

**STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION**

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

Petitioner,

FHFC NO. 2014-063BP

vs.

Application No. 2014-314S

FLORIDA HOUSING FINANCE CORPORATION

Respondent.

NORTHWEST PROPERTIES V. LTD.'S MOTION FOR LEAVE TO INTERVENE

Pursuant to sections 120.569, 120.57(1) and (3), Florida Statutes, and rules 28-106.205 and 28-106.204, Florida Administrative Code, Northwest Gardens V, Ltd. ("Northwest") files this Motion for Leave to Intervene and states:

1. The agency affected is the Florida Housing Finance Corporation ("FHFC"). The agency's address is 227 South Bronough Street, Suite 5000, Tallahassee, Florida 32399-2500. The agency's file number is 2014-063BP

2. The Intervenor is Northwest Gardens V, Ltd. Northwest's is 2950 SW 27th Avenue Suite 200, Miami, Florida 33133. For purposes of this proceeding, Northwest's contact information shall be that of its undersigned counsel, Donna E. Blanton and Brittany Adams Long, Radey Law Firm, 301 S. Bronough Street, Ste. 200, Tallahassee, Fla. 32301; 850-425-6654 (phone); 850-425-6694 (facsimile); dblanton@radeylaw.com and balong@radeylaw.com (email).

3. Rule 28-106.205, Florida Administrative Code, provides that persons other than the original parties to a pending proceeding are entitled to participate in the proceeding when that

person's "substantial interests will be affected by the proceeding and who desire to become parties"

4. Northwest's substantial interests are affected by this proceeding because FHFC Board of Directors, on March 14, 2014, published its approval of the Review Committee's motion and staff recommendation to select fourteen Applications for funding and invite the Applicants to enter credit underwriting.

5. As the prospective awardee of the funding, Northwest has a direct and substantial interest in the protest proceeding initiated by SP ST Apartments LLC and Southport Development, Inc. d/b/a Southport Development Services, Inc. ("Serenity Towers")

6. Northwest supports the preliminary agency action of FHFC.

7. Northwest has identified certain disputed issues of material fact in its petition. For purposes of this pleading, Northwest accepts that the issues raised by Serenity Towers are disputed, although Northwest does not concede the correctness of any of Serenity Towers' allegations.

8. Ultimate facts alleged by Northwest are that Florida Housing's proposed funding awards are consistent with the Florida Housing's statutes, rules and solicitation specifications.

9. The specific statutes and rules that entitle Northwest to relief are sections 120.569 and 120.57, Florida Statutes, and chapters 28-106, 28-110, and 60A-1, Florida Administrative Code.

10. Northwest respectfully requests that it be permitted to intervene as a full party in this proceeding. If the petition is transferred to DOAH, Northwest requests that the Administrative Law Judge enter a Recommended Order upholding the proposed award of

funding to Northwest pursuant to RFA 2014-103 and that FHFC adopt such Recommended Order as a Final Order.

11. Northwest reserves the right to amend this motion if additional disputed issues of material fact or law become known during discovery or review of public records.

12. In accordance with rules 28-106.204(3) and 28-106.205(2)(e), the undersigned has conferred with counsel for the Petitioner. He did not yet have authority from his client to state a position on Northwest's intervention.

Respectfully submitted, this 19th day of May, 2014.

s/ Donna E. Blanton
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CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was served by email this 19th day of May, 2014, to the following:

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s/ Donna E. Blanton
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