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STATE OF FLORIDA  
FLORIDA HOUSING FINANCE CORPORATION

FLORIDA HOUSING  
FINANCE CORPORATION

MHP COLLIER II, LLC,

Petitioner,

FHFC Case No. 2023-076BP

RFA No. 2023-205

v.

App. No. 2024-010BSN

FLORIDA HOUSING FINANCE  
CORPORATION,

Respondent.

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**MHP COLLIER II, LLC'S WRITTEN PROTEST AND  
PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS**

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MHP Collier II, LLC ("MHP Collier II"), petitions to protest a procurement decision made by the Florida Housing Finance Corporation ("FHFC" or "Florida Housing"). Florida Housing issued Request for Applications 2023-205 to solicit proposals for financing of affordable multifamily housing developments. MHP Collier II submitted an application in response to the RFA but was not selected forward. MHP Collier II now files this Formal Written Protest and Petition for Formal Administrative Proceedings to contest Florida Housing's preliminary decision to award financing to applicants other than MHP Collier II. Support for this Petition follows:

**The Parties and the RFA**

1. The agency affected by this protest is the Florida Housing Finance Corporation. Florida Housing's address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.
2. Florida Housing is a public corporation created by section 420.504, Florida Statutes, to administer the governmental function of financing or refinancing affordable housing.

Florida Housing's statutory authority and mandates are found in Part V, Chapter 420, Florida Statutes. See §§ 420.501–420.55, Fla. Stat.

3. Florida Housing administers competitive solicitations to make and service mortgage loans for new construction or rehabilitation of affordable housing through several programs, including the State Apartment Incentive Loan (SAIL) Program. See ch. 67-60, Fla. Admin. Code.

4. Florida Housing published Request for Applications No. 2023-205 (the “RFA”) to solicit proposals for the development of affordable housing for Families and for the Elderly using SAIL Program funding as gap funding in conjunction with Tax-Exempt Bond Financing, Non-Competitive Housing Credits, and National Housing Trust Funds.

5. Through the RFA, Florida Housing announced that it expected to offer an estimated \$108,344,702 comprised of a part of the Family and Elderly Demographic portion of SAIL funding approved by the 2023 Florida Legislature.

6. MHP Collier II is a Florida limited partnership in the business of providing affordable housing. MHP FL is located at 777 Brickell Avenue, Suite 1300, Miami, FL 33131. For purposes of this proceeding, MHP Collier II's address, telephone number and email address are those of its undersigned counsel.

7. MHP Collier II submitted a proposal in response to the RFA, Application No. 2024-010BSN as did several other applicants.

8. MHP Collier II's Application was fully responsive to the requirements of the RFA but was not selected for funding.

9. The Application filed by Arbour at Emerald Springs, LLC, (“Arbour”), Application No. 2024-020BSN, was deemed eligible for funding and was funded in Florida Housing’s preliminary awards.

10. As set forth below, the Application filed by Arbour failed to satisfy material requirements of the RFA.

**Notice and Authority for Petition**

11. Florida Housing issued the RFA on May 31, 2023.

12. Florida Housing modified the RFA on June 6, 2023, and June 26, 2023.

13. Applications in response to the RFA were due August 3, 2023, at 3:00 p.m., Eastern Time.

14. Florida Housing received sixty-three (63) applications in response to the RFA.

15. MHP Collier II is a responsible applicant that filed an application that was fully responsive to the material requirements of the RFA. MHP Collier II was deemed ineligible for funding by Florida Housing.

16. MHP Collier II received notice of Florida Housing’s preliminary RFA scoring and ranking through electronic posting on September 8, 2023, at 1:55 p.m. A copy of the Notice posted on Florida Housing’s website is attached as Exhibit “A”.

17. On September 12, 2023, MHP Collier II timely filed its Notice of Intent to Protest, attached as Exhibit “B”.

18. This Protest and Petition is timely filed on September 22, 2023, pursuant to Sections 120.569, 120.57(1) and 120.57(3), Florida Statutes, and Florida Administrative Code Chapters 28-110, 67-48, and 67-60.

19. Pursuant to Florida Administrative Code Rule 67-60.009(5), no bond is required for this protest.

#### **RFA 2022-205 Goals and Criteria**

20. The RFA sought proposals for affordable housing that would serve Families or the Elderly. The RFA also announced certain preferences, including preferences for proposals that met the needs of Veterans and Applicants that were “Self-Sourced.”

21. The RFA provided the following funding goals:

- Two Elderly, New Construction Applications located in a Large County, with a preference for at least one Application that qualifies for the Veteran’s Preference.
- Three Family, New Construction Applications located in a Large County, with a preference that at least two Applications are from Self-Sourced Applicants.
- One Elderly, New Construction Application located in a Medium County, with a preference for Applications that qualify for the Veteran’s Preference.
- Two Family, New Construction Applications located in a Medium County, with a preference that at least one Application is from a Self-Sourced Applicant.
- One Application that qualifies for the HUD Choice Neighborhoods Implementation Grant Goal.

See RFA § 5, B.3.

#### **Requirement to Submit Responsive Applications**

22. The RFA contained instructions regarding what must be provided in each responsive application. In order to be selected for funding, Applications were required to meet Eligibility Requirements. See § 5, A.1.

23. Eligibility items included the payment of an application fee.

24. Each applicant was also required to identify the location of its proposed development, and identify whether the location was in a small, a medium, or a large county, and provide evidence of site control, meaning a demonstration that the applicant controlled the land on which it proposed to construct affordable housing.

25. Each type of application had certain portions eligible for scoring and portions eligible for funding preferences. For example, an application was eligible to earn “proximity points” based on the distance between the development and points of interest to consumers, including community services such as medical facilities and pharmacies.

26. Once deemed eligible, Applications were then scored by a committee of Florida Housing, using scoring guidelines contained within the RFA.

#### **Application Sorting Order**

27. The RFA then provided a sorting order to select applicants for funding. The RFA provided that the highest scoring Applications would be determined by first sorting all eligible Priority 1 Applications from highest score to lowest score, with any scores that are tied separated in the following order:

a. First, by the Application’s Leveraging Classification, applying the multipliers outlined in Item 3 of Exhibit C of the RFA (with Applications having the Leveraging Level of 1 receiving the highest preference);

b. By the Application’s eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;

c. By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and

d. By lottery number, resulting in the lowest lottery number receiving preference.

