

**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

**THE VILLAGES MIAMI PHASE II, LTD.
(Applicant for The Villages Apts. Phase II),**

Petitioner,

vs.

**FLORIDA HOUSING FINANCE
CORPORATION,**

Respondent.

_____ /

**FHFC Case No. 2016-017BP
FHFC RFA No. 2015-108
Petitioner's Application No. 2016-257C**

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

Pursuant to Sections 120.569 and 120.57(1) and (3), Fla. Stat., and Florida Housing Finance Corporation Request for Application ("RFA") No. 2015-108, at Section Six, and Rules 28-106.205 and 67-60.009, Fla. Admin. Code; Petitioner THE VILLAGES MIAMI PHASE II, LTD., Applicant for The Villages Apartments Phase II, ("Petitioner" or "Villages"), an application for funding in Florida Housing Finance Corporation Request for Applications ("RFA") No. 2015-108 for Housing Credit Financing for Affordable Housing Developments Located in Miami-Dade County, hereby files its formal written protest to contest the proposed funding decisions of Respondent Florida Housing Finance Corporation in RFA 2015-108; and particularly the proposed determinations not to fund Petitioner's Application No. 2016-257C for The Village Apartments Phase II, and the proposed determinations that Applicants 2016-252C (The Jasmine) and 2016-238C (Princeton Park) are eligible for consideration for funding. 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 low income housing tax credits (“tax credits” or “HC”) is RFA 2015-108. By notice posted on FHFC’s website on Friday, May 6, 2016, copy attached hereto as Exhibit “A,” FHFC has given notice of its intent to award tax credits to two (2) applicants, excluding Villages, but including The Jasmine and Princeton Park. FHFC also posted notice at the same time of its determination or which applicants were “eligible” for consideration for funding and which were not (Villages, The Jasmine, and Princeton Park were among the eligible applicants); a copy of that posting is attached as Exhibit “B.”

2. Petitioner, The Villages Miami Phase II, Ltd., (“Petitioner” or “Villages”) is a Florida limited partnership, whose business address is 8500 NW 25th Ave., Miami, Florida 33147. For purposes of this proceeding, Petitioner’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. Villages submitted an application, assigned Application No. 2016-257C, in RFA 2015-108 seeking an award of tax credits in the annual amount of \$2,561,000. Petitioner proposed to construct a 120-unit development in Miami-Dade County, on the south side of NW 69th Street, approximately 125 feet southwest of the intersection of NW 69th Street and NW 8th Avenue. Villages has committed to set aside all 120 units for low income tenants making at or below 60% of Area Median Income (“AMI”) (including 10% of the units for Extremely Low Income tenants making at or below 33% AMI). FHFC has announced its intention to award funding to two (2) Developments, excluding Villages.

Notice

4. On Friday, March 6, 2016, at approximately 11:10 a.m., Petitioner and all other participants in RFA 2015-108 received notice that FHFC had determined whether applications were eligible or ineligible for consideration for funding, and to select two eligible applicants for awards of tax credits, subject to satisfactory completion of the credit underwriting process. Such notice was provided by the posting of two spreadsheets on the Florida Housing website, www.floridahousing.org, one listing the “eligible” and “ineligible” applications in RFA 2015-108 (copy attached as Exhibit “B”) and one identifying the applications which Respondent proposed to fund (copy attached as Exhibit “A”). Petitioner timely filed a Notice of Protest, with exhibits, on Wednesday, May 11, 2016, copy (without exhibits) attached hereto as Exhibit “C.” Petitioner’s Formal Written Protest and Petition for Formal Administrative Proceedings is being filed within 10 calendar days of that notice; the tenth day fell on Saturday, May 21, 2016, so by operation of Rule 28-106.103, Fla. Admin. Code, the filing deadline was extended to Monday, May 23, 2016.

Substantial Interest Affected

5. Petitioner’s substantial interests are being determined in the instant proceeding because Petitioner is an applicant for low income housing tax credit funding whose application was deemed eligible for consideration for funding but was preliminarily denied funding. Petitioner cannot develop its proposed development for low income tenants without the award of the requested funding.

RFA 2015-108 Application Process and Requirements

6. Through the RFA 2015-108 process, FHFC seeks to award up to an estimated \$4,920,258 of Housing Credits to applicants in Miami-Dade County. The RFA was designed and limited to fund up to two applicants. Generally, applicants must agree to set-aside at least 80% of

the units for persons making at or below 60% of Area Median Income (“AMI”). In this RFA, applicants were also required to set-aside at least 10% of the Households for tenants who are considered “Extremely Low Income” (“ELI”), which for Miami-Dade County is an income of 33% of AMI.

7. 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 a substantial portion of the capital necessary to construct the development.

8. Applicants in this RFA are assigned numerical scores in three areas. Those areas are General Development Experience of the applicant’s developer (5 points), Local Government Contributions to the proposed development (5 points), and Proximity to services needed by tenants of the development (up to 18 points).

9. Applicants in this RFA were required to include with their applications forms executed by third parties documenting the Applicant’s ability to proceed with the proposed development. These forms include, among others, a Local Government Verification of Status of Site Plan Approval (the “Site Plan Approval Status” form), to be provided as Attachment 8 to an Application; a Local Government Verification That Development is Consistent with Zoning and Land Use Regulations (the “Zoning Verification” form), to be provided as Attachment 9 to an Application; a Verification of Availability of Infrastructure-Sewer Capacity, Package Treatment, or Septic Tank, to be provided as Attachment 12 to an Application; and a Verification of Availability of Infrastructure – Water, to be provided as Attachment 11 to an Application. Blank copies of these forms are attached to this Petition as Exhibits D, E, F, and G, respectively.

10. The RFA also contains an Applicant Certification and Acknowledgment form which each applicant must complete and return with its application. Among other provisions, the form includes a certification by the applicant that:

8. 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.

The purpose of this language is to require full disclosure of the relevant details of the proposed development to the local government so that the Site Plan Approval Status and the Zoning Verification form can be knowingly and truthfully executed by the local government.

