

RESOLUTION

of the

SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS

PURSUANT TO SECTION 196.1978(3)(O), FLORIDA STATUTES, ELECTING TO NOT EXEMPT CERTAIN AFFORDABLE HOUSING UNITS, AS DEFINED BY SECTION 196.1978(3)(D)(1)(A), FLORIDA STATUTES, FROM AD VALOREM PROPERTY TAXATION; FINDING THAT THE SHIMBERG CENTER FOR HOUSING STUDIES ANNUAL REPORT FOR 2023 IDENTIFIES SEMINOLE COUNTY AS AN AREA WHERE THE NUMBER OF AFFORDABLE AND AVAILABLE UNITS IS GREATER THAN THE NUMBER OF RENTER HOUSEHOLDS FOR THE 0-120 PERCENT AMI; PROVIDING DIRECTION TO COUNTY MANAGER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE AND EXPIRATION.

WHEREAS, Section 196.1978(3), Florida Statutes (the “Live Local Act Property Tax Exemption”), requires the Seminole County Property Appraiser to exempt certain rental properties from ad valorem taxes if such properties meet the criteria of the Live Local Act Property Tax Exemption; and

WHEREAS, beginning with the 2025 tax roll, Section 196.1978(3)(o), Florida Statutes, allows taxing authorities to "opt-out" of the property tax exemption provided for in the Live Local Act to units in multifamily projects that are used to house natural persons or families whose annual household income is between 80% and 120% of the median annual adjusted gross income for households within the metropolitan statistical area (“MSA”) or, if not within a MSA, within the county in which the person or family resides (the “80 to 120 Tax Exemption”), if the taxing authority finds that the latest Shimberg Center for Housing Studies Annual Report, prepared pursuant to Section 420.6075, Florida Statutes (“Shimberg Annual Report”), identifies that the number of affordable and available units in the MSA or region is greater than the number of renter

households in the MSA or region for natural persons or families who meet the income criteria for the 80 to 120 Tax Exemption; and

WHEREAS, the Seminole County Board of County Commissioners hereby finds that the latest Shimberg Annual Report identifies a surplus of affordable and available units in the Orlando-Kissimmee, FL MSA, in which Seminole County is located, for those households that meet the income criteria for the 80 to 120 Tax Exemption; and

WHEREAS, the Seminole County Board of County Commissioners hereby finds that Seminole County is a taxing authority that is eligible for the election in Section 196.1978(3)(o), Florida Statutes, which allows Seminole County to not exempt properties that would otherwise qualify for the 80 to 120 Tax Exemption pursuant to Section 196.1978(3)(d).1.a., Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida that:



Section 1. Incorporation of Recitals. The above recitals represent the legislative findings of the Seminole County Board of County Commissioners supporting the need for this Resolution.

Section 2. Required Findings. Pursuant to Section 196.1978(3)(o)2., Florida Statutes, the Seminole County Board of County Commissioners hereby finds that the Shimberg Center for Housing Studies 2023 Annual Report identifies Seminole County within the Orlando-Kissimmee, FL Metropolitan Statistical Area (“MSA”) where the number of affordable and available units in the MSA is greater than the number of renter households in the MSA for the 0-120% AMI category. Specifically, according to the Shimberg Annual Report the number of 0-120% AMI units available is 799.

Section 3. Election to Not Exempt Certain Property. Given the foregoing, Seminole County hereby elects not to exempt properties eligible for the 80 to 120 Tax Exemption in Section 196.1978(3)(d)1.a., Florida Statutes, pursuant to the authority in Section 196.1978(3)(o), Florida Statutes, and hereby directs the Seminole County Property Appraiser to not grant any such exemptions.

Section 4. Application. This Resolution applies to all applicable ad valorem property tax levies imposed by Seminole County, including the Seminole County Fire and Local Road Municipal Service Taxing Units.

Section 5. Direction to County Manager. The Seminole County Board of County Commissioners hereby directs the County Manager to provide an executed copy of this Resolution to the Seminole County Property Appraiser upon adoption.

Section 6. Severability. If any provision or application of this Resolution to any person or circumstance is held invalid, then it is the intent of the Board of County Commissioners that such invalidity will not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

Section 7. Effective Date and Expiration. This Resolution will take effect on January 1, 2025 and will expire on January 1, 2027 unless renewed pursuant to Section 196.1978(3)(o)4., Florida Statutes.

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ADOPTED this _____ day of _____, 2024.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

By: _____
JAY ZEMBOWER, Chairman

NJB
7/12/24
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