

Heirs' Property Assistance Program



Program Guidelines and
Application Packet



Gainesville
Community
Reinvestment
Area



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APPLICATION

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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 through assisting owners of heirs' properties to gain clear titles to their homes.

The objective of the Program is to assist heirs property "owners" achieve clear title to the property. This objective will enable homeowners 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 are 833 heirs' properties located within City limits. One-third, or 282, of these properties, are located within the GCRA boundary. The Program is supported by the "GCRA 10 Year Reinvestment Plan" Housing Objective, which is to maintain the population and culture of communities. The Program helps people stay in their homes and is supported by the City Commission's Strategic Action Plan Goal 3: A Great Place to Live & Experience.

Section 2. Program Offerings

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

Section 3. Eligibility Requirements

Eligible properties must be heirs' property located within the GCRA district (See Map). Qualifying program recipients must make at or below 120% of annual federally established Gainesville median income limits by household size. Contact GCRA staff to figure out this amount and see if you qualify. You may also visit this link for more information: <https://www.huduser.gov/portal/datasets/il.html>.

Section 4. Application Steps

Step 1. Application Submission

The Applicant applies online or by paper to the GCRA. Staff is available to meet with the Applicant and help fill out the Application as needed.

Email:

bakaitisch@cityofgainesville.org

Drop off:

Gainesville Community Reinvestment Area
ATTN: Residential Improvements Program
2153 SE Hawthorne Road, Suite 223
Gainesville, FL 32641

Mail

Gainesville Community Reinvestment Area
PO Box 490, Station 48
Gainesville, FL 32627

Step 2. Approval

Upon submission, GCRA staff will review and approve the Application within 30 days and contact the Applicant.

Step 3. 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 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.

SECTION A: APPLICANT INFORMATION

Name: _____

Mailing address: _____

Telephone number: _____ email: _____

What is the number of people living in your household? _____

What is your annual household income? \$ _____

*Attach previous year's tax return as proof of income to this Application.

SECTION B: PROPERTY INFORMATION

What is the address of the heirs' property?

*The property must be located within the Gainesville Community Reinvestment Area.

SECTION C: ACKNOWLEDGEMENT AND SIGNATURES

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

- 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- This Agreement and payment of any Program funding are subject to the availability of funding.
- 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.
- 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.
- Nothing in this Agreement may be interpreted as a waiver of the City's sovereign immunity as granted under Section 768.28, Florida Statutes.
- The Applicant acknowledges that the City has the right and responsibility to enforce this Agreement.
- 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.
- 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.

Notary Public, State of _____

My commission expires _____

SECTION D: PROGRAM APPLICANT CHECKLIST

- Completed application form.
- Previous year's tax return as proof of household income.

Return complete Application to:

Email:

bakaitisch@cityofgainesville.org

In Person:

Gainesville Community Reinvestment Area
ATTN: Residential Improvements Program
2153 SE Hawthorne Road, Suite 223
Gainesville, FL 32641

By Mail:

Gainesville Community Reinvestment Area
P.O. Box 490, Station 48
Gainesville, FL 32627

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
- Previous year's tax return as proof of household income.

Approval:

- Approved
- Denied. Reason _____

Date Applicant notified in writing of Approval/Denial: _____