RFA 2015-108 Scoring, Ranking, and Selection Process

11. Florida Housing received 50 applications seeking funding in RFA 2015-108. The applications were received, processed, deemed eligible or ineligible, scored, and ranked, presumably pursuant to the terms of RFA 2015-108; 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 application content requirements. Each Application is awarded a score of up to 28 points, of which up to 18 points are available for proximity to services needed by the tenants of the development, 5 points for General Development Experience of the Developer of the proposed development, and up to 5 points for proof of a local government contribution to the development. Of the 50 Applications submitted to FHFC in RFA 2015-108, forty-one (41) were found “eligible,” and nine (9) were found ineligible. The spreadsheet created by Florida Housing and attached hereto as Exhibit “B” identifies all eligible and ineligible applications (and other relevant information).

12. The RFA specifies an “Application Sorting Order” to rank applicants for potential funding. The first consideration in sorting eligible applications for potential funding is Application scores. The maximum score an Applicant can achieve is 28 points. All forty-one applicants in RFA 2015-108 that were deemed eligible received a score of 28 points.

13. 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 tie-breakers for applicants in this RFA, in order of applicability, are:

(a) First, by a Development Category Funding Preference, which favors New Construction and certain Rehabilitation applications over certain other Rehabilitation applications. Villages, The Jasmine, and Princeton Park were all deemed by Florida Housing to satisfy this preference.

(b) Second, if necessary, by a Per Unit Construction Funding Preference. Villages, The Jasmine, and Princeton Park were all deemed by Florida Housing to satisfy this preference.

(c) Third, if necessary, by a “Leveraging Classification” that, generally, favors the least expensive 80% of applicants in each Development Category (New Construction or Rehabilitation) over the most expensive 20%. Villages, The Jasmine, and Princeton Park were all deemed by Florida Housing to be in the “least expensive” group (Group A).

(d) Next, if necessary, satisfaction of a Florida Job Creation preference, which applies a formula to reflect the estimated number of jobs created per \$1 million of funding. Villages, The Jasmine, and Princeton Park were all deemed to satisfy this preference.

(e) Lastly, if necessary, by randomly assigned lottery number. Lottery numbers often play a role in the selection of applications for funding in FHFC's RFAs, and they were significant in the selection of Miami-Dade County applicants for funding in this RFA. Villages was assigned lottery number 4; The Jasmine was assigned lottery number 2; and Princeton Park was assigned lottery number 1. (Lottery number 3 was assigned to Silver Palm Apartments, Applicant # 2016-221C, but Silver Palm's funding request per unit placed it in the "more expensive" Leveraging Group B described in paragraph (c) above, a determination Silver Palm has not challenged, so Silver Palm is essentially no longer competitive in this RFA).

14. The RFA also included a Non-South Miami Funding Goal, to fund at least one applicant located "in any area of Miami-Dade County other than South Miami-Dade County." See, RFA at Section Four B.3, p. 43. The RFA defined "South Miami-Dade County" as all areas south of SW 224th Street. Villages and The Jasmine are not located in South Miami-Dade; Princeton Park is located in South Miami-Dade.

15. The RFA set out an order of funding selection for eligible applicants, after eligible applicants were ranked. See, RFA at Section Four B.4, p. 43. That funding selection order is as follows:

- (1) The highest ranking eligible Application eligible for the Non-South Miami Funding Goal;
- (2) Once the Non-South Miami Funding Goal is met, then the highest ranking eligible unfunded Application regardless of its location;
- (3) If there is no eligible Application that can meet the Non-South Miami Funding Goal, then the two highest ranking eligible applications, regardless of its

location.

16. The RFA specified that if there was not a sufficient amount of housing credits available to fully fund the second selected applicant's housing credit request amount, the second selected applicant would receive a Binding Commitment for future or supplemental funding of the unfunded balance of its request. The RFA also specified that if funding remained after selecting the two highest ranked Applicants, no further Applications would be considered for funding and any remaining funding would be distributed by the Board.

17. Following eligibility determinations and applications of funding preferences and the selection process, Florida Housing selected two applicants for funding:

Non-South Miami Funding: 2016-252C, The Jasmine, Lottery #2

Next Highest Ranked Eligible
Applicant (regardless of location): 2016-238C, Princeton Park, Lottery #1

18. Florida Housing also identified those applications it deemed eligible and ineligible. Petitioner Villages, though not selected for funding, was deemed eligible upon information and belief. The next 3 eligible but unfunded applicants with scores of 28 points, satisfying the "tie-breaker" preferences described *supra*, are, in order, as follows:

2016-257C, The Villages Phase II, Lottery #4

2016-226C, Vista Allapattah, Lottery #5

2016-245C, Mandarin Village Senior, Lottery #6

Villages and Vista Allapattah are both located North of SW 224th Street; Mandarin Village is South of SW 224th Street.

Scoring and Eligibility Determinations of Competing Applications

Jasmine Site Plan Approval Form

19. Jasmine submitted with its application both an executed Site Plan Approval Status

form and an executed Zoning Verification form, copies attached as Exhibits H and I to this Petition. Florida Housing accepted such executed forms at face value and deemed Jasmine eligible for consideration for funding. In fact, both forms were executed in error.

20. On Jasmine's Site Plan Approval Status Verification form, the local government checked a box designating the following as true:

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.

(Emphasis added).

21. Upon information and belief, following reasonable investigation and inquiry, the above underlined statement is not true as to the The Jasmine's application. No site plan for The Jasmine was reviewed by the local government prior to the execution of the form. The Site Plan Approval form is thus incorrect, and The Jasmine's Application should be deemed ineligible. Further, as explained below, if a site plan had been submitted by Jasmine to the City of Miami, the City would have been able to determine that the proposed development did not comply with zoning and land use regulations.

Jasmine Zoning Verification Form

22. In its Application to Florida Housing, The Jasmine proposed a New Construction

High Rise development to consist of 96 total residential units. Florida Housing defines a High Rise for purposes of this RFA as consisting of 7 or more stories.

23. The zoning category in which The Jasmine is located is T-6 8 O. This zoning category allows 150 units per acre for High Rise buildings. Based on the legal description included in The Jasmine's site control documentation at Attachment 15 to its Application, The Jasmine is comprised of five parcels that total 27,850.8 square feet, or just under 0.6394 acres.

