

RESOLUTION NO. 26-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA AUTHORIZING THE COUNTY ATTORNEY'S OFFICE TO FILE FORECLOSURE ACTIONS WHEN UNCURED DEFAULTS OF PAYMENT OR OTHER OBLIGATIONS EXIST UNDER HOUSING ASSISTANCE AND SIMILAR AGREEMENTS SECURED BY MORTGAGE, AND TO TAKE ALL STEPS NECESSARY TO BRING SUCH LAWSUITS TO FINAL JUDGMENT OR SETTLEMENT TO SECURE THE COUNTY'S INTERESTS.

WHEREAS, the Housing & Neighborhood Development ("HND") provides housing assistance to qualified residents through the following state programs: State Housing Initiatives Partnership Program, HOME Investment Partnerships Program, and Community Development Block Program, each of which require recipients to grant the County a mortgage which secures performance of the particular program's requirements; and

WHEREAS, while the exact terms and qualifications of each mortgage may differ, they all require that the mortgagor remain in the home for the term specified and remain current on property taxes and insurance; and

WHEREAS, the mortgage is also binding upon the estate in the event of the mortgagor's death; and

WHEREAS, when a mortgage is flagged for not being in compliance with the program requirements, and HND Asset Recovery Specialist is notified, and the Asset Recovery Process is initiated; and

WHEREAS, HND requests the County Attorney's Office assistance when the last resort is to initiate foreclosure proceedings; and

WHEREAS, the County Attorney's Office will only proceed with foreclosure proceedings when the HND Asset Recovery Process has been exhausted, and all notices of default have been provided pursuant to Florida Statute.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

1. The County Attorney's Office is hereby authorized to file foreclosure actions when uncured defaults of payment or other obligations exist under housing assistance and similar agreements secured by mortgage.
2. The County Attorney's Office is hereby authorized to take all steps necessary to bring such lawsuits to final judgment or settlement to secure

the County's interests.

- 3. The Housing & Neighborhood Manager, Administrative Supervisor and/or other individual designated by the County Manager is hereby authorized to represent the County in any court proceedings, including mediation, held in any proceeding related to said litigation.
- 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED this _____ day of _____, 2026.

ATTEST:

STACY M. BUTTERFIELD,
CLERK OF THE BOARD

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

Deputy Clerk

Martha Santiago, Ed. D., Chair