

BEFORE THE STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

PINNACLE RIO, LLC, as Applicant for
Pinnacle Rio-Application No. 2014-213C

Petitioner,

FHFC Case No. 2014-051BP

vs.

Application No. 2014-184C

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

_____ /

**PETITION REQUESTING INFORMAL HEARING
AND GRANT OF THE RELIEF REQUESTED**

Pursuant to Section 120.57(3), Florida Statutes (“Florida Statutes”), Rule Chapter 28-110, Florida Administrative Code (“FAC”) and Rule 67-60.009, FAC, Petitioner, PINNACLE RIO, LLC (“Petitioner”) requests an informal administrative proceeding to challenge the scoring by Respondent, FLORIDA HOUSING FINANCE CORPORATION (“FHFC”) of the following competing application for funding in RFA for Applications 2013-003 For Affordable Housing Developments Located in Broward, Miami-Dade and Palm Beach Counties (the “RFA”): Allapattah Trace, Application No. 2014-184C (“Applicant”). The scoring issue being challenged is whether Applicant’s application should have been rejected because the Applicant’s Certification and Acknowledgment (listed as one of the “mandatory” items on page 37 of the RFA) was deficient for the reasons set forth herein. Petitioner requests that Applicant’s application should be rejected, and to then grant the relief requested herein. In support of this Petition, Petitioner states as follows:

AGENCY AFFECTED

1. The name and address of the agency affected is Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The agency's file or identification number with respect to Petitioner is 2014-213C; the identification number with respect to the application being challenged is 2014-184C.

PETITIONER

2. The Petitioner is Pinnacle Rio, LLC, a Florida limited liability limited company. The address of the Petitioner is c/o Pinnacle Housing Group, LLC, 9400 South Dadeland Boulevard, Suite 100, Miami, Florida 33156, telephone number (305) 854-7100. Petitioner's representative is Gary J. Cohen, Esq., whose address is c/o Shutts & Bowen LLP, 201 S. Biscayne Boulevard, Suite 1500, Miami, Florida 33131, telephone number (305) 347-7308.

3. Petitioner is engaged in the development of affordable housing in this state. Petitioner possesses the requisite skill, experience and credit-worthiness to successfully produce affordable housing. Through the principals of its managing member and affiliate entities, Petitioner regularly submits applications for public financing of affordable housing developments. The principals of the Petitioner's managing member and their affiliated entities have successfully completed the construction and rehabilitation of numerous affordable housing developments in Florida using funding from programs administered by Respondent FHFC.

4. The affected agency in this proceeding is the Florida Housing Finance Corporation ("FHFC" or "Respondent"). FHFC's address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

5. FHFC is a public corporation created by Section 420.504, Florida Statutes, to administer the governmental function of financing or refinancing affordable housing and related

facilities in Florida. FHFC's statutory authority and mandates appear in Part V of Chapter 420, Florida Statutes. See, Sections 420.501-420.55, Florida Statutes.

6. As discussed in more detail below, on or about November 12, 2013, Petitioner timely submitted Application No. 2014-213C pursuant to Florida Housing's Request for Application 2013-003 ("RFA"). The Application sought an allocation of low income housing tax credits ("Tax Credits" or "LIHTC") to provide equity capital for a 106 unit apartment complex (Pinnacle Rio, referred to as the "Complex") in Miami, Florida. This Petition challenges the final scoring and ranking given to the Applicant Allapattah Trace (Application No. 2014-184C; "Applicant") by FHFC. Unless the final scoring and ranking of the application ("Application") submitted by Applicant is modified, Petitioner will not obtain an allocation of Tax Credits necessary to develop the Complex. Thus, Petitioner's substantial interests are subject to determination in this proceeding.

7. Petitioner is unaware of any other individuals and/or entities having an interest in the outcome of these proceedings.

Background

FHFC's Programs

8. FHFC administers several programs aimed at assisting developers to build or rehabilitate affordable housing in an attempt to protect financially marginalized citizens in the state from excessive housing costs. The programs through which FHFC allocates resources to fund affordable housing in this state include the federal low income housing tax credit program (the "Tax Credit Program") established in Florida under the authority of Section 420.5099, Florida Statutes. These low income housing tax credits ("Tax Credits") are allocated by FHFC to finance the construction or substantial rehabilitation of affordable housing.

Tax Credits

9. The Tax Credit Program was created in 1986 by the federal government. Every year since 1986, Florida has received an allocation of federal Tax Credits to be used to fund the construction or rehabilitation of affordable housing. Tax Credits are a dollar for dollar offset to federal income tax liability.

10. Developers who receive an allocation of Tax Credits get the awarded amount every year for ten years. The developer will often sell the future stream of tax credits to a syndicator, who, in turn, sells them to investors seeking to shelter income from federal income taxes.

11. FHFC is the designated agency in Florida to allocate Tax Credits to developers of affordable housing in the state.

The RFA Process

12. FHFC has historically allocated funding for the Tax Credit Program through a single annual application process. Since 2002, FHFC has administered these programs through a combined competitive process known as the "Universal Cycle." The Universal Cycle operates like an annual competitive bidding process in which applicants compete against other applicants to be selected for funding. However, in 2013, FHFC determined to conduct a series of competitions (requests for applications) allocating the Tax Credits through various geographic and demographic pools. The geographic pool in which Petitioner is contending is for applications for affordable housing developments located in Broward, Miami-Dade and Palm Beach Counties pursuant to the RFA.

13. FHFC has adopted rules which incorporate by reference the application forms and instructions for the RFA.

14. The RFA process is intended to equitably and reasonably distribute affordable housing throughout the four counties referenced above.

15. FAC Chapter 67-60 (Multi-Family Competitive Solicitation Funding Process) governs the RFA. The provisions of the RFA itself (issued September 19, 2013) set forth the process for submitting an application, and for awarding funding allocations thereunder. Rule 67-60.009(2) FAC (“Applicant Administrative Appeal Procedures”) provides that an applicant not selected for funding under the RFA may protest the results of the competitive solicitation process pursuant to the procedures set forth in Section 120.57(3), Florida Statutes and Chapter 28-110, FAC. Petitioner is protesting the results pursuant to Rule 67-60.009(2).

