

BEFORE THE FLORIDA HOUSING FINANCE CORPORATION

SP ST APARTMENTS LLC
and SOUTHPORT DEVELOPMENT, INC.
d/b/a SOUTHPORT DEVELOPMENT
SERVICES, INC.,

Petitioners,

vs.

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

FHFC Case No. 2014-063BP

RFA 2014-103

FLORIDA HOUSING
FINANCE CORPORATION

14 MAR 31 PM 1:59

RECEIVED

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

Petitioners, SP ST Apartments LLC and Southport Development, Inc. d/b/a Southport Development Services, Inc. ("Southport") (collectively "Petitioners"), by and through undersigned counsel, file this Formal Written Protest and Petition for Formal Administrative Hearing ("Petition") pursuant to Section 120.57(3), Florida Statutes, and Rule 28-110.003, Florida Administrative Code. This Petition challenges the intended decision of Respondent, Florida Housing Finance Corporation ("Florida Housing") to disqualify Petitioners' proposed Serenity Towers development from eligibility for State Apartment Incentive Loan ("SAIL") funding to be awarded in response to Request for Applications 2014-103 for Financing of Affordable Multifamily Housing Developments with SAIL Funding to be Used in Conjunction With Tax-Exempt Bond Financing and Non-Competitive Housing Credits (the "RFA").

Parties

1. Petitioner SP ST Apartments, LLC is a Florida limited liability company. Southport Development, Inc., d/b/a Southport Development Services, Inc., is a Washington

corporation authorized to transact business in Florida. Both have an address at 2430 Estancia Blvd., Suite 101, Clearwater, Florida 33761 and are named in, and submitted, the application for the Serenity Towers Apartments (Application No. 2014-314S). For purposes of this proceeding, Petitioners' address and telephone number are those of its undersigned counsel.

2. Florida Housing is the agency affected by this Petition. Florida Housing's address is 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301.

Statement of Ultimate Facts

Background

3. The Florida Legislature has provided Florida Housing with the power to underwrite state apartment incentive loans or loan guarantees to provide housing affordable to very-low-income persons. § 420.5087, Fla. Stat. (2013).

4. On January 10, 2014, Florida Housing issued the RFA seeking Applications from Applicants proposing the development of affordable multifamily housing using SAIL funding in conjunction with tax-exempt bond financing and non-competitive housing credits. [RFA § 1, p. 2].

5. The RFA indicates that Florida Housing expects to award \$32.5 million of SAIL funding with \$22.5 million distributed for Elderly Demographic Developments and \$10 million distributed for Family Demographic Developments. [RFA § 1, p. 2]. The RFA further provides that the SAIL funding will be distributed across large, medium and small geographic categories as follows: large counties - 53.3%, medium counties - 36.7%, and small counties - 10%. [RFA § 1, p. 2]

6. Pursuant to the RFA, each Application is assigned a lottery number which may be relevant to funding determinations as described in more detail in paragraph 8 below. [RFA § 3, p. 3].

7. Section 5 of the RFA describes the process by which Applications will be evaluated and points awarded by a Review Committee. [RFA § 5, pp. 36-38]. Each Application can receive a maximum of 23 points. [RFA § 5, p. 37].

8. The Funding Selection process is set forth in Section 4.B. of the RFA. Developments eligible for funding are limited to those that meet certain eligibility requirements described throughout the RFA. [RFA § 4.B., p. 34]. Those Applications eligible for funding are then sorted and ranked in order from highest score to lowest score, with any tie scores separated as follows:

- a. First by the Applicant's eligibility for the Per Unit construction Funding Preference;
- b. Next by the Applicant's SAIL request amount per set-aside unit;
- c. Next by the Applicant's SAIL Leveraging as a Percentage of the Total Development Cost;
- d. Next by the Applicant's eligibility for the Florida Job Creation Preference; and
- e. Finally, by lottery number.

[RFA § 4.B., p. 34]. Funding Tests and a County Test are also applied. Under the Funding Tests, Applications will only be selected for funding if there is enough funding available in both the geographic category and demographic category to fund the Applicant's SAIL request amount. [RFP § 4.B., p. 34]. Under the County Test, funding is limited to one Application per county, unless the only eligible Applications that can meet the Funding Tests are located in a county where an Application has already been tentatively selected for funding. [RFA § 4.B., p. 35].

