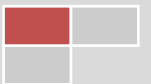


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# *City of Punta Gorda Comprehensive Plan*

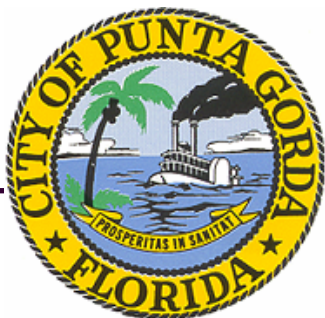
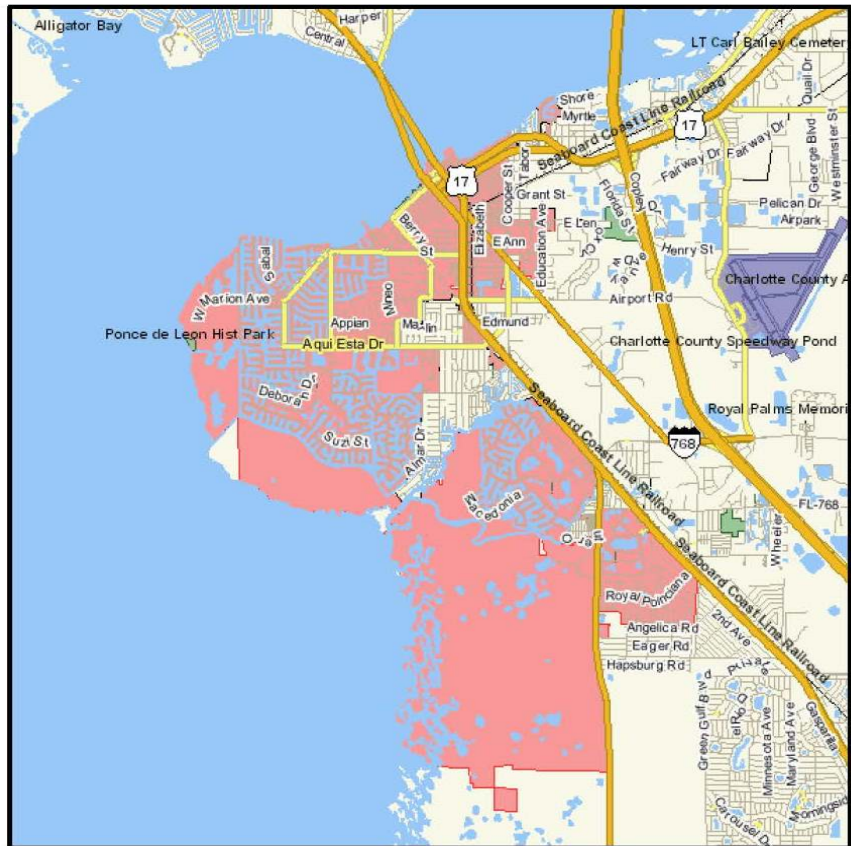
## *Appendix #1*

City of Punta Gorda Analysis of  
Impediments to Fair Housing Choice -  
March, 2015



# CITY OF PUNTA GORDA ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

March, 2015



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**City of Punta Gorda**  
**Analysis of Impediments to Fair Housing Choice**

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**CITY OF PUNTA GORDA  
ANALYSIS OF IMPEDIMENTS TO AFFORDABLE HOUSING CHOICE**

**EXECUTIVE SUMMARY**

**BACKGROUND**

As a recipient of federal funds through the Department of Housing and Urban Development (HUD), the City of Punta Gorda is required to conduct an analysis to determine if any impediments exist that might prevent the nation's fair housing laws from being observed. The City conducted an interim Analysis of Impediments in 2013.

The Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 are the primary legislation directed toward ending discrimination in housing. These laws are designed to ensure that individuals of similar income levels in the same housing market have equal housing choices regardless of their race, color, religion, sex, handicap, familial status, or national origin. Over the succeeding years, other legislation has been enacted which addresses specific needs of target populations.

**PURPOSE**

The purpose of this analysis is to examine a number of key policy areas to ensure that a pattern of housing discrimination does not exist; including any public policies that may contribute to impeding the provision of fair housing choice.

If the analysis finds any impediments, the City is required to take positive action to remove or address the impediments.

**FAIR HOUSING PROGRAM**

Punta Gorda has existing ordinances and regulations in place;

- Fair Housing Ordinance
- Anti-Displacement Act
- Punta Gorda Affordable Housing Incentives
- Discrimination Complaint Policy

## **DISPROPORTIONATE IMPACT ON HOUSING**

- The percentage of Blacks below the Poverty Level is not disproportionate compared to the entire community
- The percentage of Blacks denied mortgages is not disproportionate compared to the entire community
- The percentage of Hispanics below the Poverty Level is slightly disproportionate compared to the entire community
- The percentage of Hispanics denied mortgages is slightly disproportionate compared to the entire community

## **HUD SANCTIONS**

There are no HUD sanctions against Punta Gorda.

## **LAWSUITS**

There are no fair housing lawsuits against Punta Gorda.

## **FAIR HOUSING COMPLAINTS**

Four sources were examined to determine the number of discrimination cases in the City of Punta Gorda. These sources include;

- The City of Punta Gorda
- Charlotte County
- State of Florida Commission on Human Relations
- Rural Legal Aid of Florida

Discussions with representatives of the City of Punta Gorda, Charlotte County and Legal Aid have revealed that no housing complaints have been received over the past five years. No records exist for any complaints prior to that time.

The Florida Commission on Human Relations does have records of housing complaints. However, this data is for the entire County and they could not provide a breakdown by location. The record of housing complaints indicates that only one case has proceeded to action by the Commission. The primary causes of housing complaints are from the disabled population.

**FAIR HOUSING COMPLAINTS IN CHARLOTTE COUNTY**

Filing Date	Charge Description	Closure Date	Closure Code	Basis Description
1/7/2010	Housing	3/2/2010	Successful Conciliation	Disability Mental
5/6/2010	Housing	6/6/2010	No Cause	Disability Physical
12/27/2011	Housing	3/1/2012	Withdrawal with Benefits	Disability Physical
1/9/2012	Housing	5/16/2012	Reasonable Cause	Disability Mental
1/6/2012	Housing	7/17/2012	No Cause	Disability Physical
5/6/2013	Housing	10/2/2013	Successful Conciliation	Sex, male
3/18/2013	Housing	1/9/2014	No Cause	Race, Black and National Origin
1/22/2014	Housing	3/25/2014	Withdrawal with Benefits	Disability Physical, Mental

Source: Florida Commission on Human Relations

**PUBLIC INPUT**

A Public Meeting was held at the Cooper Street Recreation Center on September 18, 2014 and approximately 35 people attended. All comments from the public were addressed in this report.

**PUBLIC POLICY**

A detailed examination of the Comprehensive Plan and the Land Development Codes were undertaken and the City has addressed any potential concerns regarding the ability to provide Affordable Housing.

**NEWSPAPERS**

Newspapers are one of the direct sources of information and contact regarding the dissemination of Fair Housing regulations to the general public. HUD has produced a Fair Housing disclaimer that is designed to be published in newspapers that publish Real Estate ads in any local community. This disclaimer is usually printed in the Real Estate section or found on-line at the newspaper's website. Most newspapers only publish the disclaimer in the Sunday Real Estate section since it typically has the largest amount of ads.

The Punta Gorda Herald-Tribune and the Charlotte Sun are the primary local newspapers in the area. In addition, the Sarasota Sun also serves the community.

After checking the websites for these entities, it was discovered that the HUD disclaimer is not contained on the site, in either the Real Estate section or in any other area.

## **BOARD OF REALTORS**

Many of the individual Real estate firms in the Punta Gorda area provide the HUD disclaimer on their websites. They also are very prudent about distribution of the printed material regarding the subject.

The Port Charlotte, Punta Gorda, North Port Association of Realtors also provides access to the HUD Fair Housing materials on their website. All brochures, posters and printed documents are available for download in multiple languages. However, the Board does not offer classes to members regarding Fair Housing nor does it engage in any community outreach. The national Board of Realtors has extensive materials and programs available to its member organizations. These programs can be readily adapted for use in Punta Gorda.

## **APARTMENT ASSOCIATION**

The Southwest Florida Apartment Association has classes to educate their membership regarding Fair Housing. These classes are taught by professionals in the field and offer information regarding the rights of tenants and prospective tenants.

## **IDENTIFICATION OF IMPEDIMENTS**

Impediments identified are:

1. The City has adopted a formalized policy on the receipt of fair housing inquiries or complaints and this policy is published on the City's webpage. The information is complete, however anyone seeking this material would need to know where to search for the policy and contact telephone number.
2. Transportation and access to public transit was found to be an impediment to finding housing.
3. During investigation of the locally published newspapers, with advertising for real estate for sale or rent, no HUD disclaimer could be found
4. Lack of affordable housing units, based on community opinion.
5. The local realtors, while publishing HUD Fair Housing information on their website, do not hold classes for their members regarding Fair Housing and do not have an outreach program in the community to educate the residents.
6. There appears to be a lack of community knowledge of HUD Fair Housing initiatives and policy.

## **RECOMMENDATIONS FOR CORRECTION OF THE IMPEDIMENTS**

1. Add a link on the City's website main page or in the Questions section to direct anyone seeking to file a housing discrimination complaint to the proper information.
2. In regards to transportation, there appears to be a need for education, outreach and publication regarding the currently available ride/transportation programs. The public does not appear to be fully aware of transportation programs that could assist the transportation disadvantaged-low income population. Additional dissemination of this information should be undertaken.
3. The City should request that the local newspapers insure that the HUD disclaimer regarding Fair Housing is published on their website and/or in print.
4. The City has made strides towards the inventory of affordable housing stock, by changes in their codes and ordinances and encouragement of economic development incentives. The City needs to continue on this path.
5. A partnership with the local Board of Realtors could be explored regarding the community education of the target population. This program should be initiated in the Elementary Schools and possibly expanded to additional grades. Use of existing materials will enable this program to be developed expeditiously.
6. Expand the distribution of Fair Housing materials throughout the community through the following.
  - a. The posting of HUD posters at after school care sites, parks and recreation centers, public housing sites, local houses of faith and schools
  - b. Having HUD/City of Punta Gorda Fair Housing pamphlets/written handouts available at various publically accessed sites, such as libraries, City Hall, other government building and centers.
  - c. Make sure the City website has the information available to the public



## **SECTION 1 INTRODUCTION**

### **1.1 - BACKGROUND**

As a recipient of federal funds through the Department of Housing and Urban Development (HUD), the City of Punta Gorda is required to conduct an analysis to determine if any impediments exist that might prevent the nation's fair housing laws from being observed. The City conducted an interim Analysis of Impediments in 2013.

The Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 are the primary legislation directed toward ending discrimination in housing. These laws are designed to ensure that individuals of similar income levels in the same housing market have equal housing choices regardless of their race, color, religion, sex, handicap, familial status, or national origin. Over the succeeding years, other legislation has been enacted which addresses specific needs of target populations.

### **1.2 - PURPOSE**

The purpose of this analysis is to examine a number of key policy areas to ensure that a pattern of housing discrimination does not exist; including any public policies that may contribute to impeding the provision of fair housing choice.

If the analysis finds any impediments, the City is required to take positive action to remove or address the impediments.

### **1.3 - STATE FAIR HOUSING LAW**

Part II of Chapter 760 of the Florida Statutes outlines the State's Fair Housing Act. This Act follows federal law and makes it unlawful to discriminate against any person in any aspect of the rental or sale of housing. This Act created a 12-member Commission on Human Relations and is staffed by the Department of Management Services. The Act established a written complaint process with timelines for the Commission to investigate and resolve such complaints; first through voluntary compliance, and then through civil and criminal sanctions.

#### **1.4 - FAIR HOUSING ORDINANCE**

The City of Punta Gorda has adopted a Fair Housing Ordinance that addresses the procedures to pursue any complaints.

*“It is the policy of the City of Punta Gorda, Florida, in keeping with the laws of the United States of America and the spirit of the Constitution of the State of Florida, to promote through fair, orderly and lawful procedure the opportunity for each person so desiring to obtain housing of such person’s choice in this jurisdiction without regard to race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age, and, to that end, to prohibit discrimination in housing by any person.”*

Appendix A contains the full ordinance.

#### **1.5 - ANTI-DISPLACEMENT POLICY**

*“The City of Punta Gorda will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG funds, as required by Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), and implementing regulations at 24 CFR 570.496a.”*

*“The City of Punta Gorda will provide relocation assistance, as described in 570.496a(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as direct result of assisted activities.”*

The full Anti-Displacement Policy is found in Appendix B.

#### **1.6 - PUNTA GORDA AFFORDABLE HOUSING INCENTIVES**

Chapter 11A of the Ordinances of the City of Punta Gorda provide for incentives for Affordable Housing in the City.

*“This Chapter is intended to encourage the provision of new units of owner-occupied affordable housing within the City of Punta Gorda by providing for deferral of payment of City imposed fees on qualifying units of Affordable Housing and for Impact Fee Transfers that may be used in payment of City imposed impact fees for new units of Affordable Housing where the demand for capital facilities generated by previously existing development has been permanently reduced on another site. These programs are intended to further the affordable housing goals and objectives in the Housing Element of the City’s Comprehensive Plan.”*

The full Chapter is found in Appendix C.

### **1.7 – DISCRIMINATION COMPLAINT POLICY**

Punta Gorda has adopted a formal policy to address any potential complaints of discrimination in housing in the City. This policy follows the guidelines established in Federal Policy and also provides a direct telephone line for the public to use in the process.

The information is included on the City’s webpage. However, the item is somewhat difficult to locate. The process for obtaining the information is:

1. Use the tab for City Departments and click on the Growth Management Division
2. Click on the Urban Design Division and go to the Division Main Page
3. Click on “Federal and State Compliance Policies”

Although the information is complete, any person wishing to file a complaint would not be able to find the section easily. The webpage should be redone to add a link on the main page or in the Questions section to enable the public to locate the information more easily.

The existing policy is found in Appendix D.

**SECTION 2  
COMMUNITY PROFILE**

**2.1 - DEMOGRAPHICS**

The demographic analysis of Punta Gorda concentrates on the magnitude and composition of the population. Specific attention is paid to trends between the 2000 and 2010 census, and demographic, economic, and housing snapshots from the 2008-2012 American Community Survey. Please note that the attached maps present data by census tract with an overlay of the City limits. For reference, Map 2.1, on page 6, provides a visual representation of Punta Gorda.

According to the 2010 Census estimates, the total population of Punta Gorda was 16,641, a 16.0 percent increase between 2000 and 2010. Table 2.1, below, shows the distribution by race and ethnicity in the City. The White population increased by 14.5 percent, but their percentage of the total decreased from 94.6 percent to 93.3 percent between 2000 and 2010. African-Americans increased by 99 persons, to 3.3 percent of total population in 2010. This constituted a 21.8 percent increase from 2000 to 2010. Punta Gorda experienced a 161.8 percent increase in the Hispanic population between 2000 and 2010. The large percentage increase is due to the small number of Hispanic residents (285). An increase of 461 residents generates a percentage increase of 161.8%.

The percentage of the total population for Hispanics increased from 2.0 percent in 2000 to 4.5 percent in 2010, a 2.5 percentage point increase. The higher percentage increase in some of the minority populations is due to the low base number that existed in 2000.

Other ethnic groups had significant percentage increases in population between 2000 and 2010. The American Indian and Eskimo ethnic group experienced a 41.7 percent during this time frame. The Asian and Pacific Islander population increased 66.4%, but numerically and as a percent of total population, these increases were actually much less significant. These figures in Table 2.1 are from the 2000 and 2010 decennial censuses.

**TABLE 2.1  
TOTAL POPULATION BY RACE AND ETHNICITY FOR PUNTA GORDA**

Race	2000		2010		% Change 2000-2010
	#	%	#	%	
<b>White</b>	13,569	94.6%	15,533	93.3%	14.5%
<b>African-American</b>	454	3.2%	553	3.3%	21.8%
<b>American Indian and Eskimo</b>	24	0.2%	34	0.2%	41.7%
<b>Asian or Pacific Islander</b>	116	0.8%	193	1.2%	66.4%
<b>Other race</b>	181	1.3%	328	2.0%	81.2%
<b>Total</b>	14,344	100.0%	16,641	100.0%	16.0%
<b>Hispanic (ethnicity)</b>	285	2.0%	746	4.5%	161.8%

Source: US Census 2000 and 2010

The majority of the following tables in this section are from the 2008-2012 American Community Survey (ACS), a United States Census program that uses average figures from surveys over a 5 year span. The ACS is the common appropriate source since it provides more accuracy and finer detail than current Census since the ACS asks more refined questions. The 2008-2012 ACS numbers are used for most tables and all Maps in this section.

**TABLE 2.2  
POPULATION BY RACE AND ETHNICITY FOR PUNTA GORDA**

Race	Number	Percent
<b>White</b>	15,359	92.1%
<b>Black or African American</b>	506	3.0%
<b>Other</b>	820	4.9%
<b>Total</b>	16,685	100.0%
<b>Hispanic</b>	814	4.9%

Source: 2008-2012 American Community Survey

The distribution of the population by Race or Ethnicity is represented in Map 2.2 (Percent Black/African American) and Map 2.3 (Percent Hispanic). The concentration of the minority population is found in the Northeast quadrant of the City, west of I-75.

As seen in Table 2.3, on the next page, the total population of Punta Gorda is 16,685, 51.2% of which are female. The table shows that 44.7% of the population is over the age of 65 and only 10.6 percent are under the age of 20. The American Community Survey, an extension of the United States Bureau of the Census was used for all of the population statistics.

**TABLE 2.3  
AGE AND SEX POPULATION**

<b>Sex and Age</b>	<b>Number</b>	<b>Percent</b>
<b>Total Population</b>	16,685	100.0%
<b>Male</b>	8,150	48.8%
<b>Female</b>	8,535	51.2%
<b>Under 5 years</b>	309	1.9%
<b>5 to 9 years</b>	514	3.1%
<b>10 to 14 years</b>	438	2.6%
<b>15 to 19 years</b>	504	3.0%
<b>20 to 24 years</b>	294	1.8%
<b>25 to 34 years</b>	790	4.7%
<b>35 to 44 years</b>	1,201	7.2%
<b>45 to 54 years</b>	1,539	9.2%
<b>55 to 59 years</b>	1,395	8.4%
<b>60 to 64 years</b>	2,231	13.4%
<b>65 to 74 years</b>	4,168	25.0%
<b>75 to 84 years</b>	2,376	14.2%
<b>85 years and over</b>	926	5.5%

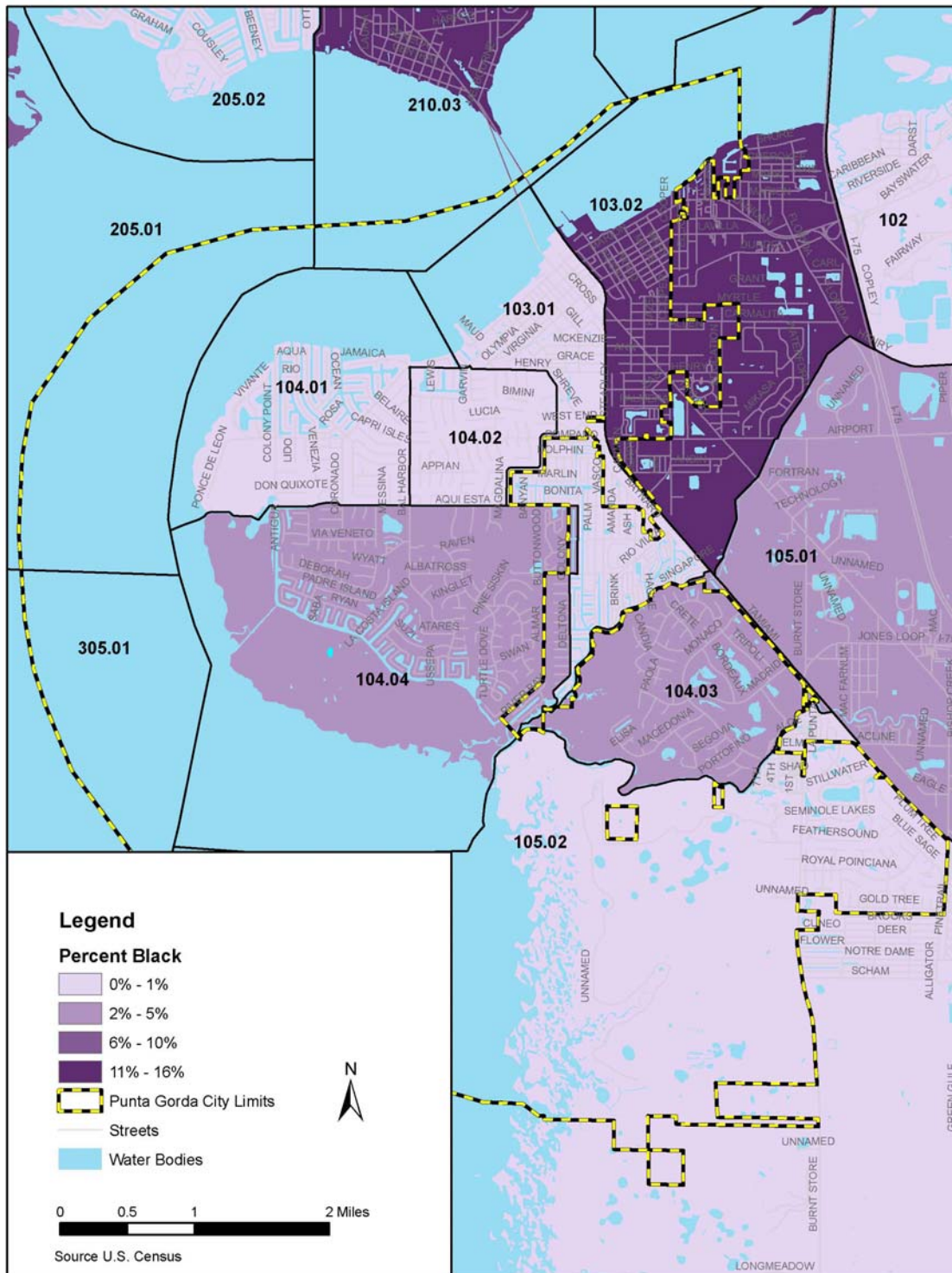
Source: 2008-2012 American Community Survey

**MAP 2.1  
CENSUS TRACTS AND CITY LIMITS**



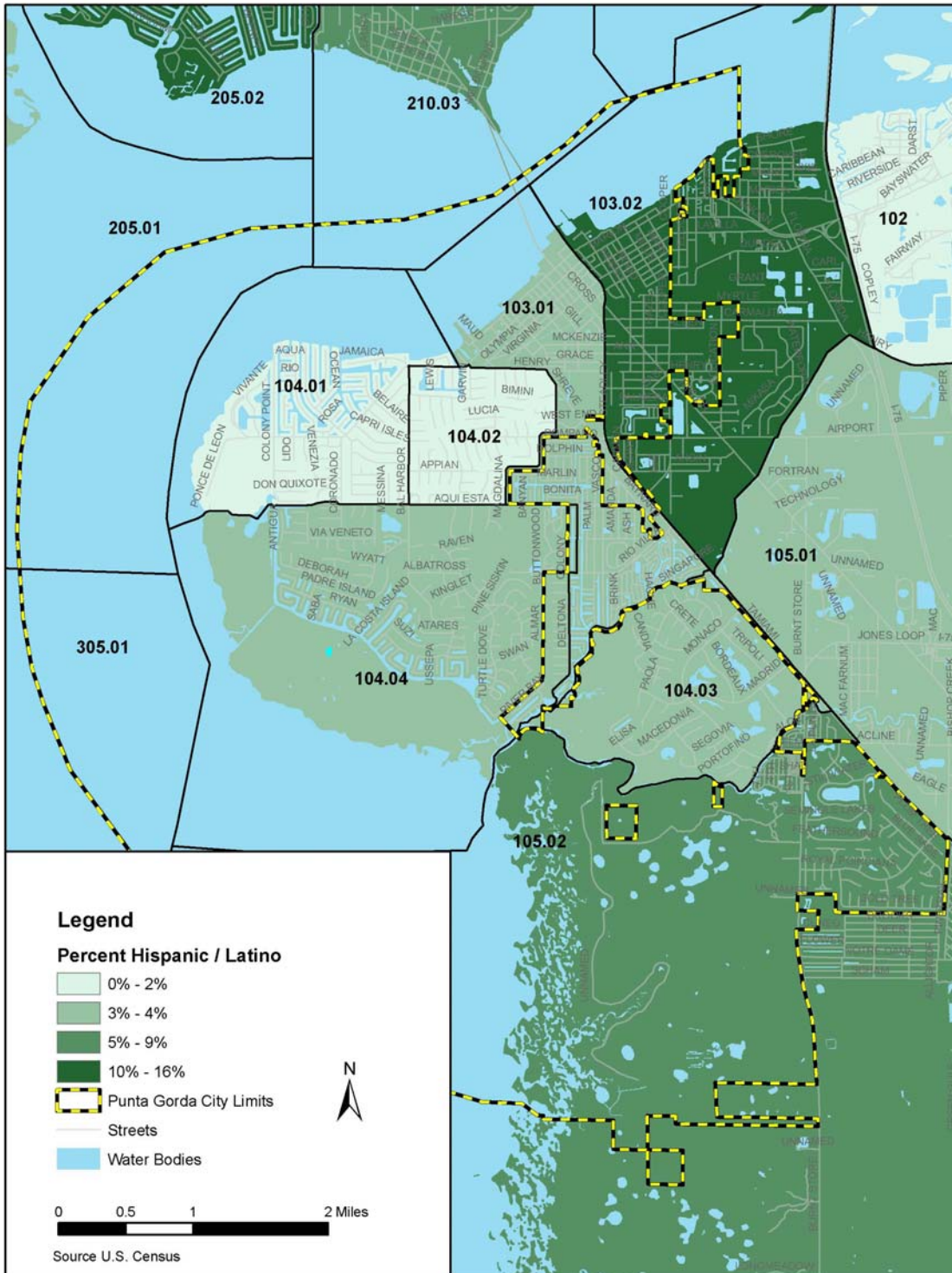


**MAP 2.2  
PERCENT BLACK/AFRICAN AMERICAN**





**MAP 2.3  
PERCENT HISPANIC**



In many communities, female-headed households and female-headed households with children face a higher rate of housing discrimination. Higher percentages of female-headed households with children under the age of 18, sometimes correlates to increases in incidents of reported rental property owners’ refusal to rent to tenants with children. The percentage of female-headed households with children among White households was 6.3 percent, compared to 11.3 percent in Hispanic households, and 31.4 percent in African-American households between 2008 and 2012.

