

**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

**HERITAGE AT POMPANO
HOUSING PARTNERS, LTD.**

Petitioner,

vs.

**FLORIDA HOUSING FINANCE
CORPORATION,**

Respondent.

**FHFC Case No. 2014-050BP
FHFC RFA No. 2013-003
Petitioner's Application No. 2014-217C**

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FLORIDA HOUSING FINANCE CORPORATION**

**FORMAL WRITTEN PROTEST AND PETITION FOR
FORMAL ADMINISTRATIVE PROCEEDINGS**

Pursuant to Sections 120.569 and 120.57(1) and (3), Fla. Stat., and Rules 28-106.205 and 67-60.009, Fla. Admin. Code, and Rule Chapter 28-110, Fla. Admin. Code, Petitioner HERITAGE AT POMPANO HOUSING PARTNERS, LTD., (“Petitioner” or “Heritage at Pompano”), an applicant for funding in Florida Housing Finance Corporation Request for Applications (“RFA”) No. 2013-003 for affordable housing developments in Broward, Miami-Dade, and Palm Beach Counties, hereby protests the proposed funding decisions of Respondent Florida Housing Finance Corporation in RFA 2013-003; and particularly the proposed awards of funding to Broward County Applicants 2014-041C (Oakland Preserve) and 2014-242C (Wisdom Village Crossing). In support of this Protest and Petition, Petitioner state as follows:

Parties

1. The agency affected is the Florida Housing Finance Corporation (the “Corporation”, “Florida Housing,” or “FHFC”), whose address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The solicitation number assigned to this process for the award of competitive federal law income housing tax credits (“tax credits” or “HC”) in

Miami-Dade, Broward, and Palm Beach Counties is RFA 2013-003. By notice of award dated January 31, 2014, and posted on FHFC's website on that date, copy attached hereto as Exhibit "A," FHFC has given notice of its intent to award funding to five applicants, including two Applicants in Broward County, 2014-0241C, Oakland Preserve, and 2014-242C, Wisdom Village Crossing.

2. Petitioner, Heritage at Pompano Housing Partners, Ltd., ("Heritage at Pompano") is a Florida limited partnership, whose business address is 800 N. Point Parkway, Suite 125, Alpharetta, GA 30005. For purposes of this proceeding, Heritage at Pompano's address is that of its undersigned counsel, M. Christopher Bryant, Oertel, Fernandez, Bryant & Atkinson, P.A., P.O. Box 1110, Tallahassee, Florida 32302-1110, telephone number 850-521-0700, facsimile number 850-521-0720, email cbryant@ohfc.com.

3. Heritage at Pompano submitted an application, assigned Application #2014-217C, in RFA 2013-003 seeking \$2,561,000 in annual allocation of housing credits to finance the construction of a 123-unit residential rental development (with 100 units set aside for low income residents) in Broward County, to be known as Heritage at Pompano Station. Heritage at Pompano's application was assigned lottery number 26 by Florida Housing. FHFC has announced its intention to award funding to two other Broward County Developments (Oakland Preserve, #2014-241C, and Wisdom Village Crossing, #2014-242C), but not to Heritage at Pompano.

Notice

4. On Friday, January 31, 2014, at approximately 11:10 a.m., Heritage at Pompano and all other participants in RFA 2013-003 received notice that FHFC intended to select certain applicants for awards of tax credits (subject to satisfactory completion of the credit underwriting

process, which is required of all applicants selected for funding). Such notice was provided by the posting of a spreadsheet entitled "RFA 2013-003 Review Committee Recommendations (copy attached as Exhibit "A") on the Florida Housing website, www.floridahousing.org. Heritage at Pompano timely filed a Notice of Protest on Wednesday, February 5, 2014, at approximately 8:45 a.m., copy attached as Exhibit "B." Petitioner's Formal Written Protest and Petition for Formal Administrative Proceedings is being filed within 10 calendar days of that notice.

Substantial Interest Affected

5. Heritage at Pompano's substantial interests are being determined in the instant proceeding because Heritage at Pompano is an applicant for low income housing tax credit funding. Florida Housing has proposed the award of funding to Broward County applicants other than Heritage at Pompano. Heritage at Pompano cannot develop its proposed development to include 100 low income tenant set-aside units without the award of the requested housing credit funding. If Heritage at Pompano constructed the Development through conventional financing sources, the rent it would have to charge to service the debt on the development would make it unaffordable for low income tenants. Because Broward County applicants Oakland Preserve (2014-241C) and Wisdom Village Crossing (214-242C) were selected for funding based on having had better (smaller) lottery numbers (as explained in this Petition), Heritage at Pompano was not selected for funding.

RFA 2013-003 Ranking and Selection Process

6. Through the RFA 2013-003 process, FHFC seeks to award up to \$10,052,825 in annual housing credits to qualified applications seeking to construct low income rental housing in Broward, Miami-Dade, or Palm Beach Counties. Applicants request in their applications a

specific dollar amount of housing credits to be given to the Applicant each year for a period of 10 years. Applicants typically sell the rights to that future stream of income tax credits (through the sale of almost all of the ownership interest in the Applicant entity) to an investor to generate the majority of the capital necessary to construct the development. The amount of housing credits an applicant may request is based on several factors, including but not limited to a certain percentage of the projected Total Development Cost; a maximum funding amount per development based on the county in which the development will be located; and whether the development is located within certain designated areas of some counties.

7. Florida Housing received 119 Applications seeking funding in RFA 2013, including 16 for Broward County developments. The applications were received, processed, deemed eligible or ineligible, scored, and ranked, presumably pursuant to the terms of RFA 2013-003; FHFC Rule Chapters 67-48 and 67-60, Fla. Admin. Code; and applicable federal regulations. Applications are considered for funding only if they are deemed “eligible,” based on whether the Application complies with Florida Housing’s various content requirements. Of the 119 Applications submitted to FHFC in RFA 2013-003, 70 were found “eligible,” and 49 were found ineligible. Heritage at Pompano, Oakland Preserve, and Wisdom Village Crossing were among the Applicants found eligible. An eight page spreadsheet created by Florida Housing, entitled “RFA 2013-003 – Sorting Order,” identifying all eligible and ineligible applications (and other relevant information) is attached to this Petition as Exhibit “C”.

8. The first consideration in sorting eligible applications for funding is Application scores. Applicants can achieve a maximum score of 27 points. Twenty-two (22) of those 27 points are attributable to proximity scores (as explained more fully in this Petition); the remaining 5 points are attributable to Local Government Contributions. Of the 70 eligible

Applications, 69 received a score of 27 points. Heritage at Pompano, Wisdom Village Crossing, and Oakland Preserve all received scores of 27 points.

9. Many applicants achieve tie scores, and in anticipation of that occurrence FHFC designed the RFA and rules to incorporate a series of “tie breakers,” the last of which is randomly assigned lottery numbers. Lottery numbers have historically played a significant role in the outcome of FHFC’s funding cycles, and they were determinative of funding selections in this RFA.

10. FHFC established a “Funding Test” to be used in the selection of applications for funding in this RFA. The “Funding Test” requires that the amount of tax credits remaining (unawarded) when a particular application is being considered for selection must be enough to fully fund that applicant’s request amount, and partial funding would not be given, except in one instance: the Second Broward County Application. As will be explained more fully below, the Second Broward County Application will be partially funded with the tax credits available, if sufficient tax credits are not available to fully fund it, and then that Application will receive a Binding Commitment from future tax credit allocation received by FHFC for the balance of its request.