PETITIONER’S SUBSTANTIAL INTERESTS

16. Petitioner’s substantial interests will be affected by the determination of FHFC as follows:

(a) Petitioner has applied for an allocation of competitive 9% low-income housing Tax Credits under the RFA. The application was submitted in an attempt to assist in the financing of the Complex in Miami, Florida.

(b) The application was scored by FHFC in accordance with the provisions of Rule 67-60, FAC. By electronic posting on January 31, 2014, FHFC posted a Notice of Intended Decision with respect to the received applications, indicating which applications were eligible and which applications were ineligible. Petitioner’s application was listed as eligible, and received lottery number 9. Pursuant to the ranking procedure set forth on page 36 of the RFA, the selection of the two applications in Miami-Dade County to receive Tax Credits was determined by virtue of the lottery number assigned to eligible applicants, with the two Miami-Dade County applications receiving the lowest lottery numbers (as among competing Miami-Dade County Applicants) being funded. Among applications found to be eligible by FHFC,

Petitioner had the fourth best lottery number. Three other applications found to be eligible by FHFC (Wagner Creek, 2014-239C, lottery number 3; Applicant Allapattah Trace 2014-184C, lottery number 6; and Town Center Phase 2, 2014-267C lottery number 7) were ranked ahead of Petitioner. See RFA 2013-003-Sorting Order issued by FHFC attached as Exhibit "A". Simultaneously with the filing of this Petition, Petitioner has filed a petition against Town Center Phase Two (2014-267C).

(c) Petitioner would have received its requested funding if not for FHFC's erroneous scoring of the Applicant's Application (coupled with FHFC's erroneous scoring of the other two applications referenced in subsection (b) above, both of which are challenged pursuant to petitions filed simultaneously herewith).

NOTICE OF AGENCY DECISION

17. Petitioner received notice of FHFC's award of Tax Credits was ineligible on or about January 31, 2014 and filed its notice of protest on February 4, 2014. Attached as Exhibit "B" is a copy of the Notice of Intended Decision setting forth the awards, which gives rise to this Petition, and Petitioner's notice of protest.

ULTIMATE FACTS ALLEGED

18. As part of its application, Applicant (pursuant to Section 10 of its Application) signed and submitted a certification and acknowledgement ("Application Certification"). Subsection b.(2)(a) of the certification contained a representation by the Applicant as to the status of its site plan approval, as outlined in Item 13 of Exhibit C of the RFA. Attached as Exhibit "C" is the Applicant's Application Certification.

19. Item 13 of Exhibit C of the RFA requires an applicant, within 21 calendar days of the date of its invitation to credit underwriting, to provide to FHFC a completed and executed 2013 Florida Housing Finance Corporation Local Government Verification of Status of Site Plan

Approval for Multifamily Developments (“Site Plan Form”). The Site Plan Form is attached as Exhibit “D”. The form requires in part, that the local government confirm that either (i) final site plan approval was obtained on or before the application deadline, (ii) either (A) preliminary site plan approval or conceptual site plan approval was obtained by the application deadline, or (B) there is no preliminary or conceptual site plan approval process and final site plan approval has not yet been issued, but that the site plan has been reviewed as of the application deadline, or (iii) the development is rehabilitation and does not require additional site plan approval.

20. Attached as Exhibit “E” is the Site Plan Form obtained from the City of Miami for the subject development, together with a copy of the site plan submitted by the Applicant to the City of Miami, as obtained by public records request. As is explained below, the site plan submitted by the Applicant to the city (and reviewed by the city on or before the application deadline) does not accurately depict the proposed development site. As such, the necessary site plan review required by FHFC to be undertaken on or before the application deadline did not occur since the site plan did not accurately depict the proposed development. As such, FHFC must disqualify this Applicant.

**FACTS WHICH WARRANT REVERSAL
OF AGENCY'S PROPOSED ACTION**

The specific facts which warrant reversal of FHFC’s proposed action are as follows:

21. The legal description of Applicant’s development site is contained in Exhibit A to the Applicant’s Purchase and Sale Agreement provided in Attachment 7 to Applicant’s application, and is attached hereto as Exhibit “F”. Legal description is as follows:

“Lots 2, 3, 4, 5, 6, 7, 19 and 20, Block 2, BEVERLY HEIGHTS, according to the Plat thereof, as recorded in Plat Book 6, Page 164, of the Public Records of Miami-Dade County, Florida.

22. Attached as Exhibit "G" is a copy of the plat referenced in the above-described legal description. Lots 2 through 7, 19 and 20 of Block 2 are highlighted. Attached as Exhibit "H" are the information pages from the Miami-Dade County Property Appraiser's website containing detailed information and aerial photographs as to each of the above-referenced lots. As is clear from Exhibits "G", and "H", the strip of land is running north to south between Lots 2 - 7 and lots 19 - 20 is not legally owned by the current owner of the property, and will not be conveyed to Applicant under the aforementioned Purchase and Sale Agreement. See also a photograph of the aforementioned strip of land attached as Exhibit "I".

23. Notwithstanding that the strip of land running north to south between Lots 2-7 and 19-20 is not owned by the land seller and will not be conveyed to the Applicant, Applicant choose to include that strip of land in its site plan which was submitted to the City of Miami for review in order to obtain the Site Plan Form (see the attached site plan submitted by the Applicant to the City of Miami, attached as Exhibit "E"). The site plan clearly identifies the strip of land (with a width of 15 feet one inch, highlighted on Exhibit "E") as owned (or to be owned) by the Applicant.

24. It is clear from the foregoing that, as of the application deadline, the site plan submitted by Applicant for review by the City of Miami did not accurately reflect the development site submitted by Applicant for consideration in its tax credit application. As such, Applicant's Application Certification contained in Section 10.b(2)(a) of its Application was incorrect. It is clear, as of the application deadline, that Applicant's proposed development site did not and could not meet the requirements of the "Site Plan Form" because the correct development site was not (as of the application deadline) submitted to the City of Miami for review.