Non-family households among Whites made up 32.3 percent of all White households in Punta Gorda. Non-family households among Hispanics accounted for 27.5 percent of all Hispanic households. Non-family households among African-Americans accounted for 31.4 percent of all African-American households. Table 2.4, below, shows the household structure of the White, African-American, and Hispanic populations between 2008 and 2012.

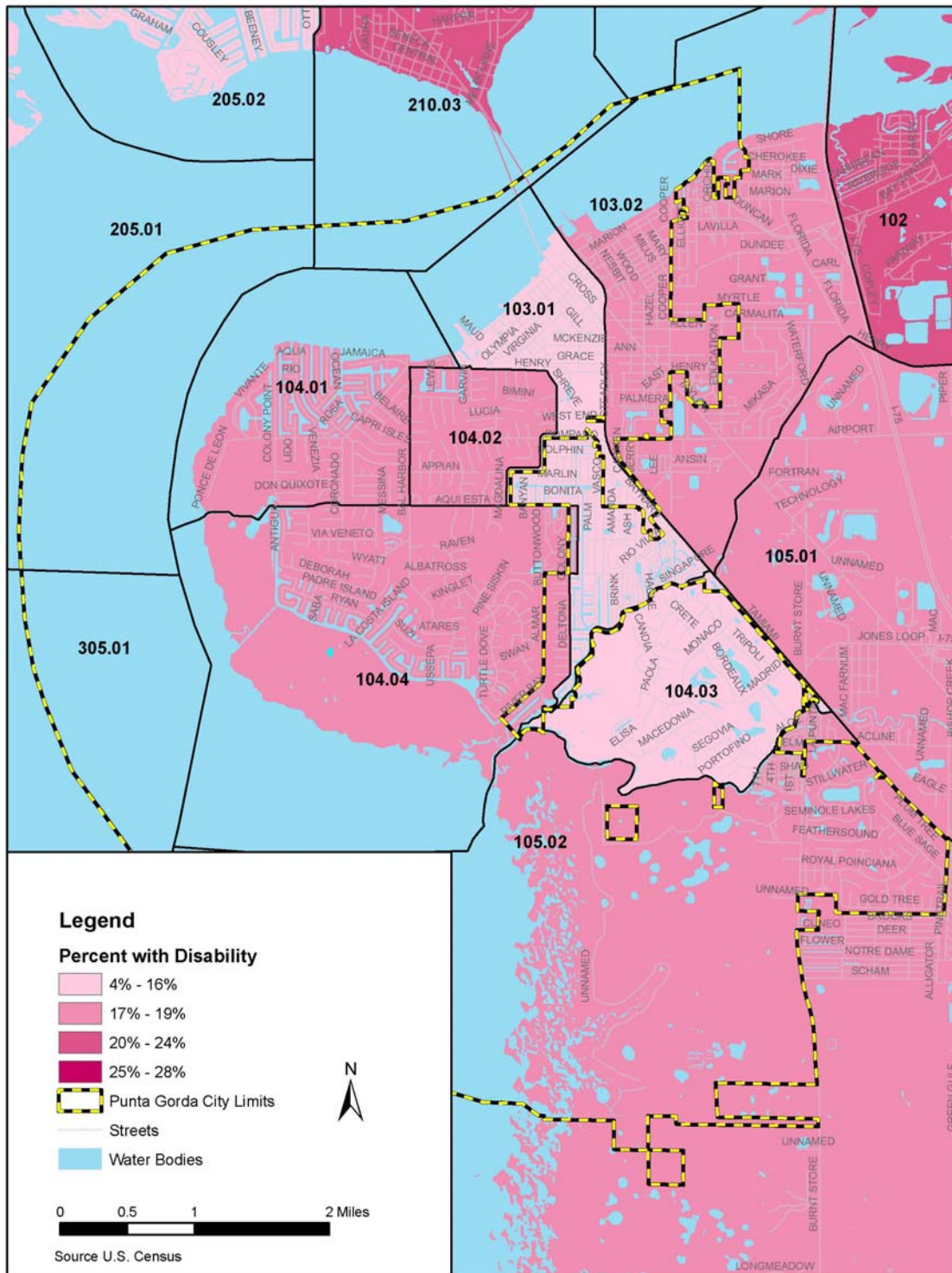
**TABLE 2.4  
HOUSEHOLD TYPE BY RACE**

Household Type	White		Hispanic		African American	
	# of HHs	% of HHs	# of HHs	% of HHs	# of HHs	% of HHs
<b>Family households:</b>	<b>5,230</b>	<b>67.7%</b>	<b>219</b>	<b>72.5%</b>	<b>129</b>	<b>68.6%</b>
<b>Married-couple family</b>	4,698	60.8%	169	56.0%	20	10.6%
<b>Male householder, no wife present</b>	49	0.6%	16	5.3%	16	8.5%
<b>Female householder, no husband present</b>	483	6.3%	34	11.3%	93	49.5%
<b>Nonfamily households:</b>	<b>2,495</b>	<b>32.3%</b>	<b>83</b>	<b>27.5%</b>	<b>59</b>	<b>31.4%</b>
<b>Total:</b>	<b>7,725</b>	<b>100.0%</b>	<b>302</b>	<b>100.0%</b>	<b>188</b>	<b>100.0%</b>

Source: 2008-2012 American Community Survey

The Fair Housing Act requires housing providers to make reasonable accommodations for those with disabilities. In the City of Punta Gorda, 2,751, or 16.6 percent of the non-institutionalized population has a disability. The map (2.4) on the following page shows the spatial grouping of those with disabilities.

**MAP 2.4  
PERCENT OF POPULATION WITH A DISABILITY**



In 2009, there were 5,106 elderly households (headed by a person 65 years of age or older) in Punta Gorda, or 58.5% of the total number of households in the City. This is in comparison to 27.8% throughout Florida. Of these households, 91.8 percent own their home and 8.2 percent rent. As seen in the following table, 22.2% of elderly households pay more than 30% of their income for rent or mortgage costs.

**TABLE 2.5  
ELDERLY HOUSEHOLDS BY AGE AND COST BURDEN**

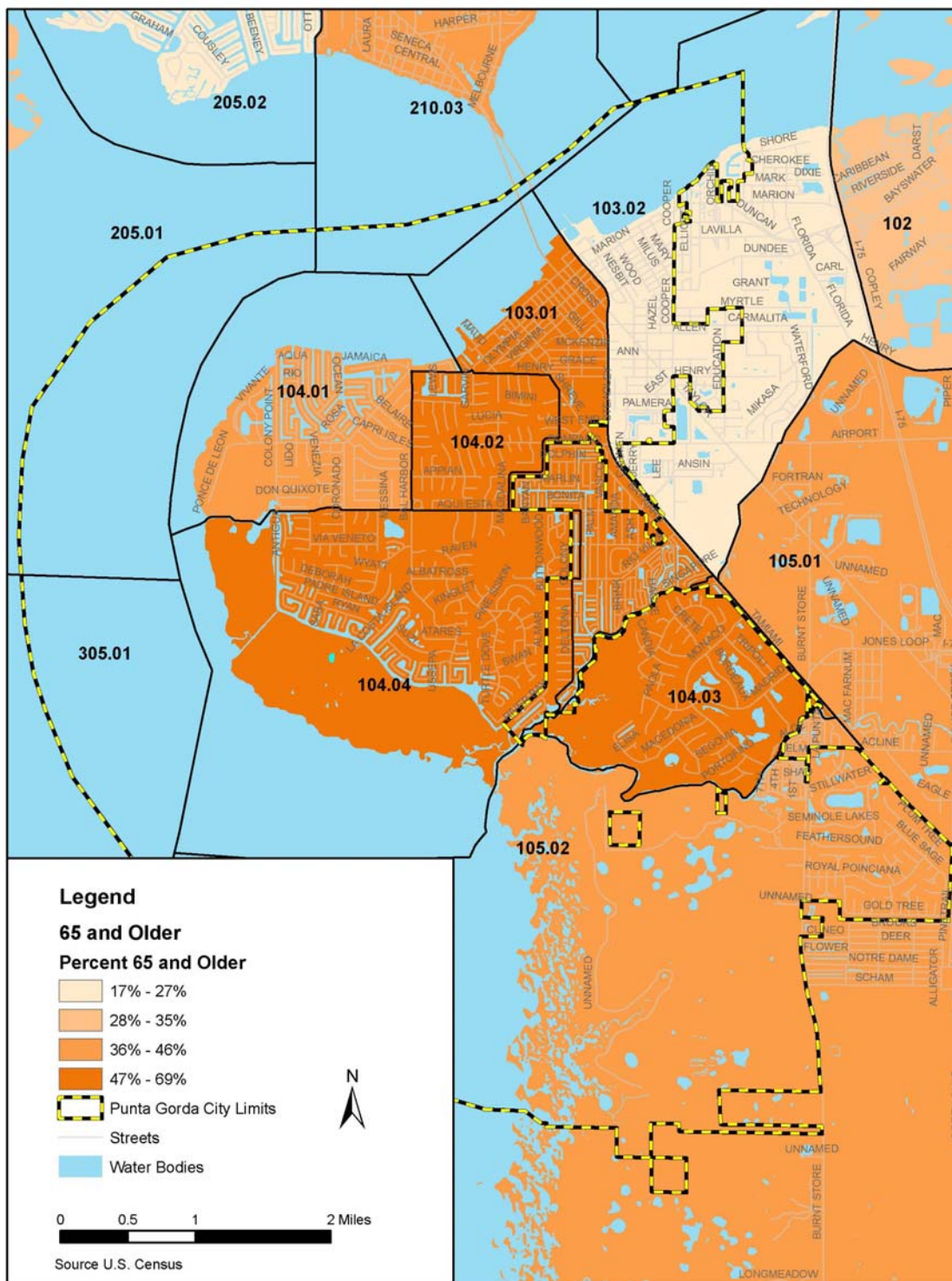
Age of Householder	Cost Burden					
	0-30%		30-49.9%		50+ %	
	Number	Percent	Number	Percent	Number	Percent
<b>65+</b>	3,972	77.8%	648	12.7%	486	9.5%

Source: Shimberg, 2009

On the following page, Map 2.5 shows where the concentration of the elderly population is located.



**MAP 2.5  
POPULATION AGED 65 and OVER**



## 2.2 - INCOME

Low-income households tend to be housed in less desirable housing stock and in less desirable areas of the City. Income limitations often prevent those households from moving to areas where local amenities raise the value of the housing. Income plays a very important part in securing and maintaining housing.

The data in Table 2.6 shows the distribution of income among Whites, African Americans, and Hispanics. In general, limitations on fair housing choice are more commonly found to affect housing decisions among low-income persons.

The data reveals some differences in incomes among the three groups. Whites and African Americans earn roughly the same amount of money, as the median incomes for the two groups are well within the margin of error. Hispanics, on the other hand, have a median income less than half of the other two groups.

<b>Race/Ethnic Group</b>	<b>Median Household Income</b>
White	\$57,567
African American	\$58,102
Hispanic	\$26,563
Total Population	\$57,692

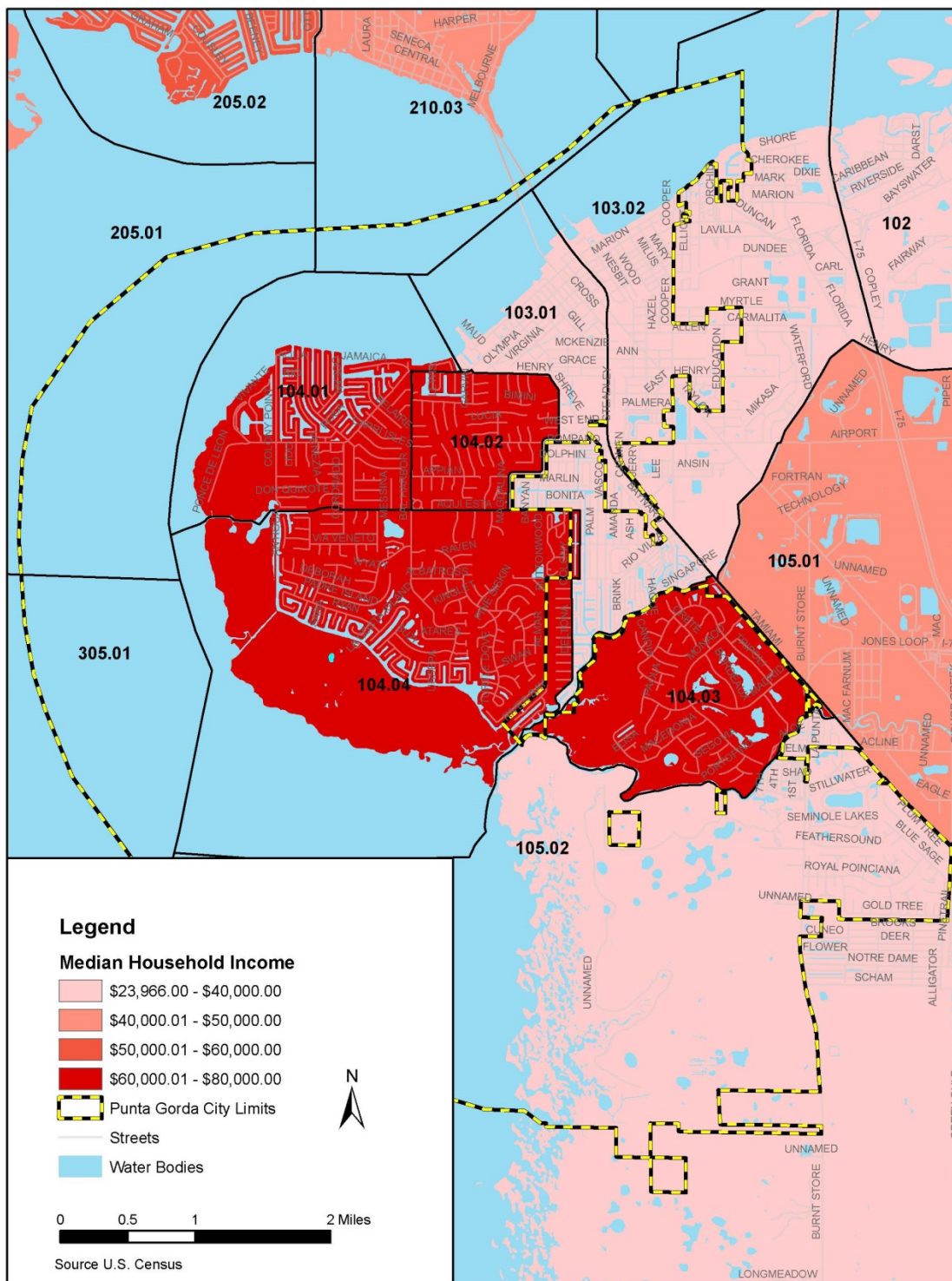
**TABLE 2.6  
INCOME BY RACE**

Income Class	White		Hispanic		African American	
	# of Households	% of Households	# of Households	% of Households	# of Households	% of Households
Less than \$10,000	370	4.8%	31	10.3%	0	0.0%
\$10,000 to \$14,999	338	4.4%	0	0.0%	10	5.3%
\$15,000 to \$24,999	610	7.9%	65	21.5%	31	16.5%
\$25,000 to \$34,999	965	12.5%	112	37.1%	16	8.5%
\$35,000 to \$49,999	1,018	13.2%	0	0.0%	24	12.8%
\$50,000 to \$74,999	1,573	20.4%	0	0.0%	54	28.7%
\$75,000 to \$99,999	1,017	13.2%	40	13.2%	17	9.0%
\$100,000 or more	1,834	23.7%	54	17.9%	36	19.1%
<b>Total</b>	<b>7,725</b>	<b>100.0%</b>	<b>302</b>	<b>100.0%</b>	<b>188</b>	<b>100.0%</b>

Source: 2008-2012 American Community Survey, 2012 inflation adjusted dollars.

Map 2.6, on the following page, shows the median household income by census tract between 2008 and 2012.

**MAP 2.6  
MEDIAN HOUSEHOLD INCOME**



The poverty data in Table 2.7, below, shows major disparate impacts of poverty among Hispanics compared to Whites and the City as a whole. Among White persons, the data reported 9.3 percent poverty rate between 2008 and 2012. About 38.1 percent of all Hispanics lived in poverty during the period. The poverty rate for African Americans is only 3.8 percent.

**TABLE 2.7  
POVERTY BY RACE**

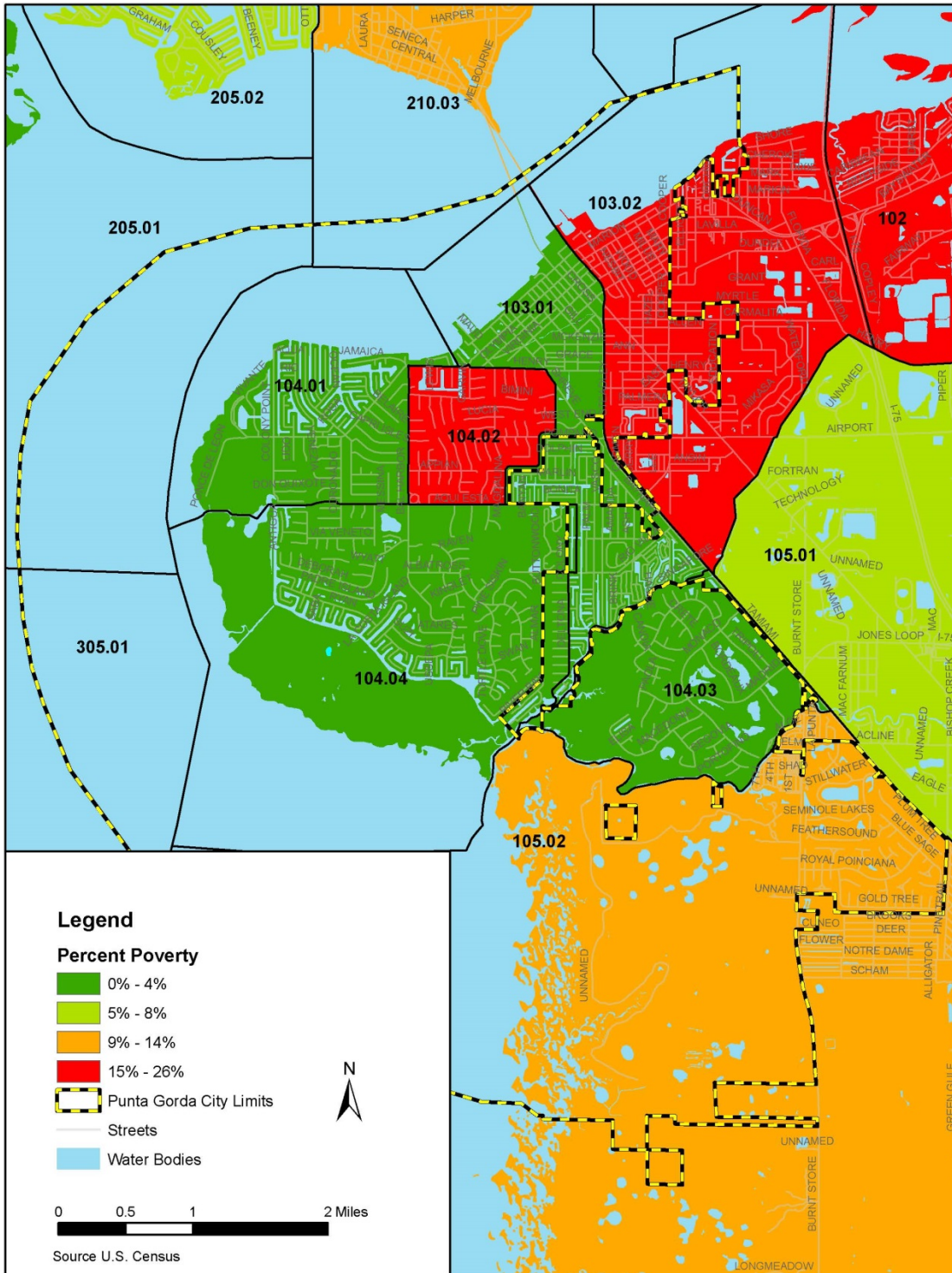
Race and Ethnicity	Total	Below Poverty Level	Percent Below Poverty Level
<b>Total Population For whom Poverty is Determined</b>	<b>16,464</b>	<b>1,723</b>	<b>10.5%</b>
<b>One race</b>	16,055	1,500	9.3%
White	15,138	1,406	9.3%
Black or African American	506	19	3.8%
American Indian and Alaska Native	124	73	58.9%
Asian	170	0	0.0%
Native Hawaiian and Other Pacific Islander	14	0	0.0%
Some other race	103	2	1.9%
<b>Two or more races</b>	409	223	54.5%
<b>Hispanic or Latino origin (of any race)</b>	762	290	38.1%
<b>Non Hispanic or Latino</b>	15,702	1,433	9.1%

Source: 2008-2012 American Community Survey

Map 2.7, on the next page, shows the concentrations of people living in poverty in the City



**MAP 2.7  
PERCENT POVERTY**



### 2.3 - EMPLOYMENT

Employment opportunities in the area and educational levels of the employees can have a significant impact on housing affordability and the location choice of residents. Table 2.8, below, presents our analysis of occupation data, which indicate that there has been some shift in the distribution of occupations between 2000 and 2010. Retail had the largest increase, up 3.1 percentage points to 18.1 percent. Finance and insurance, and real estate and rental and leasing had the largest decrease, down 3.0 percentage points, followed by Educational services, and health care and social assistance, down 2.4 percentage points.