See RFA § 5, B.4.a.-d.

### **Funding Selection Process**

28. The RFA mandated a Funding Selection process for the selection of eight Medium and Large County, New Construction Applications. See RFA, § 5, B.5.

29. The first application was to be awarded to the highest-ranking Application located in Miami-Dade or Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

30. The second application was dependent on the first application. If the first award was for Miami-Dade County or Broward County, then the funding selection process continued. If the Application selected for funding in paragraph (a) was an Elderly Application located in Miami-Dade County, the second Application will be the highest-ranking Family Priority I Application located in Broward County, with a preference that it be a Self-Sourced Application located in Broward County.

31. If the Application selected for funding in paragraph (a) was an Elderly Application located in Broward County, the second Application will be the highest-ranking Family Priority I Application located in Miami-Dade County, with a preference that it be a Self-Sourced Application located in Miami-Dade County.

32. If the Application selected for funding in paragraph (a) was a Family Application located in Miami-Dade County, the second Application will be the highest-ranking Priority I Application located in Broward County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Priority I Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Broward County, then the second Applications selected for funding will be the highest-ranking Priority I Application located in Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

33. If the Application selected for funding in paragraph (a) was a Family Application located in Broward County, the second Application will be the highest-ranking Priority I Application located in Miami-Dade County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Miami-Dade County, then the second Applications selected for funding will be the highest-ranking Priority I Application located in Miami-Dade County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

34. The RFA's Selection process goes on to describe which applications should be selected for funding for other goals, including two Elderly and three Family Applications for new

construction in large counties, and one Elderly and two-Family Applications in medium counties.

The complete Funding Selection Process from the RFA is set forth in Exhibit “C” to this Petition.

**Review Committee Scoring and Selections**

35. Appointed committee members from Florida Housing independently evaluated and scored their assigned portions of the submitted applications based on mandatory and scored items.

The Selection Process was carried out by the members of the Review Committee at a public meeting held January 18, 2023, at 2:00 p.m.

36. The following applications were selected by the Review Committee for funding:

SAIT Funding Balance Available	1,190,523
Family Demographic Funding Balance Available	1,016,978
Elderly Demographic Funding Balance Available	173,545

Application Number	Name of Development	County	County Site	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	Total SAIT Request (SAIT + EU)	Eligible For Funding?	Veterans Preference?	Self-Sourced Applicant?	HUD CN Goal?	Total Number of Units	Priority Level?	Total Points	Leveraging Level	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
<b>Two Elderly Large County New Construction Applications</b>																			
2024-047BSN	Mariposa Grove	Orange	L	Scott Zimmerman	BDG Mariposa Grove Developer, LLC	NC	E, Non-ALF	11,750,000	Y	Y	N	N	138	1	20	3	Y	Y	45
2024-054SN	Flats on 4th	Pinellas	L	Brett Green	Flats on 4th Developer, LLC; Pinellas County Housing and Economic Development Corporation	NC	E, Non-ALF	6,019,800	Y	Y	N	N	80	1	20	3	Y	Y	62
<b>Three Family Large County New Construction Applications</b>																			
2024-035S	Ambar Station	Miami-Dade	L	Elena M. Adams	Ambar3, LLC	NC	F	11,000,000	Y	N	Y	N	576	1	26	1	Y	Y	3
2024-033BSN	Pine Island Park	Broward	L	Lewis V Swezy	RS Development Corp	NC	F	6,509,880	Y	N	N	N	120	1	20	2	Y	Y	14
2024-006S	Garden House	Miami-Dade	L	Christopher L. Shear	MHP FL South Parcel Developer, LLC; MJHS South Parcel Developer, LLC	NC	F	6,665,000	Y	N	Y	N	145	1	26	4	Y	Y	11
<b>One Elderly Medium County New Construction Application</b>																			
2024-032BSN	Hermosa North Fort Myers II	Lee	M	Marcus D. Goodson	Revital Development Group, LLC; DDER Development, LLC; LCHA Developer, LLC	NC	E, Non-ALF	6,080,500	Y	Y	N	N	88	1	20	2	Y	Y	23
<b>Two Family Medium County New Construction Applications</b>																			
2024-019S	Riverbend Landings	Seminole	M	Jay P. Brock	Atlantic Housing Partners, L.L.P.	NC	F	4,099,700	Y	N	Y	N	89	1	26	2	Y	Y	46
2024-028S	Lake Bradford Apartments	Leon	M	C. Hunter Nelson	ECC Lake Bradford Developer, LLC	NC	F	7,146,000	Y	N	Y	N	156	1	24	4	Y	Y	41
<b>One HUD Choice Neighborhoods Implementation Grant Application</b>																			
2024-018SN	3611/3621 Cleveland Avenue	Lee	M	Vincent R Bennett	Fort Myers Developer, LLC; Southwest Florida Affordable Development, LLC	NC	F	9,402,500	Y	N	N	Y	92	1	20	5	Y	Y	55
<b>Small County Application(s)</b>																			
2024-020BSN	Arbours at Emerald Springs	Walton	S	Sam Johnston	Arbour Valley Development, LLC	NC	F	8,609,400	Y	N	N	N	84	1	20	5	Y	Y	22
<b>Medium County Application(s)</b>																			
2024-001BSN	Hawthorne Heights	Alachua	M	Michael Ruane	CORE Hawthorne Heights Developer LLC	NC	E, Non-ALF	7,794,600	Y	Y	N	N	86	1	20	4	Y	Y	29
2024-055BSN	Casa San Juan Diego	Collier	M	Eric C. Miller	NDA Developer, LLC; CSJD Developer, Inc.; CCHA Developer, LLC	NC	F	7,000,000	Y	N	N	N	80	1	20	4	Y	Y	49
<b>Large County Application(s)</b>																			
2024-060SN	Egret Landing	Duval	L	Delon R. Lowery	DDER Development, LLC	NC	E, Non-ALF	8,984,300	Y	Y	N	N	88	1	20	5	Y	Y	10
2024-058SN	Tampa 47th Street Apartments	Hillsborough	L	Alberto Millo, Jr.	Tampa 47th Street Apartments Developer, LLC	NC	F	7,750,000	Y	N	N	N	175	1	20	2	Y	Y	34
2024-012SN	Vaeger Plaza	Miami-Dade	L	Kareem T. Brantley	Integral Florida, LLC	NC	F	3,750,000	Y	N	N	N	135	1	15	1	Y	Y	27

On September 8, 2023, 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.