9. The selection process identified in the RFA begins with Applications in the Small County Geographic Category for which Florida Housing has a goal to fund one new construction Development, followed by the Medium County Geographic and the Large County Geographic Category, in that order, with Florida Housing's goal to fund two new construction Developments in each of those two geographic categories. [RFA § 4.B., pp. 35-36].

10. The deadline for receipt of applications was 11:00 a.m. on February 5, 2014.

11. Florida Housing received 34 applications in response to the RFA, including Petitioners' application for the Serenity Towers development ("Serenity Towers") (Application No. 2014-314S).

12. On or about February 18, 2014, Florida Housing published an "Application Submitted Report" on its website showing applications received by Florida Housing in response to the RFA. This report identifies Serenity Towers as Application No. 2014-314S, but other information on the report is missing for Serenity Towers, but not other Applicants, including the county, county size and development location street address. Petitioners have now learned that this information is missing because Florida Housing disqualified the Serenity Towers Application from funding under the RFA because although Florida Housing received four printed copies of the completed Serenity Towers Application by the deadline, it did not receive Exhibit A electronically.

13. Florida Housing's Review Committee for the RFA met on March 13, 2014. Because Florida Housing staff apparently had already disqualified the Serenity Towers Application, it was not scored or otherwise evaluated.

14. At the Board's March 14, 2014 meeting, the Review Committee and Staff Recommendations were presented to the Board, along with the 2014-103 SAIL RFA- Sorting

Order Chart showing the Applications listed in sorted order and identifying those Applications deemed ineligible for funding. One such Application identified as not eligible for funding is the Serenity Towers Application.

15. On March 14, 2014, Florida Housing's Board approved the Review Committee and Staff Recommendations.

16. At 1:38 p.m. on March 14, 2014, Florida Housing posted on its website its Notice of Intended Decision, consisting of two documents: (1) the RFA 2014-103 SAIL RFA -Sorting Order Chart; and (2) the 2014-103 SAIL RFA - Review Committee and Staff Recommendations. A copy of the Intended Decision (consisting of both documents) is attached as Exhibit "A."

17. On March 19, 2014, Petitioners timely filed a notice of their intent to protest Florida Housing's Intended Decision.

18. In accordance with Section 120.57(3), Florida Statutes, and Chapter 28-110, Florida Administrative Code, this Petition is being filed within 10 days of the date on which the notice of intent to protest was filed.

19. As described below, Petitioners' failure to ensure delivery of an electronic copy of Exhibit A to the Serenity Towers Application was a minor irregularity which Florida Housing should waive.

Failure to Ensure Delivery of an On-Line Copy of Exhibit A Was a Minor Irregularity

20. Section 3 of the RFA provides that "[a] complete Application consists of Exhibit A of RFA 2014-103 and all applicable attachments, as outlined in Section Four of the RFA. The RFA directs Applicants to submit a completed online Exhibit A electronically and to also submit a sealed package containing "four (4) printed copies of the complete Application (consisting of

the submitted online Exhibit A and all applicable attachments) all by the Application deadline.” [RFA § 3, p. 3].

21. It is undisputed that Florida Housing received a sealed package containing four printed copies of the complete Serenity Towers Application prior to the Application deadline. In fact, Florida Housing accepted and cashed the \$3,000 Application fee provided with the Serenity Towers Application. A copy of the cancelled check is attached to this Petition as Exhibit “B.”

22. At the time that Petitioners delivered the printed copies of the Serenity Towers Application, Petitioners believed they had also submitted a completed online Exhibit A electronically as Southport did for the five other developments for which it submitted Applications in response to the RFA.¹ The online application system does not provide any receipt or e-mail confirmation that the online copy of the application has been received, so it was only after the Application deadline passed that Petitioners learned that Florida Housing apparently did not receive an electronic copy of Exhibit A for Serenity Towers.

23. The RFA reserves the right to Florida Housing to waive minor irregularities. [RFA § 3, p. 4]. Rule 67-60.002(6) defines a “minor irregularity” as “a variation in a term or condition of an Application pursuant to this rule chapter that does not provide a competitive advantage or benefit not enjoyed by other Applicants, and does not adversely impact the interest of [Florida Housing] or the public.” Fla. Admin. Code R. 67-60.002.