25. FHFC may not (absent independent investigation) be in a position to know whether, as of the application deadline, Applicant's proposed development site has been submitted for site plan review, as required in the Application Certification. The RFA instructions require evidence of this item to be provided in credit underwriting. However, if it is clear that it would be impossible to provide this item in credit underwriting (since it was not in place as of the application deadline), then an affected party (such as Petitioner) must be given an opportunity to prove that be the case and, in such instance, to be entitled to disqualification of such competing application if the site plan for the proposed development site was not submitted for review to the City of Miami as of the application deadline. Parties such as Petitioner must be given an opportunity to challenge such items, particularly in light of the affirmative statement by an applicant in its application (such as the Applicant) that the proposed development site (as of the application deadline) had been submitted for site plan review, when in fact it had not.

RELIEF SOUGHT

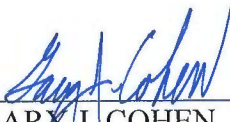
26. The action which Petitioner seeks is a determination that Applicant's application should have been rejected, because as of the application deadline the development site proposed by Applicant did not meet the site plan review requirement set forth in the RFA.

WHEREFORE, Petitioner respectfully requests the following:

1. Determine that Applicant's Certification and Acknowledgement was incorrect as it pertained to the site plan review of its proposed development site, and disqualify Applicant's Application.
2. FHFC conduct an informal hearing on the matters presented in this petition.
3. FHFC's designated hearing officer enter a recommend order directing FHFC to award Petitioner its requested tax credits.

4. Petitioner be granted such other and further relief as may be deemed just and proper.

Respectfully submitted,

By: 

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing have been filed with the Corporation Clerk of the Florida Housing Finance Corporation, and a copy to Wellington Meffert, General Counsel, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301, on this 4th day of February, 2014.



GARY J. COHEN, ESQ.

EXHIBIT "A"

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 Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
All Eligible Applications (in sorted order)													
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 Northside Urban	Miami-Dade	Matthew Rieger	HTG Miami-Dade 6 Developer, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	17
2014-215C	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
2014-179C	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 Pompano 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	Miami-Dade	Matthew Rieger	HTG Miami-Dade 3 Developer, LLC	NC	\$1,921,000.00	Y	27	Y	Y	A	Y	31
2014-190C	City River Apartments	Miami-Dade	Francisco A. Rojo	Landmark Development Corp.	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	32
2014-246C	Harmony Tower	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	35
2014-247C	Jack Orr Plaza 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	Sajous Apartments	Miami-Dade	David Schultz	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 Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2014-249C	Club Mariner	Miami-Dade	Alberto Milo, 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	LLC	NC	\$2,215,000.00	Y	27	Y	Y	A	Y	52
2014-253C	Earlington Square Apartments	Miami-Dade	Alberto Milo, Jr.	Earlington 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	Miami-Dade	Alberto Milo, Jr.	Silverton Developer, LLC	NC	\$2,558,830.00	Y	27	Y	Y	A	Y	60
2014-256C	Smathers Phase Two	Miami-Dade	Alberto Milo, Jr.	Smathers Phase Two Developer, LLC	Redev	\$2,559,821.00	Y	27	Y	Y	A	Y	62
2014-257C	Hickory Place	Broward	Matthew Rieger	HTG Broward 2 Developer, LLC	NC	\$835,382.00	Y	27	Y	Y	A	Y	64
2014-178C	Suncrest Court	Broward	David O., Deutch	Pinnacle Housing Group, LLC; HEF-Dixie Court	NC	\$2,136,000.00	Y	27	Y	Y	A	Y	67
2014-223C**	Caribbean Sunset	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,550,000.00	Y	27	Y	Y	A	Y	68
2014-199C	Jesper	Miami-Dade	William T. Fabbri	The Richman Group of Florida, Inc.	NC	\$1,885,200.00	Y	27	Y	Y	A	Y	69
2014-224C	Caribbean Village	Miami-Dade	David O., Deutch	Pinnacle Housing Group, LLC	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	70
2014-258C	Stirrup Plaza Phase Two	Miami-Dade	Alberto Milo, Jr.	Stirrup Plaza Phase Two Developer, LLC	NC	\$2,435,306.00	Y	27	Y	Y	A	Y	71
2014-259C	Robert King High Preservation Phase	Miami-Dade	Alberto Milo, Jr.	Robert King High Phase One Developer, LLC	NC	\$2,553,575.00	Y	27	Y	Y	A	Y	73
2014-201C	Silver Palm Place Apartments	Palm Beach	Francisco A. Rojo	Landmark Development Corp.; Baobab Market Square	Redev	\$2,110,000.00	Y	27	Y	Y	A	Y	78
2014-261C	Heron Estates Senior	Miami-Dade	Alberto Milo, Jr.	Market Square Apartments Developer, LLC	NC	\$1,460,391.00	Y	27	Y	Y	A	Y	79
2014-262C	Madison Square	Miami-Dade	Oscar Sol	Norstar Development USA, LP; Heron Estates	Redev	\$1,606,000.00	Y	27	Y	Y	A	Y	81
2014-263C	Villa Almendares	Miami-Dade	Matthew Rieger	SGM Madison Square Dev, LLC	NC	\$700,000.00	Y	27	Y	Y	A	Y	82
2014-228C	Apartment	Miami-Dade	Alberto Milo, Jr.	HTG Miami-Dade 1 Developer, LLC Little River Apartments	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	83
				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 Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2014-203C	Coral Bay Cove Residences	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	Miami-Dade	David O. Deutch	Pinnacle Housing Group, LLC	NC	\$2,450,000.00	Y	27	Y	Y	A	Y	87
2014-204C	Courtside Apartments, Phase	Miami-Dade	Matthew Rieger	AMC HTG 2 Developer, LLC	NC	\$2,931,467.00	Y	27	Y	Y	A	Y	90
2014-231C	Village of the Arts	Broward	Milton Jones	Marvalette Hunter; Milton Jones Development	NC	\$2,561,000.00	Y	27	Y	Y	A	Y	91
2014-273C	Northwest Gardens 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 Millo, 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, HTG Miami-Dade 2	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.	Redev	\$1,775,000.00	Y	27	Y	Y	A	Y	119
2014-211C	Spring Garden	Miami-Dade	Robert G. Hoskins	NUROCK Development 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	\$2,160,000.00	Y	27	Y	Y	B	Y	36
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

