

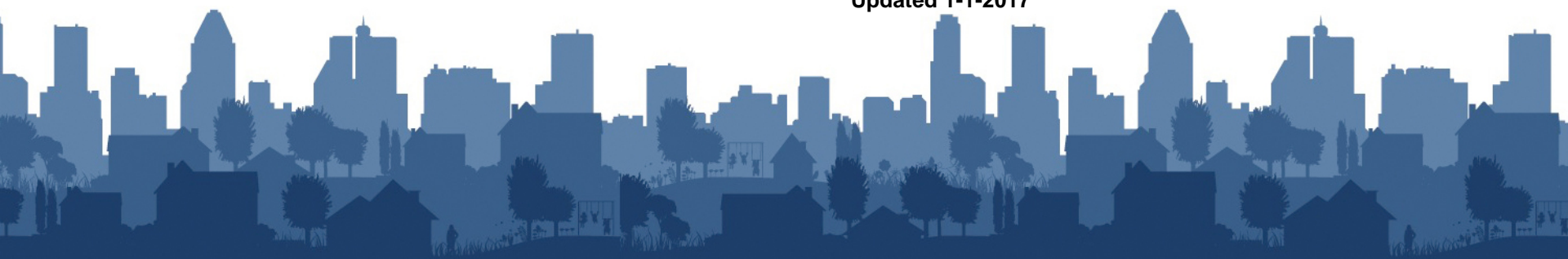


City of Fort Lauderdale Housing & Community Development

Housing Opportunities for Persons with HIV/AIDS

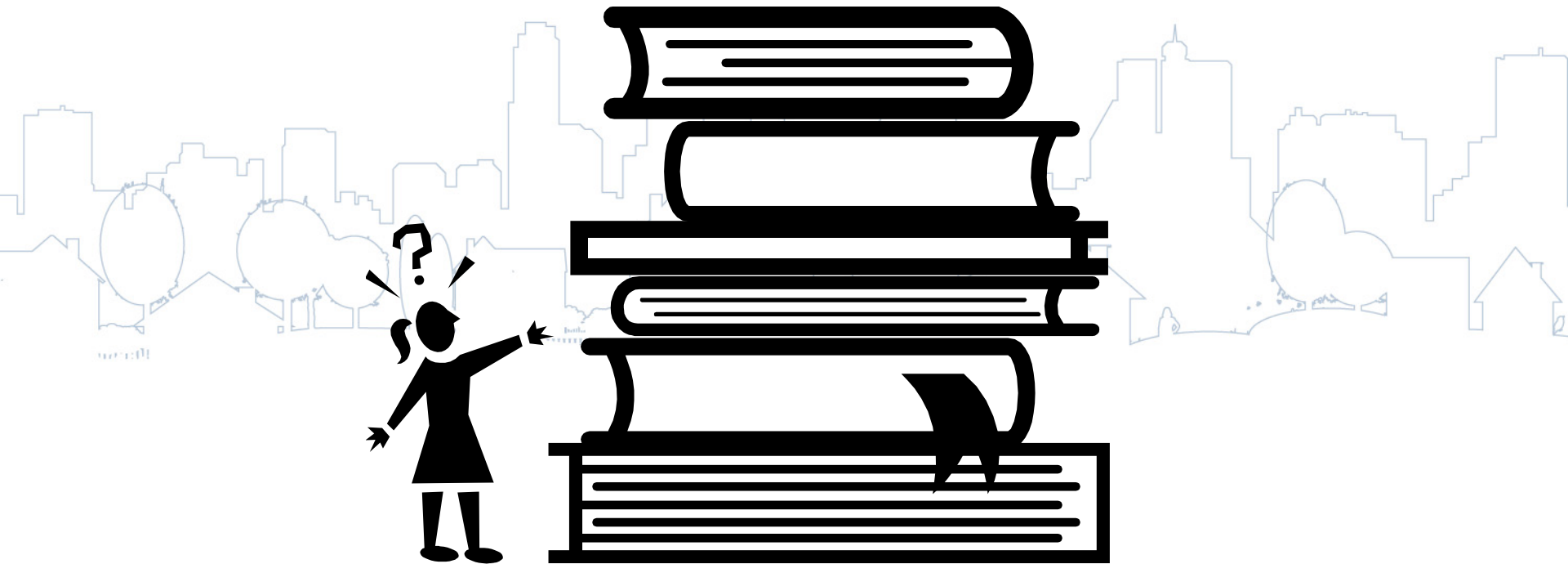
HOPWA- 101 Presentation

Updated 1-1-2017



AGENDA

1. Understanding HOPWA
2. Client Eligibility
3. Housing Stability Plans
4. Support Services
5. Eligible Activities
6. Termination Process
7. Monitoring and Compliance
8. Reporting



UNDERSTANDING HOPWA

HISTORY of HOPWA

- A federally administered grant program for state and local governments to develop a range of housing assistance and supportive services for low-income persons living with HIV/AIDS and their families.
- Created through the National Affordable Housing Act of 1990.
- Authorized by the AIDS Housing Opportunity Act of 1992
- Administered by the Office of HIV/AIDS Housing at HUD headquarters

STATUTORY PURPOSE OF HOPWA

The Statutory purpose of Housing Opportunities for Persons with AIDS, also known as HOPWA, is to provide states and localities with the resources and incentives to ***devise long term strategies*** for meeting the housing needs of low-income persons living with HIV/AIDS and their families.

STATUTORY PURPOSE OF HOPWA

To reduce the risks of homelessness for this population and increase access to appropriate healthcare and other support.

Housing subsidies should not be viewed as permanent housing subsidy.

COFL HOPWA OUTCOMES

To develop and implement individualized comprehensive housing stability plans to help HOPWA clients achieve housing stability **without long-term dependence** on HOPWA assistance:

- Enable assisted households to establish or better maintain stable living in an environment that is decent, safe and sanitary
- Reduce the risk of homelessness
- Improve clients' access to medical care and linkages to supportive services associated with HIV/AIDS.
- **Clients who have documented medical conditions may require long term dependence.**

COFL HOPWA GOALS

COFL Goal #1

Stabilize housing by providing housing assistance and supportive services for low-income HOPWA eligible clients to reduce the risk of homelessness.

COFL HOPWA GOALS

COFL Goal #2

Move low-income HOPWA households **towards self-sufficiency**¹ through the use of HOPWA housing subsidy² and supportive services in the reported fiscal year.

This is accomplished through the development and implementation of an individualized comprehensive housing plan.

¹ Self-Sufficiency is defined as households who moved off HOPWA 12 month subsidy through private housing or another subsidy.

² HOPWA Housing subsidy is Tenant Based Rental Voucher (TBRV), Facility Based Housing (FAC), or Project Based Housing (PBR) .

COFL HOPWA GOALS

COFL Goal #3

Annually, move low-income HOPWA households off HOPWA housing subsidy¹ to self-sufficiency².

This is accomplished through the development and implementation of an individualized comprehensive housing plan.

¹ HOPWA Housing subsidy is Tenant Based Rental Voucher (TBRV), Facility Based Housing (FAC), or Project Based Housing (PBR).

