

FLORIDA HOUSING FINANCE CORPORATION
Board Meeting
June 13, 2008
Consent Items



HOMEOWNERSHIP LOAN PROGRAM

Consent

I. HOMEOWNERSHIP LOAN PROGRAM

A. Request for Approval to Extend the Construction Period for Metro North CDC (Non-Profit) for Metro North CDC Scattered Sites / HH03-013

Applicant Name (“Applicant”):	Metro North CDC (Non-Profit)
Development Name (“Development”):	Metro North CDC Scattered Sites
Developer/Principal (“Developer”):	Ronald Pauline
Number of Units: 9	Location: Duval County, Florida
Type: HOME Purchase Assistance Loan	Allocated Amount: \$225,000

1. Background

- a) The Applicant submitted an application during the 2003 Homeownership Loan Program Cycle, which scored within the funding range and was invited into credit underwriting on February 26, 2004.
- b) The final credit underwriting report, dated June 3, 2005, was approved at the June 10, 2005 Board Meeting.
- c) On June 13, 2005, a loan commitment was issued to the Developer with the construction period scheduled to end June 13, 2008.

2. Present Situation

- a) On May 16, 2008, the Developer requested an extension from June 13, 2008 until June 13, 2009, advising of difficulties in obtaining qualified homebuyers. The letter is attached as [Exhibit A](#).
- b) To date, the Developer has closed on 7 homes, utilizing \$173,731.87 out of the original \$225,000 that was awarded.

3. Recommendation

Staff recommends that the Board grant an extension of the construction period from June 13, 2008 until June 13, 2009.

HOME RENTAL

Consent

II. HOME RENTAL

A. Request Approval to Extend HOME Loan Closing Deadline For By The River (RFP 2006-02-04 / SHADP 2007-002)

Development Name: By The River (“Development”)	Location: Indian River County
Developer/Principal: By The River Inc. (“Borrower”)	Set-Aside: 20% @ 30% AMI / 80% @ 60% AMI HOME Assisted 41 Units 25% @ 30% AMI / 75% @ 60% AMI SHADP Assisted 41 Units
Number of Units: 41	Allocated Amount: \$2,959,216 HOME Loan \$1,847,357 SHADP Loan
Type: Garden Style/New Construction	Demographics: Frail Elderly

1. Background/Present Situation

- a) On June 22, 2006, staff issued a HOME preliminary commitment letter and invitation to credit underwriting for a HOME loan in an amount up to \$2,959,216, and on January 31, 2008, staff issued a SHADP preliminary commitment letter and invitation to credit underwriting for a SHADP loan in an amount up to \$1,946,515 for this 41-unit frail elderly development in Indian River County. The \$1,946,515 loan amount was reduced to \$1,847,357 in credit underwriting.
- b) On May 2, 2008, the Board approved the final credit underwriting for a HOME loan in the amount of \$2,959,216, to be secured by a first mortgage and a SHADP loan in the amount of \$1, 847,357, to be secured by a second mortgage.
- c) On May 9, 2008, staff issued firm commitments for a HOME loan in an amount up to \$2,959,216 and a SHADP loan in the amount up to \$1,847,357 for By The River. Pursuant to Rule Chapter 67-48, F.A.C. and 67ER07, F.A.C., the loans must close within 60 days of issuance of the firm commitment letters. The deadline for the loans to close is July 9, 2008.
- d) On May 19, 2008, staff received a letter ([Exhibit A](#)) from the Borrower, By The River, Inc., requesting extensions for an additional sixty days to close the HOME and SHADP Loans. The extensions are necessary due to Indian River County’s approval of the new set of PLATS. Staff has reviewed the request and finds that it meets all requirements of HOME Rule Chapter 67-48, F.A.C. and FHRP/SHADP Rule 67ER07, F.A.C.

2. Recommendation

Approve the Borrower’s request to extend the loan closing deadline until September 8, 2008.

HOUSING CREDITS

Consent

III. HOUSING CREDITS

A. Request Approval of Credit Underwriting Report for The Manor at West Bartow (2007-038C)

Development Name: The Manor at West Bartow (“Development”)	Location: Polk County
Polk County Housing Developers, Inc. (“Developer”)	Set-Aside: 20% @ 40% AMI and 80% @ 60% AMI
Number of Units: 100	Allocated Amount: \$850,000 (Supplemental)
Type: Three-story with Elevator	Housing Credit Equity: \$9,123,588
Demographics: Elderly	MMRB: N/A

1. Background/Present Situation

- a) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On September 28, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for the Front Porch Florida Set-Aside for Housing Credits and a Supplemental Loan in the amount of \$850,000 for this 100-unit elderly development located in Polk County.
- c) On May 29, 2008, staff received a credit underwriting report with a positive recommendation for an annual Housing Credit Allocation of \$1,155,000 and a Supplemental Loan in the amount of \$850,000 ([Exhibit A](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

HOUSING CREDITS

Consent

B. Request Approval of Credit Underwriting Report for Janie Poe Revitalization – Phase I (2007-146C)

Development Name: Janie Poe Revitalization – Phase I (“Development”)	Location: Sarasota County
The Michaels Development Company I, L.P. and Sarasota Housing Authority (“Developer”)	Set-Aside: 20% @ 30% AMI and 56% @ 60% AMI
Number of Units: 86	Allocated Amount: \$765,000 (Supplemental)
Type: Garden Style	Housing Credit Equity: \$10,948,304
Demographics: Family	MMRB: N/A

1. Background/Present Situation

- a) On August 22, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting at own risk for Housing Credits and a Supplemental Loan in the amount of \$765,000 for this 86-unit family development located in Sarasota County.
- b) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 30, 2008, staff received a credit underwriting report with a positive recommendation for an annual Housing Credit Allocation of \$1,155,000 and a Supplemental Loan in the amount of \$765,000 ([Exhibit B](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

LEGAL

Consent

IV. LEGAL

A. In Re: Friendship Tower, Ltd. - FHFC Case No. 2008-014VW

Development Name: (“Development”):	Friendship Tower Application No.: 2006-330CHR FHFC Case No.: 2008-014VW
Developer/Principal: (“Developer”):	Friendship Tower, Ltd.
Number of Units: 92	Location: Miami-Dade
Type: Mid-rise	Set Aside: 25% at or below 33% AMI 75% at or below 60% AMI
Demographics: Elderly	RRLP (requested) \$4,000,000 Competitive HC (requested) \$2,435,000

1. Background/Present Situation

- a) During the 2006 Rental Recovery Loan Program (“RRLP”) Cycle, Friendship Tower, Ltd. (“Petitioner”) applied for RRLP and Competitive HC to finance the construction of Friendship Tower (the “Development”) in Miami-Dade County, Florida.
- b) On May 13, 2008, Florida Housing received a Petition for Waiver of Fla. Admin. Code R. 67ER06-34(4) (2006) (“Petition”). A copy of the Petition is attached as [Exhibit A](#).
- c) Fla. Admin. Code R. 67ER06-34(4) (2006), provides in pertinent part:

The supplemental loan shall be non-amortizing and shall be based on each ELI unit at 0% simple interest per annum with the principal forgivable provided the units for which supplemental loan amount is awarded are targeted to ELI Households for at least 20 years.
- d) Petitioner requests a waiver of the above rule requiring Florida Housing to automatically forgive a supplemental loan’s principal balance when the awarded amount funds ELI Household units for at least 20 years. Furthermore, granting this relief fails to provide the Developer with an unfair advantage over other applicants. Petitioner has demonstrated that if Florida Housing fails to grant this waiver, Petitioner will suffer negative federal income tax ramifications pertaining to forgivable loans. Designation of this loan as “forgivable”, whether ultimately forgiven or not, may cause the IRS to consider this loan as “phantom” taxable income, or income that the IRS would tax, but for which Petitioner has not yet received a benefit. Designation of this loan as “forgivable”, whether ultimately forgiven or not, may cause the IRS to consider this loan as “phantom” taxable income, or income that the IRS would tax, but for which Petitioner has not yet received a benefit.
- e) On May 23, 2008, the Notice of Petition was published in the Florida Administrative Weekly. To date, Florida Housing has not received any comments concerning the Petition.

LEGAL

Consent

- f) Section 120.542(2), Florida Statutes provides in pertinent part:

Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.

- g) Under these circumstances, strict application of the above Rule on this dissimilarly situated Petitioner would create a substantial hardship and violate the principals of fairness. Moreover, under these circumstances, granting this request advances Florida Housing's statutory mandate to provide safe, sanitary and affordable housing to the citizens of Florida. The waiver of Fla. Admin. Code R. 67ER06-34(4) furthers this purpose.

2. **Recommendation**

Staff recommends the Board **GRANT** Petitioner's request for a waiver of Fla. Admin. Code R. 67ER06-34(4), to permit Petitioner to waive the rule requiring Florida Housing to automatically forgive this supplemental loan's principal balance.

