

FAHROgram

FLORIDA ASSOCIATION OF HOUSING AND REDEVELOPMENT OFFICIALS

September/October 2014

President's Message

Another Successful FAHRO Conference



Maria A. Burger

I would like to thank everyone for their assistance in making the 2014 FAHRO Annual Convention & Trade Show one to remember. With the introduction of maintenance and residents tracks this year, we have broadened our reach to include more

of your agency, and we will build upon that next year. Our vendors did a great job of making it feel like we were walking around the World Showcase at Epcot in our exhibit hall, and I look forward to their decorations for next year's theme.

Our sponsors for our "Special Event" really went out on a limb without knowing just what would happen. Mickey and Minnie were able to join us, thanks to the support of AMERESCO, Duke Energy, FHARMI,

GLE Associates Inc., Hunt Insurance Group, Saxon, Gilmore, Carraway & Gibbons PA and Sentry Protection Technology. Now I just have to figure out how to top this next year!

A huge unsung hero of the conference is Cameron Barnard, commissioner with the Avon Park Housing Authority. Her dedication to our silent auction allows us to provide hundreds of dollars in scholarship funds each year to students who have promising futures. Without Cameron, I am not sure if we could even have a silent auction!

Once again the ladies from the Orlando Housing Authority made sure that the registration process ran smoothly. If we move out of Orlando, there will be some

See **PRESIDENT'S MESSAGE** on page 3

State Legislative Affairs

Campaign Season in Full Swing

by Oscar Anderson, FAHRO Legislative Consultant

Nothing broadcasts the beginning of campaign season like the yard signs popping up along roadsides like mushrooms. Yes, campaign season is in full swing. And if there is one thing to remember about campaigns, it is the three most important words: Turnout. Turnout. Turnout. For this campaign season edition of the *FAHROgram*, I wanted to pass along what pundits say will be the two biggest items to affect voter turnout this fall: negative advertising in the governor's race and the medical marijuana constitutional amendment.

U-G-L-Y

The biggest issue on the ballot this fall will be the governor's race and the tens of millions of dollars spent on negative ads by both sides. Charlie Crist called the battle between the two candidates "monumental" and went so far as to predict he would have "\$100 million coming at me."



Oscar Anderson

See **LEGISLATIVE AFFAIRS** on page 8

Calendar

October 16-18, 2014
Baltimore, Md.
NAHRO National Conference
Excel 2014: A Passion for Success

March 15-18, 2015
Washington, D.C.
NAHRO Legislative Conference

July 30-August 1, 2015
Austin, Tex.
NAHRO Summer Conference

August 11-13, 2015
Orlando, Fla.
FAHRO Annual Convention & Trade Show
Disney's Yacht Club Resort

October 15-17, 2015
Los Angeles, Calif.
NAHRO National Conference

Online registration for FAHRO events available at www.FAHRO.org!

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We accept advertising relating to the housing and redevelopment profession. Our advertising rates for members are: back cover - \$250; inside front cover - \$225; inside back cover - \$200; full page - \$175; 1/2 page - \$125; 1/4 page - \$95; business card size - \$75. There is a discount for multiple insertions. Non-member rates: add \$50 to member rates. The next deadline for camera-ready art is 10/24/14. All articles, RFPs and classified ads must be received by 10/24/14.

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Member Feedback

Do you need help with a project or issue and want to see if any of our readers have the answer? Has a colleague done something wonderful that deserves an attaboy or attagirl? Or are you just frustrated and want to vent? Here is your chance to (anonymously if you wish) say thanks, ask for assistance, vent your frustrations, express your opinion or let us know how you feel.

- Congratulations to the Pinellas County Housing Authority and the Pinellas County Public Defender's Office on winning a national Award of Merit from NAHRO. The honor and award were given for program innovation for development of the Home of Hope in the category of Resident and Client Services. Bob Dillinger, Pinellas County public defender; Joseph Triolo, PCHA board chairman; and Debra Johnson, PCHA executive director were on hand to receive the award from NAHRO officials.