24. Here, to the extent that Florida Housing did not receive an electronic copy of Exhibit A to the Serenity Towers Application, there was a minor irregularity with the Serenity Towers Application at best. Petitioners could not have received any competitive advantage or

¹Those five other developments are Georgia Arms (Application No. 2014-311S), 400 Apartments (Application No. 2014-312S), Caravel Arms Apartments (Application No. 2014-313S), Harbour Court (Application No. 2014-317S), and Brookside Village (Application No. 2014-319S).

benefit because Petitioners submitted four paper copies of the complete Serenity Towers Application by the Application deadline and Petitioners, therefore, could not change or alter anything with respect to the Serenity Towers Application following the Application deadline. In addition, the fact that Florida Housing may not have received an electronic copy of Exhibit A to the Serenity Towers Application does not adversely impact the interests of Florida Housing or the public. The *identical* information that would have been contained in any electronic copy of Exhibit to the Serenity Towers Application was in the possession of Florida Housing (four times over) by the Application deadline. There is no information that an electronic copy of Exhibit A would have provided to Florida Housing which Florida Housing did not then already have in its possession.

25. Failure to submit a form is a minority irregularity that can be waived where it does not give one Applicant a competitive advantage over other Applicants or affect the interests of Florida Housing or the public. *See Miami-Dade County Sch. Bd. v. J. Ruiz Sch. Bus Serv., Inc.*, 874 So. 2d 59, 60 (Fla. 3d DCA 2004) (failure of bidder to submit form was a minor irregularity). Moreover, failure to submit bid information in the proper electronic format has also been determined to be a minor irregularity that can be waived. *Care Access PSN, LLC v. Agency for Health Care Adm.*, DOAH Case No. 13-4113BID, 2014 WL 5015 (Fla. Div. Admin. Hrgs. Recommended Order Jan. 2, 2014). For the foregoing reasons, the decision of Florida Housing to disqualify the Serenity Towers Application simply because Florida Housing did not receive Exhibit A in electronic format is clearly erroneous, contrary to competition, arbitrary and capricious.

Issues of Fact and Law

26. The issues of fact and law at issue in this proceeding of which Petitioners are aware at this time include, but are not limited to:²

(a) Whether Florida Housing received four paper copies of the complete Serenity Towers Application by the Application deadline in the RFA;

(b) Whether Florida Housing did not receive an online Exhibit A to the Serenity Towers electronically by the Application deadline in the RFA;

(c) Whether all information that would have been in the online Exhibit A transmitted electronically was included in the four paper copies of the Serenity Towers Application that Florida Housing received by the Application deadline;

(d) Whether Petitioners received a competitive advantage or benefit not enjoyed by other Applicants by not confirming that Florida Housing received an electronic copy of Exhibit A to the Serenity Towers Application;

(e) Whether the interests of Florida Housing or the public would be adversely impacted by Florida Housing not receiving an electronic copy of Exhibit A to the Serenity Towers Application identical to the four paper copies that Florida Housing did receive;

(f) Whether an electronic transmission of Exhibit A would provide Florida Housing with any information relating to the Serenity Towers Application not already in Florida Housing's possession;

² Petitioners reserve the right to amend or supplement this Petition, including but not limited to, the disputed issues of material fact, to the extent that Petitioners learn of additional issues of material fact in the course of discovery or preparation for final hearing in this matter.

(g) Whether Florida Housing's Intended Decision to disqualify the Serenity Towers Application is contrary to the RFA;

(h) Whether Florida Housing's Intended Decision to disqualify the Serenity Towers Application is contrary to Rule 67-60.002(6);

(i) Whether Florida Housing's Intended Decision to disqualify the Serenity Towers Application is clearly erroneous, contrary to competition, arbitrary or capricious.