² Self-Sufficiency is defined as households who moved off HOPWA 12 month subsidy through private housing or another subsidy.

COFL HOPWA GOALS

COFL Goal #4

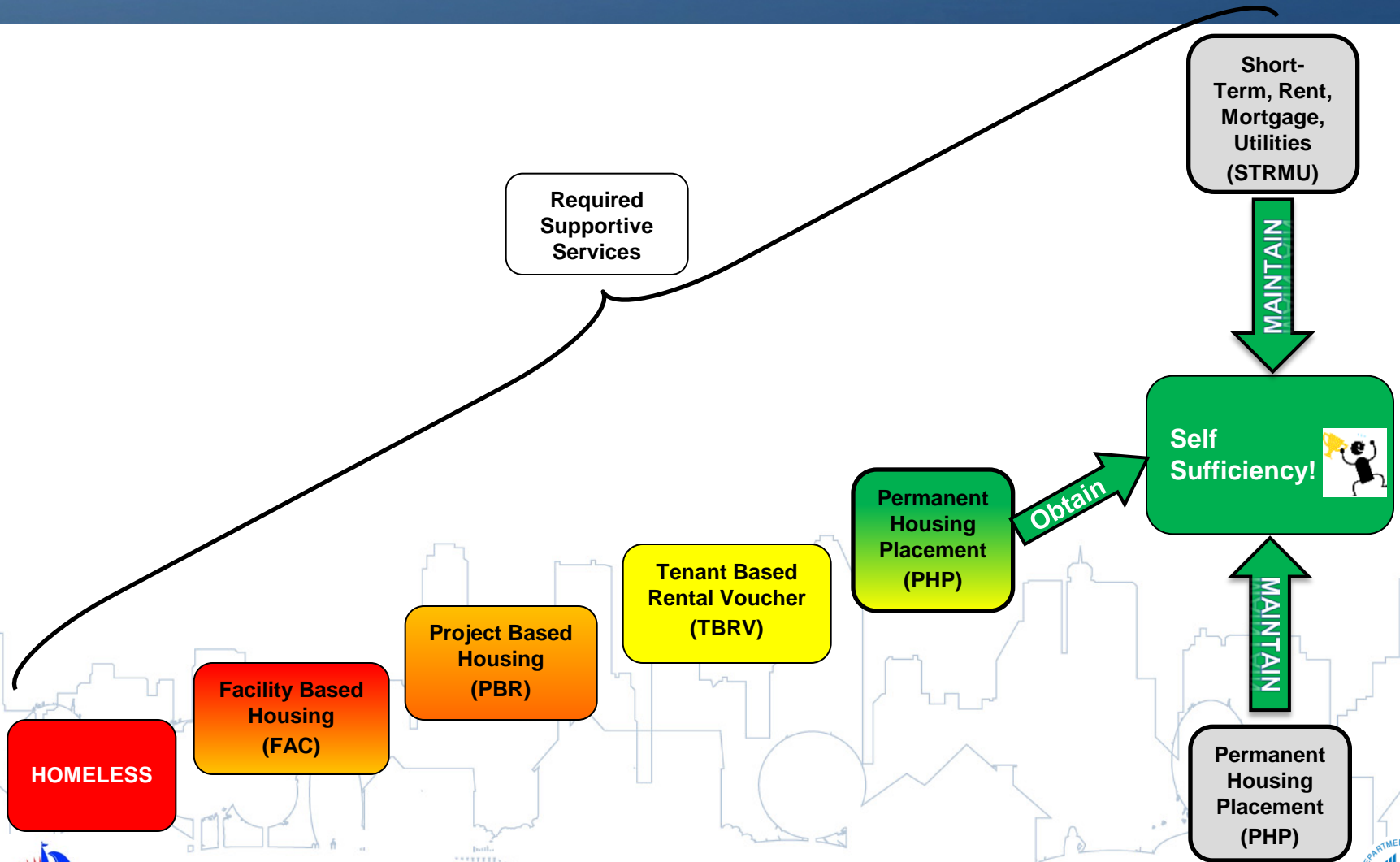
Low income persons living with HIV/AIDS and their families will maintain self-sufficiency¹ through the use of HOPWA STRMU and PHP housing assistance program.

This is accomplished through the development and implementation of an individualized comprehensive housing plan.

¹ Self-Sufficiency is defined as households who moved off HOPWA 12 month subsidy through private housing or another subsidy.

² HOPWA Short Term Utilities, Mortgage and Rent (STRMU) and Permanent Housing Placement (PHP).

HOPWA's ROAD to SELF-SUFFICIENCY



OVERVIEW of HOPWA

- Code of Federal Regulations – HUD 24 CFR 574: HOPWA
- Can address a wide range of housing needs
- One of several solutions for housing someone with HIV disease
- People living with HIV are considered by HUD to be persons with special needs
- Not a homeless program
- Designed to work with existing housing resources
- Other HUD programs are also potentially available to PLWH/A's
- HOPWA helps persons living with HIV/AIDS overcome key barriers to stable housing - affordability and discrimination
- Should not be used to supplant Ryan White services

