

**FLORIDA HOUSING FINANCE CORPORATION**  
**Board Meeting**  
May 4, 2018  
Consent Items



## DEMONSTRATION LOANS

### *Consent*

#### I. DEMONSTRATION LOANS

##### A. Request Approval of Credit Underwriting Report for Catholic Charities Housing, Inc., a not-for-profit entity, for St. Benedict Housing (2016-400D)

<b>DEVELOPMENT NAME (“Development”):</b>	<b>St. Benedict Housing</b>
<b>APPLICANT/DEVELOPER (“Developer”):</b>	<b>Catholic Charities Housing, Inc.</b>
<b>CO-DEVELOPER:</b>	
<b>NUMBER OF UNITS:</b>	<b>10</b>
<b>LOCATION (“County”):</b>	<b>Citrus</b>
<b>TYPE:</b>	<b>Homeless</b>
<b>SET ASIDE:</b>	<b>100% for Homeless</b>
<b>FUNDING AMOUNT:</b>	<b>\$750,000</b>
<b>ADDITIONAL COMMENTS: Additional set-aside information: 5 units set-aside at 60% AMI, 3 units set-aside at 45% (ELI).</b>	

#### 1. Background

- a) On February 3, 2017, the Board preliminarily approved funding to Catholic Charities Housing, Inc. in an amount not to exceed \$750,000 for St. Benedict Housing.
- b) On March 4, 2017, staff issued a preliminary commitment to the Applicant and assigned a technical assistance provider to assist the Applicant in submitting a development plan.
- c) On September 29, 2017, the technical assistance provider submitted a development plan to Florida Housing staff. Upon review of this development plan, staff assigned the Applicant to credit underwriting.

#### 2. Present Situation

- a) On April 12, 2018, staff received a credit underwriting report ([Exhibit A](#)) recommending funding in the amount of \$750,000.
- b) As part of the credit underwriting process, there was an item that was found to be inconsistent with the requirements of the RFA the funds were awarded under. Staff has reviewed the item noted below and are recommending approval that these items be waived.
  - (1) The Phase I Environmental test be conducted within 12 months of the Application Deadline (October 27, 2016). The Phase I test was conducted on February 7, 2018. The date this report was completed is acceptable to Florida Housing. The results of the Phase I test are noted in the credit underwriting report.

## DEMONSTRATION LOANS

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#### 3. **Recommendation**

- a) Approve the credit underwriting report including the two waiver requests described above for Catholic Charities Housing, Inc., Inc. for St. Benedict Housing in the amount of \$750,000 and allow staff to commence with the loan closing process.

**ELDERLY HOUSING COMMUNITY LOAN (EHCL)**

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**II. ELDERLY HOUSING COMMUNITY LOAN (EHCL)**

**A. Request Approval of Credit Underwriting Report for Palm City Gardens Apartments (2015-229E and 2016-352E)**

<b>Development Name: Palm City Gardens (“Development”)</b>	<b>Location: Lee County</b>
<b>Applicant/Borrower: Dunbar Improvement Association, Inc.</b>	<b>Set-Aside: 100% @ 50% AMI</b>
<b>Demographic: Elderly</b>	<b>Number of Units: 100</b>
<b>Requested Amount: EHCL \$750,000 (2015-229E) EHCL \$750,000 (2016-352E)</b>	<b>Development Category/Type: Rehabilitation/Garden Apartments</b>

**1. Background/Present Situation**

- a) On January 23, 2015, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2015-102 for Elderly Housing Community Loan (EHCL) funding to be used to provide life-safety, building preservation, health, sanitation, or security-related repairs or improvements to Developments currently serving Elderly residents aged 62 or older.
- b) On May 8, 2015, the Board approved the final scores and recommendations for RFA 2015-102, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 22, 2015, staff issued a preliminary commitment letter and invitation to enter credit underwriting to Dunbar Improvement Association, Inc. for RFA 2015-102, with a loan closing deadline of May 23, 2016.
- d) On May 6, 2016, the Board approved a request to extend the RFA 2015-102 loan closing deadline from May 23, 2016, to May 23, 2017.
- e) On September 15, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-108 for Elderly Housing Community Loan (EHCL) funding to be used to provide life-safety, building preservation, health, sanitation, or security-related repairs or improvements to Developments currently serving Elderly residents aged 62 or older.
- f) On December 9, 2016, the Board approved the final scores and recommendations for RFA 2016-108, and directed staff to proceed with all necessary credit underwriting activities.
- g) On December 19, 2016, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Dunbar Improvement Association, Inc.

## ELDERLY HOUSING COMMUNITY LOAN (EHCL)

### *Consent*

for RFA 2016-108, with a firm loan commitment issuance deadline of September 21, 2017.

- h) On May 5, 2017, the Board approved a waiver to allow an additional RFA 2015-102 loan closing extension from May 23, 2017 to May 23, 2018.
- i) On September 22, 2017, the Board approved a request to extend the RFA 2016-108 firm loan commitment issuance deadline from September 21, 2017, to March 21, 2018.
- j) On March 16, 2018, the Board approved a waiver to extend the RFA 2015-102 EHCL loan closing deadline from May 23, 2018 to October 31, 2018. The Board also approved a waiver to extend the RFA 2016-108 EHCL firm loan commitment issuance deadline from March 21, 2018 to October 31, 2018.
- k) On April 18, 2018, staff received a final credit underwriting report with a positive recommendation for EHCL funding in the aggregate amount of \$1,500,000 ([Exhibit A](#)). Staff has reviewed this report and finds that it meets all requirements of RFA 2015-102 and RFA 2016-108.

### **2. Recommendation**

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

## HOUSING CREDITS

### *Consent*

### III. HOUSING CREDITS

#### A. Request Approval of Applicant Entity Structure Change for Lake Point Plaza Apartments (2017-182C)

<b>Development Name: Lake Point Plaza Apartments</b>	<b>Location: Miami-Dade County</b>
<b>Applicant/Borrower: W 76 Street LLC</b>	<b>Set Aside(s): 20% @ 30% AMI and 80% @ 60% AMI</b>
<b>Developer/Principal: Lewis V. Swezy; RS Development Corp</b>	<b>Demographic/Number of units: Elderly/76 units</b>
<b>Requested Amount: \$731,735 Housing Credits</b>	<b>Development Category/Type: Preservation/Garden Apartments</b>

#### 1. Background/Present Situation

- a) Lake Point Plaza Apartments (2017-182C) is a Competitive Housing Credit, Preservation Development providing 76 set-aside units in Miami-Dade County, Florida. The Applicant was invited into credit underwriting on June 19, 2017. Subsequently, Florida Housing issued an allocation of \$731,735 in Housing Credits in September of 2017.
- b) The Applicant requests Board approval, as required by RFA 2016-116, to make a material change to the Applicant. Currently, the Non-investor Member/Manger is W 76 Street MM LLC, and the Investor Member is Lewis V. Swezy. The proposed change would retain the current principals and add Bilton Properties LLC as a Special Member. The Applicant further requests a change that will take place at or about the time of syndication, wherein Bilton Properties LLC will reduce its interest to .0051% and will change its name to Lake Point Special Member LLC. At that time, W 76 Street MM LLC will reduce its interest to .0049%. The letter requesting these changes and the original and new proposed entity structures are provided as [Exhibit A](#).

