** City Council workshop to discuss the issue will take place on **April 22, 2021**.
- **Public Safety Impact Fee:** At the **March 25, 2021** workshop, City staff presented the public safety master plan which consisted of updates on Fire Rescue and the Police Department. During the discussion, Councilman Dingfelder brought forward the idea of exploring a public safety impact fee. Dingfelder would like to look at what can be done under Florida law and see what jurisdictions currently impose a public safety impact fee on new development. At the conclusion of the workshop, Councilman Dingfelder made a motion (second by Viera) to direct staff to come back with a report and recommendation relating to the possibility of implementing a public safety impact fee to support police and fire rescue. Suggested the possibility that it could be two separate impact fees. This will most likely take a substantial amount of time (First the need must be studied. Then a fair way of imposing the impact fee must be evaluated). Most likely will be a year or more long task. The request was made to have staff and legal come back on **May 6, 2021** under staff reports.

## **STATE ISSUES**

### **Lawmakers OK Trust Funds Cut, Now On to Budget Reconciliation**

The Legislature permanently cut affordable housing trust funds 50%, up from the 66% initially proposed. Florida Realtors will advocate for more during budget reconciliation.

The Florida House approved a bill ([SB 2512](#)) that the Senate previously passed – a proposal that will allocate about 50% of the money in the state’s affordable housing trust funds to affordable housing. The Legislature’s initial plan was to permanently cut affordable housing dollars by 66%, but following advocacy efforts by Florida Realtors® the number was reduced to 50%.

It’s also not the final word. The House and Senate budgets must now be reconciled, and changes could still occur. During reconciliation, a select group of lawmakers from both the House and Senate looks at each chamber’s budget proposal and negotiates a final budget that must be approved by the entire Legislature and signed by Gov. Ron DeSantis. During this reconciliation period, Florida Realtors will continue to advocate for more than 50% of the money in the housing trust funds to be used for workforce housing.

SOURCE: [https://www.floridarealtors.org/news-media/news-articles/2021/04/lawmakers-ok-trust-funds-cut-now-budget-reconciliation?utm\\_campaign=4-09-2021+Florida+Realtors+News&utm\\_medium=email&utm\\_source=iPost](https://www.floridarealtors.org/news-media/news-articles/2021/04/lawmakers-ok-trust-funds-cut-now-budget-reconciliation?utm_campaign=4-09-2021+Florida+Realtors+News&utm_medium=email&utm_source=iPost)

## **Lawmakers Pass and DeSantis Signs COVID-19 Legal Protections**

Gov. DeSantis was quick to sign SB 72 after the Florida Legislature passed it, giving businesses new protection against lawsuits filed over COVID-19 claims. Florida Realtors supported the change to help brokers and clients avoid unknown legal risks.

The bill establishes new rules in personal injury lawsuits related to COVID-19. For example, people who file personal injury lawsuits that do not allege medical malpractice or violations of nursing-home resident rights must first get state-licensed physicians to sign affidavits that the defendants caused the injuries or damages.

Additionally, business owners are immune from liability if courts determine they made good-faith efforts to substantially comply with government-issued health standards or guidance.

SOURCE: [https://www.floridarealtors.org/news-media/news-articles/2021/03/lawmakers-pass-and-desantis-signs-covid-19-legal-protections?utm\\_campaign=3-30-2021+Florida+Realtors+News&utm\\_medium=email&utm\\_source=iPost](https://www.floridarealtors.org/news-media/news-articles/2021/03/lawmakers-pass-and-desantis-signs-covid-19-legal-protections?utm_campaign=3-30-2021+Florida+Realtors+News&utm_medium=email&utm_source=iPost)

## **FEDERAL ISSUES**

### **Coronavirus: Small Business Relief FAQs:**

<https://www.nar.realtor/political-advocacy/coronavirus-small-business-relief-faqs>

### **NAR: Don't Panic Over PRO Act**

The National Association of REALTORS® is cautioning members not to panic over passage of the Protecting the Right to Organize (PRO) Act in the U.S. House of Representatives, a bill that could have broad implications for the independent contractor status of millions of Americans. Several recent opinion pieces in industry publications have incorrectly depicted the bill as nearing imminent passage in the Senate and becoming law with unfavorable terms for REALTORS®.