Notice of Florida Housing's Proposed Action

27. The Notice of Intended Decision was posted on Florida Housing's website at 1:38 p.m. on March 14, 2014.

Substantial Interests Affected

28. Petitioners are adversely affected by Florida Housing's Intended Decision. Petitioners' Serenity Towers Application complies with all of the requirements of the RFA, with the exception that an electronic copy of Exhibit A to the Application was apparently not received by Florida Housing by the Application deadline. Nonetheless, Florida Housing received four complete paper copies of the Serenity Towers Application (including Exhibit A) by the Application deadline. Thus, there is no information that an electronic copy of Exhibit A would have provided to Florida Housing that was not already in Florida Housing's possession by the Application deadline. Petitioner did not realize any competitive advantage or benefit as a result of failure to ensure that an electronic copy of Exhibit A had been delivered to Florida Housing by the Application deadline, and Petitioner's failure to ensure delivery of an electronic copy of Exhibit A does not adversely affect Florida Housing or the public in general. Accordingly, to the extent that Florida Housing did not receive an electronic copy of Exhibit A to the Serenity

Towers Application, this was a minor irregularity that Florida Housing should have waived and its failure to do so affects Petitioners' substantial interests.

Statutes and Rules that Entitle Petitioners to Relief

29. Petitioners are entitled to relief pursuant to Sections 120.569 and 120.57, Florida Statutes, Chapters 28-106, 28-110, 67-48 and 67-60, Florida Administrative Code; and the established decisional law of Florida courts, the Division of Administrative Hearings, and Florida administrative agencies.

Demand for Relief

WHEREFORE, Petitioners respectfully request that Florida Housing:

- a. Provide an opportunity to resolve this Petition by mutual agreement within seven (7) business days, as provided in Section 120.57(3), Florida Statutes;
- b. Transfer this Petition to the Division of Administrative Hearings for a formal hearing conducted before an Administrative Law Judge pursuant to Sections 120.569 and 120.57, Florida Statutes, if this Petition cannot be resolved within seven (7) business days and if Florida Housing disputes any of the material facts stated herein; and
- c. Ultimately issue a Final Order finding that Petitioners' Serenity Towers Application is eligible for funding, withdrawing the Notice of Intended Decision, providing for scoring the Serenity Towers Application by the Review Committee, and revising Florida Housing's tentative funding decisions to reflect application of the Funding Selection process set forth in Section 4.B. of the RFA to all eligible Applications submitted in

response to the RFA including the Serenity Towers Application after it has been scored.

Respectfully submitted this 31st day of March, 2014.



Lawrence E. Sellers, Jr.
Florida Bar No. 300241
Karen D. Walker
Florida Bar No. 0982921
HOLLAND & KNIGHT LLP
315 S. Calhoun St., Suite 600
Tallahassee, Florida 32301
(850) 224-7000
(850) 224-8832 (facsimile)
larry.sellers@hklaw.com
karen.walker@hklaw.com

Attorneys for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Formal Written Protest and Petition for Formal Administrative Hearing was filed by hand-delivery with Ashley Black, Agency Clerk, and that a true and correct copy was provided by hand-delivery to Wellington Meffert, General Counsel, Florida Housing Finance Corporation 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301 all on this 31st day of March, 2014.



Lawrence E. Sellers, Jr.