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
2014-200C	Residences at Curlier 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. APC Sunnyreach	NC	\$1,153,000.00	Y	27	Y	Y	B	Y	103
2014-285C	Sunnyreach Acres Palms at Belle Glade	Broward	Liz Wong	Development, LLC; HEF- Southport Development, Inc., a Washington	R	\$825,000.00	Y	27	N	Y	A	Y	104
2014-180C		Palm Beach	Brianne E. Heffner		NC	\$1,625,000.00	Y	18.5	Y	Y	A	Y	84

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
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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	33
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

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
2014-197C	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 LLC	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	Riadero Apartments	Miami-Dade	Liz Wong	APC Riadero Development, LLC	NC	\$2,072,900.00	N	27	Y	Y		Y	101
2014-236C	Rainbow Village I	Miami-Dade	James R., Watson	CDP - 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

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
2014-240C*	Four Forty Four	Miami-Dade	Liz Wong	APC Four Forty Four Development, LLC	NC	\$2,483,727.52	N	27	Y	Y		Y	10
2014-249C	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 - IMCR II Developers, LLC	NC	\$1,373,000.00	N	27	Y	Y		Y	39
2014-254C	Three Round Tower Phase One	Miami-Dade	Alberto Milo, 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 Milo, 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	Miami-Dade	James R. Watson	CDP - New Haven Developers, LLC	R	\$875,000.00	N	27	N	Y		Y	13
2014-271C	River Terrace 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

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
2014-279C	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	Magi 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., 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.

EXHIBIT "B"

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	Turnstone 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., 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.

EXHIBIT "C"

10. Applicant Certification and Acknowledgement:

- a. The Applicant certifies that the proposed Development can be completed and operating within the development schedule and budget submitted to the Corporation.
- b. The Applicant acknowledges and certifies that the following information will be provided by the due date outlined below, or as otherwise outlined in the invitation to enter credit underwriting. Failure to provide the required information by the stated deadline shall result in the withdrawal of the invitation to enter credit underwriting.
 - (1) Within 7 Calendar Days of the date of the invitation to enter credit underwriting:
 - (a) Identity of the remaining members of the Development Team (i.e., inexperienced co-Developer(s), Management Company, General Contractor, Architect, Attorney, Accountant and, if applicable, Service Provider), as outlined in Item 12 of Exhibit C of the RFA. The team members so identified, and any future replacement thereof, must be acceptable to the Corporation and the Credit Underwriter;
 - (b) Name and address of the chief elected official of the local jurisdiction where the proposed Development is located;
 - (c) The unit mix for the proposed Development (number of bedrooms per unit, number of baths per unit, and number of units per bedroom type);
 - (d) The number of buildings with dwelling units; and
 - (e) Notification of the Applicant's eligibility for acquisition credits per Section 42 of the IRC, if applicable.
 - (2) Within 21 Calendar Days of the date of the invitation to enter credit underwriting:
 - (a) Certification of the status of site plan approval as of Application Deadline and certification that as of Application Deadline the site is appropriately zoned for the proposed Development, as outlined in Item 13 of Exhibit C of the RFA;
 - (b) Certification confirming the availability of the following for the entire Development site, including confirmation that these items were in place as of the Application Deadline: electricity, water, sewer service, and roads for the proposed Development, as outlined in Item 13 of Exhibit C of the RFA;
 - (c) Certification from a licensed environmental provider confirming that a Phase I environmental site assessment has been performed for the entire Development site, and, if applicable, a Phase II environmental site assessment has been performed, as outlined in Item 13 of Exhibit C of the RFA;
 - (d) Selection of any construction features and amenities, as required in Item 4 of Exhibit C of the RFA;
 - (e) Selection of resident programs, as required in Item 5 of Exhibit C of the RFA;
 - (f) Confirmation that the proposed equity amount to be paid prior to or simultaneous with the closing of construction financing is at least 15 percent of the total proposed equity to be provided (the 15 percent criteria), subject to the following:
 - (i) If syndicating/selling the Housing Credits, there are two exceptions to the preceding sentence. First, if there is a bridge loan proposal within the equity proposal that provides for bridge loan proceeds that equal at least 15 percent of the amount of total proposed equity to be provided to be made available prior to or simultaneous with closing of construction financing, the 15 percent criteria will be met. Second, if there is a separate bridge loan proposal from either the equity provider, any entity that is controlled directly or indirectly by the equity provider, or a subsidiary of the equity provider's parent holding company, and the proposal explicitly proposes an amount to be made available prior to or simultaneous with the closing of construction financing that equals at least 15 percent of the total proposed equity to be paid stated in the equity proposal, the 15 percent criteria is met. Bridge loan proposals that are not within the equity proposal, though, must meet the criteria previously stated for debt financing with the exception that evidence of ability to fund does not have to be provided. The Applicant may include the proposed amount of the bridge loan as equity proceeds on the Construction or Rehabilitation Analysis and on the Permanent Analysis (Note: this 15 percent criteria must be reflected in the limited partnership agreement or limited liability company operating agreement); or
 - (ii) If not syndicating/selling the Housing Credits, proceeds from a bridge loan will not count toward meeting the 15 percent criteria;
 - (g) For any Applicant that applied as a Non-Profit but was not considered to be a Non-Profit for purposes of the Non-Profit funding goal, the Applicant may submit any required materials to document its Non-Profit status in order to be eligible to qualify for the Non-Profit Administrative fee outlined in Item 11 of Exhibit C of the RFA;
 - (h)

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Confirmation that all features and amenities committed to and proposed by the Applicant shall be located on the Development site;

- (i) Confirmation that, if the proposed Development meets the definition of Scattered Sites, all Scattered Sites requirements that were not required to be met in the Application will be met, including that all features and amenities committed to and proposed by the Applicant that are not unit-specific shall be located on each of the Scattered Sites, or no more than 1/16 mile from the Scattered Site with the most units, or a combination of both; and
- (j) Notification of the percentage of ownership of the Principals of the Applicant.


c. By submitting the Application, the Applicant acknowledges and certifies that:

- (1) The proposed Development will meet all state building codes, including the 2012 Florida Accessibility Code for Building Construction, adopted pursuant to Section 553.503, F.S., the Fair Housing Act as implemented by 24 CFR Part 100, Section 504 of the Rehabilitation Act of 1973 pursuant to Rule Chapter 67-48, F.A.C., and the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35, incorporating the most recent amendments, regulations and rules;
- (2) If the Elderly (ALF or non-ALF) Demographic Commitment is selected, the proposed Development must meet all of the requirements for the applicable demographic commitment as outlined in Items 1, 4, and 5 of Exhibit C of the RFA;
- (3) The name of the Applicant entity stated in the Application may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Carryover Allocation Agreement is in effect. In addition, the Applicant entity shall be the recipient of the Housing Credits and may not change until after the Carryover Allocation Agreement is in effect, as further outlined in Item 2 of Exhibit C of the RFA;
- (4) If the Applicant applies as a Non-Profit entity it must remain a Non-Profit entity and the Non-Profit entity must (i) receive at least 25 percent of the Developer's fee; and (ii) understand that it is the Non-Profit entity's responsibility to contractually ensure that it substantially and materially participates in the management and operation of the Development throughout the Compliance Period;
- (5) The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development Team's experience, past performance or financial capacity is satisfactory. The past performance record, financial capacity, and any and all other matters relating to the Development Team, which consists of Developer, Management Company, General Contractor, Architect, Attorney, Accountant, and Service Provider (if the proposed Development is an Elderly Assisted Living Facility), will be reviewed during credit underwriting. The Credit Underwriter may require additional information from any member of the Development Team including, without limitation, documentation on other past projects and financials. Development Teams with an unsatisfactory past performance record, inadequate financial capacity or any other unsatisfactory matters relating to their suitability may result in a negative recommendation from the Credit Underwriter;
- (6) The Principals of each Developer identified in the Application, including all co-Developers, may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Applicant has been invited to enter credit underwriting. In addition, any allowable replacement of an experienced Principal of a Developer entity must meet the experience requirements that were met by the original Principal;
- (7) During credit underwriting, all funded Applications will be held to the number of RA units stated in the applicable letter provided by the Applicant as Attachment 5 to Exhibit A. This requirement will apply throughout the entire Compliance Period, subject to Congressional appropriation and continuation of the rental assistance program;
- (8) The total number of units stated in the Application may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation;
- (9) The invitation to enter credit underwriting will be rescinded if it is determined that the proposed Development was placed in service prior to the year in which it received its allocation;
- (10) The proposed Development will include all required construction features and amenities applicable to the Demographic selected, as outlined in Item 4 of Exhibit C of the RFA. The quality of the features and amenities committed to by the Applicant is subject to approval of the Board of Directors;
- (11)

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- The proposed Development will include all required resident programs applicable to the Demographic selected, as outlined in Item 5 of Exhibit C of the RFA. The quality of the resident programs committed to by the Applicant is subject to approval of the Board of Directors;
- (12) The proposed Development will include the required set-aside units (for ELI Households and Total Set-Aside Percentage). The Total Set-Aside Percentage stated in the Application may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation. Commitments to set aside residential units made by those Applicants that receive funding will become the minimum set-aside requirements for any other Corporation funds that the Applicant may receive in the future for the same Development;
- (13) The Applicant irrevocably commits to set aside units in the proposed Development for a total of 50 years. Note: in submitting its Application, the Applicant knowingly, voluntarily and irrevocably commits to waive, and does hereby waive, for the duration of the 50-year set aside period the option to convert to market, including any option or right to submit a request for a qualified contract, after year fourteen (14), and any other option, right or process available to the Applicant to terminate (or that would result in the termination of) the 50-year set aside period at any time prior to the expiration of its full term;
- (14) The Applicant's commitments will be included in the Extended Use Agreement and must be maintained in order for the Development to remain in compliance, unless the Board approves a change;
- (15) The applicable fees outlined in Item 11 of Exhibit C of the RFA will be due as outlined in this RFA, Rule Chapter 67-48, F.A.C., and/or as otherwise prescribed by the Corporation and/or the Credit Underwriter; and
- (16) The Applicant agrees and acknowledges that the Application will be subject to the Total Development Cost Per Unit Limitation during the scoring, credit underwriting, and final allocation process, as outlined in Item 8 of Exhibit C of the RFA.
- d. The Applicant acknowledges that any funding preliminarily secured by the Applicant is expressly conditioned upon any independent review, analysis and verification of all information contained in this Application that may be conducted by the Corporation, the successful completion of credit underwriting, and all necessary approvals by the Board of Directors, Corporation or other legal counsel, the Credit Underwriter, and Corporation Staff.
- e. If preliminary funding is approved, the Applicant will promptly furnish such other supporting information, documents, and fees as may be requested or required. The Applicant understands and agrees that the Corporation is not responsible for actions taken by the undersigned in reliance on a preliminary commitment by the Corporation. The Applicant commits that no qualified residents will be refused occupancy because they have Section 8 vouchers or certificates. The Applicant further commits to actively seek tenants from public housing waiting lists and tenants who are participating in and/or have successfully completed the training provided by welfare to work or self-sufficiency type programs.
- f. By Certificate of Occupancy, the Applicant commits to participate in the statewide housing locator system, as required by the Corporation.
- g. The Applicant and all Financial Beneficiaries have read all applicable Corporation rules governing this RFA and have read the instructions for completing this RFA and will abide by the applicable Florida Statutes and the credit underwriting and program provisions outlined in Rule Chapter 67-48, F.A.C. The Applicant and all Financial Beneficiaries have read, understand and will comply with Section 42 of the Internal Revenue Code, as amended, and all related federal regulations.
- h. In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third party information included in this Application and/or provided during the credit underwriting process and the information provided by any such party is based upon, and accurate with respect to, the Development as proposed in this Application.
- i. The undersigned understands and agrees that in the event that the Applicant is invited into credit underwriting, the Applicant must submit IRS Forms 8821 for all Financial Beneficiaries in order to obtain a recommendation for a Housing Credit Allocation.
- j. The undersigned is authorized to bind all Financial Beneficiaries to this certification and warranty of truthfulness and completeness of the Application.
- Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete.