24. City of Miami zoning allows up to 150 units per acre in high rises in T-6 8 O zoning. For The Jasmine to construct 96 units, it would need 27,878.4 square feet of property, which exceeds the amount of property it claimed control over. Upon further investigation, some of the parcels of which Jasmine claimed ownership include a publicly owned right of way. The City of Miami does not allow property owners to include publicly owned right of way in determining lot size for density calculations. See, Section 1.2, Definition of "Lot Area," copy attached as Exhibit J. Thus, Jasmine may actually control even less than the 27,850.8 square feet claimed.

25. Based on a preliminary analysis done by a Florida licensed Professional Surveyor and Mapper retained by Villages, it appears The Jasmine's parcels, excluding the right of way, total slightly less than 27,800 square feet in size, and under current zoning could only support 95.7 dwelling units. The City of Miami's policy in density calculations when presented with a fractional unit is to round down, not up. The Jasmine cannot construct 96 units on its parcels, it can only construct 95 units. Under FHFC Rule 67-48.004(3)(i), the total number of units cannot be changed after the application is submitted to Florida Housing; it can be increased (for HC and SAIL applicants) after the applicant has been selected for funding and invited to enter credit underwriting, but it cannot be decreased at any time (absent Florida Housing granting a rule waiver, which has not been sought by The Jasmine).

Princeton Park

26. As evidence of water and sewer availability, Princeton Park submitted a letter dated October 22, 2015 from Miami-Dade County, in lieu of Florida Housing's standard water and sewer availability verification forms; a copy of the letter is attached to this Petition as Exhibit K. Florida Housing permits applicants to submit letters instead of executed forms. Florida Housing's established practice is that letters are permissible if they contain in substance the same content as Florida Housing's forms, and they may contain the same conditions as Florida Housing's forms, such as payment of hook-up, installation, and other customary fees, and the installation of construction of line extensions of other equipment, including pumping stations.

27. Princeton Park's letter contains the standard conditions regarding line extensions for water and connections to water and sewer. However, the letter also contains the following notice regarding the site being within a wetland area:

The developer is hereby advised that the subject property falls within a designated protected wetland area. The developer is not authorized to commence any work or activities pursuant to this permit until the developer obtains any and all approvals or permits, if necessary, from the County's Department of Regulatory and Economic Resources (RER). Please be advised that, even after work commences, if the County is advised by the Federal Government, the State of Florida, or a court that an activity on the subject property is in violation of Federal law, in violation of Florida law, or in violation of a permit or approval granted by the Federal Government, such violation may result in an immediate stop work order. The developer is strongly advised to consult with the necessary federal or state agencies before conducting any work or activities on the property. Please be aware that the Federal Government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that the developer consult with the Federal Government at an early stage in the process. In the event that the Federal Government advises that the plans for the subject property may result in a "take" of endangered or threatened species, the developer is strongly recommended to inform the County in writing at the earliest stage possible.

[Emphasis added]

28. This notification essentially tells Princeton Park (and Florida Housing) that in fact

the property cannot be developed until wetlands-related approvals and permits are obtained from the County's Department of Regulatory and Economic Resources. It further informs Princeton Park (and Florida Housing) that Federal law and State law may impose constraints on development of the site and that consultation with federal and state agencies is "strongly advised" before conducting any work or activities on the property.

29. None of the other 50 applicants in this RFA had such a condition on their Miami-Dade Water and Sewer letter. While Miami-Dade Water and Sewer letters consistently contain language concerning the Consent Decree entered with the federal government and the Florida Department of Environmental Protection, Florida Housing acknowledges and understands that relates to system-wide issues that are beyond an Applicant's control. See, as an example of a "standard" Miami-Dade Water and Sewer letter, the version included in The Village Apartment's application, copy attached as Exhibit L. Princeton Park, in selecting a site that may be undevelopable due to the presence of wetlands, or by not having its developability status verified prior to submission of its application, has created a different problem, and should be deemed ineligible.

Disputed Issues of Material Fact

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

(a) Whether the local government reviewed a site plan for The Jasmine development prior to executing the Site Plan Approval Status form. Petitioner contends that it did not.

(b) Whether The Jasmine provided to City of Miami information that accurately described the proposed development for the purpose of obtaining the Site Plan

Approval Status form and the Zoning Verification form. Petitioner contends that The Jasmine did not.

(c) Whether, based on information now available to Florida Housing regarding zoning constraints and the site plan approval process, a determination that Jasmine is eligible for consideration for funding would be contrary to the RFA, arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner contends that it would.

(d) Whether The Jasmine has site control over a large enough parcel of property to construct 96 units under current zoning. Petitioner contends that it does not.

(e) Whether if The Jasmine had disclosed to City of Miami the true size of its parcels of property, the City would have executed the Zoning Verification form and Site Plan Approval Status form. Petitioner contends that the City would not.

(f) Whether, under the facts now known, accepting the City of Miami Zoning Verification form for The Jasmine would be contrary to the RFA requirements, arbitrary, capricious, clearly erroneous, and anti-competitive. Petitioner contends that it would.

(g) Whether Princeton Park demonstrated the availability of sewer service and water to its proposed site. Petitioner contends that it did not.

(h) Whether Princeton Park should be deemed ineligible for failure to establish the availability of sewer service and water to its proposed site. Petitioner contends that it should.

(i) Whether the acceptance of Princeton Park's sewer service and water availability letter from Miami-Dade County would be contrary to the RFA, and

arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner contends that it would.

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

31. As its concise statement of ultimate fact, Petitioner asserts that neither The Jasmine nor Princeton Park is eligible for consideration for funding; and that any determination that The Jasmine and Princeton Park should be deemed eligible and selected for funding would be arbitrary (not supported by facts), capricious (contrary to facts), contrary to competition, clearly erroneous, and contrary to FHFC's RFA and applicable and governing rules; and any determination that Petitioner should not be selected for funding would be arbitrary, capricious, contrary to competition, clearly erroneous, and contrary to FHFC's RFA and applicable and governing rules.