OVERVIEW HOPWA

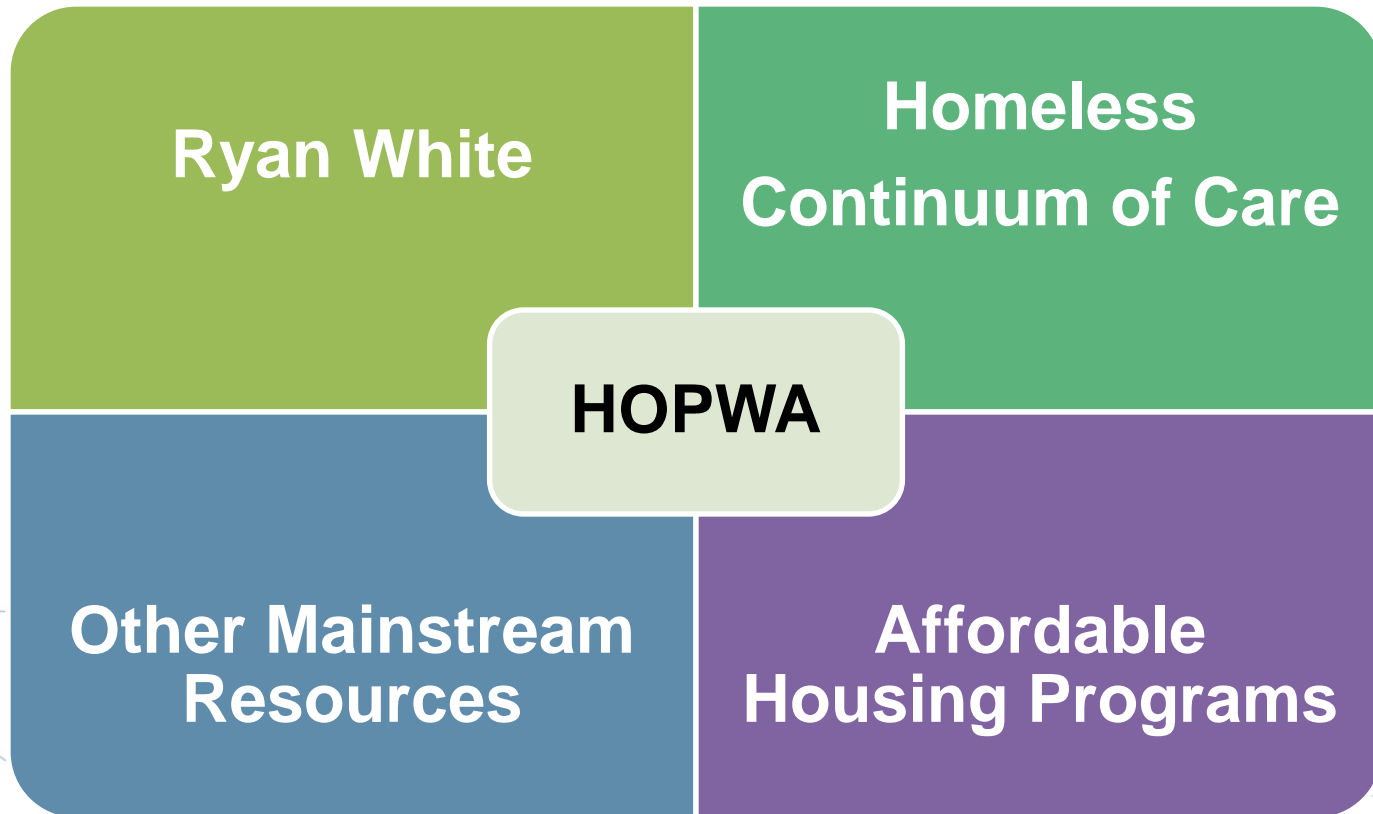
CONFIDENTIALITY

24 CFR 574.440

HOPWA regulations require that grantees and project sponsors ensure the confidentiality of both the name of any individual assisted by HOPWA and any other information regarding individuals receiving assistance.



HOPWA's CONNECTION to OTHER SYSTEMS of CARE





CLIENT ELIGIBILITY

CLIENT ELIGIBILITY

Be HIV positive

- Lab results- Western Blot/Viral Load

Income must fall within Federal Annual Income Guidelines

- Income of ALL applicable household members is included in the application

Complete a truthful application

- Provide ALL supporting documentation

Lawfully Reside in the US

- Head of Household must complete Declaration 214 Document and provide supporting documentation

Be a current Broward County Resident

- Must have lived in Broward county for at least 6 continuous months before receiving housing assistance



CLIENT ELIGIBILITY

Low-income

- As defined in the AIDS Housing Act and the HOPWA regulations (24 CFR 574.3), "**low-income individual**" means any individual or family whose annual income does not exceed 80 percent of the median income for the area as determined by HUD. (See Resource Section for Income Limits; See 24 CFR 5.609)



HOUSING STABILITY PLANS

WHAT IS A COMPREHENSIVE HOUSING PLAN?

It is a tool for case managers/housing specialist and clients to outline and manage housing and supportive services needs and goals to achieve housing stability.

WHAT IS THE PURPOSE OF COMPREHENSIVE HOUSING PLAN?

To help HOPWA clients achieve housing stability **without long-term dependence** on HOPWA assistance and improve clients' access to medical care and supportive services associated with HIV/AIDS.

All HOPWA clients begin developing a Comprehensive Housing Plan at enrollment.

WHAT SHOULD BE INCLUDED IN COMPREHENSIVE HOUSING PLAN?

- Issues that led to housing instability and dates assessed.
- For STRMU, the emergency situation that led to the request for assistance and evidence of that emergency.
- Action steps to be taken to address housing issues and the dates these were completed.
- Referrals offered to client and document referrals utilized by client.

KEY COMPONENTS OF A HOUSING PLAN

- Determine housing needs.
- Identify eligibility for other housing assistance.
- Supportive services needs to maintain housing stability.
- Eligibility for mainstream assistance.
- Client choosing COFL HOPWA Goals 2,3 or 4 and developing objectives and associated activities for housing stability and independence.

PLAN DEVELOPMENT

- Developed jointly by client/case housing specialist.
- Client develops own objectives, activities to reach objectives, associated deliverables, timelines and commits to accomplishing them.
- Case Manager/Housing Specialist may need to confer with other providers.
- Plan is updated on regular basis or when client's condition/needs change.



SUPPORTIVE SERVICES

SUPPORTIVE SERVICES

Services which complement the provision of housing assistance to beneficiaries, thereby helping promote housing stability, reduce the risk of homelessness, and improve access to healthcare.

SUPPORTIVE SERVICES

1. Ongoing psycho-social case management, advocacy, coordination of benefits and follow-up housing stability work that includes but not limited to including home visits and creation and monitoring of housing plans with the client.
2. Staffs time with clients for referrals to affordable housing resources, assistance in locating available, affordable, and appropriate housing units, working with property owners to secure units for participants, and homelessness prevention.

SUPPORTIVE SERVICES

Assessment and Case Management Examples

- Developing Housing Stability Plan
- Linkages to Drug and Alcohol Abuse Treatment and Counseling
- Linkages to Mental Health
- Linkages to Day Care
- Linkages to Legal Assistance
- Provide Legal Services if funded to provided legal services
- Personal Assistance
- FAC provide Nutritional Services
- Linkages to Nutritional Services: Ryan White
- Intensive Care (when required)
- Fiscal Management of Funds (i.e., living on fixed income)
- Leveraging other resources
- Employment Assistance
- Assistance in Accessing Other Federal/State/Local Benefits and Services

SUPPORTIVE SERVICES CATEGORIES

1. Supportive Services **with** Housing Subsidy
2. Supportive Services **without** a Housing Subsidy:
Housing Case Management
3. Supportive Services Legal Assistance

