

completed Environmental Checklist (“HOPENV301 (9/1/07) (4/1/06)”), which is adopted and incorporated into this rule chapter by reference and which is available on our website at: <http://www.floridahousing.org/Home/Developers/HomeownershipPrograms/HOP> or the reservation will be cancelled.

(3) through (6) No change.

(7) A minimum of five (5) ~~ten (10)~~ Calendar Days prior to closing, the Member shall provide the loan closing package, which shall include:

- (a) Requisition of Ffunds/Loan Detail Report;
- ~~(b) Copy of Certificate of Occupancy (“CO”);~~
- ~~(c) Loan detail report;~~
- ~~(b)(d)~~ Proof of property insurance;
- ~~(c)(e)~~ Proof of title insurance; and
- ~~(d)(f)~~ Amenities certification.

(8) Members using Self Help under USDA-RD Section 502 financing can make reservations four (4) weeks prior to the homebuyer closing. Within ten (10) Calendar Days of receiving the ~~Once a reservation is received,~~ the borrower analysis package, including the HOP Environmental Statutory Checklist (“HOPENV302 (4/1/06)”), ~~which is adopted and incorporated into this rule chapter by reference and which is available on our website at <http://www.floridahousing.org/Home/Developers/HomeownershipPrograms/HOP>, must be sent to Loan Servicing within ten (10) Calendar Days for review and approval. In addition, the HOP Self-Help Checklist (“HOPSelfHelp302 (9/1/07”), ~~which is adopted and incorporated into this rule chapter by reference and which is available on our website at: <http://www.floridahousing.org/Home/Developers/HomeownershipPrograms/HOP>, or other acceptable documentation must be sent to the Corporation.~~ Upon approval, the closing can occur and funds will be held in escrow by the Corporation ~~USDA RD until completion of the loan closing package.~~~~

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5088, 420.5089 FS. History–New 6-26-06, Amended.

67-57.080 HOME Regulations.

(1) No change.

~~(2) A Unit shall qualify as affordable housing if:~~

~~(a) The value or initial purchase price of the property after construction does not exceed ninety five percent (95%) of the median purchase price for the area;~~

~~(b) The purchase price of the property after construction must not exceed the appraised value of the property; and~~

~~(c) The Model Energy Code requirements are met or exceeded as enumerated in 2005 Florida State Energy Code (which is more stringent than Section 101 of the Energy Policy Act of 1992).~~

~~(3) Members are responsible for providing the assigned servicing entity with completed documentation of the homebuyer.~~

Specific Authority 420.507(12), (23) FS. Law Implemented 420.507(23), 420.5089 FS. History–New 6-26-06, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bridget Warring, Homeownership Programs Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301, (850)488-4197

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David R. Westcott, Deputy Development Officer, Homeownership Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 16, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 32, No. 5, April 20, 2007

### Section III Notices of Changes, Corrections and Withdrawals

#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-20.002	Expiration and Renewal of Manager’s License

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 22, June 1, 2007 issue of the Florida Administrative Weekly.

The correction is as follows:

(1)(a) is being corrected to reference the correct form number 4305, Community Association Change of Status Application, in place of 43.05.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council of Community Association Managers, 1940 N. Monroe Street, Tallahassee, Florida 32399-0790

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-11.007  
RULE TITLE: Definition of "Licensed Clinical Social Worker, or the Equivalent, Who Is a Qualified Supervisor"

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 26, June 29, 2007 issue of the Florida Administrative Weekly.

The correction will clarify that the deletion of unnecessary language of subsection 64B4-11.007(4), F.A.C., was in accordance to concerns the Board had that such language conflicted with Rule 64B4-5.009, F.A.C., at duly noticed meetings on January 27, 2006, May 4th and 5th, 2006, and February 8th and 9th, 2007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-21.007  
RULE TITLE: Definition of "a Licensed Marriage and Family Therapist with at Least Five Years Experience or the Equivalent, Who Is a Qualified Supervisor"

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 26, June 29, 2007 issue of the Florida Administrative Weekly.

The correction will clarify that the deletion of unnecessary language of subsection 64B4-21.007(4), F.A.C., was in accordance to concerns the Board had that such language conflicted with Rule 64B4-5.009, F.A.C., at duly noticed meetings on January 27, 2006, May 4th and 5th, 2006, and February 8th and 9th, 2007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: 64B4-31.007  
RULE TITLE: Definition of a "Licensed Mental Health Counselor, or the Equivalent, Who Is a Qualified Supervisor"

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 26, June 29, 2007 issue of the Florida Administrative Weekly.

The correction will correct the typographical error of (1) through (3) No change to correctly read as (1) through (2) No change. The deleted language for (4) will be corrected to deleted language for (3). The correction will also clarify that the deletion of unnecessary language of subsection 64B4-31.007(3), F.A.C., was in accordance to concerns the Board had that such language conflicted with Rule 64B4-5.009, F.A.C., at duly noticed meetings on January 27, 2006, May 4th and 5th, 2006, and February 8th and 9th, 2007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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**Section IV  
Emergency Rules**

**DEPARTMENT OF EDUCATION**

RULE NO.: 6AER07-1  
RULE TITLE: Implementation of Florida's System of School Improvement and Accountability

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: School Grades as defined in Section 1008.34, F.S. are based upon combinations of factors, including annual learning gains as measured by the Florida Comprehensive Assessment Test (FCAT) in reading and mathematics for the third through the tenth grades. In order to accurately determine a school's annual learning gains, the scoring of the FCAT tests must be accurately equated from one year to the next for each grade and each type of test. However, analyses by the Department of Education, external test experts, and vendors under contract with the Department reveal that the third grade reading portion of the FCAT for the 2006 year was not correctly equated. As a result, the test results for 2006 third grade reading were, in this case, significantly inflated.