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Signature of Applicant 
 Name (typed or printed): William T. Fabbri
 Title (typed or printed): Executive Vice President

Addenda

The Applicant may use the space below to provide any additional information or explanatory addendum for items in the Application. Please specify the particular Item to which the additional information or explanatory addendum applies.

NOTES:

- (1) Developer fee may not exceed the limits established in Rule Chapter 67-48, F.A.C. Any portion of the fee that has been deferred must be included in Total Development Cost.
- (2) If Housing Credit equity is being used as a source of financing, complete Columns 1 and 2. Otherwise, only complete Column 2.
- (3) General Contractor's fee is limited to 14% of actual construction cost (A.1.1. Column 3). The General Contractor's fee must be disclosed. The General Contractor's fee includes General Conditions, Overhead, and Profit.
- (4) In reference to impact fees, a tax professional's advice should be sought regarding eligibility of these fees.
- (5) The only Contingency Reserves allowed are amounts that cannot exceed 5% for Development Category of New Construction or Redevelopment and 15% for Development Category of Rehabilitation or Preservation.
- (6) Applicants using HC equity funding should list an estimated compliance fee amount in column 2.
- (7) Although the Corporation acknowledges that the costs listed on the Development Cost Pro Forma, Detail/Explanation Sheet, Construction or Rehab Analysis and Permanent Analysis are subject to change during credit underwriting, such costs are subject to the Total Development Cost Per Unit Limitation as provided in the RFA as well as the other cost limitations provided in Rule Chapter 67-48, F.A.C., as applicable.

USE THE DETAIL/EXPLANATION SHEET FOR EXPLANATION OF * ITEMS. IF ADDITIONAL SPACE IS REQUIRED, ENTER THE INFORMATION ON THE ADDENDA LOCATED AT THE END OF THE APPLICATION.

	1 HC ELIGIBLE (HC ONLY)	2 HC INELIGIBLE	3 Total
DEVELOPMENT COSTS			
Actual Construction Costs			
Accessory Buildings	_____	_____	\$0.00
Demolition	_____	_____	\$0.00
New Rental Units	\$11,434,500.00	_____	\$11,434,500.00
*Off-site Work (explain in detail)	_____	_____	\$0.00
Recreational Amenities	_____	_____	\$0.00
Rehab of Existing Common Areas	_____	_____	\$0.00
Rehab of Existing Rental Units	_____	_____	\$0.00
Site Work	_____	_____	\$0.00
*Other (explain in detail)	_____	_____	\$0.00
A1.1. Actual Construction Cost	\$11,434,500.00	\$0.00	\$11,434,500.00
A1.2. General Contractor Fee (3) (Max. 14% of A1.1., column 3)	\$1,270,500.00	_____	\$1,270,500.00

EXHIBIT "D"

**2013 FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF STATUS
OF SITE PLAN APPROVAL FOR MULTIFAMILY DEVELOPMENTS**

FHFC Application Reference: _____
(Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application)

Name of Development: _____

Development Location: _____
(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).)

Zoning Designation: _____

Mark the applicable statement:

1. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process. The final site plan, in the zoning designation stated above, was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

2. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process, and (i) this jurisdiction provides either preliminary site plan approval or conceptual site plan approval which has been issued, or (ii) site plan approval is required for the new construction work and/or the rehabilitation work; however, this jurisdiction provides neither preliminary site plan approval nor conceptual site plan approval, nor is any other similar process provided prior to issuing final site plan approval. Although there is no preliminary or conceptual site plan approval process and the final site plan approval has not yet been issued, the site plan, in the zoning designation stated above, has been reviewed.

The necessary approval and/or review was performed on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

3. The above-referenced Development, in the zoning designation stated above, is rehabilitation without any new construction and does not require additional site plan approval or similar process.

CERTIFICATION

I certify that the City/County of _____ has vested in me the authority to verify status of site plan approval as specified above and I further certify that the information stated above is true and correct.
(Name of City or County)

Signature

Print or Type Name

Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to site plan approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

EXHIBIT "E"

STEARNS WEAVER MILLER
WEISSLER ALHADEFF & SITTERSON, P.A.

92773
\$400.00
11/8/13

Linda Christian-Cruz, FRP
Museum Tower
150 West Flagler Street, Suite 2200
Miami, FL 33130
(305) 789-3281
lchristian@stearnsweaver.com

November 6, 2013

VIA HAND DELIVERY

Irene S. Hegedus, Zoning Administrator
City of Miami
Department of Planning and Zoning
444 SW 2nd Avenue/4th Floor
Miami, FL 33130

**RE: 2013 FLORIDA HOUSING FINANCE CORPORATION VERIFICATION
FORMS for property located at 3401 NW 17th Avenue – “Allapattah Trace”
(the “Project”)**

Dear Irene:

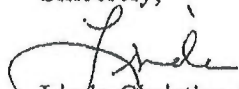
This firm represents The Richman Group of Florida, Inc., in connection with the above-captioned Project.

Enclosed please find the following supporting materials:

1. Local Government Verification that Development is Consistent with Zoning and Land Use Regulations.
2. Local Government Verification of Status of Site Plan Approval for Multi-family Developments.
3. Site plan prepared by Corwil Architects, Inc.
4. Miami-Dade County Property Information Map Reports.
5. A check in the amount of \$400.00 in payment of the City's processing fees.

As you know the FHFC filing deadline is November 11th. We would appreciate your expeditious review and execution of the enclosed forms. If you have any questions, please do not hesitate to contact our office.

Sincerely,



Linda Christian-Cruz
Florida Registered Paralegal

cc: Ryan D. Bailine, Esq.

2013 FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF STATUS
OF SITE PLAN APPROVAL FOR MULTIFAMILY DEVELOPMENTS

FHFC Application Reference: RFA 2013-003

(Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application)

Name of Development: Allapattah Trace

NW 17th Ave, NW 17th Ave and NW 34th St, Miami

Development Location: _____

(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).)