32. To the extent Florida Housing disputes any material factual allegations in this Petition, Petitioner demands that this Petition be forwarded to the Division of Administrative Hearings for Assignment of an Administrative Law Judge to conduct formal evidentiary proceedings, after affording the parties adequate time for case preparation and discovery.

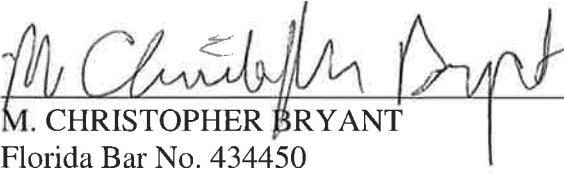
33. Petitioner seeks entry of recommended and final orders finding that any determination that The Jasmine and Princeton Park are eligible for an award of funding, and that Petitioner is not entitled to an award of funding, would be contrary to the RFA terms, and arbitrary, capricious, clearly erroneous, and contrary to competition. Petitioner 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

34. Pursuant to Section 120.57(3)(d), Fla. Stat., Petitioner requests an opportunity to

meet with Florida Housing to resolve this matter by mutual agreement within seven business days after filing. Petitioner reserves the right to agree to extend the time for such a settlement meeting.

FILED AND SERVED this 23rd day of May, 2016.



M. CHRISTOPHER BRYANT

Florida Bar No. 434450

OERTEL, FERNANDEZ, BRYANT

& ATKINSON, P.A.

P.O. Box 1110

Tallahassee, Florida 32302-1110

Telephone: 850-521-0700

Telecopier: 850-521-0720

ATTORNEYS FOR THE VILLAGES MIAMI PHASE
II, LTD.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that the original and one copy 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 Hugh R. Brown, General Counsel, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, Hugh.Brown@floridahousing.org this 23rd day of May, 2016:



ATTORNEY

**EXHIBITS TO FORMAL WRITTEN PROTEST
OF THE VILLAGES MIAMI PHASE II, LTD.**

- A. RFA 2015-108 Recommendations for financing spreadsheet (as approved by FHFC Board), posted Friday, May 6, 2016 at 11:10 am
- B. RFA 2015-108 All Applications eligible and ineligible applications spreadsheet (as approved by FHFC Board), posted Friday, May 6, 2016 at 11:10 am
- C. The Villages Apts. Ph. II (Appl. No. 2016-257C) Notice of Protest (copy without exhibits), filed Wednesday, May 11, 2016 at 8:59 am
- D. FHFC form for Local Government Verification of Status of Site Plan Approval (blank)
- E. FHFC form for Local Government Verification That Development is Consistent with Zoning and Land Use Regulations (blank)
- F. FHFC form for Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank (blank)
- G. FHFC form for Verification of Availability of Infrastructure – Water (blank)
- H. The Jasmine (Applicant 2016-252C) Site Plan Approval Status Verification form
- I. The Jasmine’s Zoning Verification form
- J. City of Miami Land Development Code Section 1.2, Definition of “Lot Area”
- K. Princeton Park (Applicant 2016-238C) water and sewer availability letter from Miami-Dade County
- L. The Villages Phase II (Applicant 2016-257C) water and sewer availability letter from Miami-Dade County

**RFA 2015-108
Recommendations**

Total HC Available for RFA	4,920,258.00
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Application Number	Name of Development	Name of Contact Person	Name of Developers	Demographic	HC Request Amount	Eligible For Funding?	Qualifies for the Non-South Miami Goal?	Total Points	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
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Application selected to meet the Non-South Miami Goal

2016-252C	The Jasmine	Nick A. Inamdar	The Gatehouse Group LLC	E	2,397,397.00	Y	Y	23	Y	Y	A	Y	2
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Other Application selected for funding

2016-238C*	Princeton Park	Matthew Rieger	HTG Princeton Park Developer, LLC	F	2,561,000.00	Y	N	23	Y	Y	A	Y	1
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* This Application could not be fully funded. Per the RFA, the Applicant will receive a Binding Commitment for \$38,139.

On May 6, 2016, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicant 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.

