

BEFORE THE FLORIDA HOUSING FINANCE CORPORATION

SP MEWS LLC and SOUTHPORT DEVELOPMENT, INC.,
d/b/a SOUTHPORT DEVELOPMENT SERVICES, INC.,

Petitioners,

FHFC Case No. 2020-027BP
RFA 2019-116

vs.

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

**FORMAL WRITTEN PROTEST AND
PETITION FOR FORMAL ADMINISTRATIVE HEARING**

Petitioners, SP Mews LLC and Southport Development, Inc. d/b/a Southport Development Services, Inc. (collectively, “Petitioners” or “Southport”), file this Formal Written Protest and Petition for Formal Administrative Hearing (“Petition”) pursuant to section 120.57(3), Florida Statutes, Rules 28-110.004 and 67-60.009, Florida Administrative Code, and Section Six of Request for Applications 2019-116, SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits (the “RFA”). This Petition challenges the intended decision of Respondent, the Florida Housing Finance Corporation (“Florida Housing”), to award State Apartment Incentive Loan (“SAIL”) funding in response to the RFA. In support, Petitioners state as follows:

Parties

1. Petitioner SP Mews LLC is a Florida limited liability company. It is named in and submitted the application for the Whispering Oaks Apartments development (Application No. 2020-403BS).

2. Petitioner Southport Development, Inc. is a Washington corporation doing business in Florida as Southport Development Services, Inc. It is also named as the developer in and submitted the application for the Whispering Oaks Apartments development (along with SP Mews LLC).

3. Petitioners have an address at 2430 Estancia Blvd., Suite 101, Clearwater, Florida 33761. For purposes of this proceeding, Petitioners' address, email address, fax number, and telephone number are those of their undersigned counsel.

4. Florida Housing is the agency affected by this Petition. Florida Housing's address is 227 N. Bronough Street, Suite 5000, Tallahassee, Florida 32301.

Statement of Ultimate Facts

Background

5. On November 6, 2019, Florida Housing issued the RFA¹ seeking applications proposing the development of affordable, multifamily housing for families and the elderly using SAIL funding as gap funding in conjunction with: (i) Tax-Exempt Bond financing (i.e., Florida Housing-issued Multifamily Mortgage Revenue Bonds or non-Florida-Housing-issued Tax-Exempt Bonds obtained through a public housing authority, a county housing finance authority, or a local government); (ii) Non-Competitive Housing Credits; and, if applicable, (iii) National Housing Trust Fund [RFA § 1, p. 2].

6. The RFA states that Florida Housing expected to offer an estimated \$71,362,643, comprised of part of the Family and Elderly Demographic portion of the SAIL funding appropriated by the 2019 Florida Legislature. [RFA § 1.A, p. 2]. Specifically, the RFA provides

¹ Florida Housing modified the RFA four times. None of the modifications affects the issues raised in this Petition.

that \$22,720,289 of Elderly funding would be available for proposed developments with the Elderly Demographic Commitment, and \$48,642,354 of Family funding would be available for proposed developments with the Family Demographic Commitment. Up to a maximum of \$24,321,177 (50 percent) of the Family funding was reserved for applicants that demonstrate self-financed sources and meet additional criteria. The other 50 percent of the available Family funding would be reserved for applicants that select the Family Demographic Commitment but do not qualify as self-sourced applicants. [RFA § 1.A.1, p. 2].

7. Further, the RFA provides that the SAIL funding would be distributed across large, medium, and small geographic categories as follows: large counties—\$38,393,102; medium counties—\$25,833,277; and small counties—\$7,136,264. [RFA § 1.A.2., p. 2].

8. Section Five of the RFA describes the process by which applications will be evaluated and points awarded by a Review Committee. [RFA § 5, pp. 81-91]. Applications were initially eligible for a total of 10 points upon the submission of a Principal Disclosure Form stamped by Florida Housing as “pre-approved” (5 points) and Local Government Contribution Points (up to 5 points). [RFA § 5.A.2, p. 70].

9. The application sorting order process is set forth in Section 5.B.4. of the RFA. Developments eligible for funding are limited to those that meet certain eligibility requirements described throughout the RFA. Those applications eligible for funding are then sorted and ranked in order from highest score to lowest score, with any tie scores separated as follows:

- a. First, by the application’s eligibility for the Proximity Funding Preference with applications that qualify for the preference listed above applications that do not qualify for the preference;

- b. Next, by the application's eligibility for the Per Unit Construction Funding Preference, with applications that qualify for the preference listed above applications that do not qualify for the preference;
- c. Next, by the application's Leveraging Level number, with applications that have a lower Leveraging Level number listed above applications that have a higher Leveraging Level number;
- d. Next, by the application's eligibility for the Florida Job Creation Funding Preference, with applications that qualify for the preference listed above applications that do not qualify for the preference; and
- e. Finally, by lottery number, with applications that have a lower lottery number receiving preference.