“NAR’s advocacy team worked with lawmakers in the House to ensure REALTORS® would not be negatively impacted and to support an amendment that would protect existing state definitions of ‘employer’ and ‘employee.’ We are currently working to ensure this language is included in the Senate version,” says NAR Chief Advocacy Officer Shannon McGahn.

Find the latest developments and more background information on the issue at [nar.realtor](https://www.nar.realtor).

McGahn adds that NAR will continue pushing for independent contractor protections, even if the Senate declines to act on the bill: “Our advocacy team has launched a vigorous effort to educate lawmakers on how indispensable the independent contractor classification is to our industry and ensure the bill doesn’t apply to REALTORS®.”

Senate Republicans are united in opposition to the legislation as are some Democrats. It takes 60 votes to advance legislation in the Senate. “There has always been bipartisan interest in a real estate–specific exemption for any ABC test legislation,” McGahn says.

**SOURCE:** <https://magazine.realtor/daily-news/2021/03/19/nar-dont-panic-over-pro-act>

## **CDC Extends Renter Eviction Ban Through June**

The Biden administration extended a [federal moratorium on evictions of tenants](#) who have fallen behind on rent during the coronavirus pandemic. The Center for Disease Control and Prevention (CDC) made the announcement on Monday, March 29<sup>th</sup>.

The ban applies only to renters with income impacted by COVID-19. They must:

- Earn \$198,000 annually or less for couples or \$99,000 for single filers
- Demonstrate that they’ve sought government help to pay the rent
- Declare that they can’t pay because of COVID-19 hardships
- Affirm they are likely to become homeless if evicted

Many landlords face a difficult situation over the eviction ban, notably [smaller investors who hold mortgages](#) on the properties they rent. Government stimulus bills have included money slated for these property owners but not all of that funding has been distributed yet.

NAR “helped secured \$25 billion in 2020 and another \$21.55 billion earlier this month in federal rental assistance funding, which can be paid directly to property owners,” says Shannon McGahn, chief advocacy officer of NAR. “This was critical to averting a multifamily real estate crisis, as many of our nation’s housing providers are mom-and-pop operations. Our focus now turns to ensuring there is not just enough funding but also a smooth implementation of rental assistance while the various challenges to eviction bans work their way through the courts.”

**SOURCE:** [https://www.floridarealtors.org/news-media/news-articles/2021/03/cdc-extends-renter-eviction-ban-through-june?utm\\_campaign=3-30-2021+Florida+Realtors+News&utm\\_source=iPost&utm\\_medium=email](https://www.floridarealtors.org/news-media/news-articles/2021/03/cdc-extends-renter-eviction-ban-through-june?utm_campaign=3-30-2021+Florida+Realtors+News&utm_source=iPost&utm_medium=email)

## **What the Moratorium Means for You**

The Centers for Disease Control (CDC) announced on March 29<sup>th</sup> that it is extending its nationwide eviction moratorium through June 30, 2021.

The order was put into place Sept. 4, 2020, but has been challenged in court across numerous states and localities in the months since. In addition to the court challenges, the National Association of REALTORS® has fought successfully for federal rental assistance—and will continue to advocate to ensure the moratorium doesn’t lead to a spiraling crisis for housing providers and tenants.

“NAR helped secured \$25 billion in 2020 and another \$21.55 billion earlier this month in federal rental assistance funding, which can be paid directly to property owners,” says Shannon McGahn, chief advocacy officer of NAR. “This was critical to averting a multifamily real estate crisis, as many of our nation’s housing providers are mom-and-pop operations. Our focus now turns to ensuring there is not just enough funding but also a smooth implementation of rental assistance while the various challenges to eviction bans work their way through the courts.”



Under the terms of the CDC order, residents must declare that they have pursued all appropriate government assistance; met certain income and employment requirements; and are using best efforts to make timely partial payments, among other qualifications. Today's announcement expands the order to include people "who are confirmed to have, who have been exposed to, or who might have been exposed to COVID-19 and take reasonable precautions to spread the disease."

Covered persons must now provide their housing provider with a copy of a signed declaration form stating that they meet the requirements to be a "covered person."

