

STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

SUMMERSET APARTMENTS LIMITED
PARTNERSHIP,

FHFC Case No. 2013-047BP

v. Petitioners,

FLORIDA HOUSING FINANCE CORPORATION,

Respondent

and

FOREST RIDGE AT BEVERLY HILLS, LTD.,

Intervenor.

MOTION TO CONSOLIDATE

Respondent Florida Housing Finance Corporation (“Florida Housing,”) files this Motion to Consolidate pursuant to R. 28-106.108, Fla. Admin. Code, and respectfully requests consolidation of the above-styled case with the following cases now pending in this forum, and says:


Rosedale Holdings, LLC, et al. v. Florida Housing Finance Corporation v. Florida Housing Finance Corporation, FHHC Case No. 2013-038BP

OCDC Palm Village, LP, et al v. Florida Housing Finance Corporation v. Florida Housing Finance Corporation, FHHC Case No. 2013-042BP

Frenchtown Square, LLC, v. Florida Housing Finance Corporation v. Florida Housing Finance Corporation, FHHC Case No. 2013-043P

JPM Westbrook Limited Partnership v. Florida Housing Finance Corporation v. Florida Housing Finance Corporation, FHHC Case No. 2013-044BP

FILED WITH THE CLERK OF THE FLORIDA
HOUSING FINANCE CORPORATION



/DATE: 02/04/14

1. All referenced parties timely filed petitions challenging preliminary agency action of Florida Housing Finance Corporation's Board of Directors regarding the funding of Applications under Request for Applications (RFA) 2013-001, a competitive solicitation subject to the provision of §120.57(3), Fla. Stat. (2013). Per the terms of this RFA, the substantial interests of the above Petitioners may be affected by the outcome of the related cases.

2. The above-referenced cases also involve substantially similar issues of law and the Respondent is identical in all above-referenced cases. The result in each of the cases may very well affect the ultimate result in the others. Consolidation would promote the just, speedy, and inexpensive resolution of the proceedings, and would not unduly prejudice the rights of any party. Consolidation would also preclude inconsistent results within the set of cases arising under this competitive solicitation.

3. On January 22, 2014, Derek E. Bruce, Esq., filed "Forest Ridge's Notice of Appearance as a Recommended Awardee," in the above captioned matter on behalf of Forest Ridge at Beverly Hills ("Forest Ridge"). As the instant matter challenges Forest Ridge's recommended award, Forest Ridge is as an intervenor as of right under R. 28-160.105(3), Fla. Admin. Code.

4. Undersigned counsel has consulted with counsel for Petitioner and Intervenor, and is authorized to state that no party opposes this Motion to Consolidate.

5. Florida Housing will contemporaneously file Motions to Consolidate on the above related cases.

WHEREFORE, Respondent respectfully requests that the Honorable Hearing Officer issue an order consolidating the referenced matters into a single proceeding.

Respectfully submitted this 6th day of February, 2014.



Wellington H. Meffert II
General Counsel
Fla. Bar No.: 0765554
Florida Housing Finance Corporation
227 North Bronough Street, Ste. 5000
Tallahassee, FL 32301-1329
850/488-4197
wellington.meffert@floridahousing.org

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail and by electronic mail, to: Michael P. Donaldson, Esq., mdonaldson@carltonfields.com, Carlton Fields, P.A., P.O. Drawer 190, Tallahassee, Florida 32302; to J. Stephen Menton, Esquire, Rutlege Ecenia & Purnell P.A., smenton@reuphlaw.com, 119 South Monroe Street, Suite 202, Tallahassee, Florida 32301; Lawrence E. Sellers, Esq., larry.sellers@hklaw.com, and Karen D. Walker, Esq., karen.walker@hklaw.com, Holland and Knight LLP., 315 S. Calhoun St., Suite 600, Tallahassee, FL 32301., Michael G. Maida, Esq., mike@maidlawpa.com, Michael G. Maida, P.A., 1709 Hermitage Blvd., Suite 201, Tallahassee, Florida 32308., and to Douglas Manson, Esq., dmanson@mansonbolves.com, and Craig Varn, Esq., cvarn@mansonbolves.com, Manson & Bolves P.A., 1101 West Swan Avenue, Tampa, Florida 33606., Derek Bruce, Esq., dbruce@gunster.com, Gunster, 200 North Orange Ave., Suite 1400, Orlando, Florida 32801, Joseph Goldstein, Esq., jgoldstein@shutts.com Shutts & Bowen LLP, 200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33301, and to Gary Cohen, Esq., gcohen@shutts.com, Shutts & Bowen LLP, 201 S. Biscayne Blvd., 1500 Miami Center, Miami, FL 33131, this 6th day of February, 2014.

Wellington H. Meffert II
Counsel for Respondent