2014-103 SAIL RFA – Sorting Order

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Dev Category	Demo. Commitment	Total Set Aside Units	SAIL Request	EU Request	Eligible For Funding?	Total Points	Per Unit Construction Funding Preference	SAIL Request per Set-Aside	SAIL Request as % of TDC preference?	Florida Job Creation Preference	Lottery Number
2014-3275	Marianna Gardens	Jackson	S	Kimberly Murphy	HVPG Developers, LLC, Royal American Development, Inc.	A/R	F	100	\$950,000.00	\$750,000	Y	29.0	Y	\$3,500.00	Y	Y	21
2014-3265**	Azalea Gardens Apts.	Putnam	S	Michael S. Jordan	E & N Development, Inc.; Toledo Development Group, LLC	NC	E	84	\$2,408,774.50	\$675,000	Y	23.0	Y	\$28,675.89	Y	Y	18
2014-3025	Palm Breeze Apartments - Phase II	Flagler	S	Jay P. Brock	Atlantic Housing Partners, L.L.P.	NC	F	69	\$3,892,000.00	\$675,000	Y	23.0	Y	\$56,405.80	Y	Y	7
2014-3035	Reserve at Brookhaven	Flagler	S	Jay P. Brock	Atlantic Housing Partners, L.L.P.	NC	F	87	\$4,612,000.00	\$825,000	Y	18.0	Y	\$53,011.49	Y	Y	8
2014-3125	400 Apartments	Alachua	M	Brianna E. Heffner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development	A/R	E	101	\$1,650,000.00	\$750,000	Y	23.0	Y	\$16,336.63	Y	Y	22
2014-3115	Georgia Arms	Seminole	M	Brianna E. Heffner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development	A/R	F	90	\$1,850,000.00	\$675,000	Y	23.0	Y	\$20,555.56	Y	Y	20
2014-3235	Trinity Towers West	Brevard	M	Rodger Brown	Preservation of Affordable Housing, LLC	A/R	E	183	\$4,000,000.00	\$1,500,000	Y	23.0	Y	\$21,857.92	Y	Y	30
2014-3015	Grove Park Apartments	St. Lucie	M	Jay P. Brock	Atlantic Housing Partners, L.L.P.	NC	F	168	\$4,200,000.00	\$1,575,000	Y	23.0	Y	\$25,000.00	Y	Y	5
2014-3175	Harbour Court	Polk	M	Brianna E. Heffner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development	A/R	F	64	\$1,750,000.00	\$525,000	Y	23.0	Y	\$27,343.75	Y	Y	29
2014-3195	Brookside Village	Lee	M	Brianna E. Heffner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development	A/R	F	50	\$1,400,000.00	\$375,000	Y	23.0	Y	\$28,000.00	Y	Y	1
2014-3105	Brookstone I	Leon	M	Stewart W. Rutledge	Rossdale Holdings, LLC, H&H Residential Development, LLC	NC	E	108	\$3,050,000.00	\$750,000	Y	23.0	Y	\$28,240.74	Y	Y	19
2014-3075	The Verandas of Punta Gorda	Charlotte	M	Paula M. Rhodes	Norstar Development USA, LP; Punta Gorda Developers, LLC	NC	E	90	\$3,000,000.00	\$675,000	Y	23.0	Y	\$33,333.33	Y	Y	14

EXHIBIT
A

2014-103 SAIL RFA - Sorting Order

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Dev Category	Demo. Comment	Total Set Aside Units	Sail Request	EI Request	Eligible For Funding?	Total Points	Per Unit Construction Funding Preference	SAIL Request per Set-Aside	SAIL Request as % of TDC preference?	Florida Job Creation Preference	Lottery Number
2014-304S	The Loop Apartments	Osceola	M	Jay P. Brock	Atlantic Housing Partners, L.L.P.	NC	F	122	\$5,000,000.00	\$1,200,000	Y	23.0	Y	\$40,983.61	Y	Y	10
2014-306S	Smathers Phase Two	Miami-Dade	L	Alberto Millo, Jr.	Smathers Phase Two Developer, LLC	Redev.	E	130	\$1,138,150.00	\$975,000	Y	23.0	Y	\$8,755.00	Y	Y	13
2014-305S	Caroline Oaks	Duval	L	Stephen A. Frick	TVC Development, Inc.	NC	E	80	\$1,200,000.00	\$600,000	Y	23.0	Y	\$15,000.00	Y	Y	11
2014-325S	Tuscany Cove I	Miami-Dade	L	Douglas R. Mayer	Tacoby Economic Development Corporation, Inc.; Stone Soup Development, Inc.	NC	E	160	\$2,524,999.00	\$1,200,000	Y	23.0	Y	\$15,781.24	Y	Y	2
2014-324S	Cathedral Terrace	Duval	L	Shawn Wilson	Cathedral Terrace Redevelopment Associates, LLC	A/R	E	240	\$4,989,600.00	\$1,800,000	Y	23.0	Y	\$20,790.00	Y	Y	15
2014-322S	Northwest Gardens V	Broward	L	Liz Wong	APC Northwest Properties V Development, LLC; HEF-Dixie Court Development, LLC	NC	E	200	\$4,960,000.00	\$1,500,000	Y	23.0	Y	\$24,800.00	Y	Y	12
2014-300S	Paul Laurence Dunbar Senior Complex	Palm Beach	L	Francisco A. Rojo	Landmark Development Corp.; Baobab Development, Inc.	Redev.	E	99	\$2,474,000.00	\$750,000	Y	23.0	Y	\$24,989.90	Y	Y	4
2014-321S	Peterborough	Pinellas	L	Shawn Wilson	Peterborough Redevelopment Associates LLC	A/R	E	150	\$3,959,840.00	\$1,125,000	Y	23.0	Y	\$26,265.60	Y	Y	27
2014-318S	Coquina Place	Miami-Dade	L	Mara S. Mades	Brookstone Partners, LLC	NC	F	96	\$2,592,000.00	\$750,000	Y	23.0	Y	\$27,000.00	Y	Y	31
2014-316S	Halley Park	Hillsborough	L	Jonathan L. Wolf	Halley Park Developer, Inc.	NC	E	80	\$2,300,000.00	\$600,000	Y	23.0	Y	\$28,750.00	Y	Y	28
2014-328S	Cielo	Miami-Dade	L	Liz Wong	APC Development IV, LLC	NC	E	106	\$5,000,000.00	\$825,000	Y	23.0	Y	\$47,169.81	Y	Y	6