As with previous CDC orders, property owners may still evict tenants due to criminal activity, damaging property, or for violating other contractual obligations.

"Rental assistance averted two crises—one for mom-and-pop property owners who did not have a reprieve from their bills and relied on their rental income and one for tenants who would have been responsible for months of back rent when the eviction moratoriums expired," McGahn says. "We must continue to look for ways to protect tenants and property owners from further financial turmoil while ensuring housing in America remains safe and stable for decades to come."

### **Latest Stimulus Bill Signed into Law – Here's What It Does**

NAR welcomed the \$21.55 billion in new emergency rental assistance, which will be added on top of the \$25 billion allocated in December. State and local governments will distribute the funds. NAR sent a letter to Congressional leaders in February, saying additional rental assistance was crucial to help housing providers and tenants meet their financial obligations during the pandemic. "Rental assistance that is easily accessible to qualified households will relieve renters from excessive debts and ensure our critical rental housing stock is sustainable," the letter reads.

NAR also supported \$350 billion for extra state and local aid. Nearly nine in 10 cities expect a budget shortfall this year due to the pandemic, according to the National League of Cities. The extra funding will help states address public health risks as they gradually reopen.

The \$10 billion for a Housing Assistance Fund will allow state housing finance agencies to help homeowners facing financial hardship. The funds can be used for mortgage payment assistance, utility payments and property tax assessments as well as to prevent eviction, mortgage delinquency and foreclosure.

The Paycheck Protection Program will also receive additional funds: \$7.25 billion. PPP has already disbursed more than \$662 billion in forgivable loans to small businesses since it was first created by the CARES Act last March.

Provisions within the American Rescue Plan:

- **Stimulus checks:** \$1,400 stimulus checks per person, phased out completely for individuals earning \$80,000 per year and couples earning \$160,000 per year. (Those earning under the income limits will also receive \$1,400 in stimulus money for each dependent, regardless of age, claimed on their latest filed tax return.)
- **Unemployment:** The existing \$300 weekly unemployment benefit is extended through Sept. 6 to the Pandemic Unemployment Assistance program. The \$900 billion stimulus package, passed in December, provided unemployed Americans an extra \$300 per week in benefits, but the program expires in mid-March

- **Rental assistance:** \$21.55 billion in new money for rental assistance on top of the \$25 billion allocated in December
- **Child tax credits:** There is a one-year increase in the child tax credit, paid in monthly installments, including \$3,000 a year for each child ages 6 to 17, and \$3,600 a year for each child under age 6, for couples who make \$150,000 or less and single parents who make \$112,500 or less
- **Homeowner aid:** \$10 billion for a Housing Assistance Fund that will allow state housing finance agencies to help homeowners facing hardship
- **Buyer counseling:** \$100 million for housing counseling services
- **Small businesses:** \$15 billion for a new small business grant program
- **Local governments:** \$350 billion in state and local aid
- **Schools:** \$130 billion

SOURCE: [https://www.floridarealtors.org/news-media/news-articles/2021/03/latest-stimulus-bill-signed-law-heres-what-it-does?utm\\_source=3-15-2021+Florida+Realtors+News](https://www.floridarealtors.org/news-media/news-articles/2021/03/latest-stimulus-bill-signed-law-heres-what-it-does?utm_source=3-15-2021+Florida+Realtors+News)

**NAR unveils 2021 Advocacy Agenda – attached full agenda as well as 1 pager with 4 key themes.**

This can be found on the NAR website here: <https://narfocus.com/billdatabase/clientfiles/172/21/4275.pdf>

With the help of our policy committee leadership team, NAR has finalized our broad [2021 advocacy agenda](#) for the 117th Congress. As you are all aware, this agenda showcases our perspective to advocate for policies that promote and protect a dynamic U.S. real estate market and supports those endeavors that foster homeownership and investment opportunities for qualified purchasers of real property. In the 117th Congress, NAR will focus on:

- Improving access to homeownership;
- Enabling a quick recovery after the Covid-19 pandemic;
- Ensuring fair housing for all; and
- Building strong and resilient communities and businesses.

This body of work and these larger themes will guide our advocacy actions for the remainder of the 117th Congress.