

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
CASE NO.: 22-0004BID

MADISON TRACE, LLC; AMERICAN
RESIDENTIAL COMMUNITIES, LLC;
AND NEW SOUTH RESIDENTIAL, LLC,

Petitioners,

vs.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

**UNOPPOSED PETITIONERS' MOTION FOR LEAVE TO FILE
AN AMENDED PETITION**

Petitioners move this Court for leave to file an Amended Petition, and as grounds states as follows:

1. Petitioners have determined through investigation, discussions with opposing counsel, and discovery that the Petition should be amended as set forth on the attached Amended Petition.
2. The undersigned counsel conferred with counsel for the Respondent and the Intervenor about this Motion. Counsel for the Respondent and counsel for the Intervenor have reviewed the Amended Petition and do not object to this Motion or the entry of an Order granting leave to file the Amended Petition.

WHEREFORE, Petitioners respectfully request the entry of an Order granting leave to file the Amended Petition.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically to Hugh R. Brown, General Counsel, Betty Zachem, Esquire and Christopher D. McGuire, Esquire, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301, (hugh.brown@floridahousing.org; Betty.Zachem@floridahousing.org; Chris.McGuire@floridahousing.org); and M. Christopher Bryant, Esquire, Oertel, Fernandez, Bryant & Atkinson, P.A., P. O. Box 1110, Tallahassee, FL 32302-1110, cbryant@ohfc.com, this 20th day of January, 2022.



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JTS/jle

**STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION**

MADISON TRACE, LLC, AND
AMERICAN RESIDENTIAL
COMMUNITIES, LLC, AND
NEW SOUTH RESIDENTIAL, LLC,

Petitioners,

APPLICATION NO: 2022-116C
REQUEST FOR APPLICATIONS: 2021-202

vs.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

**AMENDED FORMAL WRITTEN PROTEST OF AWARD
AND PETITION FOR ADMINISTRATIVE HEARING**

Pursuant to Sections 120.569 and 120.57(3), Florida Statutes, and Chapter 28-110 and Rule 28-106.201, Florida Administrative Code (“Fla. Admin. Code”), Petitioners, Madison Trace, LLC, and American Residential Communities, LLC and New South Residential, LLC (collectively, “Petitioners”), file this Amended Formal Written Protest of Award and Petition for Administrative Hearing and state:

Affected Agency

1. The agency affected is the Florida Housing Finance Corporation (“Florida Housing”), 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The telephone number is 850-488-4197.

Petitioners

2. Petitioners’ address is 558 W. New England Ave., Suite 230, Winter Park, Florida 32789. Petitioners’ telephone number is 407-333-1440. For purposes of this proceeding, Petitioners’ address is that of its undersigned counsel.

3. Petitioner Madison Trace, LLC (“Madison Trace”) is the Applicant entity for a proposed affordable housing development to be located in Orlando, FL, Application #2022-116C. American Residential Communities, LLC (“ARC”) and New South Residential, LLC (“New South”) are the “Developer” entities as defined by Florida Housing in Rule 67-48.002(28), Fla. Admin. Code.

4. Petitioners are challenging the eligibility for funding under Request for Applications 2021-202, Housing Credit Financing for Affordable Housing Developments Located in Broward, Duval, Hillsborough, Orange, Palm Beach and Pinellas Counties (the “RFA” or “RFA-2021-202”) of the applicant named in this petition for their failure to meet Eligibility requirements for an award of Housing Credits (“HC”) through an administrative hearing before the Department of Administrative Hearing (“DOAH”).

Petitioners’ Counsel

5. Counsel for Petitioners and Petitioners' address for this proceeding is:

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BACKGROUND

6. Florida Housing administers various affordable housing programs including the HC Program pursuant to Section 42 of the Internal Revenue Code (the “IRC” or “the Code”) and Section 420.5099, Florida Statutes, under which Florida Housing is designated as the HC agency

for the State of Florida within the meaning of Section 42(h)(7)(A) of the IRC, and Chapters 67-48 and 67-60, Fla. Admin. Code.