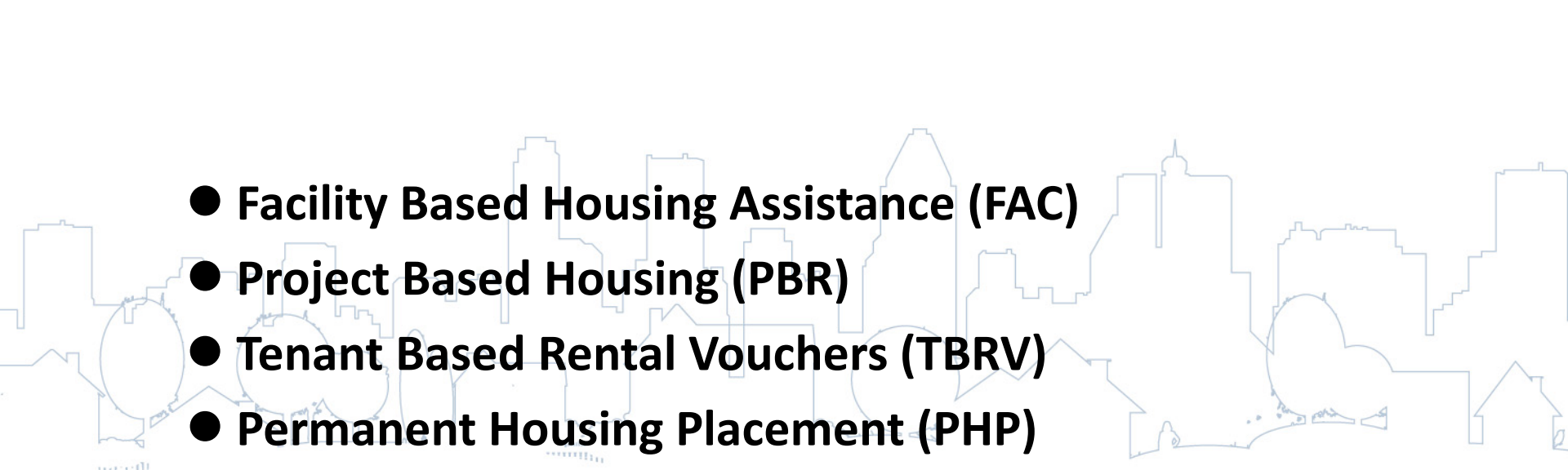
SUPPORTIVE SERVICES with HOUSING SUBSIDY

- HOPWA Sponsor agency **provides financial assistance** (i.e., housing subsidy).
- HOPWA Programs include:
 - Facility Based Housing (FAC)
 - Project Based Housing (PBR)
 - Tenant Based Vouchers (TBRV)
 - Short Term Rent Mortgage and Utilities (STRMU)
 - Permanent Housing Placement (PHP)

SUPPORTIVE SERVICES without HOUSING SUBSIDY

- HOPWA **Sponsor agency provides** no direct financial assistance (i.e., no housing subsidy).
- HOPWA Programs include:
 - **Housing Case Management**
 - Consists of housing service plans that establish or better maintain a stable living environment in housing that is decent, safe, and sanitary, reduce the risk of homelessness, and improve access to healthcare for ***clients who are not receiving FAC, PBR or TBRV services.***
 - ***May work with clients who are transition off FAC, PBR or TBRV services to self-sufficiency***

— **Legal Services**

- 
- **Facility Based Housing Assistance (FAC)**
 - **Project Based Housing (PBR)**
 - **Tenant Based Rental Vouchers (TBRV)**
 - **Permanent Housing Placement (PHP)**
 - **Short Term Rent, Mortgage and Utilities (STRMU)**
 - **Supportive Services: Housing Case Management**
 - **Supportive Services: Legal Service**

ELIGIBLE ACTIVITIES

HOPWA PROGRAMS

- 1. FACILITY BASED HOUSING (FAC):** Provides resources to develop and operate community residences and other supportive housing. With facility based housing, the expectation is that participants will be in need of some level of supportive services in order to maintain stability and receive appropriate levels of care.
- 2. PROJECT BASED RENTAL (PBR) ASSISTANCE:** Rental assistance to nonprofit organizations for eligible persons or families to live in apartment units. Usually master leases and sponsor agency holds the lease not the client.

HOPWA PROGRAMS (continued)

- 3. TENANT BASED RENTAL VOUCHERS (TBRV):** Rental assistance to eligible persons or families to live in private, independent apartment units. Lease is in the client's name.
- 4. SHORT-TERM RENT, MORTGAGE AND UTILITIES (STRMU):** Continued support for emergency financial assistance for payment of rent, mortgage and utilities to help prevent homelessness. For individuals do not receive HOPWA Facility, Project or Tenant Based housing subsidy assistance.

HOPWA PROGRAMS (continued)

- 5. *Permanent Housing Placement (PHP)*:** assists with move in assistance with rent/deposits/utility connection.
- 6. *Supportive Services: Housing Case Management***
Consists of housing service plans that establish or better obtain, maintain a stable living environment in housing that is decent, safe, and sanitary. Assists with completion of STRMU/PHP applications
- 7. *Support Services: Legal*:** Consist of legal services for landlord evictions, discrimination related to housing, unit safety/habitability and landlord/tenant issues.

FACILITY BASED HOUSING (FAC)

- Provides resources to develop and operate community residences and other supportive housing for up to 365 days.
- With facility based housing, the expectation is that participants will be in need of some level of supportive services in order to maintain stability and receive appropriate levels of care.
- General housing operations (e.g., maintenance, security, insurance, utilities, furnishings, equipment/supplies).

FACILITY BASED HOUSING (FAC)

- Housing for clients that require supervision and assistance with daily living activities
- Requires clients pay portion of their income as rent
- Assist client in achieving self-sufficiency through development of individualized housing stability plans:
 - Identify client housing instability
 - Create objectives and goals for independent living
 - Provide supportive services



Project Based Rent (PBR)

- Rental assistance for eligible persons or families to live in apartment units.
- Rental subsidy stays with housing facility/units.
- Household income not required; however, income must be obtained within designated time period.
- Requires clients pay portion of their income as rent and cannot exceed fair market rent standards provided by HUD.

Project Based Rent (PBR)

- Assist client in achieving self-sufficiency through development of individualized housing stability plans:
 - Identify client housing instability
 - Create objectives and goals for independent living
 - Provide supportive services

Tenant Based Voucher Program (TBRV)

- Independent housing- portable monthly rental subsidy that stays with client not the unit in housing of their choice within the Broward County. Lease is in the client's name.
- The subsidy covers the difference between the HUD Fair Market Rent (or other rent standard) and the tenant's contribution.
- Requires clients pay portion of their income as rent.

Tenant Based Voucher Program (TBRV)

- Assist client in achieving self-sufficiency through development of individualized housing stability plans:
 - Identify client housing instability
 - Create objectives and goals for independent living
 - Provide supportive services

Short-Term Rent, Mortgage, and Utility Assistance (STRMU)

STRMU is intended to:

- Provide short-term interventions to help maintain stable living arrangements for households experiencing a financial crisis and the potential loss of housing.
- Only be used in response to “**emergency need**”:
 - Sudden loss of income not due to quitting job unless medically documented;
 - Reduction of income due to recent hospitalization or illness;
 - Extraordinary and unexpected health care cost; and
 - Due to the above issues, client faces eviction or utility shut off.

Short-Term Rent, Mortgage, and Utility Assistance (STRMU)

STRMU is intended to:

- Support for **emergency financial assistance** for payment of rent, mortgage and utilities.
- **Time-limited** housing assistance designed to prevent homelessness and increase housing stability.
 - Assistance is provided to help homeowners and renters remain in their current place of residence.
 - STRMU **cannot** be used to assist a client with locating a housing unit, security deposits, first months rent, or other move-in support.
 - **Designed as a short-term intervention**. Other types of assistance (rental assistance or residency in community facility) should be used for clients with ongoing needs.