- Congratulations to the Tampa Housing Authority on being the winner of 16 national Awards of Merit from NAHRO. Three have been selected to compete in the national Awards of Excellence category to be judged by jurors from around the country: ENCORE! District Chiller Plant and Technology Park; Housing the Chronically Homeless; and ELLA @ ENCORE! Green, Affordable Senior Housing.
- Pinellas County Housing Authority has been awarded \$111,093 for first-year funding to provide project-based HUD-Veterans Affairs Supportive Housing (HUD-VASH) assistance to 16 homeless veterans at HEP West in Clearwater. The funding commitment will exceed \$1 million to PCHA as these vouchers will be provided by HUD annually for a minimum of 10 years to support the project-based voucher contract with HEP.

If you would like to contribute to Sounding Off, please email your comments to Susan Trainor, FAHROgram editor, editor.trainor@gmail.com.

PRESIDENT'S MESSAGE continued from page 1

large shoes to fill for volunteers. The folks in Orlando have set the bar high, and we thank them for their continued support of the FAHRO conference.

We will be back at Disney's Yacht Club next year, so mark your calendar for August 11-13, 2015.

Attention Members! Keep FAHRO Up-to-Date!

Help us serve you better by keeping our record of your mailing address, telephone, fax, email address and website address up-to-date.

Whenever you make a change, please send your new information via email to [Cherie Pinsky, Cherie@FAHRO.org](mailto:Cherie@FAHRO.org), call 850/222-6000 or fax 850/222-6002.

Thank you!

FAHRO Is Here Through Good Times and Bad

by Corey G. Mathews, CAE, FAHRO Executive Director

No matter how much we prepare or how hard we work, there will always be something to overcome. We spend years developing policies, training staff and building our agencies to run as efficiently as possible. Then the inevitable happens. When you have problems in your agency, the important thing is how you react to the challenges you face.



Corey G. Mathews

Much like your agency, FAHRO has also developed a support system to help agencies in need, the FAHRO Peer Assistance Network. Chaired by Becky-Sue Mercer of the Arcadia Housing Authority, this committee assists members with any issues they might have. Becky-Sue is joined by members from all over the state who are eager to help those in need.

Have an issue that FAHRO can help with? Email Annette@FAHRO.org, and she will be happy to point you in the right direction. Remember that being a member of FAHRO means never having to fight a battle alone. 🌿

FAHRO Peer Assistance Network Stands Ready to Help

FAHRO offers many great resources to members, including education, advocacy and communications relevant to your agency. One of the greatest benefits of membership, however, is being a part of the FAHRO family. Many agencies have relied on the members and staff of FAHRO to help them out of a tough situation when they had many questions and very few, if any, answers.



One way to receive support is by contacting the FAHRO Peer Assistance Network. This committee, chaired by Becky-Sue Mercer of the Arcadia Housing Authority, provides members with solutions to their toughest problems. The committee consists of 12 members of variously sized housing authorities eager to assist you with whatever your issue might be. If you would like help from the committee, please email Becky-Sue at arcadiahousing@embarqmail.com. 🌿

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Legal Issues to Consider When Illegal Drugs Are in 'Plain View'

by Suzanne J. DeCopain

Consider this scenario: A landlord observes illegal drugs in “plain view” while inside a resident’s unit to make a requested repair or to conduct a routine inspection. What should the landlord do?

A landlord is permitted to enter a resident’s unit under Section 83.53(2), Florida Statutes, which provides that a landlord may enter a unit upon reasonable notice and at a reasonable time for the purpose of repairing the premises. This statute further provides that entry is permitted with the consent of the tenant, in case of emergency, when the tenant unreasonably withholds consent or if the tenant is absent from the premises for a specified period of time. Many leases include similar language in accordance with this statute. Hence, the landlord typically has authority under the lease and Florida law to enter the resident’s unit to conduct such repairs or inspections, notwithstanding what the landlord may observe inside the unit while engaging in such tasks.