**TABLE 2.8  
OCCUPATION THE POPULATION OF PUNTA GORDA**

Occupation	2000	2006-2010 Average	2008-2012 Average
<b>Agriculture, forestry, fishing/hunting, and mining</b>	0.0%	0.4%	0.9%
<b>Construction</b>	6.8%	7.0%	7.8%
<b>Manufacturing</b>	3.8%	5.7%	5.2%
<b>Wholesale trade</b>	2.6%	2.0%	2.4%
<b>Retail trade</b>	15.0%	16.1%	18.1%
<b>Transportation and warehousing, and utilities</b>	4.3%	5.9%	3.9%
<b>Finance/Insurance/Real Estate</b>	10.9%	10.0%	7.9%
<b>Professional/Scientific/Waste Management</b>	13.8%	10.1%	14.5%
<b>Educational/Health Care/Social Assistance</b>	23.0%	25.0%	20.6%
<b>Arts, entertainment, and recreation, and accommodation and food services</b>	11.5%	6.9%	13.3%
<b>Other services, except public administration</b>	4.3%	5.1%	2.5%
<b>Public administration</b>	4.0%	5.8%	3.0%
<b>Total</b>	100.0%	100.0%	100.0%

Source: 2000 Census, 2006-2010 American Community Survey, and 2008-2012 American Community Survey

The data presented in Table 2.9, provides a portrait of the distribution of the unemployed. Whites have the highest unemployment rate at 9.1 percent of the labor force aged 16 years or older. Hispanic persons in the same age group reported a 7.5 percent unemployment rate and African Americans reported a 6.4 percent rate. All three groups fall under the city-wide average of 9.3 percent. Whites also had the lowest work force participation rate, at 35.1 percent. Hispanics had 50.5 percent participation rate while African Americans had a 72.8 percent participation rate.

**TABLE 2.9  
EMPLOYMENT AND UNEMPLOYMENT RATE BY RACE**

	White		Hispanic		African American		City-wide	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>In Labor Force</b>	5,051	35.1%	305	50.5%	342	72.8%	5,641	36.8%
Employed	4,591	90.9%	282	92.5%	320	93.6%	5,116	90.7%
Unemployed	460	9.1%	23	7.5%	22	6.4%	525	9.3%
<b>Not in Labor Force</b>	9,340	64.9%	299	49.5%	128	27.2%	9,687	63.2%
<b>Total</b>	14,391		604		470		15,328	

Source: 2008-2012 American Community Survey

Table 2.10 illustrates the unemployment rate by age group. It should be noted that persons not in the Labor Force (Under 16 years of age and the retired population) are not included in the unemployment figures.

**TABLE 2.10  
UNEMPLOYMENT BY AGE**

Unemployment by Age	Punta Gorda City, Florida			
	Total	In Labor Force	Employed	Unemployment Rate
<b>Population 16 years and over</b>	15,328	5,641	5,120	9.3%
<b>AGE</b>				
16 to 19 years	408	176	176	0.0%
20 to 24 years	294	243	178	26.7%
25 to 44 years	1,991	1,696	1,447	14.7%
45 to 54 years	1,539	1,177	1,128	4.2%
55 to 64 years	3,626	1,643	1,523	7.2%
65 to 74 years	4,168	575	546	5.0%
75 years and over	3,302	125	116	8.0%

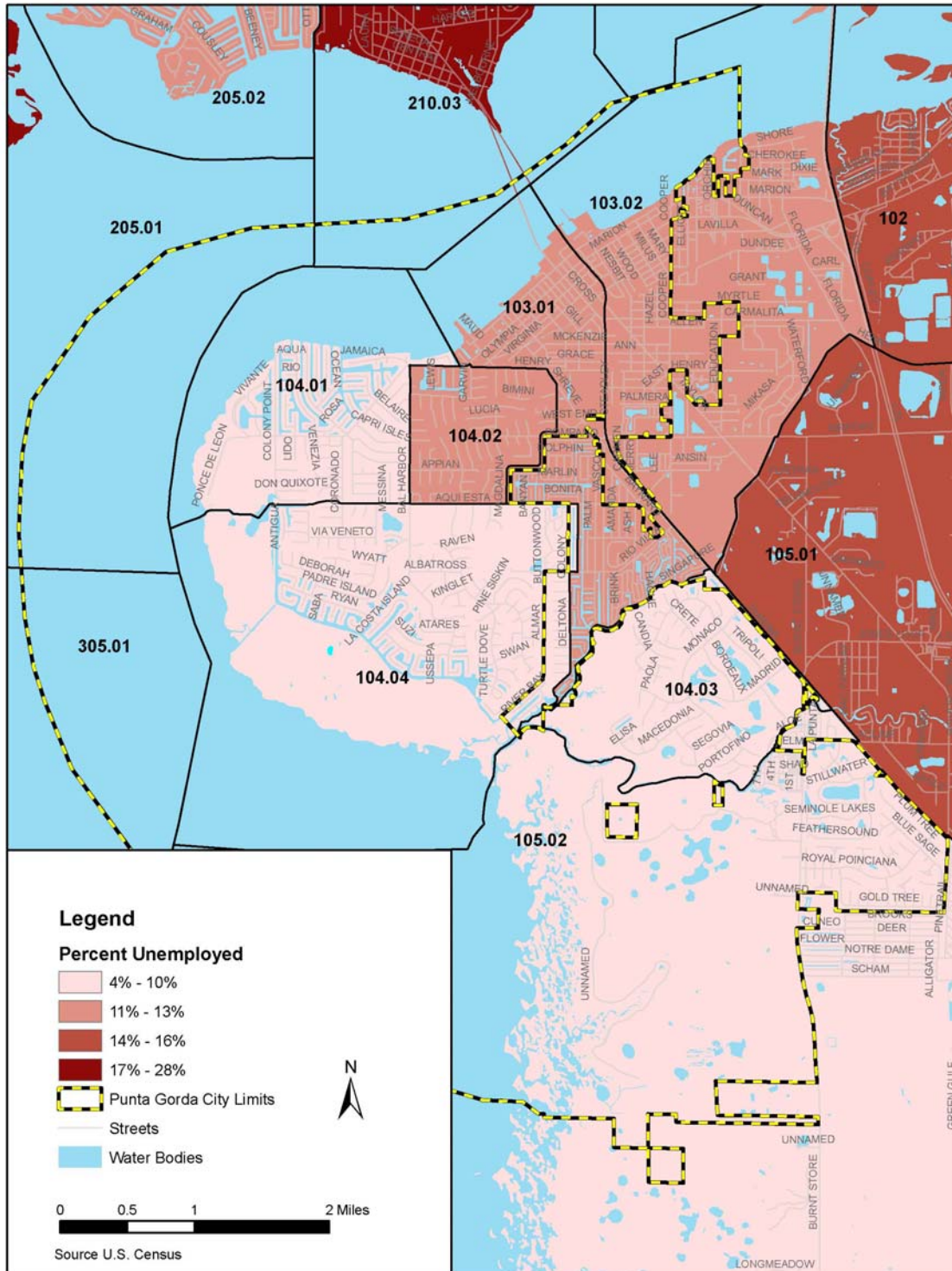
Source: 2008-2012 American Community Survey

Map 2.8, on the following page, shows the distribution of unemployed in Punta Gorda.

The availability of jobs, consistent with the skill levels and educational levels of low income persons, is largely dependent on the geographic location of the jobs and the workforces' ability to get to and from the employment centers where those job are located. If jobs are concentrated in largely upper income areas, far removed from the areas where lower income persons live, their ability to get to and from work may be difficult, without public transportation, sometimes causing hardships on employees or potential employees that cannot afford their own private automobile.



**MAP 2.8  
PERCENT UNEMPLOYED**



According to the major employer data provided by the Charlotte County Economic Development Department, the top employer in Charlotte County is Wal-Mart Stores, Inc. with 1,500 employees. The top twenty employers in the County can be found in the following table.

**TABLE 2.11  
CHARLOTTE COUNTY’S LARGEST EMPLOYERS**

<b>Company Name</b>	<b>Employees</b>	<b>Industry Sector</b>
<b>Wal-Mart Stores, Inc.</b>	1,500	Retail Trade
<b>St. Joseph Preferred Healthcare, Inc.</b>	1,400	Healthcare
<b>Publix Super Markets, Inc.</b>	1,105	Retail Trade
<b>Charlotte County</b>	980	General Government
<b>Fawcett Memorial Hospital</b>	840	Healthcare
<b>Port Charlotte HMA, LLC</b>	700	Healthcare
<b>Punta Gorda HMA, LLC</b>	680	Healthcare
<b>Home Depot U.S.A., Inc.</b>	450	Retail Trade
<b>Winn-Dixie Stores, Inc.</b>	424	Retail Trade
<b>Palm Chrysler Plymouth Dodge Jeep</b>	300	Retail Trade
<b>City of Punta Gorda</b>	276	General Government
<b>Palm Chevrolet-Oldsmobile, Inc.</b>	230	Retail Trade
<b>Punta Gorda Associates</b>	230	Healthcare
<b>Douglas T Jacobson State Veterans Home</b>	200	Healthcare
<b>Sam's West, Inc. (Sam's Club)</b>	200	Retail Trade
<b>Dillard's, Inc.</b>	196	Retail Trade
<b>Health Management Associates, Inc.</b>	191	Healthcare
<b>Smuggler's Enterprises, Inc.</b>	185	Arts, Entertainment/Recreation
<b>Trans Healthcare, Inc.</b>	160	Healthcare
<b>Old Punta Gorda, Inc.</b>	150	Other Services

Source: Charlotte County Economic Development Department, 2014

In Punta Gorda, there appears to be a large education disparity between African Americans and the rest of the City. Only 5.7 percent of Whites and 8.4 percent of Hispanics have less than a high school diploma, while 26.8% of African Americans do not have a diploma. Similarly, 38.8 percent of Whites and 29.3 percent of Hispanics have at least a Bachelor’s degree, while only 8.5 percent of African Americans have reached this education level. The African American population has achieved an education level that includes some college or attainment of an Associate’s Degree. The 30.6% in this category are comparable to the total population figures for the City.

**TABLE 2.12  
EDUCATIONAL ATTAINMENT BY RACE**

	White		African American		Hispanic		City-wide	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Less than high school diploma</b>	786	5.7%	91	26.8%	42	8.4%	883	6.0%
<b>High school graduate, GED, or alternative</b>	3,274	23.6%	116	34.1%	196	39.0%	3,505	24.0%
<b>Some college or associate's degree</b>	4,420	31.9%	104	30.6%	117	23.3%	4,643	31.7%
<b>Bachelor's degree or higher</b>	5,381	38.8%	29	8.5%	147	29.3%	5,595	38.3%
<b>Total</b>	13,861	100.0%	340	100.0%	502	100.0%	14,626	100.0%

Source: 2008-2012 American Community Survey

## 2.4 - PUBLIC TRANSPORTATION

There is no mass transportation system with fixed routes and schedules in Charlotte County since the geographic nature of the population distribution cannot sustain a fixed route system.

Public transportation in Charlotte County is provided by Dial-a-Ride and Sunshine Ride services. Dial-a-Ride provides curbside transportation to and from your destination on an advance reservation basis. According to Charlotte County, the Dial-a-Ride Service Area includes all of Charlotte County located west of the Myakka River (excluding the barrier islands, but including the Charlotte County portion of Boca Grande Island). It serves all of mid-county, located between the Myakka and the Peace Rivers. And, it includes the Punta Gorda area, extending as far south as Tropical Gulf Acres, east to the Charlotte County Airport, and north to Peace River Shores on US-17. Service on Burnt Store Road extends to South Punta Gorda Heights (Scham Road). This service is available from 6:30 am to 6:00 pm all weekdays, and Saturdays from 9 am to 6 pm, at a base fare of \$3, and reduced fares are available for qualified passengers.

Sunshine Ride provides transportation services to elderly, disabled, low-income or rural residents. The service operates to connect passengers to medical centers, pharmacies, grocery stores and other similar destinations. This service is available at \$1 per trip. To qualify, riders complete an application that takes 2-3 business days for processing. Once enrolled in the service, passengers may make reservations 48- hours-in-advance to places considered life-sustaining destinations.

## 2.5 - HOUSING

As shown in Table 2.13, below, there were 8,907 housing units in Punta Gorda in 2000. The housing units have grown 29% for the 2008-2012 average. Currently, 55.8 percent of units in the city are owner-occupied, 15.1 percent are renter-occupied, and 29.1% of units are vacant.

**TABLE 2.13  
TENURE OF HOUSING UNITS**

	2000		2006-2010 Average		2008-2012 Average	
	Number	Percent	Number	Percent	Number	Percent
<b>Owner Occupied</b>	6,214	69.8%	6,835	59.0%	6,420	55.8%
<b>Renter Occupied</b>	951	10.7%	1,608	13.9%	1,731	15.1%
<b>Vacant</b>	1,742	19.5%	3,137	27.1%	3,349	29.1%
<b>Total</b>	8,907	100.0%	11,580	100.0%	11,500	100.0%

Source: 2000 Census, 2006-2010 American Community Survey, and 2008-2012 American Community Survey

The median housing value for owner occupied units in the City was \$302,300. Of the 6,420 owner-occupied housing units, 3,057 have a mortgage and 3,363 do not have a mortgage. Median monthly housing expenses for the units with a mortgage are \$2,105, and \$732 for units without a mortgage. Median gross rent for the 1,731 renter-occupied units is \$830.

Table 2.14, below, shows that of all housing units in Punta Gorda, 58.9 percent were categorized as single-family detached housing units, 3.3 percent as single-family attached units, 9.1 percent contained two to four units, 25.6 percent were multifamily, and 3.1 percent mobile home or other.

**TABLE 2.14  
TYPES OF HOUSING STRUCTURES**

Units in Structure	Number	Percent
<b>Single Family Detached</b>	6,770	58.9%
<b>Single Family Attached</b>	382	3.3%
<b>2-4 Units</b>	1,051	9.1%
<b>Multifamily</b>	2,943	25.6%
<b>Mobile Home or Other</b>	354	3.1%
<b>Total</b>	11,500	100.0%

Source: 2008-2012 American Community Survey

As shown on Table 2.15, below, 0.7 percent of all housing units were built prior to 1950, 2.1 percent were built between 1950 and 1959, 3.5 percent were built between 1960 and 1969, 13.0 percent were built between 1970 and 1979, and 80.7 percent were built after 1979. About 2.8 percent of the housing stock is more than 50 years old, built prior to 1960. About 6.3 percent of the housing stock was built prior to 1970 and based on national standards, these units may contain lead-based paint or likely be in need of repairs and maintenance.

**TABLE 2.15  
YEAR OCCUPIED STRUCTURE BUILT**

Year Built	Number	Percent
<b>Built 2010 or later</b>	17	0.1%
<b>Built 2000 to 2009</b>	3,320	28.9%
<b>Built 1990 to 1999</b>	2,767	24.1%
<b>Built 1980 to 1989</b>	3,173	27.6%
<b>Built 1970 to 1979</b>	1,492	13.0%
<b>Built 1960 to 1969</b>	400	3.5%
<b>Built 1950 to 1959</b>	247	2.1%
<b>Built 1940 to 1949</b>	17	0.1%
<b>Built 1939 or earlier</b>	67	0.6%
<b>Total</b>	11,500	100.0%

Source: 2008-2012 American Community Survey



According to the 2008-2012 ACS data shown in Table 2.16, the homeownership rate among Whites in Punta Gorda was 79.4 percent, compared to 56.0 percent among Hispanics, and 40.4 percent among African-Americans.

**TABLE 2.16  
RACE BY TENURE**

	Owner-occupied		Renter-occupied	
	Number	Percent	Number	Percent
<b>White</b>	6,158	79.4%	1,597	20.6%
<b>Hispanic</b>	169	56.0%	133	44.0%
<b>African American</b>	76	40.4%	112	59.6%

Source: 2008-2012 American Community Survey

On average, the home values in Punta Gorda are higher than the State average. In 2013, the average just value of a single family home was \$266,871 compared to a State-wide average of \$166,535. In 2013, the average sales price for a single family home was \$300,478. The median sales price for the past six years can be found in the table below. Most recently, the 2013 median sales price was \$290,000, by comparison, the statewide median sales price was \$170,000.

**TABLE 2.17  
MEDIAN SALES PRICE**

Housing Type	2008	2009	2010	2011	2012	2013
<b>Single Family Homes</b>	\$320,000	\$289,500	\$285,000	\$255,000	\$287,000	\$290,000
<b>Condominiums</b>	\$249,250	\$168,750	\$160,000	\$133,700	\$140,000	\$156,000

Source: Shimberg

A breakdown of Gross rent for the City is found in the table below. The Median Gross rent for Punta Gorda is \$830, compared to a State wide average of \$987.

**TABLE 2.18  
GROSS RENT**

	<\$200	\$200- \$299	\$300- \$499	\$500- \$749	\$750- \$999	\$1,000- \$1,499	\$1,500 or More	No Cash Rent
<b>Punta Gorda</b>	33	31	54	471	572	288	164	118

Source: 2008-2012 American Community Survey

The U.S. Department of Housing and Urban Development (HUD) provides Fair Market Rent Values for the County. Analysis shows that rent has been steadily dropping for the past five years.

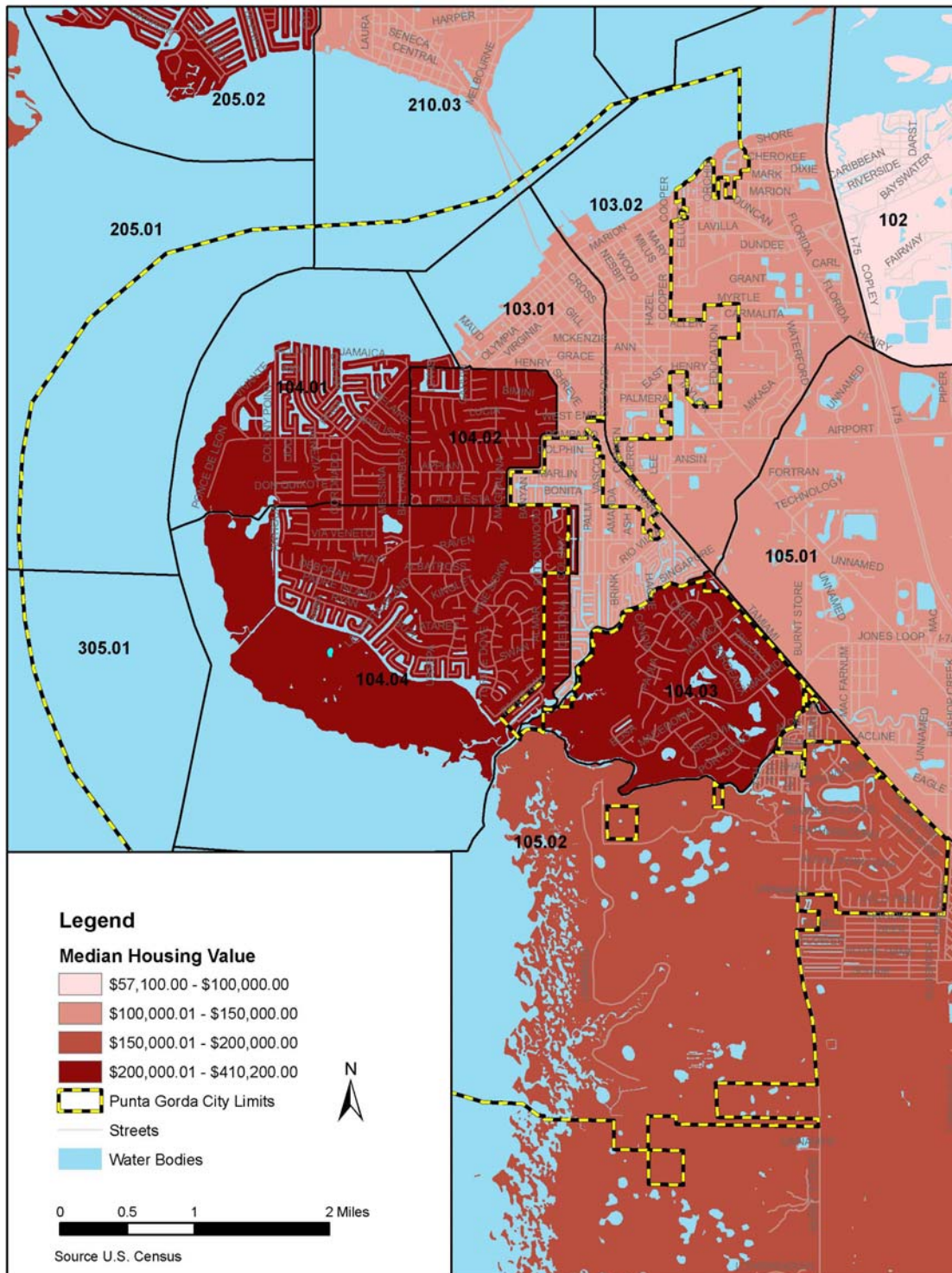
**TABLE 2.19**  
**HUD FAIR MARKET RENT**

Year	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
2014	\$511	\$673	\$859	\$1,220	\$1,224
2013	\$512	\$675	\$861	\$1,223	\$1,227
2012	\$638	\$668	\$867	\$1,266	\$1,523
2011	\$676	\$708	\$918	\$1,340	\$1,613
2010	\$683	\$715	\$928	\$1,355	\$1,630

Source: U.S. Department of Housing and Urban Development

Maps 2.9 and 2.10, on the following pages, provide a geographic depiction of the distribution of housing values and rents across the City.

**MAP 2.9  
MEDIAN HOUSING VALUE**



**MAP 2.10  
GROSS RENT**





Cost Burden is defined as the total cost of housing including rent or mortgage and operating utilities. If a household pays more than 30% of their income for housing costs, it is considered to be Moderately Cost Burdened. If any household pays more than 50% of income for housing costs it is considered to be Severely Cost Burdened. In the following table, household income is measured as a percentage of the median income for the county or area, adjusted for family size. In Punta Gorda and the surrounding metro area of Charlotte County, the median income for a family of four is \$55,700 in 2014.

As seen in the following table, 55.7 percent of households that have an income of less than 30% of the area median income spend more than 50 percent of their income on housing. On the other hand, 90.9 percent of households that make at least 80% of the area median income spend less than 30% of their income on housing.

**TABLE 2.20  
HOUSEHOLD INCOME AS A PERCENTAGE OF AREA MEDIAN INCOME BY COST BURDEN**

Household Income as Percentage of Area Median Income	Amount of Income Paid for Housing					
	0-30%	Percent	30-50%	Percent	50% or more	Percent
<b>&lt;=30% AMI</b>	163	27.1%	103	17.2%	334	55.7%
<b>30.01-50% AMI</b>	410	42.1%	251	25.7%	314	32.2%
<b>50.01-80% AMI</b>	976	62.1%	413	26.3%	183	11.6%
<b>80.01+% AMI</b>	5,070	90.9%	438	7.9%	68	1.2%
<b>Total</b>	6,619	75.9%	1,205	13.8%	899	10.3%

Source: Shimberg, 2009

As seen in the table below, 22.1 percent of homeowners in the City are cost burdened. Renters, on the other hand, are burdened at a rate of 37.6 percent.

**TABLE 2.21  
TENURE BY COST BURDEN**

Tenure	Amount of Income Paid for Housing					
	0-30%	Percent	30-50%	Percent	50% or more	Percent
<b>Owner</b>	5,912	77.9%	983	12.9%	695	9.2%
<b>Renter</b>	707	62.4%	222	19.6%	204	18.0%

Source: Shimberg, 2009

### Substandard Housing

The American Community Survey measures four different identifiers that are seen as housing problems. The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and no heating fuel used. As seen in the table below, 59 occupied housing units in the City do not use a heating fuel, 20 units lack complete kitchen facilities, and 23 units lack complete plumbing facilities. Because a unit may have more than one of these conditions, the sum of these units is not an appropriate estimate for the number of substandard units in Punta Gorda.