37. However, the Arbour at Emerald Springs Application selected for funding did not meet the eligibility requirements of the RFA and therefore Arbour at Emerald Springs, LLC's Application should not be selected for funding.

**Arbour at Emerald Springs, LLC, Application No. 2024-020BSN**

38. A material requirement of the RFA is the submission of an application fee. See RFA § 5.A.1., pp. 92-94 of 182. As the RFA instructs, “[t]o be eligible for funding, the following submission requirements must be met: (i) the Application must be submitted online by the Application Deadline, and (ii) the required Application fee must be submitted as of the Application Deadline.” Id. The failure to submit a timely application fee has proven fatal to previous applications. *See, e.g., Woodland Park II, LLC v. Fla. Housing Fin. Corp., et al.*, Case No. 23-0685BID, (DOAH May 17, 2023; FHFC June 12, 2023).

39. Section 3.A.4.a of the RFA required the submission of a \$3,000 Application Fee no later than the application deadline. Payment of the fee could be made by check, money order, ACH or wire transfer. The RFA's specifications included strong recommendations as to how the fee should be handled:

To ensure that the Application Fee is processed for the correct online Application, the following is strongly recommended: (i) whether paying by check, money order, ACH or wire transfer, include the Development Name, RFA number with the payment; and (ii) if paying by wire, include the Federal Reference Number, or if paying by ACH, include the Trace Number at question B.1 of Exhibit A.

To ensure that the Application Fee is received prior to the Application Deadline, the following is strongly recommended: (i) provide the Application Fee at least 48 hours prior to the Application Deadline; (ii) if paying by check or money order, provide the payment in person or via method requiring signature upon delivery, (iii) if paying by wire or ACH, ensure with banking institution that funding has been received by Florida Housing.

At least 24 hours prior to the Application Deadline, the Corporation expects to post a list of the check numbers and wire/ACH reference numbers for all Applications

that follow the above recommendation. If the online submission is not received by the Application Deadline, the payment will be refunded.

RFA, §3.A.4.a., pp 6-7 of 182. The RFA then provided account and address information for submission of application fees by ACH, wire transfer, or by check or money order.

40. Applicants are also provided an opportunity to verify the filing of their Application Fee within their submitted application. At Section 4.B.1 of Exhibit A to the application form, applicants were “strongly recommended” to:

(i) provide the Application Fee at least 48 hours prior to the Application Deadline; and (ii) whether paying by check, money order, ACH or wire transfer, include the Development Name, RFA number with the payment. Additionally, include the following:

- If submitting a check or money order, provide the check or money order number.
- If submitting an ACH, provide the trace number.
- If submitting a wire transfer, provide the wire service reference number (i.e. Fed/CHIPS/SWIFT Reference Number) and the Fed Wire Transfer Number.

RFA, Ex. A, ‘B. Other information’ Worksheet Tab: p. 32 of 36

41. Arbours at Emerald Springs’ Application did not contain any confirmation of the filing of the required application fee.

42. Florida Housing published an “Application Fee Log as of 8-1-23.” August 3, 2023, was the Application Deadline by which application fees were required to be submitted. Florida Housing’s Application Fee Log did not include any listing for Arbours at Emerald Springs or any evidence that an application fee had been paid as of that date. A copy of the Application Fee Log is attached as Exhibit “D”.

43. Upon review of publicly available information, there is no evidence that the Application submitted by Arbours that Emerald Springs included a mandatory application fee. If Arbours at Emerald Springs’ Application did not include an application fee, then the application is

ineligible and cannot be funded. If Emerald Springs' Application is ineligible and not funded, then MHP Collier II's Application would be funded pursuant to the RFA's sorting and selection process.

#### **Disputed Issues of Material Fact and Law**

44. Disputed issues of material fact and law entitle MHP Collier II to formal administrative proceedings pursuant to section 120.57(1), Florida Statutes. Disputed facts include, but are not limited to:

a. Whether Arbour at Emerald Springs' Application included a required \$3,000 Application Fee submitted prior to the Application Deadline;

b. Whether Florida Housing's actions in determining Arbour at Emerald Springs, LLC, Application No. 2024-020BSN was eligible for funding was violated RFA specifications in a manner that was contrary to competition;

c. Whether Florida Housing's actions in determining Arbour at Emerald Springs, LLC, Application No. 2024-020BSN was eligible for funding was violated RFA specifications in a manner that was clearly erroneous;

d. Whether Florida Housing's actions in determining Arbour at Emerald Springs, LLC, Application No. 2024-020BSN was eligible for funding was violated RFA specifications in a manner that was arbitrary and capricious;

e. Such other disputed issues as are raised in this proceeding or identified during discovery.

#### **Statutes and Rules Entitling Relief**

45. MHP Collier II is entitled to relief pursuant to sections 120.569, 120.57(1), and 120.57(3), Florida Statutes, and Florida Administrative Code Chapters 28-106, 28-110 and 67-60.

**Ultimate Statement of Facts and Law.**

46. Arbour at Emerald Springs, LLC, Application No. 2024-020BSN was ineligible for funding because it failed to demonstrate payment of an application fee submitted in advance of the Application Deadline.

47. A correct application of the RFA's specifications would have resulted in funding of MHP FL's Application.

48. MHP Collier II reserves the right to amend this Petition if additional disputed issues of material fact arise during discovery.

