

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KEY WEST,
FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF
ORDINANCES, ENTITLED "ADMINISTRATION" BY
AMENDING SECTION 2-707, TO AMEND THE MOVE-
IN ASSISTANCE PROGRAM BY ADJUSTING
ELIGIBILITY AND OTHER REQUIREMENTS;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
REPEAL OF INCONSISTENT PROVISIONS;
PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Key West finds that it is necessary
to amend the Move-In Assistance Program by adjusting
eligibility requirements; and

WHEREAS, an amendment to section 2-707 of the Code of
Ordinances will promote the health, safety and welfare of the
citizens and visitors of the City of Key West.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KEY WEST,
FLORIDA:

Section 1: That Section 2-707 of the Code of Ordinances is hereby amended as follows*:

Sec. 2-707. - Move-in assistance program.

(a) Purpose. There is hereby established the "move-in assistance program" whose purpose is to assist eligible persons to obtain loans in order to become renters of residential housing in Key West. The community development office of the City of Key West ~~Key West Housing Authority~~ shall administer this program. It shall implement default and collection standards and underwriting standards.

(b) Eligibility requirements. The community development office shall develop a form of application. A person eligible for the move-in assistance program must show proof of employment or a letter of intended employment in Key West. Eligible candidates may not commit more than 30% of their monthly income towards monthly rental costs. ~~shall have established and provide~~

*(Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

~~proof of both residency and employment in Monroe County for not less than 12 consecutive months prior to application. The community development office shall obtain a credit report on all applicants and shall deny an application when the credit rating is less than 650 (as defined by the banking industry), unless the applicant can demonstrate extenuating circumstances acceptable to the community development office.~~

(c) Income eligibility. Eligible applicant(s) income will not exceed 140% of the Area Median Income (AMI) of the City of Key West Work Force Housing Rental Income limits.~~Income eligibility for the move-in assistance program shall be as provided in the Key West affordable housing ordinance, section 122-1466 et seq.~~

(d) Eligible expenses. The following are the eligible expenses for the move-in assistance program: last month rental payments, and security deposits, ~~and water, electric and gas utility deposits.~~

(e) The move-in assistance program shall be administered on a preapproval basis. After a person is preapproved as eligible, he or she may submit a loan request to the community development office. An authorized officer of the community development office shall issue a check payable only to a landlord, ~~or utility, as applicable. Prior to the expenditure of program funds, the loan must have the additional approval of the executive director of the Housing Authority.~~

(f) Loans; promissory notes. The maximum amount of any loan under the move-in assistance program will not exceed the total of the required security deposit and last month's rent. ~~shall be \$3,500.00.~~ The eligible person shall execute a promissory note for the repayment of the loan. Repayment shall be for a period of not more than three years. ~~, bearing interest at the rate of three percent per annum; provided, however, that there shall be no interest charged on any loan whose repayment period is for one year or less.~~ The annual interest rate on the loan repayment shall be 2% for applicants with income of 121-140% of AMI, and 0% for applicants with income of 81%-120 of AMI. Applicants with income of 80% AMI or less will receive

deferred loans. The entire amount of the loan covering last month's rent and security deposit will be returned to the City upon fulfillment of the lease.

(g) In the event a landlord in receipt of move-in assistance program funds fails to comply with its obligations under chapter 83 of the Florida Statutes, the eCity of Key West shall have all rights of the tenant in obtaining restitution and/or damages.

Section 2: If any section, provision, clause, phrase, or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 3: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 4: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2023.

Read and passed on final reading at a regular meeting held this _____ day of _____, 2023.

Authenticated by the presiding officer and Clerk of the Commission on _____ day of _____, 2023.

Filed with the Clerk _____, 2023.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK