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WHFT LL WORKFORCE, LTD., and
WHFT LL WORKFORCE DEVELOPER, LLC

Petitioners,

FHFC Case No.: 2026-039VW
No.: 2024-213
Application No.: 2025-345S

vs.

FLORIDA HOUSING FINANCE CORPORATION,

Respondent,

**SECOND AMENDED PETITION FOR WAIVER OF RULE 67-21.003(1)(a) and (b) &
REQUEST FOR APPLICATIONS 2024-213**

Petitioners, WHFT LL Workforce, Ltd., and WHFT LL Workforce Developer, LLC, (collectively, Petitioners or Catchlight Workforce), by and through undersigned counsel, petitions Florida Housing Finance Corporation (Florida Housing) for a waiver of Rule 67-21.003(1)(a) and (b) (effective August 27, 2024) as well as criteria within Request for Applications 2024-213 SAIL Funding for Live Local Mixed Income, Mixed-Use, and Urban Infill Developments (the RFA). Due to events outside of its control that occurred during credit underwriting, Catchlight Workforce requests to add to its funding sources and intends to expand the proposed project to increase the number and affordability of the units within the proposed development.

This Petition is filed in accordance with Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code. With this Petition, Catchlight Workforce requests a permanent waiver of the Rule 67-21.003(1)(a) and (b) and the pertinent RFA criteria. In support, Catchlight Workforce states:

Petitioner & Project

1. For purposes of this Petition, WHFT LL Workforce, Ltd.'s, address is c/o Laura S. Olympio, Esq., Nason Yeager Gerson Harris Fumero, PA, 3001 PGA Boulevard, Suite 305, Palm Beach Gardens, Florida 33410. Telephone number for the undersigned counsel is 561-686-4402, the facsimile number is 561-686-5442, and email address is lolympio@nasonyeager.com; vdavis@nasonyeager.com.

2. For purposes of this Petition, WHFT LL Workforce Developer, LLC's, address is c/o Laura S. Olympio, Esq., Nason Yeager Gerson Harris Fumero, PA, 3001 PGA Boulevard, Suite 305, Palm Beach Gardens, Florida 33410. Telephone number for the undersigned counsel is 561-686-4402, the facsimile number is 561-686-5442, and email address is lolympio@nasonyeager.com; vdavis@nasonyeager.com.

3. Following issuance of the RFA, Catchlight Workforce timely submitted Application No. 2025-345S (Application) requesting Live Local SAIL funds (with no Housing Credits), for an 84-unit development known as Catchlight Crossings Live Local Workforce (Project). As reflected in the Application, a majority of the proposed units were designated as Non-Housing Credit 80% AMI Live Local Housing Units. Specifically, Catchlight Workforce proposed completing 66 units, or 78% of the units, with an 80% AMI set-aside. Application p. 15. The proposed Project is one of the four buildings comprising the second phase of a large, innovative affordable and workforce housing community known as Catchlight Crossings. This second phase of Catchlight Crossings includes a total of 400 units but contains just a portion of the workforce housing that will be available when Catchlight Crossings is complete.

4. Catchlight Workforce's Application was determined to be eligible but was not preliminarily selected for funding by Florida Housing's Board of Directors (Board). Catchlight Workforce timely filed a Notice of Intent and Formal Written Protest and Petition for Formal

Administrative Hearing (Petition) in accordance with Sections 120.569 and 120.57(3), Florida Statutes and Chapter 28-106, Florida Administrative Code. Catchlight Workforce challenged Florida Housing's preliminary funding award to BDG Fern Grove Phase Two, LP, (Fern Grove) on the basis that the proposed project failed to meet the RFA's Developer and Management Company requirements for a Mixed-Use development. In turn, Fern Grove challenged the eligibility of Catchlight Workforce's Application and raised issues about the financial feasibility of the Project. During the litigation, Florida Housing determined that Catchlight Workforce met the RFA's financial feasibility requirements based on the sources presented within the Application.

5. Catchlight Workforce's Petition and Fern Grove's challenge were transferred to the Division of Administrative Hearings, an Administrative Law Judge was assigned, and a two-day hearing took place on March 25-26, 2025. On May 9, 2025, the Administrative Law Judge issued a Recommended Order finding: Catchlight Workforce met the financial feasibility requirements within the RFA and Fern Grove failed to meet the requisite experience requirements for a Mixed-Use development.

6. On June 13, 2025, Florida Housing's Board issued a Final Order adopting the Findings of Fact, Conclusions of Law, and Recommendations of the Recommended Order issued in DOAH Case No. 25-1110BID *WHFT Workforce Ltd., et. al. v. Florida Housing Finance Corporation*, which found Application No. 2025-345BS eligible for funding and Fern Grove ineligible for funding under the RFA. Issuance of Board's Final Order resulted in the selection of Catchlight Workforce's Application for a funding award pursuant to the terms of the RFA.

7. Following the Board's Final Order, Catchlight Workforce was invited to enter credit underwriting and submitted a signed acknowledgment to accept that invitation. In June 2026, Catchlight Workforce extended the deadline to complete credit underwriting through December

2026. At this time, Catchlight Workforce is actively engaged in credit underwriting with Florida Housing's chosen underwriter and must achieve a firm loan commitment by December 2026, although Catchlight Workforce is working toward completing this approval sooner.

8. As explained more fully below, after entering credit underwriting the Project has faced numerous challenges and budgetary constraints which prompted Catchlight Workforce to expand the scope of the Project to incorporate additional units, with a more varied affordability mix than what was reflected in the Application. Catchlight Workforce requests this waiver so it can add to its funding sources and provide the capital required to continue forward and complete the expanded, and more income restricted, Project.

Catchlight Crossings

9. Catchlight Crossings is a one-of-a-kind partnership and large-scale project of significant regional impact focused on providing affordable and workforce housing as well as the related medical, educational, and retail facilities to support those working within Orlando's tourist and hospitality industries. Once complete, Catchlight Crossings will have 1,000 total units that support all levels of affordable and workforce housing demographics. Florida Housing is familiar with and supported the first phase of Catchlight Crossings. *See* Application 2025-157S submitted in response to Request for Applications 2024-216 Live Local SAIL Financing for the Construction of Large-Scale Developments of Significant Regional Impact (RFA 2024-216).

10. Due to the multi-phased development of Catchlight Crossings, the Project's budget, design, construction, and overall timelines are interconnected with other phases of the larger Catchlight Crossings community. For example, the infrastructure for entire community, including the Project, was designed and constructed as part of phase one.

11. Once complete, the second phase of Catchlight Crossings will provide a total of 400 units, 250 of which will be offered at 100% AMI, covering the missing middle set-aside levels, and an additional 21 units (outside of the Application) will also be offered at 80% AMI set-aside levels, complementing the 129 units proposed by the expanded Project. This second phase is only a portion of the overall affordability that will be provided within Catchlight Crossings, an innovative community and large-scale project of regional impact that will encompass 1,000 units, *in toto*.

12. Keeping timely continuity between each phase of Catchlight Crossings is critical to each phase of the larger project's budget and overall success in serving its affordable and workforce housing clientele. Accordingly, a waiver is necessary because strict adherence to Florida Housing's administrative rules and the RFA's criteria would impose a substantial economic hardship on Catchlight Workforce. The Project is part of the second phase of a unique housing community that will provide affordable and workforce housing for the thousands of hospitality and tourism industry workers that support the amusement parks located outside of downtown Orlando. Granting Catchlight Workforce's requested waiver will allow the Project to move forward, ensuring continuity of service, overall success of the larger community, and completion of much-needed affordable and workforce housing in Orange County.

Statutes and Rules Implemented by the Requested Waiver

13. Florida Housing is a public corporation created pursuant to Chapter 420, Part V, Florida Statutes, to administer the financing of affordable housing in Florida. §420.504, Fla. Stat. It is designated as the housing credit agency for Florida within the meaning of section 42(h)(7)(A) of the Internal Revenue Code and has the responsibility to administer and distribute funds allocated under the Live Local Act. §§420.5099; 420.50871; 420.50872, Fla. Stat.

14. Passage of the Live Local Act in 2023 represented a significant investment in expanding affordable and workforce housing developments statewide. One of the Live Local Act's key provisions is its recognition of the importance of public-private partnerships, encouraging creative collaboration among state and local governments, housing finance agencies, nonprofit organizations, and private developers to leverage resources, accelerate housing production, and maximize community impact. §§ 420.0002(10); 420.0003(2)(b); 420.6015(7), Fla. Stat. To advance this vision, the Legislature identified specific funding allocations to support the development of large-scale projects of significant regional impact. §420.50872(2)(a), Fla. Stat.

15. Numerous provisions within Part V of Chapter 420, Florida Statutes¹, authorize Florida Housing to allocate Live Local SAIL funds by means of a request for proposal or other competitive solicitations. §§420.507(22) and (48), 420.5099, 420.50871, 420.50872. Chapter 67-60, Florida Administrative Code, governs the competitive solicitation process. Rule 67-48.0072, Florida Administrative Code, governs the credit underwriting process which includes a *de novo* review of Catchlight Workforce's Application including a comprehensive review of the Application, Catchlight Workforce, the real estate, the economics of the Project, the ability for Project success, the need for affordable housing along with a determination that the Project meets such needs, and a determined funding amount.

16. Chapter 67-21, Florida Administrative Code, governs the noncompetitive funding process as established by Florida Housing. Florida Housing's Board may make available non-competitive funding, including 4% Housing Credits or Multifamily Mortgage Revenue Bonds (MMRB), to support proposed affordable housing developments in applicable circumstances.

¹ Collectively, (the Act).