**Request for Relief**

49. MHP Collier II requests the following relief:

A. That the Application funding process be halted until this protest is resolved by final agency action;

B. That Florida Housing provide an opportunity to resolve this Protest by mutual agreement within seven days of the filing of this Petition, as provided in section 120.57(3)(d)1., Florida Statutes;

C. If this protest cannot be resolved by agreement, that the matter be referred to the Division of Administrative Hearings for formal administrative proceedings involving disputed issues of material fact pursuant to section 120.57(1) and (3), Florida Statutes;

D. That the assigned administrative law judge determines as a matter of fact and law, that Arbour at Emerald Springs, LLC, Application No. 2024-020BSN is ineligible for funding, and that MHP Collier II's Application should be funded;

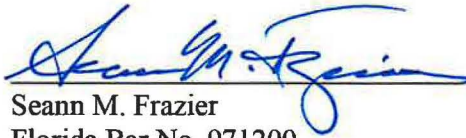
E. That Florida Housing adopt the administrative law judge's recommendation to fund MHP Collier II's Application by final order; and

F. Such other relief as is just and equitable.

Dated on this 25<sup>th</sup> day of September 2023.

Respectfully Submitted,

PARKER, HUDSON, RAINER & DOBBS, LLP



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Florida Bar No. 971200

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Ian Waldick

Florida Bar No. 124901

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101 East College Avenue, Suite 302

Tallahassee, Florida 32301

(850) 681-0191

*Counsel for MHP Collier II, LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail this 22<sup>nd</sup> day of September 2023 to:

Ethan Katz  
Florida Housing Finance Corporation  
227 North Bronough Street, Suite 5000  
Tallahassee, Florida 32301  
Ethan.Katz@floridahousing.org; hugh.brown@floridahousing.org  
[betty.zachem@floridahousing.org](mailto:betty.zachem@floridahousing.org); ana.mcglamory@floridahousing.org  
*Attorneys for Florida Housing Finance Corporation*

  
Seann M. Frazier

# EXHIBIT "A"

## RFA 2023-205 Board Approved Preliminary Awards

SAIL Funding Balance Available	1,190,523
Family Demographic Funding Balance Available	1,016,978
Elderly Demographic Funding Balance Available	173,545

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	Total SAIL Request (SAIL + ELI)	Eligible For Funding?	Veterans Preference?	Self-Sourced Applicant?	HUD CNI Goal?	Total Number of Units	Priority Level?	Total Points	Leveraging Level	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
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### Two Elderly Large County New Construction Applications

2024-047BSN	Mariposa Grove	Orange	L	Scott Zimmerman	BDG Mariposa Grove Developer, LLC	NC	E, Non-ALF	11,750,000	Y	Y	N	N	138	1	20	3	Y	Y	45
2024-054SN	Flats on 4th	Pinellas	L	Brett Green	Flats on 4th Developer, LLC; Pinellas County Housing and Economic Development Corporation	NC	E, Non-ALF	6,019,800	Y	Y	N	N	80	1	20	3	Y	Y	62

### Three Family Large County New Construction Applications

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2024-033BSN	Pine Island Park	Broward	L	Lewis V Swezy	RS Development Corp	NC	F	6,509,880	Y	N	N	N	120	1	20	2	Y	Y	14
2024-006S	Garden House	Miami-Dade	L	Christopher L. Shear	MHP FL South Parcel Developer, LLC ; MJHS South Parcel Developer, LLC	NC	F	6,665,000	Y	N	Y	N	145	1	26	4	Y	Y	11

### One Elderly Medium County New Construction Application

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### Two Family Medium County New Construction Applications

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## RFA 2023-205 Board Approved Preliminary Awards

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	Total SAIL Request (SAIL + EU)	Eligible For Funding?	Veterans Preference?	Self-Sourced Applicant?	HUD CNI Goal?	Total Number of Units	Priority Level?	Total Points	Leveraging Level	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
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### One HUD Choice Neighborhoods Implementation Grant Application

2024-018SN	3611/3621 Cleveland Avenue	Lee	M	Vincent R Bennett	Fort Myers Developer, LLC; Southwest Florida Affordable Development, LLC	NC	F	9,402,500	Y	N	N	Y	92	1	20	5	Y	Y	55
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### Small County Application(s)

2024-020BSN	Arbours at Emerald Springs	Walton	S	Sam Johnston	Arbour Valley Development, LLC	NC	F	8,609,400	Y	N	N	N	84	1	20	5	Y	Y	22
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### Medium County Application(s)

2024-001BSN	Hawthorne Heights	Alachua	M	Michael Ruane	CORE Hawthorne Heights Developer LLC	NC	E, Non-ALF	7,794,600	Y	Y	N	N	86	1	20	4	Y	Y	29
2024-055BSN	Casa San Juan Diego	Collier	M	Eric C. Miller	NDA Developer, LLC; CSJD Developer, Inc.; CCHA Developer, LLC	NC	F	7,000,000	Y	N	N	N	80	1	20	4	Y	Y	49

### Large County Application(s)

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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"



Seann M. Frazier  
d: (850) 629-0575  
sfrazier@phrd.com

September 13, 2023

RECEIVED

SEP 13 2023 10:58 AM

FLORIDA HOUSING  
FINANCE CORPORATION

Via E-Mail

Ana McGlamory, CP, FCP, FRP  
Corporation Clerk  
corporationclerk@floridahousing.org  
Florida Housing Finance Corporation  
227 North Bronough Street, Suite 5000  
Tallahassee, Florida 32301-1329

Re: Notice of Intent to Protest by MHP Collier II, LLC  
RFA 2023-205 "SAIL Financing of Affordable Multifamily Housing  
Developments To Be Used In Conjunction With Tax-Exempt Bonds And Non-  
Competitive Housing Credits"

Ms. McGlamory,

Please accept this correspondence as a Notice of Intent to Protest filed by MHP Collier II, LLC ("MHP Collier II") to challenge Florida Housing Finance Corporation's ("Florida Housing") preliminary procurement decisions in connection with RFA 2023-205 "SAIL Financing Of Affordable Multifamily Housing Developments To Be Used In Conjunction With Tax-Exempt Bonds And Non-Competitive Housing Credits" (the "RFA"). This Notice is filed pursuant to sections 120.569 and 120.57(3), Florida Statutes, Florida Administrative Code Rules 28-110.003 and 67-60.009, and the RFA.

