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## FLORIDA APARTMENT ASSOCIATION



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# COMMUNITY JOBS GROWTH





## Facts

Apartments and their residents contribute more than **\$3.5 billion** to the economy every day.

**\$44.8**  
BILLION  
economic contribution

**2.6**  
MILLION  
apartment residents

**669**  
THOUSAND  
new apartment homes  
needed by 2030

**470.4**  
THOUSAND  
total jobs supported

\*State data derived from [www.WeAreApartments.org/data/state/florida](http://www.WeAreApartments.org/data/state/florida).

## Florida's Multifamily Industry Supports:

COMMUNITY  
**1.3M**  
apartment homes

JOBS  
**31,827**  
on-site jobs

GROWTH  
**34%**  
of Florida's residential  
construction permits  
build apartments





## Protect the Sadowski Affordable Housing Trust Fund

***Issue: Use all Sadowski Affordable Housing funds for Florida housing programs.***

The Sadowski Affordable Housing Trust Fund helps the apartment industry by providing money to build and repair affordable apartment homes for Florida's most vulnerable populations.

### **BACKGROUND**

The Sadowski Act (1992) created a dedicated revenue source to fund Florida's affordable housing programs. The housing trust fund, which is also known as the Sadowski fund, is financed by document stamp taxes that are paid on all real estate transactions that take place in the state.

The preservation of the Sadowski fund is important for the Florida apartment industry because the demand for apartment homes continues to rise. Sadowski funds help balance the high demand for new affordable apartment homes across the state by aiding in the construction or refurbishment of affordable units.

### **HOW THIS IMPACTS THE APARTMENT INDUSTRY**

To put this issue in perspective, more than 911,000 Floridians spend at least 50 percent of their income on housing and the National Apartment Association estimates Florida will need an additional 669,000 apartment homes by 2030 to meet rising demand.



Sadowski funds are reinvested into the community to help Florida's most vulnerable populations, which include: veterans, the elderly, those experiencing homelessness, and persons with special needs. In general, 30 percent of the funding is used for initiatives such as the State Apartment Incentive Loan (SAIL) program and 70 percent of the trust fund resources are used for single-family housing initiatives (SHIP). In the apartment industry, SAIL funds are used to rehabilitate existing apartments or build new units where additional affordable housing is needed.

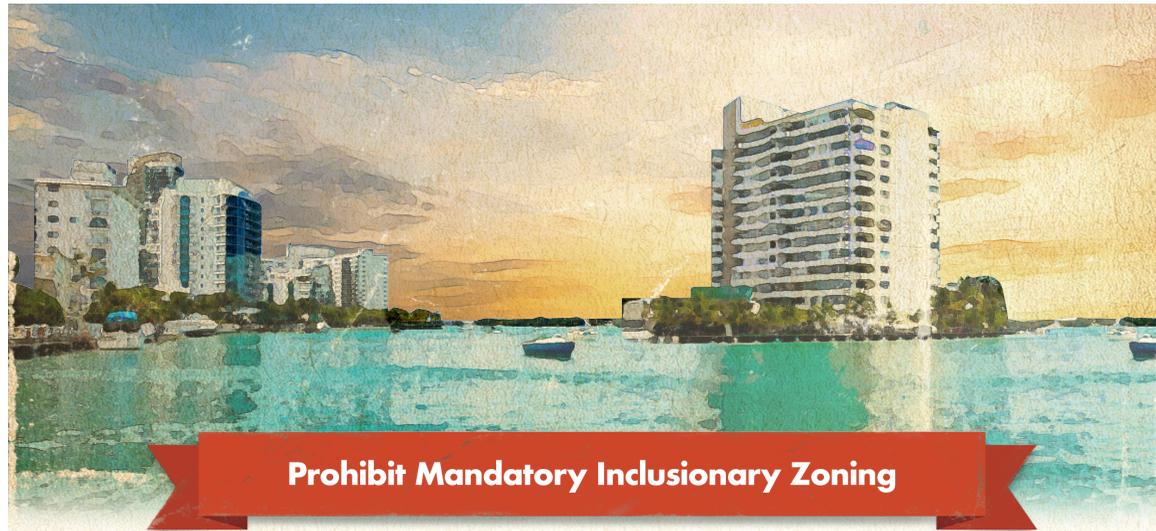
### **ECONOMIC IMPACT**

Sadowski funds are highly leveraged with private sector loans and equity, which provide \$4 to \$6 for every dollar of state funding. As a result, Sadowski funds have a powerful economic impact in the State of Florida. In addition, the appropriation of the estimated \$314.08 million\* in the state and local housing trust funds in fiscal year 2019-20 into Florida's housing programs would create 30,000 jobs and \$5 billion in positive economic impact in Florida.