11. RFA 2013-003 combined the counties of Miami-Dade, Broward and Palm Beach for solicitation of applications for the receipt of tax credits. By operation of the provisions of the RFA, the Maximum Housing Credit Request Limit in Miami-Dade or Broward County is \$1.97 million, unless the development is to be located within certain areas of those respective counties designated by Florida Housing or by the Secretary of Housing and Urban Development as a Difficult Development Area (“DDA”) or Qualified Census Tract (“QCT”), in which case an Applicant could request up to \$2.561 million. For Palm Beach County, the Maximum Housing

Credit Request Limit is \$1.625 million, unless it is in a DDA or QCT, in which case it can request up to \$2.11 million. See, p. 28 of RFA 2013-003.

12. The RFA also specifies a funding order that essentially guarantees the funding of two (2) developments in Miami-Dade, two (2) in Broward, and one (1) in Palm Beach, assuming there are at least that many eligible Applicants from those counties. The order specified is:

- (1) First, the highest scoring eligible Application located in Miami-Dade County that can meet the Funding Test;
- (2) Then the highest scoring eligible Application located in Broward County that can meet the Funding Test;
- (3) Then the highest scoring eligible Application located in Palm Beach County that can meet the Funding Test;
- (4) Then the highest scoring eligible unfunded Application located in Miami-Dade County that can meet the Funding Test;
- (5) Then the highest scoring eligible unfunded Application located in Broward County regardless of the Funding Test.

13. The RFA specifies that if there is not enough funding available to fully fund the second Broward application (number 5 above), that Application will receive a Binding Commitment for the unfunded balance. The RFA does not provide for a Binding Commitment to be provided to any other Application in this solicitation. The RFA further states:

No further Applications will be considered for funding and any remaining funding will be distributed as approved by the Board.

14. As a consequence of the funding selection order specified in the RFA, and the Maximum Housing Credit Request Limits specified in the RFA, the RFA will result in the selection of exactly two Miami-Dade Applications and exactly two Broward Applications for

funding, assuming there are at least two eligible Applications from each of those counties. (Currently, there are over 50 Miami-Dade Applications and 12 Broward Applications that have been deemed “eligible” by Florida Housing.) Stated another way, even if every Applicant selected for funding in each county requested and was awarded the applicable Maximum Housing Credit Request, there is sufficient funding to partially fund a second Broward County applicant, which would then receive a Binding Commitment for the balance.

15. Florida Housing has preliminary selected for funding the following Applications in the following order and amounts:

- 2014-239C, Wagner Creek, Miami-Dade: \$1,601,881
- 2014-241C, Oakland Preserve, Broward: \$1,435,000
- 2014-201C, Silver Palm Place, Palm Beach: \$2,110,000
- 2014-184C, Allapatah Trace, Miami-Dade: \$1,987,000
- 2014-242C, Wisdom Village Crossing, Broward: \$2,561,000

16. Notably, only two of these Applicants, the Palm Beach applicant and the Second Broward County applicant, requested the absolute Maximum Housing Credit Request for their respective counties. However, even if all selected Applicants had requested the maximum, a second Broward applicant would have been selected for partial funding, plus a Binding Commitment. This is illustrated as follows:

<u>Applicant Position</u>	<u>Maximum Funding Request</u>	<u>Remaining Balance</u>
BEGINNING BALANCE:		\$10,052,825
First Miami-Dade	\$2.561 million	\$ 7,491,825
First Broward	\$2.561 million	\$ 4,930,825
Palm Beach	\$2.110 million	\$ 2,820,825

Second Miami-Dade \$2.561 million \$ 259,825

The “Second Broward” Applicant under this scenario would receive an award of \$259,825, plus a Binding Commitment for the balance. If the Second Broward Applicant had requested the Maximum \$2.561 million, its Binding Commitment would be for \$2,302,175.

17. This analysis shows that the selection of Broward County Applicants is affected only by the relative ranking and eligibility of other Broward County Applicants, and that the selection of Miami-Dade Applicants is affected only by the relative ranking and eligibility of other Miami-Dade Applicants. The selection of Miami-Dade applicants does not affect which applicants in Broward counties can get selected, and vice versa.

Proximity Scoring

18. In RFA 2013-003, Florida Housing required Applicants to identify services in the proximity of the proposed development that will benefit tenants of the development. The two major categories of services are Transit Services and Community Services. Points are assigned for each identified service based on their distances from the proposed development, according to a surveyor certification form verifying the distance from an Applicant-designated point on the Development site to such service. For developments in Broward County, the Application must achieve a minimum proximity score of 14.75 points to be considered for funding, and must receive a minimum of 16.75 points to be awarded the maximum 22 points for Proximity.

19. For proximity scoring, an Applicant can receive a maximum of 6.0 Transit Points, and a maximum of 16.0 Community Services points. The Community Services available for selection by all Applicants are Grocery Store, Medical Facility, and Pharmacy. In addition, Applicants proposing to construct a Family development may select a Public School, and Applicants proposing to construct an Elderly development may select a Senior Center.

20. A Medical Facility is defined in the RFA as:

a medical licensed facility that (i) employs or has under contractual obligation at least one physician licensed under Chapter 458 or 459, F.S. available to treat patients by walk-in or by appointment; and (ii) provides general medical treatment to any physically sick or injured person. Facilities that specialize in treating specific classes of medical conditions or specific classes of patients, including emergency rooms affiliated with specialty or Class II hospitals and clinics with specialty or Class II hospitals, will not be accepted.

Oakland Preserve's Proximity Score, and Ineligibility

21. The Oakland Preserve application was awarded 17.5 Proximity Points, which resulted in it receiving a Proximity Score of 22. Oakland Preserve should not have received a Proximity Score of 22, and in fact should not have received even the required minimum Proximity Score of 14.75. It should have been deemed ineligible, and should not have been selected for funding. Oakland Preserve failed to demonstrate entitlement to the minimum "Proximity Points" because the Medical Facility relied upon by Oakland Preserve in its Application does not meet Florida Housing's definition of a Medical Facility.

22. Oakland Preserve identified as its Medical Facility the offices of Dr. Edie Durand, at 3511 North Andrews Avenue, Oakland Park, FL 33309. Dr. Durand's office is identified as being 0.23 miles from the site of the Oakland Preserve Development, which, if true, would count 4.0 points towards Oakland Preserve's proximity score. Oakland Preserve also selected a Grocery Store at a distance of 0.22 miles (for 4.0 points), an Elementary School at a distance of 0.58 miles (for 3.0 points), a pharmacy at a distance of 0.41 miles (for 3.5 points), and a Public Bus Transfer Stop at a distance of 1.64 miles (for 3.0 points). The combined total proximity points for Oakland Preserve, including the Medical Facility, is 17.5 points. Without the Medical Facility, Oakland Preserve would have received only 13.5 Proximity Points, which is less than

the required minimum 14.75 Proximity Points, and would render it ineligible for consideration for funding.

23. Dr. Edie Durand's office does not qualify as a Medical Facility. According to a brochure obtained from Dr. Durand's office during the week of February 3, 2014, Dr. Durand practices "Adult and Geriatric Medicine," in addition to other specific therapies (botox and anti-aging therapy, chelation therapy, and heavy metal detoxification). She does not provide "general medical treatment to any physically sick or injured person." Specifically, she does not provide general medical treatment to infants, children, or adolescents; she limits her treatment to adults. Especially since Oakland Preserve selected the Family demographic, the provision of general medical treatment to infants, children, and adolescents is critical.