This Notice is filed within seventy-two (72) hours (not including weekends and holidays) of the posting of preliminary awards made on Florida Housing's website on September 8, 2023, 1:55 p.m. MHP Collier II reserves the right to file a formal written protest within ten days of this Notice, pursuant to section 120.57(3), Florida Statutes.

Sincerely,

Seann M. Frazier

# EXHIBIT "C"

Days prior to the Application Deadline AND stamped "Approved" prior to the Application Deadline	
Bookmarking Attachments prior to submission	5
Developer Experience with Corporation funded Developments	5
Compliance Period Points (Self-Sourced Applicants only)	4
Higher Self-Sourced Applicant Contribution Points	2
Local Government Contribution Points	5
<b>Total Possible Points</b>	<b>26</b>

**B. Selection Process**

1. Funding Available

a. SAIL Funding Available: An estimated \$108,344,702

(1) Demographic Funding

(a) Family Funding Available: \$67,541,958

Up to a maximum of \$33,770,979 of the Family funding shall be reserved for Applicants that select the Family Demographic Commitment that qualify as Self-Sourced Applicants

\$33,770,979 of the Family funding shall be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants

(b) Elderly Funding Available: \$40,802,744

(2) Geographic Funding

(a) Small County Funding Available: \$10,834,470

(b) Medium County Funding Available: \$40,845,953

(c) Large County Funding Available: \$56,664,279

b. Funding Tests

Applications will only be selected for funding if there is enough SAIL funding available in both the applicable SAIL Geographic Category (SAIL Geographic Funding Test) and the SAIL Demographic Category (SAIL Demographic Funding Test) to fund the Applicant's Total SAIL Request Amount (i.e., the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible ELI Request Amount).

SAIL Geographic Funding Test refers to the availability of SAIL funding for Large County, Medium County, and Small County Applications to fully fund the Applicant's Total SAIL Request Amount.

SAIL Demographic Funding Test refers to the funding available for Elderly Applications (i.e., Applications with the Demographic of Elderly (ALF or Non-ALF) and Family Applications (i.e., Applications with the Demographic of Family) to fully fund the Applicant's Total SAIL Request Amount.

SAIL funds tentatively awarded to an Application will be deducted from the funds available within the applicable SAIL Geographic Category and the applicable SAIL Demographic Category. An Application will not be selected unless both the SAIL Geographic Funding Test and the SAIL Demographic Funding Test are met.

(1) Additional criteria considered for Family Developments to meet the SAIL Demographic Funding Test

(a) Non-Self-Sourced Family Applications

\$33,770,979 of the Family Funding will be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants ("Non-Self-Sourced Applicant Family Funding").

In addition to the SAIL Geographic Funding Test and SAIL Demographic Funding Test criteria stated above, in order for a Non-Self-Sourced Family Application to be selected for funding, there must be enough SAIL funding available in the Non-Self-Sourced Applicant Family Funding to fund the Applicant's Total SAIL Request Amount (i.e., the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible ELI Request Amount).

(b) Self-Sourced Family Applications

Up to a maximum of \$33,770,979 of the Family Funding will be reserved for Applicants that qualify as Self-Sourced Applicants ("Self-Sourced Applicant Family Funding").

In addition to the SAIL Geographic Funding Test and SAIL Demographic Funding Test criteria stated above, in order for a Self-Sourced Application to be selected for funding, there must be enough SAIL funding available in the Self-Sourced Applicant Family Funding to fund the Applicant's Total SAIL Request Amount (i.e., the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible ELI Request Amount).

The Self-Sourced Applicant Family Funding and Non-Self-Sourced Applicant Family Funding will remain part of the SAIL Demographic Funding Test until the Family Funding Merge described below.

(2) Family Funding Merge

At any time during the selection process, it is determined that either (i) none of the remaining eligible unfunded Non-Self Sourced Family Applications can meet the Demographic Funding Test; or (ii) none of the remaining eligible unfunded Self-Sourced Applications can meet the Demographic Funding Test, all remaining Self-Sourced Applicant Family Funding and Non-Self-Sourced Applicant Family Funding will be merged (“Family Funding Merge”).

After the Family Funding Merge, no further Self-Sourced Applications will be funded. Non-Self-Sourced Family Applications will be considered to meet the Demographic Funding Test if there is enough SAIL funding available in the SAIL Demographic Category (SAIL Demographic Funding Test) to fund the Applicant’s Total SAIL Request Amount (i.e., the Applicant’s Eligible SAIL Request Amount plus the Applicant’s Eligible ELI Request Amount).

## **2. County Award Tally**

As each Application is selected for tentative funding, the county where the proposed Development is located will have one Application credited towards the County Award Tally.

Throughout the selection process, the Corporation will prioritize eligible unfunded Priority 1 Applications that meet the Funding Test and are located within counties that have the lowest County Award Tally above other eligible unfunded Priority 1 Applications with a higher County Award Tally that also meet the Funding Test, even if the Priority 1 Applications with a higher County Award Tally are higher ranked, and above all Priority 2 Applications.

The Corporation will prioritize eligible unfunded Priority 2 Applications that meet the Funding Test and are located within counties that have the lowest County Award Tally above other eligible unfunded Priority 2 Applications with a higher County Award Tally that also meet the Funding Test, even if the Priority 1 Applications with a higher County Award Tally are higher ranked.

## **3. Goals**

- Two Elderly, New Construction Applications located in a Large County, with a preference for at least one Application that qualifies for the Veterans Preference
- Three Family, New Construction Applications located in a Large County, with a preference that at least two Applications are from Self-Sourced Applicants.
- One Elderly, New Construction, Application located in a Medium County, with a preference for Applications that qualify for the Veterans Preference
- Two Family, New Construction, Application located in a Medium County, with a preference that at least one Application is from a Self-Sourced Applicant.
- One Application that qualifies for the HUD Choice Neighborhoods Implementation Grant Goal.

For purposes of the funding selection, Applications with the Development Category of New Construction will qualify as New Construction Applications; and Applications with the Demographic Commitment of Elderly (ALF or Non-ALF) will qualify as Elderly Applications.

