

Heirs' Property Assistance Program



Program Guidelines and Application Packet

Effective January 3, 2022

Revised program approved _____ (Escribe #2023-922)



Gainesville
Community
Reinvestment
Area



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The Gainesville Community Reinvestment Area ("GCRA") was created in 2019 through the adoption of Ordinance 181001. The goal of the GCRA is to encourage investment in underserved areas within the district.

Section 1. About the Heirs' Property Assistance Program

The purpose of the Heirs' Property Assistance Program is to increase neighborhood stability by growing individual wealth and access to property ownership by assisting owners of heirs' properties to gain clear titles to their homes.

With a clear title, property owners are able to negotiate with lenders, obtain homeowner's insurance, obtain property tax homestead exemption, and obtain repairs or rehabilitate homes at risk for demolition.

When a property owner passes away (with or without a will), the ownership may become split between multiple family members. This ownership is commonly known as "heirs' property," leaving each owner a fraction of the property. Without going through probate and obtaining a clear title of the property, these properties are not eligible for homestead tax exemptions and federal home improvement grants. Inheritors can also be without negotiating power for mortgage refinancing and bank loans. Failure to pay taxes will result in the loss of the property.

All of these factors may lead to an involuntary loss of property. Properties that exist for years without a clear title are at greater risk of slum and blight, which affect the value of surrounding properties. Probate or other appropriate legal proceedings will help the families gain clear title to the properties.

As of 2020, there were 833 heirs' properties located within the Gainesville city limits. One-third, or 282 of those properties, were located within the GCRA boundary. This Program supports the housing objective of the GCRA's 10 Year Reinvestment Plan by helping to maintain the culture and existing population of neighborhoods. These principles are found throughout the City's Strategic Plan 2020-2025-2035, which calls for neighborhood stability through increased housing affordability so that income does not dictate where a neighbor can choose to live. In addition, with the two above-mentioned plans, it is a goal of the City of Gainesville's Housing Action Plan to increase equity by promoting permanent affordability.