[RFA 5.B.4.a., pp. 87-88].

10. Funding Tests and a County Award Tally are also applied. Under the Funding Tests, applications will be selected for funding only if there is enough funding under both a SAIL Geographic Funding Test and a SAIL Demographic Funding Test. [RFA § 5.B.1.b., p. 86]. Under the County Award Tally, each application selected for funding will count toward the County Award Tally for the county where the proposed development is located. [RFA § 5.B.2., p. 87]. Eligible unfunded applications that meet the Funding Tests and propose developments in counties with a lower County Award Tally are prioritized over those eligible unfunded applications that propose developments in counties with a higher County Award Tally. [*Id.*]. The RFA recognizes that this might result in the prioritization of applications that received lower rankings in counties with a lower County Award Tally over applications that received higher rankings in counties with a higher County Award Tally. [*Id.*].

11. The RFA's Funding Selection Process states that Florida Housing had a goal to fund, in the following order, seven medium and large county, new construction applications, including: (1) one new construction application in Miami-Dade County and one new construction application in Broward County; (2) one elderly, large county, new construction application; (3) three family, large county, new construction applications; (4) one elderly, medium county, new construction application; and (5) two family, medium county, new construction applications. [RFA § 5.B.5, pp. 88-89]. Next, Florida Housing had a goal to fund, in the following order, family or elderly small county applications, family or elderly medium county applications, and family or elderly large county applications, subject to certain caveats as well as the Funding Tests and the County Award Tally. [RFA § 5.B.5., pp. 89-90]. With respect to the last, the RFA states that:

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

If funding remains and none of the eligible unfunded Family Large County Self-Sourced Applications can meet both Funding Tests, all remaining Self-Sourced Applicant Family Funding and Non-Self-Sourced Applicant Family Funding will be merged ("Family Funding Merge"). No further Self-Sourced Applications will be funded. The highest ranking eligible unfunded Non-Self-Sourced Family or Elderly (ALF or non-ALF) Large County Applications, regardless of Development Category, will be selected for funding, subject to the Geographic and Demographic Funding Tests and County Award Tally.

If funding remains and no eligible unfunded Large County Applications can meet the Funding Tests, then no further Applications will be selected for funding and the remaining funding will be distributed as approved by the Board.

[*Id.*].

12. The deadline for receipt of applications was 3:00 p.m. on December 30, 2019. [RFA § 3.A.1, p. 4].

13. Florida Housing received more than 60 applications in response to the RFA, including Petitioners' application.

14. Florida Housing's Review Committee for the RFA met on February 19, 2020, to discuss the applications and to issue their funding recommendations to be presented to the Florida Housing Board of Directors ("Board").

15. At the Board's March 6, 2020 meeting, the Review Committee recommendations were presented to the Board. Petitioners' application was deemed eligible but was not selected for funding.

16. On March 6, 2020, the Board approved the Review Committee recommendations with some changes not relevant to this Petition.

17. At 9:35 a.m. on March 6, 2020, Florida Housing posted on its website its Notice of Intended Decision ("Intended Decision"), consisting of two documents: (1) the RFA 2019-116 Board Approved Preliminary Awards; and (2) the RFA 2019-116 Board Approved Scoring Results. A copy of the Intended Decision (consisting of both documents) is attached as **Exhibit A**.

18. On March 10, 2020, Petitioners timely filed a notice of protest of the Intended Decision. A copy of Petitioners' notice of protest is attached as **Exhibit B**. Petitioners also timely filed this Petition within 10 days of the date on which the notice of protest was filed, excluding weekends.

Metro Grande III Was Incorrectly Selected for Funding

19. Petitioners' application for the Whispering Oaks Apartments development proposed the development of a 142-unit complex, under the Family Demographic Commitment,

in Orange County, a large county within the meaning of the RFA. The development is not self-sourced.

20. Pursuant to Section 5.B.5. of the RFA, the last step in the funding selection process was to select certain Family Large County Non-Self-Sourced Applications. [See RFA § 5.B.5., p. 90]. Specifically, if funding remained after the highest ranking eligible unfunded Family Large County Self-Sourced Application was selected, Florida Housing was to next fund “[t]he highest ranking eligible unfunded Non-Self-Sourced Family or Elderly (ALF or non-ALF) Large County Applications, regardless of Development Category, . . . *subject to the Geographic and Demographic Funding Tests and County Award Tally.*” [RFA § 5.B.5, p. 90 (emphasis added)].