During the Funding Selection Process outlined below, an Application that is selected for funding may meet more than one goal. For instance, if an Application that was selected to meet the goal to fund two Family, New Construction, Applications located in a Large County and also qualifies for the HUD Choice Neighborhoods Implementation Grant Goal, the HUD Choice Neighborhoods Implementation Grant Goal will be considered met.

#### **4. Application Sorting Order**

The highest scoring Applications will be determined by first sorting together all eligible Priority 1 Applications from highest score to lowest score, with any scores that are tied separated in the following order. This will then be repeated for Priority 2 Applications:

- a. First, by the Application's Leveraging Classification, applying the multipliers outlined in Item 3 of Exhibit C of the RFA (with Applications having the Leveraging Level of 1 receiving the highest preference);
- b. By the Application's eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e. of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- c. By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
- d. By lottery number, resulting in the lowest lottery number receiving preference.

#### **5. The Funding Selection Process**

- a. Goals to fund eight Medium and Large County, New Construction Applications
  - (1) Goal to fund one New Construction Application located in Miami-Dade County and one New Construction Application located in Broward County
    - (a) First Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications

The first Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications will be the highest ranking eligible New Construction Priority 1 Application that is located in Miami-Dade County or Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.



If there are no Priority 1 Applications located in Miami-Dade County or Broward County, then the funding selection process will continue with (2) below.

(b) Second Application selected to meet the goal to fund eight Medium and Large County, New Construction Applications

- If the Application selected for funding in paragraph (a) was an Elderly Application located in Miami-Dade County, the second Application will be the highest-ranking Family Priority 1 Application located in Broward County, with a preference that it be a Self-Sourced Application located in Broward County.
- If the Application selected for funding in paragraph (a) was an Elderly Application located in Broward County, the second Application will be the highest-ranking Family Priority 1 Application located in Miami-Dade County, with a preference that it be a Self-Sourced Application located in Miami-Dade County.
- If the Application selected for funding in paragraph (a) was a Family Application located in Miami-Dade County, the second Application will be the highest-ranking Priority 1 Application located in Broward County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Priority 1 Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Broward County, then the second Applications selected for funding will be the highest-ranking Priority 1 Application located in Broward County, regardless of the Demographic Commitment, the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.
- If the Application selected for funding in paragraph (a) was a Family Application located in Broward County, the second Application will be the highest-ranking Priority 1 Application located in Miami-Dade County that either (i) is an Elderly Application that qualifies for the Veterans Preference; or (ii) is a Family Application that qualifies as a Self-Sourced Application. If there are no eligible Elderly Applications that qualifies for the Veterans Preference or Family Application that qualifies as a Self-Sourced Applications located in Miami-Dade County, then the second Applications selected for funding will be the highest-ranking Priority 1 Application located in Miami-Dade County, regardless of the Demographic Commitment, , the Application's qualifications for the Veterans Preference, or the Applicants' status as a Self-Sourced Applicant or Non-Self-Sourced Applicant.

If there are no eligible unfunded Priority 1 Applications located in Miami-Dade County or Broward County that can meet any of these scenarios, then the funding selection process will continue with (2) below.

(2) Goal to fund two Elderly, Large County, New Construction Applications

This goal will be met under the following circumstances:

- (a) If neither of the Applications selected to meet the goal described in (1) above are Elderly Applications, then the two highest-ranking eligible Elderly, Large County, New Construction Priority 1 Applications that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests.

If the goal is still not met because there were not enough eligible Priority 1 Applications that meets the Veterans Preference and this goal, then the highest-ranking eligible Elderly, Large County, New Construction Priority 2 Applications that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests, until this goal is met.

If the goal is still not met because there were not enough eligible Applications that meets the Veterans Preference and this goal, the highest-ranking eligible Elderly, Large County, New Construction Priority 1 Applications will be selected for funding, subject to the County Award Tally and both Funding Tests, until this goal is met.

If the goal is still not met because there were not enough eligible Elderly, Large County, New Construction Priority 1 Applications to meet this goal, the highest-ranking eligible Elderly, Large County, New Construction Priority 2 Applications will be selected for funding, subject to the County Award Tally and both Funding Tests, until this goal is met.

- (b) If one of the Applications selected to meet the goal described in (1) above is an Elderly Application, the highest-ranking eligible Elderly, Large County, New Construction Priority 1 Application that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Large County, New Construction Priority 1 Applications that meet the Veterans Preference, the highest-ranking eligible Elderly, Large County, New Construction Priority 2 Application that meets the Veterans Preference will be selected for funding, subject to the County Award Tally and both Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Large County, New Construction Applications that meet the

Veterans Preference, the highest-ranking eligible Elderly, Large County, New Construction Priority 1 Application will be selected for funding, subject to the County Award Tally and both Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Large County, New Construction Priority 1 Applications that meet the goal, the highest-ranking eligible Elderly, Large County, New Construction Priority 2 Application will be selected for funding, subject to the County Award Tally and both Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Large County, New Construction Applications that meet the goal, then the funding selection process will continue with (3) below.

(3) Goal to Fund Three Family, Large County, New Construction Applications

This goal will be met under the following circumstances:

- (a) If one or both of the Applications selected to meet the goal described in (1) above is a Family Application, that Application(s) will count towards this goal. To meet this goal, the highest-ranking Family, Large County, New Construction Self-Sourced Priority 1 Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met.

If the goal could not be met because there were not enough eligible unfunded Self-Sourced Priority 1 Applications that could meet this goal, then the highest-ranking Family, Large County, New Construction Non-Self-Sourced Priority 1 Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met.

If the goal could not be met because there were not enough eligible unfunded Family, Large County, New Construction Non-Self-Sourced Priority 1 Application(s) that could meet this goal, then the highest-ranking Family, Large County, New Construction Non-Self-Sourced Priority 2 Application(s) will be selected, subject to the County Award Tally and both Funding Tests, until this goal is met.

If the goal could not be met because there were not enough eligible unfunded Family, Large County, New Construction Non-Self-Sourced Application(s) that could meet this goal and both Funding Tests, then the funding selection process will continue with (4) below.