24. Further, Florida Housing's established prior agency practice in determining the acceptability of Medical Facilities is that they provide services to persons of all ages. This is the only reasonable interpretation of the RFA's definition of Medical Facility as providing treatment to "any physically sick or injured person."

25. Heritage at Pompano retained a private investigator to determine whether Dr. Durand treat infants, children, and adolescents. The investigator entered the medical practice during the week of February 3 and spoke to both the receptionist and Dr. Durand. As documented by the investigator's affidavit, Dr. Durand does not treat any patients under the age of 18 years old; does not carry any pediatric vaccines; and does not treat injuries such as broken bones, scrapes, or infections. A copy of the investigator's Affidavit, with three Exhibits attached to it, is attached to this Petition as Exhibit "D."

26. Without the Medical Center proximity points, Oakland Preserve's total proximity score would drop from 17.5 points to 13.5 points, which is below the required minimum proximity score of 14.75. Oakland Preserve should be declared ineligible.

27. Based upon information and belief, the closest medical office to the Oakland Preserve site that would have met Florida Housing's definition of a Medical Center is Midland Medical Center, located at 1421 East Oakland Park Boulevard in Oakland Park, Florida. That office is slightly over 5100 feet from the Oakland Preserve site. Under the terms of the RFA, a Medical Facility which is more than 0.75 miles but less than 1.0 miles from the Development only entitles the Application to 2.5 points. Had Oakland Preserve relied upon Midland Medical Center as its Medical Center, its total proximity points would have been 16.0, which is less than the 16.75 points necessary to be awarded a proximity score of 22. Oakland Preserve's total score, including Local Government Contribution points would have only been a 21 out of 27 if it had relied on Midland Medical Center, which would have made it noncompetitive.

Wisdom Village Crossing Proximity Points and Total Score

28. For proximity points purposes, Wisdom Village Crossing identified in its Application a Public Bus Transfer Stop, Grocery Store, Medical Facility, Public School, and Pharmacy. The claimed distances for those services from the point on the Development site, and the points attributable to these distances, are as follows:

Public Bus Transfer Stop:	0.48 miles,	5.5 points
Grocery Store:	0.47 miles,	3.5 points
Public School:	0.57 miles,	3.0 points
Medical Facility:	0.53 miles,	3.0 points
Pharmacy:	0.47 miles,	3.5 points

The total proximity points claimed by Wisdom Village Crossing is 18.5 points, which, if true, would entitle Wisdom Village Crossing to a full 22.0 proximity score.

29. Wisdom Village Crossing should not receive 18.5 proximity points, because it was not entitled to any Public School points. The longitude and latitude coordinates provided by Wisdom Village Crossing for the Public School are not for a doorway threshold that provides direct public access to the school. Florida Housing's surveyor certification form, which all applicants must complete and return with their Applications, requires that latitude and longitude coordinates in degrees, minutes, and seconds (truncated after 1 decimal place) must be provided for each selected service. For Community Services, including Public Schools, the instructions state:

Coordinates must represent a point that is on the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located.

30. The coordinates for Wisdom Village Crossing's selected Public School are for a doorway that does not allow access to the school. Attached as Exhibit "E" is a photograph of the doorway at the coordinates provided by Wisdom Village Crossing, on the north side of the school building. On the exterior wall of the school building next to the identified doorway is a sign reading "PLEASE USE EAST ENTRANCE" with an arrow pointing to the left, indicating that a person must walk to another side of the building to gain access to the school. Further, a representative of Heritage at Pompano visited the school site at the start of the school day, and can verify that even students at the school are not permitted to use that doorway to enter the school building.

31. Since the school doorway as designated by Wisdom Village Crossing is not to an entrance that provides direct public access to the school, the points awarded for a Public School

must be disallowed. If Wisdom Village Crossing's Public School proximity points are disallowed, its proximity score drops to 15.5 points. This score is less than the minimum proximity points of 16.75 points that would entitle Wisdom Village Crossing to a proximity score of 22, and a total score of 27. Instead, Wisdom Village Crossing's proximity score would drop to 15.5, and its total score to 20.5. With a score of 20.5, Wisdom Village Crossing would no longer be the second ranked Broward County Application. Instead, it would place behind 10 other Broward County Applications (including Heritage at Pompano) who have total scores of 27. While still "eligible," Wisdom Village Crossing would not satisfy the first step in the selection process: total score.

Status of Ranking and Pending Protests

32. The Broward County applicants who have been deemed eligible and who currently have 27 total points are currently ranked as follows:

2014-241C, Oakland Preserve, Lottery #12

2014-242C, Wisdom Village Crossing, Lottery #20

2014-217C, Heritage at Pompano Station, Lottery #26

2014-194C, SOLO Villages, Lottery #48

2014-257C, Hickory Place, Lottery #64

2014-178C, Suncrest Court, Lottery #67

2014-231C, Village of the Arts, Lottery #91

2014-273C, Northwest Gardens V, Lottery #92

2014-232C, Lauderdale Place, Lottery #93

2014-233C, The Madison, Lottery #97

2014-181C, Uptown Village, Lottery #113

Of the above applicants, only 2014-242C (Wisdom Village Crossing), 2014-217C (Heritage at Pompano), and 2014-194C (SOLO Villages) have filed Notices of Protest. Two other Broward Applicants were deemed “eligible” but are unlikely to be considered for funding based on other criteria. (Specifically, one is a “Group B” applicant under a leveraging test applied by Florida Housing, and the other is a Rehabilitation project, with a lottery number of 104.)

33. In addition, three Broward Applicants were deemed ineligible by Florida Housing:

2014-185C, City Vista, Lottery #11

2014-260C, 5th Avenue Apts., Lottery #77

2014-272C, 640 Andrews, Lottery #88

Of these three, only one, 2014-185C, City Vista, has filed a Notice of Protest to challenge its ineligibility.

Result of Correction of Oakland Preserve and Wisdom Village Crossing’s Proximity Scores

34. As a result of the correction of Oakland Preserve’s proximity score, it does not achieve the minimum required proximity score and must be deemed ineligible. If ineligibility of Oakland Preserve was the only result of this proceeding, then Heritage at Pompano would be entitled to funding as the second highest ranked eligible Broward County application.

35. As a result of the correction of Wisdom Village Crossing’s proximity score, it does not achieve maximum score of 27. If the rescoring of Wisdom Village Crossing was the only result of this proceeding, then Heritage at Pompano would be entitled to funding as the second highest ranked eligible Broward County application.

36. If Oakland Preserve is declared ineligible and Wisdom Village Crossing's score is corrected, then Heritage at Pompano would be entitled to funding as the highest ranked eligible Broward County application.

Disputed Issues of Material Fact

37. Petitioner has initially identified the following disputed issues of material fact, which it reserves the right to supplement as additional facts become known to it:

(a) Whether the "Medical Facility" identified by Oakland Preserve in its Application provides general medical treatment to any physically sick or injured person. Heritage at Pompano contends that it does not.

(b) Whether the "Medically Facility" identified by Oakland Preserve in its Application qualifies as a Medical Facility under the definition contained in RFA 2013-003. Heritage at Pompano contends that it does not.

(c) Whether Oakland Preserve would achieve the required 14.75 minimum proximity points to be considered for funding if the Medical Facility points were disallowed. Heritage at Pompano contends that it would not.