7. Florida Housing administers a competitive solicitation process to implement the provisions of the HC program under which developers apply for funding. Chapter 67-60, Fla. Admin. Code.

8. Rule 67-60.006, Fla. Admin. Code, provides that “[t]he failure of an Applicant to supply required information in connection with any competitive solicitation pursuant to this rule chapter shall be grounds for a determination of non-responsiveness with respect to its Application.”

9. Furthermore, by applying, each applicant certifies that:

Proposed Developments funded under this RFA will be subject to the requirements of the RFA, inclusive of all Exhibits, the Application requirements outlined in Rule Chapter 67-60, F.A.C., the requirements outlined in Rule Chapter 67-48, F.A.C. and the Compliance requirements of Rule Chapter 67-53, F.A.C.
(RFA at pg. 6).

10. Because the demand for HC funding exceeds that which is available under the HC Program, qualified affordable housing developments must compete for this funding. To assess the merits of proposed developments, pursuant Chapters 67-48 and 67-60, Fla. Admin. Code, Florida Housing has established by rule a competitive solicitation process known as the Request for Applications (“RFA”).

11. Specifically, Florida Housing’s solicitation process for RFA 2021-202, as set forth in Rules 67-60.001-.009, Fla. Admin. Code, involves the following:

- a) Florida Housing publishes its competitive solicitation (RFA) in the Florida Administrative Register;
- b) applicants prepare and submit their response to the competitive solicitation;

- c) Florida Housing appoints a scoring committee (“Review Committee”) to evaluate the applications;
- d) the scoring committee makes recommendations to Florida Housing’s Board, which are then voted on by the Board; and
- e) applicants not selected for funding may protest the results of the competitive solicitation process.

12. Florida Housing issued RFA 2021-202 on or about July 20, 2021. The application deadline for the RFA as modified was August 31, 2021 (“Application Deadline”).

13. The RFA sets forth the information required to be provided by the applicants, which includes a general description of the type of projects that will be considered eligible for funding and delineates the submission requirements. (RFA at pp. 2-81). The RFA sets forth on Pages 73 and 74, a list of mandatory Eligibility and Point Items that must be included in a response. The RFA expressly provides that “[o]nly Applications that meet all of the Eligibility Items will be eligible for funding and considered for funding selection.” (RFA at pg. 73).

14. The highest scoring Applications are determined by sorting together all eligible Applications according to the priority established in the RFA. If all priorities are the same between applicants, the applicant with the lowest lottery number receives preference. (RFA pg. 78).

15. On or about November 18, 2021, the Review Committee, which consisted of Florida Housing staff, met and considered the applications responding to the RFA. At the meeting the Review Committee listed and input the scores for each application and ultimately made recommendations to the Florida Housing Board of Directors (“Board”) for their consideration. The Review Committee determined that Madison Trace was eligible, but not selected for funding.

16. On December 10, 2021, Florida Housing’s Board of Directors adopted the Review Committee’s recommendations and tentatively authorized the selection for funding of those

applications identified in RFA 2021-202 Board Approved Preliminary Awards report, which reflected the preliminary funded applicants.

NOTICE OF AGENCY ACTION

17. Petitioners received notice on December 10, 2021, of Florida Housing's Final Agency Action entitled "RFA 2021-202 Board Approved Preliminary Awards" dated December 10, 2021 ("Corporation's Notice").

NOTICE OF PROTEST

18. On December 15, 2021, Petitioners timely filed their Notice of Protest in which they challenged the selection of the applications in the Corporation's Notice (See attached Exhibit A, which includes the Corporation's Notice reflecting the preliminarily funded applicants).

SUBSTANTIAL INTERESTS

19. Petitioners timely submitted an application in response to the RFA, Application #2022-116C ("Petitioners' Application"). In their Application, Petitioners sought an allocation of \$2,000,000 in annual federal tax credits to help finance the development of their project, a 96-unit Garden Apartment complex in Orlando, FL. As reflected in RFA 2021-202, All Applications Report, Petitioners were assigned lottery number 21. Petitioners were scored as having satisfied eligibility requirements for funding, satisfied Proximity Funding Preference requirements and scored 20 out of 20 Total Points. (See RFA 2021-202 All Applications Report, attached as Exhibit B.