\* Estimate based upon documentary stamp projection from 2019 Revenue Estimating Conference

### **WHAT YOU CAN DO**

The Florida Apartment Association urges the Legislature to use all of the Housing Trust Fund monies exclusively for Florida's housing programs and to pass SB 70 (Sen. Passidomo), which will prevent the Legislature from diverting any cash balances in the Housing Trust Fund for other purposes within the state budget.



## Prohibit Mandatory Inclusionary Zoning

### ***Issue: Mandatory inclusionary zoning practices do more harm than good.***

In response to rising costs, some communities in Florida have enacted rent control policies. Sadly, these policies do not live up to the promise of reducing the cost of living for Florida's more vulnerable individuals. On the contrary, these ordinances discourage development of new apartment homes or the renovation of existing units.

### **BACKGROUND**

The policies enacted by local municipalities typically place strict limitations on the rent an apartment community can charge or require a specific proportion of the new apartment homes developed within the municipality's jurisdiction to be deemed "affordable housing."

### **HOW THIS IMPACTS THE APARTMENT INDUSTRY**

The apartment industry acknowledges rising demand for affordable housing and seeks to work collaboratively with local governments to address this issue. Mandatory inclusionary zoning practices have a negative impact on Florida housing affordability because such policies discourage the development of multifamily housing where it is most needed. In the event an owner or developer cannot recover operation costs as a result of the mandatory inclusionary zoning policy, owners will postpone construction or take their development resources to another jurisdiction.



More effective methods for addressing housing affordability include targeted incentive programs at the local level that seek to address the specific needs of each community. Such incentives can include but are not limited to: reduced impact fee rates, expedited permitting/approval processes, and other tax-related incentives to reduce costs for multifamily development projects.

### **ECONOMIC IMPACT**

Mandatory inclusionary zoning policies stifle the development of new apartment communities and thereby exacerbate the rising demand for apartment homes. As a result of the rising demand and the reduction in supply caused by mandatory inclusionary zoning, the cost of housing for all Floridians will rise. In addition, these policies threaten the 470,000 jobs created by the Florida apartment industry and the \$44.8 billion the industry contributes to the state's economy annually. \*

*\*State data derived from [www.WeAreApartments.org/data/state/florida](http://www.WeAreApartments.org/data/state/florida).*

### **WHAT YOU CAN DO**

The Florida Apartment Association urges the Legislature to pass preemption legislation that prevents local governments from mandating inclusionary zoning and encourages local governments to pursue market-based incentives to address affordable housing.