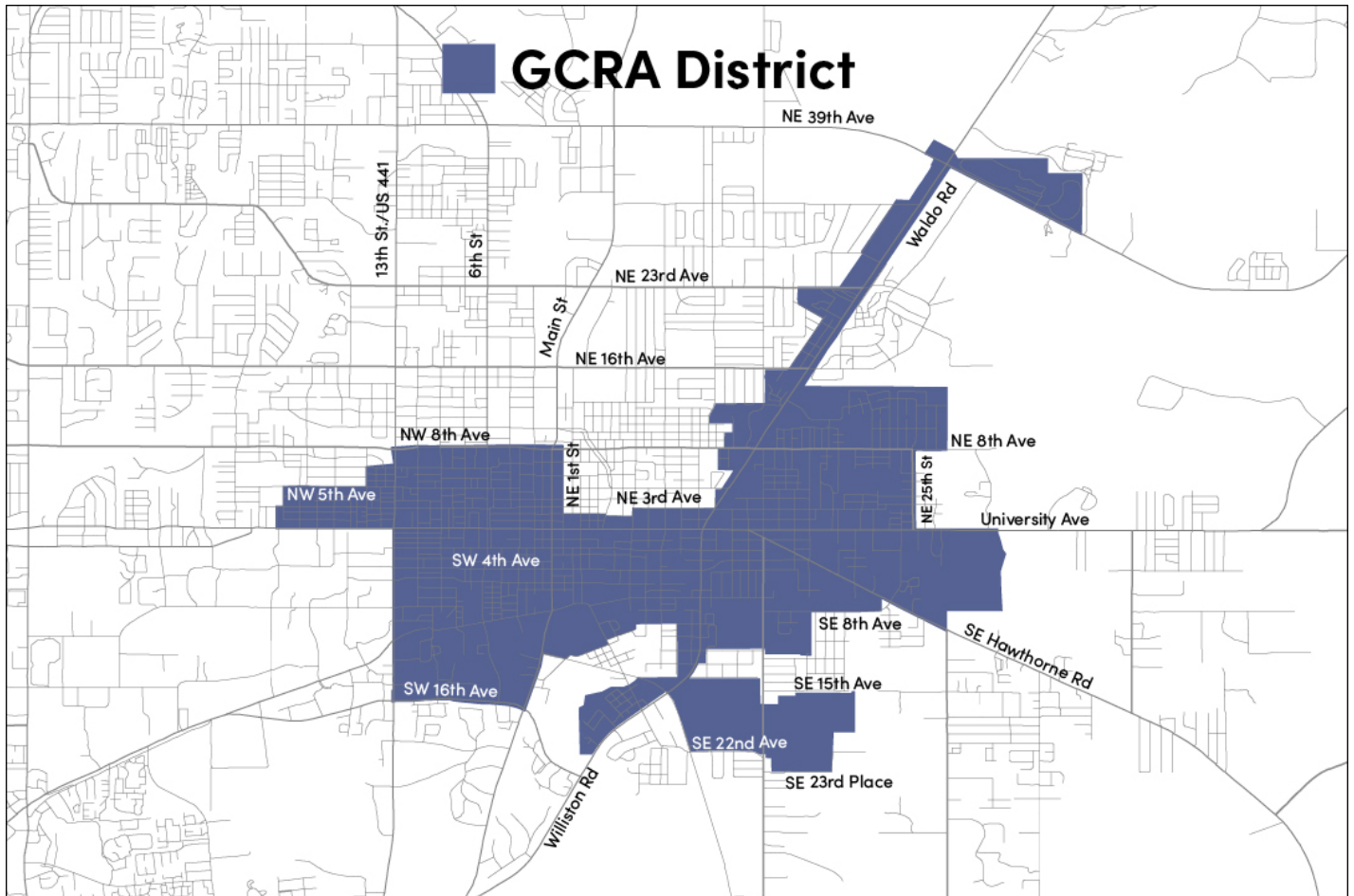
Section 2. What is offered

The Heirs' Property Assistance Program is designed to assist heirs' property owners in clearing the title to their property. Under the Program, Recipients will receive legal assistance at no cost to them.

Section 3. Eligibility

Heirs' properties located within the GCRA district are eligible for this Program. Recipients must make at or below 120% of annual federally established median income limits by household size for Alachua County, Florida. GCRA staff is available to assist in determining eligibility.

Visit gainesvillecra.com/programsandincentives for a more detailed map of the GCRA district.



Section 4. How to apply and timeline of application

Assistance is available throughout the application process by appointment.

Step 1: Pre-application period

Attend a pre-application workshop or contact the GCRA to discuss the program, eligibility requirements, and application.

Step 2: Application submittal

Submit the application by email, mail, or in person at the address below.

Step 3: Approval

Upon submission, GCRA staff will review the Application and notify the Applicant of approval or additional information needed within 30 days.

Step 4: Legal Assistance

After approval, the Applicant will be contacted by the Program Attorney, who will arrange an initial meeting to review details about the case, counsel the client, and determine whether and what appropriate legal proceedings need to be filed.

The Program Attorney will work with the Applicant to identify the names and addresses of family members who have an interest in the property and the percentage of the heirs' respective ownership rights. After obtaining the required information, the Attorney will file the appropriate pleadings with the court.

If the Attorney determines that a probate proceeding is necessary, the time it takes to process each case type is listed below:

- In most cases, a summary administration will be completed within three months after obtaining the necessary information from the client.
- In most cases, a formal administration will take at least six (6) months to two years.
- Contested cases are expected to take longer than one year.

Return completed application to:

Email

GCRAprograms@gainesvillefl.gov

In Person

Gainesville Community Reinvestment Area
ATTN: Heirs Property Assistance Program
2153 SE Hawthorne Road, Suite 223
Gainesville, FL 32641

By Mail

Gainesville Community Reinvestment Area
ATTN: Heirs Property Assistance Program
PO Box 490, Station 48
Gainesville, FL 32627

Section 5. Availability of Funds

This Program is subject to the availability of GCRA funds.

Section 6. GCRA Limit of Liability

The City holds no liability, warranty, or guarantee, expressed or implied under this Program

Section 7. Nondiscrimination

The City of Gainesville/GCRA does not discriminate on the basis of sexual orientation, race, color, gender, age, religion, national origin, marital status, disability, or gender identity. The City of Gainesville/GCRA will not allow any such discrimination by or against its employees or citizens utilizing GCRA services, Programs, and activities

Section 8. Program revisions

The City Manager may approve de minimis changes to this Heirs' Property Assistance Program that do not involve changes to grant dollar values or Program geographical areas. Any changes to grant dollar values or Program geographical areas must be approved by the City Commission.

Section 9. Program metrics

In order to determine the effectiveness of the program, metrics must be collected over the course of each fiscal year for analysis. The metrics to be collected for analysis are:

- Tracking number of people that expressed interest in the program with numbers updated internally quarterly
- Tracking the number of people that did not complete the application
 - Analyzing why the application was not completed
- Tracking the number of completed applications with numbers updated internally every quarter
- Tracking amount spent per applicant
- Tracking number of successful Heir's property resolutions
- With the goal of the Program being an increase of neighborhood stability by growing individual wealth and access to property ownership by assisting owners of heirs' properties to gain clear titles to their homes.
 - Each year for the prior three years the percentage of active homestead exemptions from successful Program participants will be calculated. An active homestead exemption helps to accrue individual wealth as it represented a recurring cost savings to the homeowner.