If the landlord comes across illegal contraband in a resident’s unit, can he or she call law enforcement to enter the unit to investigate further? Although a

landlord may have the authority under the lease and/or the law to enter a resident’s unit, this does not necessarily mean that a landlord can permit third parties, such as law enforcement officials, to enter a resident’s unit beyond what is otherwise allowed by law. Absent exigent circumstances, a warrant is necessary for law enforcement to enter a resident’s unit to search any part of that unit.

Generally, a landlord should not give law enforcement officials access to a resident’s unit to conduct a warrantless search of the unit or otherwise provide law enforcement with the keys to the unit so that access can be gained. If a resident believes that the landlord has improperly given law enforcement access to the unit, the resident may very well claim that such conduct is grounds for a lawsuit against the landlord, especially if the landlord is attempting to terminate the lease for illegal drugs found in the resident’s unit.

So, when a landlord finds illegal drugs in a resident’s unit in violation of the lease, what are some of the issues a landlord should consider when attempting to gather sufficient evidence to support an eviction action? The following are

some practical concerns and legal issues a landlord should consider:

- Recognize that entry into a resident’s unit is limited in scope, and items obtained during any such entry can be challenged if the entry was improper and/or unlawful.
- Adequately document the suspected illegal drugs observed in “plain view” inside the unit, including preparing a written statement or an incident report and taking photographs of the suspected illegal drugs exactly where they were found.
- Determine who will identify and/or verify that the suspected substance is actually an illegal controlled substance for evidentiary purposes at trial, which can be verified by law enforcement if law enforcement is involved.
- Determine how to handle and/or dispose of the contraband once found.

When such situations arise, it is always recommended that the landlord seek the advice of legal counsel so that each situation can be reviewed and analyzed on a case-by-case basis. Legal counsel can then assist with determining the appropriate course of action that the landlord should take to avoid any potential legal pitfalls.

Suzanne J. DeCopain is an associate with Saxon Gilmore. She practices in the area of affordable and public housing. She can be reached at 813/314-4528 or SDeCopain@SaxonGilmore.com.



Suzanne DeCopain



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Share your housing authority’s accomplishments in the HA Spotlight. Send an article of 500 words or less along with a captioned photograph to: editor.trainor@gmail.com

Norstar, PCHA Co-Develop Senior Apartments in Largo

Norstar Development USA LP and Pinellas County Housing Authority have co-developed Pinellas Heights senior apartments in Largo, which celebrated its grand opening in May.

“This development is the culmination of a lot of effort made easier by the strength of our partnership with the Pinellas County Housing Authority and the commitment of the many professionals involved. Everyone involved should be proud of the results. I know we are,” said Richard Higgins, president of Norstar Development USA LP.

The exceptional community was designed by Bessolo Design Group Inc. and constructed by Brooks & Freund. Funding for the construction of Pinellas Heights was made possible by

- U.S. Department of Housing and Urban Development
- Housing Finance Authority of Pinellas County
- Federal Home Loan Bank of Atlanta
- Pinellas County Community Development
- City of Largo
- Norstar Development USA LP
- RBC Capital Markets
- JP Morgan Chase
- Pinellas County Housing Authority

“Thank you first to PCHA’s board members for their vision and their steadfast commitment to the agency’s mission of providing housing for those in need,” said Debbie Johnson, PCHA’s executive director. “We couldn’t have selected a better partner than we have in the Norstar team. From the developer, Norstar Development USA, and the architect, Bessolo Design Group, to the builder, Brooks and Freund, the Norstar team was outstanding to work with and provided a superior product, an extraordinary community for low-income seniors,” Johnson said.

Johnson continued by saying, “We’re also tremendously grateful for the support of all of our Pinellas Heights partners and very excited to introduce Pinellas Heights to the community. These new apartment homes will ensure that 153 low-income seniors have a safe home that is affordable and the City of Largo and Pinellas County will have a safe, beautiful, affordable rental community for many years to come.”