## Reduce Emotional Support Animal Fraud and Abuse

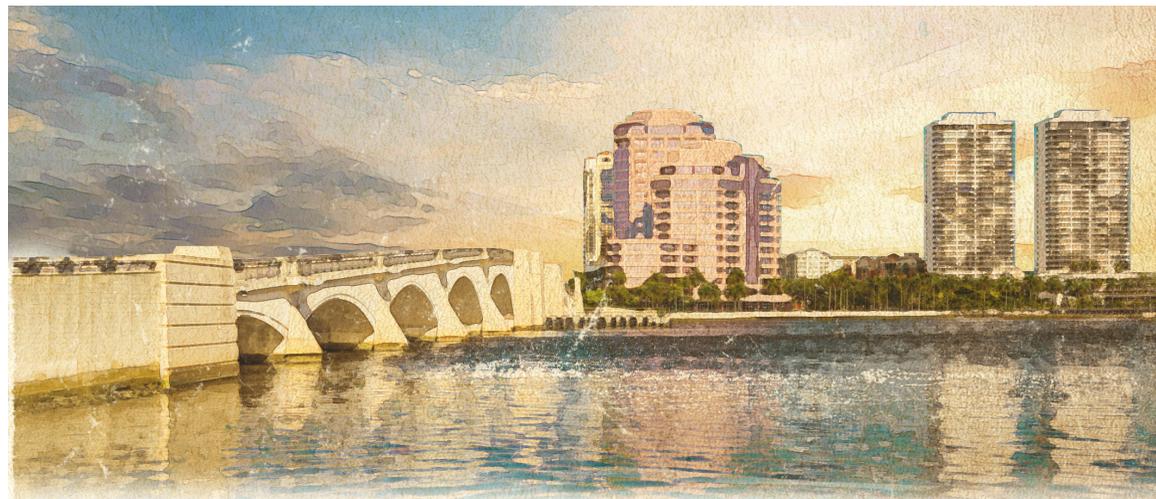
***Issue: The Legislature should pass legislation to reduce instances of emotional support animal fraud and abuse.***

Florida law currently lacks necessary clarity regarding Emotional Support Animals (ESAs). As a result, rental owners frequently receive fraudulent requests for ESA accommodations that cannot be verified by a physician or medical professional who has an established relationship with a patient.

### **BACKGROUND**

ESAs, which are also known as companion animals, are used by patients to alleviate symptoms associated with a variety of disabilities. Unlike a service animal that is trained to perform a specific task, an ESAs presence provides a benefit for the patient. In accordance with the federal Fair Housing Act (FHA), an individual may request a reasonable accommodation for the ESA from a housing provider. Reasonable accommodation examples can include but are not limited to: eliminating the pet rent fee or allowing an ESA to reside on a “pet-free property.”

In response to the growing usage of ESAs, online providers have established websites that offer ESA “documentation” for a fee. These online providers do not have a license to practice in the State of Florida and lack an established healthcare relationship with the patient. As a result, an individual who does not qualify for a reasonable accommodation under the FHA can obtain fraudulent documentation online without interacting with a medical professional.



Legislation should require ESA accommodation documentation to be completed by a licensed provider who has an established medical or therapeutic relationship with the patient. In addition, this legislation should clarify a property owner's right to verify the authenticity of such documentation upon receipt of the ESA request.

### **HOW THIS IMPACTS THE APARTMENT INDUSTRY**

The apartment industry strongly supports the rights of individuals with disabilities to request reasonable accommodations. However, the abuse in the current system places an undue burden on property owners and undermines the intent of the Fair Housing Act.

### **WHAT YOU CAN DO**

The Florida Apartment Association urges the Legislature to pass legislation to reduce fraud and provide clarity regarding reasonable accommodation practices for emotional support animals.



## Clarify the Impact Fee Process

***Issue: The Legislature should pass SB 144 to clarify the impact fee collection process.***

There is a lack of consistency regarding when a local unit of government will assess and collect impact fees for multifamily development projects and what the revenue can be used for among local governments.

### **BACKGROUND**

Florida law provides local governments with the authority to assess and collect impact fees as a means to fund infrastructure that is required to accommodate new population growth. The fees and the process by which they are assessed vary greatly across the state. Some local governments will attempt to collect impact fees during the early stages of the development process while other jurisdictions wait until building permits are issued to collect such fees.

SB 144 will establish consistency by allowing impact fees to be collected only after a building permit is issued. In addition, SB 144 will ensure the Legislature's original intent of the law by earmarking impact fee revenue for acquiring or improving capital facilities to serve the population generated by the new development.



### **HOW THIS IMPACTS THE APARTMENT INDUSTRY**

The inconsistency in the current impact fee system is problematic and burdensome for multifamily housing developers with projects across multiple jurisdictions. Similarly, the practice of using impact fee revenue to fund existing debt or non-capital costs raises costs for multifamily housing developers and thereby the cost of housing for all Floridians.

### **WHAT YOU CAN DO**

The Florida Apartment Association urges the Legislature to pass SB 144 (Sen. Bean) to provide necessary clarity regarding the impact fee collection process.