(d) Whether the coordinates provided by Wisdom Village Crossing for Northside Elementary designate a point that is on the doorway threshold of an exterior entrance that provides direct public access to the school. Heritage at Pompano contends that it does not.

(e) Whether Wisdom Village Crossing is entitled to any points for its designated Public School. Heritage at Pompano contends that it is not.

(f) Whether the loss of 3.0 Public School proximity points would result in Wisdom Village Crossing achieving only a 15.5 proximity score and a 20.5 total score. Heritage at Pompano contends that it would.

(g) Whether a total score of 20.5 points for Wisdom Village Crossing would result in it not being selected for funding before Heritage at Pompano. Heritage at Pompano contends that would be the result.

(h) Whether Heritage at Pompano is entitled to be selected for funding as either the first or second ranked Broward application. Heritage at Pompano contends that it is.

Concise Statement of Ultimate Facts, Relief Sought, and Entitlement to Relief

38. As its concise statement of ultimate fact, Heritage at Pompano asserts:

(a) that the Medical Facility selected by Oakland Preserve does not qualify as a Medical Facility, and as a result Oakland Preserve's total proximity score of 14.75 must result in the rejection of the Oakland Preserve application as ineligible;

(b) that FHFC's determination to award funding to Oakland Preserve was based on information provided by the Applicant that is not true, and thus an award of a proximity score of 22 and a total score of 27, and of funding, to Oakland Preserve now that the true facts are known would be arbitrary (not supported by facts), capricious (contrary to facts), contrary to competition, and contrary to FHFC's RFA;

(c) that the coordinates provided by Wisdom Village Crossing for a Public School do not represent a point that is on the doorway threshold of an

exterior entrance that provides direct public access to the school, and as a result Wisdom Village Crossing is not entitled to any Public School proximity points;

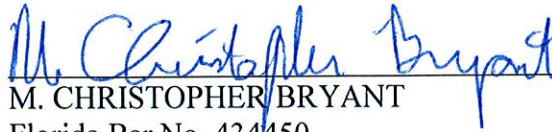
- (d) that Wisdom Village Crossing is only entitled, at most, to 15.5 proximity points and a total score of 20.5 points, and that the award of full proximity points and a total score of 27, and of funding, to Wisdom Village Crossing now that the true facts are known would be arbitrary, capricious, contrary to competition, and contrary to FHFC's RFA; and
- (e) that Heritage at Pompano is entitled to be selected for funding as the first or second highest scoring eligible Broward County application.

Petitioner Heritage at Pompano seeks entry of recommended and final orders finding Oakland Preserve to be an ineligible applicant, and finding Wisdom Village Crossing to be eligible for consideration for funding, but with a total score of 20.5 points instead of 27. Heritage at Pompano is entitled to this relief by the terms and conditions of the FHFC's RFA; by FHFC Rule Chapters 67-48 and 67-60, Fla. Admin. Code; and by Chapters 120 and 420, Florida Statutes, including but not limited to Sections 120.569, 120.57(1) and (3), Florida Statutes.

Request for Settlement Meeting

39. Pursuant to Section 120.57(3)(d), Fla. Stat., Heritage at Pompano requests an opportunity to meet with Florida Housing to resolve this matter by mutual agreement within seven business days after filing. Heritage at Pompano reserves the right to agree to extend the time for such a settlement meeting.

FILED AND SERVED this 14th day of February, 2014.



M. CHRISTOPHER BRYANT
Florida Bar No. 434450
OERTEL, FERNANDEZ, BRYANT
& ATKINSON, P.A.
P.O. Box 1110
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ATTORNEYS FOR HERITAGE AT POMPANO
HOUSING PARTNERS, LTD.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Formal Written Protest and Petition for Formal Administrative Proceedings has been filed by hand delivery with the Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, and a copy via Hand Delivery to the following this 14th day of February, 2014:

Hugh R. Brown, Deputy General Counsel
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
Hugh.Brown@floridahousing.org


ATTORNEY

RFA 2013-003 – Review Committee Recommendations

Total HC Available for RFA	10,052,825
Total HC Allocated	9,694,881
Total HC Remaining	357,944

Application Number	Name of Development	County	Name of Contact Person	Name of Developers	HC Request Amount	Eligible For Funding?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
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First Miami-Dade Application Recommended

2014-239C	Wagner Creek	Miami-Dade	Matthew Rieger	HIG Miami-Dade 5 Developer, LLC	\$1,601,881.00	Y	27	Y	Y	A	Y	3
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First Broward Application Recommended

2014-241C	Oakland Preserve	Broward	David O. Deutch	Pinnacle Housing Group, LLC; Building	\$1,435,000.00	Y	27	Y	Y	A	Y	12
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Palm Beach Application Recommended

2014-201C	Silver Palm Place	Palm Beach	Francisco A. Rojo	Landmark Development Corp.;	\$2,110,000.00	Y	27	Y	Y	A	Y	78
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Second Miami-Dade Application Recommended

2014-184C	Allapattah Trace	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	\$1,987,000.00	Y	27	Y	Y	A	Y	6
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Second Broward Application Recommended

2014-242C	Wisdom Village Crossing	Broward	Bill Schneider	Turnstone Development	\$2,561,000.00	Y	27	Y	Y	A	Y	20
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On January 31, 2014, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

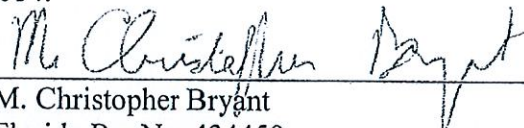
**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

RE: RFA 2013-003
Affordable Housing Developments in Broward, Miami-Dade, and Palm Beach

NOTICE OF PROTEST

Pursuant to Section 120.57(3), Fla. Stat.; Rule 67-60.009(2), Fla. Admin. Code; and RFA 2013-003 at Section Six, HERITAGE AT POMPANO HOUSING PARTNERS, LTD., Application No. 2014-217C, hereby gives notice of its intent to protest the proposed awards of funding contained on the RFA 2013-003 Review Committee Recommendations, copy attached as Exhibit A. Exhibit A was approved by the Florida Housing Finance Corporation Board of Directors on Friday, January 31, 2014, and was posted on the Corporation's website at 11:10 a.m. on that date.

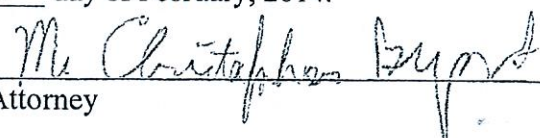
FILED this 5th day of February, 2014.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy has been filed via Hand Delivery with the Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, this 5th day of February, 2014.