**TABLE 2.22  
HOUSING CONDITION CHARACTERISTICS (OCCUPIED UNITS)**

Substandard Housing	Number	Percent
<b>1.01 or More Persons per Room</b>	0	0.0%
<b>No Fuel Used</b>	59	0.7%
<b>Lacking Complete Kitchen Facilities</b>	20	0.2%
<b>Lacking Complete Plumbing Facilities</b>	23	0.3%

Source: 2008-2012 American Community Survey

## **SECTION 3 PUBLIC POLICY**

### **3.1 - INTRODUCTION**

Impediments to fair housing choice include any actions, omissions or decision taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choice or the availability of housing choice, and actions, omissions, or decisions that have that affect. The purpose of this report is to review and evaluate local programs and policies, and zoning and land development regulations to identify potential impediments to the development of fair housing, and recommend appropriate changes. This evaluation includes review of the policy and regulatory documents for the City of Punta Gorda, Florida as follows:

#### *Regulatory Documents*

- The City of Punta Gorda Comprehensive Plan Elements including:
  - a. Housing Element
  - b. Future Land Use Element
- The City of Punta Gorda Code of Ordinances including:
  - a. Land Development regulations
  - b. Impact Fees, Development and Permitting Fees

### **3.2 - ANALYSIS**

The Housing and Future Land Use elements of the comprehensive plan are reviewed because they directly affect housing development of all kinds. The Housing Element includes the policy guidance for the development of affordable housing, protection and enhancement of existing neighborhoods, and historic preservation. The Future Land Use Element designates densities and intensities of development, categorizes areas in the City where different land use types are permitting, and establishes broad policy for land development.

Housing Element – The City of Punta Gorda Housing Element “will act as the guide to local decision makers in their efforts to enact policy that will affect the housing needs of the City’s residents.” It further states that:

- The Element examines existing conditions and projects future trends to address short and long term needs;
- The Element states that housing needs will be met by the private sector;
- The City’s Land Development Regulations and applicable building codes, guide the private sector in the development and construction of housing;
- The Housing Element is closely related to other elements of the Comprehensive Plan including:
  - Future Land Use which identifies land to accommodate the housing needs;
  - Transportation which addresses the requirements necessary to meet traffic needs;
  - Infrastructure which addresses public facilities and services needed for housing;

- Recreation and Open Space which addresses recreational needs
- Capital Improvements which addresses levels of service for public facilities

The Housing Element also describes sections of the City’s Land Development Regulations and how they influence housing, including:

- Article 2 which promotes infill development and affordability through housing opportunities to smaller households, and discourages urban sprawl;
- Article 3 which regulates density and configuration of new development
- Article 5 which allows for a variety of planned developments and promotes density allowances in return for flexibility in building styles and types
- Impact Fee Deferral allows for qualified projects to defer payment of City-imposed impact fees

The Housing Element describes several housing programs and providers including State Housing Initiatives Partnership (SHIP) and Section 8 Vouchers, as well as several community development corporations and Charlotte County, and identifies existing subsidized housing including group homes, assisted living, elderly housing and affordable family housing.

The Housing Element Inventory & Data analysis includes review of housing units by type, tenure, and age. It also includes review of the number of building permits issued by year from 2010 to 2014, rental rates, property values, cost of owner-occupied units, cost-burden, housing condition, inventory of subsidized housing, and inventory of various categories of housing. There is also analysis and projections of population and housing needs based on income, age, tenure, etc.

The analysis and projections in the Housing Element include the following:

- Total households from 2013 to 2025 are projected to increase from 8,598 to 9,527.
- Households 65 years of age and older from 2013 to 2025 are projected to increase from 5,023 to 5,428.
- Households at or below 80% of the Area Median Income (AMI) will increase from 2,502 to 2,813 between 2013 and 2025.
- Severely cost burdened households under 80% of AMI will increase for owner occupied households from 805 to 874 between 2013 and 2025.
- Severely cost burdened households under 80% of AMI will increase for renter occupied households from 340 to 418 between 2013 and 2025.

Projections of housing need in Punta Gorda include the following:

- Permanent non-seasonal housing, new construction needs is 1,014 units by 2025, with 339 of these units needed for low-income
- By 2025 there will be 1,907 cost burdened elderly residents, and an anticipated need for additional group homes for the elderly. The Housing Element identifies special needs



housing categories for handicapped and homeless although does not project future needs specifically for the City

Housing Element Goals, Objectives and Policies that are relevant to this analysis are as follows:

Goal 4.1: The long-term end toward which Punta Gorda's housing activities and programs are directed is an adequate supply of land and housing, including a variety of housing types and costs, to meet the needs of very low, low and moderate income households, both present and future; the conservation and rehabilitation of the current housing stock, including historic structures; the elimination of substandard housing conditions; the appropriate siting of group and foster care facilities in residential areas, and the coordination of housing programs with other agencies.

Objective 4.1.1: Throughout the planning period through 2020, Punta Gorda will provide for a variety of housing types and residential densities to accommodate the needs of current and future populations, as well as meeting the special housing needs of its citizens.

Policy 4.1.1.1: Punta Gorda's Future Land use Plan and Future Land Use Plan Map will provide a variety of residential land use categories to accommodate varying housing densities and housing types.

Measurement: The number of housing units by type constructed annually.

Policy 4.1.1.2: Consistent with the Comprehensive Plan, Punta Gorda's Land Development Regulations (including zoning regulations) will make possible a variety of lot sizes, densities, and housing types, including single-family, multi-family, mobile home, patio homes, and zero lot line homes.

Measurement: Existence of zoning district regulations that allow for a variety of lot sizes and housing types.

Policy 4.1.1.3: The City of Punta Gorda with the assistance of Growth Management Department (planning, zoning, and building) shall provide education-awareness programs so that the public can gain a better understanding of the need for affordable housing. These programs will also address resident's aversion to the proximity of affordable housing and the general negative public perception regarding affordable housing.

Measurement: The annual number of City residents that have been informed about affordable housing and available programs.

Policy 4.1.1.4: Consider adoption of standards in the Land Development Regulations (LDR's) for inclusionary housing, with the intent of increasing the supply of affordable housing. Such regulations should either require that all residential development contain an affordable housing component, or pay a fee-in-lieu-of to a fund. The requirements should be either mandatory or incentive based.

Measurement: Number of affordable housing units included in new development and/or property purchased for donation to the Land Trust to be used for construction of affordable housing from monies received as payment of fee-in-lieu of.

Policy 4.1.1.8: Punta Gorda will work with local contractors and the community to study and promote the design of home features that will help elderly and handicapped persons to live independently as disability conditions progress (e.g., removable floor level cabinets to facilitate wheel chair access, extra studs in bathroom walls for grab-bar installation, wider doorways and halls, and lever type door openings, etc.).

Measurement: Public information developed and distributed concerning such features.

Policy 4.1.1.10: Punta Gorda will include accessory apartments for relatives as an allowed use in owner-occupied dwellings.

Measurement: An amendment to the Land Development Regulations allowing accessory apartments for relatives of owner-occupied dwellings.

Policy 4.1.1.11: Punta Gorda will continue to provide for increased housing densities in Planned Development (PD's) as a developer incentive to accommodate the housing needs of very low, low, and moderate-income persons. Density bonuses could be up to 50% depending upon site conditions and compatibility with surrounding uses.

Measurement: Annually, the number of housing units developed in Planned Development (PD's) for low-income housing that is affordable to persons in these income groups.

Policy 4.1.1.12: Review the City's Land Development Regulations (LDR's) on an annual basis to ascertain if there are any regulations which unnecessarily drive up the cost of housing.

Measurement: Amendments to the City's Land Development Regulations, as needed.

Policy 4.1.1.13: Punta Gorda will seek to develop partnerships with Builder's Associations to improve the efficiency and expand the capacity of the housing delivery process.

Measurement: Percentage of affordable housing demand met.

Policy 4.1.2.4: Punta Gorda will use discretionary Community Development Block Grant (CDBG) funds to support neighborhood improvement.

Measurement: The annual amount of CDBG money used for neighborhood improvement.

Objective 4.1.5: Throughout the planning period through 2020, Punta Gorda will ensure the provision of an adequate supply of affordable housing (for very low, low, and moderate income persons), including mobile and manufactured units, appropriately distributed throughout the community.

Policy 4.1.5.4: Punta Gorda will promote the construction of affordable housing by allowing the use of innovative techniques, such as density bonuses, zero lot line construction, etc., through the Planned Development (PD) process (very low, low, and moderate income benefit).

Measurement: Amendment of the Land Development Regulations for affordable housing needed.

Objective 4.1.7: The City shall attempt to increase the opportunity for all citizens to purchase or rent decent, safe and sanitary housing which they can afford, from arbitrary discrimination because of race, sex, handicap, ethnic background, age, marital status or household composition.

Policy 4.1.7.1: Punta Gorda will make fair housing information available, including complaint procedures under City Ordinance 600-80, and phone numbers for Charlotte County, state, and federal agencies which have fair housing laws and enforce them.

Measurement: The annual number of complaints submitted to the City claiming discrimination in housing.

Policy 4.1.7.2: Punta Gorda will continue to assure that access is provided to handicapped persons in multi-family developments consistent with the 1992 Americans with Disabilities Act, as implemented through the Florida Accessibility Code for Building Construction, January 1994 Edition with 1996 Addendum, Florida Department of Community Affairs. As part of the review of the existing Land Development Regulations, Punta Gorda will examine the impacts of existing regulations upon the mobility and access needs of handicapped persons.

Measurement: Annually, the number of development plans reviewed for multi-family developments in the City requiring compliance with the 1992 Americans with Disabilities Act.

Policy 4.1.7.3: Punta Gorda will make information available to the public concerning housing and weatherization programs and/or grants provided by the State and Federal Government, as well as private agencies.

Measurement: The annual number of City residents that have been informed about and/or assisted about weatherization programs and/or grants provided by State and Federal Government, as well as private agencies.

Future Land Use - The City of Punta Gorda Future Land Use Element (FLUE) establishes “through Goals, Objectives, and Policies the desired vision of the City of Punta Gorda that will govern the logical pattern for continued growth and development in accordance with the State of Florida Comprehensive Plan.” In addition, this element “provides the foundation for all other Elements of the Comprehensive Plan to create a cohesive and precise vision of the future of the community.” It further addresses the following:

- Related local regulations including the Land Development Regulations
- Other City plans including the 2000 Eastside and Downtown Planning Study, 2005 CRA Charrette Plan, and 2005 Citizens Master Plan

- Inventory and analysis of existing land uses
- Designation of Future Land Use categories and allowable uses

The following are relevant goals, objectives and policies of the City of Punta Gorda Future Land Use Element:

Policy 1.1.3.2: Implement improvements to public facilities and infrastructure, public services, housing, etc., which benefit low- and moderate-income persons, using Community Development Block Grant (CDBG) and/or other sources of funds.

Measurement: Funds received annually and applied to projects benefitting low- and moderate-income persons.

Objective 1.1.12: Where particular aims of the comprehensive plan may be advanced (such as affordable housing, historic preservation, protection of environmentally sensitive areas, discounted acquisition of land for public purposes, or downtown redevelopment), Punta Gorda will employ or make available innovative land development techniques such as TDR's, density bonuses, PUD's, mixed use land use classifications and zoning, or other techniques.

Policy 1.1.12.1: Punta Gorda has made available a Transfer of Development Rights (TDR) process for historic preservation, protection of environmentally sensitive areas, or sale of property at discount to a public agency for public purpose, and Punta Gorda will make available density bonuses for the development of affordable housing.

Measurement: Number of inquiries each year in which TDR's and density bonuses are explained and number of TDR's and density bonuses issued.

Policy 1.1.12.2: Punta Gorda's Professional Office and Commercial FLUM categories will be configured to allow mixed uses in the Downtown Redevelopment Area and other appropriate parcels.

Measurement: Existence of mixed use provisions for these FLUM categories as outlined in Policies 1.1.14.2 and 1.1.14.3.

Objective 1.1.14: Punta Gorda will maintain a Future Land Use Map and land use classification system that provides for the distribution, extent and location of a variety of land uses.

Policy 1.1.14.1: Residential lands are areas that are intended to be used predominantly for housing. Other uses that are consistent with residential character may be permitted subject to the requirements of the land development regulations. Examples of potentially compatible uses include, but are not limited to, houses of worship, nursing homes, parks, golf courses, libraries, schools, and day care centers. Allowances for increase density may be made under the PUD process where there is a commitment to provide affordable housing, to preserve wetlands or other resources, to provide land for needed public facilities, or to reduce the allowable density in a coastal high hazard area that results in a net reduction in the number of units allowed in such

areas within the City, or when density can be reallocated from the downtown district to other areas within the CHHA that satisfy F.S. Chapter 163.3178(9).

Measurement: Existence of implementing zoning classifications and number of units in new construction plans approved each year pursuant to regulations governing these zoning classifications.

Policy 1.1.14.3: Highway Commercial Corridor lands identified on the Future Land Use map shall be developed: c. to allow a residential density of 3.5 units per acre in areas where residential uses will promote affordable housing or compact and contiguous development.

***Conclusion** - The City of Punta Gorda Housing and Future Land Use Elements provide good policy guidance for developing affordable housing and special needs housing. The Housing Element addresses a broad range of housing issues and affordabilities, and the Future Land Use Element provides a variety of housing types for a range of affordability and housing needs. In that regard, these plan elements include the following:*

- *Acknowledgement that housing needs will be addressed by the private sector with guidance from the City through the comprehensive plan and land development regulations;*
- *Identify growth in need for elderly housing, and for severely cost burden households;*
- *Allow a broad range of densities, and encourage affordable and elderly housing through density bonuses and transfer of development rights in planned development districts; and,*
- *Allows residential density in commercial and downtown areas to encourage mixed use where there is access to activities of daily living for elderly residents.*

*There do not appear to be any policies in the Housing or Future Land Use elements that present impediments to fair housing choice.*

The **Code of Ordinances** addresses a wide range of municipal issues, and provides the specific regulations needed for implementing the various elements of the Comprehensive Plan. Relevant sections of the Code include Chapter 7, Building; Chapter 11 Impact fees; Chapter 11A, Affordable Housing Impact Fees; Chapter 16A, Planning; and Chapter 26 Land Development Regulations.

Chapter 7, Building addresses the regulatory function of the City regarding building construction, includes “green building program” requirements, adopts permit fees, and provides standards for safe/unsafe housing and structures. The green building program is voluntary for private projects and includes expedited permitting as well as project marketing as an incentive for participation in the program.

Chapter 11 and 11A establish impact fees for new development. Chapter 11 establishes the necessary findings for enacting impact fees; includes relevant definitions; determines applicability; establishes impact fee districts for parks, roads, police, fire and general government; and establishes the following impact fees:

- Parks – for residential units based on the square footage for single family and ranging from \$564 per unit to \$1,047; and \$322 per unit for all other dwellings;
- Roads – for residential units based on the square footage for single family and ranging from \$288 per unit to \$514; and \$161 per unit for all other dwellings;
- The ordinance has “suspended indefinitely” the impact fees for police, fire and general government.

Chapter 11A is established to encourage the provision of new affordable housing by providing a deferral of impact fees on qualified units. This chapter includes an application process, and allows a deferral of impact fees if approved after making application. If approved the project would be subject to a Impact Fee Deferral Agreement recorded in the public records and is accepted by the City in lieu of payment unless the project/unit is sold, breach of the agreement, or if the owner/resident fails to qualify.

Chapter 16A, Planning, adopts the Comprehensive Plan by ordinance and establishes the Planning Commission as the local planning agency for the City of Punta Gorda.

Chapter 26 of the Code of Ordinances is the Land Development Regulations and includes provisions for purpose and intent, establishment of districts, permitted uses, lot and building regulations, architectural standards, and various other regulations. Article 3, Regulating Districts, establishes the zoning districts and related regulations for the City of Punta Gorda and implements related policies of the comprehensive plan.

Article 3 includes a broad range of zoning categories which allow a variety of housing types including single-family, multi-family, mobile home, and mixed use. Specific districts and relevant standards include the following:

- **EP, Environmental Preserve District** – composed of environmentally sensitive areas intended to preserve and protect open space
  - Minimum lot size of 10 acres
  - Allows 1 residential unit per 10 acres
  - Other uses are allowable by right or special exception subject to development plan approval
- **GS, General Single-Family Residential** – established solely to accommodate completion of previously approved development of land, and not available for rezonings
  - Minimum lot size of 9,600 square feet for GS 3.5, and 7,200 square feet for GS-5
  - Allows single-family homes, excluding mobile homes
  - Allows group homes “permitted with conditions” (per section 4.5)
  - Child and day care facilities are allowed by Special Exception
- **GM, General Single-Family Residential** – intended to be medium to high-density residential, with emphasis on multi-family use.
  - Minimum lot size of 8,000 square feet
  - Allows group homes “permitted with conditions” (per section 4.5)
  - Child care, day care, and nursing homes are allowed by Special Exception
  - Rooming or boarding housings are allowed by Special Exception subject to requirements of Article 8



- **MH, Manufactured Home** – established to provide for the development of neighborhoods which utilize manufactured housing as its principle building type.
  - Minimum lot size of 8,000 square feet
  - Allows group homes “permitted with conditions” (per section 4.5)
- **NR, Neighborhood Residential District** – provides for residential development surrounding the traditional town center and its regional extensions.
  - Minimum lot size of 8,000 square feet
  - Allows group homes “permitted with conditions” (per section 4.5)
  - Child and day care are allowed by Special Exception
- **NC, Neighborhood Center District** – provided for the location of pedestrian scaled shops, services, small workplaces, and residential buildings central to a neighborhood
  - No minimum lot size
  - Allows group homes “permitted with conditions” (per section 4.5)
  - Day care home serving 3 or fewer persons as an accessory use
- **CC, City Center District** – encourages redevelopment and expansion of the traditional town center, allows a broad array of uses and higher density housing in a compact, pedestrian-oriented environment.
  - No minimum lot size
  - Allows group homes “permitted with conditions” (per section 4.5)
  - Day care home serving 3 or fewer persons as an accessory use
  - Rooming or boarding housings for up to six roomers are allowed by Special Exception
  - Congregate housing designed within “civic” building principles
- **MO, Medical Overlay District** – provides for the logical expansion of the medical office needs necessary to accommodate the growing community and region.
  - No minimum lot size
  - Allows child and adult day care facilities, group homes, adult congregate living facilities, and independent living facilities as permitted uses
  - Detoxification centers and substance abuse centers associated primarily with the primary medical facility are allowed with conditions
- **PDN, Planned Development Neighborhood District** – encourages the development of a mixture of housing types and price ranges and to promote the organization of residential development into efficient neighborhoods with support uses.
  - No minimum lot size specified, Section 5.9 establishes procedures for approval of a PDN district
  - Allows group homes and nursing homes as permitted uses
- **PEC, Planned Employment Center District** – encourages innovative and creative design or retail, office and industrial development.
  - No minimum lot size specified, Section 5.9 establishes procedures for approval of a PEC district
  - Allows group homes as a permitted use

Article 4, Uses Permitted with Conditions, acknowledges that there are certain uses that exist which may be constructed provided they meet certain mitigating conditions specific to their design and/or operation. Several relevant uses include:

- **Accessory Dwelling**, may be allowed subject to conditions including: principal uses is a single-family home; no more than one accessory dwelling is permitted; the accessory dwelling shall be owned by the same person as the principal dwelling; no separate driveway is permitted; a detached accessory dwelling shall not exceed 650 square feet of the first floor area or 50% of the first floor area of the principal dwelling.
- **Group Homes**, may be allowed subject to the following conditions: five or less unrelated individuals other than the homeowner are allowed in a group home; may be located in any residential district; must be registered with the State of Florida Department of Human Resources; adjacent property owners must be notified; group homes of more than five individuals or where the property owner does not reside at the home, are considered an institutional facility and may only operate in the NC and CC zoning districts; group homes shall not be located within ½ mile radius of another group home.
- **Day Care Centers**, may be allowed subject to the following conditions: centers for children must provide a minimum rear yard area of 2,500 square feet (and must be fenced) unless adjacent to a park; front yards are not to be used for recreation.

Article 7 establishes Architectural Provisions and serves as a framework for the architectural and building design requirements of the land development regulations, however do not apply to single family or duplex. Provisions include:

- Building style, requiring that buildings reflect the vernacular architecture of old Punta Gorda by incorporating design elements in the Historic District Guidelines
- Building principles that address compatibility with adjacent buildings, design of facades, primary building entrance, mechanical equipment, and lighting
- Standards for residential; manufactured housing; commercial storefront and workplace; highway commercial; and civic buildings

Article 8, Section 8.16 includes provision for Transfer of Development Rights (TDR) that identifies conditions under which a transfer may occur, and a process for transferring rights. Conditions include identification of a public purpose such as affordable housing.

Article 19 provides the following definitions:

**Adult Congregate Living Facility** – Adult congregate living facility means any State Agency for Health Care Administration licensed building or buildings, section of a building or distinct portion of a building, residence, private home, boarding home, home for the aged or other place whether (where) for a period exceeding twenty-four hours, housing food service and one or more personal services (are provided) for adult resident clients, not related to the owner or administrator by blood or marriage, who require such services.

**Congregate Housing** – Any Florida Department of Health and Rehabilitative Services licensed building or buildings, section of a building, or distinct portion of a building, residence, private home, boarding home, home for the aged, or other place, whether operated for profit or not, which undertakes through its ownership or management to provide, for a period exceeding 24

hours, housing, food service, and one or more personal services for adult resident clients, not related to the owner or administrator by blood or marriage, who require such services.

**Day Care Centers** – A place licensed by the State, if applicable, where daytime care, which may include some instruction, is provided to 6 or more children or adults who do not reside in the facility, and who are not the legal wards or foster children or relatives of the attendant adult within an occupied residence.

**Day Care Home [small]** – A facility in a dwelling unit; licensed by the State, if applicable; providing care for six or fewer children or adults who do not reside in the facility, are present during daytime hours, and do not stay overnight; and which may include some instruction.

**Detoxification Center** – Detoxification center means a medical facility open twenty-four hours a day meeting standards comparable to hospital or nursing home. Such facility shall be for the temporary emergency shelter of intoxicated persons or those persons suffering from alcoholism, drug abuse or other similar condition, for the purpose of detoxification.

**Family** – One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage or adoption, no such family shall contain over five persons, but further provided that domestic servants employed or living on the premises may be housed on the premises without being counted as family or families.

**Group Homes** – A building except for congregate housing, used as a dwelling for a group of unrelated persons living together as a unit under the supervision of a local or state agency as defined by the Fair Housing Act and enforced by the United States Department of Justice. Such facility includes the term foster care home.

**Health Care Facility** – A facility or institution, whether public or private, principally engaged in providing services for health maintenance and the treatment of mental or physical conditions. Health Care Facilities include general or specialty hospitals, public health centers, diagnostic centers, treatment centers, rehabilitation centers, extended care facilities, long-term care facilities, residential health care facilities, outpatient clinics and dispensaries. They may include laundries, cafeterias, gift shops, laboratories and medical offices as accessory uses.

**Independent Living Facility** – A residential development that is limited to occupancy by elderly persons and/or persons with disabilities. Such a facility shall provide: (a) dwelling units with complete kitchen facilities; (b) supportive services such as meals, personal emergency response systems, recreation and transportation services, and (c) design features such as wider doorways and hallways, accessible-ready bathrooms and lower light switches.

**Residential Development** – buildings for residential use such as attached and detached single-family dwellings, apartment buildings, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc. Residential development includes group homes as defined in this chapter.

**Single-Family Residential** – Any development where: no building contains more than one dwelling unit, every dwelling unit is on a separate lot, and where no lot contains more than one dwelling unit [exception: rental studios and apartments]. Such uses include group homes as defined in this chapter.

#### Development Application and Process

Article 16, Application Review and Approval Requirements, of the Land Development Regulations specifies the requirements and process for approval of development projects. Generally, except for single-family homes, all development requires approval of a “Development Plan”. The Land Development Regulations require that prior to issuance of a building permit for projects requiring approval of a development plan, applicants must provide required information and the various review departments must make findings of compliance with applicable regulations.

