



Office of

Consent 09/26/2023

**INDIAN RIVER COUNTY  
ATTORNEY**

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William K. DeBaal, County Attorney  
Susan J. Prado, Deputy County Attorney

**MEMORANDUM**

TO: Board of County Commissioners

FROM: William K. DeBaal, Deputy County Attorney

DATE: September 22, 2023

SUBJECT: Approval of Resolution Establishing Fair Market Rental Rates  
for Housing Choice Voucher Program

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Indian River County Code provides for the Deputy County Attorney to be the Fair Housing Coordinator for the County. Among the County's housing programs is the Housing Choice Voucher Program, formerly known as Section 8 Housing. Federal regulations require the Board to approve by resolution a report of Fair Market Rental Rates on an annual basis.

The Housing Choice Voucher Program (HCV) is a federally funded program administered by the County's Rental Assistance Program. While federal regulations govern the program, local demographics can influence the program's administration. Indian River County's elderly/retiree population averages 41% compared with a nationwide average of 27% of a community's population. Because our County has a larger than average elderly, low income population, federal guidelines allow the Rental Assistance Program to cater to the community need of supplying housing assistance to low income elderly residents. It should be pointed out that the Voucher Program also assists veterans and other low income qualifiers.

The Housing Choice Voucher Program is designed to benefit all participants. Private providers that own multi or single family homes apply to County Rental Assistance for participation. The units are inspected and approved for the Voucher program. Upon approval, private owners qualify for tax incentives that make participation in the program profitable. It should be pointed out that the County owns no Voucher program housing.

The low income participant also benefits from the program by obtaining safe, clean housing at an affordable price in a dignified manner. Any interested low income, full time resident must apply to the County Rental Assistance Program. If the resident qualifies, they are given a list of available units to visit. The owners of the units have agreed to accept the Fair Market Rental rates as determined by United States Department of Housing and Urban Development (HUD) in exchange for the tax breaks and the payment of rents directly from the County. Upon selection of a unit, the qualified applicant meets again with Rental

Assistance staff in order to determine their portion of the rent that will be paid directly to the landlord and whether they qualify for financial assistance with utilities. After working out the financial details, the tenant signs a lease with the landlord, the County Rental Assistance processes the necessary paperwork with the state and federal agencies and the landlord receives a monthly rental check directly from the County with the remainder paid by the tenant. Tenants who qualify for the HCV program will pay up to 40% of the monthly Fair Market Rent amount. The 40% amount is referred to in the resolution as the Total Tenant Payment (TTP).

The County benefits from the Voucher Program by having the County's Comprehensive Plan objective of providing housing to low and very low income citizens met by participating in the Voucher Program. Additionally, a processing fee is received from the Department of Housing and Urban Development.

The annual rental rates for our area are 90% to 110% of the current Fair Market Rents that were approved by HUD. Those rates must be approved by the County as it is acting as a participant in the Voucher Program. The resolution approving annual rental rates for Fiscal Year 2024 is attached for the Board's consideration.

**Funding:** There is no funding associated with this resolution.

**Recommendation:** Staff recommends the Board approve the resolution setting the Fair Market Rental Rates for Fiscal Year 2024 and authorize the Chairman to execute the resolution on behalf of the Board.

**Attachment:** Resolution Setting the Fair Market Rental Rates for Fiscal Year 2024

Copies to: Andrew Sobczak, Planning and Development Services Director  
Robin Miller, Rental Housing Program Manager