Attorney

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RFA 2013-003 – Review Committee Recommendations

Total HC Available for RFA	10,052,825
Total HC Allocated	9,694,881
Total HC Remaining	357,944

Application Number	Name of Development	County	Name of Contact Person	Name of Developers	HC Request Amount	Eligible For Funding?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
First Miami-Dade Application Recommended												
2014-239C	Wagner Creek	Miami-Dade	Matthew Rieger	HTG Miami-Dade 5 Developer, LLC	\$1,601,881.00	Y	27	Y	Y	A	Y	3
First Broward Application Recommended												
2014-241C	Oakland Preserve	Broward	David O. Deutch	Pinnacle Housing Group, LLC; Building	\$1,435,000.00	Y	27	Y	Y	A	Y	12
Palm Beach Application Recommended												
2014-201C	Silver Palm Place	Palm Beach	Francisco A. Rojo	Landmark Development Corp.;	\$2,110,000.00	Y	27	Y	Y	A	Y	78
Second Miami-Dade Application Recommended												
2014-184C	Allapattah Trace	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	\$1,987,000.00	Y	27	Y	Y	A	Y	6
Second Broward Application Recommended												
2014-242C	Wisdom Village Crossing	Broward	Bill Schneider	Jurnstone Development	\$2,561,000.00	Y	27	Y	Y	A	Y	20

On January 31, 2014, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to select the above Applications for funding and invite the Applicants to enter credit underwriting. Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2013-003 – Sorting Order

Application Number	Name of Development (in sorted order)	County	Name of Contact Person	Name of Developers	Dev Category	HC Request Amount	Eligible For Funding?	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2014-239C	Wagner Creek	Miami-Dade	Matthew Rieger	HTG Miami-Dade 5 Developer, LLC	NC	\$1,601,881.00	Y	27	Y	Y	A	Y	3
2014-184C	Allapattah Trace	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	NC	\$1,987,000.00	Y	27	Y	Y	A	Y	6
2014-267C	TOWN Center Phase Two	Miami-Dade	Alberto Millo, Jr.	Town Center Phase Two Developer, LLC	NC	\$1,458,603.00	Y	27	Y	Y	A	Y	7
2014-213C	Pinnacle Rio	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	9
2014-241C	Oakland Preserve	Broward	David O., Deutch	Pinnacle Housing Group, LLC; Building Better	NC	\$1,435,000.00	Y	27	Y	Y	A	Y	12
2014-214C	Claude Pepper Preservation Phase	Miami-Dade	Alberto Millo, Jr.	Claude Pepper Phase Two Developer, LLC	NC	\$2,461,122.00	Y	27	Y	Y	A	Y	14
2014-186C	Northside Senior Residences	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,514,000.00	Y	27	Y	Y	A	Y	15
2014-269C	Canal Pointe	Miami-Dade	Matthew Rieger	HTG Miami-Dade 6 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	17
2014-215C	Northside Urban View	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,540,000.00	Y	27	Y	Y	A	Y	18
2014-242C	Wisdom Village Crossing	Broward	Bill Schneider	Turnstone Development Corporation	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	20
2014-270C	Mer Soleil	Miami-Dade	Matthew Rieger	HTG Miami-Dade 7 Developer, LLC	NC	\$1,922,737.00	Y	27	Y	Y	A	Y	21
2014-216C	Pinnacle Heights	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,520,000.00	Y	27	Y	Y	A	Y	22
2014-173C	Culmer Place Phase 2	Miami-Dade	Joseph J. Chambers	The Michaels Development Company I, Inc.	NC	\$2,430,000.00	Y	27	Y	Y	A	Y	25
2014-217C	Heritage at Pompiano Station	Broward	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	26
2014-189C	Highland Creek	Miami-Dade	Matthew Rieger	HTG Miami-Dade 9 Developer, LLC	NC	\$1,878,928.00	Y	27	Y	Y	A	Y	27
2014-244C	Olivier Place	Miami-Dade	Matthew Rieger	HTG Miami-Dade 4 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	29
2014-218C	Heritage at Edison Heights	Miami-Dade	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	30
2014-245C	Fulford Tower City River	Miami-Dade	Matthew Rieger	HTG Miami-Dade 3 Developer, LLC	NC	\$1,921,000.00	Y	27	Y	Y	A	Y	31
2014-190C	Apartment	Miami-Dade	Francisco A. Rojo	Landmark Development Corp.	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	32
2014-246C	Harmony Tower Jack Orr Plaza	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	35
2014-247C	Phase Two	Miami-Dade	Alberto Millo, Jr.	Jack Orr Plaza Phase Two Developer, LLC	NC	\$2,557,201.00	Y	27	Y	Y	A	Y	37
2014-192C	Sejous Apartments	Miami-Dade	David Schultz	Community Housing Partners Corporation	NC	\$2,167,141.00	Y	27	Y	Y	A	Y	40

RFA 2013-003 – Sorting Order

Application Number	Name of Development	County	Name of Contact Person	Name of Developers	Dev Category	HC Request Amount	Eligible For Funding?	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2014-249C	Club Mariner	Miami-Dade	Alberto Millo, Jr.	Club Mariner Related Developer, LLC	NC	\$1,598,496.00	Y	27	Y	Y	A	Y	41
2014-250C	Pinnacle Station	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	43
2014-251C	Pinnacle at Urban Pointe	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,450,000.00	Y	27	Y	Y	A	Y	45
2014-194C	SOLO Villages	Broward	Matthew Rieger	HTG Broward 3 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	48
2014-176C	Gary Manor	Miami-Dade	David Schultz	Community Housing Partners Corporation; Pinnacle Housing Group, LLC	NC	\$1,522,526.00	Y	27	Y	Y	A	Y	50
2014-252C	Serenity Tower	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,215,000.00	Y	27	Y	Y	A	Y	52
2014-253C	Erlington Square Apartments	Miami-Dade	Alberto Millo, Jr.	Erlington Square Apartments Developer, HTG Miami-Dade 8	NC	\$2,557,594.00	Y	27	Y	Y	A	Y	54
2014-196C	Palmera Pointe	Miami-Dade	Matthew Rieger	Developer, LLC	NC	\$1,757,375.00	Y	27	Y	Y	A	Y	57
2014-255C	Silverton Smathers Phase Two	Miami-Dade	Alberto Millo, Jr.	Silverton Developer, LLC Smathers Phase Two Developer, LLC	NC	\$2,558,830.00	Y	27	Y	Y	A	Y	60
2014-256C	Hickory Place	Broward	Matthew Rieger	HTG Broward 2 Developer, LLC	Redev	\$2,559,821.00	Y	27	Y	Y	A	Y	62
2014-178C	Suncrest Court	Broward	David O. Deutch	Pinnacle Housing Group, LLC; HF-Dixie Court	NC	\$835,382.00	Y	27	Y	Y	A	Y	64
2014-223C**	Caribbean Sunset	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,136,000.00	Y	27	Y	Y	A	Y	67
2014-199C	Jasper	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	NC	\$2,550,000.00	Y	27	Y	Y	A	Y	68
2014-224C	Caribbean Village	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$1,885,200.00	Y	27	Y	Y	A	Y	69
2014-258C	Stirrup Plaza Phase Two	Miami-Dade	Alberto Millo, Jr.	Stirrup Plaza Phase Two Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	70
2014-259C	Robert King High Preservation Phase	Miami-Dade	Alberto Millo, Jr.	Robert King High Phase One Developer, LLC	NC	\$2,435,306.00	Y	27	Y	Y	A	Y	71
2014-201C	Silver Palm Place	Palm Beach	Francisco A. Rojo	Landmark Development Corp.; Baobab	Redev	\$2,110,000.00	Y	27	Y	Y	A	Y	78
2014-261C	Market Square Apartments	Miami-Dade	Alberto Millo, Jr.	Market Square Apartments Developer, Norstar Development USA	NC	\$1,460,391.00	Y	27	Y	Y	A	Y	79
2014-262C	Heron Estates Senior	Palm Beach	Paula M. Rhodes	LP; Heron Estates	Redev	\$1,606,000.00	Y	27	Y	Y	A	Y	81
2014-202C	Madison Square	Miami-Dade	Oscar Sol	SGM/Madison Square Dev, LLC	NC	\$700,000.00	Y	27	Y	Y	A	Y	82
2014-263C	Villa Almedaras	Miami-Dade	Matthew Rieger	HTG Miami-Dade 1 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	83
2014-228C	Little River Apartments	Miami-Dade	Alberto Millo, Jr.	Little River Apartments Developer, LLC	NC	\$2,560,949.00	Y	27	Y	Y	A	Y	85

