STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

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FLORIDA HOUSING FINANCE CORPORATION

SOCIETY OF ST. VINCENT DE PAUL SOUTH PINELLAS INC.

Petitioner,

FHFC Case No.: 2025-063VW

vs.

FHFC APPLICATION: 2024-312SA
REQUEST FOR APPLICATION: 2024-102

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.
_____/

PETITION FOR WAIVER OF RULE 67-48.0072(21)(b) F.A.C. (6/28/23)

Petitioner St. Vincent de Paul CARES, Inc. (“CARES”) a Florida non-profit corporation, hereby petitions Respondent, Florida Housing Finance Corporation ("Florida Housing"), for a waiver of Rule 67-48.0072(21)(b) F.A.C. (June 28, 2023) (the "Rule") so that it may extend the SAIL/HOME-ARP firm loan commitment issuance deadline of November 17, 2025. CARES experienced a series of delays beyond its control, as outlined in more detail below. Accordingly, CARES is requesting a firm loan commitment issuance deadline to the May 17, 2026, Florida Housing Board meeting. ln support, CARES states as follows:

A. THE PETITIONER

The name, address, and telephone for CARES and its qualified representative are:

St. Vincent de Paul CARES, Inc.
Attn: Michael J. Raposa, Chief Executive Officer
384 15th St. North
St. Petersburg, FL 33705

The name, address, telephone, and email address for CARES attorney are:

Tomas J. Yi, Esq.
Vincentian Legal Services, Inc.

5109 N. Nebraska Ave.
Tampa, FL 33603
Telephone: (727) 270-7555
Email: tomas@svdp.care

B. DEVELOPMENT BACKGROUND

The following information pertains to the development (the "Development") underlying CARES application:

- **Development Name:** Vincentian Villas Phase I
- **Address:** 1825 Lavilla Road, Punta Gorda, Florida 33950
- **County:** Charlotte
- **Developer:** Society of St. Vincent dePaul South Pinellas, Inc.
- **Number of Units:** 15
- **Type:** Garden-style, two-story buildings
- **Set-Asides:** 15 units of affordable housing in the Punta Gorda community in Charlotte County, Florida designed to serve individuals and families with incomes at or below 60% of the Area Median Income (AMI); and per the requirements of the RFA, three units will be set aside for eligible households at 22% of the AMI, and seven units will be for eligible households with extremely low-income households at 30% AMI. SVdP CARES dedicates a minimum of 80% (12) of the total units to Permanent Supportive Housing for people with special needs, and a minimum of 20% (3) of the total units to Permanent Supportive Housing for individuals and families that meet the definition of Homeless Households,

which may be the same units set aside for Persons with Special Needs.

- **Target Population:** Persons with Special-Needs
- **Funding Requested:** SAIL & HOME ARP loan $5,847,111 (SAIL – $4,065,411, and HOME ARP $1,781,700)

C. WAIVER IS PERMENANT

The Waiver being sought is permanent.

D. THE RULE FROM WHICH WAIVER IS REQUESTED

CARES seeks a waiver of Rule 67-48.0072(2l)(b), effective June 28, 2023, which provides:

> For SAIL and HOME, unless stated otherwise in a competitive solicitation, the firm loan commitment must be issued within twelve (12) months of the Applicant's acceptance to enter credit underwriting, which may be automatically extended to the next scheduled meeting of the Board of Directors that is. after the twelve (12) month deadline. Unless an extension is approved by the Corporation in writing, failure to achieve issuance of a firm loan commitment by the specified deadline shall result in withdrawal of the preliminary commitment. Applicants may request one (I) extension of up to six (6) months, which may be automatically extended to the next scheduled meeting of the Board of Directors, that is after the six (6) month extension deadline, to secure a final loan commitment. All extension requests must be submitted in writing to the program administrator and contain the specific reasons for requesting the extension and shall detail the time frame to achieve a firm loan commitment. In determining whether to grant an extension, the Corporation shall consider the facts and circumstances of the Applicant's request, inclusive of the responsiveness of the Development team and its ability to deliver the Development timely. The Corporation shall charge a non-refundable extension fee of one (1) percent of each loan amount if the request to extend the credit underwriting and final loan commitment process beyond the initial twelve (12) month deadline is approved. If an approved extension is utilized, Applicants must pay the extension fee not later than seven (7) Calendar Days after the original twelve (12) month deadline. If, by the end of the extension period, the Applicant has not received a firm loan commitment, then the preliminary commitment shall be withdrawn.

E. STATUTES IMPLEMENTED BY THE RULE

The Rule implements Section 420.5087 (State Apartment Incentive Loan Program), Section 420.5089 (HOME Investment Partnership Program; HOME Investment Partnership Fund) of the Florida Housing Finance Corporation Act ("the Act") set forth in Sections 420.50 through 420.55 of the Florida Statutes.

F. JUSTIFICATION FOR GRANTING WAIVER OF THE RULE

1. CARES timely submitted its application on March 21, 2024, in response to RFA 2024-102/2024-312SA for SAIL& HOME ARP Financing for Smaller Permanent Supportive Housing Developments for Persons with Special Needs.
2. Florida Housing issued an invitation to enter credit underwriting on May 17, 2024 , setting a firm loan-commitment deadline of May 17, 2025. On June 13, 2025, Florida Housing's Board of Directors approved a firm loan commitment issuance deadline extension from May 17, 2025, to November 17, 2025. The extension fee was paid on June 17, 2025.
3. On April 7, a submission was made indicating that we planned to submit the application for site plan approval for Vincentian Villas I within the week. Although the duration of the county's review and approval process was unknown at the time, the project team proceeded diligently to advance the project as expeditiously as possible. At this time, all necessary approvals have been received, allowing the project to proceed to the next phase.
4. The organization experienced unanticipated staffing changes and turnover among its housing development team and local contractors, delaying final architectural and engineering approvals.

5. CARES and Vincentian Housing Corporation have acted diligently, securing HUD Environmental Review approval, updated appraisals, and Phase I ESA reports, and are working toward final credit underwriting submission in a timely manner.
6. Without a Rule waiver, strict application of the deadline would result in loss of funding and elimination of critical permanent supportive housing units in Charlotte County.
7. Florida Housing is authorized under § 120.542, Fla. Stat., and Chapter 28-104, F.A.C., to grant waivers where strict application of a rule would create substantial hardship or violate principles of fairness and where the purpose of the underlying statute will still be achieved.
8. Granting this waiver serves the purposes of the Florida Housing Act by preserving state-funded affordable housing for special-needs populations and advancing the goal of safe, decent, and affordable housing through non-profit partnerships.

G. ACTION REQUESTED

For the reasons set forth herein, CARES respectfully requests Florida Housing: (i) grant the requested waiver to extend the firm loan commitment issuance deadline to the May 17, 2026, Florida Housing Board meeting; (ii) grant this Petition and all of the relief requested herein; and (iii) grant such further relief as it may deem appropriate.

H. CERTIFICATION OF SERVICE

This Petition has been served on the Corporation Clerk and the Joint Administrative Procedures Committee.

Respectfully submitted,

/s/ Tomas J Yi
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