RFA 2015-108 All Applications

Application Number	Name of Development	Name of Contact Person	Name of Developers	HC Funding Amount	Eligible For Funding?	Qualifies for the Non-South Miami Goal?	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Eligible Applications														
2016-221C	Silver Palm Apartments	Elizabeth Wong	APC Silver Palm Development, LLC	2,169,000.00	Y	Y	28	Y	Y	NC	114,829.61	B	Y	3
2016-222C	The Vineyard	Nick A Inamdar	The Gatehouse Group LLC	2,576,936.00	Y	Y	28	Y	Y	NC	113,694.12	B	Y	23
2016-223C	The Gardens at the Pearl	Nick A Inamdar	The Gatehouse Group LLC	1,841,597.00	Y	Y	28	Y	Y	NC	113,694.15	B	Y	44
2016-224C	Virginia Place	Kimberly M. Murphy	Royal American Development, Inc.	2,175,000.00	Y	Y	28	Y	Y	NC	107,554.95	A	Y	14
2016-225C	Highland Park Senior Apartments	Donald W Paxton	WGB Beneficial Development 16 LLC	2,481,915.00	Y	Y	28	Y	Y	NC	111,686.18	A	Y	35
2016-226C	Vista Allapattah	Kimberly M. Murphy	Royal American Development, Inc.	2,561,000.00	Y	Y	28	Y	Y	NC	100,213.04	A	Y	5
2016-227C	Armstrong Gardens	Matthew Rieger	HTG Armstrong Developer, LLC	1,851,477.00	Y	Y	28	Y	Y	NC	110,874.99	A	Y	26
2016-228C	Northside Transit Village III	Elizabeth Wong	APC Northside Property III Development, LLC	2,561,000.00	Y	Y	28	Y	Y	NC	96,844.54	A	Y	46
2016-229C	Bella Vida	Nick A Inamdar	The Gatehouse Group LLC	2,088,409.00	Y	N	28	Y	Y	NC	113,694.15	B	Y	17
2016-230C	Tequesta Point	Matthew Rieger	HTG Tequesta Point Developer, LLC	1,550,523.69	Y	Y	28	Y	Y	NC	110,874.99	A	Y	37
2016-232C	Rosemary Cove	Matthew Rieger	HTG Rosemary Cove Developer, LLC	2,499,494.00	Y	N	28	Y	Y	NC	100,620.66	A	Y	28
2016-233C	City Place Apartments	Francisco A Rojo	Landmark Development Corp.	2,561,000.00	Y	Y	28	Y	Y	NC	115,245.00	B	Y	49
2016-235C	Northside Urban View	David O. Deutch	Pinnacle Housing Group, LLC	1,940,000.00	Y	Y	28	Y	Y	NC	111,707.84	A	Y	40
2016-236C	Rio at Flagler	Kimberly M. Murphy	Royal American Development, Inc.	1,825,000.00	Y	Y	28	Y	Y	NC	109,500.00	A	Y	10
2016-237C	Serenity Tower	David O. Deutch	Pinnacle Housing Group, LLC	2,240,000.00	Y	Y	28	Y	Y	NC	112,000.00	A	Y	30
2016-238C	Princeton Park	Matthew Rieger	HTG Princeton Park Developer, LLC	2,561,000.00	Y	N	28	Y	Y	NC	109,546.07	A	Y	1
2016-239C	Naranja Lakes	Alberto Millo, Jr.	Naranja Lakes Apartments Developer, LLC	2,073,980.00	Y	N	28	Y	Y	NC	102,466.21	A	Y	21
2016-240C	Club Mariner Apartments	Alberto Millo, Jr.	Club Mariner Apartments Developer, LLC	1,599,656.00	Y	Y	28	Y	Y	NC	113,960.02	B	Y	42
2016-241C	Casaluna	Matthew Rieger	HTG Casaluna Developer, LLC	1,946,472.00	Y	Y	28	Y	Y	NC	110,874.99	A	Y	12
2016-242C	Regatta Place	Mara S. Maedes	Cornerstone Group Partners, LLC	2,100,000.00	Y	Y	28	Y	Y	NC	116,442.31	B	Y	33
2016-245C	Mandarin Village Seniors	Matthew Rieger	HTG Mandarin Village Seniors Developer, LLC	2,221,772.36	Y	N	28	Y	Y	NC	110,874.99	A	Y	6
2016-246C	Courtside Apartments, Phase III	Matthew Rieger	AMC HTG 3 Developer, LLC	1,971,111.00	Y	Y	28	Y	Y	NC	110,874.99	A	Y	47
2016-247C	Urban Polite Senior Residences	David O. Deutch	Pinnacle Housing Group, LLC	2,421,000.00	Y	Y	28	Y	Y	NC	108,945.00	A	Y	38
2016-248C	Little River Apartments	Alberto Millo, Jr.	Little River Apartments 1 Developer, LLC	2,561,000.00	Y	Y	28	Y	Y	NC	88,650.00	A	Y	29

RFA 2015-108 All Applications

Application Number	Name of Development	Name of Contact Person	Name of Developers	HC Funding Amount	Eligible For Funding?	Qualifies for the Non-South Miami Goal?	Total Points	Development Category Preference	Per Unit Construction Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2016-249C	Giv Terrace	Stephanie Williams	Opalada Community Development Corporation, Inc.	1,852,905.00	Y	Y	28	Y	Y	NC	106,892.65	A	Y	20
2016-250C	Courtside Apartments, Phase II	Matthew Rieger	AMC HTG 2 Developer, LLC	2,561,000.00	Y	Y	28	Y	Y	NC	96,037.50	A	Y	11
2016-251C	Pinnacle at Urban Pointe	David O. Deutch	Pinnacle Housing Group, LLC	2,470,000.00	Y	Y	28	Y	Y	NC	108,500.00	A	Y	31
2016-252C	The Jasmine	Nick A Inamdar	The Gatehouse Group LLC	2,397,397.00	Y	Y	28	Y	Y	NC	112,377.98	A	Y	2
2016-253C	Coral Bay Cove	Francisco A Rojo	Landmark Development Corp.	2,010,000.00	Y	N	28	Y	Y	NC	109,475.52	A	Y	22
2016-254C	Brisas del Este	Alberto Millo, Jr.	Brisas del Este Apartments Developer, LLC	2,546,428.00	Y	Y	28	Y	Y	NC	86,810.05	A	Y	43
2016-256C	Harmony Tower	David O. Deutch	Pinnacle Housing Group, LLC	2,515,000.00	Y	Y	28	Y	Y	NC	110,955.88	A	Y	34
2016-257C	The Villages Apartments, Phase II	Elon J Metzger	New Urban Development, LLC Cornerstone Group Partners, LLC	2,561,000.00	Y	Y	28	Y	Y	NC	96,037.50	A	Y	4
2016-258C	Mandarin Village Family	Matthew Rieger	HTG Mandarin Village Family Developer, LLC	2,332,861.00	Y	N	28	Y	Y	NC	110,874.99	A	Y	25
2016-259C	The Mosaic	Nick A Inamdar	The Gatehouse Group LLC	2,021,229.00	Y	Y	28	Y	Y	NC	113,694.13	B	Y	45
2016-260C	Citrus Point	Matthew Rieger	HTG Citrus Point Developer, LLC	2,221,772.38	Y	N	28	Y	Y	NC	110,874.99	A	Y	16
2016-261C	Windmill Farms	Francisco A Rojo	Landmark Development Corp.	2,005,000.00	Y	N	28	Y	Y	NC	109,153.32	A	Y	36
2016-262C	Los Molinos	David O. Deutch	Pinnacle Housing Group, LLC	2,490,000.00	Y	Y	28	Y	Y	NC	107,740.38	A	Y	7
2016-264C	Puerta del Sol	David O. Deutch	Pinnacle Housing Group, LLC	2,490,000.00	Y	Y	28	Y	Y	NC	109,852.94	A	Y	46
2016-265C	Santa Cruz Isles	Lewis V. Swesy	Lewis V. Swesy, RS Development Corp.	2,164,566.00	Y	N	28	Y	Y	NC	109,020.17	A	Y	18
2016-269C	Metro Spring Garden Apartments	Donald W Paxton	WOB Beneficial Development 16 LLC	2,065,173.00	Y	Y	28	Y	Y	NC	113,387.54	A	Y	41
2016-270C	Northside Transit Village II	Elizabeth Wong	APC Northside Property II Development, LLC	2,561,000.00	Y	Y	28	Y	Y	NC	105,729.36	A	Y	32