RFA 2013-003 – Sorting Order

Application Number	Name of Development	County	Name of Contact Person	Name of Developers	Dev Category	HC Request Amount	Eligible For Funding?	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2014-203C	Coral Bay Cove	Miami-Dade	Francisco A. Rojo	Landmark Development Corp.	NC	\$1,715,000.00	Y	27	Y	Y	A	Y	86
2014-229C	Urban Pointe Senior Residences Courtside	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,450,000.00	Y	27	Y	Y	A	Y	87
2014-204C	Apartments, Phase	Miami-Dade	Matthew Rieger	AMC-HTG 2 Developer, LLC	NC	\$2,331,467.00	Y	27	Y	Y	A	Y	90
2014-231C	Village of the Arts Northwest Gardens	Broward	Milton Jones	Marvalette Hunter; Milton Jones Development	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	91
2014-279C	V	Broward	Liz Wong	APC Northwest Properties V Development, LLC; HEF-HTG Broward 4 Developer, LLC	NC	\$1,850,000.00	Y	27	Y	Y	A	Y	92
2014-232C	Lauderdale Place	Broward	Matthew Rieger	HTG Broward 4 Developer, LLC	NC	\$1,262,596.00	Y	27	Y	Y	A	Y	93
2014-205C	Heron Estates	Palm Beach	Alberto Milo, Jr.	Ivy Green Veterans Housing Developer, LLC	Redev	\$1,422,916.00	Y	27	Y	Y	A	Y	95
2014-233C	The Madison	Broward	Matthew Rieger	HTG Broward 1 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	97
2014-206C	Pinnacle Paradise Culmer Gardens	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,549,000.00	Y	27	Y	Y	A	Y	99
2014-168C	Phase 4	Miami-Dade	Joseph J. Chambers	The Michaels Development Company I, LLC	NC	\$2,430,000.00	Y	27	Y	Y	A	Y	102
2014-235C	Puerta del Rio	Miami-Dade	Matthew Rieger	HTG Miami-Dade 2 Developer, LLC	NC	\$1,181,134.00	Y	27	Y	Y	A	Y	106
2014-209C	Pinnacle Oasis	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	111
2014-181C	Uptown Village	Broward	Matthew Rieger	HTG Broward 5 Developer, LLC	NC	\$1,810,508.00	Y	27	Y	Y	A	Y	113
2014-238C	Vista	Miami-Dade	Matthew Rieger	HTG Miami-Dade 10 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	114
2014-182C	Eureka Commons	Miami-Dade	Francisco A. Rojo	Landmark Development Corp.	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	117
2014-170C	Willow Lake	Miami-Dade	Francisco A. Rojo	Landmark Development Corp.	NC	\$2,250,000.00	Y	27	Y	Y	A	Y	118
2014-265C	Modello Homes Residences at	Miami-Dade	Hana K. Eskra	Gorman & Company, Inc. NuRock Development	Redev	\$1,775,000.00	Y	27	Y	Y	A	Y	119
2014-211C	Spring Garden	Miami-Dade	Robert G. Hoskins	Partners, Inc.	NC	\$2,314,181.00	Y	27	Y	Y	B	Y	1
2014-191C	Andalucia Residences at	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	NC	\$2,150,000.00	Y	27	Y	Y	B	Y	96
2014-220C	Crystal Lake	Broward	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$1,811,753.00	Y	27	Y	Y	B	Y	59

RFA 2013-003 – Sorting Order

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2014-200C	Residences at Cutler Ridge	Miami-Dade	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$2,353,889.00	Y	27	Y	Y	B	Y	74
2014-226C	Residences at Allapattah Landing	Miami-Dade	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$2,501,283.00	Y	27	Y	Y	B	Y	76
2014-207C	El Galeon	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	NC	\$1,153,000.00	Y	27	Y	Y	B	Y	103
2014-285C	Sunnyreach Acres Palms at Belle	Broward	Liz Wong	APC Sunnyreach Development, LLC; HEF- Southport Development, Inc., a Washington	R	\$825,000.00	Y	27	N	Y	A	Y	104
2014-180C	Glade	Palm Beach	Brianne E. Heffner	Inc., a Washington	NC	\$1,625,000.00	Y	18.5	Y	Y	A	Y	84

RFA 2013-003 – Sorting Order

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Ineligible Applications (did not meet submission requirements)													
2014-230C	Regatta Place	Miami-Dade		Brookstone Partners, LLC			N	0					89
2014-266C	Coquina Place	Miami-Dade		Brookstone Partners, LLC			N	0					4
Ineligible Applications (in Application Number Order)													
2014-169C	The Vineyard	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$1,429,892.00	N	27	Y	Y		Y	110
2014-171C	Village at Spring Garden	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$2,187,198.00	N	27	Y	Y		Y	8
2014-172C	Golden Oaks	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$2,187,198.00	N	27	Y	Y		Y	16
2014-174C	Windmill Farms	Miami-Dade	Francisco A. Rojo	Landmark Development Corp.	NC	\$2,075,000.00	N	19.5	Y	Y		Y	93
2014-175C	Camino del Sol	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$1,727,886.00	N	27	Y	Y		Y	42
2014-177C	Bella Vida	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$2,187,198.00	N	27	Y	Y		Y	58
2014-179C	Silver Oaks	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$2,187,201.00	N	27	Y	Y		Y	75
2014-183C*	2401 Plaza	Miami-Dade	Eugenia Anderson	Gibraltar 2401 Developers, LLC	NC	\$2,246,979.18	N	27	Y	Y		Y	2
2014-185C	City Vista	Broward	Francisco A. Rojo	Landmark Development Corp.	NC	\$2,561,000.00	N	27	Y	Y		Y	11
2014-187C	Flatts Village Apartments	Miami-Dade	Donald W. Paxton	Beneficial Development 13 LLC	NC	\$2,045,665.00	N	27	Y	Y		Y	19
2014-188C	The Jasmine	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$2,187,201.00	N	27	Y	Y		Y	23
2014-193C	La Zafiro	Miami-Dade	Nick A. Inamdar	The Gatehouse Group LLC; Marc S. Plonskier, Principal	NC	\$1,596,656.00	N	27	Y	Y		Y	44
2014-195C*	South Gardens	Miami-Dade	Eugenia Anderson	Gibraltar South Gardens Developers, LLC;	NC	\$1,347,282.42	N	27	Y	Y		Y	53