LEGAL

Consent

B. In Re: Golden Acres Redevelopment Phase II, Ltd. - FHFC Case No. 2008-015VW

Development Name: (“Development”):	Golden Villas Application No.: 2006-322HR FHFC Case No.: 2008-015VW
Developer/Principal: (“Developer”):	Golden Acres Redevelopment Phase II Ltd.
Number of Units: 120	Location: Broward
Type: Garden Apartments	Set Aside: 25% at or below 30% AMI 75% at or below 60% AMI
Demographics: Family	RRLP (requested) \$10,000,000 MMRB (requested) \$12,000,000

1. Background/Present Situation

a) During the 2006 Rental Recovery Loan Program (“RRLP”) Cycle, Golden Acres Redevelopment Phase II, Ltd. (“Petitioner”) applied for RRLP and Multifamily Mortgage Revenue Bond (“MMRB”) funding to finance the construction of Golden Villas (the “Development”) in Broward County, Florida.

b) On May 13, 2008, Florida Housing received a Petition for Waiver of Fla. Admin. Code R. 67ER06-34(4) (2006) (“Petition”). A copy of the Petition is attached as [Exhibit B](#).

c) Fla. Admin. Code R. 67ER06-34(4) (2006), provides in pertinent part:

The supplemental loan shall be non-amortizing and shall be based on each ELI unit at 0% simple interest per annum with the principal forgivable provided the units for which supplemental loan amount is awarded are targeted to ELI Households for at least 20 years.

d) Petitioner requests a waiver of the above rule requiring Florida Housing to automatically forgive a supplemental loan’s principal balance when the awarded amount funds ELI Household units for at least 20 years. Furthermore, granting this relief fails to provide the Developer with an unfair advantage over other applicants. Petitioner has demonstrated that if Florida Housing fails to grant this waiver, Petitioner will suffer negative federal income tax ramifications pertaining to forgivable loans. Designation of this loan as “forgivable”, whether ultimately forgiven or not, may cause the IRS to consider this loan as “phantom” taxable income, or income that the IRS would tax, but for which Petitioner has not yet received a benefit.

e) On May 23, 2008, the Notice of Petition was published in the Florida Administrative Weekly. To date, Florida Housing has not received any comments concerning the Petition.

f) Section 120.542(2), Florida Statutes provides in pertinent part:

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.

LEGAL

Consent

- g) Under these circumstances, strict application of the above Rule on this dissimilarly situated Petitioner would create a substantial hardship and violate the principals of fairness. Moreover, under these circumstances, granting this request advances Florida Housing's statutory mandate to provide safe, sanitary and affordable housing to the citizens of Florida. The waiver of Fla. Admin. Code R. 67ER06-34(4) furthers this purpose.

2. Recommendation

Staff recommends the Board **GRANT** Petitioner's request for a waiver of Fla. Admin. Code R. 67ER06-34(4), to permit Petitioner to waive the rule requiring Florida Housing to automatically forgive this supplemental loan's principal balance.

LEGAL

Consent

C. In Re: West Bartow Partnership Ltd., LLLP - FHFC Case No. 2008-016VW

Development Name: (“Development”):	The Manor at West Bartow Application No.: 2007-038C FHFC Case No.: 2008-016VW
Developer/Principal: (“Developer”):	West Bartow Partnership Ltd., LLLP
Number of Units: 100	Location: Polk
Type: Mid-rise	Set Aside: 20% at or below 40% AMI 80% at or below 60% AMI
Demographics: Elderly	Competitive HC (requested) \$1,155,000

1. Background

a) During the 2007 Universal Application Cycle, West Bartow Partnership Ltd., LLLP (“Petitioner”) applied for housing credits and a “supplemental loan” to finance, in part, the construction of The Manor at West Bartow (the “Development”) in Polk County, Florida.

b) On May 13, 2008, Florida Housing received a Petition for Waiver of Fla. Admin. Code R. 67-48.00(1)(a) (2007) and Fla. Admin. Code R. 67-48.0075(a)(1) (2007) (“Petition”). A copy of the Petition is attached as [Exhibit C](#).

c) Fla. Admin. Code R. 67-48.004(1)(a), states in pertinent part:

The Universal Application Package or UA1016 (Rev. 3-08) is adopted and incorporated herein by reference and consists of the forms and instructions, obtained from the Corporation, for a fee, at 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, or available, without charge, on the Corporation's Website under the 2007 Universal Application link labeled Instructions and Application, which shall be completed and submitted to the Corporation in accordance with this rule chapter in order to apply for the SAIL, HOME, HC, or SAIL and HC Program(s).

d) The Universal Application Instructions at Part II A.2.a(1), state in pertinent part:

If applying for HC, the Applicant must be a limited partnership...or a limited liability company. The Applicant entity shall be the recipient of the Housing Credits and may not change until after the Carryover Allocation Agreement is in effect. Once the Carryover Allocation has been executed by all parties, replacement of the Applicant or a material change (33.3 percent or more of the Applicant, a General Partner of the Applicant, or a member of the Applicant) in the ownership structure of the named Applicant will require Board approval prior to the change.

e) Fla. Admin. Code R. 67-48.0075(7)(a)1, states in pertinent part:

with the principal forgivable provided the units for which the supplemental loan amount is awarded are targeted to ELI Households for at least 15 years.

LEGAL

Consent

- f) Petitioner requests a waiver of the above Rules and Instructions. First, Petitioner requests a waiver to change the general partner from West Bartow GP, Inc. to Lakeland-Polk Housing Corporation and for West Bartow GP, Inc. to reclassify as Petitioner's special limited partner. Second, Petitioner requests a waiver to the Rule requiring Florida Housing to forgive a supplemental loan's principal balance when the awarded amount funds ELI Household units for at least 15 years. Furthermore, granting this relief fails to provide the Developer with an unfair advantage over other applicants. Petitioner has demonstrated, though, that if Florida Housing fails to grant this waiver, negative federal income tax ramifications pertaining to forgivable loans will arise. Designation of this loan as "forgivable", whether ultimately forgiven or not, may cause the IRS to consider this loan as "phantom" taxable income, or income that the IRS would tax, but for which Petitioner has not yet received a benefit.
- g) On May 23, 2008, the Notice of Petition was published in the Florida Administrative Weekly. To date, Florida Housing has not received any comments concerning the Petition.
- h) Section 120.542(2), Florida Statutes provides in pertinent part:
- Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.
- i) Under these circumstances, strict application of the above Rules on this dissimilarly situated Petitioner would create a substantial hardship and violate the principals of fairness. Moreover, under these circumstances, granting these requests advances Florida Housing's statutory mandate to provide safe, sanitary and affordable housing to the citizens of Florida. The waiver of Fla. Admin. Code R. 67-48.00(1)(a) (2007) and Fla. Admin. Code R. 67-48.0075(a)(1) (2007) furthers this purpose.

2. **Recommendation**

Staff recommends the Board **GRANT** Petitioner's request for a waiver of Fla. Admin. Code R. 67-48.004(1)(a), to permit Petitioner to change the general partner from West Bartow GP, Inc. to Lakeland-Polk Housing Corporation and for West Bartow GP, Inc. to reclassify as Petitioner's special limited partner. Also, staff recommends the Board **GRANT** Petitioner's request for a waiver of Fla. Admin. Code R. 67-48.0075(a)1 to permit Petitioner to forgo the automatic forgiveness a supplemental loan's principal balance receives when the awarded amount funds ELI Household units for at least 15 years.

LEGAL

Consent

D. In Re: Florida Low Income Housing Associates, Inc. - FHFC Case No. 2008-011VW

Development Name: (“Development”):	Atlantic Pines
Developer/Principal: (“Developer”):	Fla. Low Income Housing Ass., Inc.
Number of Units: 14	Location: Monroe County
Type: Garden Apartment	Set Aside: 40% @ 60 % AMI, Farm worker; 60% @ 60% AMI, Family
Demographics: Farm worker, Family	SAIL: \$ 187,639.00

1. Background/Present Situation

- a) During the 1992-1993 SAIL V Cycle, Florida Low Income Housing Associates, Inc. (“Petitioner”) applied for and was awarded a State Apartment Incentive Loan (“SAIL”) loan (SL93-01) to finance the construction of Atlantic Pines, a farm worker/family housing development located in Big Pine Key, Monroe County, Florida (the “Development”).
- b) On May 6, 2008, Florida Housing received a “Petition for Waiver/Variance of Rule 9I–35.006(6), Florida Administrative Code,” (“Petition”) from Petitioner¹². A copy of the Petition is attached as [Exhibit D](#).
- c) Rule 9I – 35.006(6), F.A.C. (1993), states:

(6) If, in its application, the Applicant agrees to a very low-income set-side for a term longer than that required by law, the deferred SAIL interest due pursuant to Rule 9I – 35.006, F.A.C., shall be forgiven in an amount equal to the amount of interest due pursuant to Rule 9I – 35.006, F.A.C., multiplied by .05 multiplied by the number of years, not to exceed 15, that the very low-income set aside was extended beyond that required by law.

 - (a) The amount of interest to be forgiven shall be completed upon maturity of the note.
 - (b) Only interest which is in excess of the base interest rates specified in Rule Chapter 9I-35.006, F.A.C. shall be eligible for forgiveness.
- d) Petitioner and Florida Housing have been in negotiations regarding the Petitioner’s request to renegotiate and extend the loan, which matured on January 29, 2008. Petitioner and Florida Housing have reached a tentative agreement to extend the loan.³
- e) In its original Application, Petitioner committed to extend the low income housing set-aside into perpetuity. Pursuant to Rule 9I–35.006(6), F.A.C. (1993), \$42,783.81 of the total deferred interest of \$85,567.64 will be eligible for forgiveness under the Rule as of the January 29, 2008 loan maturity date.

¹ 91-35.006(6) is a typographical error. The correct citation is 9I-35.006(6).

² The Petitioner sought relief from 9I-35.006 for a second SAIL loan, but failed to cite the correct rule, 9I-28.007. Petitioner withdrew that portion of its Petition on May 22, 2008.

³ Rule 9I-35.006(14) provides that Florida Housing “may renegotiate and extend the loan in order to extend the availability of housing for the target population.”

