

BREVARD COUNTY HOUSING FINANCE AUTHORITY

4420 South Washington Avenue
Titusville, Florida 32780
(321) 264-0334 Phone
(321) 269-6840 Fax

MINUTES June 8, 2017

The Brevard County Housing Finance Authority convened on the 8th day of June, 2017, at the hour of 3:00 p.m. in the Lecture Room of the Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida.

Present: Larry Boudrie, Chairman
Kamran Sarkarati, Vice Chairman
James Katehakis, Assistant Secretary/Treasurer
Angela A. Abbott, Attorney for the Authority
Helen Feinberg, RBC Capital Markets
Marianne Edmonds, Public Resources Advisory Group, Inc.
Daniel Fanger, Public Resources Advisory Group, Inc.
Mary Wyatt, Hancock Bank

- I. The Chairman, Larry Boudrie, called the regular meeting to order at 3:03 p.m., determined the presence of a quorum.
- II. Public Comments: The Chairman called for public comment. Hearing none, public comment was closed.
- III. Motion made by Jim Katehakis, seconded by Kamran Sarkarati and carried unanimously to approve the Consent Agenda as follows:
 - A. Approval of Minutes of April 13, 2017 meeting
 - B. Approval of payment of Green Pony Press invoice for website maintenance
- IV. Status Reports on Special Projects:
 - A. Loan Agreement with Housing for Homeless (“HFH”) f/k/a Coalition for the Hungry and Homeless: Ms. Abbott indicated that the loan to HFH is paying as agreed, and that the summary of all payments is included in the agenda package.
 - B. Habitat for Humanity of Brevard County: Ms. Abbott indicated that there has been no additional loan activity under the loan agreement. Ms. Edmonds questioned whether the loan could or should be terminated if Habitat does not intend to use it. Ms. Abbott noted that the Loan Agreement will end July 31, 2018.

Larry Boudrie
Chairman

Kamran Sarkarati
Vice Chairman

Barry Forbes
Secretary/Treasurer

James Katehakis
Asst. Secretary/Treasurer

Michael Hartman
Asst. Secretary/Treasurer

Angela A. Abbott
Attorney/Administrator

V. Single Family Programs:

A. Report on 2012-2017 TBA/MCC Program:

1. Status Report: Ms. Abbott presented a status report on the program and indicated that there have been no loans closed since the last meeting. She noted that two new lenders have joined the program: Atlantic Bay Mortgage Group, LLC and Pacific Union Financial, Inc. The members and professionals discussed the housing market in Brevard County and ways to increase activity in the program.
2. Florida Housing Finance Corporation (“FHFC”) Hardest Hit Fund Down Payment Assistance program: Ms. Abbott reported that the signed agreement with FHFC was received two weeks ago. She has informed Embrace Home Loans of the availability of the \$15,000 grant funds under the Authority’s program but she has not received any response from Mr. Thaggard. Ms. Feinberg stated that she will talk to Sue Denihan and will continue to reach out to Embrace to determine what it will take to get the company back as an active lender. There was discussion regarding the need to market MCC’s. Ms. Edmonds suggested that a very short video on MCC’s and marketing would be beneficial to share with lenders and realtors.

B. Consideration of noncompliance request from borrower, Horvath:

U.S. Bank, as servicer, submitted a request on behalf of George Robert Horvath for temporary approval to reside outside of the home. Ms. Abbott reminded the Authority that it granted a 12 month extension on this loan on February 3, 2016. It appears that Mr. Horvath has taken no action to sell or refinance the property, and that he plans to continue to rent out the home. Ms. Edmonds noted that, according to the public records, Mr. Horvath paid \$84,300 for the property and the current market value is approximately \$115,000. Ms. Abbott commented that this loan was originated in 2001, so it has amortized significantly. Ms. Edmonds suggested that the equity in the property should be sufficient to allow the borrower to refinance the property. Motion made by Kamran Sarkarati, seconded by Jim Katehakis and carried unanimously to send a letter to Mr. Hovath informing him that he must sell or refinance the property within 120 days and that there will be no further waivers of the owner occupancy requirement.

VI. Report of Public Resources Advisory Group, Inc.:

- A. Discussion regarding investments: Ms. Edmonds suggested that, in the absence of Mr. Forbes, the discussion regarding investments be deferred to the

next meeting. Ms. Edmonds and Ms. Abbott discussed the Authority's current investment policy and noted that, if the Authority had no investment policy, there would be no continuing education requirement for Authority members. Ms. Abbott mentioned that certain other Authorities have staff or a subcommittee participate in continuing education. Ms. Edmonds noted that the Authority's investments are very limited in scope. Ms. Abbott stated that the language of the statute is very broad and vague as to the details of the educational requirement. Ms. Feinberg mentioned the FGOFA course and suggested that FLALHFA may want to address this issue at its conference. The Authority directed Ms. Edmonds and Ms. Abbott to research whether the GNMA securities qualify as direct obligations of the US Treasury under Section 218.415(17), Florida Statutes.

- B. Ms. Edmonds and Ms. Abbott suggested that the Authority's multifamily guidelines should be reviewed and revised at the next meeting. Ms. Abbott noted that there will be sessions at the FLALHFA conference regarding multifamily guidelines which may be helpful.

VII. Report of Angela A. Abbott, Esquire:

- A. Ms. Abbott reported that the one of the second mortgages under the NIBP in foreclosure has surplus funds following the foreclosure sale. She has filed a Motion with the Court to have the second mortgage of \$5,000 paid in full from the surplus funds. There is a hearing on this matter scheduled for June 16, 2017. She further noted that over half of the 120 second mortgage loans under the NIBP have paid in full with only 4 foreclosures.
- B. Ms. Abbott stated that she has been contacted regarding a forthcoming multi-family financing application by Dominion for the Crane's Creek Senior Apartments Project. The application is expected by Monday, June 12, 2017.

VIII. Other: Bond Counsel and Disclosure Counsel engagement agreements: Ms. Abbott presented a memorandum regarding the term of the engagement of bond counsel and disclosure counsel. Both were selected by an RFP process in August, 2012. The engagements provided for two one year renewal options. Ms. Abbott recommends that the Authority exercise the option to extend each engagement for an additional one year term. Motion made by Kamran Sarkarati, seconded by Jim Katehakis and carried unanimously to extend the engagements of bond counsel, Nabors, Giblin & Nickerson, P.A., and disclosure counsel, Bryant, Miller & Olive, P.A., under the same terms for one additional year ending July 31, 2018.

- IX. Motion made by Jim Katehakis, seconded by Kamran Sarkarati and carried unanimously to adjourn the meeting at 3:57 p.m.