Short-Term Rent, Mortgage, and Utility Assistance (STRMU)

- STRMU payments **must not be used to relieve the household responsibility** of their rent, mortgage or utility payments **in the absence of ability to pay.**
- Assist client in maintaining self-sufficiency through development of individualized housing stability plans:
 - Identify client housing instability;
 - Create objectives and goals for independent living; and
 - Provide supportive services

Permanent Housing Placement (PHP)

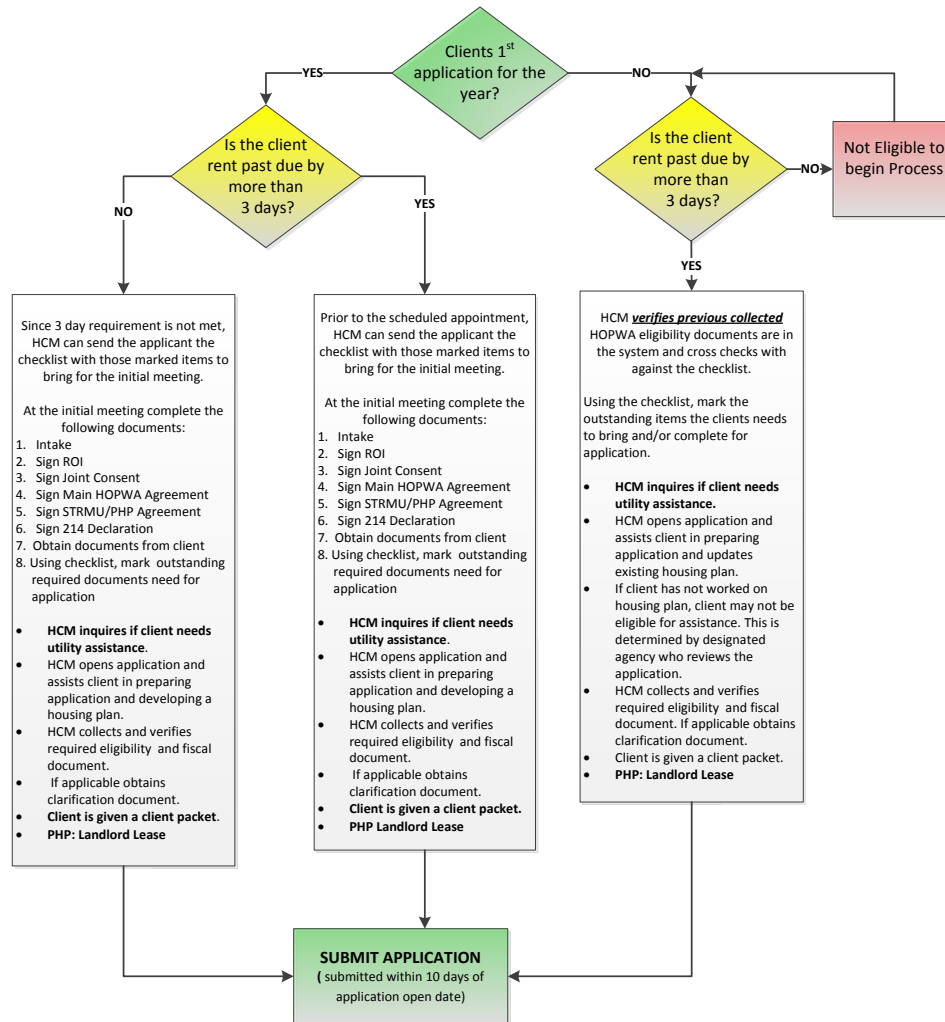
PHP is intended to:

- To assist eligible clients with move in assistance and cost associated with obtaining permanent housing:
 - Application fees and credit checks;
 - First months, Last months and security deposits (not to exceed two months rent);
 - Security deposits are program funds that are returned to the program when the assisted client/tenant leaves unit;
 - One time utility connection fees and processing cost; and
 - Needs based program and should be used sparingly.

Permanent Housing Placement (PHP)

- Assist client in *obtaining* permanent housing.
- One time payment for first/last month rent only.
- May provide a one time utility connection.
- **Ensure client's financial resources can sustain living in the housing unit.**
- Assists clients in completing PHP applications.
- Clients must receive supportive services.
- Agency reviews and approves completed applications.

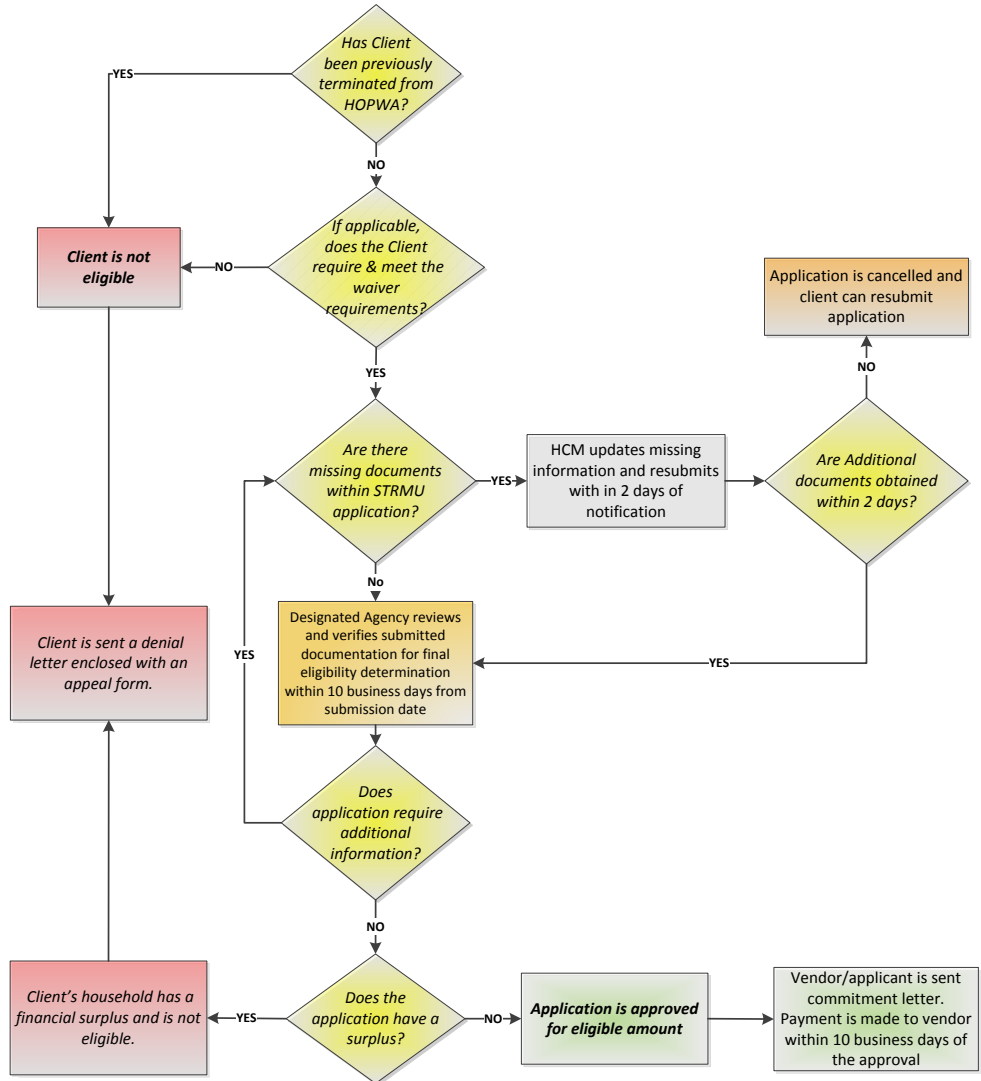
STRMU/PHP Application Submission Process