(4) Goal to Fund one Elderly, Medium County, New Construction Application

The Application selected for funding will be the highest-ranking eligible Elderly, Medium County, New Construction Priority 1 Application that meets the Veterans Preference, subject to the Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Medium County, New Construction Priority 1 Applications that meet the Veterans Preference, the highest-ranking eligible Elderly, Medium County, New Construction Priority 2 Application that meets the Veterans Preference will be selected for funding, subject to the Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Medium County, New Construction Application that meets the Veterans Preference, the highest-ranking eligible Elderly, Medium County, New Construction Priority 1 Application will be selected for funding, subject to the Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Medium County, New Construction Priority 1 Applications, the highest-ranking eligible Elderly, Medium County, New Construction Priority 2 Application will be selected for funding, subject to the Funding Tests.

If the goal could not be met because there were no eligible unfunded Elderly, Medium County, New Construction Applications that could meet this goal and both Funding Tests, then the funding selection process will continue with (5) below.

(5) Goal to Fund two Family, Medium County, New Construction Applications

The first Application selected for funding to meet this goal will be the highest-ranking eligible Family, Medium County, New Construction Priority 1 Application from a Self-Sourced Applicant, subject to the County Award Tally and Funding Tests.

After the selection of the Application from a Self-Sourced Applicant or if there are no Priority 1 Applications from a Self-Sourced Applicant that can meet this goal, the additional Application(s) selected to meet this goal will be the highest-ranking Family, Medium County, New Construction Priority 1 Application(s), regardless of whether the Application(s) is from a Self-Sourced Applicant, subject to the County Award Tally and both Funding Tests until this goal is met.

If the goal could not be met because there were not enough eligible unfunded Family, Medium County, New Construction Priority 1 Applications to meet this goal, then additional Application(s) selected to meet this goal will be the highest-ranking Family, Medium County, New Construction Priority 2 Application(s), regardless of whether the Application(s) is from a Self-Sourced Applicant, subject to the County Award Tally and both Funding Tests until this goal is met.

If the goal could not be met because there were not enough eligible unfunded Family, Medium County, New Construction Applications that could meet this goal and both Funding Tests, then the funding selection process will continue with b. below.

(6) Goal to fund one Application that qualifies for the HUD Choice Neighborhoods Implementation Grant Goal

If an Application that was selected to meet one of the goals above also qualifies for the HUD Choice Neighborhoods Implementation Grant Goal, the HUD Choice Neighborhoods Implementation Grant Goal will be considered met without selecting an additional Application.

If none of the Applications selected for funding also qualify for the HUD Choice Neighborhoods Implementation Grant Goal, the next Application selected for funding will be the highest ranking eligible unfunded Priority 1 Application that qualifies for the Goal, subject to the Funding Test and the County Award Tally.

If the goal is not met and there are no eligible unfunded Priority 1 Applications that qualify for the HUD Choice Neighborhoods Implementation Grant Goal, then the highest ranking eligible unfunded Priority 2 Application that qualifies for the HUD Choice Neighborhoods Implementation Grant Goal will be selected, subject to the Funding Test and the County Award Tally.

b. Family or Elderly (ALF or Non-ALF) Small County Applications

The highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Small County Priority 1 Applications, regardless of the Development Category, the Application’s qualifications for the Veterans Preference, or the Applicants’ status as a Self-Sourced Applicant or Non-Self-Sourced Applicant, will be selected for funding, subject to both Funding Tests and the County Award Tally.

If funding remains and none of the eligible unfunded Small County Priority 1 Applications can meet both of the Funding Tests, or if there are no eligible unfunded Small County Priority 1 Applications, then the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Small County Priority 2 Applications, regardless of the Development Category, the Application’s qualifications for the Veterans Preference, or the Applicants’ status as a Self-Sourced Applicant or Non-Self-Sourced Applicant, will be selected for funding, subject to both Funding Tests and the County Award Tally.

If funding remains and none of the eligible unfunded Small County Applications can meet both of the Funding Tests, or if there are no eligible unfunded Small County Applications, then the remaining Small County Geographic funding will be allocated to the Medium County Geographic Category and to the Large County Geographic Category on a pro-rata basis based on the geographic distribution adjusted to meet the requirements of Section 420.5087, F.S.

c. Family or Elderly (ALF or Non-ALF) Medium County Applications

(1) Self-Sourced Applications

First, the highest ranking eligible unfunded Family Medium County Self-Sourced Priority 1 Applications will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If funding remains and none of the eligible unfunded Family Medium County Self-Sourced Priority 1 Applications can meet both of the Funding Tests or if there are no eligible unfunded Family Medium County Self-Sourced Priority 1 Applications, then no further Family Medium County Self-Sourced Applications will be selected for funding and the funding selection process will continue with (2) below.

(2) One Application that meet the Veterans Preference

Next, the highest ranking eligible unfunded Elderly Medium County Priority 1 Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If the goal could not be met because there were no eligible unfunded Elderly Medium County Priority 1 Application that meet the Veterans Preference and the Funding Tests, the highest ranking eligible unfunded Elderly Medium County Priority 2 Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If the goal could not be met because there were no eligible unfunded Elderly Medium County Application that meet the Veterans Preference and the Funding Tests, then the funding selection process will continue with (3) below.

(3) Remaining Medium County Funding

If funding remains, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Medium County Priority 1 Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If none of the eligible unfunded Medium County Priority 1 Applications can meet both of the Funding Tests, or if there are no eligible unfunded Medium County Priority 1 Applications, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Medium County Priority 2 Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If none of the eligible unfunded Medium County Applications can meet both of the Funding Tests, or if there are no eligible unfunded Medium County Applications, the remaining Medium County Geographic funding will be allocated to the Large County Geographic Category and the funding selection process will continue with d. below.

d. Family or Elderly (ALF or Non-ALF) Large County Applications

(1) Self-Sourced Applications

First, the highest ranking eligible unfunded Family Large County Self-Sourced Priority 1 Applications will be selected for funding, subject to the Geographic and Demographic Funding Tests and County Award Tally.

If funding remains and none of the eligible unfunded Family Large County Self-Sourced Priority 1 Applications can meet both of the Funding Tests or if there are no eligible unfunded Family Large County Self-Sourced Priority 1 Applications, then no further Family Large County Self-Sourced Applications will be selected for funding and the funding selection process will continue with (2) below.