#### Development and Permitting Fees

For development plan reviews, there is a fee of \$1,500. For permits on new construction, a minimum fee is \$200, and permits are calculated at \$50.00 plus \$7.00 per \$1,000 of construction value.

***Conclusions** - The City of Punta Gorda Code of Ordinances and Zoning Regulations implement the policy guidance of the comprehensive plan. The zoning districts provide a wide range of housing types for affordability, and include limitations on uses such as Group Homes. In that regard, these regulations include the following:*

1. Allowance for accessory units as a permitted use in any residential zoning district;
2. Deferral of impact fees provided the project remains affordable, and thus can become a permanent waiver of these fees;
3. Wide range of lot sizes, and in several instances requires no minimum lot size;
4. Density bonuses and transfer of development rights to encourage affordable housing and elderly housing;
5. Allowance for mixed uses in commercial areas;
6. Allowance for group homes in all residential district;

*In addition to the above, where many jurisdictions regulate minimum living area in their zoning regulations, the City of Punta Gorda zoning includes no arbitrary minimum living area requirements. There are no obvious impediments to fair housing in these regulations.*

***Conclusions** - The City of Punta Gorda Code of Ordinances and Zoning Regulations includes incentives for affordable housing and elderly housing through bonus densities and transfer of development rights, and as such has addressed this previously identified impediment.*

## **SECTION 4 CURRENT FAIR HOUSING PROFILE**

The purpose of this section is to provide a summary of the current state of fair housing in Punta Gorda. This includes information on the number of fair housing complaints received, HUD fair housing/sanctions/law suits, and community outreach on the subject of fair housing.

### **4.1 – CITY FAIR HOUSING PROGRAM**

- Punta Gorda has a Fair Housing Ordinance
- The City Commission has officially declared April as Fair Housing month
- The City provides brochures and information regarding Fair Housing in multiple languages
- Anti-Displacement Act
- Affordable Housing Incentives

### **4.2 - PUNTA GORDA PUBLIC HOUSING**

The Punta Gorda Public Housing Authority (PGHA) has a number of programs for low income persons, families and special needs groups. The PGHA was decimated by Hurricane Charlie in 2004 when all units were destroyed except for Oak Tree Village and is still working to recover from the loss of units. The following is a listing of the units and program commitments. The PGHA is the only entity in the County for these types of programs.

- At present PGHA is responsible for approximately 341 Section 8 vouchers in Charlotte County.
- PGHA has 115 units within the City.
- The PGHA manages 30 public housing units at the Oak Tree Village.
- PGHA is responsible for the long term management of 4 affordable units located at Fitzhugh Commons. This property was developed by the Punta Gorda Development Corporation, a Non-Profit Affiliate of the PGHA.
- Gulf Breeze Apartments consists of 171 units and the PGHA provides tenants for the property. There are 85 Tax Credit Units and 85 Public Housing Units currently at the site.
- The PGHA recently opened the application process for their units and had over 800 people sign up. A lottery was held for the future possible 550 spaces. These entries then established a new waiting list for opening.
- The PGHA applied for and was granted funding from the Florida Housing Finance Corporation for a one year program. This allows PGHA to assist eligible people/households for no more than one year with temporary assistance.

- The Shelter Care Program is run in cooperation with two mental health organizations in the county. The organizations assist this special needs population with obtaining housing. The recipient must be under the care of one of the mental health organizations. The case managers help the individuals to obtain housing. This program is received as a lump sum funding and 13 to 18 households have benefited.

#### **4.3 - HUD SANCTIONS**

There are no HUD sanctions against Punta Gorda.

#### **4.4 - LAWSUITS**

There are no fair housing lawsuits against Punta Gorda.

#### **4.5 - FAIR HOUSING COMPLAINTS**

Four sources were examined to determine the number of discrimination cases in the City of Punta Gorda. These sources include;

- The City of Punta Gorda
- Charlotte County
- State of Florida Commission on Human Relations
- Rural Legal Aid of Florida

Discussions with representatives of the City of Punta Gorda, Charlotte County and Legal Aid have revealed that no housing complaints have been received over the past five years. No records exist for any complaints prior to that time.

The Florida Commission on Human Relations does have records of housing complaints. However, this data is for the entire County and they could not provide a breakdown by location. The record of housing complaints indicates that only one case has proceeded to action by the Commission. The primary causes of housing complaints are from the disabled population.



**TABLE 4.1  
FAIR HOUSING COMPLAINTS IN CHARLOTTE COUNTY**

Filing Date	Charge Description	Closure Date	Closure Code	Basis Description
1/7/2010	Housing	3/2/2010	Successful Conciliation	Disability Mental
5/6/2010	Housing	6/6/2010	No Cause	Disability Physical
12/27/2011	Housing	3/1/2012	Withdrawal with Benefits	Disability Physical
1/9/2012	Housing	5/16/2012	Reasonable Cause	Disability Mental
1/6/2012	Housing	7/17/2012	No Cause	Disability Physical
5/6/2013	Housing	10/2/2013	Successful Conciliation	Sex, male
3/18/2013	Housing	1/9/2014	No Cause	Race, Black and National Origin
1/22/2014	Housing	3/25/2014	Withdrawal with Benefits	Disability Physical, Mental

Source: Florida Commission on Human Relations

#### 4.6 - PUBLIC INPUT

A Public Meeting was held at the Cooper Street Recreation Center on September 18, 2014 and approximately 35 people attended. The points that were made regarding impediments to fair housing were the following:

- Housing is denied due to credit reports/history. This is especially true regarding large families
- A family can be denied housing due to the husband having a poor credit history while the wife’s credit is fine. The development will not approve the rental/lease on the female’s credit history/report alone.
- More units are needed in the affordable housing market.
  - There is a lack of units for those who are working on the lower end of the pay scale.
  - Housing prices are increasing, all the time while wages are not.
  - The units that were lost with the Hurricane have not been replaced.
- There is a gap between the lower and middle income groups. Middle income groups are struggling, but are not eligible for subsidies.
- The rental market is almost non-existent.
- Although the City provides for no minimum housing square footage or lot size, developers are not producing these smaller more affordable units.
- Funding for the affordable units is not available.
- Need to have a centralized registry or informational point regarding rental availability.
- There is a need to educate the public and the housing providers on the fair housing guidelines.
- One of the biggest impediments to housing and all self-sufficiency is the lack of transportation. There is no public transportation.

- There is a program run by the County that offers a ride for \$1, but that program is for the transportation disadvantaged. Low income persons can qualify.
- The only jobs available are low paying service jobs and that does not allow a family to have decent, affordable housing in the City.
- Need to get information to people who are not attending meetings and are renters.
  - Need to establish a plan of how to get to this market (renters) and get them involved or participating in housing issues.
  - Possible contacts and ways to reach this population is through the schools, PTA, the posting of HUD posters and the distribution of informational pamphlets.
  - Partnering with other community or faith based organizations, such as Churches, Fraternal organizations, Community Development Organizations.

#### 4.7 – DISPROPORTIONATE CONDITIONS IN HOUSING

The HUD definition of disparity is where one race or ethnicity has a rate of Cost Burden that is at least 10% higher than the rate for the entire population. Cost Burden figures by race are only available for the entirety of Charlotte County and do not exist for Punta Gorda individually.

As seen in Table 4.2 below, 29.3% of Charlotte County renters are calculated to be Cost Burdened (between 30% and 50% of Household Income for rent). Hispanics are Cost Burdened at a rate 11% higher than the average for the County (40.3%). A disparity for this group then exists. In the Severely Cost Burdened category (over 50% of Household Income) there is no disparity among Race or Ethnic Groups.

**TABLE 4.2  
COST BURDEN FOR RENTERS BY RACE**

Percent Cost Burdened	Total County		White		African American		Hispanic	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>Less than 30%</b>	5,455	40.1%	4,789	39.4%	432	45.3%	235	33.6%
<b>30-49.9%</b>	3,983	29.3%	3,522	29.0%	293	30.7%	282	40.3%
<b>50% or more</b>	3,330	24.5%	3,098	25.5%	169	17.7%	135	19.3%
<b>Not computed</b>	846	6.2%	742	6.1%	60	6.3%	48	6.9%
<b>Total</b>	13,614	100.0%	12,151	100.0%	954	100.0%	700	100.0%

Source: 2006-2010 American Community Survey

**SECTION 5  
HOME MORTGAGE DISCLOSURE ACT**

**5.1 - INTRODUCTION**

The Federal Financial Institutions Examination Council (FFIEC) gathers data on home mortgage activity from the federal agencies that regulate the home mortgage industry. The data contain variables that facilitate analysis of mortgage lending activity, such as race, income, census tract, loan type, and loan purpose.

**TABLE 5.1  
MORTGAGE DENIALS BY CENSUS TRACT**

Census Tract	Applications Received	Applications Denied	Percent Denied
<b>103.01</b>	81	32	39.5%
<b>103.02</b>	32	23	71.9%
<b>104.01</b>	159	36	22.6%
<b>104.02</b>	104	25	24.0%
<b>104.03</b>	96	27	28.1%
<b>104.04</b>	221	51	23.1%
<b>105.01</b>	86	30	34.9%
<b>105.02</b>	225	59	26.2%

Source: FFIEC Mortgage Data, 2012

There is considered to be a systemic problem when one race is denied mortgages at a rate 10% higher than the overall City average. As seen in Table 5.2 below, no race/ethnicity falls within this threshold.

**TABLE 5.2  
MORTGAGE DENIALS BY RACE**

	Applications Received	Applications Denied	Percent Denied
<b>White - Non Hispanic</b>	452	82	18.1%
<b>Black</b>	15	3	20.0%
<b>Hispanic</b>	31	9	29.0%
<b>Minority (including Black and Hispanic)</b>	62	12	19.4%
<b>Total City-Wide</b>	584	111	19.0%

Source: FFIEC Mortgage Data, 2012

## SECTION 6 ANALYSIS OF IMPEDIMENTS

### 6.1 – HOUSING MARKET

#### **Affordability**

76.2 percent of existing single family homes are affordable to a family on a median income. That ranks 94th out of 225 metropolitan statistical areas in the country, and 27th out of 64 metropolitan statistical areas in the South Region. (Source: National Association of Home Builders/Wells Fargo Housing Opportunity Index 2nd Quarter, 2014)

The National Association of Realtors® (NAR) affordability index measures whether or not a typical family could qualify for a mortgage loan on a typical home. A typical home is defined as the national median-priced, existing single-family home as calculated by NAR. The typical family is defined as one earning the median family income as reported by the U.S. Bureau of the Census. The prevailing mortgage interest rate is the effective rate on loans closed on existing homes from the Federal Housing Finance Board. These components are used to determine if the median income family can qualify for a mortgage on a typical home. The Affordability Index is provided for the entire MSA and is 216.7 for 2013, a decline from the 2012 index of 262.8.

To interpret the indices, a value of 100 means that a family with the median income has exactly enough income to qualify for a mortgage on a median-priced home. An index above 100 signifies that family earning the median income has more than enough income to qualify for a mortgage loan on a median-priced home, assuming a 20 percent down payment. For example, a composite HAI of 120.0 means a family earning the median family income has 120% of the income necessary to qualify for a conventional loan covering 80 percent of a median-priced existing single-family home. An increase in the HAI, then, shows that this family is more able to afford the median priced home.

The calculation assumes a down payment of 20 percent of the home price and it assumes a qualifying ratio of 25 percent. That means the monthly Principal and Interest (P&I) payment cannot exceed 25 percent of the median family monthly income.

**TABLE 6.1  
MEDIAN SINGLE FAMILY HOME SALES PRICES**

	<b>Punta Gorda MSA</b>	<b>Florida</b>	<b>United States</b>
August 2014	\$139,900	\$181,000	\$220,600
July 2014	\$151,950	\$185,000	\$223,900
June 2014	\$156,425	\$185,000	\$224,300
May 2014	\$157,000	\$180,000	\$213,600
April 2014	\$149,000	\$175,000	\$201,100
March 2014	\$142,500	\$173,000	\$198,200
February 2014	\$139,000	\$165,000	\$189,200
January 2014	\$135,000	\$162,500	\$188,900

**Foreclosures**

Current statistics reveal that the number of properties under foreclosure proceedings in Punta Gorda equals 653, which is 5.6% of all units in the community. This percentage indicates that impacts of the Great Recession are still present.

**Sales and Listings**

Sales of new units have increased by approximately 10% over 2013. The bulk of these sales 78% are for single family homes. Detailed Housing Sales data is found in Appendix E.

MLS listings in the area are typically a 4 month supply, which indicates that the market is not turning over rapidly. This turnover rate is an improvement over previous years.

**6.2 - NEWSPAPERS**

Newspapers are one of the direct sources of information and contact regarding the dissemination of Fair Housing regulations to the general public. HUD has produced a Fair Housing disclaimer that is designed to be published in newspapers that publish Real Estate ads in any local community. This disclaimer is usually printed in the Real Estate section or found on-line at the newspaper’s website. Most newspapers only publish the disclaimer in the Sunday Real Estate section since it typically has the largest amount of ads.

The Punta Gorda Herald-Tribune and the Charlotte Sun are the primary local newspapers in the area. In addition, the Sarasota Sun also serves the community.

After checking the websites for these entities, it was discovered that the HUD disclaimer is not contained on the site, in either the Real Estate section or in any other area.

### **6.3 - BOARD OF REALTORS**

Many of the individual real estate firms in the Punta Gorda area provide the HUD disclaimer on their websites. They also are very prudent about distribution of the printed material regarding the subject.

The Port Charlotte, Punta Gorda, North Port Association of Realtors also provides access to the HUD Fair Housing materials on their website. All brochures, posters and printed documents are available for download in multiple languages. However, the Board does not offer classes to members regarding Fair Housing nor does it engage in any community outreach. The national Board of Realtors has extensive materials and programs available to its member organizations. These programs can be readily adapted for use in Punta Gorda.

### **6.4 - APARTMENT ASSOCIATION**

The Southwest Florida Apartment Association has classes to educate their membership regarding Fair Housing. These classes are taught by professionals in the field and offer information regarding the rights of tenants and prospective tenants.

### **6.5 - PUBLIC POLICIES**

In Section 3 of this report, a detailed analysis of the public policies, codes and ordinances of the City Punta Gorda was conducted. The result of the analysis is a conclusion that the current policies are not an impediment to Fair Housing.

This analysis also examined the “*City of Punta Gorda, Florida Analysis of Impediments to Fair Housing*” completed in April 2013. This interim report identified issues related to the Land Development Codes that existed at that time. These codes established a minimum dwelling unit size and lot sizes for residential units in the City. These codes have since been modified by the City making the development regulations in the City more compliant with Federal regulations regarding the accessibility of affordable housing for all citizens.



**SECTION 7**  
**IDENTIFICATION OF IMPEDIMENTS**

In current examination of impediments to fair housing choice, a few issues were found that the City can easily address.

Those issues were:

1. The City has adopted a formalized policy on the receipt of fair housing inquiries or complaints and this policy is published on the City's webpage. The information is complete, however anyone seeking this material would need to know where to search for the policy and contact telephone number.
2. Transportation and access to public transit was found to be an impediment to finding housing.
3. During investigation of the locally published newspapers, with advertising for real estate for sale or rent, no HUD disclaimer could be found
4. Lack of affordable housing units, based on community opinion.
5. The local realtors, while publishing HUD Fair Housing information on their website, do not hold classes for their members regarding Fair Housing and do not have an outreach program in the community to educate the residents.
6. There appears to be a lack of community knowledge of HUD Fair Housing initiatives and policy.

**SECTION 8**  
**RECOMMENDATIONS FOR CORRECTION OF THE IMPEDIMENTS**

1. Add a link on the City's website main page or in the Questions section to direct anyone seeking to file a housing discrimination complaint to the proper information.
2. In regards to transportation, there appears to be a need for education, outreach and publication regarding the currently available ride/transportation programs. The public does not appear to be fully aware of transportation programs that could assist the transportation disadvantaged-low income population. Additional dissemination of this information should be undertaken.
3. The City should request that the local newspapers insure that the HUD disclaimer regarding Fair Housing is published on their website and/or in print.
4. The City has made strides towards the inventory of affordable housing stock, by changes in their codes and ordinances and encouragement of economic development incentives. The City needs to continue on this path.
5. A partnership with the local Board of Realtors could be explored regarding the community education of the target population. This program should be initiated in the Elementary Schools and possibly expanded to additional grades. Use of existing materials will enable this program to be developed expeditiously.
6. Expand the distribution of Fair Housing materials throughout the community through the following.
  - a. The posting of HUD posters at after school care sites, parks and recreation centers, public housing sites, local houses of faith and schools
  - b. Having HUD/City of Punta Gorda Fair Housing pamphlets/written handouts available at various publically accessed sites, such as libraries, City Hall, other government building and centers.
  - c. Make sure the City website has the information available to the public

**APPENDIX A**  
**FAIR HOUSING ORDINANCE**

CITY OF PUNTA GORDA

ORDINANCE NO. 1764-13

AN ORDINANCE OF THE CITY OF PUNTA GORDA, FLORIDA, REPEALING ORDINANCE #600-80 AND REWRITING IN ITS ENTIRETY CHAPTER 9B, ARTICLE II, OF THE PUNTA GORDA CODE, DECLARING IT TO BE THE POLICY OF THE CITY OF PUNTA GORDA TO ELIMINATE DISCRIMINATION IN HOUSING ON THE BASIS OF RACE, COLOR, ANCESTRY, NATIONAL ORIGIN, RELIGION, SEX, MARITAL STATUS, FAMILIAL STATUS, HANDICAP OR AGE; PROVIDING DEFINITIONS; DESIGNATING AS UNLAWFUL CERTAIN DISCRIMINATORY PRACTICES IN THE SALE OR RENTAL OF HOUSING, AS WELL AS IN ADVERTISING IN CONNECTION THEREWITH, IN THE FINANCING OF HOUSING, AND IN BROKERAGE SERVICES RELATED TO EXCEPTIONS; PROVIDING FOR AN ADMINISTRATOR TO BE DESIGNATED BY THE CITY MANAGER AND PRESCRIBING THE GENERAL POWERS AND DUTIES OF SUCH ADMINISTRATOR, PRESCRIBING ACTION UPON A DETERMINATION OF PROBABLE CAUSE, AND AUTHORIZING THE PROMULGATION OF FORMS AND REGULATIONS; MAKING PROVISIONS FOR THE FILING OF COMPLAINTS AND RESPONSES THERETO, AND THE PROCESSING THEREOF BY THE ADMINISTRATOR; PROVIDING FOR ADDITIONAL REMEDIES; PROVIDING FOR PROHIBITING UNTRUTHFUL COMPLAINTS OR FALSE TESTIMONY; PROVIDING FOR PENALTIES FOR VIOLATION OF SUCH CODE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by the adoption of Ordinance #600-80 on August 6, 1980, the City of Punta Gorda, Florida declared it to be the policy of the City of Punta Gorda in the exercise of its police power for the public safety, public health and general welfare to assure equal opportunity to obtain adequate housing by all persons and to eliminate discrimination in housing within its jurisdiction; and

WHEREAS, Ordinance #600-80 is codified as Chapter 9B, Article II, consisting of Sections 11 through 18, of the Punta Gorda Code; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires jurisdictions receiving entitlement of Community Development Block Grant (CDBG) Program funds to complete an analysis every 5 years to identify impediments that prevent the national fair housing laws from being observed, the reasons for said impediments, and resources available to resolve any issues; and

WHEREAS, as a part of its analysis, the City of Punta Gorda is also required to review its Fair Housing policy to ensure compliance with the current Fair Housing Act and HUD regulations;

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PUNTA GORDA, FLORIDA THAT:

- I. Ordinance #600-80 adopted on August 6, 1980 is hereby repealed.
- II. Chapter 9B, Article II, is hereby rewritten in its entirety to read as follows:

**Section 9B-11. DECLARATION OF POLICY.**

It is the policy of the City of Punta Gorda, Florida, in keeping with the laws of the United States of America and the spirit of the Constitution of the State of Florida, to promote through fair, orderly and lawful procedure the opportunity for each person so desiring to obtain housing of such person's choice in this jurisdiction without regard to race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age, and, to that end, to prohibit discrimination in housing by any person.

**Section 9B-12. DEFINITIONS.**

The terms as used herein shall be defined as follows:

- (a) *Administrator*: That person appointed by the City Manager pursuant to Section 15 hereof.
- (b) *Age*: Unless the context clearly indicates otherwise, the work age as used herein shall refer exclusively to persons who are 18 years of age or older.
- (c) *Discriminatory Housing Practice*: An act that is unlawful under Section 13 hereof.
- (d) *Family*: One or more persons living together as a single housekeeping unit in a dwelling.
- (e) *Housing or Housing Accommodation*: Any building, structure, or portion thereof, mobile home or trailer, or other facility which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof, mobile home or trailer or other facility.
- (f) *Lending Institution*: Any bank, insurance company, savings and loan association or any other person or organization regularly engaged in the business of lending money, guaranteeing loans, or sources of credit information, including, but not limited to credit bureaus.
- (g) *Owner*: Any person, including, but not limited to a lessee, sublease, assignee, manager, or agent, and also including the City of Punta Gorda, Florida and the City of Punta Gorda Housing Authority and its departments or other subunits, having the right of ownership or possession or the authority to sell or lease any housing accommodation.
- (h) *Person*: One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mortgage companies, joint stock companies, trusts, unincorporated organizations, or public corporations, including, but not limited to the the City of Punta Gorda, Florida and the City of Punta Gorda Housing Authority or any department or subunit thereof.

- (i) *Real Estate Agent*: Any real estate broker, any real estate salesperson, or any other person, employee, agent, or otherwise, engaged in the management or operation of any real property,
- (j) *Real Estate Broker or Salesperson*: A person, whether licensed or not, who, for or with the expectation of receiving a consideration, lists, sells, purchases, exchanges, rents, or leases real property, or who negotiates or attempts to negotiate any of these activities, or who holds himself or herself out as engaged in these activities, or who negotiates or attempts to negotiate a loan secured or to be secured by mortgage or other encumbrance upon real property, or who is engaged in the business of listing real property in a publication; or a person employed by or acting on behalf of any of these.
- (k) *Real Estate Transaction*: Includes the sale, purchase, exchange, rental or leases of real property, and any contract pertaining thereto.
- (l) *Rent*: Includes leases, sublease, assignment and/or rental, including any contract to do any of the foregoing, or otherwise granting for a consideration the right to occupy premises that are not owned by the occupant.
- (m) *Respondent*: Any person against whom a complaint is filed pursuant to this ordinance.
- (n) *Sale*: Includes any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to, or a beneficial interest in, real property.

**Section 9B-13.**

**UNLAWFUL HOUSING PRACTICES.**

- (a) Unlawful housing practices: Sale or rental and advertising in connection therewith. Except as provided in Section 14 hereof, it shall be unlawful and a discriminatory housing practice for an owner, or any other person engaging in a real estate transaction, or for a real estate broker, as defined in this ordinance, because of race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age:
  - (1) To refuse to engage in a real estate transaction with a person or to otherwise make unavailable or deny housing to any person.
  - (2) To discriminate against a person in the terms, conditions or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith.
  - (3) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person.
  - (4) To refuse to negotiate for a real estate transaction with a person.
  - (5) To represent to a person that housing is not available for inspection, sale, rental or lease when, in fact, it is so available, or to fail to bring a property listing to such person's attention, or to refuse to permit him or her to inspect the housing.
  - (6) To steer any person away from or to any housing.