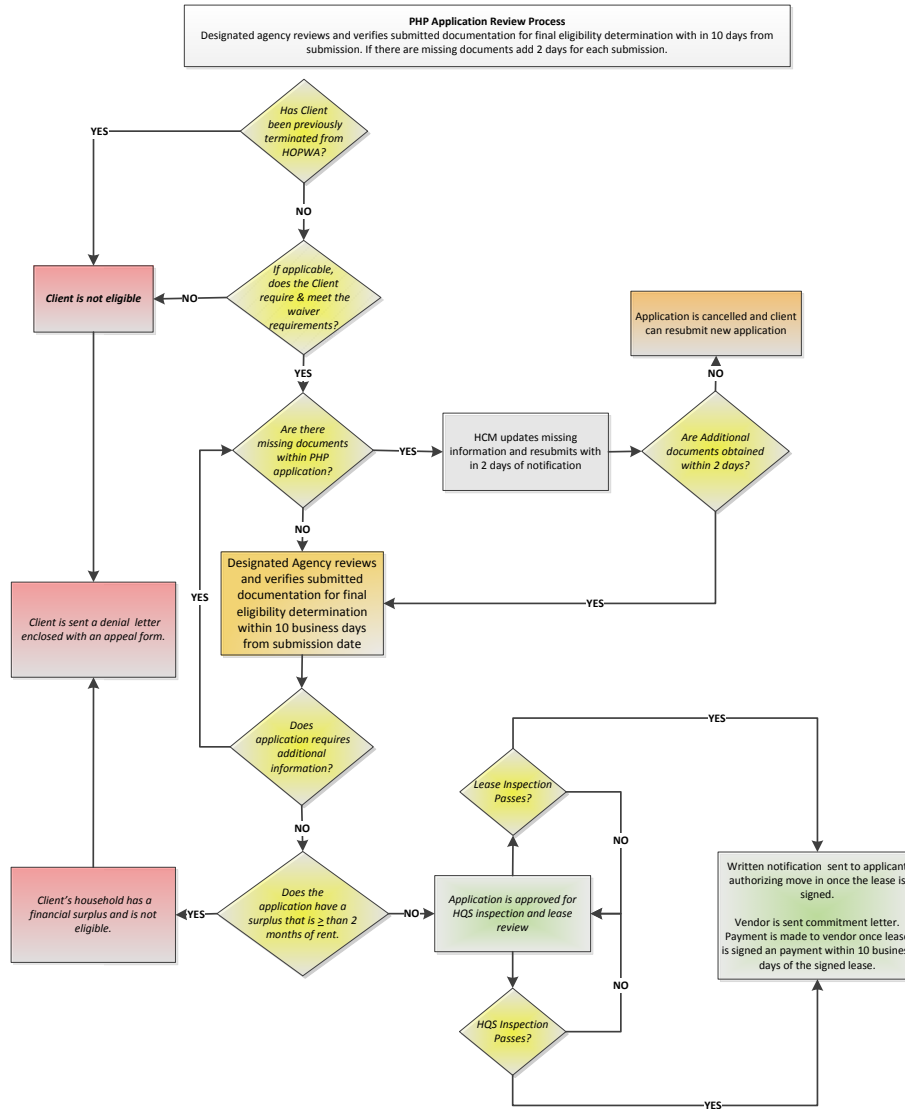
Client Packet: This packet is given each time an application is submitted. Packet includes a copy of the signed Joint Consent form, a copy of signed ROI, clients rights and responsibilities, HOPWA rights and responsibilities, signed HOPWA agreement form and the signed PHP/STRMU agreement form.

Check List of Required Documents for Eligibility: List all the document that should be in the clients file. The checklist should be give to client prior to scheduled appointment and again when documents are missing.

STRMU Application Review Process
 Designated agency reviews and verifies submitted documentation for final eligibility determination within 10 days from submission. If there are missing documents add 2 days for each submission.



An Applicant has the right to appeal the decision. All appeals must be written submissions to agency who has denied the application and documentation must support request. If the client is not satisfied with appeal's decision by the denial agency, a final appeal may be made to City of Fort Lauderdale's HOPWA Administrator. Client must submit a written grievance document to agency who denied the application within 10 days of appeals decision.



NOTE: Important the Landlord written letter includes the lease with the address, unit and names of tenants that must be executed within 3 business days. The check must be returned if the lease is not executed and/or there are any changes to the lease.

An Applicant has the right to appeal the decision. All appeals must be written submissions to agency who has denied the application and documentation must support request. If the client is not satisfied with appeal's decision by the denial agency, a final appeal may be made to City of Fort Lauderdale's HOPWA Administrator. Client must submit a written grievance document to agency who denied the application within 10 days of appeals decision.

Supportive Services: Housing Case Management

- Consists of housing service plans that establish or better maintain a stable living environment in housing that is decent, safe, and sanitary, reduce the risk of homelessness, and improve access to healthcare for ***clients who are not receiving FAC, PBR or TBRV services.***
- Assist clients in completing STRMU and PHP applications.
- Ensure client is receiving adequate and appropriate housing.

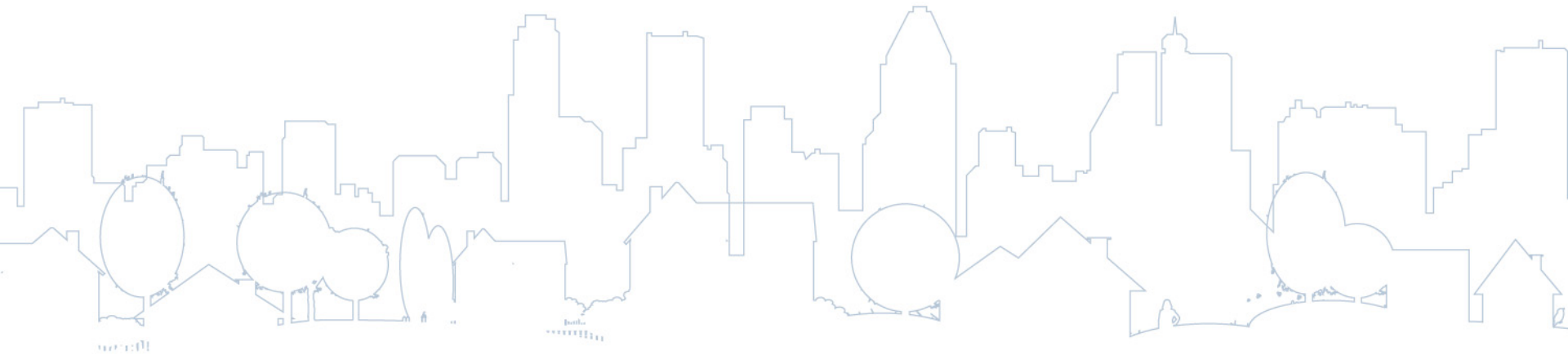
Housing Case Management

- Assist client in achieving/maintaining self-sufficiency through development of individualized housing stability plans:
 - Identify client housing instability
 - Create objectives and goals for independent living
 - Provide supportive services
- Serve clients who were terminated from FAC, PBR, TBRV, STRMU or PHP HOPWA Programs.