Norstar Development USA LP has been involved as lead developer in more than 20 separate mixed-finance/mixed-income public housing authority transactions. Norstar’s first Florida project (in partnership with the Punta Gorda Housing Authority), Gulf Breeze Apartments, was recognized as the national winner of the Charles L. Edson award for public housing revitalization by the Affordable Housing Tax Credit Coalition as well as featured in the November 2008 issue of Novogradac’s *Journal of Tax Credit Housing*. Norstar has completed or is in the process of developing or constructing more than 2,300 mixed-finance multifamily and senior units and has more than 1,200 additional units in various stages of construction and development with housing authorities in New York, Michigan, Florida and Alabama.



Senator Jack Latvala, State of Florida, District 20; Angela Rouson, vice chair, Pinellas County Housing Authority; and Alan Swartz, commissioner, Pinellas County Housing Authority



Joseph Triolo, chairman, Pinellas County Housing Authority; and Richard Cavalieri, construction & development manager, Norstar Development USA LP



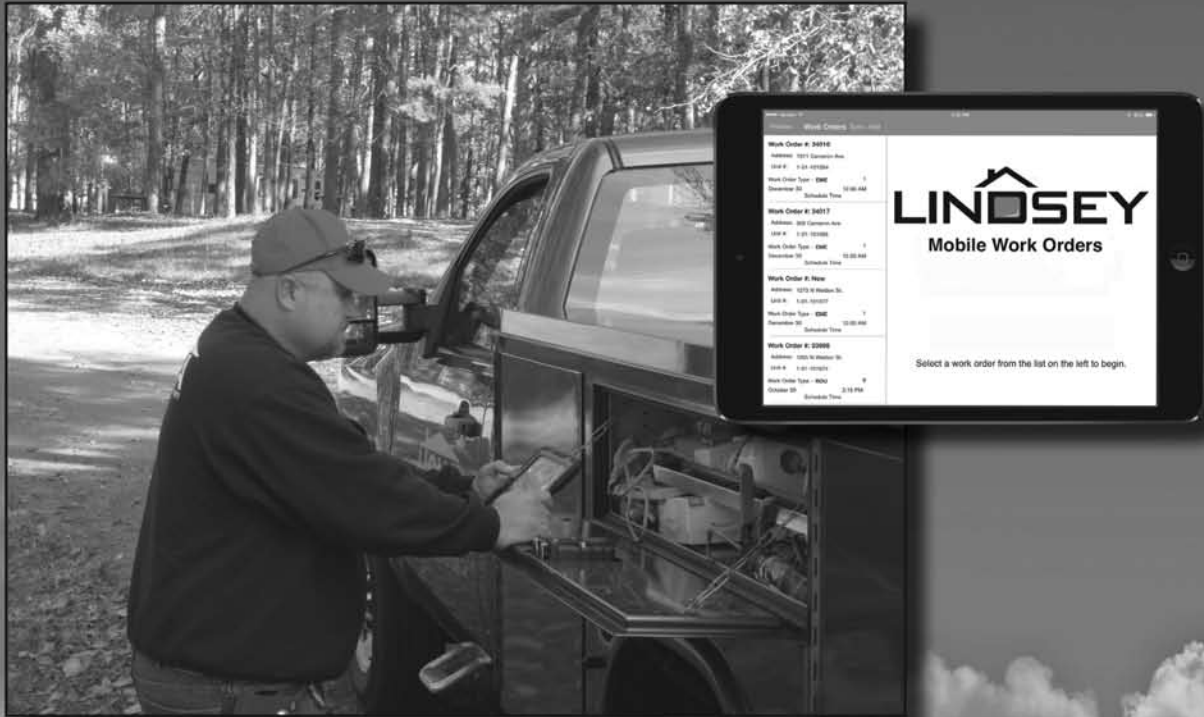
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HD Supply Facilities Maintenance offers free online training exclusively to FAHRO members. Here is a lineup of available training:

Air Conditioning Mechanical & Electrical

This one-hour course is designed to be a starting place for any HVAC technician no matter his or her skill level. It starts by discussing the different types of air conditioning systems and how they work. This class also covers topics such as preventive maintenance and the troubleshooting skills needed to work on a multi-unit facility.

