

**STATE OF FLORIDA  
DIVISION OF EMERGENCY MANAGEMENT**

IN RE: SUSPENSION OF STATUTES                      DEM ORDER NO. 21-004  
AND RULES PURSUANT TO EXECUTIVE  
ORDER NUMBER 21-148, MADE NECESSARY  
BY THE SURFSIDE CONDOMINIUM COLLAPSE

**EMERGENCY ORDER**

WHEREAS, on June 24, 2021, Governor DeSantis issued Executive Order 21-148 regarding the collapse of a residential condominium in Surfside, Florida, and declared a state of emergency in Miami-Dade County; and

WHEREAS, Executive Order 21-148 designated the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency; and

WHEREAS, pursuant to section 252.36(1)(a) and 5(a), Florida Statutes, Governor DeSantis authorized the State Coordinating Officer to suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to respond to this emergency; and

WHEREAS, the residents of the collapsed condominium have been displaced and are in urgent need of decent, safe, and sanitary housing; and

WHEREAS, affordable housing developments financed by the Florida Housing Finance Corporation (FHFC) may have housing units available for occupancy; and

WHEREAS, the provisions of sections 420.507(22) and 420.5087 (2)(a) – (c), (6)(c)1, 3 – 4 and (6)(m), Florida Statutes, and Rules 67-48.009(6)(a) – (b), 67-48.014(6)(a) – (d), and 67-48.023(2) and (4), Florida Administrative Code, which pertain to rental housing financed through FHFC's HOME, Housing Credit and State Apartment Incentive Loan (SAIL) Program;

and section 420.509(19), Florida Statutes, and Rules 67-21.0025(4), 67-21.004 (1) – (3), 67-21.006(4) and (8)(a) – (b), 67-21.008(18), and 67-21.027(3), Florida Administrative Code, which pertain to rental housing finance through the Multifamily Mortgage Revenue Bond (MMRB) Program, subject many of these available units to tenant income limits and verification thereof, which may preclude occupancy by residents displaced by the Surfside disaster.

NOW, THEREFORE, I, KEVIN GUTHRIE, pursuant to Section 2.E. of Executive Order 21-148, finds that the requirements applicable to the FHFC pursuant to:

- a) sections 420.507(22) and 420.5087 (2)(a) – (c), (6)(c)1, 3 – 4 and (6)(m), F. S., and Rules 67-48.009(6)(a) – (b), 67-48.014(6)(a) – (d), and 67-48.023(2) and (4), F.A.C., which pertain to rental housing financed through FHFC’s HOME, Housing Credit and State Apartment Incentive Loan (SAIL) Program; and
- b) section 420.509(19), F.S. and Rules 67-21.0025(4), 67-21.004 (1)–(3), 67-21.006(4) and (8)(a) –(b), 67-21.008(18), and 67-21.027(3), F.A.C., which pertain to rental housing finance through the Multifamily Mortgage Revenue Bond (MMRB) Program;

are likely to impede FHFC’s ability to take actions needed to make vacant units in projects financed through SAIL and MMRB available to persons from areas designated for Individual Assistance by FEMA and who have been displaced by this emergency.

Accordingly, I hereby suspend the requirements of the above-referenced statutes and rules, only to the extent these statutory and rule provisions reference tenant income limits, and only for those individuals displaced due to the emergency, for the duration of Executive Order 21-148 and any extensions or modifications thereof.

By Order of the State Coordinating Officer executed this 25th day of June 2021, in Leon  
County, Florida.



Kevin Guthrie  
State Coordinating Officer  
Florida Division of Emergency Management  
2555 Shumard Oaks Blvd.  
Tallahassee, Florida 32399

Filed on this date, with  
the designated Division Clerk,  
receipt of which is hereby acknowledged.



Supriya Stachanicy  
Division Clerk

Date: June 25, 2021