Supportive Services: Legal Assistance

Provide legal advice and/or direct legal representation to clients only for the following issues:

1. Foreclosure;
 2. Eviction;
 3. Three Day Writ;
 4. Unit Habitability and Safety issues;
 5. Land Lord and Tenant issues on executed contracts; and
 6. Review unsigned lease for HOPWA clients prior to signing.
- Most clients are referred from the HCM programs



- **Class I Violations**
- **Class II Violations**
- **HOPWA Participant Agreement Form**

TERMINATION OF SUBSIDY

CLASS I VIOLATION

TERMINATION OF SUBSIDY

Clients may be terminated from the City of Fort Lauderdale HOPWA program for the following grounds:

1. Class I Program Violation

- A Class I Program Violation is a serious program violation which impacts the integrity of the housing program as set forth below. A Class I violation will result in **immediate program termination.**

CLASS I PROGRAM VIOLATION

TERMINATION OF SUBSIDY

- Convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing
- Determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.
- Deny admission to an applicant/participant if the Housing Voucher Program determines that any member of the household is subject to a lifetime registration requirement under a State Sex Offender program.

CLASS I PROGRAM VIOLATION

TERMINATION OF SUBSIDY

- If any member of the family fails to sign and submit consent forms for obtaining information.
- If any family member has violated HUD Regulations under 24 CFR982.551 "not engage in any drug-related criminal activity as any violated criminal activity".
- If any family member has engaged in any violent criminal activity or drug-related activity within the past (5) years prior to being accepted into the program.
- Any member of the family has been evicted from federally assisted housing in the last five years.

CLASS I PROGRAM VIOLATION

TERMINATION OF SUBSIDY

- If any member of the family commits fraud, bribery or any other corrupt or criminal act in connections with any federal housing program
- The family currently owes rent or other amounts to the Housing Voucher Program or to another PHA in connection with Section 8 or Public housing under the 1937 Act.
- The family has engaged in or threatened abusive or violent behavior toward the Housing Voucher Program staff.

CLASS I PROGRAM VIOLATION

TERMINATION OF SUBSIDY

- Actual physical abuse or violence will always be cause for termination.
- If any member of the family engages in, or has engaged in drug or alcohol abuse that interferes with the health, safety or peaceful enjoyment of other residents.
- If any member of the family commits drug-related criminal activity, violent criminal activity or any other criminal activity; if the activity results in an arrest, conviction or charges will be grounds for termination.

CLASS II VIOLATION PERMANENT PROBATION

2. Class II Program Violation

- A Class II Program Violation is a violation of any other program rule **not** listed in the Class I violation or client obligation.
- Client will be placed on permanent probation

CLASS II PROGRAM VIOLATION PERMANENT PROBATION

2. Class II Program Violation

- Assistance will be terminated upon persistent violation of program rule(s) or obligation(s). Repeated violation of program rules or obligations undermines the functioning of the program and constitutes abuse of the program by the client.
- Therefore, assistance will be immediately terminated upon two documented incidents of any program violation (need not be the same repeated program violation) even if the client took corrective action to cure one or more of these violations.

CLASS II PROGRAM VIOLATION

PERMANENT PROBATION

- Failure to notify the project sponsor of any change in circumstances in order to obtain or continue to receive benefits within ten (10) days of the event.
- Failure to maintain current information on file as required or to cooperate in submitting required documentation/information within ten (10) days of program's request.
- Failure to attend HOPWA Program appointments, except in the documented case of illness or other extenuating circumstances.

CLASS II PROGRAM VIOLATION

PERMANENT PROBATION

- Failure to attend HOPWA Program appointments, except in the documented case of illness or other extenuating circumstances. Failure to attend recertification appointments or provide access for annual inspections will result in termination upon second occurrence.
- Failure to enroll and remain engaged in housing case management services.
- Failure to apply for benefits in accordance with the HOPWA Program rules.

CLASS II PROGRAM VIOLATION

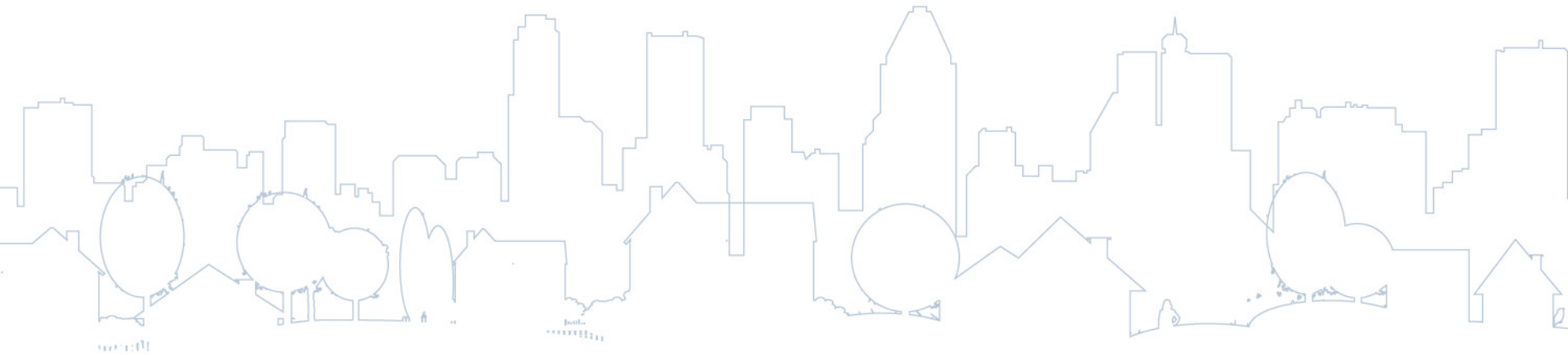
PERMANENT PROBATION

- Failure to maintain quarterly contact with the HOPWA Program.
- Failure to cooperate with quarterly home visits and/or housing stability assessments and planning.
- Failure to complete the tasks contained in the housing plan.
- Failure to make timely payment of the client's required portion of the rent or comply with other tenant obligations.

CLASS II PROGRAM VIOLATION

PERMANENT PROBATION

- The first time that a client, or member of his or her household, causes damage to the HOPWA-assisted unit (i.e. not ordinary normal wear and tear).
- Verbal abuse directed toward HOPWA personnel (or others at HOPWA project sponsor agencies), neighbor(s) or the landlord.
- Harassment consisting of unwanted and unwelcome contact of any nature (including phone or face-to-face) after the client has been explicitly advised to cease the harassing contacts. If the harassment occurs in a way that constitutes a threat of violence, then such behavior shall be treated as a Class I violation.