R-410A Introduction & Overview

This one-hour class is designed to answer many questions that have arisen surrounding the change from R-22 to R-410A in all air conditioning systems beginning Jan. 1, 2010. This change has led to many questions about how the new refrigerant will be serviced and how to integrate these systems onto existing properties.

Electrical & Intermediate Electrical

These one-hour classes are designed to be an overview of electricity and how it works. We will trace the path of electricity from the house meter through the entire structure. Topics covered include: safety, National Electrical Code awareness, OSHA awareness, electrical panel service and common electrical device installation and troubleshooting.

Plumbing

This one-hour class will address the plumbing system, starting from the water meter, following the supply line into the building to where the water comes out of the fixture and down through the drain. We will also go over the installation of fixtures, along with drain cleaning, safety and problem diagnosis of toilets.

Pool Care & Maintenance

In this one-hour course, the student will become familiar with what it takes to maintain a pool of excellence.

Chemicals as well as mechanical aspects will be discussed. (Please note: This class is not a replacement for CPO training and does not carry any national recognition; however, it is a good way to prepare for the Certified Pool Operator test as many of the terms and concepts on the test will be discussed.)

Kitchen Appliances

This one-hour class is designed as an overview of the refrigerator, dishwasher and range (gas or electric). The student will learn each appliance's most common service requests along with their solutions.

Conservation Maintenance

This one-hour class will address maintenance techniques that can be used to conserve power, water and the environment. Techniques for repairs that keep conservation in mind are at the forefront of discussion in this class.

Make Ready Maintenance

This one-hour class is designed to provide information on all aspects of importance and the procedures of making ready units.

EPA Core and Type 2 Preparation & Practice test

This 90-minute course on EPA certification is designed for air conditioning and refrigerant technicians who must be certified in order to comply with Section 608 of the Federal Clean Air Act. (Please note: This is not a certification.) To view a list of live classes, please go to www.HDSupplySolutions.com/training.

New OSHA Communication Standard

This is a download of basic information about the OSHA change from MSDS to SDS.

FAHRO members can access these FREE courses at their convenience by visiting:

<https://go.bluevolt.com/bdsupply/Autoenrollment.aspx?ID=FAHRO>

LEGISLATIVE AFFAIRS continued from page 1

Current polling suggests the race is a statistical dead heat. The RCP Average (Real Clear Politics) for the governor's race is an average of the major polls that have been published. Covering a period from roughly the middle of July through the first of August, Rick Scott is leading Charlie Crist by a mere +0.8 points.

The Mary Jane Treatment

I saw a most interesting headline for a guest column in the paper about the medical marijuana amendment: "Medical marijuana pushed by lawyers, not doctors." For those who are against the medical marijuana amendment, that headline speaks volumes. Along those same lines, even the Florida Medical Association has come out in opposition of the amendment, saying "the measure doesn't properly protect patients."

Quinnipiac University conducted a poll this summer that found 88 percent of voters support the legal use of marijuana for medical purposes while 10 percent do not. The lowest level of support was among senior citizens, who still back the measure roughly 6 to 1. The youngest segment of voters backs it 19 to 1. When asked whether they would support a legal medical marijuana dispensary in their own town or city, 71 percent of voters said yes while 26 percent said no. A majority of voters even support legalizing marijuana simply for recreational use.

So, the question becomes: How many voters will turn out just to vote for medical marijuana that would not already come out to vote, and what percentage of those voters will support Democratic candidate Charlie Crist over Rick Scott? We won't know the answer to that until Nov. 5, but until then grab some popcorn and a drink and watch the show. 🍿

Scenes From the 2014 FAHRO Annual Convention & Trade Show



Vivian Bryant accepts her award for FAHRO Outstanding Individual.



2014 FAHRO Kings of the Court: Daytona Beach Housing Authority



Tracey with Ameresco, winner of our best booth competition



Pinellas County Housing Authority is named Outstanding Agency.



FAHRO President Maria Burger and husband, Ron, pose with our special guests at the annual celebration banquet.



Legal ace Ric Gilmore educates commissioners.