LEGAL

Consent

- f) Petitioner requests a variance from the rule in order to obtain forgiveness of the entire \$42,783.83 deferred SAIL interest on the maturing loan and to re-amortize the outstanding principal balance on the loan over a thirty year term at a rate of 0% interest.
- g) The Development is a farm worker/family housing development operating in Big Pine Key. Monroe County has the highest housing costs in Florida, so continuing to provide affordable housing is critical. Under the Rules applicable when the Development was approved, the interest rate for a farm worker and family development was 9%. The Development has operated successfully for fifteen years, but does not generate significant cash flow because the rental revenue barely covers the expenses of operation.
- h) The SAIL statutes now include a commercial fishing workers set-aside and authorize SAIL loans for commercial fishing worker developments to be made at an interest rate of zero to three percent. *See*, Sections 420.507(22)(a)(1) and (2), 420.5087(3)(c) and 420.5087 (6)(a), Florida Statutes. The 2008 SAIL rule establishes a 0% interest rate on loans to developments that set aside at least 80% of the units for commercial fishing worker residents. Rule 67-48.010(3)(a), F.A.C. (2008).
- i) While the Development has always operated as one committed to serving the commercial fishing worker, Petitioner has agreed to formalize this commitment in exchange for the loan extension, and to commit to set aside 80% of the units in the Development for commercial fishing workers. This commitment would have qualified the Development for a 0% interest rate loan at its inception had the SAIL statute and rule in effect at that time recognized commercial fishing worker developments.
- j) On May 16, 2008, the Notice of Petition was published in Volume 34, Number 20 of the *Florida Administrative Weekly*. To date, Florida Housing has received no comments concerning the Petition.

2. Present Situation

- a) Section 120.542(2), Florida Statutes, provides in pertinent part:
 - (1) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.
- b) Granting this request for a waiver forgiving all deferred interest will serve the purpose of the underlying statute in that it will enhance the financial viability of the Development and thus ensure the continued availability of affordable housing to the commercial fishing workers in this Development. Granting Petitioner's request will also facilitate a new loan structure with Petitioner's SAIL loan interest at 0%, and with the principal balance amortized over a new thirty year term. Denial of the Petition would result in substantial hardship to the Petitioner in that the Development could not continue to operate as a fishing worker development without relief from the terms of the existing SAIL loan and

LEGAL

Consent

the limitation on interest forgiveness as set forth in Rule 9I-35.006(6), F.A.C. (1993).

3. Recommendation

Staff recommends the Board GRANT the Petitioner's request for variance from Rule 9I-35.006(6), F.A.C. (1993), to forgive all deferred SAIL interest due on the loan with the variance conditioned upon and subject to the closing of the loan modifications and extension in accordance with the proposal submitted by Special Assets contemporaneous herewith.

MULTIFAMILY BONDS

Consent

V. MULTIFAMILY BONDS

A. Request Approval Of The Final Credit Underwriting Report For Charlotte Crossing Apartments

DEVELOPMENT NAME (“Development”):	Charlotte Crossing Apartments
DEVELOPER/PRINCIPAL (“Applicant”):	Charlotte Crossing, Ltd./TCG Charlotte Crossing, LLC/Charlotte Crossing Development, LLC/Carlisle Development Group, LLC/ Lloyd J. Boggio
NUMBER OF UNITS:	124
LOCATION (“County”):	Charlotte
TYPE (Rental, Homeownership):	Rental/Elderly (MMRB, RRLP and HC)
SET ASIDE:	85% @ 60% (MMRB) 25% @ 40% (RRLP) 75% @ 60% (RRLP) 100% @ 60% (HC)
ALLOCATED AMOUNT:	\$9,500,000 of Tax-Exempt Bonds and \$7,050,000 RRLP

1. Background

Applicant submitted an application (“Application”) on behalf of the proposed Development during the 2005 MMRB Supplemental Cycle. Applicant applied for Tax-Exempt Bonds in the amount of \$12,000,000 and \$7,050,000 in RRLP loans (consisting of \$5,500,000 base loan and \$1,550,000 supplemental loan for a total loan amount of \$7,050,000) in order to construct the Development.

2. Present Situation

- a) While the current Program Rule does not prohibit changes or modifications of the proposed Development during credit underwriting, the Board has directed staff to notify it of any such changes.
- b) The Bonds will be privately placed with Bank of America, NA, rather than CharterMac, as stated in the Application.
- c) The housing credit equity provider has changed from Related Capital Company, as listed in the Application, to Wachovia Securities.
- d) The general contractor of the Development has changed from BJ and K Construction to Rodda Construction Multi-Family, LLC.
- e) The Applicant has secured a commitment from Charlotte County to provide a Hurricane Housing Relief (“HHR”) loan in the amount of \$3,224,000 for the Development.
- f) The Developer has been changed from Carlisle Development Group, LLC as stated in the Application to CC Development, LLC a single-purpose subsidiary of Carlisle.

MULTIFAMILY BONDS

Consent

- g) The credit underwriter has determined that these changes have no material impact on their loan recommendation for this development.
- h) A Final Credit Underwriting Report dated May 30, 2008 is attached as [Exhibit A](#).

3. Recommendation

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated May 22, 2008, recommending that \$12,000,000 in tax-exempt bonds and \$7,050,000 in RRLP loan funds be issued for the purpose of constructing the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

B. Request Approval Of The Final Credit Underwriting Report For Timber Trace Apartments

DEVELOPMENT NAME (“Development”):	Timber Trace Apartments
DEVELOPER/PRINCIPAL (“Applicant”):	CEC Timber Trace, LLC/Credit Equal Communities, LLC/Jeffrey Damavandi/Nick Kanieff
NUMBER OF UNITS:	116
LOCATION (“County”):	Hillsborough
TYPE (Rental, Homeownership):	Rental/Family (MMRB, SAIL and HC)
SET ASIDE:	10% @ 33% (MMRB) 75% @ 60% (MMRB) 10% @ 33% (SAIL & HC) 90% @ 60% (SAIL & HC)
ALLOCATED AMOUNT:	\$5,800,000 of Tax-Exempt Bonds and \$5,070,000 SAIL

1. Background

Applicant submitted an application (“Application”) on behalf of the proposed Development during the 2007 Universal Cycle. Applicant applied for Tax-Exempt Bonds in the amount of \$5,800,000 and \$5,070,000 in SAIL loans (consisting of \$4,050,000 base loan and \$1,020,000 supplemental loan for a total loan amount of \$5,070,000) in order to acquire and rehabilitate the Development.

2. Present Situation

- a) While the current Program Rule does not prohibit changes or modifications of the proposed Development during credit underwriting, the Board has directed staff to notify it of any such changes.
- b) Total development costs listed in the Application have decreased from \$14,748,735 to \$11,873,102. The decrease is the result of lower architectural, engineering, legal, contingency and building purchase costs.
- c) The Application listed Charter Mac Capital Solutions (“Centerline”) as the Bond purchaser and housing credit equity provider. The Developer has since replaced Charter Mac with Washington Mutual Bank as the Bond purchaser and Alliant Capital (“Alliant”) as the housing credit equity provider. The equity commitment from Alliant also reflected a syndication rate of \$.875, compared to the Centerline proposal of \$.91.
- d) The receipt and satisfactory review of final plans for the building connectors for consistency with Florida Housing’s pre-approved building connector design sketches will be a condition for Bond closing.
- e) In the Application, the Applicant indicated there were thirty-six (36) residential buildings in the Development. The site plan provided to the credit underwriter shows there are thirty-five buildings in the Development. However, the total dwelling units will remain the same at 116 units.

MULTIFAMILY BONDS

Consent

- f) The credit underwriter has determined that these changes have no material impact on their loan recommendation for this development.
- g) A Final Credit Underwriting Report dated May 29, 2008 is attached as [Exhibit B](#).

3. **Recommendation**

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated May 29, 2008, recommending that \$5,800,000 in tax-exempt bonds and \$5,070,000 in SAIL loan funds be issued for the purpose of acquiring and rehabilitating the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

C. Request Approval Of The Supplemental Letter To The Final Credit Underwriting Report For Hudson Ridge Apartments

DEVELOPMENT NAME (“Development”):	Autumn Place Apartments
DEVELOPER/PRINCIPAL (“Applicant”):	Foxtrail Acres, Ltd./Foxtrail Acres GP, LLC/TRG Member, LLC/The Richman Group Development Corporation/Richard P. Richman, individually
NUMBER OF UNITS:	120
LOCATION (“County”):	Hillsborough
TYPE (Rental, Homeownership):	Rental/Family (MMRB, SAIL and HC)
SET ASIDE:	10% @ 33% (ELI, MMRB, SAIL, HC) 75% @ 60% (MMRB) 90% @ 60% (SAIL & HC)
ALLOCATED AMOUNT:	\$8,000,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS: Request Approval of the Supplemental Letter to the Final Credit Underwriting Report (“CUR”)	

1. Background

- a) Applicant submitted an application (“Application”) on behalf of the proposed Development during the 2007 MMRB Universal Cycle. Applicant applied for tax-exempt bonds in the amount of \$8,000,000 in order to construct the Development.
- b) At the March 2008 Board Meeting, Florida Housing approved a Final Credit Underwriting Report for the Development.

2. Present Situation

- a) The Applicant, in a letter attached as [Exhibit C](#) requested a change from the private placement provider, Citigroup Municipal Mortgage, Inc., to a letter of credit structure which will be provided by SunTrust Bank, Inc.
- b) The Credit Underwriter has reviewed the request and by letter, dated May 29, 2008, attached as [Exhibit D](#) recommends that Florida Housing approve the request.