RFA 2013-003 – Sorting Order

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2014-197C	Superior Manor Apartments Phase I	Miami-Dade	Elon J. Metoyer	New Urban Development, LLC; Brookstone Partners, LLC	NC	\$1,161,097.00	N	27	Y	Y		Y	61
2014-198C*	Brightside Village Apartments	Miami-Dade	Donald W. Paxton	Beneficial Development 13	NC	\$2,203,913.82	N	27	Y	Y		Y	65
2014-208C	Heritage at Jackson Heights	Miami-Dade	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$2,494,415.00	N	27	Y	Y		Y	107
2014-210C	Flagler Street Village	Miami-Dade	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$1,648,282.00	N	27	Y	Y		Y	116
2014-212C	Villages Apartments Phase I	Miami-Dade	Elon J. Metoyer	New Urban Development, LLC; CSG Development Services II, LLC	NC	\$2,561,000.00	N	27	Y	Y		Y	5
2014-219C	Superior Manor Apartments Phase I	Miami-Dade	Elon J. Metoyer	New Urban Development, LLC; Brookstone Partners, LLC	NC	\$2,073,295.00	N	27	Y	Y		Y	55
2014-221C	Vista Rialto	Miami-Dade	Robert G. Hoskins	NuRock Development Partners, Inc.	NC	\$2,125,610.00	N	27	Y	Y		Y	63
2014-222C	Bay Breeze Village	Palm Beach	Donald W. Paxton	Beneficial Development 13 LLC	NC	\$2,110,000.00	N	27	Y	Y		Y	66
2014-225C	Tuscany Cove I	Miami-Dade	Carol Gardner	Tacoloy Economic Development Corporation, Inc.; Stone Soup Development, Inc.; Toledo Development Group, LLC	NC	\$2,354,702.00	N	27	Y	Y		Y	72
2014-227C	Joe Moretti Phase Two	Miami-Dade	Alberto Millo, Jr.	Joe Moretti Phase Two Developer, LLC	Redev	\$975,855.00	N	27	Y	Y		Y	80
2014-234C	Riolo Apartments	Miami-Dade	Liz Wong	APC Riolo Development, LLC	NC	\$2,072,900.00	N	27	Y	Y		Y	101
2014-236C	Rainbow Village I	Miami-Dade	James R. Watson	GDP - Rainbow Village I Developers, LLC	R	\$991,000.00	N	27	N	Y		Y	108
2014-237C	Tuscany Cove II	Miami-Dade	Carol Gardner	Tacoloy Economic Development Corporation, Inc.; Stone Soup Development, Inc.; Toledo Development Group, LLC	NC	\$2,064,345.00	N	5	Y	Y		Y	112

RFA 2013-003 – Sorting Order

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2014-240C*	Four Forty Four	Miami-Dade	Liz Wong	APC Four Forty Four Development, LLC	NC	\$2,483,727.52	N	27	Y	Y		Y	10
2014-243C	Brownsville Transit Village V	Miami-Dade	Liz Wong	APC Brownsville Village V Development, LLC	NC	\$1,381,000.00	N	27	Y	Y		Y	24
2014-248C	MCR II Apartments	Miami-Dade	James R. Watson	CDP - MCR II Developers, LLC	NC	\$1,373,000.00	N	27	Y	Y		Y	39
2014-254C	Three Round Tower Phase One	Miami-Dade	Alberto Millo, Jr.	Three Round Tower Phase One Developer, LLC	Redev	\$2,561,000.00	N	27	Y	Y		Y	56
2014-260C	5th Avenue Apartments	Broward	Alberto Millo, Jr.	5th Avenue Apartments Developer, LLC	NC	\$1,702,468.00	N	18.5	Y	Y		Y	77
2014-264C	Biscayne River Village II	Miami-Dade	James R. Watson	CDP - Biscayne River Village II Developers, LLC	NC	\$1,095,000.00	N	27	Y	Y		Y	115
2014-268C	New Haven River Terrace	Miami-Dade	James R. Watson	CDP - New Haven Developers, LLC	R	\$875,000.00	N	27	N	Y		Y	13
2014-271C	Apartments	Miami-Dade	Liz Wong	APC River Terrace Development, LLC	NC	\$2,300,000.00	N	27	Y	Y		Y	28
2014-272C*	640 Andrews	Broward	Liz Wong	APC 640 Andrews Development, LLC	NC	\$1,908,970.58	N	27	Y	Y		Y	88
2014-274C	Avenue One	Miami-Dade	Liz Wong	APC Avenue One Development, LLC	NC	\$2,561,000.00	N	27	Y	Y		Y	34
2014-275C	Magic City Heights II	Miami-Dade	Liz Wong	APC Development II, LLC	NC	\$2,046,233.00	N	27	Y	Y		Y	94
2014-276C	Silver Palm Apartments	Miami-Dade	Liz Wong	APC Silver Palm Development, LLC	NC	\$2,215,000.00	N	27	Y	Y		Y	38
2014-277C	Northside Transit Village III	Miami-Dade	Liz Wong	APC Northside Property III Development, LLC	NC	\$2,462,000.00	N	27	Y	Y		Y	105
2014-278C	The Nexus	Miami-Dade	Liz Wong	APC The Nexus Development, LLC	NC	\$2,468,034.00	N	27	Y	Y		Y	47

RFA 2013-003 – Sorting Order

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2014-279C	Seventh Avenue Transit Village II	Miami-Dade	Liz Wong	APC Seventh Avenue II Development, LLC	NC	\$2,100,000.00	N	27	Y	Y		Y	49
2014-280C	Seventh Avenue Transit Village I	Miami-Dade	Liz Wong	APC Seventh Avenue I Development, LLC	NC	\$2,110,000.00	N	27	Y	Y		Y	109
2014-281C	Magic City Heights I	Miami-Dade	Liz Wong	APC Development I, LLC	NC	\$2,561,000.00	N	27	Y	Y		Y	51
2014-282C	Cielo II	Miami-Dade	Liz Wong	APC Development V, LLC	NC	\$1,123,000.00	N	27	Y	Y		Y	96
2014-283C	Cielo	Miami-Dade	Liz Wong	APC Development IV, LLC	NC	\$1,681,000.00	N	27	Y	Y		Y	98
2014-284C	Gardenia Grove	Miami-Dade	Liz Wong	APC Development III, LLC	NC	\$2,561,000.00	N	27	Y	Y		Y	46
2014-286C	Northside Transit Village II	Miami-Dade	Liz Wong	APC Northside Property II Development, LLC	NC	\$2,460,000.00	N	27	Y	Y		Y	100

* HC Request Amount and Corporation Funding Per Set Aside adjusted during scoring

** Corp Funding Per Set Aside adjusted during scoring

On January 31, 2014, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

AFFIDAVIT OF JOSE L. MARTINEZ

BEFORE ME, the undersigned authority, personally appeared JOSE L. MARTINEZ, who being first duly sworn, deposes and says:

1. My name is Jose L. Martinez, and I am over the age of 18. I am a licensed private investigator in the state of Florida, license number C1000010. I am a principal of Relentless, LLC, a Florida licensed private investigation agency, license number A1000159.

2. Relentless, LLC was retained by Heritage at Pompano Housing Partners, LP, to conduct an independent investigation to determine whether the medical practice operated by Dr. Edie Durand, D.O., located at 3511 North Andrews Avenue, Fort Lauderdale, provides general medical treatment to any physically sick or injured persons.

3. Based on my investigation, Dr. Durand's practice does not provide general medical treatment to any physically sick or injured person. Dr. Durand limits her practice to adult and geriatric medicine, and does not treat any patients under the age of 18. The details of my investigation are as follows:

On February 6, 2014 at approximately 10:50 a.m., I arrived at 3511 North Andrews Avenue Fort Lauderdale, FL. On the exterior of the building was a sign indicating this was the medical practice office for Dr. Edie Durand. I took a photograph of the sign.

I entered the office and observed two females sitting in the waiting room. One was a middle aged African American female and one a middle aged White female. I took two photographs inside the waiting room.

I spoke with the receptionist, an African American female who identified herself as Cindy. I advised Cindy I was there to speak with Dr. Durand about the details surrounding her practice. Cindy asked if she could help answer any questions regarding the practice. I asked Cindy several questions regarding the practice and she stated the following.