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REAC Preparations: Focus on Your Best Residential Units

by Arlene Puentes

It is natural to worry about your most destructive residents when preparing for your REAC inspection. Just today you found out there's a fist-sized hole in the living room wall and a foot-sized hole in the closet door, a kitchen cabinet door has been ripped off its hinges, the resident decided to change a light switch cover but lost interest before the new light switch cover got installed and guess what? The bathtub overflowed. And mind you, this all happened overnight, right after someone on your staff spent all of yesterday preparing that unit for the upcoming REAC inspection.

Keep these three things in mind when preparing your residential units for the REAC inspection. First, you may be overestimating the point costs of the destruction. Second, there's a limit, usually about 2 points, to how many points any individual unit can lose. Third, perhaps most of the units you're most worried about won't be randomly chosen to be inspected.

So consider this: Are you overestimating the REAC point costs of the damage caused by your destructive residents? Let's take the unit described in the first paragraph. Let's assume that we learned from a previous REAC inspection report that all your units have possible points of 2.0.

In that case the damage caused overnight will cost a little less than 7/10 of a point. It breaks down like this: The hole in

the wall, 0.05 points; the hole in the closet door, 0.2 points; the missing kitchen cabinet door, 0.1 points; the missing light switch cover, 0.2 points; the water stain on the floor, 0.1 points. What about hoarding or bad housekeeping? Usually these conditions will cost points only when storage blocks a second means of egress (relatively high scoring) or blocks the circuit breaker panel (about 0.5 points). A housekeeping tripping hazard may be recorded, but inside a residential unit it is zero scoring.

Of course, some destructive residents can cause conditions that will cost a lot more than 7/10 of a point. What then? Well, remember the limit. No matter how many Level 3s recorded by the REAC inspector, no unit, not even your worst, will cost the property more than 2.0 possible points. Why am I reminding you of this? Not to recommend *not* making repairs to the units that have been damaged by destructive residents, but to recommend that you not allow your few worst units to cause you more stress than they deserve, thus causing you to lose sight of other more productive REAC preparation efforts.

Like carefully inspecting the units of the residents who are *not* destructive. Perversely, just like the units you're worried about, your "good" units can cost you 2.0 possible points. How? Easily. Say there's a damaged shower diverter. Your

See REAC on page 12

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resident never uses the tub and so doesn't know that the knob that switches water from the shower to the tub doesn't function. Well, there's 1 point gone. And say there's also an inoperable GFCI. Your resident never touches it and so doesn't know that the test button doesn't click. That's an additional 1.1 points. So, there you go. Just like that, your "good" unit has lost the same 2.0 points as the unit occupied by your most destructive resident. The difference is that the "good" unit could have been made REAC ready in, say, 40 minutes. The unit you're worried about might take days to prepare.

And don't forget that the units you're worried about may not be chosen. Your previous REAC inspection report will tell you how many of your units will be chosen at random. If your unit count hasn't changed, the number of units chosen for inspection will remain the same. The property in our example has 104 units. Only 22 of them will be randomly chosen for inspection.

The most efficient and least stressful REAC preparation efforts are achieved by knowing the point values of your REAC deficiencies and the possible points of the units in your property. Remember that the point values in this example probably don't apply to your property. All properties are different. Your past inspection report can help you with some of the information. A good pre-REAC consultant, one who gives you point values and recommends priorities, can help you with the rest.

Arlene Puentes is a master inspector with The Inspection Group, www.TheInspectionGroup.com. 🌿



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Fire Safety & Prevention *Brought to you by FPHASIF!*

The place where many Americans feel safest—at home—is the same place that has the greatest risk of a fire. Nearly 80 percent of fire deaths in the United States occur in the home. Fires are the leading cause of home injuries and death. Does your family have a plan if a fire starts in your home?