(2) One Application that meet the Veterans Preference

Next, the highest ranking eligible unfunded Elderly Large County Priority 1 Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If the goal could not be met because there were no eligible unfunded Elderly Large County Priority 1 Application that meet the Veterans Preference and the Funding Tests, the highest ranking eligible unfunded Elderly Large County Priority 2 Application that meet the Veterans Preference will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If the goal could not be met because there were no eligible unfunded Elderly Large County Application that meet the Veterans Preference and the Funding Tests, then the funding selection process will continue with (3) below.

(3) Remaining Large County Funding

If funding remains, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Large County Priority 1 Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If none of the eligible unfunded Large County Priority 1 Applications can meet both of the Funding Tests, or if there are no eligible unfunded Large County Priority 1 Applications, the highest ranking eligible unfunded Family or Elderly (ALF or Non-ALF) Large County Priority 2 Applications, regardless of the Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and the County Award Tally.

If none of the eligible unfunded Large County Applications can meet both of the Funding Tests, or if there are no eligible unfunded Large County Applications, then no further Applications will be selected for funding and the remaining funding will be distributed as approved by the Board.

**6. Returned Funding**

Funding that becomes available after the Board takes action on the Committee's recommendation(s), due to an Applicant withdrawing, an Applicant declining its invitation to enter credit underwriting or the Applicant's inability to satisfy a requirement outlined in this RFA, and/or provisions outlined in Rule Chapter 67-48, F.A.C., will be distributed as approved by the Board.

#### **SECTION SIX AWARD PROCESS**

Committee members shall independently evaluate and score their assigned portions of the submitted Applications, consulting with non-committee Corporation staff and legal counsel as necessary and appropriate.

The Committee shall conduct at least one public meeting during which the Committee members may discuss their evaluations, select Applicants to be considered for award, and make any adjustments deemed necessary to best serve the interests of the Corporation's mission. The Committee will list the Applications deemed eligible for funding in order applying the funding selection criteria outlined in Section Five above and develop a recommendation or series of recommendations to the Board.

The Board may use the Applications, the Committee's scoring, any other information or recommendation provided by the Committee or staff, and any other information the Board deems relevant in its selection of Applicants to whom to award funding. Notwithstanding an award by the Board pursuant to this RFA, funding will be subject to a positive recommendation from the Credit Underwriter based on criteria outlined in the credit underwriting provisions in Exhibits H and I of the RFA, and Rule Chapter 67-21, F.A.C., and Rule Chapter 67-48, F.A.C.

The Corporation shall provide notice of its decision, or intended decision, for this RFA on the Corporation's Website the day of the applicable Board vote. After posting, an unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., et. al. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., et. al. shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

After the Board's decision to select Applicants for funding in this RFA has become final action, the Corporation shall offer all Applicants within the funding range an invitation to enter credit underwriting. The Corporation shall select the Credit Underwriter for each Development.



# EXHIBIT "D"

RFA 2023-205						
RFA	Development Name	Date Payment Received in Email/Mail	Wire or Check?	If Check, check number	Date on ACH/Wire Trans./Check	Wire Confirmation #
2023-205	Hawthorne Heights	7/24/2023	Wire		7/21/2023	230721452989
2023-205	Hibiscus Pointe	7/24/2023	Wire		7/21/2023	230721452987
2023-205	Ambar Station Ltd	7/25/2023	Wire		7/25/2023	230725450500
2023-205	Calusa Pointe II	7/25/2023	Wire		7/25/2023	230725043957
2023-205	Oakhurst Trace	7/25/2023	Wire		7/25/2023	230725038398
2023-205	Sound Meadows	7/25/2023	Wire		7/25/2023	230725043988
2023-205	Hibiscus Grove	7/25/2023	Wire		7/25/2023	230725060615
2023-205	Tampa 47th Street Apartments	7/25/2023	Wire		7/25/2023	230725116435
2023-205	The Arbors at Naranja	7/26/2023	Wire		7/25/2023	230725165245
2023-205	Liberty Square Phase Five	7/26/2023	Wire		7/26/2023	230726071100
2023-205	Arbors at the Ridge	7/27/2023	Wire		7/26/2023	230726174357
2023-205	Osprey Landing	7/27/2023	Wire		7/26/2023	230726174385
2023-205	Liberty Renaissance	7/28/2023	Check	5649	7/27/2023	
2023-205	Pine Island Park	7/28/2023	Check	5648	7/27/2023	
2023-205	DeSoto Workforce Housing	7/28/2023	Check	16278	7/25/2023	
2023-205	Southpointe Vista Phase II	7/31/2023	Wire		7/31/2023	230731045188/ 230731127601
2023-205	Serenity Grove	7/31/2023	Check	42242	7/28/2023	
2023-205	Metro Grande II	7/31/2023	Wire		7/28/2023	230728191525
2023-205	Royal Pointe	7/31/2023	Wire		7/28/2023	230728191740
2023-205	Avery P	8/1/2023	Wire		7/31/2023	230731066934
2023-205	Driftwood Terrace	8/1/2023	Wire		7/31/2023	230731221026
2023-205	Ekos on Collier	8/1/2023	Wire		7/31/2023	230731045115/ 230731129266
2023-205	Ekos on Evans	8/1/2023	Wire		7/31/2023	230731045145/ 230731127591
2023-205	Garden House	8/1/2023	Wire		7/31/2023	230731045128/ 230731127597
2023-205	Perrine Village I	8/1/2023	Wire		7/31/2023	230731452081
2023-205	Perrine Village II	8/1/2023	Wire		7/31/2023	230731452246
2023-205	Perrine Village III	8/1/2023	Wire		7/31/2023	230731454095
2023-205	Quail Roost Transit Village III	8/1/2023	Wire		7/31/2023	230731452022
2023-205	Woodland Park Phase II	8/1/2023	Wire		7/31/2023	230731221337
2023-205	Mariposa Grove	8/1/2023	Wire		8/1/2023	230801078257
2023-205	Freedom Pointe	8/1/2023	Wire		8/1/2023	230801126799