- Cindy stated Dr. Durand practices “Adult & Geriatric Medicine”.
- Cindy stated that Dr. Durand does not treat patients under the age of 18.
- Cindy stated that Dr. Durand does carry or administer and pediatric vaccines.

After a few minutes of speaking with Cindy, Dr. Durand came to the receptionist area and identified herself. I advised her of the purpose of the questions. Dr. Durand took over and stated the following:

- She practices “Adult and Geriatric Medicine”.
- She does not treat any patients under the age of 18 years old.
- She does not treat injuries, such as broken bones, scrapes, and infections.
- She does not perform surgery.
- She provides what she calls “complementary care” as an alternative that “complements” already existing medical treatment.
- She provides alternative and Holistic treatments to her patients.
- She does Immigration Physicals for adults trying to meet US health standards.
- She performs Botox and anti aging alternative therapies, Chelation Therapy and Heavy Metal Detoxification for adults.

4. Attached to this affidavit as Exhibit 1 are copies of the three photographs I took at Dr. Durand’s office- one of the building exterior and two of the waiting room.

5. Attached as Exhibit 2 is a copy of a brochure for Dr. Durand’s practice that I obtained on the day of my visit.


6. Attached as Exhibit 3 is a sheet containing copies of two business cards I obtained for Dr. Durand's practice on the day of my visit.

FURTHER AFFIANT SAYETH NOT.


JOSE L. MARTINEZ

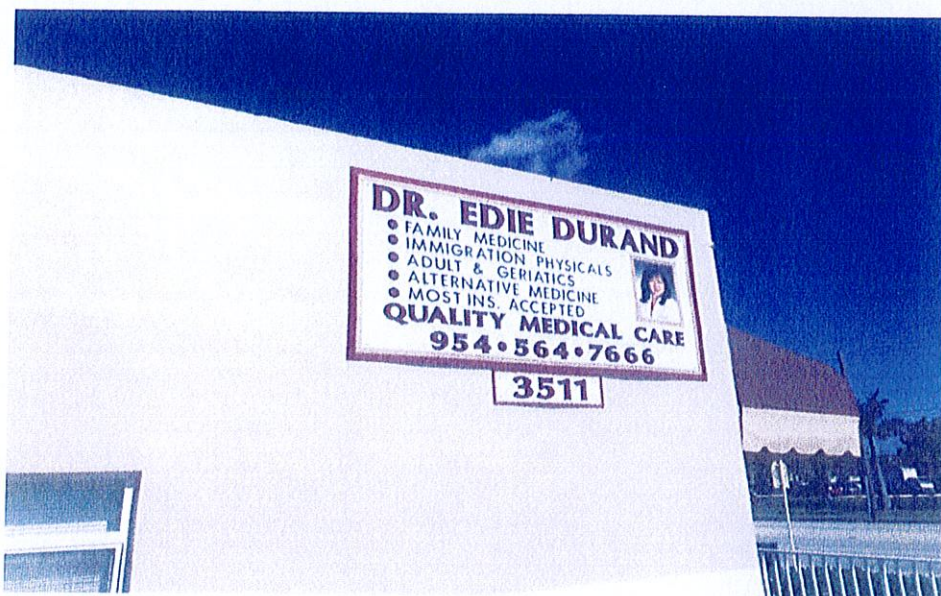
STATE OF FLORIDA
COUNTY OF Dade

SWORN TO, SUBSCRIBED, and ACKNOWLEDGED BEFORE ME by JOSE L. MARTINEZ, who is personally known to me or who produced PIL 21000010 as identification, on this 13 day of Feb, 2014.



Notary Public
My Commission Expires: 9/29/17

 NOTARY PUBLIC
STATE OF FLORIDA
CARL QUEENER
MY COMMISSION # FF 022371
EXPIRES: September 29, 2017
Bonded Thru Budget Notary Services





A Caring Physician



Dr. Durand offers her patients the following services:

- * Adult & Geriatric Medicine
- * Alternative Medicine
- * Immigration Physicals
- * Botox & Anti-aging Therapy
- * Chelation Therapy
- * Heavy Metal Detoxification



DR. EDIE DURAND

Dr. Edie Durand is one of South Florida's best kept secrets when it comes to Anti-Aging Therapy and Adult/Geriatric Medicine



Ask me about
Anti-aging Therapy

DR. EDIE DURAND
3511 North Andrews Avenue
Fort Lauderdale, Florida 33309
Office: (954) 564-7666
Fax: (954) 564-8963
Email: dr.ediedurand@yahoo.com
Office Hours:
Monday thru Thursday
10:00 A.M. to 5:00 P.M.

Dr. Durand treats patients
the way they should be

"I AM HONORED TO BE A PART OF YOUR
COMMUNITY. I INVITE YOU TO STOP IN AND TAKE
THE TIME TO GET ACQUAINTED WITH ME".
DR. DURAND

Dr. Durand has been in Fort
Lauderdale since March 2000.
She graduated from Nova South-
eastern University in 1995 as a
Doctor of Osteopathic Medicine.
Also, graduating from the Univer-
sity of Georgia with a Bachelor of
Pharmacy.



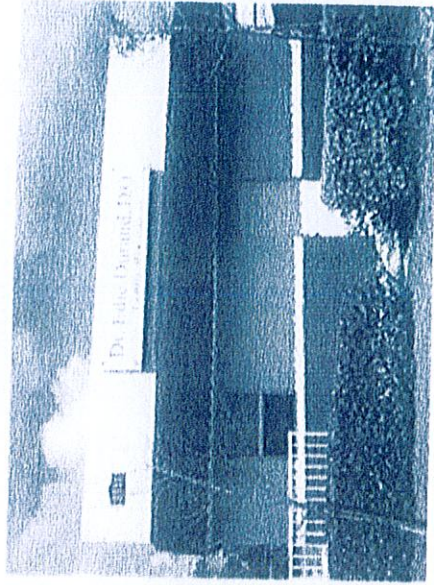
Dr. Durand supports her
patients before and
after care.



Osteopathic physicians have
extensive training with the
musculoskeletal system. Which
provides the physician with a
exclusive understanding of
how & why an injury affects one
part of the body with another.

This knowledge allows Dr. Durand
to treat the entire body not just the
specific illness or symptoms.

Dr. Durand is committed to her
patients health.



Dr. Durand's office
provides a warm, friendly
environment for her
patients. She works hard
to ensure exceptional
care for each and every
patient.

Ask about our Self Pay Membership
Access Card for 10% off office visit, labs,
& ultrasound

PPO and Medicare plans accepted. House
calls available for Medicare patients



Dr. EDIE DURAND D.O.

Adult and Geriatric Medicine

Alternative Medicine

Immigration Physicals

3511 N. Andrews Avenue

Ft. Lauderdale, FL 33309

phone (954) 564-7666 Fax (954) 564-8963

Website www.drediedurand.com

Email drediedurand@yahoo.com



Dr. Edie Durand, D.O.

Adult & Geriatric Medicine

Alternative Medicine

Immigration Physicals

พ.ญ. ปรีชาพร ใจงามอากาศิร-สุนทรนัฒ

Chelation Therapy

Anti-Aging Therapy

Heavy metal Detoxification

Botox

3511 N. Andrews Ave., Ft. Lauderdale, FL 33309
(954) 564-7666 Fax (954) 564-8963



Exhibit E