#### 2. Recommendation

- a) Approve the request for a change in the Applicant entity structure.

## HOUSING CREDITS

### *Consent*

#### B. Request Approval of Applicant Entity Structure Change for Parramore Oaks (2017-200C)

<b>Development Name: Parramore Oaks</b>	<b>Location: Orange County</b>
<b>Applicant/Borrower: Parramore Oaks, LLC</b>	<b>Set Aside(s): 10% @ 40% AMI and 70% @ 60% AMI</b>
<b>Developer/Principal: InVictus Development, LLC; ADC Communities, LLC; and Royal American Development, Inc.</b>	<b>Demographic/Number of units: Family/120 units</b>
<b>Requested Amount: \$2,110,000 Housing Credits</b>	<b>Development Category/Type: New Construction/Mid-Rise 4 Stories</b>

#### 1. Background/Present Situation

- a) Parramore Oaks (2017-200C) is a Competitive Housing Credit, New Construction Development providing 96 set-aside units in Orange County, Florida. The Applicant was invited into credit underwriting on June 19, 2017. Subsequently, Florida Housing issued an allocation of \$2,110,000 in Housing Credits in October of 2017.
- b) The Applicant requests Board approval, as required by RFA 2016-113, to make a material change to the Applicant. The Applicant's equity investor is requiring that they insert Special Purpose Entities (SPE) for the two non-investor members of the Applicant. The Applicant will have the same natural person principals as the original structure listed in the application. The current non-investor members of the Applicant are InVictus Development, LLC and ADC Communities, LLC. The new structure would insert IVD Parramore, LLC as a non-investor member, wholly owned by InVictus Development, LLC. The other non-investor member, ADC Communities, LLC will transfer its interest to a newly formed SPE, ADC Parramore Member, LLC, with the same principals. The letter requesting these changes and the original and new proposed entity structures are provided as [Exhibit B](#).

#### 2. Recommendation

- a) Approve the request for a change in the Applicant entity structure.

# HOME RENTAL

## *Consent*

### IV. HOME RENTAL

#### A. Request Approval of HOME Credit Underwriting Report for St. John Paul II Villas, Phase II (2017-262H)

<b>Development Name: St. John Paul II Villas, Phase II (“Development”)</b>	<b>Location: DeSoto County</b>
<b>Developer: National Development of America, Inc. (“Developer”)</b>	<b>Set-Aside: 20% @ 50% AMI 80% @ 60% AMI 32 HOME Units</b>
<b>Type: New Construction/Quadplexes</b>	<b>HOME: \$3,800,000</b>
<b>Total Number of Units: 32</b>	<b>Demographics: Elderly</b>

#### 1. Background/Present Situation

- a) The Applicant applied for funding under Request for Applications (“RFA”) 2017-105, seeking an allocation of HOME Financing to be Used for Rental Developments in Rural Areas. On June 16, 2017, the Board approved the selection of three (3) Applications, including St. John Paul Villas, Phase II for funding and invitation to credit underwriting.
- b) On August 30, 2017, the Corporation issued a preliminary commitment letter. In accordance with Rule 67-48, the Developer had an August 30, 2018 deadline to complete the credit underwriting and close the loan.
- c) On April 16, 2018, staff received a final credit underwriting report with a positive recommendation for a HOME loan in the amount of \$3,800,000 ([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

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities subject to further approvals and verifications by the Credit Underwriter, Special Counsel and the appropriate Florida Housing Staff.



## HOMEOWNERSHIP POOL (“HOP”) PROGRAM

### *Consent*

#### V. HOMEOWNERSHIP POOL (“HOP”) PROGRAM

##### A. Request Authorization to Commence Rule Amendment Process

###### 1. Background

- a) The Homeownership Pool (“HOP”) Program, governed by Rule 67-57, Florida Administrative Code, establishes the procedures by which the Corporation administers the HOP Program which provides purchase assistance to Eligible Homebuyers.

###### 2. Present Situation

- a) Recognizing the need to make some changes to the Program, Staff plans to conduct workshops to solicit input from the public, as the rule was last amended in 2008.

###### 3. Recommendation

- a) Authorize staff to commence the rule amendment process for the HOP Program.

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*Consent*

**VI. LEGAL**

**A. In Re: Parramore Oaks, LLC – FHFC Case No. 2018-012VW**

<b>Development Name: (“Development”):</b>	<b>Parramore Oaks</b>
<b>Developer/Principal: (“Developer”):</b>	<b>InVictus Paula Rhodes</b>
<b>Number of Units: 120</b>	<b>Location: Orange County</b>
<b>Type: New, Mid-rise, 4 stories</b>	<b>Set Asides: 10% at 40% AMI 70% at 60% AMI</b>
<b>Demographics: Family</b>	<b>9% HC \$2,110,000</b>

**1. Background**

- a) Petitioner was selected to receive 9% housing tax credit funding under Request for Applications (RFA) 2016-113, to assist in the construction of a Development serving low-income families in Orange County, Florida. On March 28, 2018, Florida Housing received a petition for waiver of Rule 67-48.004(3)(g) (the “Petition”) requesting to change the Development Type in its application. A copy of the Petition is attached as [Exhibit A](#).

**2. Present Situation**

- a) Rule 67-48.004(3)(g), Fla. Admin. Code (2016), provides:

(3) For the SAIL, HOME and Housing Credit Programs, notwithstanding any other provision of these rules, the following items **as identified by the Applicant in the Application** must be maintained and **cannot be changed** by the Applicant after the applicable submission, unless provided otherwise below:

\*\*\*

(g) Development Type. . . .

- b) In Petitioner’s response to the RFA (“Application”), Petitioner selected the Development Type of “Mid-Rise, 4-stories.” The Application also indicated that 19 out of the 120 units in the Development would be Townhouses. Petitioner alleges that due to a combination of economic factors some parts of the Development had to be redesigned, and it is no longer feasible to construct the Townhouses. Instead, the Development will include a number of garden apartments along with the mid-rise apartments. However, the total number of units in the Development will not change, nor will the designation as Mid-Rise, 4 stories.
- c) On, March 29, 2018, Notice of the Petition was published in the Florida Administrative Register in Volume 44, Number 62. To date, Florida Housing has received no comments concerning the Petition.

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- d) 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.

- e) Granting the requested waiver would not have any impact on other participants in funding programs administered by Florida Housing, nor would it have a detrimental impact on Florida Housing. Petitioner has demonstrated that the waiver is needed because of circumstances beyond its control, and that it would suffer a substantial hardship if the waiver is not granted. Petitioner has also demonstrated that the purpose of the underlying statute, which is to “encourage development of low-income housing in the state” (§420.5099, Fla. Stat.), would still be achieved if the waiver is granted.

### 3. Recommendation

- a) Staff recommends the Board **GRANT** Petitioner’s request for a waiver of Rule 67-48.004(3)(g), Fla. Admin. Code, so that the Development Type will continue to be designated as Mid-Rise, 4 stories, but that it will not include any units designated as Townhouses.