21. At this last step in the funding selection process, Florida Housing first selected the Paseo del Rio development application (Application No. 2020-413SN) (“Paseo del Rio”), the highest ranking eligible unfunded Family Large County Self-Sourced Application, proposed for Miami-Dade County. When funding remained, Florida Housing selected the Christian Manor development application (Application No. 2020-405S), the highest ranking eligible unfunded Non-Self-Sourced Family or Elderly Large County application, proposed for Palm Beach County. When funding still remained, Florida Housing selected for funding the Metro Grande III development application (Application No. 2020-380SN) (“Metro Grande III”), a Non-Self-Sourced Family Large County application, proposed for Miami-Dade County. Metro Grande III, however, does not satisfy the County Award Tally requirement of the RFA.

22. Under the County Award Tally, “[a]s each Application is selected for tentative funding, the county where the proposed Development is located will have one Application credited towards the County Award Tally.” [RFA § 5.B.2., p. 87]. Under the Board’s recommended funding awards, Miami-Dade County is already overrepresented, with three applications aside

from Metro Grande III included in Miami-Dade County's award tally (Culmer Apartments, Application No. 2020-435SN; Ambar Trail, Application No. 2020-436BS; and Paseo del Rio). The Board did not recommend funding any developments for Orange County, where Petitioners' application's proposed development will be.

23. In funding the final eligible unfunded Non-Self-Sourced Family or Elderly Large County application under the RFA, Florida Housing was required to observe the County Award Tally. [RFA § 5.B.5., p. 90]. Under the County Award Tally, Florida Housing must "prioritize eligible unfunded Applications that meet the Funding Test and are located within counties that have the lowest County Award Tally above other eligible unfunded Applications with a higher County Award Tally that also meet the Funding Test, even if the Applications with a higher County Award Tally are higher ranked." [RFA § 5.B.2, p. 87]. This Florida Housing failed to do in awarding funding to Metro Grande III—proposed for Miami-Dade County, which has a County Award Tally of three—instead of Whispering Oaks Apartments—proposed for Orange County, which has a County Award Tally of *zero*. If the County Award Tally requirement had been observed, Petitioners' application would have been selected for funding as an eligible unfunded Non-Self-Sourced Family or Elderly Large County application with a lower County Award Tally.

24. For the foregoing reasons, the decision of Florida Housing to award funding to Metro Grande III, and not to Petitioners' Whispering Oaks Apartment development, is contrary to the RFA's explicit provisions, clearly erroneous, arbitrary and capricious, and contrary to competition.

Disputed Issues of Material Fact and Law

25. The disputed issues of material fact and law of which Petitioners are aware at this

time include but are not limited to:²

- (a) Whether Metro Grande III's application was properly selected for funding by Florida Housing;
- (b) Whether Florida Housing correctly applied the funding selection process under the RFA;
- (c) Whether Florida Housing correctly applied the County Award Tally;
- (d) Whether, provided that Florida Housing had observed the County Award Tally requirement and followed the funding selection process, Petitioners' Whispering Oaks Apartments development is entitled to funding under the RFA;
- (e) Whether Florida Housing's Intended Decision is contrary to the RFA; and
- (f) Whether Florida Housing's Intended Decision is clearly erroneous, contrary to competition, arbitrary, and/or capricious.

Notice of Florida Housing's Proposed Action

26. The Notice of Intended Decision was posted on Florida Housing's website at 9:35 a.m. on March 6, 2020.

Substantial Interests Affected

27. Petitioners are substantially affected by Florida Housing's Intended Decision. Petitioners' Whispering Oaks Apartments development application complies with all the requirements of the RFA and was entitled to funding under the funding selection process of the RFA. If Florida Housing properly applied the funding selection process and County Award Tally,

² Petitioners reserve the right to amend or supplement this Petition, including but not limited to, the disputed issues of material fact, to the extent that Petitioners learn of additional issues of material fact in the course of discovery and preparation for final hearing in this matter.

Petitioners' application would have been selected for funding. As such, Petitioners' substantial interests are and will be affected by Florida Housing's Intended Decision.

Statutes and Rules that Entitle Petitioners to Relief

28. Petitioners are entitled to relief pursuant to sections 120.569 and 120.57, Florida Statutes, Chapters 28-106, 28-110, 67-48, and 67-60, Florida Administrative Code, and the established decisional law of Florida courts, the Division of Administrative Hearings, and Florida administrative agencies.

Demand for Relief

WHEREFORE, Petitioners respectfully request that Florida Housing:

- a. Provide an opportunity to resolve this Petition by mutual agreement, as provided in section 120.57(3), Florida Statutes;
- b. Transfer this Petition to the Division of Administrative Hearings for a formal hearing conducted before an Administrative Law Judge pursuant to sections 120.569 and 120.57, Florida Statutes, if this Petition cannot be resolved; and
- c. Ultimately issue a Final Order withdrawing the Intended Decision to award funding to Metro Grande III and award funding to Petitioners' Whispering Oaks Apartments development.

Respectfully submitted on March 23, 2020.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Formal Written Protest and Petition for Formal Administrative Hearing was filed by email with Ana McGlamory, Agency Clerk, at ana.mcglamory@floridahousing.org and CorporationClerk@floridahousing.org, and Hugh Brown, General Counsel, at hugh.brown@floridahousing.org, both of whom work at the Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, on March 23, 2020.