20. Beacon at Creative Village Partners, Ltd. and Atlantic Housing Partners II, L.L.C. (collectively "Beacon") submitted an application in response to the RFA, Application #2022-122C ("Beacon Application"). The Beacon Application seeks an allocation of \$2,375,000 in annual federal tax credits to help finance the development of its project, a 79-unit High-Rise complex in

Orlando, FL. As reflected in RFA 2021-202 All Applications Report, Beacon was assigned lottery number 10.

21. The Beacon Application was scored as having satisfied eligibility requirements for funding. (See RFA 2021-202 All Applications Report).

22. The Beacon Application failed to satisfy RFA eligibility requirements and is not entitled to the eligibility determination. As a result of the preliminary scoring process the Beacon Application was incorrectly included in the preliminary awards rankings and should have been scored lower than Petitioners' Application. As specifically set forth below, Florida Housing improperly determined that Beacon satisfied RFA mandatory eligibility requirements.

23. Through this proceeding Petitioners are challenging and seeking a determination that Florida Housing erred in its decision to preliminarily award HC to Beacon. But for the errors described in this petition, Petitioners would have been ranked in the funded range and would have been entitled to an allocation of HC from RFA 2021-202.

24. Beacon's Application is ineligible for funding for failure to provide evidence of Site Control. The Site Control Certification Form submitted by Beacon is incomplete, because it does not demonstrate Site Control pursuant to the terms set forth in Section Four, A.7a. of the RFA.

25. With respect to Site Control and an Eligible Contract, Section Four, Part A. of the RFA provides, in pertinent part:

7. Readiness to Proceed

a. Site Control:

Demonstrate site control by providing, as Attachment 8 to Exhibit A, the properly completed and executed Florida Housing Finance Corporation Site

Control Certification form (Form Rev. 08-18), which is provided on the RFA Webpage.

For the Site Control Certification form to be considered complete, as an attachment to the form, include the documentation required in Items (1), (2), and/or (3), as indicated below, demonstrating that it is a party to an eligible contract or lease, or is the owner of the subject property. Such documentation must include all relevant intermediate contracts, agreements, assignments, options, conveyances, intermediate leases, and subleases. If the proposed Development consists of Scattered Sites, site control must be demonstrated for all of the Scattered Sites.

(1) An eligible contract must meet all of the following conditions:

...

(c) The Applicant must be the buyer unless there is an assignment of the eligible contract, signed by the assignor and the assignee, which assigns all of the buyer's rights, title and interests in the eligible contract to the Applicant;

(RFA pg. 38).

26. In an effort to satisfy RFA Section 7.a.(1), the Beacon Application Attachment 8 provides the Florida Housing Finance Corporation's Site Control Certification Form. Attached to the Site Control Certification Form is a Purchase Agreement between the City of Orlando as Seller and Creative Village Development, LLC ("CVD") as Buyer. Since Beacon at Creative Village Partners, Ltd. is not the buyer, the Beacon Application must include an assignment of the eligible contract to satisfy RFA Section 7.a.(1)(c). Exhibit B to the Purchase Agreement is an "Assignment of Option to Buyer" ("Assignment of Option"). The Assignment of Option fails to satisfy the express requirements of RFA Section 7.a.(1)(c), because the Assignment of Option is not signed by the assignee.

27. The Beacon Application also does not satisfy the requirements of Section 7.a.(1), because neither the Option nor the Purchase Option Agreement are included in Attachment 8. Section 7.a.(1) expressly requires that relevant agreements and options must be attached to Attachment 8. The Purchase Agreement and the Assignment of Option reference multiple times that they are made “pursuant to” and “defined” by the Purchase Option Agreement. The Purchase Option Agreement is also expressly incorporated into the Purchase Agreement. However, the Purchase Option Agreement is not attached to the Beacon Application.

28. The Beacon Application also does not satisfy the requirements of Section 7.a.(1)(c), because the Assignment of Option expressly states that it was not effective by the Application Deadline. The Assignment of Option states: “...this Assignment shall become effective only upon Closing.” Closing is a defined term in the Purchase Agreement. The Closing defined in the Purchase Agreement did not occur by the Application Deadline.

