

BEFORE THE STATE OF FLORIDA  
FLORIDA HOUSING FINANCE CORPORATION

SERENITY TOWER APARTMENTS, LLC  
SOUTHPORT DEVELOPMENT, INC.  
d/b/a SOUTHPORT DEVELOPMENT  
SERVICES, INC.

Petitioners,

FHFC Case No. 2014-063BP  
RFA 2014-103

v.

FLORIDA HOUSING FINANCE CORPORATION

Respondent.

---

**NOTICE OF APPEARANCE/MOTION TO INTERVENE**

Pursuant to Rule 28-106.205, Florida Administrative Code ("F.A.C."), Peterborough 2, Ltd. ("Peterborough"), hereby enters its appearance and request to intervene as a party whose substantial interests will be determined in the instant proceedings and as grounds for provides as follows:

1. Peterborough submitted Application No. 2014-321S to Florida Housing Finance Corporation ("Florida Housing") in response to the Request for Application No. 2014-103 (the "RFA").

2. On March 31, 2014, Serenity Tower Apartments, LLC and Southport Development, Inc. d/b/a Southport Development Services, Inc. ("Serenity Tower") filed its Formal Written Protest challenging Florida Housing's decision to disqualify Serenity Tower's response to the RFA. If the challenge is successful, Serenity Tower will be eligible for funding and will be ranked higher than Peterborough.

3. Peterborough's Application and was tentatively selected by Florida Housing for funding. Peterborough and Serenity Tower are in the same County, Pinellas County. The RFA

makes awards based on a County Test that prevents more than one (1) Application per county from being selected for funding until at least one (1) Application in all eligible Counties has been funded.

4. The RFA also makes awards based on leveraging, defined in this instance as SAIL funds per Unit. Applications with lower SAIL funds per unit are ranked higher than Applications with higher SAIL funds per unit. Serenity Tower applied for \$19,499 SAIL funds per unit. Peterborough applied for \$26,265.60 SAIL funds per unit.

5. If Serenity Tower is successful in its protest and becomes eligible, it would be ranked ahead of Peterborough effectively knocking Peterborough out of the funding.

6. Peterborough seeks to participate in this proceeding to protect its substantial interests. Peterborough supports the awards approved by Florida Housing's Board of Director and requests the entry of a Final Order confirming those awards. Peterborough requests that its undersigned counsel be copied with all pleadings and notices in these matters.

7. Counsel for Peterborough has consulted with the other parties and can represent that there are no objections.

Respectfully submitted this 27th day of April, 2014.



MICHAEL P. DONALDSON  
Florida Bar No. 0802761  
CARLTON, FIELDS JORDEN BURT, P.A.  
Post Office Drawer 190  
215 S. Monroe St., Suite 500  
Tallahassee, Florida 32302  
Telephone: 850/224-1585  
Facsimile: 850/222-0398

Attorney for Intervenor

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by E-Mail this

29<sup>th</sup> day of April, 2014, to

Ashley Black, Agency Clerk  
Wellington H. Meffert, General Counsel  
Florida Housing Finance Corporation  
Suite 5000  
227 North Bronough Street  
Tallahassee, FL 3 2301

Lawrence E. Sellers, Jr.  
Karen Walker  
Holland & Knight LLP  
315 S. Calhoun Street  
Suite 600  
Tallahassee, FL 32301



---

MICHAEL P. DONALDSON