Tiffany A. Roddenberry

RFA 2019-116 Board Approved Preliminary Awards

Total SAIL Funding available	71,362,643.00
Total SAIL allocated	68,096,377.00
Total SAIL balance remaining	3,266,266.00

NHTF Funding will be 100% allocated in accordance with Exhibit H

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	ELI Request	Total SAIL Request (SAIL + ELI)	Self-Sourced Applicant?	Non-Self-Sourced Family Applicant?	Total Number of Units	Total Points	Proximity Funding Preference	Per Unit Construction Funding Preference	Leveraging Level	Florida Job Creation Preference	Lottery Number
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One Elderly Large County New Construction Application

2020-382SN	Pembroke Tower II	Broward	L	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	E, Non-ALF	2,000,000	600,000	2,600,000.00	N	SS	88	10	Y	Y	1	Y	33
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Three Family Large County New Construction Applications

2020-435BSN	Culmer Apartments	Miami-Dade	L	Kenneth Naylor	APC Culmer Development, LLC	NC	F	7,000,000	600,000	7,600,000.00	N	Y	239	10	Y	Y	1	Y	9
2020-416BS	Brandon Preserve	Hillsborough	L	James R. Hoover	TVC Development, Inc.	NC	F	6,500,000		6,500,000.00	Y	SS	230	10	Y	Y	5	Y	35
2020-436BS	Ambar Trail	Miami-Dade	L	Elena M. Adames	Ambar3, LLC	NC	F	5,000,000		5,000,000.00	Y	SS	210	10	Y	Y	1	Y	50

One Elderly Medium County New Construction Application

2020-385BSN	Villa Verde	Collier	M	Christopher Shear	MHP Collier Developer, LLC CORE Collier Developer, LLC	NC	E, Non-ALF	6,000,000	600,000	6,600,000.00	N	SS	160	10	Y	Y	3	Y	3
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Two Family Medium County New Construction Applications

2020-411BS*	Royal Park Apartments	Alachua	M	Scott Zimmerman	BDG Royal Park Apartments Developer, LLC	NC	F	5,242,500	600,000	5,842,500.00	Y	SS	176	10	Y	Y	4	Y	7
2020-390S	Magnolia Family	Leon	M	James S. Grauley	New Affordable Housing Partners, LLC Tallahassee Housing Economic Corporation	NC	F	5,611,577	600,000	6,211,577.00	N	Y	130	10	Y	Y	3	Y	58

EXHIBIT A

RFA 2019-116 Board Approved Preliminary Awards

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	ELI Request	Total SAIL Request (SAIL + ELI)	Self-Sourced Applicant?	Non-Self-Sourced Family Applicant?	Total Number of Units	Total Points	Proximity Funding Preference	Per Unit Construction Funding Preference	Leveraging Level	Florida Job Creation Preference	Lottery Number
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Small County Application(s)

2020-419BS*	Arbours at Quincy	Gadsden	S	Sam Johnston	Arbour Valley Development, LLC	NC	F	4,312,000	600,000	4,912,000.00	N	Y	80	10	Y	Y	5	Y	26
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Medium County Application(s)

2020-404S	Orange Blossom Village	Indian River	M	Mark J. Kemp	Psalms 127 Development, LLC; ReBuild America of Florida, Inc.; SHAG Orange Blossom, LLC	A/R	E, Non-ALF	4,500,000	463,200	4,963,200.00	N	SS	80	10	Y	Y	4	Y	32
2020-384BS	Parrish Oaks II	Manatee	M	J. David Page	Southport Development, Inc., a WA Corporation doing business in FL as Southport Development Services, Inc.	NC	F	2,248,000	419,100	2,667,100.00	N	Y	48	10	Y	Y	5	Y	42

Large County Application(s)

2020-413SN	Paseo del Rio	Miami-Dade	L	Alberto Milo, Jr.	Paseo del Rio Developer, LLC	NC	F	5,400,000	600,000	6,000,000.00	Y	SS	180	10	Y	Y	2	Y	57
2020-405S	Christian Manor	Palm Beach	L	Paul J. Ponte	Integrity Development Partners, LLC SCG Development Partners, LLC	A/R	E, Non-ALF	5,000,000	600,000	5,600,000.00	N	SS	200	10	Y	Y	1	Y	10
2020-380SN**	Metro Grande III	Miami-Dade	L	Mara S. Mades	Cornerstone Group Partners, LLC	NC	F	3,000,000	600,000	3,600,000.00	N	Y	84	10	Y	Y	2	Y	2

*The SAIL request was adjusted during scoring, which affected the Corporation Funding Per Set-Aside Amount.

