

BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION

ORANGE CITY VILLAS, L.P.

Petitioner,

vs.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

FHFC Case No. 2014-070BP
FHFC RFA No. 2014-104
Petitioner's Application No. 2014-356C

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FINANCE CORPORATION

ORANGE CITY VILLAS' RESPONSE TO VILLAGES AT TARPON'S
NOTICE OF APPEARANCE/MOTION TO INTERVENE

Petitioner, ORANGE CITY VILLAS, LP, hereby responds to the "Notice of Appearance/Motion to Intervene" filed May 30, 2014, by the Villages at Tarpon and Pinnacle Housing Group, LLC, and states as follows:

1. Petitioner acknowledges that, if the Villages at Tarpon is eligible to be considered for funding, then its substantial interests are potentially affected by this proceeding. Villages at Tarpon is the last of six Applicants currently proposed to be funded. Villages at Tarpon was preliminary selected for funding over certain "higher ranked" applicants because the amount of funding remaining after funding the first five selected applicants – \$1,207,203 – was enough to fund Village of Tarpon's \$1,186,000 funding request, but was not enough to fund the requests of certain "eligible" applicants ranked higher than Villages at Tarpon. After preliminary funding Villages at Tarpon, there was approximately \$21,000 left unawarded.

2. As explained in Orange City Villas' Formal Protest, if it is successful in its challenge, it would be selected for funding in a special category of applicants: Elderly RD developments. The Elderly RD development applicant preliminary selected for funding by

Florida Housing, Southern Villas, requested \$365,009 in funding; Orange City Villas seeks \$597,381, which is about \$232,000 more than Southern Villas request. (The amount of funding requested cannot be changed after Applications are submitted.) If Orange City Villas is selected as the Elderly RD applicant instead of Southern Villas, there would not be sufficient funding to fund Villages at Tarpon, if it is otherwise eligible for consideration.

3. Orange City Villas opposes intervention of Pinnacle Housing Group, LLC. Pinnacle Housing Group, LLC, is not an Applicant for funding before Florida Housing. Pinnacle Housing Group is a Developer which is involved in the Villages at Tarpon development, as well as in several other Applications submitted to Florida Housing in this Preservation Request for Application process. However, since Pinnacle Housing Group itself could not be a recipient of a funding award in this Request for Application process, it lacks standing to participate in this proceeding.

4. Orange City Villas reserves the right to seek dismissal of Villages at Tarpon if it is determined that Villages at Tarpon is not eligible to be considered for funding for any reason. Orange City Villas reserves the right to seek all remedies available, including full or partial dismissal, severance, relinquishment of jurisdiction, or preliminary evidentiary hearings on standing if it is discovered that Villages at Tarpon's application has a fatal flaw that would render it ineligible for consideration for funding, in which case Villages at Tarpon would lack standing to be heard regarding Orange City Villas' application.

FILED AND SERVED this 6th day of June, 2014.



M. CHRISTOPHER BRYANT
Florida Bar No. 434450
OERTEL, FERNANDEZ, BRYANT
& ATKINSON, P.A.
P.O. Box 1110
Tallahassee, Florida 32302-1110
cbryant@ohfc.com
Telephone: 850-521-0700
Telecopier: 850-521-0720
ATTORNEYS FOR ORANGE CITY VILLAS, L.P.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing 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 Email to the following this 6th day of June, 2014:

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

J. Stephen Menton, Esquire
Rutledge Ecenia, P.A.
Post Office Box 551
Tallahassee, Florida 32302
smenton@rutledge-ecenia.com
Counsel for Villages at Tarpon and Pinnacle
Housing Group, LLC

Michael P. Donaldson, Esquire
Carlton Fields Jordan Burt
215 South Monroe Street, Suite 500
Tallahassee, Florida 32301-1866
mdonaldson@carltonfields.com
Counsel for Intervenor, Southern Villas, LLC

With Courtesy Copies to:

Lawrence E. Sellers, Esquire
Holland & Knights, LLP
315 South Calhoun Street, Suite 600
Tallahassee, Florida 32301
larry.sellers@hkllaw.com
Counsel for SD SP Apartments LLC in FHFC
Case No. 2014-069BP

Donna E. Blanton, Esquire
Radey Law Firm
301 South Bronough Street, Suite 200
Tallahassee, Florida 32301
dblanton@radeylaw.com
Counsel for Northwest Properties V in FHFC
Case No. 2014-068BP


ATTORNEY