Zoning Designation: _____

T6-80/T-3-0

Mark the applicable statement:


1. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process. The final site plan, in the zoning designation stated above, was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.
2. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process, and (i) this jurisdiction provides either preliminary site plan approval or conceptual site plan approval which has been issued, or (ii) site plan approval is required for the new construction work and/or the rehabilitation work; however, this jurisdiction provides neither preliminary site plan approval nor conceptual site plan approval, nor is any other similar process provided prior to issuing final site plan approval. Although there is no preliminary or conceptual site plan approval process and the final site plan approval has not yet been issued, the site plan, in the zoning designation stated above, has been reviewed.

The necessary approval and/or review was performed on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.
3. The above-referenced Development, in the zoning designation stated above, is rehabilitation without any new construction and does not require additional site plan approval or similar process.

CERTIFICATION

I certify that the City/County of Miami _____ has vested in me the authority to verify status of site plan approval as specified above and I further certify that the information stated above is true and correct.
(Name of City or County)

Signature



Print or Type Name

Irene S. Hegedus

Print or Type Title

Zoning Administrator

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to site plan approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

EXHIBIT "F"

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT ("Agreement") is made as of the Effective Date (as defined below) by and between SOLAI 3401 LLC, Florida limited liability company ("Seller"), and THE RICHMAN GROUP OF FLORIDA, INC., a Florida corporation, and/or its assigns ("Purchaser").

WITNESSETH:

In consideration of the mutual promises hereinafter set forth, Seller and Purchaser mutually agree as follows:

1. Purchase and Sale. Seller agrees to sell and convey and Purchaser agrees to purchase all of that certain tract and parcel of land located at the Northeast corner of NW 34th Street and NW 17th Avenue, Miami, Miami-Dade County, Florida, upon which Purchaser intends to construct 80 multifamily residential project together with related amenities and accessory uses (the "Contemplated Improvements"), all as more particularly described in the legal description set forth on Exhibit "A", attached hereto and by this reference made a part hereof (hereinafter described as the "Property").

The Property shall include all of the right, title and interest of Seller in and to the following:

- a. All easements, rights of way, privileges, licenses, appurtenances and any other rights, privileges and benefits belonging to the owner of, running with title to, or in any way related to, the Property;
- b. All land use or other consents, authorizations, variances, waivers, licenses, permits, approvals, development orders, or any other entitlements issued or granted by or from any governmental authority with respect to the Property;
- c. All percolation, soil, topographical, traffic, engineering and environmental reports or studies in the possession or control of the Seller, and all riparian, littoral rights, title to submerged lands and other water rights related to or benefiting the Property;
- d. All utility mains, service laterals, hydrants, connections, hook-ups and valves located on, or adjacent to, and servicing or available to service the Property; and
- e. Any and all other agreements, contracts, covenants, variances and rights, benefits and privileges related to or benefiting the Property.

2. Purchase Price. The purchase price for the Property ("Purchase Price"), which Purchaser agrees to pay and Seller agrees to accept, is Two Million Eight Hundred Fifty Thousand and No/100 Dollars (\$2,850,000.00), subject to the credits, prorations, and adjustments herein set forth. The Purchase Price shall be increased by \$35,000.00 per unit for each residential unit approved in the final site plan approval for the Property in excess of 80 units. The Purchase Price shall be payable as follows:

EXHIBIT "A"

Legal Description of the Property

Lots 2, 3, 4, 5, 6, 7, 19 and 20, Block 2, BEVERLY HEIGHTS, according to the Plat thereof, as recorded in Plat Book 6, page 164, of the Public Records of Miami-Dade County, Florida.

EXHIBIT "G"

16.44

6-164

KNOW ALL MEN BY THESE PRESENTS: That THE HOMESEEKERS REALTY COMPANY, a corporation organized and existing under and by virtue of the laws of the STATE OF FLORIDA, has caused to be made the attached map of "BEVERLY HEIGHTS, a subdivision of the North Half (N1/2) of the North-west Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section 26, Twp 33 South, Rge 41 E, Dade County, Florida.

The streets, avenues, and drives, as shown on the attached plat are hereby dedicated to the perpetual use of the public for proper purposes.

In Witness Whereof the said HOMESEEKERS REALTY COMPANY has caused to be affixed here to its corporate name and seal by its authorized officers:

HOMESEEKERS REALTY COMPANY
 By: Joseph H. Young, President
Lillian Allen, Secretary

STATE OF FLORIDA) ss.
 COUNTY OF DADE) ss.
 Before me this day personally appeared Joseph H. Young and Lillian Allen, to me well known to be the President and Secretary respectively, of the HOMESEEKERS REALTY COMPANY, a corporation, and being duly sworn, severally acknowledged that they signed, sealed, and delivered the foregoing instrument of dedication, as the free and voluntary act of said corporation and of themselves for the uses and purposes therein stated.

Witness my hand and notarial seal of Miami, Dade County, Florida, this 16th day of March, 1921.

Clayton S. Boyer
 Notary Public State of Florida.