3. Recommendation

That the Board approve the Supplemental Letter to the Final Credit Underwriting Report dated February 28, 2008 recommending that \$8,000,000 in bonds be issued for the purpose of constructing the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

D. Request Approval Of The Supplemental Letter To The Final Credit Underwriting Report For Hudson Ridge Apartments

DEVELOPMENT NAME (“Development”):	Hudson Ridge Apartments
DEVELOPER/PRINCIPAL (“Applicant”):	Hudson Ridge, Ltd./Hudson Ridge GP, LLC/TRG Member, LLC/The Richman Group Development Corporation/Richard P. Richman, individually
NUMBER OF UNITS:	168
LOCATION (“County”):	Pasco
TYPE (Rental, Homeownership):	Rental/Family (MMRB, SAIL and HC)
SET ASIDE:	10% @ 33% (ELI, MMRB, SAIL, HC) 75% @ 60% (MMRB) 90% @ 60% (SAIL & HC)
ALLOCATED AMOUNT:	\$11,250,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS: Request Approval of the Supplemental Letter to the Final Credit Underwriting Report (“CUR”)	

1. Background

- a) Applicant submitted an application (“Application”) on behalf of the proposed Development during the 2007 MMRB Universal Cycle. Applicant applied for tax-exempt bonds in the amount of \$11,500,000 in order to construct the Development.
- b) At the March 2008 Board Meeting, Florida Housing approved a Final Credit Underwriting Report for the Development.

2. Present Situation

- a) The Applicant, in a letter attached as [Exhibit E](#) requested a change from the private placement provider, Citigroup Municipal Mortgage, Inc., to a FHLB AAA-Rated Long Term Letter of Credit structure which will be provided by Washington Mutual, Inc.
- b) The Credit Underwriter has reviewed the request and by letter, dated May 29, 2008, attached as [Exhibit F](#) recommends that Florida Housing approve the request.

3. Recommendation

That the Board approve the Supplemental Letter to the Final Credit Underwriting Report dated February 28, 2008 recommending that \$11,250,000 in bonds be issued for the purpose of constructing the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

E. Request Approval Of The Supplemental Letter To The Final Credit Underwriting Report For Valencia Pointe Apartments

DEVELOPMENT NAME (“Development”):	Valencia Pointe Apartments
DEVELOPER/PRINCIPAL (“Applicant”):	Valencia Pointe Associates, Ltd./Cornerstone Valencia Pointe, LLC/Cornerstone Group Development, LLC/Jorge Lopez, individually/Stuart I. Myers, individually/Leon J. Wolfe, individually/Mara S. Mades, individually
NUMBER OF UNITS:	148
LOCATION (“County”):	Miami-Dade
TYPE (Rental, Homeownership):	Rental/Family (MMRB, SAIL and HC)
SET ASIDE:	4% @ 33% (ELI, MMRB, SAIL, HC) 60% @ 60% (MMRB, SAIL & HC)
ALLOCATED AMOUNT:	\$10,500,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS: Request Approval of the Supplemental Letter to the Final Credit Underwriting Report (“CUR”)	

1. Background

- a) Applicant submitted an application (“Application”) on behalf of the proposed Development during the 2007 MMRB Universal Cycle. Applicant applied for tax-exempt bonds in the amount of \$10,500,000 in order to construct the Development.
- b) At the December 2007 Board Meeting, Florida Housing approved a Final Credit Underwriting Report for the Development.

2. Present Situation

- a) The Applicant, in a letter attached at [Exhibit G](#) requested a change in the private placement provider and the syndicator for the bonds. The private placement provider has changed from MMA Financial to Washington Mutual Bank. The syndicator has changed from MMA Financial to Apollo Equity Partners.
- b) The Credit Underwriter has reviewed the request and by letter, dated May 30, 2008, attached as [Exhibit H](#) recommends that Florida Housing approve the request.

3. Recommendation

That the Board approve the Supplemental Letter to the Final Credit Underwriting Report dated November 20, 2007 recommending that \$10,500,000 in bonds be issued for the purpose of constructing the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

F. Request Approval Of A LURA Amendment For Lighthouse Bay Apartments And Cypress Lake Apartments

DEVELOPMENT NAME (“Development”):	Lighthouse Bay Apartments Cypress Lake Apartments
DEVELOPER/PRINCIPAL (“Developer” or “Owner”):	Lighthouse Bay Holdings, Ltd./Lighthouse Bay, Inc./Cypress Lake Apartments, Ltd./Cypress Lake Management Company, Inc./Steven Leaffer/William O’Connell/Peter O’Connell
NUMBER OF UNITS:	320 - respectively 236 – respectively
LOCATION (“County”):	Hillsborough - respectively Hillsborough – respectively
TYPE (“Rental, Homeownership”):	Rental/Family (MMRB, SAIL and HC)
SET ASIDE:	35% @ 80% 65% @ 150% - respectively 35% @ 80% 65% @ 150% - respectively
ALLOCATED AMOUNT:	\$8,800,000 of Tax-Exempt Bonds \$1,750,000 of Taxable Bonds - respectively \$6,500,000 of Tax-Exempt Bonds and \$ 200,000 of Taxable Bonds – respectively
ADDITIONAL COMMENTS: Amendment to the Land Use Restriction Agreement (“LURA”)	

1. Background

- a) In 1985, Florida Housing financed the construction of Lighthouse Bay Apartments with \$8,800,000 in tax-exempt bonds, designated as 1985 Series V.
- b) In 1993, Florida Housing approved the refunding of the bonds for Lighthouse Bay Apartments with \$8,800,000 in tax-exempt bonds, designated as 1993 Series A and B.
- c) In 2002, Florida Housing approved the refunding of the bonds for Lighthouse Bay Apartments with \$8,800,000 in tax-exempt bonds and \$1,750,000 in taxable bonds, designated as 2002 Series N.
- d) In 1985, Florida Housing financed the construction of Cypress Lake Apartments with \$12,470,000 in tax-exempt bonds, designated as 1983 Series F.
- e) In 2002, Florida Housing approved the refunding of the bonds for Cypress Lake Apartments with \$6,500,000 in tax-exempt bonds and \$200,000 in taxable bonds, designated as 2002 Series M.

MULTIFAMILY BONDS

Consent

2. **Present Situation**

The Owner, in a letter dated April 11, 2008, attached as [Exhibit I](#) requested an amendment to the LURAs for removal of the requirement to file IRS form 8703 from Sections 2(m) and 3(e) of the LURA.

3. **Recommendation**

That the Board approve LURA Amendment for the Developments, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

G. Assignment Of Bond Underwriters And Structuring Agents

1. Background

- a) Pursuant to staff's request for approval to issue bonds to finance the construction of the proposed Developments referenced below, Final Credit Underwriting Reports are being presented to the Board for approval simultaneously with this request to assign the appropriate professionals to these transactions. Brief descriptions of the Developments are detailed below along with the Staff's recommendation for the assignments.
- b) Additionally, the Corporation's Senior Financial Advisor has prepared method of bond sale letters. Staff has reviewed the method of sale letters and Board approval is requested at the current meeting.

2. Present Situation

- a) The Credit Underwriters, the Senior Financial Advisor and Florida Housing staff have reviewed the financing structure for the proposed Developments.
- b) The Senior Financial Advisor's recommendations for the methods of bond sale are being presented to the Board at the current meeting during the Multifamily Mortgage Revenue Bond Program Update of items on the agenda.

3. Recommendation

That the Board approves the assignment of the recommended professionals as shown in the chart for the proposed Developments.

Development Name	Location of Development	Number of Units	Method of Bond Sale	Recommended Professional
Autumn Place Apartments	Hillsborough	120	Negotiated	Stern Brothers & Company
Charlotte Crossing Apartments	Charlotte	124	Private Placement	Morgan Keegan & Company, Inc.
Hudson Ridge Apartments	Pasco	168	Negotiated	Stern Brothers & Company
Timber Trace Apartments	Hillsborough	116	Private Placement	Morgan Keegan & Company, Inc.

MULTIFAMILY BONDS

Consent

H. Request Approval Of The Method Of Bond Sale Recommendation From Florida Housing's Senior Financial Advisor

1. Background/Present Situation

- a) The Credit Underwriter has provided a Final Credit Underwriting Report for the proposed Development below. Florida Housing seeks Board approval pursuant to the recommendation of the Credit Underwriter and the appropriate Florida Housing staff.
- b) Pursuant to Rule 67-21.0045, F.A.C., staff has requested a review of the proposed bond structure by the Senior Financial Advisor in order to make a recommendation to the Board for the method of bond sale.
- c) TIBOR PARTNERS, Inc. has prepared an analysis and recommendation for the method of bond sale for the Development. The recommendation letter is attached as [Exhibit J](#).

Development Name	Location of Development	Number of Units	Method of Bond Sale
Autumn Place Apartments	Hillsborough	120	Negotiated
Charlotte Crossing Apartments	Charlotte	124	Private Placement
Hudson Ridge Apartments	Pasco	168	Negotiated
Timber Trace Apartments	Hillsborough	116	Private Placement

2. Recommendation

That the Board approves the recommendation of the Senior Financial Advisor for the method of bond sale for the above Development.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

VI. PREDEVELOPMENT LOAN PROGRAM (PLP)

A. Request Approval of PLP Loan Extension for Whispering Woods Senior Housing (PLP 05-063)

DEVELOPMENT NAME (“Development”):	Whispering Woods Senior Housing
APPLICANT/DEVELOPER (“Developer”):	Housing Assistance Corporation of Nassau County, Inc., a not-for-profit entity
CO-DEVELOPER:	Landmark Development Corporation
NUMBER OF UNITS:	23
LOCATION (“County”):	Nassau County
TYPE:	Rental, Elderly
SET ASIDE:	60% @ 60% AMI
PLP LOAN AMOUNT:	\$301,455

1. Background

- a) On August 1, 2005, the Developer closed on a PLP Loan in the amount of \$301,455.
- b) To date, the Developer has drawn \$258,801.59 for eligible predevelopment expenses.
- c) On July 28, 2006, the Developer was awarded HOME Rental Program funds.
- d) On November 13, 2007, Florida Housing’s Special Assets Department sent the Developer a letter informing of the approaching maturity date of August 1, 2008, on the PLP Loan.