**The Application Submitted Report did not correctly calculate the number of Set-Aside Units. This was adjusted during scoring, which affected the Corporation Funding Per Set-Aside Amount.

On March 6, 2020, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2019-116 – Board Approved Scoring Results

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	ELI Request	Total SAIL Request (SAIL + ELI)	Eligible For Funding?	Self-Sourced Applicant?	Total Number of Units	Total Points	Proximity Funding Preference	Per Unit Construction Funding Preference	Leveraging Level	Florida Job Creation Preference	Lottery Number
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Eligible Applications

2020-379BS	Summer Grove	Orange	L	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	F	6,880,000	600,000	7,480,000.00	Y	N	120	10	Y	Y	5	Y	55
2020-380SN***	Metro Grande III	Miami-Dade	L	Mara S. Mades	Cornerstone Group Partners, LLC	NC	F	3,000,000	600,000	3,600,000.00	Y	N	84	10	Y	Y	2	Y	2
2020-381BS	Autumn Trace	Collier	M	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	E, Non-ALF	5,980,000	600,000	6,580,000.00	Y	N	100	10	Y	Y	5	Y	47
2020-382SN	Pembroke Tower II	Broward	L	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	E, Non-ALF	2,000,000	600,000	2,600,000.00	Y	N	88	10	Y	Y	1	Y	33
2020-383BSN	New Horizons Apartments	Lee	M	Alberto Milo, Jr.	New Horizons Apartments Developer, LLC	NC	F	6,000,000	600,000	6,600,000.00	Y	N	96	10	Y	Y	5	Y	5
2020-384BS	Parrish Oaks II	Manatee	M	J. David Page	Southport Development, Inc., a WA Corporation doing business in FL as Southport Development Services, Inc.	NC	F	2,248,000	419,100	2,667,100.00	Y	N	48	10	Y	Y	5	Y	42
2020-385BSN	Villa Verde	Collier	M	Christopher Shear	MHP Collier Developer, LLC CORE Collier Developer, LLC	NC	E, Non-ALF	6,000,000	600,000	6,600,000.00	Y	N	160	10	Y	Y	3	Y	3
2020-386SN	WRDG T4 Phase Two	Hillsborough	L	Leroy Moore	WRDG T4 Phase Two Developer, LLC	NC	F	6,600,000	600,000	7,200,000.00	Y	N	107	10	Y	Y	3	Y	38
2020-387BS	Villa Valencia	Miami-Dade	L	Lewis V. Swezy	RS Development Corp Lewis V. Swezy	NC	F	6,200,000	600,000	6,800,000.00	Y	N	140	10	Y	Y	3	Y	48
2020-388BSN	Cortez Pointe	Hernando	M	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	F	5,860,000	600,000	6,460,000.00	Y	N	120	10	Y	Y	5	Y	24
2020-390S	Magnolia Family	Leon	M	James S. Grauley	New Affordable Housing Partners, LLC Tallahassee Housing Economic Corporation	NC	F	5,611,577	600,000	6,211,577.00	Y	N	130	10	Y	Y	3	Y	58
2020-391S	Serenity Grove	Miami-Dade	L	Oliver L Gross	Serenity Grove Developers, LLC	NC	E, Non-ALF	3,100,000	600,000	3,700,000.00	Y	N	75	10	Y	Y	3	Y	61
2020-392BSN	Courtside Apartments, Phase II	Miami-Dade	L	Matthew A. Rieger	AMC HTG 2 Developer, LLC	NC	F	6,450,000	600,000	7,050,000.00	Y	N	200	10	Y	Y	1	Y	37