My commission expires _____

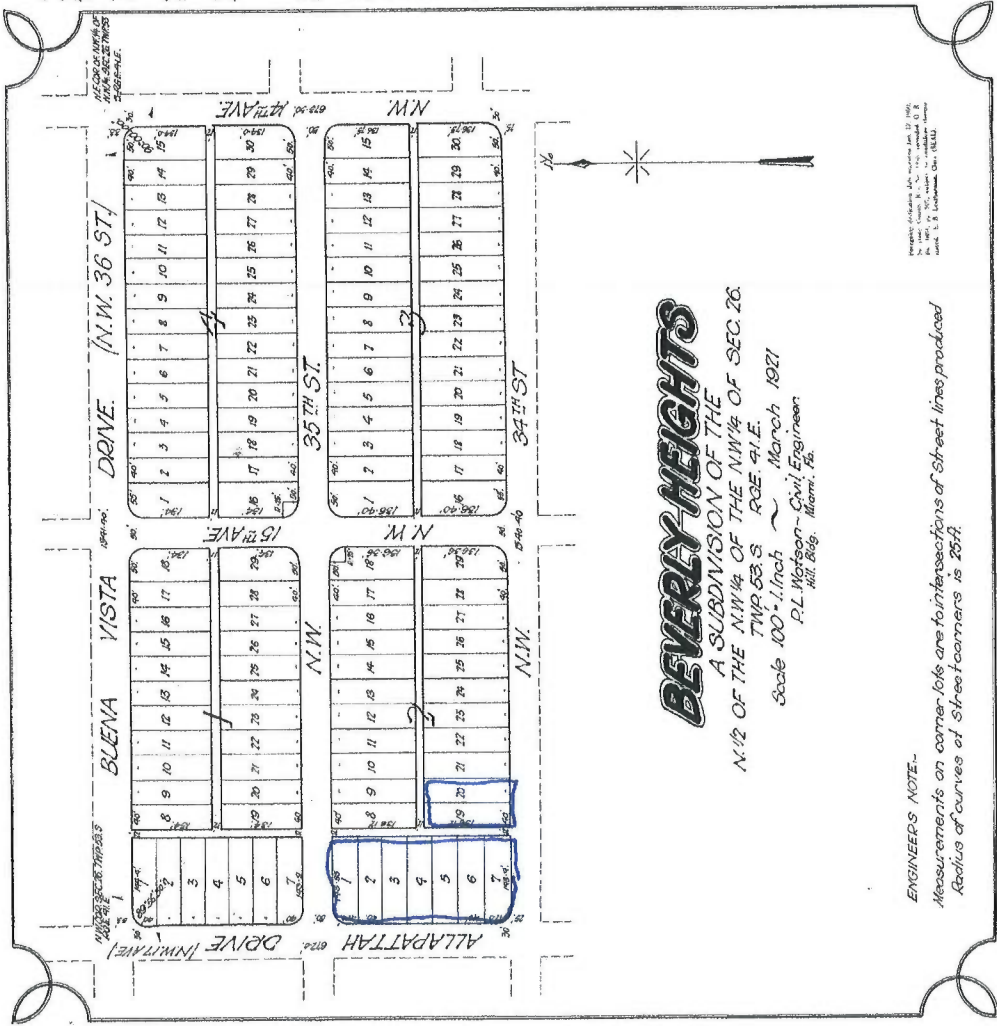
This Plat was approved by the City Engineer of Miami, Florida.
Clayton S. Boyer
 City Engineer

This Plat was approved by the County Engineer of Dade County, Florida.
Clayton S. Boyer
 County Engineer

This Plat was approved by Resolution No. 1530 passed and adopted by the City Council of Miami Florida, March 31, A.D. 1921.
 Attest: W. H. Blawie
 City Clerk.

I hereby certify that the attached map of "BEVERLY HEIGHTS" is a true and correct map of such property as recently surveyed and platted under my direction.
R. S. Watson
 Licensed Civil Engineer 419 494.

APR 16 1921
 1646 PLATS
 E. S. Kelly



PROPERTY OWNERS: P. L. Watson, Civil Engineer, Miami, Fla.
 P. L. Watson, Civil Engineer, Miami, Fla.
 P. L. Watson, Civil Engineer, Miami, Fla.

EXHIBIT "H"

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Lazaro Solis
Miami-Dade Property Appraiser

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The Property Appraiser does not send tax bills and does not set or collect taxes. Please visit the [Tax Collector's website](#) directly for additional information.

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Search: | Street Map | Aerial Map

Click on the search result to get more information.

Matching Results: 5

- 1. FOLIO: 01-3128-0001
OWNER: SOLIS L&L LLC
ADDRESS: 3400 NW 17 AV
- 2. FOLIO: 01-3128-0023
OWNER: SOLIS L&L LLC
ADDRESS: 3400 NW 17 AV
- 3. FOLIO: 01-3128-0024
OWNER: SOLIS L&L LLC
ADDRESS: 3400 NW 17 AV
- 4. FOLIO: 01-3128-0025
OWNER: SOLIS L&L LLC
ADDRESS: 3400 NW 17 AV
- 5. FOLIO: 01-3128-0026
OWNER: SOLIS L&L LLC
ADDRESS: 3400 NW 17 AV

The Office of the Property Appraiser and Miami-Dade County are continually editing and updating the tax roll and GIS data to reflect the latest property information and GIS positional accuracy. No warranties, expressed or implied, are provided for data and the positional or thematic accuracy of the data herein, its use, or its interpretation. Although this website is periodically updated, this information may not reflect the data currently on file at Miami-Dade County's systems of record. The Property Appraiser and Miami-Dade County assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any information provided herein. See Miami-Dade County full disclaimer and User Agreement at <http://www.miamidade.gov/info/discclaimer.asp>. Property information inquiries, comments, and suggestions email: gisweb@miamidade.gov. GIS inquiries, comments, and suggestions email: gis@miamidade.gov.

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Lazaro Solis
Miami-Dade Property Appraiser

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Facebook | Twitter | Print | E-mail Link | Share

Search: | Street Map | Aerial Map

Click on the search result to get more information.

Matching Results: 5

- 1. FOLIO: 01-0128-012-0240
OWNER: SOLIS LAZAR SOLIS LLC
ADDRESS: 3401 NW 17 AVE
- 2. FOLIO: 01-0128-012-0238
OWNER: SOLIS LAZAR SOLIS LLC
ADDRESS: 3401 NW 17 AVE
- 3. FOLIO: 01-0128-012-0240
OWNER: SOLIS LAZAR SOLIS LLC
ADDRESS: 3401 NW 17 AVE
- 4. FOLIO: 01-0128-012-0238
OWNER: SOLIS LAZAR SOLIS LLC
ADDRESS: 3401 NW 17 AVE
- 5. FOLIO: 01-0128-012-0238
OWNER: SOLIS LAZAR SOLIS LLC
ADDRESS: 3401 NW 17 AVE

The Office of the Property Appraiser and Miami-Dade County are continually editing and updating the tax roll and GIS data to reflect the latest property information and GIS positional accuracy. No warranties, expressed or implied, are provided for data and the positional or thematic accuracy of the data herein, its use, or its interpretation. Although this website is periodically updated, this information may not reflect the data currently on file at Miami-Dade County's systems of records. The Property Appraiser and Miami-Dade County assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any information provided herein.

See Miami-Dade County full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>
 Property information inquiries, comments, and suggestions email: pa@miamidade.gov
 GIS inquiries, comments, and suggestions email: gis@miamidade.gov

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EXHIBIT "I"