- (7) To make, print, publish, circulate, post or mail, or cause to be made, printed, published or circulated, any notice, statement, advertisement or sign, or to use a form of application or photograph for a real estate transaction or, except in connection with a written affirmative action plan, to make a record or oral or written inquiry in connection with a prospective real estate transaction, which indicates directly or indirectly an intent to make a limitation, specification, or discrimination with respect thereto.
- (8) To offer, solicit, accept, use or retain a listing of housing with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith.
- (9) To induce or attempt to induce any person to transfer an interest in any housing by representations regarding the existing or potential proximity of housing owned, used or occupied by any person protected by the terms of this ordinance.
- (10) To make any misrepresentations concerning the listing for sale or rental, or the anticipated listing for sale or rental, or the sale or rental of any housing in any area in the City of Punta Gorda, Florida, for the purpose of inducing or attempting to induce any such listing or any of the above transactions.
- (11) To retaliate or discriminate in any manner against any person because of his or her opposing a practice declared unlawful by this ordinance, or because he or she has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding or conference under this ordinance.
- (12) To aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by the provisions of this ordinance, or to obstruct or prevent any person from complying with the provisions of this ordinance, or any conciliation agreement entered into there under.
- (13) By canvassing to compel any unlawful practices prohibited by the provisions of this ordinance.
- (14) Otherwise to deny to, or withhold, any housing accommodations from a person.
- (15) To promote, induce, influence or attempt to promote, induce or influence by the use of postal cards, letters, circulars, telephone, visitation or any other means, directly or indirectly, a property owner, occupant, or tenant to list for sale, sell, remove from, lease, assign, transfer, or otherwise dispose of any housing by referring as a part of a process or pattern of indicating neighborhood unrest, community tension, or fear of racial, color, religious, nationality or ethnic change in any street, block, neighborhood or any other area, to the race, color, religion, neighbors, tenants or other prospective buyers of any housing.
- (16) To place a sign or display any other devise either purporting to offer for sale, lease, assignment, transfer or other disposition or tending to lead to the belief that a bona fide offer is being made to sell, lease, assign, transfer or otherwise dispose of any housing that is not in fact available or offered for sale, lease, assignment, transfer or other disposition.

- (b) Unlawful housing practices: Financing. It shall be unlawful and a discriminatory housing practice for any lending institution, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining housing, or to discriminate against such person in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age of such person or of any person associated with such person in connection with such loan or other assistance, or of the present or prospective owners, lessees, tenants or occupants of the housing in relation to which such loan or other financial assistance is to be made or given; provided that nothing contained in this subsection shall impair the scope or effectiveness of the exceptions contained in Section 14 of this ordinance.
- (c) Unlawful housing practices: Brokerage Services. It shall be unlawful and a discriminatory housing practice to deny any person access to or membership or participation in any multiple listing service, real estate brokers organization or other service, organization, or facility related to the business of selling, or renting housing, or to discriminate against such person in the terms or conditions of such access, membership or participation because of race, color, ancestry, national origin, religion, sex, marital status, familial status or age.

**Section 9B-14.**

**EXEMPTIONS AND EXCEPTIONS.**

- (a) Nothing contained in this Section 14 shall prohibit a religious organization, association, or society, or any nonprofit charitable or educational institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting or from advertising the sale, rental or occupancy of housing which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.
- (b) Nothing in Section 13 hereof, other than subsection (7) of subsection (a) thereof, shall apply to:
- (1) Any single-family house sold or rented by an owner: provided, that such private individual owner does not own more than three such single family houses at any one time; provided, further, that in the case of the sale of any such single family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period; provided, further, that it does not own any interest in, nor is there owned or reserved on such owner's behalf, under any express or voluntary agreement, title to or any rights to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time; provided, further, that the owner sells or rents such housing (1) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesperson, or of such facilities or services of any person in the business of selling or renting housing, or of any employee or agency of any such broker, agent, salesperson, or person and (2) without the publication, posting, or mailing, after notice, of any advertisement or written notice in violation of subsection (7) of subsection (a) of Section 13 hereof, but nothing in this provision shall

prohibit the use of attorneys, escrow agents, abstracters, title companies, and other such professional assistance as necessary to perfect or transfer the title; or

- (2) Rooms or units in housing containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as such owner's residence, provided that the owner sells or rents such rooms or units (1) without the use in any manner of the sales or rental services of any real estate broker, agent or salesperson, or of such facilities or services of any person in the business of selling or renting housing, or of any employee or agency of any such broker, agent salesperson, or person and (2) without the publication, posting or mailing, after notice in violation of subsection (7) of subsection (a) of Section 13 hereof, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies, and other such professional assistance as necessary to perfect or transfer the title.
- (c) For the purpose of this subsection a person shall be deemed to be in the business of selling or renting housing if:
- a. He or she has, within the preceding twelve months, participated as principal, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in three or more transactions involving the sale or rental of any housing or any interest therein; or
  - b. He or she has, within the preceding twelve months, participated as agent, other than in the sale of his or her own personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any housing or any interest therein; or
  - c. He or she is the owner of any housing designed or intended for occupancy by, or occupied by, five or more families.
- (2) Nothing in Section 13 hereof shall be construed to:
- a. Bar any person from restricting sales, rentals, leases or occupancy, or from giving preference, to persons of a given age for bona fide housing intended solely for the elderly or bona fide housing intended solely for minors.
  - b. Make it an unlawful act to require that a person have legal capacity to enter into a contract or lease.
  - c. Bar any person from advertising or from refusing to sell or rent any housing which is planned exclusively for, and occupied exclusively by, individuals of one sex, to any individual of the opposite sex.
  - d. Bar any person from selling, renting or advertising any housing which is planned exclusively for, and occupied exclusively by, unmarried individuals to unmarried individuals only.

- e. Bar any person from advertising or from refusing to sell or rent any housing which is planned exclusively for married couples without children or from segregating families with children to special units of housing.
- f. Bar any person from refusing a loan or other financial assistance to any person whose life expectancy, according to generally accepted mortality tables, is less than the term for which the loan is requested.

**Section 9B-15.**

**ADMINISTRATOR AUTHORITY AND RESPONSIBILITIES.**

- (a) **City Manager to Appoint.** The authority and responsibility for administering this ordinance shall be vested in the City Manager who shall appoint an administrator.
- (b) **General Powers and Duties.** The administrator shall:
  - a. Receive written complaints as hereinafter provided in Section 16 relative to alleged unlawful acts under this ordinance when a complaint seeks the administrator's good offices to conciliate.
  - b. Upon receiving written complaint, make such investigations as the administrator deems appropriate to ascertain facts and issues.
  - c. Utilize methods of persuasion, conciliation, and mediation or information adjustment of grievances.
  - d. Establish, administer or review programs at the request of the City Manager and make reports on such programs to the City Manager.
  - e. Bring to the attention of the City Manager items that may require further notice or action to resolve.
  - f. Render to the City Manager annual written reports of his or her activities under the provisions of this ordinance along with such comments and recommendations as he or she may choose to make.
  - g. Cooperate with and render technical assistance to federal, state, local and other public and private agencies, organizations and institutions which are formulating or carrying on programs to prevent or eliminate the unlawful discriminatory practices covered by the provisions of this ordinance.
- (c) **Determination of Probable Cause.** If after fully processing the complaint in the manner hereafter provided, the administrator determines that there is probable cause to believe that there has been a violation of the provisions of this ordinance, the administrator shall refer the matter, along with the facts he or she has gathered in the investigations, to the proper county, state or federal authorities for appropriate legal action.
- (d) **Promulgation of Forms and Regulations.** The administrator shall promulgate, publish and distribute the necessary forms, rules and regulations to implement the provisions of this ordinance.

**Section 9B-16.**

**COMPLAINTS.**

- (a) A person who claims that another person has committed a discriminatory housing practice against him or her may report that offense to the administrator by filing an informal complaint within forty-five (45) days after the date of the alleged discriminatory housing practice and not later.
- (b) The administrator shall treat a complaint referred by the Secretary of Housing and Urban Development or the Attorney General of the United States under the Fair Housing Act of 1968, Public Law 90-284, as an informal complaint filed under subsection (1).
- (c) An informal complaint must be in writing, verified or affirmed, on a form to be supplied by the administrator and shall contain the following:
  - (1) Identity and address of the respondent.
  - (2) Date of offense and date of filing the informal complaint.
  - (3) General statement of facts of the offense including the basis of the discrimination (race, color, ancestry, national origin, religion, sex, marital status, familial status, handicap or age).
  - (4) Name and signature of the complainant.
- (d) Each complaint shall be held in confidence by the administrator unless and until the complainant and the respondent(s) consent in writing that it shall be made public.
- (e) Within fifteen (15) days after the filing of the informal complaint, the administrator shall transmit a copy of the same to each respondent named therein by certified mail, return receipt requested. Thereupon, the respondent(s) may file a written, verified informal answer to the informal complaint within twenty (20) days of the date of the receipt of the informal complaint.
- (f) An informal complaint or answer may be amended at any time, and the administrator shall furnish a copy of each amended informal complaint or answer to the respondent(s) complaint, respectively, as promptly as practicable.
- (g) The administrator shall assist complainants or respondents when necessary in the preparation and filing of informal complaints or answers or any amendments thereto.
- (h) The administrator shall advise complainants of their rights and options provided in Section 760.34, Florida Statutes.

**Section 9B-17.**

**PROCESSING COMPLAINTS.**

- (a) Within thirty (30) days after the filing of an informal complaint, the administrator shall make such investigation as is deemed appropriate to ascertain facts and issues. If the administrator shall deem that there are reasonable grounds to believe that a violation has occurred and can be resolved by conciliation, the administrator shall attempt to conciliate the matter by methods of initial conference and persuasion with all interested parties such representatives as the parties

may choose to assist them. Conciliation conferences shall be informal and nothing said or done in the course of the informal conference with the individuals to resolve the dispute may be public or used as evidence in a subsequent proceeding by either party without the written consent of both the complainant and the respondent(s). The administrator or employee of the administrator who shall make public any information in violation of this provision shall be deemed guilty of a violation of a city ordinance and shall be subject to penalty as set forth in Section 21 of this ordinance.

- (b) If the parties desire to conciliate, the terms of the conciliation shall be reduced to writing in the form approved by the administrator and must be signed and verified by the complainant and respondent(s) and approved by the administrator. The conciliation agreement shall be for conciliation purposes only and shall not constitute an admission by any party that the law has been violated.
- (c) If the administrator deems that there is not probable cause to believe that the alleged discriminatory housing practice has been committed, the administrator shall take no further action with respect to the alleged offense.
- (d) If the administrator, with respect to any matter involves a contravention of this ordinance by failure to conciliate a complaint after the parties, in good faith, have attempted such conciliation; or determining that the violation alleged in the complaint cannot be resolved by conciliation, the administrator shall notify both the complainant and the respondent(s) within thirty (30) days of the failure or the determination, and then shall proceed as provided in Subsection (c) of Section 15 herein above.

**Section 9B-18.            ADDITIONAL REMEDIES.**

The procedure prescribed by this ordinance does not constitute an administrative prerequisite to another action or remedy available under other law. Further, nothing in this ordinance shall be deemed to modify, impair or otherwise affect any right or remedy conferred by the Constitution or laws of the United States or the State of Florida, and the provisions of this ordinance shall be in addition to those provided by such other laws.

**Section 9B-19.            EDUCATION AND PUBLIC INFORMATION.**

The administrator may conduct educational and public informational activities that are designed to promote the policy of this ordinance.

**Section 9B-20.            UNTRUTHFUL COMPLAINTS OR TESTIMONY.**

It shall be a violation of this ordinance for any person knowingly and willfully to make false or untrue statements, accusations or allegations in a complaint filed hereunder or to give false testimony concerning violations of this ordinance.

**Section 9B-21.            PENALTY.**

Any person who violates any provisions of this ordinance shall be subject, upon conviction, to a fine up to but not exceeding the sum of Five Hundred and no/100 Dollars (\$500.00), or imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.



III. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held illegal, invalid or unconstitutional by the decision of any court or regulatory body of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The City of Punta Gorda, Florida, hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared illegal, invalid or unconstitutional, and all ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

IV. Any ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

V. This ordinance shall take effect immediately upon its adoption.

ADOPTED in regular session of the City Council of the City of Punta Gorda, Florida this 14<sup>th</sup> day of August, 2013.

  
\_\_\_\_\_  
WILLIAM ALBERS, Mayor

ATTEST:

  
\_\_\_\_\_  
KAREN SMITH, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
DAVID M. LEVIN, City Attorney

**APPENDIX B**  
**ANTI-DISPLACEMENT POLICY**



## City of Punta Gorda, Florida RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

The City of Punta Gorda will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG funds, as required by Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act), and implementing regulations at 24 CFR 570.496a.

All replacement housing will be provided within three (3) years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Punta Gorda will make public and submit to the Department of Housing and Urban Development (HUD) the following information in writing:

1. Description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and,
6. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least ten (10) years from the date of the initial occupancy.

The City of Punta Gorda will provide relocation assistance, as described in 570.496a(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use as direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the City of Punta Gorda will take steps indicated below to minimize the displacement of persons from their homes.\*

**\*The following are examples of steps to minimize displacement. The first two are required. The others are optional. Only check those which are appropriate for the project and local circumstances. Add other steps as necessary or appropriate.**

\_\_\_ Consider all practical alternatives to any proposed project that may result in residential displacement. Alternatives to be considered include other sites for the proposed facilities/project. Also to be considered are the costs and benefits, both financial and non-financial, of each alternative.

\_\_\_ Provide counseling and referral services to assist the displaced and find alternative housing in the community.

- Work with area landlords and real estate brokers to locate vacancies for households facing displacement.
- Stage rehabilitation of assisted housing to allow tenants to remain during and after rehabilitation, working with empty buildings or groups of empty units first so they can be rehabilitated first and tenants moved before rehab on occupied units or buildings is begun.
- Establish temporary relocation facilities in order to house families whose displacement will be of short duration, so they can move back to their neighborhoods after rehabilitation or new construction.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent their placing undue financial burden on long-established owners or on tenants of multi-family buildings.
- Develop displacement watch systems in cooperation with neighborhood organizations to continuously review neighborhood development trends, identify displacement problems, and identify individuals facing displacement who need assistance.

**APPENDIX C**  
**AFFORDABLE HOUSING INCENTIVES**

## Chapter 11A PUNTA GORDA AFFORDABLE HOUSING IMPACT FEE INCENTIVES

### Sec. 11A-1. Short Title.

This Chapter shall be known and cited as the "Punta Gorda Affordable Housing Impact Fee Incentives."

### Sec. 11A-2. Findings.

The City Council of Punta Gorda, Florida (hereinafter "Council") hereby finds and declares that:

- (a) Punta Gorda, Florida, (hereinafter "City") has adopted updated impact fees established in Chapter 11, Punta Gorda Development Impact Fee Ordinance, to require new development to pay a proportionate share of the average public facility costs related to the provision of capital facilities needed to accommodate the demand for such facilities generated by new development.
- (b) The Comprehensive Plan for Punta Gorda, as adopted and amended by the Council and census and population studies predict that growth will continue and will create significant demands for public facilities needed to accommodate new development.
- (c) The Comprehensive Plan for Punta Gorda, as adopted and amended by the Council, identifies the need for additional units of affordable housing within the City, including both owner-occupied and rental units.
- (d) In balancing the need for new development to contribute to funding public facilities needed to accommodate new development and the need for additional affordable housing in the City, the City Council has determined that it is in the public interest to encourage the provision of affordable housing by providing the affordable housing incentives established herein.
- (e) The City is providing for the deferral of the payment of City imposed impact fees for qualifying owner-occupied affordable housing. This program provides only for the deferred payment of the impact fees due, not for the reduction or waiver of City imposed impact fees.
- (f) The City is providing for payment of impact fees due on Rental Affordable Housing Units on an installment basis over a specified number of years. This program provides only for installment payment of the impact fees due, not for the reduction or waiver of City-imposed impact fees.
- (g) The City is providing for the creation of an Impact Fee Transfer when the existing demand for capital facility capacity generated by development on one site is permanently reduced. Such Impact Fee Transfer units may be applied against the City imposed impact fees due on new affordable housing units developed on other property in the City.

(Ord. 1558-08, <sec> 2, 9-3-08; Ord. No. 1678-11, <sec> 4, 4-20-11)

**Sec. 11A-3. Intent.**

This Chapter is intended to encourage the provision of new units of owner-occupied affordable housing within the City of Punta Gorda by providing for deferral of payment of City imposed fees on qualifying units of Affordable Housing and for Impact Fee Transfers that may be used in payment of City imposed impact fees for new units of Affordable Housing where the demand for capital facilities generated by previously existing development has been permanently reduced on another site. These programs are intended to further the affordable housing goals and objectives in the Housing Element of the City's Comprehensive Plan.

**Sec. 11A-4. Authority.**

In the creation of the Impact Fee Deferral Program, the Impact Fee Transfer Program and the Rental Impact Fee Installment Payment Program, the Council is exercising its Charter home rule powers and its local authority, including police powers, pursuant to Article VII, Sections 1(f), 1(g) and 2(b) of the Florida Constitution; the Municipal Home Rule Powers Act, ch. 166, F.S., as amended; and Section 163.3161 et seq., F.S., as amended. The provisions of this Chapter shall not be construed to limit the scope of the City's power necessary to accomplish these purposes.

(Ord. No. 1558-08, <sec> 3, 9-3-08)

**Sec. 11A-5. Definitions.**

As applied in this Chapter, the following words and terms shall have the following meaning, unless another meaning is clearly intended:

Affordable Housing shall mean newly constructed, owner-occupied dwelling units that are intended to be and are owned and occupied by families meeting federal guidelines for moderate income families, low income families or very low income families. The provisions of Sections 11A-7 and 11A-8 of this Chapter 11A shall apply only to Affordable Housing dwelling units fulfilling these criteria and on which City imposed Impact Fees are due.

City Imposed Impact Fees shall mean the impact fees imposed by the City of Punta Gorda pursuant to Chapter 11 of the City Code. Water and Sewer impact fees, connection fees or capacity fees imposed by the City are excluded from the Affordable Housing Incentives Programs.

Impact Fee Transfer Receiving Site or Receiving Site shall mean the property on which Affordable Housing is being provided and on which an Impact Fee Transfer created by the permanent reduction of demand for capital facilities on a Sending Site is applied pursuant to this Chapter.

Impact Fee Transfer Sending Site or Sending Site shall mean the property on which demand for capital facilities is permanently reduced as a result of demolition, redevelopment or other activity which permanently reduces or eliminated the demand for capital facilities which was previously generated by development on the site. The Impact Fee Transfers created by this reduction in capital facility demand may be

permanently transferred and applied against the City imposed impact fees due on new Affordable Housing provided on an Impact Fee Receiving Site. Impact Fee Transfers may not be created from demolition or redevelopment of non-conforming uses on an Impact Fee Sending Site.

Impact Fee Transfer(s) shall mean the Impact Fee Transfer credit created by a permanent reduction in demand for capital facilities, by type of development and associated facility demand, on an Impact Fee Sending Site. Impact Fee Transfers by facility type may be applied against the City imposed impact fees by facility type due on new Affordable Housing units provided on an Impact Fee Transfer Receiving Site. Impact Fee Transfers shall be calculated based on the reduction in facility capacity demand by facility type as determined by the currently applicable City impact fee schedule.

Low Income Families shall mean families whose incomes are more than 50 percent but do not exceed 80 percent of the median income for the area as determined by the Secretary of the U.S. Department of Housing and Urban Development.

Moderate Income Families means families whose incomes are more than 80 percent but do not exceed 120 percent of the median income for the area as determined by the Secretary of the U.S. Department of Housing and Urban Development.

Rental Affordable Housing shall mean newly constructed single-family or multi-family family residential dwelling units on which City-imposed Impact Fees are due that are leased to and occupied by a low income family or very low income family that fulfills and maintains the relevant criteria established in this Chapter 11A at the commencement of the leasehold and during the duration of the leasehold.

Very Low Income Families shall mean families whose incomes do not exceed 50 percent of the median income for the area as determined by the Secretary of the U.S. Department of Housing and Urban Development.

(Ord. No. 1558-08, <sec> 4, 9-3-08)

#### **Sec. 11A-6. Applicability.**

The provisions of this Chapter 11A shall be applicable to the development of Affordable Housing on which City imposed impact fees are collected after the effective date of this Chapter. Where a building permit was issued after February 1, 2007 and prior to the effective date of this Chapter, an executed Deferral Agreement or Impact Fee Transfer Agreement(s), whichever are applicable, shall be accepted by the City as the basis for determination of the amount of City imposed impact fees due.

#### **Sec. 11A-7. Affordable Housing Impact Fee Deferral Program.**

- (a) Pursuant to the requirements established in this Section and Chapter 11A, the City shall defer the payment of impact fees due for any new owner-occupied dwelling unit which qualifies as Affordable Housing under this Chapter and which fulfills all other requirements of this Section.



- (b) Any person seeking an Affordable Housing Impact Fee Deferral for proposed residential development shall file with the City Manager an application for deferral prior to receiving a building permit for the proposed development, except as provided in Section 11A-6. The City shall provide application forms to be used by applicants. The application shall, at a minimum, include the following:
- (1) Name and address of the applicant;
  - (2) An up-to-date, complete legal description of the site on which the proposed development is to be located, including the parcel identification number and the street address, if available; and
  - (3) The maximum income level of the applicant owner, or if the applicant owner is the developer or builder, the income level of the household to which the dwelling unit is to be sold.
- (c) If the proposed development meets the requirements for the Affordable Housing Impact Fee Deferral as set forth in this Section, the City Manager shall enter into an Impact Fee Deferral Agreement and is hereby authorized by the Council to execute such Deferral Agreement along with any associated tri-party agreement further defining the repayment obligations of the owner, applicant, builder and/or developer, as applicable. The recorded Impact Fee Deferral Agreement shall be accepted by the City in lieu of payment of the impact fees due pursuant to Chapter 11 of the City Code.
- (d) To qualify for Affordable Housing Impact Fee Deferral, the owner-occupied dwelling unit and owner(s) must fulfill all of the following criteria:
- (1) The dwelling unit must be the homestead of the owner(s) under Section 4, Article X of the State Constitution. The qualifying owner(s) must be the first occupants and the first owner(s), other than the developer, of the newly constructed dwelling unit.
  - (2) The owner(s) or anticipated owner(s) of the dwelling unit must qualify as a very low income family, a low income family or a moderate income family as defined in Section 11A-5 at the time of execution of a Deferral Agreement by the owner(s).
  - (3) The monthly mortgage payment, including taxes and insurance, must not exceed 30 percent of that amount which represents the percentage of median annual gross income for the applicable household category defined in Section 11A-5. If the first institutional mortgage lender is satisfied that the owner(s)/household can afford the mortgage payments in excess of the 30 percent benchmark, the dwelling unit shall be deemed affordable even if the monthly mortgage payment, including taxes and insurance exceeds the 30 percent benchmark.
  - (4) If the application is submitted by a developer prior to construction of the dwelling unit and prior to purchase by a qualified purchaser, the

following additional requirements must be fulfilled:

- a. A written affirmation from the developer/builder to the City must guarantee to the City that the identified Affordable Housing unit(s) will be constructed and will be sold in compliance with the requirements of this Chapter. The affirmation must be in effect no later than the time of application for deferral and continue in effect for at least one year after issuance of a certificate of occupancy, and
  - b. The qualifying purchasers must take ownership of the dwelling unit no later than one year after issuance of a certificate of occupancy and must be the initial occupants and owners, other than the developer, of the dwelling unit. If qualifying purchasers fail to take ownership of the dwelling unit no later than one year after issuance of a certificate of occupancy, the full amount of impact fees that were deferred on the unit shall immediately become due and payable with interest.
- (5) Without Council approval, no more than 10 outstanding Deferral Agreements are permitted with an individual developer or for any developments that are under common ownership. For purposes of this Subsection, common ownership shall include ownership by the same person, corporation, firm, entity, partnership or unincorporated association, or ownership by different corporations, firms, partnerships, entities or unincorporated associations in which a stockbroker, partner or associate or a member of his family owns an interest in such corporation, firm, partnership, entity or unincorporated association.
- (e) Impact Fee Deferral Agreements.
- (1) The owner of a dwelling unit on which impact fees are deferred under this Chapter shall execute an Impact Fee Deferral Agreement with the City. A separate Impact Fee Deferral Agreement shall be executed for each dwelling unit. Applicants are required to enter into a Deferral Agreement to qualify for impact fee deferral. The Deferral Agreement shall be recorded in the real property records of the County at no cost to the City and shall run with the land. The Deferral Agreement shall include such provisions as are necessary to effectuate the purposes of this Chapter and Section and shall provide for, at a minimum, the following:
    - a. Legal description of the property and the dwelling unit, including the parcel tax identification number and street address.
    - b. The amount of the City imposed impact fees deferred and the obligation that the total amount of deferred impact fees shall be paid in full upon the sale of the unit, upon any breach of the Deferral Agreement by the owner or upon the failure of the owner to continue to qualify under the

provisions of this Section.