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**B. In Re: Woodland Park Redevelopment I, LLC - FHFC Case No. 2018-029VW (2015-106/2016-008CS)**

<b>Development Name: (“Development”):</b>	<b>Woodland Park Phase I</b>
<b>Developer/Principal: (“Developer”):</b>	<b>Pinnacle Housing Group LLC GHA Development, LLC</b>
<b>Number of Units: 96</b>	<b>Location: Alachua County</b>
<b>Type: Garden</b>	<b>Set Asides: 30% at 33% AMI 70% at 60% AMI</b>
<b>Demographics: Family, Link</b>	<b>9% HC: \$1,155,000 SAIL: \$3,840,000</b>

**1. Background**

- a) Petitioner was selected to receive competitive housing credits and State Apartment Incentive Loan (“SAIL”) financing under RFA 2015-106 to assist in the construction of Woodland Park I (the “Development”), serving low-income residents in Alachua County, Florida.
- b) On April 3, 2018, Florida Housing received a Petition for Waiver of Rule 67-48.0072(4)(c), to extend the SAIL loan closing date. A copy of which is attached as [Exhibit B](#).

**2. Present Situation**

- a) Rule 67-48.0072(4)(c), Fla. Admin. Code, provides:
  - (c) For SAIL, EHCL, and HOME Applicants, the loan must close within 12 months of the date of the invitation to enter credit underwriting. Applicants may request one (1) extension of up to 12 months. All extension requests must be submitted in writing to the program administrator and contain the specific reasons for requesting an extension and shall detail the time frame to close the loan. . . . In the event the loan does not close by the end of the 12 month extension period, the preliminary commitment or firm commitment, as applicable, will be deemed void and the funds will be de-obligated.
- b) Petitioner was invited to credit underwriting on May 6, 2016 and received a 12-month extension to close the loan until May 6, 2018. Now, Petitioner requests a further extension of the SAIL loan closing date from May 6, 2018 until November 6, 2018 due to delays in the development process. Specifically, Petitioner states that the delays are due to an Administrative Complaint and Temporary Order of Suspension that was filed against some of Petitioner’s principals and affiliates and difficulty in securing equity financing after the reduction in federal corporate income tax rates. A Settlement Agreement was approved between Petitioner’s affiliates and principals and Florida Housing which allows Petitioner to move forward with this transaction. Additionally, Florida Housing granted Petitioner’s request to exchange its allocation of 2016

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housing credits. Petitioner anticipates that the Development will be ready for commencement of construction and closing of SAIL funding in late 2018.

- c) On April 5, 2018, Notice of the Petition was published in the Florida Administrative Register in Volume 44, Number 67. To date, Florida Housing has received no comments concerning the Petition.

- d) 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.

- e) Granting the requested waiver would not have any impact on other participants in funding programs administered by Florida Housing, nor would it have a detrimental impact on Florida Housing. Petitioner has demonstrated that the waiver is needed because of circumstances beyond its control, and that it would suffer a substantial hardship if the waiver is not granted. Petitioner has also demonstrated that the purpose of the underlying statute, which is to “encourage development of low-income housing in the state” (§420.5099, Fla. Stat.), would still be achieved if the waiver is granted.

### 3. **Recommendation**

- a) Staff recommends the Board **GRANT** Petitioner’s request for a waiver of Rule 67-48.0072(4)(c), Fla. Admin. Code, so that the SAIL loan closing deadline may be extended from May 6, 2018, until November 6, 2018.

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**C. In Re: Caribbean Village, Ltd. – FHFC Case No. 2018-030VW**

<b>Development Name: (“Development”):</b>	<b>Caribbean Village</b>
<b>Developer/Principal: (“Developer”):</b>	<b>Pinnacle Housing Group, LLC David O. Deutch</b>
<b>Number of Units: 123</b>	<b>Location: Miami-Dade County</b>
<b>Type: High Rise</b>	<b>Set Asides: 5% at 33% AMI 95% at 60% AMI</b>
<b>Demographics: Elderly non-ALF</b>	<b>Funding: SAIL: \$5,000,000 ELI Gap: \$362,400 MMRB: \$16,500,000</b>

**1. Background**

- a) Caribbean Village, Ltd. (“Petitioner”) successfully applied for an award of SAIL funding to be used in conjunction with Florida Housing-Issued MMRB and Non-Competitive Housing Credits under Request for Applications 2014-111 (the “RFA”) to assist in the construction of a development serving the elderly in Miami-Dade County. On April 12, 2018, Florida Housing received a Petition for Waiver of Rules 67-48.004(3)(g) and 67-21.003(8)(g), Fla. Admin. Code; and Part I.A.3.g. of Exhibit E within RFA 2014-111, to allow them to change the development type from “Mid-Rise, 5-6 stories” to “High Rise”. A copy of the Petition is attached as [Exhibit C](#).

**2. Present Situation**

- a) Rule 67-48.004(3)(g), Fla. Admin. Code, provides as follows:

(3) For the SAIL, HOME and Housing Credit Programs, notwithstanding any other provisions of this rule, the following items as identified by the Applicant in the Application must be maintained and cannot be changed by the applicant after the applicable submission unless provided otherwise below:

\*\*\*

(g) Development Type;

- b) Rule 67-21.003(8)(g), Fla. Admin. Code, provides as follows:

(8) Notwithstanding any other provision of these rules, there are certain items that must be included in the Application and cannot be revised, corrected or supplemented after the Application is deemed complete. Those items are as follows:

\*\*\*

(g) Development Type;

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### *Consent*

- c) Similarly, Part I.A.3.g. of Exhibit E within RFA 2014-111 contains the substantially identical restriction on a change in “Development Type.”
- d) Petitioner has previously requested and was granted an increase in the number of units from 82 to 123, all of which are affordable; however, the size of the development site does not allow for an additional building or for the addition of more units to the existing single building by increasing such building’s footprint. Petitioner is requesting a waiver of the above Rules to allow it to build a 7-story building rather than a 5-story building to accommodate the increased number of units and allow for the total development cost per unit limitation applicable to high-rise to apply rather than the limitation applicable to mid-rise concrete.
- e) On April 13, 2018, Notice of the Petition was published in the Florida Administrative Register in Volume 44, Number 73. To date, Florida Housing has received no comments concerning the Petition.
- f) Section 120. 542(2), Fla. Stat., 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.
- g) Granting the requested waiver would not have any impact on other participants in funding programs administered by Florida Housing, nor would it have a detrimental impact on Florida Housing. Petitioner has also demonstrated that the purpose of the underlying statute, which is to “encourage development of low-income housing in the state” (§420.5099, Fla. Stat.), would still be achieved if the waiver is granted.

### 3. Recommendation

- a) Staff recommends the Board **GRANT** Petitioner’s request for a waiver of Rules 67-48.004(3)(g) and 67-21.003(8)(g), Fla. Admin. Code, to allow the change in development type from “Mid-Rise 5-6 stories” to “High Rise” and **GRANT** Petitioner’s request to treat the Development as a “High Rise” development for all purposes, including but not limited to determining the applicable Total Development Cost Per Unit limitation. Doing so will also grant the requested waiver from the requirements in Part I.A.3.g. of Exhibit E of RFA 2014-111.