2. Present Situation

- a) On May 9, 2008, the Technical Assistance Provider (TAP) forwarded correspondence from the Developer requesting an extension to the term of the PLP Loan until August 1, 2009 ([Exhibit A](#)). The TAP has recommended the extension ([Exhibit B](#)).
- b) Staff has reviewed the request and believes that the extension is necessary in order to allow the Developer to close on the HOME Rental funding and repay the PLP Loan.

3. Recommendation

Approve the Developer’s request for an extension for the PLP Loan from August 1, 2008 to August 1, 2009 for Whispering Woods Senior Housing and allow staff to proceed with the loan amendment activities.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

B. Request Reduction in Number of Units and Loan Amount for Lee County Housing Development Corporation Phase I Scattered Sites (PLP 05-067)

DEVELOPMENT NAME (“Development”):	Lee County Housing Development Corporation Phase I Scattered Sites
APPLICANT/DEVELOPER (“Developer”):	Lee County Housing Development Corporation, a not-for-profit entity
CO-DEVELOPER:	n/a
NUMBER OF UNITS:	10
LOCATION (“County”):	Lee County
TYPE:	Homeownership
SET ASIDE:	100% @ 80% AMI
PLP LOAN AMOUNT:	\$ 254,032
ADDITIONAL COMMENTS: Requesting a reduction from 10 units to 7 units and a reduction of \$154,032 from the original loan amount of \$254,032.	

1. Background

On January 20, 2006, the Board approved a Predevelopment Loan to Lee County Housing Development Corporation in the amount of \$254,032, for Lee County Housing Development Corporation Phase I Scattered Sites. To date, the Developer has drawn \$77,600 of the PLP Loan.

2. Present Situation

The Developer is requesting a reduction in the number of units from ten (10) to seven (7) due to a change in market conditions making acquisition of existing structures more economically feasible than new construction. As a result of this change, the amount of the PLP Loan will be reduced from \$254,032 to \$100,000. The Technical Assistance Provider recommends the reduction in the number of units and loan amount ([Exhibit D](#)).

3. Recommendation

Approve the reduction in the number of units from 10 to 7 and reduction in the loan amount from \$254,032 to \$100,000 for Lee County Housing Development Corporation Phase I Scattered Sites and allow staff to proceed with the loan amendment activities.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

C. Request Reduction in Number of Units and Loan Amount for St. Peter’s Square (PLP 05-107)

DEVELOPMENT NAME (“Development”):	St. Peter’s Square
APPLICANT/DEVELOPER (“Developer”):	Housing Assistance Corporation of Nassau County, Inc., a not-for-profit entity
CO-DEVELOPER:	n/a
NUMBER OF UNITS:	60
LOCATION (“County”):	Nassau County
TYPE:	Rental
SET ASIDE:	60% @ 60% AMI
PLP LOAN AMOUNT:	\$ 500,000
ADDITIONAL COMMENTS: Requesting a reduction from 60 units to 32 units and a reduction of \$124,500 from the original loan amount of \$500,000.	

1. Background

On October 26, 2007, the Board approved a Predevelopment Loan to Housing Assistance Corporation of Nassau County, Inc. in the amount of \$500,000 for St. Peter’s Square. The Developer has not closed on the loan.

2. Present Situation

The Developer is requesting a reduction in the number of units from 60 to 32 due to not being able to acquire the adjacent lot to build the additional units ([Exhibit E](#)). As a result of this, the amount of the PLP Loan will be reduced from \$500,000 to \$375,500. The Technical Assistance Provider recommends the reduction in the number of units and loan amount ([Exhibit F](#)).

3. Recommendation

Approve the reduction in the number of units from 60 to 32 and a reduction in the loan amount from \$500,000 to \$375,500 for St. Peter’s Square and allow staff to proceed with the loan closing and amendment activities.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

D. Request Approval of PLP Loan for Carrfour Supportive Housing, Inc., a Not-For-Profit Entity, for Parkview Gardens (07-138)

DEVELOPMENT NAME (“Development”):	Parkview Gardens
APPLICANT/DEVELOPER (“Developer”):	Carrfour Supportive Housing, Inc., a not-for-profit entity
CO-DEVELOPER (“Co-Developer”)	Tacolcy Economic Development Corporation, a not-for-profit entity
NUMBER OF UNITS:	60
LOCATION (“County”):	Miami-Dade County
TYPE:	Family
SET ASIDE:	60% @ 60% AMI
PLP LOAN AMOUNT:	\$500,000
ADDITIONAL COMMENTS: The Applicant has committed to set-aside 100% of the units for 60% or lower AMI.	

1. Background

- a) On February 11, 2008, Florida Housing received a PLP Application from the Applicant for Parkview Gardens.
- b) On March 7, 2008, Florida Housing issued an Invitation to Participate in the PLP to the Developer, a not-for profit organization. The Development will be located in Miami-Dade County.

2. Present Situation

The Technical Assistance Provider (TAP) has approved the Development Plan and recommended a loan amount of \$500,000 for PLP eligible activities ([Exhibit G](#)), as well as assisted the Applicant in preparing the Development Plan and budget ([Exhibit H](#)). Staff has reviewed the Development Plan and determined that all budget items are PLP eligible.

3. Recommendation

Approve the PLP Loan in the amount of \$500,000 to the Applicant, a not-for-profit organization, for predevelopment expenses as recommended by the TAP and allow staff to issue the Commitment Letter and commence loan closing proceedings.

PROFESSIONAL SERVICES SELECTION (PSS)

Consent

VII. PROFESSIONAL SERVICES SELECTION (PSS)

A. Credit Underwriting, Loan Servicing, Financial and Compliance Monitoring Services

1. Background

- a) At its March 4, 2005 meeting, the Board of Directors of Florida Housing authorized staff to enter into contract negotiations with AmeriNational Community Services, Inc., First Housing Development Corporation of Florida and Seltzer Management Group, Inc. (Servicers) to provide credit underwriting, loan servicing, financial and compliance monitoring services.
- b) The initial term of the Servicer contracts began September 23, 2005 and expires September 23, 2008. The contracts may be renewed once for an additional three-year period at the sole option and discretion of Florida Housing.

2. Present Situation

Florida Housing staff supports a renewal to extend the term of the Servicer contracts for the additional three-year period, and expects to make a few technical revisions to the contracts for clarifying purposes.

3. Recommendation

Staff believes that it is in the best interests of Florida Housing to continue to retain its Servicers and recommends that the Board direct staff to proceed with the contract renewals and technical revisions to the contracts. If the need arises for any amendments to the substance of the contracts, such changes will be brought to the Board for approval.

RENTAL RECOVERY LOAN PROGRAM (RRLP)

Consent

VIII. RENTAL RECOVERY LOAN PROGRAM (RRLP)

A. Request Approval of RRLP Credit Underwriting Report for Village Allapattah II (2006-351CHR, 2007-012C)

Development Name: Village Allapattah II (“Development”)	Location: Miami-Dade County
Developer/Principal: Village Allapattah II Development, LLC (“Developer”)	Set-Aside: 15% @ 33% AMI and 85% @ 60% AMI
Number of Units: 90	Allocated Amount: \$3,643,048 (RRLP)
Type: High-Rise	Total Housing Credit Equity: \$22,595,000
Demographics: Elderly	MMRB: N/A

1. Background/Present Situation

- a) On October 20, 2006, the Board approved the final scores and ranking for the 2006 RRLP Application cycle.
- b) On March 16, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for an RRLP Loan in an amount up to \$5,910,000 for this 90-unit elderly Development located in Miami-Dade County.
- c) During credit underwriting the RRLP loan amount was reduced to \$3,643,048.
- d) On May 29, 2008, staff received a credit underwriting report with a positive recommendation for an RRLP loan in the amount of \$3,643,048 ([Exhibit A](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of RRLP Rule 67-ER06, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

RENTAL RECOVERY LOAN PROGRAM (RRLP)

Consent

B. Request Approval of RRLP Credit Underwriting Report for Charlotte Crossing (2005A-304B, 2005-311HR)

Development Name: Charlotte Crossing (“Development”)	Location: Charlotte County
Developer/Principal: Carlisle Development Group, LLC (“Developer”)	Set-Aside: 25% @ 40% AMI and 75% @ 60% AMI
Number of Units: 124	Allocated Amount: \$7,050,000 (RRLP)
Type: Garden Style with Elevator	Total Housing Credit Equity: \$4,096,590
Demographics: Elderly	MMRB: \$9,500,000

1. Background/Present Situation

- a) On October 14, 2005, the Board approved the final scores and ranking for the 2005 RRLP Application cycle.
- b) On November 10, 2005, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for an RRLP Loan in an amount up to \$4,358,786 for this 124-unit elderly Development located in Charlotte County. On July 14, 2006, staff issued an additional preliminary commitment letter and invitation to enter credit underwriting for an additional RRLP Loan in an amount up to \$2,691,214.
- c) On May 30, 2008, staff received a credit underwriting report with a positive recommendation for an RRLP loan in the amount of \$7,050,000 ([Exhibit B](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of RRLP Rule 67-ER05, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

IX. STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

A. Request Approval of Credit Underwriting Report for Timber Trace, Cycle XIX (2007-101BS)

Development Name: Timber Trace (“Development”)	Location: Hillsborough County
Developer/Principal: Created Equal Communities, LLC (“Developer”)	Set-Aside: 10% @ 33% AMI and 90% @ 60% AMI
Number of Units: 116	Allocated Amount: \$4,050,000 SAIL and \$1,020,000 Supplemental
Type: Garden Style	Housing Credit Equity: \$3,463,180
Demographics: Family	MMRB: \$5,800,000

1. Background/Present Situation

- a) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.