RFA 2015-108 All Applications

Application Number	Name of Development	Name of Contact Person	Name of Developers	HC Funding Amount	Eligible For Funding?	Qualifies for the Non-South Miami Goal?	Total Points	Development Category Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Ineligible Applications													
2016-231C	Andilean	William T. Fabbri	The Richman Group of Florida, Inc.	1,700,000.00	N	Y	28	Y	NC	107,161.94		Y	8
2016-234C	Old Town Floridian Village	Kimberly M. Murphy	Royal American Development, Inc.; Green Mills Holdings, LLC	2,375,000.00	N	N	28	Y	NC	109,404.59		Y	19
2016-243C	Centerra	Mara S. Mades	Cornerstone Group Partners, LLC	2,060,000.00	N	N	10	Y	NC	118,617.60		Y	24
2016-244C	Sunset Pointe	Mara S. Mades	Cornerstone Group Partners, LLC	1,600,000.00	N	N	10	Y	NC	116,848.03		Y	15
2016-255C	The Villages Apartments, Phase III	Elon / Metcower	New Urban Development, LLC; Cornerstone Group Partners, LLC	2,561,000.00	N	Y	28	Y	NC	109,757.14		Y	13
2016-263C	Mallorca Isles	Lewis V. Swezey	Lewis V. Swezey; RS Development Corp.	2,164,566.00	N	N	28	Y	NC	108,020.17		Y	27
2016-266C	Princeton Crossings	Lewis V. Swezey	Lewis V. Swezey; RS Development Corp.	2,560,297.00	N	N	28	Y	NC	95,826.50		Y	39
2016-267C	Crystal Villas	Lewis V. Swezey	Lewis V. Swezey; RS Development Corp.	2,560,297.00	N	N	28	Y	NC	95,826.50		Y	9
2016-268C	Stadium Tower Apartments	Lewis V. Swezey	Lewis V. Swezey; RS Development Corp.	2,079,206.00	N	Y	28	Y	NC	117,705.05		Y	50

On May 6, 2016, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above. 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.

**BEFORE THE
FLORIDA HOUSING FINANCE CORPORATION**

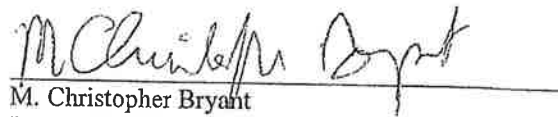
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MAY 11 10 38 59 AM '16

RE: RFA 2015-108, Housing Credit Financing of Affordable Housing Developments Located in Miami-Dade County
Notice of Protest by The Villages Apts, Phase II, Application No. 2016-257C

NOTICE OF PROTEST

Pursuant to Section 120.57(3), Fla. Stat.; Rule 67-60.009(2), Fla. Admin. Code; and RFA 2015-108 at Section Six, THE VILLAGES APTS, PHASE II, Application No. 2016-257C, hereby gives notice of its intent to protest the proposed awards of funding and eligibility determinations contained on the RFA 2015-108 Review Committee Recommendations, copy attached as Exhibits A and B, respectively. Exhibits A and B were approved by the Florida Housing Finance Corporation Board of Directors on Friday, May 6, 2016, and were posted on the Corporation's website at 11:10 a.m. on that date.

FILED this 11th day of May, 2016.



M. Christopher Bryant
Florida Bar No. 434450
Oertel, Fernandez, Bryant & Atkinson, P.A.
P.O. Box 1110
Tallahassee, Florida 32302-1110
Telephone: 850-521-0700
Telecopier: 850-521-0720
cbryant@ohfc.com
Attorneys for The Villages Apts, Phase II

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that the original and one copy of the foregoing 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 11th day of May, 2016.



Attorney

**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:

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. 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.

(Form Rev. 11-14)

**FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION THAT DEVELOPMENT IS CONSISTENT WITH ZONING
AND LAND USE REGULATIONS**

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).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

- (1) The zoning designation for the above referenced Development location is _____; and
- (2) The proposed number of units and intended use are consistent with current land use regulations and the referenced zoning designation or, if the Development consists of rehabilitation, the intended use is allowed as a legally non-conforming use. To the best of my knowledge, there are no additional land use regulation hearings or approvals required to obtain the zoning classification or density described herein. Assuming compliance with the applicable land use regulations, there are no known conditions which would preclude construction or rehabilitation (as the case may be) of the referenced Development on the proposed site.

CERTIFICATION

I certify that the City/County of _____ has vested in me the authority to verify
(Name of City/County)

consistency with local land use regulations and the zoning designation specified above or, if the Development consists of rehabilitation, the intended use is allowed as a "legally non-conforming use" and I further certify that the foregoing information is true and correct. In addition, if the proposed Development site is in the Florida Keys Area as defined in Rule Chapter 67-48, F.A.C., I further certify that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO) allocations from the Local Government.

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 comprehensive planning and zoning, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 11-14)

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - SEWER CAPACITY,
PACKAGE TREATMENT, OR SEPTIC TANK**

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).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

1. Sewer Capacity, Package Treatment, or Septic Tank is available to the proposed Development, subject to item 2 below.
2. To access such waste treatment service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, and install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development.

CERTIFICATION

I certify that the foregoing information is true and correct.

Signature

Name of Entity Providing Service

Print or Type Name

Address (street address, city, state)

Print or Type Title

Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 11-14)

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - WATER**

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).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

1. Potable water is available to the proposed Development, subject to item 2 below.
2. To access such water service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, and install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development.

CERTIFICATION

I certify that the foregoing information is true and correct.

