

2012-134

**THIRD AMENDMENT TO COMMUNITY HOUSING  
DEVELOPMENT ORGANIZATION (CHDO) AGREEMENT  
BETWEEN THE CITY OF NORTH MIAMI AND LITTLE HAITI  
HOUSING ASSOCIATION, INC.**

**THIS THIRD AMENDMENT**, entered into on this 23 day of October, 2012, by and between **THE CITY OF NORTH MIAMI**, a Florida municipal corporation (hereinafter referred to as the "CITY"), with its office located at 776 NE 125<sup>th</sup> Street, North Miami, Florida 33161 and **LITTLE HAITI HOUSING ASSOCIATION, INC.**, (hereinafter referred to as "AWARDEE"), located at 181 NE 82<sup>nd</sup> Street, Miami, Florida 33138 (collectively the "Parties").

**RECITALS**

**WHEREAS**, the Parties desire to amend the original agreement which was entered into on September 28<sup>th</sup>, 2010 for HOME Investment Partnership Program (HOME) Funds under the City's entitlement allocation; and

**WHEREAS**, the original agreement was amended to allow for an extension of the effective term of the completion date until September 28, 2012; and

**WHEREAS**, the original agreement as amended was subsequently amended by a Second Amendment on May 14, 2012 to allow for an increase in rehabilitation subsidy funds; and

**WHEREAS**, the original agreement provided for the rehabilitation of two (2) affordable housing condominium units (Property B) for sale to low and very low income first time homebuyers; and

**WHEREAS**, due to the downturn in the current housing market, Little Haiti Housing Association, Inc. has not been able to secure buyers for the two (2) rehabilitated condominium units; and

**WHEREAS**, City and Awardee agree that due to the current housing market conditions the scope of the existing project would be more conducive to rental of the rehabilitated units; and

**WHEREAS**, City and Awardee desire to amend the Agreement to allow for the rental of the rehabilitated units.

**NOW THEREFORE**, in consideration of the mutual terms and conditions set forth below, the Parties agree as follows:

1. Article 2. TERM is hereby amended. The Completion Date for the completion of the acquisition and rehabilitation is hereby extended until December 31, 2012.
2. Section III – The Project is hereby amended. The two (2) rehabilitated units included in Property "B" shall be converted to rental units to comply with HUD guidelines requiring that all units not sold within six (6) months of completion must be

converted into rental units. All income certification and HOME affordability period requirements shall apply. The rehabilitated rental unit shall have a ten (10) year affordability period. In the event that the housing market improves, Awardee shall have the option of selling the rehabilitated unit under the terms of the original agreement and in accordance with CFR 24 Section 92.255 and 92.254 of HUD's affordable housing guidelines. In the event that owner decides to sell these units, he or she must sell to the tenant occupying the unit at that time, providing that said tenant is qualified to access a mortgage loan.

3. Exhibit A – SCOPE OF WORK, section I., subsection A is amended to reflect the rental of one of the rehabilitated units.
4. All other terms and conditions of the original agreement remain in full force and effect.

*[The remainder of this page is intentionally left blank.]*

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their respective and duly authorized representatives effective as of the date first written above:

CITY OF NORTH MIAMI

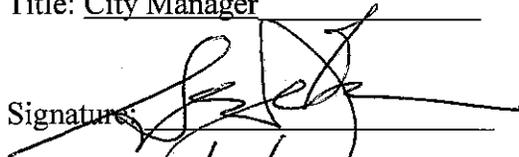
LITTLE HAITI HOUSING ASSOCIATION, INC.  
"Awardee"

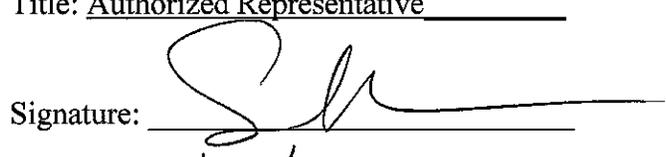
By: Stephen E. Johnson

By: SAMUEL DILLON

Title: City Manager

Title: Authorized Representative

Signature: 

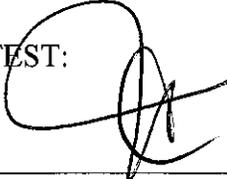
Signature: 

Date: 11/8/12

Date: 11/5/12

Witness Signature Lynnda Charles

LYNDA CHARLES  
Typed/Printed Name of Witness

ATTEST: 

Michael A. Etienne  
City Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY: 

Regine M. Monestime  
City Attorney