- b) On October 1, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a SAIL loan in an amount up to \$4,050,000 for this 116-unit family development located in Hillsborough County. On November 28, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a Supplemental loan in the amount of \$1,020,000. The Development was also awarded an MMRB allocation. The credit underwriting report is addressed in the MMRB section of this Board package. Staff has reviewed this report and finds that the Development meets all of the requirements of Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

B. Request Approval of Credit Underwriting Report for Clear Harbor Apartments, Cycle XIX (2007-04-SEL)

Development Name: Clear Harbor Apartments (“Development”)	Location: Pinellas County
Developer/Principal: The Richman Group of Florida, Inc. (“Developer”)	Set-Aside: 5% @ 33% AMI and 95% @ 60% AMI
Number of Units: 84	Allocated Amount: \$3,000,000 (2006) & \$413,841 (2007)
Type: Garden Style	Housing Credit Equity \$4,363,224
Demographics: Family	MMRB: \$5,950,000

1. Background/Present Situation

- a) On June 30, 2007, a SAIL loan in the amount of \$3,000,000 for this 84 unit family development in Pinellas County closed.
- b) In the 2007 Universal Application Cycle, Applicants that were successful in receiving an award of 2006 SAIL funds could request additional funding for the difference in the 2006 request and the 2007 request limits.
- c) During the 2007 Universal Application Cycle, the Applicant applied for an additional SAIL loan in the amount of \$2,000,000. This amount was reduced to \$413,841.50 due to availability of funds.
- d) On March 3, 2008, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for an additional SAIL loan in an amount up to \$413,841.50.
- e) On May 29, 2008, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$413,841 ([Exhibit A](#)). Staff has reviewed this report and finds that the development meets all of the requirements of SAIL Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

C. Request Approval of Credit Underwriting Report for Laurel Oaks Apartments, Cycle XIX (2007-167S)

Development Name: Laurel Oaks Apartments (“Development”)	Location: Lake County
Developer/Principal: The Richman Group of Florida, Inc. (“Developer”)	Set-Aside: 100% @ 60% AMI
Number of Units: 144	Allocated Amount: \$5,000,000
Type: Garden Style	Housing Credit Equity \$8,363,053
Demographics: Family	MMRB: \$10,780,000 (Local)

1. Background/Present Situation

- a) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On January 4, 2008, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a SAIL loan in an amount up to \$5,000,000 for this 144-unit family development located in Lake County.
- c) On May 29, 2008, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$5,000,000 ([Exhibit B](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

D. Request Approval of Credit Underwriting Report for Marbella Pointe, Cycle XVIII (2006-089S)

Development Name: Marbella Pointe (“Development”)	Location: Orange County
Developer/Principal: Atlantic Housing Partners, L.L.L.P. (“Developer”)	Set-Aside: 70% @ 60% AMI
Number of Units: 120	Allocated Amount: \$4,000,000
Type: Garden Style	Housing Credit Equity: \$4,847,286
Demographics: Family	MMRB: \$11,000,000 (local)

1. Background/Present Situation

- a) On July 28, 2006, the Board approved the final scores and ranking for the 2006 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On August 7, 2006, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a SAIL loan in an amount up to \$4,000,000 for this 120-unit family development located in Orange County.
- c) On May 30, 2008, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$4,000,000 ([Exhibit C](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

E. Request Approval of Updated Credit Underwriting Report for Hudson Ridge Apartments, Cycle XIX (2007-034BS)

Development Name: Hudson Ridge Apartments (“Development”)	Location: Pasco County
Developer/Principal: The Richman Group of Florida, Inc. (“Developer”)	Set-Aside: 10% @ 33% AMI and 90% @ 60% AMI
Number of Units: 168	Allocated Amount: \$4,700,000 (SAIL) and \$1,445,000 (Supplemental)
Type: Three-Story Garden Style	Housing Credit Equity: \$8,066,377
Demographics: Family	MMRB: \$11,250,000

1. Background/Present Situation

- a) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 11, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a SAIL loan in an amount up to \$4,700,000 and a Supplemental loan in the amount of \$1,445,000 for this 168-unit family development located in Pasco County.
- c) On March 14, 2008, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm loan commitment and loan closing activities.
- d) On May 29, 2008, staff received an updated final credit underwriting report. The updated final credit underwriting report is addressed in the MMRB section of this Board package. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the updated final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

F. Request Approval of Updated Credit Underwriting Report for Autumn Place Apartments, Cycle XIX (2007-165BS)

Development: Autumn Place Apartments (“Development”)	Location: Hillsborough County
Developer/Principal: The Richman Group of Florida, Inc. (“Developer”)	Set-Aside: 10% @ 33% AMI and 90% @ 60% AMI
Number of Units: 120	Allocated Amount: \$5,000,000 (SAIL) and \$1,020,000 (Supplemental)
Type: Garden Style Apartments	Housing Credit Equity: \$5,213,568
Demographics: Family	MMRB: \$8,000,000

1. Background/Present Situation

- a) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 1, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a SAIL loan in an amount up to \$5,000,000 and a Supplemental loan in the amount of \$1,020,000 for this 120-unit family development located in Hillsborough County.
- c) On March 14, 2008, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm loan commitment and loan closing activities.
- d) On May 29, 2008, staff received an updated final credit underwriting report. The updated final credit underwriting report is addressed in the MMRB section of this Board package. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the updated final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

G. Request Approval of Updated Credit Underwriting Report for Valencia Pointe, Cycle XIX (2007-183BS)

Development Name: Valencia Pointe (“Development”)	Location: Miami-Dade County
Developer/Principal: Cornerstone Group Development, LLC. (“Developer”)	Set-Aside: 4% @ 33% AMI and 60% @ 60% AMI
Number of Units: 148	Allocated Amount: \$5,000,000 (SAIL) and \$510,000 (Supplemental)
Type: Garden Style	Housing Credit Equity: \$7,766,000
Demographics: Family	MMRB: \$10,500,000

1. Background/Present Situation

- a) On September 21, 2007, the Board approved the final scores and ranking for the 2007 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 1, 2007, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for a SAIL loan in an amount up to \$5,000,000 and a Supplemental loan in the amount of \$510,000 for this 148-unit family development located in Miami-Dade County.
- c) On December 7, 2007, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm loan commitment and loan closing activities.
- d) On May 30, 2008, staff received an updated final credit underwriting report. The updated final credit underwriting report is addressed in the MMRB section of this Board package. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule Chapter 67-48, F.A.C.

2. Recommendation

Approve the updated final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

H. Request Approval of SAIL Loan Closing Extension for Labre Place, Cycle XVIII (2006-074CS)

Development Name: Labre Place f/k/a St. David (“Development”)	Location: Miami Dade County
Developer/Principal: St. David Development, L.L.C. (“Developer”)	Set-Aside: 50% @ 33% AMI and 50% @ 60% AMI
Number of Units: 90	Allocated Amount: \$4,000,000
Type: High-rise	Housing Credit Equity: 15,592,197
Demographics: Homeless	MMRB: N/A

1. Background/Present Situation

- a) On March 14, 2008, the Board approved a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$4,000,000 and directed staff to proceed with loan closing activities.
- b) On April 18, 2008, staff issued a firm commitment letter with a closing deadline of June 17, 2008.
- c) On May 29, 2008, staff received a letter from the Developer requesting an extension of the closing deadline until August 15, 2008 ([Exhibit D](#)).

2. Recommendation

Approve the request to extend the SAIL closing deadline until August 15, 2008, subject to the payment of the loan closing extension fee pursuant to Rule Chapter 67-48, F.A.C.

SPECIAL ASSETS

Consent

X. SPECIAL ASSETS

- A. Request Approval of Extension of Two HOME Loans for Community Enterprise Investments, Inc., a Florida Not-For-Profit Corporation, for VBL I (HOME 92-002) and VBL II (HOME 92-002-2)

Development Name: VBL I ("Development")	Location: Escambia County
Developer/Principal: Community Enterprise Investments, Inc. ("Developer")	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 60	Allocated Amount: HOME - \$135,006
Demographics: Family	
Development Name: VBL II ("Development")	Location: Escambia County
Developer/Principal: Community Enterprise Investments, Inc. ("Developer")	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 30	Allocated Amount: HOME - \$160,733
Demographics: Family	

1. **Background**

During the 1992 HOME Cycle, Florida Housing awarded two HOME loans in the amount of \$135,006 and \$160,733 to Community Enterprise Investments, Inc., (formerly known as Community Equity Investments, Inc.) a Florida not-for-profit corporation ("Borrower"), for the acquisition and rehabilitation of a 60-unit development and a 30-unit development located in Escambia County. The HOME loans closed on June 17, 1993 and will mature on June 17, 2008.

2. **Present Situation**

In a letter dated April 15, 2008 ([Exhibit A](#)) the Borrower has requested a one year HOME loan extension to June 17, 2009 to allow the Borrower sufficient time to sell the property to maintain the Development's affordability. The LURA will also be extended one year.

3. **Recommendation**

Approve the request to extend the HOME loans one year to June 17, 2009, extend the LURAs one year, and direct staff to proceed with loan and LURA modification activities.