Section A. Applicant information

Applicant Name: _____

Applicant Mailing Address: _____
Street City State Zip Code

Telephone: _____ E-Mail: _____

Total household income of all earners over the age of 18*: _____

*Please show the previous year's tax return(s) as proof of income for the listed owner of the property to the GCRA staff member who will note it on the application. The tax document will not be recorded by the City

Number of members in your household: _____

Who is the original owner of the property? _____

Demographic Information (Optional)

Age: ☐ 18-25 ☐ 26-35 ☐ 36-45 ☐ 46-55
☐ 56-65 ☐ 66-75 ☐ 76+ ☐ I'd rather not say

Gender: ☐ male ☐ female ☐ other _____ ☐ I'd rather not say

Race/Ethnicity: ☐ Hispanic, Latino, or Spanish ☐ White/Caucasian
(check all that apply) ☐ African-American ☐ Asian
☐ Native American ☐ other _____
☐ I'd rather not say

Section B. Property information

What is the address of the heirs' property*? _____

*The property must be located within the [Gainesville Community Reinvestment Area](https://gainesvillecra.com/gcra-project-map/).
(<https://gainesvillecra.com/gcra-project-map/>)

Parcel ID and Legal Description of Property**: _____

**Available on the [Alachua County Property Apprasier's website](https://www.acpafl.org/) (<https://www.acpafl.org/>)

Is the Applicant an heir to this property? _____

How many people are heirs to the property? _____

If known, list the names and contact information (address or phone number) for heirs other than the Applicant.

Section C. Application checklist

- ☐ Completed application form.
- ☐ Copy of the death certificate of the original owner, if available.
- ☐ Previous year's tax return (for review only) or most recent paycheck stubs or award letter(s), as proof of household income, for all household members 18 years of age and older.

Section D. Acknowledgements and signatures

By signing and submitting this Application, the Applicant certifies, attests, and agrees to the following:

1. The Applicant has been provided a copy of and has read, understands, and complies with the Program Policies. Applicant's failure to comply with the Policies will result in ineligibility to participate in this Program.
2. Applicant certifies that all information in the Application and furnished in support of this Application is accurate and complete to the best of Applicant's knowledge and belief. Any false statement will be grounds for immediate termination of the Application, and if any funds were disbursed to the Applicant, the City may require the Applicant to reimburse the funds. The Applicant has a continuing obligation to inform the City (in writing) of any changes relative to the information provided in this Application.
3. The City does not discriminate based on race, color, gender, age, religion, national origin, marital status, sexual orientation, gender identity, or disability (protected characteristics). It will not tolerate any such discrimination(s) by or against its employees or citizens utilizing City programs.
4. The Applicant shall not assign or attempt to assign, directly or indirectly, any rights under this Agreement or any instrument referred to herein without the prior written consent of the City in each instance. Any assignee shall be bound by all the terms of this Agreement and associated documents.
5. The Applicant and the City each binds itself, its partners, successors, legal representatives, and assigns of such other party regarding all covenants of this Agreement.
6. This Agreement and any associated documents will be construed in accordance with and governed by the laws of the State of Florida, without giving effect to its provisions regarding choice of laws.
7. This Agreement and payment of any Program funding are subject to the availability of funding.
8. All activities authorized by this Agreement are subject to and must be performed in accordance with the provisions of this Agreement and all applicable federal, state, and local laws.
9. The Applicant agrees to waive any right to, hold harmless, and indemnify the City (which includes the GCRA), its officials, agents, and employees from suits, actions, damages, liability, expenses, losses, and costs, including but not limited to reasonable Attorney's fees, in connection with this Agreement and any Program administration herein. This provision shall survive termination of this Agreement.
10. Nothing in this Agreement may be interpreted as a waiver of the City's sovereign immunity as granted under Section 768.28, Florida Statutes.
11. The Applicant acknowledges that the City has the right and responsibility to enforce this Agreement.
12. The Program attorney is an outside attorney and not an employee of the City. The City is not responsible for the quality of the counseling, or results obtained from legal services provided by the program attorney.
13. Applying for an application does not create an attorney-client relationship between the Applicant and the City of Gainesville.

Signature of Applicant

Date

STATE OF _____, COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____,

20_____, by _____, who is personally known to me or who has

produced _____ as identification.

Print Name _____

Notary Public, State of _____

My commission expires _____

My commission number:

FOR GCRA USE ONLY: DO NOT WRITE IN THIS SECTION

Date & Time Complete Application Received: _____

Received by (print name): _____

Reviewed by (print name): _____

Documentation Received:

- ☐ Application
- ☐ Proof of household income shown by either prior year tax document (the document itself is not kept or scanned by the GCRA) or by paycheck stubs, retirement award letter, or social security award letter. The GCRA staff member who views the document will **initial each of the 2 lines below**

Income: \$ _____

Number of household members: _____

- ☐ Original owner death certificate

Approval:

- ☐ Approved
- ☐ Denied. Reason:

- ☐ Date Applicant notified in writing of Approval/Denial: _____