- c. The rights and obligations under a Deferral Agreement, including the deferred impact fees, may not be assigned, transferred, credited, devised or otherwise conveyed separate and apart from the subject Affordable Housing dwelling unit and property.
- d. Deferred impact fees shall be a lien on the property which lien shall be recorded. The lien may be foreclosed upon in the event of noncompliance with the requirements of this Section and Chapter or in the event of a breach of the Deferral Agreement by owner. The lien shall terminate upon the recording of a release or satisfaction of lien in the public records of the County. Such release or satisfaction shall be recorded by the City upon payment in full of the deferred impact fees.
- e. In the event of a default of the Agreement by the owner and the default is not cured within 30 days after written notice is provided to the owner, the City may, at its sole option, collect the deferred impact fees in default as provided in this Section or bring a civil action to enforce the agreement or declare that the deferred impact fees are in default and are immediately due and payable. The City shall be entitled to recover all costs and fees, including attorney's fees and costs, incurred by the City in enforcing the Deferral Agreement, plus interest at the maximum statutory rate for judgments calculated on a calendar day basis until paid in full.

(f) Owner Reporting Obligations.

- (1) The impact fees deferred on a dwelling unit shall be a lien on the property until all requirements under this Chapter and the terms of all Deferral Agreements related to that dwelling have been satisfied in full.
- (2) The owner of a dwelling unit on which impact fees have been deferred shall annually submit an affidavit of continued compliance with the requirements of this Chapter and the terms of the applicable Deferral Agreement. The affidavit must be filed no later than 30 days after the anniversary of the date of issuance of the certificate of occupancy on the dwelling unit. A late fee of \$50.00 shall be paid to the City by the owner if the affidavit is not timely filed. If the owner fails to file the affidavit within four months after the anniversary date of issuance of the certificate of occupancy on the dwelling unit, the impact fees deferred shall become immediately due and payable in full and the City may immediately proceed to collect the impact fees due.

(g) Repayment.

- (1) All impact fees deferred at the time of building permit issuance for an owner-occupied dwelling unit shall become due and payable and shall be immediately paid in full to the City upon the occurrence of any of the following events:
  - a. Sale of the dwelling unit; or
  - b. Refinancing of the purchase mortgage or loans secured by senior real property security instruments; or
  - c. Loss of the homestead exemption under Section 4, Article X of the State Constitution; or
  - d. The first occurrence of any sale or transfer of any part of or interest in the affected real property; or
  - e. The failure of the owner to maintain compliance with the requirements of this Chapter and the terms of the applicable Deferral Agreement. However, the noncompliance of the owner with the terms of this Chapter and/or the applicable Deferral Agreement due solely to an increase in the household income over the standards established in this Chapter shall not trigger repayment obligations under this Chapter; or
  - f. The failure of an anticipated purchaser to complete the purchase of a dwelling unit for which a developer affirmation has been accepted by the City.
- (2) Repayment of deferred impact fees shall include any accrued interest. Interest on owner-occupied deferrals shall be computed at the rate of five percent per annum, but in no event shall the total accrued interest exceed 25 percent of the total impact fees deferred on the dwelling unit. Interest on developer deferrals qualified under Section 11A-7(d)(4) shall be computed at the rate of five percent per annum if the developer fails to transfer the dwelling unit to a qualified purchaser within one year of the date of issuance of the certificate of occupancy on the dwelling unit.

(Ord. No. 1558-08, <sec> 5, 9-3-08)

**Sec. 11A-8. Affordable Housing Impact Fee Transfer Program.**

- (a) Pursuant to the requirements of this Section and Chapter 11A, the City shall allow approved Impact Fee Transfers to be used as payment against City imposed impact fees due on new, owner-occupied dwelling units which qualify as Affordable Housing under this Chapter and which fulfill all other requirements of this section.
- (b) Impact Fee Transfers may be created by permanent reduction of demand for capital facility capacity through the demolition or redevelopment of existing development, excluding non-conforming uses, on one site (hereinafter "Impact Fee Transfer Sending Site" or "Sending Site"). Such Impact Fee

Transfers may be used as payment for City imposed impact fees due on Affordable Housing dwelling units on another site in the City (hereinafter “Impact Fee Transfer Receiving Site” or “Receiving Site”).

- (c) Reduction in demand for facility capacity on the Sending Site shall be determined by calculating the capital facility demand generated by previously existing development on the Sending Site, using the type and number of dwelling units or amount and type of development and associated facility demand based on the currently applicable City impact fee schedules, less the facility demand generated by the development proposed for or constructed on the Sending Site, based on the currently applicable City impact fee schedules. The reduction in demand for facility capacity on the Sending Site shall be calculated separately for each type of facility or impact fee imposed by the City. The Applicant for participation in the Impact Fee Transfer Program shall bear the burden of providing adequate documentation needed for the City to determine any reduction in the demand for facility capacity of a Sending Site and any other information needed by the City in relation to this Program.
- (d) Notice of Impact Fee Transfer approved for a Sending Site shall be recorded in the real property records of the County by recording the executed Impact Fee Transfer Agreement(s) applicable to the Site. Any Impact Fee Transfer so recorded shall not be available for use on the Sending Site and may be used only for payment of impact fees due on Affordable Housing on a Receiving Site approved under this program. Any subsequent increase in demand for facility capacity on the Sending Site will require payment of applicable City imposed impact fees.
- (e) The Impact Fee Transfers from multiple Sending Sites may be aggregated for use in the provision of Affordable Housing on one or more Receiving Sites.
- (f) Applications for participation in the Impact Fee Transfer Program shall contain the following information submitted to the City Manager or his designee:
  - (1) A letter expressing intent to enter into Impact Fee Transfer agreements on the Sending Site(s) and the Receiving Site(s) to be recorded in the property records of the County;
  - (2) Legal Descriptions, including the parcel tax identification number and street address and proof of ownership of the Sending Site(s) and the Receiving Site(s) by the Applicant or Co-applicant(s);
  - (3) Documentation of the type and gross square footage of nonresidential development or number of dwelling units by type that previously existed on the Sending Site;
  - (4) Documentation of the proposed or existing development on the Sending Site that results in a reduced demand for public facilities compared to the previously existing development;
  - (5) Documentation of the number of Affordable Housing dwelling units to be constructed on the Receiving Site(s), including all data needed to

verify that the proposed units qualify as Affordable Housing under this Chapter; and

- (6) Any additional information needed by the City to adequately confirm and calculate the reduction in demand for facilities, identify the Sending and Receiving Sites, verify ownership and any other issues related to the Impact Fee Transfer Program.
- (e) Upon verification that the proposed housing units qualify as Affordable Housing under this Chapter and determination by the City of the amount of Impact Fee Transfer available from the Sending Site(s), the City and Applicant(s) shall enter into an Impact Fee Transfer Agreement for each Sending Site and each Receiving Site. All Impact Fee Transfer Agreements shall be approved by the City Council and executed by the City, the Applicant and the owner(s) of the Sites, if different from the Applicant. Executed Impact Fee Transfer Agreements shall be recorded in the property records of the County and a copy of each such Agreement shall be kept on file in the City as part of the administration records for the City's impact fees.
- (f) Failure of the Applicant(s) to fulfill the conditions and requirements of this Section and all provisions of the applicable Impact Fee Transfer Agreements, whether for the Sending or Receiving Sites, shall cause all City imposed impact fees otherwise due to become immediately due and payable in full.

**Sec. 11A-9. Rental Affordable Housing Impact Fee Installment Payment Program.**

- (a) Pursuant to the requirements established in this Section and Chapter 11A, the City shall defer the payment of impact fees due for any new rental dwelling unit which qualifies as Rental Affordable Housing under this Chapter and which fulfills all other requirements of this Section. The Council shall by Resolution establish a Rental Affordable Housing Impact Fee Installment Payment schedule, including the portion of impact fees to be paid at the time of building permit issuance, at the time of issuance of certificate of occupancy and remaining payments, including accrued interest, over a period of five (5) years from the date of issuance of certificate of occupancy.
- (b) Any person seeking Rental Affordable Housing Impact Fee Installment Payment under this Section for proposed residential development shall file with the City Manager an application for Rental Affordable Housing Installment Payment prior to receiving a building permit for the proposed development, except as provided by Section 11A-6. The City shall provide application forms to be used by applicants. The application shall, at a minimum, include the following:
  - (1) Name and address of the applicant and owner/lessor;
  - (2) An up-to-date, complete legal description of the site on which the proposed development is to be located, including the parcel

identification number and the street address, if available; and

- (3) The rental limits to be imposed on the Rental Affordable Housing Unit(s) which shall not exceed the rental limits established by the Florida Housing Finance Corporation for rents adjusted to bedroom size in projects assisted by the Florida Housing Finance Corporation or any other local, state or federal agency, based on unit size.
- (c) If the proposed development meets the requirements for the Rental Affordable Housing Impact Fee Installment Payment as set forth in this Section, the City Manager shall enter into an Impact Fee Installment Payment Agreement for each qualifying building and is hereby authorized by the Council to execute such Installment Payment Agreements along with any associated tri-party agreement further defining the repayment obligations of the owner/lessor, applicant, builder and/or developer, as applicable. The recorded Impact Fee Installment Payment Agreement shall be accepted by the City in lieu of payment of the total impact fees due at the time of building permit issuance pursuant to Chapter 11 of the City Code.
  - (d) To qualify for Rental Affordable Housing Impact Fee Installment Payment, the Rental Affordable Housing unit(s) and lessee(s) must fulfill all of the following criteria:
    - (1) The household renting/leasing the rental unit, including both single-family and multi-family units, must have a low or very low income level, at the commencement of the leasehold and during the duration thereof, as those terms are defined in this Chapter.
    - (2) The rental unit must be and must remain the household's permanent residence. The head of the household must be at least 18 years of age and must be either a citizen of the United States or a legal alien who permanently resides in the United States.
    - (3) In no instance shall rental limits exceed the rental limits established by the Florida Housing Finance Corporation for rents adjusted to bedroom size in projects assisted by the Florida Housing Finance Corporation, or any other local, state or federal agency, based on unit size.
    - (4) Without Council approval, no more than 20 outstanding Installment Payment Agreements are permitted with an individual owner/lessor or for any Rental Affordable Housing that is under common ownership. For purposes of this subsection, common ownership shall include ownership by the same person, corporation, firm, entity, partnership or unincorporated association, or ownership by different corporations, firms, partnerships, entities or unincorporated associations in which a stockbroker, partner or associate or a member of his family owns an interest in such corporation, firm, partnership, entity or unincorporated association.



(e) Impact Fee Installment Payment Agreements.

- (1) The owner/lessor of Rental Affordable Housing Unit(s) on which impact fees qualify for installment payments under this Chapter shall execute an Impact Fee Installment Payment Agreement with the City. A separate Impact Fee Installment Payment Agreement shall be executed for each building. Applicants are required to enter into an Installment Payment Agreement to qualify for installment payments of the impact fees due. The installment Payment Agreement shall be recorded in the real property records of the County at no cost to the City and shall run with the land. The Installment Payment Agreement shall include such provisions as are necessary to effectuate the purposes of this Chapter and Section and shall provide for, at a minimum, the following:
- a. Legal description of the property and the dwelling unit, including the parcel tax identification number and street address.
  - b. The amount of the City-imposed impact fees due on the building, the installment payment schedule and the obligation that the total amount of unpaid impact fees shall be paid in full upon any breach of the Installment Payment Agreement by the owner/lessor or upon the failure of the owner/lessor to continue to qualify under the provisions of this Section.
  - c. The rights and obligations under an Installment Payment Agreement may not be assigned, transferred, credited, devised or otherwise conveyed separate and apart from the subject Rental Affordable Housing units and property.
  - d. Unpaid impact fees under an Installment Payment Agreement shall be a lien on the property which lien shall be recorded. The lien may be foreclosed upon in the event of noncompliance with the requirements of this Section and Chapter or in the event of a breach of the Installment Payment Agreement by owner. The lien shall terminate upon the recording of a release or satisfaction of lien in the public records of the County. Such release or satisfaction shall be recorded by the City upon payment in full of the deferred impact fees.
  - e. In the event of a default of the Agreement by the owner and the default is not cured within 30 days after written notice is provided to the owner, the City may, at its sole option, collect the deferred impact fees in default as provided in this Section or bring a civil action to enforce the agreement or declare that the deferred impact fees are in default and are immediately due and payable. The City shall be entitled to recover all costs and fees, including attorney's fees and costs, incurred by the City in enforcing the Installment Payment Agreement, plus interest at the maximum statutory rate for judgments

calculated on a calendar day basis until paid in full.

(f) Owner Obligations.

- (1) The impact fees due on Rental Affordable Housing units under an Installment Payment Plan shall be a lien on the property until all requirements under this Chapter and the terms of the Installment Payment Agreement(s) related to that qualifying building have been satisfied in full.
- (2) The owner/lessor of Rental Affordable Housing unit(s) on which impact fees have qualified for installment payment shall annually submit an affidavit of continued compliance with the requirements of this Chapter and the terms of the applicable Installment Payment Agreement. The affidavit must be filed no later than 30 days after the anniversary of the date of issuance of the certificate of occupancy on the building containing the Rental Affordable Housing unit(s). A late fee of \$50.00 shall be paid to the City by the owner if the affidavit is not timely filed. If the owner fails to file the affidavit within four months after the anniversary date of issuance of the certificate of occupancy on the building containing the Rental Affordable Housing unit(s), all unpaid impact fees shall become immediately due and payable in full and the City may immediately proceed to collect the remaining impact fees due.

(g) Repayment.

- (1) All unpaid impact fees at the time of building permit issuance for a Rental Affordable Housing Unit shall become due and payable and shall be immediately paid in full to the City upon the occurrence of any of the failure of the owner to maintain compliance with the requirements of this Chapter and the terms of the applicable Installment Payment Agreement.
- (2) Payment of impact fees on an installment payment schedule shall include any accrued interest. Interest on installment payments shall be computed at the rate of five percent per annum, but in no event shall the total accrued interest exceed 25 percent of the total impact fees due on the Rental Housing Units(s).

(Ord. No. 1558-08, <sec> 6, 9-3-08; Ord. No. 1678-11, <sec> 5, 4-20-11)

**Sec. 11A-10. Collection of Impact Fees in the Event of Default under this Chapter.**

Whenever the City determines that there is a default under an Impact Fee Deferral Agreement, an Impact Fee Installment Payment Agreement, or an Impact Fee Transfer Agreement or the occurrence of any other condition causing impact fees to be due and payable under this Chapter, the impact fees due shall be deemed to be delinquent. The City shall proceed to collect the delinquent impact fees due as follows:

- (a) The City shall serve, by certified mail, return receipt requested or by any other then lawful means of delivery, a “notice of impact fees due statement” upon the applicant at the property address set forth in the relevant Agreement and to the owner at such address appearing on the most recent records maintained by the property appraiser of the County. Service shall be deemed effective on the date the return receipt indicates the notice was received by either the applicant or the owner or by any other evidence of the date that the “notice” was received by the addressee. The “notice of impact fees due statement” shall contain a description of the property, the conditions giving rise to the impact fees being due and shall advise the applicant and the owner as follows:
- (1) The amounts due including the impact fees and any accrued interest pursuant to an Impact Fee Deferral Agreement or an Impact Fee Installment Payment Agreement;
  - (2) The date that the impact fees became due and that as of date the unpaid impact fees became subject to a delinquency fee and that penalty interest began to accrue on that date and that such penalty interest will continue to accrue thereafter until all amounts due are paid in full;
  - (3) That in the event the impact fee and the delinquency fee are paid in full within 30 days after receipt of the “notice”, the delinquency fee and all penalty interest that would have otherwise accrued will be waived; however, interest accrued under an Impact Fee Deferral Agreement or under an Impact Fee Installment Payment Agreement will not be waived;
  - (4) That in the event the impact fees are not paid in full within 30 days after receipt of the “notice”, a lien against the property for which the building permit was secured may be recorded in the official records book of the County for all amounts then due after approval by City Council.
- (b) Upon becoming delinquent, a delinquency fee equal to ten percent of the total impact fees due, including interest accrued pursuant to an Impact Fee Deferral Agreement or an Impact Fee Installment Payment Agreement shall be assessed. Once delinquent, the total impact fees due, plus the delinquency fee, shall bear interest at the then applicable statutory rate for final judgments calculated on a calendar day basis, until paid in full.
- (c) Should the impact fee not be paid promptly, the City shall serve, by certified mail return receipt requested or by any other then lawful means of delivery a “Notice of lien” upon the delinquent applicant, if the building is under construction at the address indicated in the application for the building permit and upon the delinquent owner at the address appearing on the most recent records maintained by the property appraiser of the County. The notice of lien shall notify the delinquent applicant and delinquent owner that due to their failure to pay the impact fee, the City may file a claim of lien with the Clerk of the Circuit Court.
- (d) In the event the recipient of a notice of delinquency or claim of lien disputes any material aspect of either notice, the applicant, upon paying the impact fee

amounts set forth in the respective notice, may file a written appeal petition with the Council not later than 30 days after receipt of such notice. In reviewing the decision, the Council shall use the standards established herein. The appeal petition must advise the Council of all disputed issues regarding the amount due and shall explain the precise basis the applicant asserts that the notice is incorrect.

- (e) If the total impact fees due have not been received by the City within 30 days of receipt of the notice by the owner, the City Attorney may then, regardless of the filing of any appeal petition, request the Council to approve, at a regularly scheduled public meeting, the filing of a claim of lien with the Clerk of the Circuit Court and recording same in the official records of the County. The recorded claim of lien shall contain the legal description of the property, the amount of the delinquent impact fee, plus the delinquency fee and interest and the date the impact fee became due. Once recorded, the claim of lien shall constitute a lien against the property described therein. The City Attorney may proceed expeditiously to collect, foreclose or otherwise enforce said lien.
- (f) After the expiration of the 30 days from the date of recording of the claim of lien, as provided herein, a suit may be filed to foreclose said lien. Such foreclosure proceedings shall be instituted, conducted and enforced in conformity with the procedures for the foreclosure of municipal special assessment liens, as set forth in F.S. ch. 173, as amended, which provisions are hereby incorporated herein in their entirety to the same extent as if such provisions were set forth herein verbatim.
- (g) The liens for delinquent impact fees imposed hereunder shall remain liens, coequal with the lien of all State, County, district and municipal taxes, superior in dignity to all other filed liens and claims, until paid as provided herein.
- (h) The foregoing paragraphs of this Section notwithstanding, all impact fees not paid to the City in full when due shall automatically become "delinquent". Moreover, when any impact fees become delinquent anywhere throughout the unified whole of a respective development, the City is authorized to withhold every then unissued building permit(s) or other City approvals applied for by, or on behalf of, the landowner or the developer and in addition apply any and all of the civil penalties and remedies set forth in the enforcement division of the City land development code until all such delinquent impact fees have been paid to the City in full.
- (i) The collection and enforcement procedures set forth in this Section shall be cumulative with, supplemental to and in addition to, all other applicable procedures provided in any other ordinances or administrative regulations of the City or any applicable law or administrative regulation of the State of Florida. Failure of the City to follow the procedure set forth in this Section shall not constitute a waiver of its rights to proceed under any other ordinances or administrative regulations of the City or any applicable law or administrative regulation of the State of Florida.

(Ord. No. 1558-08, <sec> 7, 9-3-08)

**Sec. 11A-11. Reporting on and suspension of Affordable Housing Impact Fee Incentives.**

Information on the number of Affordable Housing Impact Fee Deferrals Agreements, the number of Impact Fee Installment Payment Agreements and the number and amount of Impact Fee Transfers approved each year shall be included in the Annual Report on the City's impact fees required in Chapter 11. Any additional information on the programs that will assist the Council in evaluating the effectiveness of the affordable housing incentives established in this Chapter and the effect, if any, on the provision of capital facilities should be included in the Annual Report. Should the Council determine that the Affordable Housing Incentives Program is significantly reducing the City's impact fee revenue and impairing the provision of capital facilities under the City's capital improvements program, the Council may, by resolution, suspend one or both of the Affordable Housing Incentive Programs. The suspension shall become effective ninety days after adoption of such resolution. Applications submitted prior to or on the date of suspension of the program(s) will be processed by the City. Applications submitted after the suspension date will not be accepted by the City.

(Ord. No. 1558-08, <sec> 8, 9-3-08)

**APPENDIX D**  
**DISCRIMINATION COMPLAINT POLICY**

**Federal & State Compliance Policies**

# **Title VI**

## **Notice To The Public**

The City of Punta Gorda, Florida, hereby gives public notice that is the policy of the City of Punta Gorda to assure full compliance with Title VI of the Civil Rights Act of 1964, and other applicable statues and regulations in the operation of all programs and services without regard to race, color, national origin, sex, age, disability, religion, income or family status. Any person who believes they have been aggrieved by any unlawful discriminatory practice under Title VI has the right to file a formal complaint with the City of Punta Gorda, Florida. Any such complaint must be filed in writing or in person with the City's Title VI Coordinator. For more information on the City of Punta Gorda, Florida civil rights program, and the procedures to file a civil rights complaint:

Phone 941-575-3308  
TTY 941-575-5013)  
E-mail: [humres@pgorda.us](mailto:humres@pgorda.us);  
Physical & Mailing Address -  
326 W. Marion Avenue, Punta Gorda, Florida, 33950.

The City of Punta Gorda works to ensure that all persons regardless of their proficiency in English have access to the benefits of all of the City's programs and services. If you need documents translated or an interpreter to have access to a program or service you should contact the City's Title VI Coordinator at 941-575-3308.

<a href="#"><u>Title VI Policy and Plan</u></a>
<a href="#"><u>Title VI Assurance Statement</u></a>
<a href="#"><u>Title VI and You ... (English)</u></a>
<a href="#"><u>Title VI and You ... (Spanish)</u></a>
<a href="#"><u>Language Access Plan</u></a>
<a href="#"><u>Title VI Complaint Form</u> <u>(English)</u></a>
<a href="#"><u>Title VI Complaint Form</u> <u>(Spanish)</u></a>



# Overview

The purpose of Title VI of the Civil Rights Act of 1964 is to prohibit programs that receive federal funds from discriminating against participants on the basis of race, color, national origin, sex, age, disability, religion, income or family status. Title VI of the Civil Rights Act of 1964, as codified in 42 U.S.C. 2000d, states:

*No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

The intent of the law is to ensure that all persons, regardless of race, color, national origin, sex, age, disability, religion, income or family status, are allowed to participate in federally funded programs and services. To ensure that the City meets its compliance responsibility, procedures have been established to provide for monitoring of Title VI compliance, activities and complaint processing

At the August 13, 2014, the City Council of Punta Gorda adopted a Title VI Non-Discrimination Policy. The purpose of this policy is to state the City of Punta Gorda's commitment to fully comply with all Non-Discrimination provisions pursuant to Title VI of the Civil rights Act of 1964 and other applicable statutes and regulations related.