Signature

Name of Entity Providing Service

Print or Type Name

Address (street address, city, state)

Print or Type Title

Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 11-14)

Attachment

8

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

FHFC Application Reference: 2015-108

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: The Iguaine

Development Location: On the West side of SW 22nd Avenue, approximately 50 feet North of the intersection of SW 22nd Avenue and SW 2nd Street, Miami, FL.
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: T6-8 O

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 City 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 _____
Interim Zoning Administrator
Print or Type Title

Devin Cejas
Print or Type Name

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/Councilmember. Signatures from local elected officials are not acceptable, nor are other signatures. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

Attachment

9

**FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION THAT DEVELOPMENT IS CONSISTENT WITH ZONING
AND LAND USE REGULATIONS**

FHFC Application Reference: 2015-100

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: The Jasmine

On the West side of SW 22nd Avenue, approximately 50 feet North of the intersection of SW

Development Location: 22nd Avenue and SW 2nd Street, Miami, FL

(As 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).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

- (1) The zoning designation for the above referenced Development location is T6-8 O; and
- (2) The proposed number of units and intended use are consistent with current land use regulations and the referenced zoning designation or, if the Development consists of rehabilitation, the intended use is allowed as a legally non-conforming use. To the best of my knowledge, there are no additional land use regulation hearings or approvals required to obtain the zoning classification or density described herein. Assuming compliance with the applicable land use regulations, there are no known conditions which would preclude construction or rehabilitation (as the case may be) of the referenced Development on the proposed site.

CERTIFICATION

I certify that the City/County of City of Miami has vested in me the authority to verify

(Name of City/County)

consistency with local land use regulations and the zoning designation specified above or, if the Development consists of rehabilitation, the intended use is allowed as a "legally non-conforming use" and I further certify that the foregoing information is true and correct. In addition, if the proposed Development site is in the Florida Keys Area as defined in Rule Chapter 67-48, F.A.C., I further certify that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO) allocations from the Local Government.

Signature



Devin Ceja

Print or Type Name

Interim Zoning Administrator

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 comprehensive planning and zoning, City Manager, or County Manager/Administrator/Coordinator. Signatories from local elected officials are not acceptable, nor are other signatories. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

Liner: A Building or part of a Building with Habitable Space specifically designed to enfront a public space, masking a function without capacity to monitor public space, such as a parking lot, Parking Garage or storage facility.

Live-Work: See Section 1.1, Residential Uses

Loading Space: An area in which goods and products are moved on and off a vehicle, including the stall or berth and the apron or maneuvering room incidental thereto.

Lodging Use: See Section 1.1

Lodging Unit: Attached or semidetached living quarters comprised of furnished room(s) of approximately two hundred (200) gross square feet or more in area, including sanitary facilities but with only limited kitchen facilities, if any; not qualifying as a Dwelling Unit or efficiency apartment; occupied by transients on a rental or lease basis for limited periods of time.

Lot: A Lot is any individual Lot, tract or parcel of land, intended as a single Building site or unit, having an assigned number or numbers, letter or letters, or other name through which it may be identified for development purposes. A Lot may also be any combination of Lots, tracts, parcels or other areas of land established by acceptable legal joinder, delineated by a closed boundary and assigned a number, letter or other name through which it may be identified, intended as a single unit for development purposes.

Lot Area: Lot area shall be the area within the Lot Property Lines, excluding any portions of street rights-of-way or other required dedications.

Lot, Conforming: A parcel of land meeting the requirements of this Code as to dimensions (width, depth, or area) and access.

Lot, Corner: A Lot or parcel of land Abutting two (2) or more Thoroughfares at their intersection, or two (2) parts of the same Thoroughfare forming an interior angle of less than one hundred thirty-five (135) degrees.

Lot Coverage: The area of the Lot occupied by all Buildings, excluding Structures such as decks, pools, and trellises.

Lot, Interior: A Lot Abutting only one (1) Thoroughfare.

Lot, Nonconforming: A parcel of land with dimensions or access not meeting minimum requirements of this Code. See Article 7, Section 7.2.1.

Lot, Through: A Lot other than a Corner Lot, and with Frontage on more than one (1) Thoroughfare; Alleys shall not be considered for purposes of this definition.

Lot Line: The boundary that legally and geometrically demarcates a Lot.

Lot Width: The length of the narrowest dimension Frontage Line of a Lot.

Low Income Housing: As established by the City's Community Development Department.



miamidade.gov

Water and Sewer
PO Box 330316 • 3071 SW 38 Avenue
Miami, Florida 33233-0316
T 305-665-7471

October 22, 2015

HTG Princeton Park, LLC
3225 Aviation Avenue, Suite 602
Coconut Grove, FL 33133

Re: Water and Sewer Availability for (15-328501) for "Princeton Park", construction and connection of 140 apartments, located at SW 248th Street and SW 133rd Avenue, Miami-Dade County, Folio #30-6923-000-0822.

Ladies and Gentlemen:

This letter is in response to your inquiry regarding water and sewer availability to the above-referenced property for the construction and connection of one hundred forty (140) apartments.

The County owns and operates a sixteen (16) inch water main located in S.W. 248 Street at S.W. 133 Avenue, to which the developer shall connect and install a sixteen (16) inch water main easterly in S.W. 248 Street to the southeast corner of the developer's property, thence install an eight (8) inch water main within the developer's property as required to abut and provide service to all portions of the developer's property, interconnecting to the existing twenty-four (24) inch water main close to the northwest corner of the developer's property as the second point of connection. Alternatively, the County owns and operates a sixteen (16) inch water main located in S.W. 248 Street at S.W. 132 Avenue, to which the developer shall connect and install a sixteen (16) inch water main westerly in S.W. 248 Street to the southwest corner of the developer's property, thence install an eight (8) water main within the developer's property as required to abut and provide service to all portions of the developer's property, interconnecting to the existing twenty-four (24) inch water main close to the northwest corner of the developer's property as the second point of connection.

The County also owns and operates an eight (8) inch gravity sewer main located within a twenty-five (25) foot wide easement within the developer's property, to which the developer shall connect and install eight (8) inch gravity sewer mains as required to abut and provide service to all portions thereof, provided that there is sufficient depth and that there are no obstacles which would preclude construction of the sewer. Other points of connection may be established subject to approval of the Department.