## MULTIFAMILY BONDS

### *Consent*

#### VII. MULTIFAMILY BONDS

- A. **Request Approval of the Transfer of General Partnership and Limited Partnership Interests and Release of Guarantors for Fox Hollow Apartments (2006 Series B / 1990-004S / 90L-040 / 2006-502C)**

<b>Development Name: Fox Hollow Apartments</b>	<b>Location: Orange County</b>
<b>Applicant/Borrower: Fox Hollow Associates, Ltd.</b>	<b>Set Aside(s): 85% @ 60% AMI (MMRB) 100% @ 60% AMI (SAIL &amp; HC)</b>
<b>Developer/Principal: Enhanced Affordable Development</b>	<b>Demographic/Number of units: Family / 155 units</b>
<b>Requested Amounts: \$6,635,000 Multifamily Mortgage Revenue Bond (MMRB) \$2,110,000 State Apartment Incentive Loan (SAIL) \$737,370 Housing Credits (HC) \$423,910 Housing Credits (HC)</b>	<b>Development Category/Type: Acquisition and Rehabilitation / Garden Apartments</b>

1. **Background/Present Situation**

- a) Florida Housing originally financed the above referenced Development in 1990 with SAIL funding in the amount of \$2,110,000 and \$737,370 in Housing Credits. The Development was rehabilitated in 2006 with \$6,635,000 in tax exempt MMRB designated as 2006 Series B. In addition, \$423,910 in Housing Credits was allocated to this Development.
- b) Fox Hollow Associates, Ltd. has requested Florida Housing's consent to the transfer of the general partnership interest from The Partnership, Inc. to Fox Hollow GP LLC. The Borrower has also requested consent to the transfer of limited partnership interest to an entity affiliated with Lincoln Avenue Capital, LLC. In addition, the Borrower requested consent to release the existing Guarantors from various guarantees and replacement with new Guarantors. Seltzer Management Group, Inc. has reviewed these requests and provided a positive recommendation for the transfer, the assignment and assumption of the Land Use Restriction Agreements "LURA" and Extended Low-Income Housing Agreements "ELIHA", and the replacement of Guarantors ([Exhibit A](#)).

2. **Recommendation**

- a) Approve the transfer of partnership interest, the assignment, assumption, and subordination of the LURAs and ELIHAs, and the release and substitution of Guarantors, subject to the conditions in the credit underwriting report with 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 Transfer of General Partnership and Limited Partnership Interests and Release of Guarantors for Huntington Reserve (2006 Series C / 1990-003S / 90L-041 / 2006-503C)**

<b>Development Name: Huntington Reserve</b>	<b>Location: Seminole County</b>
<b>Applicant/Borrower: Huntington Reserve Associates, Ltd.</b>	<b>Set Aside(s): 85% @ 60% AMI (MMRB) 100% @ 60% AMI (SAIL &amp; HC)</b>
<b>Developer/Principal: Enhanced Affordable Development</b>	<b>Demographic/Number of units: Family / 168 units</b>
<b>Requested Amounts: \$6,515,000 Multifamily Mortgage Revenue Bond (MMRB) \$2,106,000 State Apartment Incentive Loan (SAIL) \$694,170 Housing Credits (HC) \$424,046 Housing Credits (HC)</b>	<b>Development Category/Type: Acquisition and Rehabilitation / Garden Apartments</b>

**1. Background/Present Situation**

- a) Florida Housing originally financed the above referenced Development in 1990 with SAIL funding in the amount of \$2,106,000 and \$694,170 in Housing Credits. The Development was rehabilitated in 2006 with \$6,515,000 in tax exempt MMRB designated as 2006 Series C. In addition, \$424,046 in Housing Credits was allocated to this Development.
- b) Huntington Reserve Associates, LTD. has requested Florida Housing's consent to the transfer of the general partnership interest from The Partnership, Inc. to Huntington Reserve GP LLC. The Borrower has also requested consent to the transfer of limited partnership interest to an entity affiliated with Lincoln Avenue Capital, LLC. In addition, the Borrower has requested consent to the release of the existing Guarantors from various guarantees and replacement with new Guarantors. Seltzer Management Group, Inc. has reviewed these requests and provided a positive recommendation for the transfer, the assignment and assumption of the Land Use Restriction Agreements "LURA" and Extended Low-Income Housing Agreements "ELIHA", and the replacement of Guarantors ([Exhibit B](#)).

**2. Recommendation**

- a) Approve the transfer of partnership interest, the assignment, assumption, and subordination of the LURAs and ELIHAs, and the release and substitution of Guarantors, subject to the conditions in the credit underwriting report with 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 Credit Underwriting Report for Caribbean Village (2014-133B / 2014-418S)**

<b>Development Name: Caribbean Village</b>	<b>Location: Miami-Dade County</b>
<b>Applicant/Borrower: Caribbean Village, Ltd.</b>	<b>Set Aside(s):</b> 85% @ 60% AMI (MMRN) 5% @ 33% AMI (SAIL & ELI) 95% @ 60% AMI (SAIL) 100% @ 60% AMI (HC)
<b>Developer/Principal: Pinnacle Housing Group, LLC and South Miami Heights Community Development Corporation</b>	<b>Demographic/Number of units: Elderly / 123</b>
<b>Requested Amounts:</b> \$16,500,000 Multifamily Mortgage Revenue Note (MMRN) \$5,000,000 State Apartment Incentive Loan (SAIL) \$362,400 ELI Gap Funding (ELI) \$1,316,455 Non-Competitive Housing Credits (HC)	<b>Development Category/Type: New Construction / High Rise</b>

**1. Background/Present Situation**

- a) On August 22, 2014, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2014-111 for SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) As required in RFA 2014-111, the Applicant submitted a Non-Competitive Application package requesting MMRB in the amount of \$10,000,000 (which request was subsequently increased to \$16,500,000) and non-competitive Housing Credits in the amount of \$673,000.
- c) On December 12, 2014, the Board approved the final scores and recommendations for RFA 2014-111 and directed Staff to proceed with all necessary credit underwriting activities.
- d) On December 19, 2014, staff issued an invitation to enter credit underwriting to the Applicant.
- e) The Applicant originally applied as a Mid-Rise with Elevator (comprised of 5 or 6 stories) with 82 units. Subsequently, staff approved an increase to the number of units from 82 to 123. A Rule Waiver of Rule Chapters 67-48 and 67-21 is being presented simultaneously with this request to change the Development Type from a Mid-Rise with Elevator to a High Rise.
- f) Staff reviewed the credit underwriting report giving a positive recommendation for a SAIL loan in the amount of \$5,000,000, ELI Gap funding in the amount of \$362,400, and \$16,500,000 in Tax Exempt MMRN ([Exhibit C](#)). Staff finds that the development meets all of the requirements of RFA 2014-111 and the Non-Competitive Application.