2014-103 SAIL RFA – Sorting Order

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Dev Category	Demo. Commitment	Total Set Aside Units	SAIL Request	ELL Request	Eligible For Funding?	Total Points	Per Unit Construction Funding Preference	SAIL Request per Set-Aside	SAIL Request as % of TDC Preference?	Florida Job Creation Preference	Lottery Number
Ineligible Applications (in Application Number order)																	
2014-308S	Oasis at Renaissance Preserve Lee	Miami	M	Daryl C. Jones	Integral Development LLC; Southwest Florida Affordable Housing Choice Foundation, Inc.	Relev.	E	100	\$3,400,000.00	\$750,000	N	23.0	Y	\$34,000.00	Y	Y	16
2014-309S	Robert King High Preservation Phase One	Miami-Dade	L	Alberto Millo, Jr.	Robert King High Phase One Developer, LLC	Relev.	E	185	\$1,618,750.00	\$1,425,000	N	23.0	Y	\$8,750.00	Y	Y	17
2014-315S	Caravel Arms Apartments	Broward	L	Brianna E. Hefner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development	A/R	F	110	\$250,000.00	\$825,000	N	18.0	Y	\$2,272.73	Y	Y	23
2014-314S	Serenity Tower			Brianna E. Hefner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development						N	0.0		\$0.00			25
2014-315S*	The Towers of Jacksonville	Duval	L	Anders Pielt	Retirement Housing Foundation, Inc.	A/R	E	175	\$1,250,000.00	\$1,500,000	N	14.5	Y	\$7,142.86	Y	Y	26
2014-320S	Winter Haven Manor	Polk	M	Sarah R. Robertson	ERC Development, LLC; Cambridge Housing Partners, LLC	A/R	E	125	\$3,670,000.00	\$525,000	N	23.0	Y	\$29,360.00	Y	Y	3
2014-329S	Courtside Apartments, Phase II	Miami-Dade	L	Matthew Rieger	AMC HTG 2 Developer, LLC	NC	E	120	\$3,575,000.00	\$900,000	N	23.0	Y	\$29,791.67	Y	Y	24
2014-330S	Courtside Family Apartments	Miami-Dade	L	Matthew Rieger	AMC HTG 1 Developer, LLC	NC	F	84	\$600,000.00	\$675,000	N	23.0	Y	\$9,523.81	Y	Y	9

*The ELL Request Amount was adjusted during scoring.
 **The SAIL Request Amount was adjusted during scoring.

On March 14, 2014, 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., 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.

2014-103 SAIL RFA – Review Committee and Staff Recommendations

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Dev Category	Demo. Commitment	Total Set Aside Units	SAIL Request	Eligible For Funding?	Total Points	Per Unit Construction Funding Preference	SAIL Request per Set-Aside	SAIL Request as % of TDC preference?	Florida Job Creation Preference	Lottery Number
--------------------	---------------------	--------	-------------	------------------------	--------------------	--------------	------------------	-----------------------	--------------	-----------------------	--------------	--	----------------------------	--------------------------------------	---------------------------------	----------------

Small County Application(s) Recommended

2014-3268*	Azalea Gardens Apts	Putnam	S	Michael S Jordan	E & N Development, Inc., Toledo Development Group, LLC	NC	E	84	\$2,408,774.50	Y	23.0	Y	\$28,675.89	Y	Y	18
2014-3275	Maranna Gardens	Jackson	S	Kimberly Murphy	HYVG Developers, LLC, Royal American Development, Inc	A/R	F	100	\$350,000.00	Y	23.0	Y	\$3,500.00	Y	Y	21