SPECIAL ASSETS

Consent

B. Request Approval of Extension of Five HOME Loans for Volunteers of America (92HR-018-1, 92HR-018-2, 92HR-018-3, 92HR-017, 92HR-019-2)

Development Name: VOA Hillsborough I (“Development”)	Location: Hillsborough County
Developer/Principal: Volunteers of America Community and Development Corporation of the Tampa Bay Area, Inc. (“Developer”)	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 4	Allocated Amount: HOME - \$90,188
Demographics: Family	
Development Name: VOA Hillsborough II (“Development”)	Location: Hillsborough County
Developer/Principal: Volunteers of America Community and Development Corporation of the Tampa Bay Area, Inc. (“Developer”)	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 4	Allocated Amount: HOME - \$103,432
Demographics: Family	
Development Name: VOA Hillsborough III (“Development”)	Location: Hillsborough County
Developer/Principal: Volunteers of America Community and Development Corporation of the Tampa Bay Area, Inc. (“Developer”)	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 4	Allocated Amount: HOME - \$99,980
Demographics: Family	
Development Name: VOA Manatee (“Development”)	Location: Manatee County
Developer/Principal: Volunteers of America Community and Development Corporation of the Tampa Bay Area, Inc. (“Developer”)	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 4	Allocated Amount: HOME - \$152,352
Demographics: Family	
Development Name: VOA Broward II (“Development”)	Location: Broward County
Developer/Principal: Volunteers of America Community and Development Corporation of Broward, Inc. (“Developer”)	Set-Aside: HOME 20% @ 50% & 80% @ 80% AMI, LURA: 15 years
Number of Units: 4	Allocated Amount: HOME - \$79,874
Demographics: Family	

SPECIAL ASSETS

Consent

1. **Background**

During the 1992 HOME Cycle, Florida Housing awarded five loans to Volunteers of America for the acquisition and rehabilitation of five, 4-unit developments in Broward, Hillsborough, and Manatee County. The HOME loans closed in 1993 and mature on various dates in 2008.

2. **Present Situation**

In a letter dated May 21, 2008 the Borrower has requested a one year HOME loan extension for all loans to 2009 to allow the Borrower sufficient time to renegotiate the loans with FHFC and obtain credit underwriting for the renegotiated loan terms all to maintain the Developments' affordability. The LURA will also be extended one year.

3. **Recommendation**

Approve the request to extend the HOME loans for one year from original maturity date and direct staff to proceed with loan and LURA modification activities.

SPECIAL ASSETS

Consent

C. Request Approval of Transfers of General Partnership Interests in Ten Davis Heritage, Ltd. Developments to Cascade Affordable Housing, LLC

Development Name: Mystic Pointe II ("Development")	Location: Orange
Developer/Principal: Davis Heritage, Ltd. ("Developer")	Set-Aside: MMRB 50% @ 60% AMI HC 100% @ 60% AMI, 30 Years
Funding Sources: MMRB 2000 F1&2 HC 2000-501C	Amounts: MMRB \$11,190,000 HC \$788,480
Number of Units: 265	Type: Family
Development Name: Raintree ("Development")	Location: Lake
Developer/Principal: Davis Heritage, Ltd. ("Developer")	Set-Aside: MMRB 50% @ 60% AMI HC 100% @ 60% AMI, 30 Years
Funding Sources: MMRB 2000 J1&2 HC 2000-529C	Amounts: MMRB \$13,680,000 HC \$935,220
Number of Units: 313	Type: Family
Development Name: Ravenwood of Kissimmee ("Development")	Location: Osceola
Developer/Principal: Davis Heritage, Ltd. ("Developer")	Set-Aside: HC 20% @ 50%, 80% @ 60% AMI, 30 Years
Funding Sources: HC 93L-069	Amounts: HC \$955,775
Number of Units: 185	Type: Family
Development Name: Sheridan Place of Bradenton ("Development")	Location: Manatee
Developer/Principal: Davis Heritage, Ltd. ("Developer")	Set-Aside: MMRB 80% @ 60% AMI HC 100% @ 60% AMI, 30 Years
Funding Sources: MMRB 2001 O1&2 HC 2001-530C	Amounts: MMRB \$6,865,000 HC \$450,724
Number of Units: 145	Type: Family
Development Name: Valencia Trace ("Development")	Location: Orange
Developer/Principal: Davis Heritage, Ltd. ("Developer")	Set-Aside: MMRB 40% @ 60% AMI HC 100% @ 60% AMI, 30 Years
Funding Sources: MMRB 2002 F1&2 HC 2002-509C	Amounts: MMRB \$8,785,000 HC \$523,218
Number of Units: 229	Type: Family

SPECIAL ASSETS

Consent

1. **Background**

Davis Heritage, Ltd. has received funding from Florida Housing Finance Corporation (FHFC) for development of ten affordable housing properties from 1990 to 2002. Funding sources from FHFC have included MMRB, HOME and Housing Credits. The developments are as follows:

- (1) The six properties in which Florida Housing Finance Corporation ("Lender") has Loans and is the Housing Credit authority are:
 - (a) Cobblestone of Kissimmee, Ltd., a Florida limited partnership ("Borrower") (Cobblestone);
 - (b) Madison Cove of Gainesville, Ltd., a Florida limited partnership ("Borrower") (Madison Cove);
 - (c) Mystic Pointe II, Ltd., a Florida limited partnership ("Borrower") (Mystic Pointe II)
 - (d) Raintree of Lake County, Ltd., a Florida limited partnership ("Borrower") (Raintree)
 - (e) Sheridan Place of Bradenton, Ltd., a Florida limited partnership ("Borrower") (Sheraton Place of Bradenton)
 - (f) Valencia Trace of Orlando, Ltd., a Florida limited partnership ("Borrower") (Valencia Trace)
- (2) The four properties in which there are General Partner Interests in which FHFC is the Housing Credit authority, but not the lender are:
 - (a) Crestwood RRH, Ltd., a Florida limited partnership (Crestwood)
 - (b) Kensington of Kissimmee, Ltd., a Florida limited partnership (Kensington of Kissimmee)
 - (c) Mystic Pointe Ltd., a Florida limited partnership (Mystic Pointe)
 - (d) Ravenwood of Kissimmee, Ltd., a Florida limited partnership (Ravenwood of Kissimmee)

2. **Present Situation**

- a) By letters dated March 27, 2008, Davis Heritage, Ltd. is requesting Florida Housing's approval of the transfer of the general partnership interests in these ten developments to affiliates of Cascade Holdings, LLC.
- b) Staff received a credit underwriting report from Seltzer Management Group ([Exhibit B](#)) providing a positive recommendation for the transfers.

SPECIAL ASSETS

Consent

3. **Recommendation**

Approve the transfer of general partnership interests in these ten developments and direct staff to proceed with loan modification activities as required subject to the conditions in the credit underwriting report dated May 30, 2008.

SPECIAL ASSETS

Consent

D. Request Approval to Refinance the First Mortgage for Holy Cove, Ltd., a Florida Limited Partnership for the Holy Cove Apartments (96S-011) (1995 MMRB Series F, Guarantee Program, 95L-505)

Development Name: Holly Cove ("Development")	Location: Clay County
Developer/Principal: Vestcor-WR Associates, Ltd. ("Borrower")	Set-Aside: SAIL: 80% @ 60% AMI , Bonds: 40% @ 60% AMI , HC: 80 @ 60% AMI , LURA: SAIL 50 years; HC EUA: 30 MMRB: QPP
Number of Units: 202	Allocated Amount: Bonds: \$7,235,000 SAIL: \$2,417,000
Demographics: Family	Housing Credits: \$353,420

1. Background

During the 1995 funding cycle, Florida Housing awarded a first mortgage of FHFC issued tax-exempt bonds in the original amount of \$7,235,000, along with a second mortgage SAIL loan in the original amount of \$2,417,000 to Vestcor-WR Associates, Ltd., a Florida Limited Partnership ("Borrower"), for the development of a 202-unit apartment complex in Clay County, Florida. The SAIL loan closed on November 27, 1995 and will mature on May 27, 2012. The bonds closed on December 12, 1996 and are scheduled to mature on October 1, 2035. The development is HUD risk sharing with Florida Housing's Guarantee Program. The Development also received a 1995 allocation of low-income housing tax credits of \$353,420.00.

2. Present Situation

- a) The Borrower requests consent from the Board to refinance the existing first mortgage. The borrower intends to obtain conventional financing from a Fannie Mae DUS lender, the proceeds of which will be utilized to satisfy the existing first mortgage, redeeming the underlying bonds and effectively terminating the mortgage guaranty issued by Florida Housing's Guarantee Program ("Guarantee Program") and its associated financial risk to FHFC. The Borrower also requests the SAIL loan term be extended to be co-terminus with the new first mortgage. The SAIL loan would continue to be subordinate to the first mortgage.
- b) Staff has received a credit underwriting report from First Housing ([Exhibit C](#)) recommending approval of the refinancing and extension of the SAIL loan.

3. Recommendation

Approve the refinancing of the first mortgage and extension of the SAIL loan to be co-terminus with the refinanced first mortgage and subordination of the SAIL loan to the new first mortgage subject to the conditions outlined in the credit underwriter's report and subject to further approvals and verifications by the credit underwriter, counsel and appropriate Florida Housing staff and direct staff to proceed with loan document modification activities.