There are existing water mains within the property, either in existing dedicated rights-of-way or easements, which need to be removed and relocated if in conflict with the proposed development. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement areas. In case of rights-of-way to be closed and vacated within the property, mains shall be removed and relocated, if needed, before closing/vacating them. Fire hydrants associated with mains to be removed and relocated shall be relocated as per Fire Department

Exhibit K

recommendations. Cutting and plugging of existing water mains shall be done by Department forces at developer's expense. Services to existing customers cannot be interrupted.

Construction connection charges and connection charges shall be determined once the developer enters into an agreement for water and sewer service, provided the Department is able to offer those services at the time of the developer's request. Information concerning the estimated cost of facilities must be obtained from a consulting engineer. All costs of engineering and construction will be the responsibility of the developer. Easements must be provided covering any on-site facilities that will be owned and operated by the Department.

The developer is hereby advised that the subject property falls within a designated protected wetland area. The developer is not authorized to commence any work or activities pursuant to this permit until the developer obtains any and all approvals or permits, if necessary, from the County's Department of Regulatory and Economic Resources (RER). Please be advised that, even after work commences, if the County is advised by the Federal Government, the State of Florida, or a court that an activity on the subject property is in violation of Federal law, in violation of Florida law, or in violation of a permit or approval granted by the Federal Government, such violation may result in an immediate stop work order. The developer is strongly advised to consult with the necessary federal or state agencies before conducting any work or activities on the property. Please be aware that the Federal Government may require certain actions or protections on the property, and this may result in the need to modify the plans for the property. Therefore, it is recommended that the developer consult with the Federal Government at an early stage in the process. In the event that the Federal Government advises that the plans for the subject property may result in a "take" of endangered or threatened species, the developer is strongly recommended to inform the County in writing at the earliest stage possible.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Decree entered on April 9, 2014, in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

This letter is for informational purposes only and conditions remain in effect for thirty (30) days from the date of this letter. Nothing contained in this letter provides the developer with any vested rights to receive water and/or sewer service. The availability of water and/or sewer service is subject to the approval of all applicable governmental agencies having jurisdiction over these matters. When development plans for the subject property are finalized, and upon the developer's request, we will be pleased to prepare an agreement for service, provided the Department is able to offer those services at the time of the developer's request. The agreement will detail requirements for off-site and on-site facilities, if any, points of connection, connection charges, capacity reservation and all other terms and conditions necessary for service in accordance with the Department's rules and regulations.

If we can be of further assistance in this matter, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to be "Douglas Pile", written over a horizontal line. The signature is somewhat stylized and scribbled.

Douglas Pile, Esq.
New Business Section



miamidade.gov

Water and Sewer
PO Box 330316 • 3071 SW 38 Avenue
Miami, Florida 33233-0316
T 305-665-7471

November 17, 2015

The Village Miami LLC
8500 N.W. 25 Avenue
Miami, Florida 33147

Re: Water and Sewer Availability for (15-310502) for "The Villages Apartments, Phase II", construction and connection of 120 apartments, located on the south side of N.W. 69th Street, approximately 125 feet southwest of the intersection of NW 69th Street and NW 8th Avenue, Miami, Florida, Folio # 01-3114-071-0010.

Ladies and Gentlemen:

This letter is in response to your inquiry regarding water and sewer availability to the above-referenced property for the construction of one hundred twenty (120) apartments.

The County owns and operates an existing twenty-four (24) inch water main in N.W. 10 Avenue at N.W. 69 Street, to which the developer shall connect and install a twelve (12) inch water main easterly in N.W. 69 Street to the northeast corner of the property, interconnecting to an existing six (6) inch water main at that location. Any public water main extension within the property shall be twelve (12) inches minimum in diameter. If two (2) or more fire hydrants are to be connected to a public water main extension within said property, the water system shall be looped with two (2) points of connection.

Due to the current Conditional Moratorium status of Pump Station 62, the existing gravity sewer associated with said pump station, which abuts the developer's property, is not available for connection at the present time. At the time the Conditional Moratorium status of PS 62 is lifted, or if the developer can provide the Department with an active sewer allocation letter issued by the County Regulatory and Economic Resources Department (RER), then the developer shall connect to an existing ten (10) inch gravity sewer (manhole #383) in N.W. 69 Street at N.W. 7 Court, provided there is sufficient capacity and depth, and subject to the Department's rules, regulations, and standards, and any applicable governmental approvals and restrictions. If unity of title does not apply, then any gravity sewer within the property shall be public and eight (8) inch minimum in diameter. Otherwise the developer shall install a private pump station, as long as all legal requirements are met. The developer shall connect to an existing twenty (20) inch sewer force main in N.W. 14 Avenue south of N.W. 61 Street and extend an eight (8) inch sewer force main as necessary to provide service to the subject property. Other points of connection may be established subject to approval of the Department.

There are existing sewer mains within the property, either in existing dedicated rights-of-way or easements, which need to be removed and relocated if in conflict with the proposed development. Easements associated with mains to be removed and relocated shall be closed and vacated before starting construction in the easement areas. In case of rights-of-way to be closed and vacated within the property, mains shall be removed and relocated, if needed, before closing/vacating them. Services to existing customers cannot be interrupted.

Construction connection charges and connection charges shall be determined once the developer enters into an agreement for water and sewer service, provided the Department is able to offer those services at the time of the owner's request. Information concerning the estimated cost of facilities must be obtained from a consulting engineer. All costs of engineering and construction will be the

Exhibit L

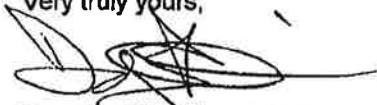
responsibility of the property owner. Easements must be provided covering any on-site facilities that will be owned and operated by the Department.

Please be advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida and/or any other governmental entity, including but not limited to, the Consent Decree entered on April 9, 2014, in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

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If we can be of further assistance in this matter, please contact us.

Very truly yours,



Douglas Pile, Esq.
New Business Contracting Officer