**APPENDIX E**  
**HOUSING MARKET DATA**



**Port Charlotte - Punta Gorda - North Port Association of Realtors®  
 Monthly Sales Trend Indicator  
 2014**

**Sales by Price Range - Single Family Homes & Villa's**

Price Range	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	YTD Total	Curr Month	YTD
\$1 - 49,999	18	30	28	27	32	27	23	21					<b>206</b>	6.29%	7.30%
\$50,000 - 59,999	24	14	18	19	14	13	7	13					<b>122</b>	3.89%	4.32%
\$60,000 - 69,999	13	17	17	29	13	24	13	18					<b>144</b>	5.39%	5.10%
\$70,000 - 79,999	14	19	21	22	23	19	29	13					<b>160</b>	3.89%	5.67%
\$80,000 - 89,999	10	18	20	29	23	25	22	11					<b>158</b>	3.29%	5.60%
\$90,000 - 99,999	18	8	12	15	17	12	9	9					<b>100</b>	2.69%	3.54%
\$100,000 - 119,999	21	23	34	40	31	31	26	26					<b>232</b>	7.78%	8.22%
\$120,000 - 139,999	21	36	44	48	49	47	41	50					<b>336</b>	14.97%	11.90%
\$140,000 - 159,999	29	36	34	41	32	37	34	43					<b>286</b>	12.87%	10.13%
\$160,000 - 179,999	17	16	33	33	32	35	31	29					<b>226</b>	8.68%	8.01%
\$180,000 - 199,999	19	17	18	24	25	19	15	22					<b>159</b>	6.59%	5.63%
\$200,000 - 249,999	14	33	31	34	32	42	36	33					<b>255</b>	9.88%	9.03%
\$250,000 - 299,999	16	15	15	26	22	19	20	18					<b>151</b>	5.39%	5.35%
\$300,000 - 349,999	8	12	4	16	11	11	11	10					<b>83</b>	2.99%	2.94%
\$350,000 - 399,999	10	7	14	13	11	11	8	5					<b>79</b>	1.50%	2.80%
\$400,000 - 499,999	8	2	6	12	12	11	14	8					<b>73</b>	2.40%	2.59%
\$500,000 - 599,999	3	3	1	1	5	4	5	2					<b>24</b>	0.60%	0.85%
\$600,000 - 699,999	2	1	0	1	2	0	3	2					<b>11</b>	0.60%	0.39%
\$700,000 - 799,999	0	1	2	0	0	1	1	1					<b>6</b>	0.30%	0.21%
\$800,000 - 899,999	2	1	1	1	2	0	0	0					<b>7</b>	0.00%	0.25%
\$900,000 - 999,999	1	0	0	0	0	0	0	0					<b>1</b>	0.00%	0.04%
\$1,000,000 - and over	0	0	0	2	2	0	0	0					<b>4</b>	0.00%	0.14%
<b>Current Year</b>	<b>268</b>	<b>309</b>	<b>353</b>	<b>433</b>	<b>390</b>	<b>388</b>	<b>348</b>	<b>334</b>					<b>2,823</b>		
Previous Year	264	281	340	345	372	339	330	305					2,576		
Change from last month		15.30%	14.24%	22.66%	-9.93%	-0.51%	-10.31%	-4.02%							
<b>Change from last year</b>	<b>1.52%</b>	<b>9.96%</b>	<b>3.82%</b>	<b>25.51%</b>	<b>4.84%</b>	<b>14.45%</b>	<b>5.45%</b>	<b>9.51%</b>							
<b>Current YTD</b>	<b>268</b>	<b>577</b>	<b>930</b>	<b>1,363</b>	<b>1,753</b>	<b>2,141</b>	<b>2,489</b>	<b>2,823</b>							
Previous YTD	264	545	885	1,230	1,602	1,941	2,271	2,576							
<b>% Change YTD</b>	<b>1.52%</b>	<b>5.87%</b>	<b>5.08%</b>	<b>10.81%</b>	<b>9.43%</b>	<b>10.30%</b>	<b>9.60%</b>	<b>9.59%</b>							



**Port Charlotte - Punta Gorda - North Port Association of Realtors®  
 Monthly Sales Trend Indicator  
 2014**

**Sales by Price Range - Condominiums, Townhouses and Co-Op's**

Price Range	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	YTD Total	Curr Month	YTD
\$1 - 49,999	10	9	14	9	10	11	9	8					<b>80</b>	14.81%	14.04%
\$50,000 - 59,999	2	9	8	5	4	6	1	4					<b>39</b>	7.41%	6.84%
\$60,000 - 69,999	8	6	9	9	8	6	6	7					<b>59</b>	12.96%	10.35%
\$70,000 - 79,999	4	3	8	5	6	4	5	3					<b>38</b>	5.56%	6.67%
\$80,000 - 89,999	8	3	5	6	6	2	3	3					<b>36</b>	5.56%	6.32%
\$90,000 - 99,999	4	3	4	8	6	3	6	2					<b>36</b>	3.70%	6.32%
\$100,000 - 119,999	7	5	5	12	5	6	6	5					<b>51</b>	9.26%	8.95%
\$120,000 - 139,999	6	3	9	10	11	5	5	5					<b>54</b>	9.26%	9.47%
\$140,000 - 159,999	4	4	6	5	1	3	3	1					<b>27</b>	1.85%	4.74%
\$160,000 - 179,999	2	3	7	3	5	1	3	0					<b>24</b>	0.00%	4.21%
\$180,000 - 199,999	2	1	3	4	3	2	4	3					<b>22</b>	5.56%	3.86%
\$200,000 - 249,999	5	1	6	10	5	3	3	4					<b>37</b>	7.41%	6.49%
\$250,000 - 299,999	5	2	4	5	3	6	2	1					<b>28</b>	1.85%	4.91%
\$300,000 - 349,999	0	0	2	4	3	1	3	2					<b>15</b>	3.70%	2.63%
\$350,000 - 399,999	1	2	4	1	1	1	1	4					<b>15</b>	7.41%	2.63%
\$400,000 - 499,999	0	0	1	3	0	2	0	2					<b>8</b>	3.70%	1.40%
\$500,000 - 599,999	0	1	0	0	0	0	0	0					<b>1</b>	0.00%	0.18%
\$600,000 - 699,999	0	0	0	0	0	0	0	0					<b>0</b>	0.00%	0.00%
\$700,000 - 799,999	0	0	0	0	0	0	0	0					<b>0</b>	0.00%	0.00%
\$800,000 - 899,999	0	0	0	0	0	0	0	0					<b>0</b>	0.00%	0.00%
\$900,000 - 999,999	0	0	0	0	0	0	0	0					<b>0</b>	0.00%	0.00%
\$1,000,000 - and over	0	0	0	0	0	0	0	0					<b>0</b>	0.00%	0.00%
<b>Current Year</b>	<b>68</b>	<b>55</b>	<b>95</b>	<b>99</b>	<b>77</b>	<b>62</b>	<b>60</b>	<b>54</b>					<b>570</b>		
Previous Year	40	58	71	95	69	65	65	58					521		
Change from last month		-19.12%	72.73%	4.21%	-22.22%	-19.48%	-3.23%	-10.00%							
<b>Change from last year</b>	<b>70.00%</b>	<b>-5.17%</b>	<b>33.80%</b>	<b>4.21%</b>	<b>11.59%</b>	<b>-4.62%</b>	<b>-7.69%</b>	<b>-6.90%</b>							
<b>Current YTD</b>	<b>68</b>	<b>123</b>	<b>218</b>	<b>317</b>	<b>394</b>	<b>456</b>	<b>516</b>	<b>570</b>							
Previous YTD	40	98	169	264	333	398	463	521							
<b>% Change YTD</b>	<b>70.00%</b>	<b>25.51%</b>	<b>28.99%</b>	<b>20.08%</b>	<b>18.32%</b>	<b>14.57%</b>	<b>11.45%</b>	<b>9.40%</b>							



**Port Charlotte - Punta Gorda - North Port Association of Realtors®**  
**Monthly Sales Trend Indicator**  
**2014**  
**Sales by Price Range - Overall**

Price Range	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	YTD Total	Curr Month	YTD
\$1 - 49,999	33	54	58	45	48	47	40	34					<b>359</b>	8.33%	9.88%
\$50,000 - 59,999	30	27	31	32	20	19	10	20					<b>189</b>	4.90%	5.20%
\$60,000 - 69,999	24	25	31	43	23	31	20	27					<b>224</b>	6.62%	6.16%
\$70,000 - 79,999	18	28	36	37	32	23	39	18					<b>231</b>	4.41%	6.35%
\$80,000 - 89,999	20	22	28	46	35	28	28	15					<b>222</b>	3.68%	6.11%
\$90,000 - 99,999	25	12	18	27	24	16	15	11					<b>148</b>	2.70%	4.07%
\$100,000 - 119,999	30	30	41	54	37	37	35	34					<b>298</b>	8.33%	8.20%
\$120,000 - 139,999	30	40	55	60	62	53	46	56					<b>402</b>	13.73%	11.06%
\$140,000 - 159,999	34	41	43	50	33	40	37	46					<b>324</b>	11.27%	8.91%
\$160,000 - 179,999	19	19	41	37	37	36	34	29					<b>252</b>	7.11%	6.93%
\$180,000 - 199,999	22	18	21	28	28	21	20	25					<b>183</b>	6.13%	5.03%
\$200,000 - 249,999	19	35	37	44	37	45	39	37					<b>293</b>	9.07%	8.06%
\$250,000 - 299,999	21	17	19	31	25	25	22	19					<b>179</b>	4.66%	4.92%
\$300,000 - 349,999	8	12	6	20	14	12	14	12					<b>98</b>	2.94%	2.70%
\$350,000 - 399,999	11	9	18	14	12	12	9	9					<b>94</b>	2.21%	2.59%
\$400,000 - 499,999	8	2	7	15	13	14	14	10					<b>83</b>	2.45%	2.28%
\$500,000 - 599,999	3	4	1	1	5	4	5	3					<b>26</b>	0.74%	0.72%
\$600,000 - 699,999	2	1	0	1	2	1	3	2					<b>12</b>	0.49%	0.33%
\$700,000 - 799,999	0	1	2	0	0	1	1	1					<b>6</b>	0.25%	0.17%
\$800,000 - 899,999	2	1	1	1	2	0	0	0					<b>7</b>	0.00%	0.19%
\$900,000 - 999,999	1	0	0	0	0	0	0	0					<b>1</b>	0.00%	0.03%
\$1,000,000 - and over	0	0	0	2	2	0	0	0					<b>4</b>	0.00%	0.11%
<b>Current Year</b>	<b>360</b>	<b>398</b>	<b>494</b>	<b>588</b>	<b>491</b>	<b>465</b>	<b>431</b>	<b>408</b>					<b>3,635</b>		
Previous Year	317	364	449	482	465	417	409	375					3,278		
Change from last month		10.56%	24.12%	19.03%	-16.50%	-5.30%	-7.31%	-5.34%							
<b>Change from last year</b>		<b>9.34%</b>	<b>10.02%</b>	<b>21.99%</b>	<b>5.59%</b>	<b>11.51%</b>	<b>5.38%</b>	<b>8.80%</b>							
<b>Current YTD</b>	<b>360</b>	<b>758</b>	<b>1,252</b>	<b>1,840</b>	<b>2,331</b>	<b>2,796</b>	<b>3,227</b>	<b>3,635</b>							
Previous YTD	317	681	1,130	1,612	2,077	2,494	2,903	3,278							
<b>% Change YTD</b>	<b>13.56%</b>	<b>11.31%</b>	<b>10.80%</b>	<b>14.14%</b>	<b>12.23%</b>	<b>12.11%</b>	<b>11.16%</b>	<b>10.89%</b>							



## Port Charlotte - Punta Gorda - North Port Association of Realtors®

### Monthly Sales Trend Indicator

2014

#### Sales by Bedroom Count

Bedrooms	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	YTD Total	Curr Month	YTD
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.00%	0.00%
1	7	5	9	6	6	9	4	4	0	0	0	0	50	0.98%	1.38%
2	147	152	212	225	175	141	146	128	0	0	0	0	1,326	31.37%	36.48%
3	180	208	251	316	280	280	243	241	0	0	0	0	1,999	59.07%	54.99%
4	20	27	20	39	26	31	38	30	0	0	0	0	231	7.35%	6.35%
5	4	6	1	2	4	3	0	2	0	0	0	0	22	0.49%	0.61%
6+	2	0	1	0	0	1	0	3	0	0	0	0	7	0.74%	0.19%
<b>Total</b>	<b>360</b>	<b>398</b>	<b>494</b>	<b>588</b>	<b>491</b>	<b>465</b>	<b>431</b>	<b>408</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,635</b>	<b>100.00%</b>	<b>100.00%</b>

#### Sales by Bathroom Count

Bathrooms	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	YTD Total	Curr Month	YTD
1	32	35	49	39	41	53	33	30	0	0	0	0	312	7.35%	8.58%
2	296	335	419	510	424	384	370	349	0	0	0	0	3,087	85.54%	84.92%
3	26	26	22	37	22	24	26	24	0	0	0	0	207	5.88%	5.69%
4	3	2	4	2	3	3	1	4	0	0	0	0	22	0.98%	0.61%
5	1	0	0	0	1	1	1	0	0	0	0	0	4	0.00%	0.11%
6+	2	0	0	0	0	0	0	1	0	0	0	0	3	0.25%	0.08%
<b>Total</b>	<b>360</b>	<b>398</b>	<b>494</b>	<b>588</b>	<b>491</b>	<b>465</b>	<b>431</b>	<b>408</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,635</b>	<b>100.00%</b>	<b>100.00%</b>



**Port Charlotte - Punta Gorda - North Port Association of Realtors®**  
**Monthly Sales Trend Indicator**  
**2014**  
**Sales by Housing Style**

<b>Style</b>	<b>Jan-14</b>	<b>Feb-14</b>	<b>Mar-14</b>	<b>Apr-14</b>	<b>May-14</b>	<b>Jun-14</b>	<b>Jul-14</b>	<b>Aug-14</b>	<b>Sep-14</b>	<b>Oct-14</b>	<b>Nov-14</b>	<b>Dec-14</b>	<b>YTD Total</b>	<b>Curr Month</b>	<b>YTD</b>
Single Family Home	255	291	332	414	374	372	331	321	0	0	0	0	<b>2,690</b>	78.68%	74.00%
Condominium	66	54	89	93	72	58	55	51	0	0	0	0	<b>538</b>	12.50%	14.80%
Manufactured/Mobile Home	23	31	45	55	22	12	21	18	0	0	0	0	<b>227</b>	4.41%	6.24%
Villa	13	18	21	19	16	16	17	13	0	0	0	0	<b>133</b>	3.19%	3.66%
Townhouse	2	1	6	6	5	4	5	3	0	0	0	0	<b>32</b>	0.74%	0.88%
Modular	0	2	1	1	1	0	2	1	0	0	0	0	<b>8</b>	0.25%	0.22%
Half Duplex	1	1	0	0	1	3	0	1	0	0	0	0	<b>7</b>	0.25%	0.19%
<b>Total</b>	<b>360</b>	<b>398</b>	<b>494</b>	<b>588</b>	<b>491</b>	<b>465</b>	<b>431</b>	<b>408</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,635</b>	<b>100.00%</b>	<b>100.00%</b>



**Port Charlotte - Punta Gorda - North Port Association of Realtors®**  
**Multiple Listing One Month Sales and Inventory Report - August 1 to August 31, 2014**

Price Range	Sold Units	Market Share	Average List Price	Average Sale Price	% List to Sell	Avg DOM	Inventory on Market	Months Supply
\$1 - 49,999	34	8.33%	43,650	39,580	91.00%	111	80	2.4
\$50,000 - 59,999	20	4.90%	60,705	54,569	90.00%	115	47	2.4
\$60,000 - 69,999	27	6.62%	68,951	65,114	94.00%	96	70	2.6
\$70,000 - 79,999	18	4.41%	78,306	73,253	94.00%	109	61	3.4
\$80,000 - 89,999	15	3.68%	91,177	84,517	93.00%	69	62	4.1
\$90,000 - 99,999	11	2.70%	99,731	95,607	96.00%	118	45	4.1
\$100,000 - 119,999	34	8.33%	112,779	110,426	98.00%	91	103	3.0
\$120,000 - 139,999	56	13.73%	136,131	129,173	95.00%	72	140	2.5
\$140,000 - 159,999	46	11.27%	154,420	149,651	97.00%	79	123	2.7
\$160,000 - 179,999	29	7.11%	172,345	167,792	97.00%	75	122	4.2
\$180,000 - 199,999	25	6.13%	194,404	186,752	96.00%	95	106	4.2
\$200,000 - 249,999	37	9.07%	235,257	223,703	95.00%	84	186	5.0
\$250,000 - 299,999	19	4.66%	291,676	275,059	94.00%	98	161	8.5
\$300,000 - 349,999	12	2.94%	334,150	319,929	96.00%	74	100	8.3
\$350,000 - 399,999	9	2.21%	391,278	370,944	95.00%	221	88	9.8
\$400,000 - 499,999	10	2.45%	465,879	445,289	96.00%	107	89	8.9
\$500,000 - 599,999	3	0.74%	585,592	554,000	95.00%	234	48	16.0
\$600,000 - 699,999	2	0.49%	709,500	661,000	93.00%	301	31	15.5
\$700,000 - 799,999	1	0.25%	739,000	715,000	97.00%	29	23	23.0
\$800,000 - 899,999	0	0.00%	0	0	0.00%		12	
\$900,000 - 999,999	0	0.00%	0	0	0.00%		13	
\$1,000,000 - and over	0	0.00%	0	0	0.00%		31	
<b>Totals</b>	<b>408</b>	<b>100.00%</b>	<b>164,717</b>	<b>157,041</b>	<b>95.00%</b>	<b>95</b>	<b>1,741</b>	<b>4.3</b>

This data represents all residential sales. Reported sales are dependent upon timeliness of sales and totality of information Reported by participants.  
 The data reflects only The sales published through My Florida Regional MLS and does not include all sales in The Reported areas.  
 Neither The Association/Board nor The MFRMLS is in any way responsible for its accuracy.





**Port Charlotte - Punta Gorda - North Port Association of Realtors®**  
**Multiple Listing YTD Sales and Inventory Report - January 1 to August 31, 2014**

Price Range	Sold Units	Market Share	Average List Price	Average Sale Price	% List to Sell	Avg DOM	Inventory on Market	Months Supply
\$1 - 49,999	359	9.88%	41,338	36,998	90.00%	99	80	1.8
\$50,000 - 59,999	189	5.20%	59,668	54,656	92.00%	104	47	2.0
\$60,000 - 69,999	224	6.16%	69,406	64,788	93.00%	86	70	2.5
\$70,000 - 79,999	231	6.35%	78,939	74,149	94.00%	91	61	2.1
\$80,000 - 89,999	222	6.11%	88,957	84,367	95.00%	88	62	2.2
\$90,000 - 99,999	148	4.07%	100,579	94,261	94.00%	105	45	2.4
\$100,000 - 119,999	298	8.20%	115,831	110,535	95.00%	90	103	2.8
\$120,000 - 139,999	402	11.06%	134,956	129,846	96.00%	81	140	2.8
\$140,000 - 159,999	324	8.91%	155,126	149,057	96.00%	84	123	3.0
\$160,000 - 179,999	252	6.93%	175,452	169,035	96.00%	90	122	3.9
\$180,000 - 199,999	183	5.03%	196,628	188,961	96.00%	106	106	4.6
\$200,000 - 249,999	293	8.06%	233,757	222,096	95.00%	110	186	5.1
\$250,000 - 299,999	179	4.92%	284,519	270,597	95.00%	105	161	7.2
\$300,000 - 349,999	98	2.70%	337,300	322,865	96.00%	115	100	8.2
\$350,000 - 399,999	94	2.59%	391,282	372,166	95.00%	144	88	7.5
\$400,000 - 499,999	83	2.28%	461,220	440,882	96.00%	104	89	8.6
\$500,000 - 599,999	26	0.72%	573,714	544,030	95.00%	135	48	14.8
\$600,000 - 699,999	12	0.33%	689,567	648,708	94.00%	146	31	20.7
\$700,000 - 799,999	6	0.17%	777,817	732,500	94.00%	296	23	30.7
\$800,000 - 899,999	7	0.19%	885,850	838,214	95.00%	197	12	13.7
\$900,000 - 999,999	1	0.03%	999,000	950,000	95.00%	281	13	104.0
\$1,000,000 - and over	4	0.11%	1,664,975	1,493,750	90.00%	89	31	62.0
<b>Totals</b>	<b>3,635</b>	<b>100.00%</b>	<b>160,390</b>	<b>152,513</b>	<b>95.00%</b>	<b>97</b>	<b>1,741</b>	<b>3.8</b>

This data represents all residential sales. Reported sales are dependent upon timeliness of sales and totality of information Reported by participants.  
 The data reflects only The sales published through My Florida Regional MLS and does not include all sales in The Reported areas.  
 Neither The Association/Board nor The MFRMLS is in any way responsible for its accuracy.

# Port Charlotte - Punta Gorda - North Port Association of Realtors®



## Four Year Sales and Inventory History 2010 - 2014 Compiled from Monthly Sales and Inventory Reports

Month	Monthly Sales	Average List Price	Average Sale Price	% Diff Sell/List	Avg DOM	Current Inventory	Months Inventory
01-SEP-10	293	118,613	110,402	93%	97	4,212	14.4
01-OCT-10	273	135,995	125,066	92%	103	4,227	15.5
01-NOV-10	270	128,524	119,172	93%	107	4,262	15.8
01-DEC-10	336	126,679	117,987	93%	113	4,242	12.6
01-JAN-11	310	115,200	107,167	93%	137	4,167	13.4
01-FEB-11	353	121,037	113,008	93%	122	4,042	11.5
01-MAR-11	488	116,683	108,346	93%	119	3,862	7.9
01-APR-11	431	128,350	119,355	93%	138	3,673	8.5
01-MAY-11	395	128,600	119,946	93%	127	3,459	8.8
01-JUN-11	352	141,813	131,543	93%	129	3,337	9.5
01-JUL-11	298	137,983	129,284	94%	133	3,183	10.7
01-AUG-11	327	125,745	118,372	94%	129	3,138	9.6
01-SEP-11	279	120,896	113,123	94%	146	3,114	11.2
01-OCT-11	290	114,945	107,275	93%	131	3,148	10.9
01-NOV-11	292	121,563	114,021	94%	123	3,229	11.1
01-DEC-11	323	126,472	118,814	94%	117	3,196	9.9
01-JAN-12	331	124,698	116,124	93%	138	3,134	9.5
01-FEB-12	357	127,279	118,311	93%	120	3,094	8.7
01-MAR-12	446	138,347	129,763	94%	119	3,022	6.8
01-APR-12	464	140,470	131,645	94%	123	2,943	6.3
01-MAY-12	410	147,779	138,835	94%	118	2,742	6.7
01-JUN-12	395	148,157	139,307	94%	112	2,643	6.7
01-JUL-12	362	143,982	136,571	95%	106	2,551	7.0
01-AUG-12	368	145,799	138,162	95%	107	2,492	6.8
01-SEP-12	302	135,109	127,750	95%	101	2,481	8.2
01-OCT-12	339	133,119	125,519	94%	101	2,571	7.6
01-NOV-12	320	139,625	133,259	95%	111	2,692	8.4
01-DEC-12	349	148,724	140,083	94%	92	2,733	7.8
01-JAN-13	317	137,545	128,692	94%	86	2,761	8.7
01-FEB-13	364	146,961	138,195	94%	95	2,841	7.8
01-MAR-13	449	149,414	141,236	95%	106	2,739	6.1
01-APR-13	482	153,293	145,264	95%	105	2,690	5.6
01-MAY-13	465	162,463	153,811	95%	114	2,512	5.4
01-JUN-13	417	154,781	147,444	95%	99	2,493	6.0
01-JUL-13	409	183,862	174,187	95%	98	2,504	6.1
01-AUG-13	375	150,236	143,918	96%	89	2,512	6.7
01-SEP-13	353	161,707	154,489	96%	90	2,553	7.2
01-OCT-13	394	144,047	137,483	95%	93	2,687	6.8
01-NOV-13	334	147,184	138,308	94%	80	2,776	8.3
01-DEC-13	415	173,896	165,471	95%	83	2,867	6.9
01-JAN-14	360	161,492	153,532	95%	105	2,830	7.9
01-FEB-14	398	148,275	140,782	95%	100	2,849	7.2
01-MAR-14	494	147,767	140,257	95%	94	2,662	5.4
01-APR-14	588	159,926	151,460	95%	94	2,484	4.2
01-MAY-14	491	169,574	161,121	95%	94	2,159	4.4
01-JUN-14	465	164,303	156,040	95%	96	1,998	4.3
01-JUL-14	431	166,975	160,085	96%	103	1,855	4.3
01-AUG-14	408	164,717	157,041	95%	95	1,741	4.3