## MULTIFAMILY BONDS

### *Consent*

#### 2. **Recommendation**

- a) Approve the final credit underwriting report and direct staff to proceed with closing activities, subject to further approvals and verifications by the Credit Underwriter, Note Counsel, Special Counsel, and the appropriate Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

#### D. Request Approval of Credit Underwriting Report for Logan Heights Apartments (2016-103B)

<b>Development Name: Logan Heights Apartments</b>	<b>Location: Seminole County</b>
<b>Applicant/Borrower: Logan Heights Preservation, L.P.</b>	<b>Set Aside(s): 100% @ 60% AMI (MMRB) 100% @ 60% AMI (HC)</b>
<b>Developer/Principal: Logan Heights Developer LLC</b>	<b>Demographic/Number of units: Family / 360</b>
<b>Requested Amounts: \$28,000,000 Multifamily Mortgage Revenue Bond (MMRB) \$1,557,554 Non-Competitive Housing Credits (HC)</b>	<b>Development Category/Type: Acquisition and rehabilitation / Garden Apartments (1-3 Stories)</b>

#### 1. Background/Present Situation

- a) The Applicant submitted a Non-Competitive Application package requesting tax exempt MMRB in the amount of \$28,000,000 and non-competitive Housing Credits in the amount of \$1,558,092.
- b) On November 2, 2017, staff issued an invitation to enter credit underwriting to the Applicant.
- c) Staff received a final credit underwriting report with a positive recommendation for MMRB funding ([Exhibit D](#)). Staff has reviewed this report and finds that the development meets all of the requirements of the Non-Competitive Application.

#### 2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with closing activities, 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 Method of Bond/Note Sale Recommendation from Florida Housing's Independent Registered Municipal Advisor and Assignment of a Bond/Note Underwriter

##### 1. Background

- a) Pursuant to staff's request for approval to issue bonds/notes to finance the rehabilitation/construction of the proposed Developments referenced below, the final credit underwriting reports are being presented to the Board for approval simultaneously with this request to assign the appropriate professionals for the transactions and approval of the recommended method of sale. Brief descriptions of the Developments are detailed below, along with staff's recommendation.
- b) Pursuant to Rule 67-21.0045, F.A.C., staff has requested a review of the proposed financing structures by the Independent Registered Municipal Advisor (IRMA) in order to make a recommendation to the Board for the methods of bond/note sale for the developments. Caine Mitter and Associates Incorporated has prepared an analysis and recommendations for the method of bond/note sale for the Developments. The recommendation letters are attached as Exhibit [E](#) and [F](#).

##### 2. Present Situation

- a) Florida Housing staff, the Credit Underwriter, and the IRMA have reviewed the financial structures for the proposed Developments.

##### 3. Recommendation

- a) Approve the assignment of the recommended professionals and the Independent Registered Municipal Advisor's recommendation for the method of bond/note sale, as shown in the chart below, for the proposed Developments.

<b>Development Name</b>	<b>Location of Development</b>	<b>Number of Units</b>	<b>Method of Bond Sale</b>	<b>Recommended Professional</b>	<b>Exhibit</b>
Caribbean Village	Miami-Dade County	123	Negotiated Note Placement	RBC Capital Markets, LLC	Exhibit E
Logan Heights Apartments	Seminole County	360	Negotiated Public Offering	RBC Capital Markets, LLC	Exhibit F

## MULTIFAMILY BONDS

### *Consent*

**F. Request Approval of the Transfer of Ownership for Murdock Circle (2011 Series B / 2000-096S)**

<b>Development Name: Murdock Circle</b>	<b>Location: Charlotte County</b>
<b>Applicant/Borrower: Murdock Circle Partners, Ltd.</b>	<b>Set Aside(s): 85% @ 60% AMI (MMRB) 85% @ 60% AMI (SAIL)</b>
<b>Developer/Principal: CED Companies</b>	<b>Demographic/Number of units: Family / 264 units</b>
<b>Requested Amounts: \$7,000,000 Multifamily Mortgage Revenue Bond (MMRB) \$2,000,000 State Apartment Incentive Loan (SAIL) \$944,440 Non-Competitive Housing Credits (HC)</b>	<b>Development Category/Type: Acquisition and Rehabilitation / Garden Apartments</b>

**1. Background/Present Situation**

- a) Florida Housing originally financed the above referenced Development in 2000 with SAIL funding in the amount of \$2,000,000 and \$944,440 in Non-Competitive Housing Credits. The Development was rehabilitated in 2010 with \$7,000,000 in tax exempt MMRB designated as 2011 Series B. Subsequently, the bonds were redeemed in April of 2016 and the Housing Credits were terminated, along with the Extended Use Agreement, under a Qualified Contract in June of 2017.
- b) Murdock Circle Partners, Ltd. has requested Florida Housing's consent to the transfer of ownership interest in Murdock Circle to Tralee Affordable Housing Rays, LLC. Seltzer Management Group, Inc. has reviewed this request and provided a positive recommendation for the transfer and the assignment, assumption and subordination of the Land Use Restriction Agreements "LURA" ([Exhibit G](#)).

**2. Recommendation**

- a) Approve the transfer of ownership interest, the assignment, assumption, and subordination of the LURAs, subject to the conditions in the credit underwriting report further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

## MULTIFAMILY PROGRAMS

### *Consent*

#### VIII. MULTIFAMILY PROGRAMS

##### A. Request Approval of Credit Underwriting Update Letter for Independence Place (2014-331G)

<b>Development Name: Independence Place (“Development”)</b>	<b>Location: Duval County</b>
<b>Applicant/Borrower: Volunteers of America of Florida, Inc.</b>	<b>Set-Aside(s): 50% @ 33% AMI and 50% @ 60% AMI</b>
<b>Developer/Principal: Volunteers of America of Florida, Inc.</b>	<b>Demographic/Number of Units: Homeless/12</b>
<b>Requested Amounts: Grant: \$1,050,000</b>	<b>Development Category/Type: Rehabilitation/Quadrplex</b>

##### 1. Background/Present Situation

- a) On January 8, 2014, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2014-101 for Financing to Build Permanent Supportive Housing for Homeless Persons and Families. The funding must be used to purchase and renovate existing houses or to construct or purchase and renovate small specialty housing of 15 units or less.
- b) On March 14, 2014, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On January 6, 2016, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Volunteers of America of Florida, Inc.
- d) On October 28, 2016, the Board approved the final credit underwriting report and directed staff to proceed with the issuance of a firm commitment letter and closing activities.
- e) On October 31, 2016, staff issued a firm commitment letter to the Borrower, and closing occurred on November 15, 2017.
- f) On January 5, 2018, staff received correspondence from the Borrower requesting approval to increase the funding sources for the Development in addition to including a change order which modifies the construction of the Development.
- g) On April 13, 2018, staff received a credit underwriting update letter ([Exhibit A](#)) which outlines the requested changes. Staff has reviewed this update letter and finds that the development meets the requirements of RFA 2014-101.

##### 2. Recommendation

- a) Approve the credit underwriting update letter and direct staff to proceed with amending closing documents as appropriate.