RFA 2019-116 – Board Approved Scoring Results

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	ELI Request	Total SAIL Request (SAIL + ELI)	Eligible For Funding?	Self-Sourced Applicant?	Total Number of Units	Total Points	Proximity Funding Preference	Per Unit Construction Funding Preference	Leveraging Level	Florida Job Creation Preference	Lottery Number
2020-393S	The Arbors at Valhalla Pond	Hillsborough	L	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	F	4,200,000	600,000	4,800,000.00	Y	N	96	10	Y	Y	4	Y	49
2020-394S	Superior Manor Apartments II	Miami-Dade	L	Oliver L Gross	SMA II Developers ,LLC	NC	F	3,000,000	600,000	3,600,000.00	Y	N	76	10	Y	Y	3	Y	18
2020-395BS	Shoreview Place	Miami-Dade	L	Matthew A. Rieger	HTG Shoreview Developer, LLC	NC	E, Non-ALF	3,650,000	600,000	4,250,000.00	Y	N	118	10	Y	Y	1	Y	59
2020-396S	Calusa Pointe	Palm Beach	L	J. David Page	Southport Development, Inc., a WA Corporation doing business in FL as Southport Development Services, Inc.	NC	F	5,890,000	600,000	6,490,000.00	Y	N	120	10	Y	Y	5	Y	22
2020-397BSN	Malabar Grove	Brevard	M	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	F	5,260,000	600,000	5,860,000.00	Y	N	120	10	Y	Y	4	Y	41
2020-398SN	Carisbrooke Terrace	Seminole	M	Jonathan L. Wolf	Carisbrooke Terrace Developer, LLC SHA Development, LLC	Redev	E, Non-ALF	4,300,000	538,000	4,838,000.00	Y	N	80	10	Y	Y	5	Y	56
2020-401S	Parkview Commons	Duval	L	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	F	5,980,000	600,000	6,580,000.00	Y	N	122	10	Y	Y	4	Y	44
2020-402S	Cedar Station	Duval	L	J. David Page	Southport Development, Inc., a WA Corporation doing business in FL as Southport Development Services, Inc.	NC	F	6,120,000	600,000	6,720,000.00	Y	N	128	10	Y	Y	5	Y	40
2020-403BS	Whispering Oaks Apartments	Orange	L	J. David Page	Southport Development, Inc., a WA corporation doing business in FL as Southport Development Services, Inc.	NC	F	5,880,000	600,000	6,480,000.00	Y	N	142	10	Y	Y	4	Y	1
2020-404S	Orange Blossom Village	Indian River	M	Mark J. Kemp	Psalms 127 Development, LLC; ReBuild America of Florida, Inc.; SHAG Orange Blossom, LLC	A/R	E, Non-ALF	4,500,000	463,200	4,963,200.00	Y	N	80	10	Y	Y	4	Y	32
2020-405S	Christian Manor	Palm Beach	L	Paul J. Ponte	Integrity Development Partners, LLC SCG Development Partners, LLC	A/R	E, Non-ALF	5,000,000	600,000	5,600,000.00	Y	N	200	10	Y	Y	1	Y	10
2020-406S	Island Cove Apartments	Palm Beach	L	Darren Smith	SHAG Island Cove, LLC Delray Housing Group, Inc.	NC	F	3,780,000	600,000	4,380,000.00	Y	N	54	10	Y	Y	5	Y	52
2020-407BS	Metro Grande I	Miami-Dade	L	Mara S. Mades	Cornerstone Group Partners, LLC	NC	E, Non-ALF	3,000,000	600,000	3,600,000.00	Y	N	108	10	Y	Y	1	Y	20

RFA 2019-116 – Board Approved Scoring Results

Application Number	Name of Development	County	County Size	Name of Authorized Principal	Name of Developers	Dev Category	Demo. Commitment	SAIL Request	ELI Request	Total SAIL Request (SAIL + ELI)	Eligible For Funding?	Self-Sourced Applicant?	Total Number of Units	Total Points	Proximity Funding Preference	Per Unit Construction Funding Preference	Leveraging Level	Florida Job Creation Preference	Lottery Number
2020-408S	Pinnacle 441	Broward	L	David O. Deutch	Pinnacle Communities, LLC	NC	F	7,000,000	600,000	7,600,000.00	Y	N	110	10	Y	Y	3	Y	28
2020-410SN	Sonata	Broward	L	Mara S. Mades	Cornerstone Group Partners, LLC The PCC Community Development, LLC	NC	F	6,830,000	600,000	7,430,000.00	Y	N	121	10	Y	Y	3	Y	63
2020-411BS*	Royal Park Apartments	Alachua	M	Scott Zimmerman	BDG Royal Park Apartments Developer, LLC	NC	F	5,242,500	600,000	5,842,500.00	Y	Y	176	10	Y	Y	4	Y	7
2020-412SN	Brisas del Este Apartments	Miami-Dade	L	Alberto Milo, Jr.	Brisas del Este Apartments Developer, LLC	NC	F	5,000,000	600,000	5,600,000.00	Y	N	150	10	Y	Y	2	Y	36
2020-413SN	Paseo del Rio	Miami-Dade	L	Alberto Milo, Jr.	Paseo del Rio Developer, LLC	NC	F	5,400,000	600,000	6,000,000.00	Y	Y	180	10	Y	Y	2	Y	57
2020-414S	Residences at Opa-Locka	Miami-Dade	L	Robert Hoskins	NuRock Development Partners Inc.	NC	F	6,000,000	600,000	6,600,000.00	Y	N	180	10	Y	Y	2	Y	29
2020-415SN	Uptown Sky	Hillsborough	L	Shawn Wilson	Blue Sky Developer, LLC and University Area Community Development Corporation, Inc.	NC	F	5,300,000	600,000	5,900,000.00	Y	N	87	10	Y	Y	5	Y	30
2020-416BS	Brandon Preserve	Hillsborough	L	James R. Hoover	TVC Development, Inc.	NC	F	6,500,000		6,500,000.00	Y	Y	230	10	Y	Y	5	Y	35
2020-417SN	The Club at River Ridge	Pasco	M	Shawn Wilson	Blue Sky Developer, LLC	NC	E, Non-ALF	5,540,000	589,200	6,129,200.00	Y	N	84	10	Y	Y	5	Y	16
2020-419BS*	Arbours at Quincy	Gadsden	S	Sam Johnston	Arbour Valley Development, LLC	NC	F	4,312,000	600,000	4,912,000.00	Y	N	80	10	Y	Y	5	Y	26
2020-420BS	St. Peter Claver Place	Lee	M	Eric C. Miller	National Development of America, Inc. St. Peter Claver Developer, Inc. LCHA Developer, LLC	NC	F	6,000,000	600,000	6,600,000.00	Y	N	120	10	Y	Y	4	Y	39
2020-422BS	Parkwood Lofts	Orange	L	Scott Zimmerman	BDG Parkwood Lofts Developer, LLC	NC	E, Non-ALF	6,000,000	600,000	6,600,000.00	Y	N	120	10	Y	Y	5	Y	12
2020-423BSN	Woodlock Manor	Alachua	M	Scott Zimmerman	BDG Boutwell Apartments Developer, LLC	NC	E, Non-ALF	6,000,000	600,000	6,600,000.00	Y	N	120	10	Y	Y	4	Y	11
2020-424BSN	Waterview Preserve	Orange	L	Christopher Savino	Waterview Preserve Developer, LLC Judd Roth Real Estate Development, Inc.	NC	E, Non-ALF	7,000,000	600,000	7,600,000.00	Y	N	132	10	Y	Y	4	Y	14
2020-426BSN	Oakfield Place	Manatee	M	Christopher Savino	Oakfield Place Developer, LLC Judd Roth Real Estate Development, Inc.	NC	F	5,850,000	600,000	6,450,000.00	Y	N	120	10	Y	Y	4	Y	46