ISSUES OF MATERIAL FACT AND LAW

29. Disputed issues of material fact and law include those matters pled in this Petition and include, but are not limited to, the following:

a) Whether the requirements for eligibility found in the provisions of the RFA have been followed with respect to the proposed allocation of tax credits to Beacon under the RFA or correct eligibility determinations have been made based on the provisions of the RFA;

b) Whether Florida Housing’s proposed allocation of the tax credits to Beacon is consistent with the RFA, the requirements of a competitive procurement process and Florida Housing’s rules and governing statutes;

c) Whether the criteria for determining eligibility, ranking and evaluation of proposals in the RFA were properly followed;

d) Whether the preliminary rankings properly determine the eligibility of potential applicants for funding in accordance with the standards and provisions of the RFA;

e) Whether the rankings and proposed awards are consistent with the RFA and the disclosed basis or grounds upon which tax credits are to be allocated;

f) Whether the rankings and proposed awards are based on a correct determination of the eligibility of the applicants or correct scoring and ranking criteria in the RFA;

g) Whether the rankings and proposed awards are consistent with fair and open competition for the allocation of tax credits;

h) Whether the rankings and proposed awards are based upon clearly erroneous or capricious eligibility determinations, scoring or rankings;

i) Whether the proposed awards improperly incorporate new policies and interpretations that impermissibly deviate from the RFA specifications, existing rules or prior Florida Housing interpretations and precedents;

j) Whether Beacon's Application should be deemed ineligible for funding under the RFA because of its failure to satisfy RFA requirements with respect to Site Control;

k) Whether the criteria and procedures for the scoring, ranking and eligibility determination of Beacon's application is arbitrary, capricious, contrary to competition, contrary to the RFA requirements, or are contrary to prior Florida Housing interpretations of the applicable statutes and administrative rules;

l) Whether the RFA's criteria were properly followed in determining eligibility, ranking and evaluation of Beacon's Application;

m) Whether Beacon's eligibility determination and ranking is consistent with fair and open competition for the allocation of tax credits;

n) Whether Beacon's eligibility determination and ranking are based on clearly erroneous or capricious eligibility determination, scoring or ranking;

o) Whether Beacon's eligibility determination and ranking improperly incorporate new policies and interpretations that impermissibly deviate from the RFA specifications, existing rules or prior Florida Housing interpretations and precedents; and,

p) Such other issues as may be revealed during the protest process.

30. Petitioners reserve the right to seek leave to amend this petition to include additional disputed issues of material fact and law that may become known through discovery.

STATEMENT OF ULTIMATE FACTS AND LAW

31. As a matter of ultimate fact and law, Beacon failed to complete its application in accordance with the competitive solicitation; its applications was not responsive to and failed to

comply with relevant portions of the RFA 2021-202; and, therefore, Beacon's application should not have been considered for funding or scored as being an eligible application.

32. As a matter of ultimate fact and law, Florida Housing improperly determined that Beacon's application was completed in accordance with the competitive solicitation; was responsive to all applicable provisions of the RFA 2021-202 and, as a result, were eligible for funding under RFA 2020-202.

33. As a matter of ultimate fact and law, Florida Housing improperly scored The Beacon's Application as having satisfied all mandatory eligibility requirements as of the Application Deadline.

34. As a matter of ultimate fact and law, Florida Housing improperly determined that Beacon was eligible for funding.

35. As a matter of ultimate fact and law, but for these errors in Beacon's Application, Petitioners would have been entitled to an allocation of its requested tax credit funding.

STATUTES AND RULES

Statutes and rules governing this proceeding are Sections 120.569 and 120.57(3), and Chapter 420, Fla. Stat., and Chapters 28-106, 67-60, 67-48 and 67-40, Fla. Admin. Code.