**PREDEVELOPMENT LOAN PROGRAM (PLP)**

*Consent*

**IX. PREDEVELOPMENT LOAN PROGRAM (PLP)**

**A. Request Approval of Extension to the Maturity Date on the PLP Loan for Neighborhood Housing Foundation, a not-for-profit entity, for Liberty City Homes (2013-006P-09)**

<b>DEVELOPMENT NAME (“Development”):</b>	<b>Liberty City Homes</b>
<b>APPLICANT/DEVELOPER (“Developer”):</b>	<b>Neighborhood Housing Foundation</b>
<b>CO-DEVELOPER:</b>	<b>Atlantic Pacific Communities</b>
<b>NUMBER OF UNITS:</b>	<b>103</b>
<b>LOCATION (“County”):</b>	<b>Miami Dade County</b>
<b>TYPE:</b>	<b>Family</b>
<b>MINIMUM SET ASIDE:</b>	<b>20% @ 50% AMI</b>
<b>PLP LOAN AMOUNT:</b>	<b>\$750,000</b>
<b>ADDITIONAL COMMENTS:</b>	

**1. Background**

- a) On December 12, 2014, the Board approved a PLP Loan in the amount of \$750,000 to the Developer.
- b) On February 2, 2015, the Developer closed on the non-site acquisition portion of the loan. To date, the developer has drawn \$8,879 of the PLP funds. The site acquisition funds are still subject to completion of credit underwriting and approval of the Board.
- c) The loan matured on February 2, 2018. The developer was notified by Florida Housing of the maturity and a demand for repayment. To date, the developer has been unable to secure land or financing for the development.

**2. Present Situation**

- a) On April 5, 2018, the developer submitted a letter ([Exhibit A](#)) stating that they expect to have a development site under contract very soon and are forming a partnership with Atlantic Pacific Communities to pursue low income housing tax credit funding. In order to complete this process, they have requested a one-year extension to the maturity date on the PLP loan.
- b) The TAP has submitted a letter ([Exhibit B](#)) recommending approval of the extension.
- c) Staff finds that the information provided by the developer related to the potential securing of land and a partnership with an experienced developer warrants an extension to the loan maturity date per Rule Chapter 67-38.007 (7) (a).

**3. Recommendation**

- a) Approve the maturity date extension to the PLP Loan for Neighborhood Housing Foundation for Liberty City Homes, as recommended by the TAP, and allow staff to commence with loan closing on the amended non-site acquisition funds in the amount of \$250,000.



**STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

*Consent*

**X. STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

**A. Request Approval of Loan Closing Deadline Extension for Freedom Gardens II f/k/a Liberty Gardens (2016-368BS)**

<b>Development Name: Freedom Gardens II f/k/a Liberty Gardens</b>	<b>Location: Hernando County</b>
<b>Applicant/Borrower: HTG Liberty, LLC</b>	<b>Set Aside(s): 100% @ 60% AMI (MMRN/HC) 10% @ 40% AMI (SAIL/ELI) 90% @ 60% AMI (SAIL)</b>
<b>Developer/Principal: HTG Liberty Developer, LLC / Housing Trust Group</b>	<b>Demographic / Number of units: Family / 94</b>
<b>Requested Amounts: MMRN \$8,600,000, SAIL \$5,500,000 ELI \$493,400, 4% HC \$646,891</b>	<b>Development Category / Type: New Construction / Garden Apartments</b>

**1. Background/Present Situation**

- a) On September 19, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-109 for the SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 9, 2016, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On March 24, 2017, the Board approved the Final Order allowing staff to proceed with invitations to credit underwriting and preliminary awards.
- d) On March 31, 2017, staff issued an invitation to enter credit underwriting to the Applicant, and the Applicant accepted on April 5, 2017.
- e) On December 8, 2017, the Board approved the final credit underwriting report, and directed staff to proceed with issuance of a firm commitment and closing activities. A firm commitment was issued on December 8, 2017, which states that the loans must close within 180 Calendar Days of the date of the firm commitment, giving them a closing deadline of June 6, 2018.
- f) On April 9, 2018, staff received a request from the Applicant for an extension of the loan closing deadline from June 6, 2018 to September 4, 2018, which would allow additional time to obtain the remaining documents/approvals and complete loan closing activities ([Exhibit A](#)). Per the RFA, Applicants may request one extension of the loan closing deadline for a term of up to 90 Calendar Days. Staff has reviewed this request and finds that the development meets all of the requirements of the RFA.

## STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

### *Consent*

#### 2. Recommendation

- a) Approve the request to extend the loan closing deadline from June 6, 2018 to September 4, 2018, subject to payment of the required non-refundable extension fee of one percent of each Corporation loan amount, pursuant to the requirements of the RFA.

**STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

*Consent*

**B. Request Approval of Related Party Subcontractor for Bethune Residences I at West River (2016-376S)**

<b>Development Name: Bethune Residences I at West River</b>	<b>Location: Hillsborough County</b>
<b>Applicant/Borrower: West River Phase 1 A, LP</b>	<b>Set-Aside(s): 10% @ 40% AMI &amp; 90% @ 60% AMI</b>
<b>Developer/Principal: WRDG Bethune I, LLC</b>	<b>Demographic/Number of Units: Elderly/160</b>
<b>Requested Amounts: SAIL \$7,000,000 ELI \$600,000 Annual HC \$1,411,259</b>	<b>Development Category/Type: New Construction/Mid-Rise (5 to 6 stories)</b>

**1. Background/Present Situation**

- a) On September 19, 2016, Florida Housing Finance Corporation issued a Request for Applications (“RFA”) 2016-109 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bonds and Non-Competitive Housing Credits.
- b) On December 9, 2016, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On March 24, 2017, the Board approved the Final Order resolving all pending litigation pertaining to RFA 2016-109, allowing staff to proceed with all necessary credit underwriting activities.
- d) On March 31, 2017, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to West River Phase 1 A, LP with a firm loan commitment issuance deadline of January 4, 2018.
- e) On December 8, 2017, the Board approved a request to extend the January 4, 2018 firm loan commitment issuance deadline to July 5, 2018.
- f) In late 2016, the Borrower began working with the general contractor, DPR Construction, (“DPR”) to design a pre-fabricated floor and wall system. On January 19, 2017, after the design of the pre-fabricated floor and wall system was well under way, and after Borrower paid for the floor and wall system, DPR spun off the portion of DPR that was working on the pre-fabricated floor and wall system creating that portion as an affiliated limited liability company known as Digital Building Components. Because business operations continued as normal, the Borrower was unaware that it was working with an affiliated entity until recently. The Borrower had no knowledge of the spin-off of the subcontractor and it was beyond their control.

## STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

### *Consent*

- g) On March 14, 2018, staff received a letter from the Borrower ([Exhibit B](#)) stating that their general contractor has entered into a subcontract with an affiliated party for the construction and installation of the pre-fabricated floor and wall system. The letter also included a request for a variance from Rule 67-48.007(17) F.A.C, which requires that no construction cost is subcontracted to any entity that has common ownership or is affiliated with the general contractor unless otherwise approved by the Board.
- h) If the Borrower's request is denied the general contractor will not be able to meet the timeframe necessary for completion and the delay and cost would prevent the Borrower from completing the Development. As a penalty for use of the related subcontractor the Borrower has agreed to forgo any Developer Fee that would have been earned on the related sub amount. The calculations will be vetted and verified by the credit underwriter.

### 2. **Recommendation**

- a) Approve the request to allow the use of the related subcontractor, subject to the additional penalty described herein.

**STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

*Consent*

**C. Request Approval of Applicant Entity and Co-Developer Change for Arbor Village (2017-255CSN)**

<b>Development Name: Arbor Village</b>	<b>Location: Sarasota County</b>
<b>Applicant/Borrower: Blue CASL, LLC</b>	<b>Set-Aside(s):</b> 10% @ 35% (SAIL/ELI) 90% @ 60% (SAIL/HC) 10% @ 20% (NHTF)
<b>Developer/Principal: CASL Developer, LLC; Blue Sky Communities III, LLC</b>	<b>Demographic/Number of Units:</b> Homeless / Persons with Disabling Condition / 80
<b>Requested Amounts:</b> SAIL \$3,500,000, NHTF \$1,350,400, 9% HC \$1,510,000	<b>Development Category/Type:</b> New Construction / Mid-Rise, 4-stories

**1. Background/Present Situation**

- a) On March 22, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-103 for Housing Credit and SAIL Financing to Develop Housing in Medium and Large Counties for Homeless Households and Persons with a Disabling Condition.
- b) On June 16, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities. Staff issued an invitation to enter credit underwriting at risk to the Applicant on October 9, 2017 and the Applicant accepted on October 10, 2017.
- c) On December 8, 2017, the Board approved the Final Order allowing staff to proceed with invitations to credit underwriting and preliminary awards.
- d) On April 17, 2018, staff received a request from the Applicant to make a change to the Applicant Entity, (Blue CASL, LLC) and for both Co-Developers (CASL Developer, LLC and Blue Sky Communities III, LLC) ([Exhibit C](#)). The Applicant Entity changes are due to normal procedural changes for the nonprofit Board of Director members of Community Assisted and Supported Living, Inc. The Board of Director changes are individual director and officers and have no direct ownership in the Development. However, the RFA states that Applicant Entity shall be the recipient of the Housing Credits and the borrowing entity for the SAIL loan and cannot be changed in any way until after the SAIL loan closing. Therefore, the Board of Directors change request requires an RFA waiver. The Co-Developer change request is allowed only by written request of an Applicant to Corporation staff and approval of the Board after the Applicant has been invited to enter credit underwriting, and any allowable replacement of an experienced natural person Principal of a Developer entity must meet the experience requirements that were met by the original Principal. For the Co-Developer, CASL Developer, LLC, the same changes that were made to the nonprofit of the Applicant Entity will be made. The Co-Developer, Blue Sky Communities III, LLC will be changing the name and structure to Blue AV Developer, LLC. One of the remaining principles, Shawn Wilson, met the General Developer Experience in the Application. Staff has reviewed this request and finds that it meets all requirements of the RFA.

**STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

*Consent*

2. **Recommendation**

- a) Approve the RFA waiver request to change the Applicant Entity and the request to change the Co-Developers as described above.

## SPECIAL ASSETS

### *Consent*

#### XI. SPECIAL ASSETS

- A. Request Approval of Transfer of General Partner Interests and Release of Guarantors in Village Allapattah Phase II, LLC, a Florida Limited Liability Company, for Village Allapattah II (RRLP 2007-351CHR/2007-012C)

<b>Development Name: Village Allapattah II (“Development”)</b>	<b>Location: Miami-Dade County</b>
<b>Developer/Principal: Biscayne Housing Group, The Carlisle Group (“Developer”)/Village Allapattah Phase II, LLC (“Borrower”)</b>	<b>Set-Aside: RRLP 15% @ 33%, 85% @ 60% for 1<sup>st</sup> 20 yrs; 100% @ 60% remaining 30 yrs; HC 100% @ 60% AMI RRLP: 50 years; EUA: 50 years</b>
<b>Number of Units: 90</b>	<b>Allocated Amount: RRLP \$3,643,048; HC \$2,435,000</b>
<b>Demographics: Elderly</b>	<b>Servicer: Seltzer Management Group, Inc.</b>

1. **Background**

- a) During the 2007 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded funds from the Rental Recovery Loan Program in the amount of \$3,643,048 consisting of a rental recovery base loan of \$2,733,048 and a supplemental rental recovery loan of \$910,000, to Village Allapattah Phase II, LLC (“Borrower”), a Florida limited liability company, for the development of a 90-unit property in Miami-Dade County, Florida. Both loans closed on September 5, 2008. The base loan matures on September 5, 2058. The supplemental loan matures on September 5, 2028 with an option for an automatic extension to September 5, 2058. The Development also received a 2007 allocation of low-income housing tax credits (“HC”) of \$2,435,000.

2. **Present Situation**

- a) The Borrower requests approval to transfer the general partner interests in Village Allapattah Phase II, LLC from Biscayne Housing Group, LLC to RA Allapattah II, LLC, an affiliate of Royal American Development, Inc.
- b) The Borrower also requests the release of the Biscayne Housing Group, LLC, its affiliates and principals, as current guarantors, and the substitution of Royal American Development, Inc. and its affiliates, as the replacement guarantors.
- c) Staff received a credit underwriting report ([Exhibit A](#)) from Seltzer Management Group with a positive recommendation for approval of the transfer of general partner interests, and the release and replacement of the guarantors.

## SPECIAL ASSETS

### *Consent*

#### 3. **Recommendation**

- a) Approve the transfer of the general partner interests, and the release and replacement of guarantors, subject to the conditions provided in the credit underwriter's report, further approvals and verifications by the credit underwriter, counsel, and appropriate Florida Housing staff, and direct staff to proceed with loan document modification activities, as needed.



## SPECIAL ASSETS

### *Consent*

**B. Request Approval of Transfer of General Partner Interests and Release of Guarantors in Georgia Apartments, LLC, a Florida Limited Liability Company, for Biscayne Court (2007 Supplemental/2007-081C)**

<b>Development Name: Biscayne Court (“Development”)</b>	<b>Location: Miami-Dade County</b>
<b>Developer/Principal: Biscayne Housing Group (“Developer”)/Georgia Apartments, LLC (“Borrower”)</b>	<b>Set-Aside: Supplemental 10% @ 33%; HC 20% @ 33%; 80% @ 60% AMI Supplemental: 15 years; EUA: 50 years</b>
<b>Number of Units: 60</b>	<b>Allocated Amount: Supplemental \$510,000; HC \$1,566,967</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group, Inc.</b>

**1. Background**

- a) During the 2007 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded funds from the Supplemental Loan Program in the amount of \$510,000 to Georgia Apartments, LLC (“Borrower”), a Florida limited liability company, for the development of a 60-unit property in Miami-Dade County, Florida. The loan closed on July 31, 2009 and matures on July 31, 2024 with an option for an automatic extension to July 31, 2039. The Development also received a 2007 allocation of low-income housing tax credits (“HC”) of \$1,566,967.

**2. Present Situation**

- a) The Borrower requests approval to transfer the general partner interests in Georgia Apartments, LLC from Biscayne Housing Group, LLC, to RA Miami, LLC, an affiliate of Royal American Development, Inc.
- b) The Borrower also requests the release of the Biscayne Housing Group, LLC, its affiliates and principals, as current guarantors, and the substitution of Royal American Development, Inc. and its affiliates, as the replacement guarantors.
- c) Staff received a credit underwriting report ([Exhibit B](#)) from Seltzer Management Group with a positive recommendation for approval of the transfer of general partner interests, and the release and replacement of the guarantors.