RFA 2019-116 – Board Approved Scoring Results

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2020-427BSN	Northside Transit Village V	Miami-Dade	L	Kenneth Naylor	Northside Property V Development, LLC	NC	E, Non-ALF	7,000,000	600,000	7,600,000.00	Y	N	162	10	Y	Y	3	Y	27
2020-428BSN	Northside Transit Village III	Miami-Dade	L	Kenneth Naylor	Northside Property III Development, LLC	NC	F	7,000,000	600,000	7,600,000.00	Y	N	168	10	Y	Y	2	Y	62
2020-429BSN	Culmer Apartments II	Miami-Dade	L	Kenneth Naylor	APC Culmer Development II, LLC	NC	E, Non-ALF	6,650,000	600,000	7,250,000.00	Y	N	200	10	Y	Y	2	Y	51
2020-430BSN	Northwest Gardens VI	Broward	L	Kenneth Naylor	APC Northwest Properties VI Development, LLC HEF Development LLC	NC	F	5,315,000	600,000	5,915,000.00	Y	N	122	10	Y	Y	2	Y	8
2020-431BSN	Brownsville Transit Village V	Miami-Dade	L	Kenneth Naylor	APC Brownsville Village V Development, LLC	NC	F	6,300,000	600,000	6,900,000.00	Y	N	120	10	Y	Y	3	Y	45
2020-432BSN	Quail Roost Transit Village III	Miami-Dade	L	Kenneth Naylor	Quail Roost III Development, LLC	NC	E, Non-ALF	5,000,000	600,000	5,600,000.00	Y	N	150	10	Y	Y	2	Y	15
2020-433BSN	Saratoga Crossings III	Broward	L	Anne Castro	APC Saratoga Crossings III Development, LLC Dania Beach Quality Housing Solutions, Inc.	NC	F	5,250,000	600,000	5,850,000.00	Y	N	75	10	Y	Y	4	Y	64
2020-434BSN	Quail Roost Transit Village II	Miami-Dade	L	Kenneth Naylor	Quail Roost II Development, LLC	NC	F	6,650,000	600,000	7,250,000.00	Y	N	200	10	Y	Y	2	Y	6
2020-435BSN	Culmer Apartments	Miami-Dade	L	Kenneth Naylor	APC Culmer Development, LLC	NC	F	7,000,000	600,000	7,600,000.00	Y	N	239	10	Y	Y	1	Y	9
2020-436BS	Ambar Trail	Miami-Dade	L	Elena M. Adames	Ambar3, LLC	NC	F	5,000,000		5,000,000.00	Y	Y	210	10	Y	Y	1	Y	50
2020-437BSN	Woodland Park Phase II	Alachua	M	Matthew A. Rieger	HTG Woodland Phase II Developer, LLC GHA Development, LLC	NC	F	5,950,000	600,000	6,550,000.00	Y	N	110	10	Y	Y	5	Y	31
2020-439BS	Stadium Tower	Miami-Dade	L	Lewis V. Swezy	RS Development Corp Lewis V. Swezy	NC	F	3,570,000	600,000	4,170,000.00	Y	N	96	10	Y	Y	2	Y	23
2020-440BS	Parc Grove	Miami-Dade	L	Randy Rieger	Parc Grove Developer, LLC	NC	E, Non-ALF	6,450,000	600,000	7,050,000.00	Y	N	200	10	Y	Y	1	Y	19
2020-441SN	Union Trail	Pinellas	L	J. David Page	Southport Development, Inc., a WA Corporation doing business in FL as Southport Development Services, Inc.	NC	F	4,180,000	600,000	4,780,000.00	Y	N	82	10	Y	Y	5	Y	25
2020-442BS	Mount Hermon Apartments	Broward	L	Matthew A. Rieger	HTG Mount Hermon Developer, LLC	NC	E, Non-ALF	7,000,000	600,000	7,600,000.00	Y	N	100	10	Y	Y	4	Y	43