Fire Safety

The best way to practice fire safety is to make sure a fire doesn't break out in the first place. This means being aware of potential hazards in your home. Start by keeping the following tips in mind:

- Check all electrical appliances, cords and outlets. Make sure they are in working condition, without frayed cords or loose plugs.
- Use caution with portable heaters. Never place one where a child or a pet could accidentally knock it over, and keep it at least three feet away from flammable objects.
- Be careful in the kitchen. Cooking is the leading cause of home fires. Always practice safe cooking habits, such as turning pot handles to avoid being knocked over and supervising children while cooking.
- Check the fireplace. It should be kept clean and covered with a screen to keep sparks contained. Burn only wood in a home fireplace, and never leave a fire burning unattended.
- Beware of cigarettes. They are the number one cause of fire deaths in the United States. Most are started when ashes or butts fall into couches or chairs, so use caution if you smoke in your home.
- Use candles safely. Keep them out of the reach of children, away from curtains and furniture, and extinguish them before you leave the room. Do not allow children to use candles when unsupervised by an adult.
- Be aware of holiday dangers. If you use a cut Christmas tree, be sure to keep it watered daily, and inspect all lights yearly for worn or frayed cords.

Fire Prevention

Make your home fire safe by following these tips:

- Install smoke alarms on every level of your home.

- Use the smoke alarm's test button to check it every month, and replace the batteries at least once a year.
- Replace smoke alarms every 10 years.
- Have at least one working fire extinguisher in your home.
- Plan escape routes by determining at least two ways to escape from every room.
- Caution everyone to stay low to the floor while escaping and never to open doors that are hot.
- Select a safe location outside your home where everyone should meet, and practice your escape plan at least twice a year so everyone knows it well.

Evacuation Safety

Whether you live in a single-family home or multi-tenant building, preparing in advance to evacuate safely can make the situation a little less scary and a lot less dangerous:

- Become familiar with your building's emergency evacuation plan.
- Know the pathway to at least two different exits from every room in the home.
- Recognize the sound/signaling method of the fire and evacuation alarms.
- Leave the area quickly and in an orderly fashion, following your family's emergency evacuation plan. If your evacuation plan involves a stairwell, go directly to the nearest fire-free and smoke-free stairwell while recognizing that the only available exit route may contain limited amounts of smoke or fire.
- Crawl low, under the smoke, to breathe cleaner air if there is a fire. Test doors for heat before opening them by placing the back of your hand against the door. If the door is hot, find another exit route. Keep all fire doors closed to slow the spread of smoke and fire.
- Do not use elevators when evacuating a burning building.
- Report to the designated meeting place and wait for instructions from authorities.
- Do not re-enter the building until directed by authorities.

FPHASIF FACTS



Recognizing the Dedication and Service of Barbara Miller

Barbara Miller was honored by the FPHASIF board of directors and staff at the Broward County Housing Authority's office on July 15 with a presentation of appreciation to commemorate her retirement as a charter board member and chair of FPHASIF. Ann Deibert, chief executive officer, and Beth Kinsey, chief operating officer of BCHA, were also present for the ceremony. Miller was presented a sculpture of an eagle by Manuel Castillo, co-chair of FPHASIF and executive director of Key West Housing Authority. The award's inscription reads:

**The Florida Public Housing Authority
Self Insurance Fund Board**

**along with the Members and Staff commend
and extend their sincerest
appreciation and gratitude for your
dedication, service and loyalty.**

**Florida Public Housing Authority
Self Insurance Fund**

Charter Board Member – 2008-2014

Board Chair – 2008-2014

Miller worked as the VP of human resources/risk management for BCHA, one of the charter members of FPHASIF. Her board position representing BCHA has been filled by Beth Kinsey, and her position as chair has been filled by Fred McKinnies, president of Jacksonville Housing Authority, effective Aug. 1, 2014.

The Florida Public Housing Authority Self Insurance Fund (FPHASIF) was formed in 2008 with five founding members. Now, in 2014, FPHASIF has grown to 22 members and is successfully insuring over \$1 billion of property values on behalf of FAHRO members throughout Florida and is providing those members with an insurance solution for all of their property and casualty needs, including their tax credit properties.



FPHASIF Co-Chair Manuel Castillo presents award to retiring FPHASIF Chair Barbara Miller.



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