WHEREFORE, Petitioners request that:

A. Florida Housing refer this Petition to the Division of Administrative Hearings for a formal administrative hearing and the assignment of an Administrative Law Judge pursuant to Section 120.57(3), Fla. Stat.;

B. The Administrative Law Judge enter a Recommended Order determining that:

- 1) Beacon failed to complete its application in accordance with the competitive solicitation; that its application was non-responsive to

and failed to comply with RFA 2021-202; and that its application should not have been scored as having satisfied mandatory eligibility requirements as prescribed by RFA 2021-202;

- 2) Florida Housing improperly determined that the application submitted by Beacon was completed in accordance with the competitive solicitation;
- 3) Florida Housing improperly determined that the application submitted by Beacon was responsive to RFA 2021-202.
- 4) Florida Housing improperly determined that Beacon's application was eligible for funding under RFA 2021-202.

C. The Administrative Law Judge enter a Recommended Order recommending Florida Housing award Petitioners their requested tax credit funding;

D. Florida Housing enter a Final Order awarding Petitioners their requested tax credit funding; and,

E. Petitioners be granted such other relief as may be deemed appropriate.


Respectfully submitted this _____ day of January, 2022.



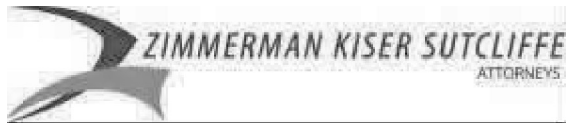
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished electronically to Hugh R. Brown, General Counsel, Betty. Zachem, Esquire, and Christopher Dale McGuire, Esquire, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301, (hugh.brown@floridahousing.org; Betty.Zachem@floridahousing.org; Chris.McGuire@floridahousing.org); and M. Christopher Bryant, Esquire, Oertel, Fernandez, Bryant & Atkinson, P.A., P. O. Box 1110, Tallahassee, FL 32302-1110, cbryant@ohfc.com, this _____ day of January, 2022.



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J. Timothy Schulte, Esquire
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December 15, 2021

Via Electronic Mail: CorporationClerk@floridahousing.org
Corporation Clerk
Florida Housing Finance Corporation
227 N. Bronough St., Ste. 5000
Tallahassee, FL 32301

RECEIVED

DEC 15 2021 8:29 AM

FLORIDA HOUSING
FINANCE CORPORATION

Re: RFA 2021-202 Housing Credit Financing for Affordable Housing
Developments in Medium and Small Counties ("the RFA")
Notice of Protest

Dear Corporation Clerk:

On behalf of Applicants Madison Trace, LLC, Application No. 2022-116C ("Madison") and Developers American Residential Communities, LLC, and New South Residential, LLC (collectively "ARC") this letter constitutes a Notice of Protest ("Notice") filed pursuant to sections 120.569 and 120.57(3); Florida Statutes, Rules 28-110 and 67-60.009, Florida Administrative Code; and the RFA. Madison and ARC protest Florida Housing Finance Corporation's ("Corporation") intended decision with respect to the scoring, ranking and selection of applications in the RFA, including but not limited to those applications selected for funding as identified in the notice of intended decision. (See Board Approved Preliminary Awards attached as Exhibit "A.")

This Notice is being filed within 72 hours (not including weekends) of the posting of the notice of intended decision on the Corporation's website on Friday, December 10, 2021 at 9:48 a.m. Madison and ARC reserve the right to file a formal written protest within (10) days of the filing of this Notice pursuant to section 120.57(3), Florida Statutes. This Notice is being filed to, among other matters, preserve Madison and ARC's ability to initiate or intervene in proceedings that may impact that scoring, ranking and funding determination.

Please acknowledge receipt of this filing by stamping the date and time on the enclosed copy of this letter.

Very truly yours,

JTS/jle
Encl.

cc: Madison Trace, LLC (via email)
American Residential Communities, LLC (via email)
New South Residential, LLC (via email)
D. Scott Baker, Esq. (via email) and Ava M. Sigman, Esq. (via email)

RFA 2021-202 Board Approved Preliminary Awards

Total HC Available for RFA	18,791,580.00
Total HC Allocated	18,836,000.00
Total HC Remaining	(44,420.00)