SPECIAL ASSETS

Consent

E. Request Approval of Workout Proposal for Atlantic Pines Apartments (SAIL SL93-01)

Development Name: Atlantic Pines Apartments (“Development”)	Location: Monroe
Developer/Principal: Florida Low Income Housing Association, Inc. (“Developer”)	Set-Aside: SAIL 40% @ 60% AMI Farm worker; 60% @ 60% AMI Family, 50 years; HC 100% @ 60% AMI, 50 years
Number of Units: 14	Allocated Amount: SAIL \$425,242; \$187,640 Housing Credit \$60,015
Demographics: Farm worker, Family	

1. Background

- a) During SAIL Cycle V, Florida Housing awarded a State Apartment Incentive loan (SAIL) loan (SL93-01) of \$187,640 to Florida Low Income Housing Associates, Inc., a non-profit organization (Borrower) for the development of a 14-unit apartment complex in Big Pine Key, Monroe County, Florida. The SAIL loan closed on January 29, 1993. The Development also received a Housing Credit allocation of \$60,015.
- b) In its original application, the Borrower committed to extend the low income set-aside into perpetuity. Pursuant to Fla. Admin. Code R. 9I-35.006(6) (1992), \$42,783.81 of the total accrued interest of \$85,567.64, is eligible for forgiveness for SAIL loan SL93-01.

2. Present Situation

- a) In a letter dated May 6, 2008 the Borrower requested that the terms of the loan be renegotiated and extended, and Staff subsequently entered into negotiations. The Borrower submitted their workout proposal requesting Florida Housing forgive all deferred interest on the matured loan (Legal is presenting its recommendation for a Petition for Rule Waiver/Variance contemporaneously herewith); and renew the principal at 0% interest for thirty years, with monthly amortization of principal beginning on July 1, 2008. The Borrower has also agreed to modification of the LURA to increase the present set aside for Farm Workers from 60% to 80% for Commercial Fishing Workers and agreed to extend the LURA’s affordability period for 15 additional years beyond the current 50 years.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit D](#)).

3. Recommendation

Staff recommends that the Board approve the workout proposal to renew and restructure the principal at 0% interest for thirty years, with monthly amortization of principal beginning on July 1, 2008 and modification of the LURA to increase the set aside for Farm Worker from 60% to 80% for Commercial Fishing Workers, and extension of the LURA for an additional 15 years, subject to review and approval of the petition for Rule Waiver to forgive all deferred SAIL interest on the matured loan, all conditions of the credit underwriting report and direct staff to proceed with loan closing activities.

SPECIAL ASSETS

Consent

F. Request Approval of the Transfer and Assumption of FHFC loans on Five GMN Developments to POAH

Development Name: Cutler Glen ("Development")	Location: Miami-Dade
Developer/Principal: GMN ("Developer")	Set-Aside: 20% @ 50% & 55% @ 80% AMI
Funding Sources: MMRB 2003 Series U EHCL 2003-005E	Amounts: MMRB \$8,100,000 (w/Cutler Meadows) EHCL \$200,000
Number of Units: 123	Type: Elderly
<hr/>	
Development Name: Cutler Meadows ("Development")	Location: Miami-Dade
Developer/Principal: GMN ("Developer")	Set-Aside: 20% @ 50% & 55% @ 80% AMI
Funding Sources: MMRB 2003 Series U EHCL 2003-006E	Amounts: MMRB \$8,100,000 (w/Cutler Glen) EHCL \$200,000
Number of Units: 150	Type: Elderly
<hr/>	
Development Name: Cutler Manor ("Development")	Location: Miami-Dade
Developer/Principal: GMN ("Developer")	Set-Aside: 15% @ 33%, 5% @ 50%, & 80% @ 60% AMI
Funding Sources: SAIL 2001-036S	Amounts: SAIL \$1,900,000
Number of Units: 220	Type: Family
<hr/>	
Development Name: Island Place ("Development")	Location: Miami-Dade
Developer/Principal: GMN ("Developer")	Set-Aside: 15.15% @ 33%, 5.05% @ 50%, 50% @ 60%, & 29.8% @ 80% AMI
Funding Sources: SAIL 2001-034S	Amounts: SAIL \$2,567,723
Number of Units: 199	Type: Family
<hr/>	
Development Name: Middletowne ("Development")	Location: Clay
Developer/Principal: GMN ("Developer")	Set-Aside: 15% @ 28%, 5% @ 50%, & 80% @ 60% AMI
Funding Sources: SAIL 2000-030S	Amounts: SAIL \$495,398
Number of Units: 100	Type: Large Family
<hr/>	

SPECIAL ASSETS

Consent

Development Name: Oakwood Villas (“Development”)	Location: Duval
Developer/Principal: GMN (“Developer”)	Set-Aside: 15% @ 28%, 5% @ 50%, & 80% @ 60% AMI
Funding Sources: SAIL 2000-031S	Amounts: SAIL \$778,634
Number of Units: 200	Type: Large Family

1. **Background**

Greater Miami Neighborhoods (GMN) has received funding from FHFC for development of 27 affordable housing properties from 1990 to 2006. Funding sources from FHFC have included HOME, Housing Credits, EHCL, Bonds and SAIL.

2. **Present Situation**

- a) At the December 12, 2007 FHFC Board meeting, the Board provided conditional approval to Preservation of Affordable Housing, Inc. (POAH) conceptual plan of acquisition of six GMN developments, which Florida Housing has at least partially funded. The conceptual plan promotes the preservation of the affordable set-asides. At this time, Island Place, one of the six developments from the conceptual plan, is not included in the current MMRB funding as POAH is still negotiating with the bondholder.
- b) In accordance with that plan, POAH applied for bond funding from FHFC and requests to assume the outstanding loans on these developments with terms as provided in the plan and the applicable credit underwriting report. Staff has received a credit underwriting report for these developments with a positive recommendation.
- c) The credit underwriting report is further addressed in the MMRB section of the Board package.

3. **Recommendation**

Approve the transfer of the property and assumption of the loans with the new terms, all with the conditions provided in the credit underwriting reports and direct staff to proceed with loan closing activities.

SPECIAL ASSETS

Consent

G. Request Approval to Refinance the First Mortgage and Approval of Workout Proposal for San Jose Apartments HOME Loan (92HR-022)

Development Name: San Jose of Seminole (“Development”)	Location: Seminole County
Developer/Principal: Royal American Development/Bay Equity Investments (“Developer”)	Set-Aside: 20@50 and 80@60 LURA 15 years, EUA 30 years
Number of Units: 121	Amounts: HOME: \$1,990,000
Demographics: Family	Housing Credits: \$94,932 annually

1. Background

During the 1992 HOME Cycle, Florida Housing awarded a \$1,990,000 loan to San Jose Apartments of Seminole, Ltd., a Florida Limited Partnership (“Borrower”) for the development of a 121-unit apartment complex in Seminole County, Florida. The Development also received a 1992 allocation of low-income housing tax credits in the amount of \$94,932.

2. Present Situation

- a) By letter dated May 30, 2008 ([Exhibit E](#)), the borrower is requesting Florida Housing’s approval of the refinancing of the first mortgage and approval of the HOME loan to be renegotiated and extended. The refinancing involves a lower interest rate which improves cash flow and as part of the transaction the borrower will pay down a portion of the principal on the HOME loan. The borrower has also requested that the HOME loan that matures 6/28/08 be extended 25 years to match the new maturity date of the refinanced first mortgage and to renew the principal at 1.5% interest for 25 years, with monthly amortization of principal and interest beginning in July 2008.
- b) Staff has received a credit underwriting report from First Housing Development Corporation ([Exhibit F](#)) recommending approval of the refinancing and extension of the HOME loan term. The Borrower has agreed to extend the affordability period by the length of time equal to the extension of the HOME loan.

3. Recommendation

Approve the recommendation of the Credit Underwriter recommending refinancing the first mortgage and approve the workout proposal extending the HOME loan term and Land Use Restriction Agreement, subject to further approvals and verifications by the Credit Underwriter, Counsel and appropriate Florida Housing Staff and direct Staff to proceed with loan modification activities.

SPECIAL ASSETS

Consent

H. Request Approval to Refinance the First Mortgage and Approval of Workout Proposal for Magnolia Pointe Apartments HOME loan (96HR-021)

Development Name: Magnolia Pointe (“Development”)	Location: Bay County
Developer/Principal: Royal American Development/Bay Equity Investments (“Developer”)	Set-Aside: 20@45, 20@50, and 60@60 LURA 51 years, EUA 50 years
Number of Units: 100	Amounts: HOME: \$900,000
Demographics: Family	Housing Credits: \$477,974 annually

1. Background

During the 1996 HOME Cycle, Florida Housing awarded a \$900,000 loan to Magnolia Pointe of Bay, Ltd., a Florida Limited Partnership (“Borrower”) for the development of a 100-unit apartment complex in Bay County, Florida. The Development also received a 1996 allocation of low-income housing tax credits in the amount of \$477,974.

2. Present Situation

- a) By letter dated May 30, 2008 ([Exhibit G](#)), the borrower is requesting Florida Housing’s approval of the refinancing of the first mortgage and approval of the HOME loan to be renegotiated and extended. The refinancing involves a lower interest rate which improves cash flow and as part of the transaction the borrower will pay down a portion of the principal on the HOME loan. The borrower has also requested that the HOME loan that matured 6/4/08 be extended 10 years to match the new maturity date of the refinanced first mortgage and to renew the principal at 0% interest for ten years, with monthly amortization of principal beginning in July 2008.
- b) Staff has received a credit underwriting report from First Housing Development Corporation ([Exhibit H](#)) recommending approval of the refinancing and extension of the HOME loan term. The Borrower has agreed to extend the affordability period by the length of time equal to the extension of the HOME loan.

3. Recommendation

Approve the recommendation of the Credit Underwriter recommending refinancing the first mortgage and approve the workout proposal extending the HOME loan term and Land Use Restriction Agreement, subject to further approvals and verifications by the Credit Underwriter, Counsel and appropriate Florida Housing Staff and direct Staff to proceed with loan modification activities.