Medium County Application(s) Recommended

2014-3015	Grove Park Apartments	SF Luce	M	Lay P Brock	Atlantic Housing Partners L L P	NC	F	168	\$4,200,000.00	Y	23.0	Y	\$25,000.00	Y	Y	5
2014-3105	Brookstone I	Leon	M	Stewart W Rutledge	Rosedale Holdings, LLC, H&H Residential Development, LLC	NC	E	108	\$3,050,000.00	Y	23.0	Y	\$28,240.74	Y	Y	19
2014-3125	400 Apartments	Alachua	M	Brianne E Heffner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development Services, Inc	A/R	E	101	\$1,650,000.00	Y	23.0	Y	\$16,336.63	Y	Y	22
2014-3115	Georgia Arms	Seminole	M	Brianne E Heffner	Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development Services, Inc	A/R	F	90	\$1,850,000.00	Y	23.0	Y	\$20,555.56	Y	Y	20

2014-103 SAIL RFA – Review Committee and Staff Recommendations

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	Dev Category	Demo.	Commitment	Total Set Aside Units	SAIL Request	Eligible For Funding?	Total Points	Per Unit Construction Preference	SAIL Request per Set-Aside	SAIL Request as % of TDC preference?	Florida Job Creation Preference	Lottery Number
2014-3065	Smathers Phase Two	Miami Dade	L	Alberto Milo Jr	Smathers Phase Two Developer, LLC	Redev	E	E	130	\$1,138,150 00	Y	23 0	Y	\$8,755 00	Y	Y	13
2014-3055	Caroline Oaks	Duval	L	Stephen A Frick	TVC Development, Inc	NC	E	E	80	\$1,200,000 00	Y	23 0	Y	\$15,000 00	Y	Y	11
2014-3225	Northwest Gardens V	Broward	L	Lix Wong	APC Northwest Properties V Development, LLC, HEF Dixie Court Development, LLC	NC	E	E	200	\$4,960,000 00	Y	23 0	Y	\$24,800 00	Y	Y	12
2014-3005	Paul Laurence Dunbar Senior Complex	Palm Beach	L	Francisco A Rojo	Landmark Development Corp, Baobab Development, Inc	Redev	E	E	99	\$2,474,000 00	Y	23 0	Y	\$24,989 90	Y	Y	4
2014-3215	Peterborough	Pinellas	L	Shawn Wilson	Peterborough Redevelopment Associates LLC	A/R	E	E	150	\$3,939,840 00	Y	23 0	Y	\$26,265 60	Y	Y	27
2014-3165	Haley Park	Hillsborough	L	Jonathan L Wolf	Haley Park Developer, Inc	NC	E	E	80	\$2,300,000 00	Y	23 0	Y	\$28,750 00	Y	Y	28
2014-3255	Tuscany Cove I	Miami Dade	L	Douglas R Mayer	Tracody Economic Development Corporation, Inc, Stone Soup Development, Inc	NC	E	E	160	\$2,524,999 00	Y	23 0	Y	\$15,781 24	Y	Y	2
2014-3185	Coquina Place	Miami-Dade	L	Maro S Mades	Brookstone Partners, LLC	NC	F	F	96	\$2,592,000 00	Y	23 0	Y	\$27,000 00	Y	Y	31

Large County Application(s) Recommended

*The SAIL Request Amount was adjusted during scoring

On March 14, 2014, 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 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

1097

SOUTHPORT FINANCIAL SERVICES, INC.

REGIONS BANK

2430 Estancia Blvd, Suite 101
Clearwater, FL 33761
(727) 669-3660

61-1-620

2/3/2014

PAY TO THE ORDER OF FHFC

\$ **3,000.00

Three Thousand and 00/100

DOLLARS

FHFC
227 N Bronough Street Suite 5000
Tallahassee, FL 32301

AUTHORIZED SIGNATURE

MEMO

2014 - 8143
SAIL Application - Serenity Tower

⑈001097⑈ ⑆06200019⑆ 0184806567⑈

PAY TO THE ORDER OF
WACHOVIA BANK, N.A.
FOR DEPOSIT ONLY
FLORIDA HOUSING
FINANCE CORPORATION
209002013605

MELLS FARGO BANK NA DRD
20140210 E0034 PKT 04
⑈0910-0001-9⑈
0552622327