Application Number	Name of Development	County	Name of Authorized Principal Representative	Developers	Demo	Total Units	HC Funding Amount	Eligible For Funding?	Priority Level	Development serves the Family Demographic Commitment, and qualifies for the Geographic Area of Opportunity Funding/SADDA Goal	Qualifies for the Local Government Area of Opportunity	Qualifies as Previously Submitted Broward County Application	Total Points	Per Unit Construction Funding Preference	Development Category Funding Preference	Total Corp Funding Per Set-Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
Two Broward County Applications																				
2022-124C	City Place	Broward	Francisco A Rojo	Landmark Development Corp.	F	110	2,718,000	Y	1	N	Y	Y	20	Y	Y	155,121.70	A	Y	Y	3
2022-131C	Pinnacle at La Cabaña	Broward	David O. Deutch	Pinnacle Communities, LLC	E, Non-ALF	110	2,882,000	Y	1	N	Y	Y	20	Y	Y	153,449.21	A	Y	Y	8
One Duval County Application																				
2022-134C	Lofts at Cathedral	Duval	James. R. Hoover	TVC Development, Inc.	F	120	1,868,000	Y	1	N	Y	N	20	Y	Y	112,237.61	A	Y	Y	18
One Hillsborough County Application																				
2022-130C	The Addressley	Hillsborough	Shawn Wilson	Blue Sky Developer, LLC	F	128	2,375,000	Y	1	N	Y	N	20	Y	Y	141,943.36	A	Y	Y	16
One Orange County Application																				
2022-122C	The Beacon at Creative Village	Orange	Jay P. Brock	Atlantic Housing Partners II, LLC	F	79	2,375,000	Y	1	Y	Y	N	20	Y	Y	203,319.00	B	Y	Y	10
One Palm Beach County Application																				
2022-123C	Autumn Ridge	Palm Beach	Linda Odum	Landmark Development Corp.; Magnolia Affordable Development, Inc.	E, Non-ALF	106	2,375,000	Y	1	N	Y	N	20	Y	Y	153,128.50	A	Y	Y	5
One Pinellas County Application																				
2022-120C	Heritage Oaks	Pinellas	Brian Evjen	Norstar Development USA, L.P.; PCHA Development, LLC; Newstar Development, LLC	E, Non-ALF	80	1,868,000	Y	1	N	Y	N	20	Y	Y	156,429.78	A	Y	Y	1
Family Application that meets the Geographic Areas of Opportunity / SADDA funding goal																				
2022-117C	Andrew Landing	Hillsborough	James R. Hoover	TVC Development, Inc.; APDEV, LLC	F	108	2,375,000	Y	1	Y	N	N	20	Y	Y	146,359.38	A	Y	Y	7