- **HOPWA Participant Agreement Form**
- **Client Due Process**

DUE PROCESS

DUE PROCESS

In terminating assistance to any HOPWA program participant, grantees must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process at a minimum must consist of:

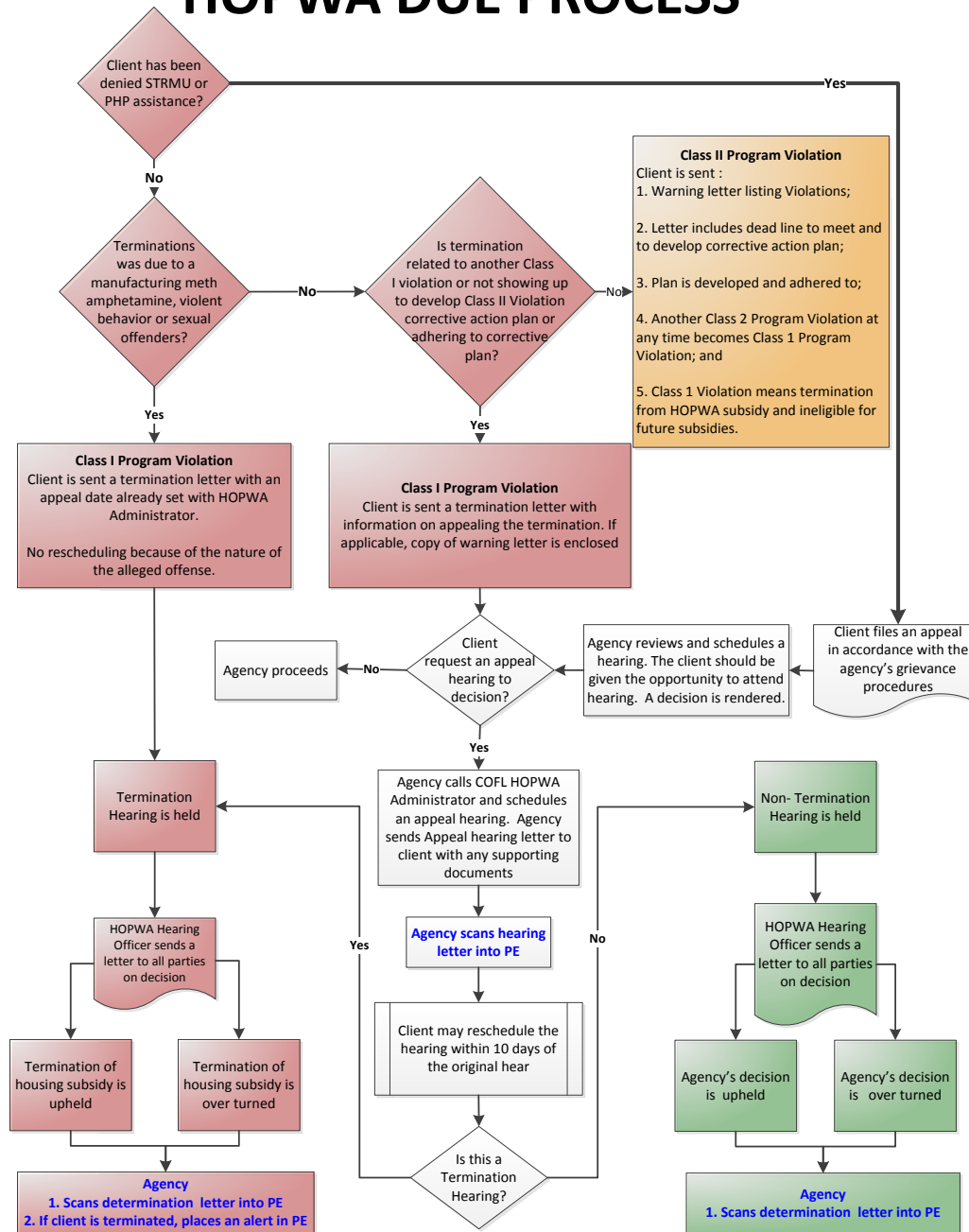
- Serving the participant with a written notice containing a clear statement of the reasons for termination;
- Permitting the participant to request an appeals hearing within the specified deadline. The appeals hearing gives the participant the opportunity to present evidence before a City of Fort Lauderdale hearing officer, other than the person (or a subordinate of that person) who made or approved the termination decision; and
- Providing prompt written notification within 10 business days of the final decision to the participant.

DUE PROCESS

In the denial of assistance or a complaint to any HOPWA program participant, grantees must provide a formal process that recognizes the rights of individuals receiving assistance to due process of law. This process at a minimum must consist of:

- Client files appeal with the governing agency;
- Agency reviews appeals/complaint in accordance to their policy; and
- Agency provides notification on appeals/complaint. If participant is not satisfied with the outcome, the participant can file a grievance to the COFL HOPWA Administrator through the governing agency within 10 days of the agency's decision.

HOPWA DUE PROCESS





MONITORING and COMPLIANCE

MONITORING & COMPLIANCE

Purpose:

- Ensure that requirements and stated program goals are being met.
- Ensure that funds are used for eligible purposes.
- Monitor compliance with OMB specified standards.
- Enhance management capacity through TA.
- Identify areas in need of improvement.
- Forge working partnership between funder and grantee.

TWO TYPES OF MONITORING VISITS

- HUD Monitoring grantee.
- Grantee monitoring project sponsors.

WHAT DO PROGRAM MONITORS LOOK FOR?

- Compliance with Regulations 24 CFR Part 574 & OMB Circulars A-122, A-102, A-89.
- Properly documented medical/income eligibility.
- Properly documented housing quality standards.
- Properly documented rent calculations which are the higher of:
 - 10% of Household Monthly Gross Income or
 - 30% of Household Monthly Adjusted Income

WHAT DO PROGRAM MONITORS LOOK FOR?

- Adherence to rental assistance timelines;
- Maintained client confidentiality;
- Assurance of “good practices” for each client;
- Timely and accurate reporting;
- Sound fiscal management, accounting and administrative practices;
- Programmatic Compliance with Fair Housing.; and
- Compliance with Fair Housing.

TOOLS for MONITORING

- HOPWA Grantee Oversight Resource Guide;
- Regulations;
- Notices;
- OMB circulars;
- Operating instructions; and
- HUD grant agreement;
 - Grantee
 - Sub-recipient agreement



REQUIRED REPORTS

REPORTING

- HUD requires reports from all program participants
- Helps HUD track grantee/project sponsor performance
 - Internally (HQ, Field Offices)
 - Reports to Congress
 - Reports to GAO

Why is REPORTING IMPORTANT?

- Data reports provide program performance information that informs policy and decision makers
- Reporting tells you how you are doing in meeting program goals
- Inaccurate or incomplete data make it difficult to justify increasing or even maintaining program funding
- No data – no money

Closing Remarks

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