**3. Recommendation**

- a) Approve the transfer of the general partner interests, and the release and replacement of guarantors, subject to the conditions provided in the credit underwriter’s report, further approvals and verifications by the credit underwriter, counsel, and appropriate Florida Housing staff, and direct staff to proceed with loan document modification activities, as needed.

## SPECIAL ASSETS

### *Consent*

- C. **Request Approval to Refinance the First Mortgage for Alhambra Cove Associates, Ltd., a Florida Limited Partnership, for Alhambra Cove Apartments (2004-059S/2005-118S/2005-502C)**

<b>Development Name: Alhambra Cove Apartments (“Development”)</b>	<b>Location: Miami-Dade County</b>
<b>Developer/Principal: Cornerstone (“Developer”)/Alhambra Cove Associates, Ltd. (“Borrower”)</b>	<b>Set-Aside: SAIL &amp; HC 100% @ 60% AMI LURA: 50 years; EUA: 30 years</b>
<b>Number of Units: 240</b>	<b>Allocated Amount: SAIL \$2,000,000, \$1,000,000; HC \$999,710</b>
<b>Demographics: Family</b>	<b>Servicer: First Housing Development Corporation</b>

1. **Background**

- a) During the 2004 and 2005 funding cycles, Florida Housing Finance Corporation (“Florida Housing”) awarded two State Apartment Incentive Loans (“SAIL”) in the original amounts of \$2,000,000 and \$1,000,000 respectively to Alhambra Cove Associates, Ltd., a Florida limited partnership (“Borrower”), for the development of a 240-unit apartment complex in Miami-Dade County, Florida. The first SAIL loan closed on June 28, 2005, and the second SAIL loan closed on March 10, 2006. Both loans will mature on July 15, 2045. The Development also received a 2005 allocation of low-income housing tax credits (“HC”) of \$999,710.

2. **Present Situation**

- a) The Borrower requests consent from the Board to refinance the existing first mortgage, and subordinate the SAIL loan, the SAIL Land Use Restriction Agreement (“LURA”), HC Extended Low-Income Housing Agreement (“ELIHA”) to the new first mortgage.
- b) Staff has received a credit underwriting report ([Exhibit C](#)) from First Housing Development Corporation with a positive recommendation for approval of the refinancing of the first mortgage and subordination of the SAIL loan, SAIL LURA, and HC ELIHA to the new first mortgage.

3. **Recommendation**

- a) Approve the refinancing of the first mortgage loan, and subordination of the SAIL loan, SAIL LURA, and HC EUA subject to the conditions provided in the credit underwriter’s report, further approvals and verifications by the credit underwriter, counsel, and appropriate Florida Housing staff, and direct staff to proceed with loan document modification activities, as needed.

## SPECIAL ASSETS

### *Consent*

**D. Request Approval of the Renegotiation of the SAIL Loan for Riverview House Limited Partnership, a Florida Limited Partnership, for Riverview House Apartments (1999-023S/1999-519C)**

<b>Development Name: Riverview House Apartments (“Development”)</b>	<b>Location: Palm Beach County</b>
<b>Developer/Principal: The Richman Group of Florida, Inc. (“Developer”)/ Riverview House Limited Partnership (“Borrower”)</b>	<b>Set-Aside: SAIL 100% @60% AMI; HC 100% @60% AMI; LURA: 50 years; EUA 50 years</b>
<b>Number of Units: 160</b>	<b>Allocated Amount: SAIL \$1,662,960; HC \$428,893.80</b>
<b>Demographics: Elderly</b>	<b>Servicer: First Housing Development Corporation</b>

**1. Background**

- a) During the 1999 funding cycle, Florida Housing Finance Corporation awarded a \$1,662,960 State Apartment Incentive Loan (“SAIL”) to Riverview House Limited Partnership, a Florida Limited Partnership (“Borrower”), for the construction of a 160-unit development in Palm Beach County, Florida. The SAIL loan closed on July 13, 2000 and will mature on September 30, 2031. The Development also received a 1999 allocation of low-income housing tax credits (“HC”) of \$428,893.80.

**2. Present Situation**

- a) The Borrower requests that the SAIL loan interest rate be renegotiated from a 9% interest rate to a 3% interest rate in accordance with section 420.5087, FS and as stated in Rule 67-48. The Borrower will pay all accrued and outstanding 3% interest on the current SAIL note and a renegotiation fee, as required, for the loan to be renegotiated.

**3. Recommendation**

- a) Approve the renegotiation of the SAIL loan terms from a 9% interest rate to a 3% interest rate along with payment of all accrued 3% base interest and direct staff to proceed with loan document modification activities, as needed.

**SPECIAL ASSETS**

*Consent*

**E. Request Approval of the Extension and Renegotiation of the SAIL Loan for Orchard Park, Ltd., a Florida Limited Partnership, for Orchard Park Apartments (2001-026S/2001-017C)**

<b>Development Name: Orchard Park (“Development”)</b>	<b>Location: Hillsborough County</b>
<b>Developer/Principal: Carlisle Development Group (“Developer”); Orchard Park, Ltd. (“Borrower”)</b>	<b>Set-Aside: SAIL &amp; HC 15.47% @ 30%, 4.76% @ 50%, &amp; 79.77% @ 60% AMI; LURA: 51 years; EUA: 50 years</b>
<b>Number of Units: 84</b>	<b>Allocated Amount: SAIL - \$870,000; HC \$336,000</b>
<b>Demographics: Family with 40% Farmworker</b>	<b>Servicer: Seltzer Management Group</b>

**1. Background**

a) During the 2001 State Apartment Incentive Loan Program Cycle (“SAIL”), Florida Housing awarded an \$870,000 construction/permanent loan to Orchard Park, Ltd., a Florida limited partnership (“Borrower”), for the development of an 84-unit development in Hillsborough County. The SAIL loan closed on June 28, 2002, and originally matured on June 1, 2017. The Board previously approved an extension to June 1, 2018. The Development also received a 2001 allocation of low-income housing tax credits (“HC”) of \$336,000.

**2. Present Situation**

a) The Borrower has requested approval to extend the SAIL loan, at its current terms, to June 1, 2019, to allow additional time for refinancing of the Development. The Borrower expects to close on a new first mortgage loan from which the proceeds will be used to pay off the SAIL loan. The Borrower has agreed to pay the FHFC loan extension fee and to the extension of the affordability period under the Land Use Restriction Agreement (“LURA”) to be equal to the loan extension (adding one year to the current 51 years).

b) The Borrower also requests that the SAIL loan interest rate be renegotiated from a 9% interest rate to a 3% interest rate in accordance with section 420.5087, FS and as stated in Rule 67-48. The Borrower will pay all accrued and outstanding 3% interest on the current SAIL note and a renegotiation fee, as required, for the loan to be renegotiated.

**3. Recommendation**

a) Approve the extension of the SAIL loan, at its current terms, to June 1, 2019, extend the LURA for an additional year, and renegotiation of the SAIL loan terms from a 9% interest rate to a 3% interest rate along with payment of all accrued 3% base interest and direct staff to proceed with loan document modification activities, as needed.