On December 10, 2021, 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., and Rule 67-600.009, 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 2021-202 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Developers	Demo	Total Units	HC Funding Amount	Eligible For Funding?	Priority Level	Development serves the Family Demographic Commitment, and qualifies for the Geographic Area of Opportunity Funding/SADDA Goal	Qualifies for the Local Government Area of Opportunity	Qualifies as Previously Submitted Broward County Application	Total Points	Per Unit Construction Funding Preference	Development Category Funding Preference	Total Corp Funding Per Set Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
Eligible Applications																				
2022-116C	Madison Trace	Orange	Patrick E. Law	American Residential Communities, LLC, New	F	96	2,000,000	Y	1	Y	N	N	20	Y	Y	150,075.00	A	Y	Y	21
2022-117C	Andrew Landing	Hillsborough	James R. Hoover	TVC Development, Inc.; APDEV, LLC	F	108	2,375,000	Y	1	Y	N	N	20	Y	Y	146,359.38	A	Y	Y	7
2022-118C	Captiva Cove III	Broward	Mara S. Mades	Cornerstone Group Partners, LLC	F	106	2,765,000	Y	1	N	Y	N	20	Y	Y	158,472.39	B	Y	Y	4
2022-119C	Tori Meadows	Duval	James R. Hoover	TVC Development, Inc.	E, Non-ALE	110	1,868,000	Y	1	N	N	N	20	Y	Y	129,910.91	A	Y	Y	20
2022-120C	Heritage Oaks	Pinellas	Brian Evjen	Norstar Development USA, L.P.; PCHA Development	E, Non-ALE	80	1,868,000	Y	1	N	Y	N	20	Y	Y	156,429.78	A	Y	Y	1
2022-121C	Sunshine Lofts on 78th	Pinellas	Brian Evjen	Norstar Development USA, L.P.; PCHA Development	E, Non-ALE	78	1,868,000	Y	1	N	Y	N	20	Y	Y	148,233.34	A	Y	Y	15
2022-122C	The Beacon at Creative Village	Orange	Jay P. Brock	Atlantic Housing Partners II, LLC	F	79	2,375,000	Y	1	Y	Y	N	20	Y	Y	203,319.00	B	Y	Y	10
2022-123C	Autumn Ridge	Palm Beach	Linda Odum	Landmark Development Corp.; Magnolia Affordable	E, Non-ALE	106	2,375,000	Y	1	N	Y	N	20	Y	Y	153,128.50	A	Y	Y	5
2022-124C	City Place	Broward	Francisco A. Rojo	Landmark Development Corp.	F	110	2,718,000	Y	1	N	Y	Y	20	Y	Y	155,121.70	A	Y	Y	3
2022-125C	Bear Creek Commons	Pinellas	Shawn Wilson	Blue Sky Developer, LLC	E, Non-ALE	85	1,868,000	Y	1	N	Y	N	20	Y	Y	146,264.40	A	Y	Y	6
2022-126C	Burlington Post II	Pinellas	Oscar A Sol	Burlington Post 2 Dev, LLC	F	76	1,750,000	Y	1	Y	N	N	20	Y	Y	153,251.64	A	Y	Y	12
2022-127C	The Pantry Lofts	Broward	Oscar A Sol	The Pantry Lofts GM Dev, LLC; The Pantry Lofts NP	E, Non-ALE	100	2,711,500	Y	1	N	Y	N	20	Y	Y	153,203.22	A	Y	Y	14
2022-129C	Pinnacle 441, Phase 2	Broward	David O. Deutch	Pinnacle Communities, LLC	F	100	2,800,000	Y	1	N	Y	N	20	Y	Y	158,203.58	A	Y	Y	19
2022-130C	The Adderley	Hillsborough	Shawn Wilson	Blue Sky Developer, LLC	F	128	2,375,000	Y	1	N	Y	N	20	Y	Y	141,943.36	A	Y	Y	16
2022-131C	Pinnacle at La Cabaña	Broward	David O. Deutch	Pinnacle Communities, LLC	E, Non-ALE	110	2,882,000	Y	1	N	Y	Y	20	Y	Y	153,449.21	A	Y	Y	8
2022-132C	Seminole Square Apartments	Pinellas	Brett Green	Seminole Square Developer, LLC; Judd Roth Real Estate	F	96	1,868,000	Y	1	N	Y	N	20	Y	Y	153,487.33	A	Y	Y	2
2022-133C	Tallman Pines - Phase I	Broward	Matthew A. Rieger	HTG Tallman Villas Developer, LLC; Building	F	80	2,090,000	Y	1	N	Y	Y	20	Y	Y	154,018.01	A	Y	Y	17
2022-134C	Lofts at Cathedral	Duval	James R. Hoover	TVC Development, Inc.	F	120	1,868,000	Y	1	N	Y	N	20	Y	Y	112,237.61	A	Y	Y	18
2022-135C	Douglas Gardens VI	Broward	Christopher L. Shear	MHP Douglas Developer II, LLC; Douglas Gardens VI	E, Non-ALE	130	2,882,000	Y	1	N	N	N	20	Y	Y	129,841.64	A	Y	Y	9
2022-136C	River Trail Apartments	Palm Beach	Matthew A. Rieger	HTG Ridge Developer, LLC	F	94	2,375,000	Y	1	N	N	N	15	Y	Y	182,005.85	B	Y	Y	13
Ineligible Applications																				
2022-128C	Dunedin Apartments	Pinellas	Timothy M. Morgan	JIC Florida Development, LLC	F	71	1,707,930	N	1	Y	Y	N	15	Y	Y	173,285.13	B	Y	Y	11

On December 10, 2021, 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.

**EXHIBIT
B**