

RESIDENTIAL PACE LOANS

Ordinance 2023-612

“PACE” PROPERTY ASSESSED CLEAN ENERGY

- Florida Statutes allow for the creation of “local governments” which fund improvements to residential and commercial properties through the levy of non-ad valorem assessments
- Florida PACE Funding Agency is one of those local governments
- However, the City of Jacksonville has the right to regulate or control the operation of PACE programs within its jurisdiction
- While the City adopted an ordinance allowing for Commercial PACE programs, the City expressly declined the allowance of Residential PACE programs

“PACE” PROPERTY ASSESSED CLEAN ENERGY

Despite the fact that the City does not allow for Residential PACE programs in its jurisdiction, **Florida PACE Funding Agency is making these loans in Jacksonville** and clouding the titles of residential properties.

“PACE” PROPERTY ASSESSED CLEAN ENERGY

How It Works

- Contractor sells homeowner an improvement like a roof, air conditioning unit, windows, siding, etc.
- Homeowner signs loan agreement financing the cost of the improvement over up to 30 years at 7-9% interest
- Florida PACE Funding then records a Notice of Assessment in the Duval County Official Records claiming that it has “levied and imposed a non-ad valorem assessment as a lien of equal dignity to taxes and assessments”

**THERE ARE OVER 160 LIENS
IN THE CITY OF JACKSONVILLE.**

This instrument prepared by and executed
by a public office of the Florida PACE Funding
Agency and after recording return to:

FortFI Financial, Inc.
12770 High Bluff Drive Suite 260
San Diego, CA 92130

----- (Space above this line for recording data) -----

NOTICE OF ASSESSMENT

Duval County

THIS NOTICE OF ASSESSMENT ("Notice") provides a summary memorandum of a Financing Agreement entered into by and between the FLORIDA PACE FUNDING AGENCY (the "Agency") and the record owner(s) of the Assessed Property (the "Property Owner"), both as described hereinafter. This Notice is executed pursuant to such Financing Agreement in substantially the form appended to Agency Resolution 2016-0809-3, a certified copy of which is recorded in the Official Records at 2022284773; a Final Judgment, a certified copy of which is recorded at 2022282432; all in the Public Records of Duval County, Florida, and all of the terms and provisions thereof are incorporated herein by reference. The Agency has levied and imposed a non-ad valorem assessment as a lien of equal dignity to taxes and assessments, and as more particularly described herein and in such Financing Agreement, on the Assessed Property in conformance with Section 163.08, Florida Statutes (the "Supplemental Act").

1. Property Owner: [REDACTED]
2. Assessed Property: See Legal Description in Attachment I.
3. Street Address of Assessed Property: [REDACTED] Jacksonville, FL 32205
4. Property Appraiser Parcel Identification Number: [REDACTED]
5. Qualifying Improvements:
Eligible Improvements: Roof - Flat
6. Financed Amount (pursuant to the Financing Agreement; this amount may be reduced WITH SUCH REDUCED AMOUNT REFLECTED IN A RECORDED NOTICE OF ASSESSMENT): \$34,015.02
7. Interest Rate (to be applied to the principal amount of the Financed Amount): 9.49%
8. Assessment Installment (pursuant to the Financing Agreement; this amount may be reduced WITH SUCH REDUCED AMOUNT REFLECTED IN A RECORDED NOTICE OF ASSESSMENT): \$3,455.70
9. Period of years (number of Annual Payments): 30
10. The Annual Payment of the Assessment will appear on the same bill as for property taxes, and will include the Assessment Installment, plus any annual costs of administration and charges associated with the Assessment, annual collection costs, and annual charges required by the local property appraiser and tax collector.
11. The Assessment is NOT due on sale or transfer of the Assessed Property. Payoff and release information may be obtained by contacting the Florida PACE Funding Agency at:
www.floridapace.gov; Telephone: (800) 969-4382; Email: Payoffs@FloridaPACE.gov
12. NOTE: Prepayment information must be requested ten (10) business days prior to any prepayment. Prepayments must be in immediately available funds.
13. Suggested ALTA, Schedule B exclusion to coverage for title insurance professionals: "Non-ad valorem assessment, which by its term is not due upon sale, evidenced by notice recorded in Official Record

Notice of Assessment ES
Application ID No.: FFFL-20230416-9-EM
County: Duval County

Generated on: 2023-05-18
NOA-2023-05-18

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EXAMPLE 1

Market Value
\$168,000



Financed Improvement

Flat Roof: \$34,015

Financing Term: 30 Years

Interest Rate: 9.49%

Total Lien

\$103,671

Previous Tax Bill

\$ 627

New Tax Bill

\$ 4,082

EXAMPLE 2

Market Value
\$76,428



Financed Improvements

Attic Insulation

Air Conditioning

Water Heater \$25,839.95

Financing Term: 20 Years

Interest Rate: 8.99%

Total Lien

\$56,573.20

Previous Tax Bill

\$ 361

New Tax Bill

\$ 3,189

EXAMPLE 3

Market Value
\$148,108



Financed Improvement

Windows: \$17,576

Financing Term: 30 Years

Interest Rate: 8.49%

Total Lien

\$49,019

Previous Tax Bill

\$ 703

New Tax Bill

\$ 2,336

“PACE” PROPERTY ASSESSED CLEAN ENERGY

- Litigation:
 - Pinellas County v. FPFA
 - Palm Beach v. FPFA
 - FPFA v. Sarasota Tax Collector
 - FPFA v. Hillsborough Tax Collector
 - Leon County v. FPFA
 - St. Lucie County v. FPFA
- Legislation
 - Polk
 - Bay
 - Columbia
 - Broward

**Tax Collectors and Property Appraisers
Are Unitedly Against Recognizing Assessments**