RFA 2019-116 – Board Approved Scoring Results

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Ineligible Applications

2020-438S	The Villages Apartments, Phase II	Miami-Dade	L	Oliver L Gross	Villages II Developers, LLC	NC	F	4,500,000	600,000	5,100,000.00	N	N	120	10	Y	Y		Y	60
2020-399SN	Talland Park	Seminole	M	Jonathan L. Wolf	Talland Park Developer, LLC SHA Development, LLC	Redev	F	4,100,000	557,900	4,657,900.00	N	N	80	10	Y	Y		Y	54
2020-389SN**	Quiet Meadows	Palm Beach	L	Joseph Glucksman	Queit Meadows LLC Managing Member - McCurdy Senior Housing Corporation Member - Palm Beach County Housing Authority	NC	E, Non-ALF	7,000,000	-	7,000,000.00	N	N	132	10	Y	Y		Y	21
2020-409SN***	Village of Valor	Palm Beach	L	Kathy Makino-Leiptz	KMS Holdings Florida, LLC, Village of Valor LLC	NC	F	7,000,000		7,000,000.00	N	N	161	5	Y	Y		Y	53
2020-425BSN	Siesta Lago Place	Osceola	M	Jordan Leffler	Siesta Lago Place Developer, LLC Judd Roth Real Estate Development, Inc.	NC	F	6,000,000	600,000	6,600,000.00	N	N	108	0	N	N		N	17
2020-400S	Villas at Academy Place	Seminole	M	Darren Smith	SCHA Developer, LLC; Pantheon Development Group, LLC	NC	F	3,540,000	452,500	3,992,500.00	N	N	60	10	Y	Y		Y	13
2020-421BS	Hibiscus Apartments Phase Two	Lee	M	Scott Zimmerman	BDG Orchid Apartments Developer, LLC	NC	F	6,000,000	600,000	6,600,000.00	N	N	96	10	Y	Y		Y	4
2020-418SN*	Cedar Cove	Manatee	M	Shawn Wilson	Blue Sky Developer, LLC	NC	F	5,755,649	600,000	6,355,649.00	N	N	84	10	N	Y		Y	34

*The SAIL request was adjusted during scoring, which affected the Corporation Funding Per Set-Aside Amount.

**The ELI Request Amount was adjusted during scoring.

***The Application Submitted Report did not correctly calculate the number of Set-Aside Units. This was adjusted during scoring, which affected the Corporation Funding Per Set-Aside Amount.

On March 6, 2020, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

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larry.sellers@hklaw.com

March 10, 2020

Via Electronic Mail: ana.mcglamory@floridahousing.org
corporationclerk@floridahousing.org

Ana McGlamory
Agency Clerk
Florida Finance Housing Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329

Re: Notice of Protest - Request for Applications 2019-116, SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bonds and Non-Competitive Housing Credits (the "RFA").

Dear Ms. McGlamory:

On behalf of SP Mews LLC and Southport Development, Inc., a Washington corporation doing business in Florida as Southport Development Services, Inc., application number 2020-403BS (for Whispering Oaks Apartments), this letter constitutes the notice of intent to protest the intended decision of the Florida Housing Finance Corporation relating to the referenced RFA. This notice is filed pursuant to Section 120.57(3), Florida Statutes, Rules 28-110.003 and 67-60.009, Florida Administrative Code, and Section Six of the referenced RFA.

This notice of intent to protest is being filed within 72 hours (not including weekends) of the posting of the intended decision on the Corporation's website on Friday, March 6, 2020.

Please acknowledge receipt of this filing by stamping the date and time on a copy of this letter and returning it to us. Thank you very much.

RECEIVED
20 MAR 11 AM 8:00
FLORIDA HOUSING
FINANCE CORPORATION

EXHIBIT B

Ana McGlamory
Page 2

Very truly yours,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink, appearing to read "LES", with a long horizontal flourish extending to the right.

Lawrence E. Sellers, Jr.
Tiffany Roddenberry

cc: Hugh Brown, General Counsel