§420.5099, Fla. Stat.; Fla. Admin. Code R 67-21.003(1). Rule 67-21.003(1), Florida Administrative Code, provides that:

- (1) Unless otherwise set forth in a competitive solicitation pursuant to Chapter 67-60, F.A.C., Applicants shall apply for Non-Competitive HC or a combination of MMRB and Non-Competitive HC as set forth below.²
- (a) If the NC Award will be made available, with or without other Corporation funding, through the competitive solicitation funding process outlined in Chapter 67-60, F.A.C., the Applicant shall apply for the NC Award using the forms and procedures specified in the applicable competitive solicitation for such funding. Unless otherwise specifically provided in the solicitation, all of the substantive provisions of this chapter will continue to apply to the NC Award.³
- (b) If the NC Award will not be made available through the competitive solicitation funding process outlined in rule Chapter 67-60, F.A.C., the Applicant shall utilize the Non-Competitive Application Package. The Non-Competitive Application Package or NCA (Rev. 60-2024) is adopted herein by reference and contains the forms and instructions available, without charge, on the Corporation's website under the Multifamily Programs link labeled Non-Competitive Program or from *****.flrules.org/Gateway/reference.asp?/No=Ref-16897 which shall be completed and submitted to the Corporation in accordance with this chapter.

17. The Non-Competitive Application Package is incorporated in Rule 67-21.003(1)(b), Florida Administrative Code, and provides, in relevant part:

When applying for funding for the proposed Development, Applicants shall only utilize the Non-Competitive Application Form to apply for the following new funding when no other new Corporation funding sources, besides the Predevelopment Loan Program (PLP), are being requested:

² For the purposes of this subsection only, the term NC Award shall refer to Non-Competitive Housing Credits or a combination of MMRB and Non-Competitive Housing Credits and funding from the Predevelopment Loan Program (PLP) will not be considered to be other Corporation funding.

³ Any reference in this chapter to "Application" shall mean the application or response submitted for such other funding.

- Corporation-issued MMRB and Non-Competitive Housing Credits (4 Percent HC). The Non-Competitive Application Form can be submitted to the Corporation any time after the effective date of Rule Chapter 67-21, F.A.C.; or
- Non-Competitive Housing Credits (4 Percent HC) only, to be used for a Tax-Exempt Bond Financed Development where the bonds are issued by a County Housing Finance Authority (HFA) established pursuant to Section 159.604, F.S. The Non-Competitive Application Form can be submitted anywhere from the time the Applicant completes Credit Underwriting for the Bonds up until the last Corporation business day of December of the year the Development is placed in service; or
- Non-Competitive Housing Credits (4 Percent HC) only, to be used for a Tax-Exempt Bond Financed Development where the bonds are issued by an entity other than the Corporation or a County HFA. The Non-Competitive Application Form can be submitted once the Applicant receives affirmation that the tax-exempt multifamily bond allocation has been reserved or that the entity issuing the bonds has agreed to award the necessary allocation when available, but no later than 14 days, after the TEFRA Hearing, and in no event may the Application be submitted after the commencement of Rehabilitation or construction.

18. In addition, Florida Housing has the authority to grant waivers to its administrative rules and RFA criteria when strict application of the same will lead to unreasonable, unfair, and unintended results in particular instances. §120.542(1), Florida Statutes; Fla. Admin. Code Chpt. 28-104. Waivers shall be granted when the person subject to the rule demonstrates that the application of Florida Housing’s administrative rules and RFA criteria will: (1) create a substantial hardship or violate principles of fairness, and (2) the purpose of the underlying statute has been or will be achieved by other means. §120.542(2), Fla. Stat. For these purposes, “substantial hardship” means a “demonstrated economic, technological, legal or other type of hardship” while “principles of fairness” are violated when “literal application of a rule affects a particular person in a manner significantly different from a way it affects similarly situated persons who are subject to the rule.”

Id.

RFA Criteria Implemented by the Requested Waiver

19. Section One of RFA states that:

Applications must request State Apartment Incentive Loan (SAIL) appropriated by the Live Local Act set forth in Section 420.50871, F.S., created by the Florida Legislature under Section 23 of the Live Local Act of 2023 “Live Local SAIL”. ... All other Applications may request Live Local SAIL in conjunction with (a) Tax-Exempt Bond financing (i.e., Corporation-issued Multifamily Mortgage Revenue Bonds (MMRB) or Non-Corporation-issued Tax-Exempt Bonds obtained through a Public Housing Authority (established under Chapter 421, F.S.), a County Housing Finance Authority (established pursuant to 159.604, F.S.), or a Local Government); and (b) 4% Housing Credits.

20. Section Four.A.6 addresses the number of units and the proposed project’s related set-aside requirements. First, Section Four A.6.a. requires the identification of the number of proposed units while Section Four A.6(c)(1), of the RFA addresses the minimum set-aside requirements for the proposed projects. It states in relevant part:

- (1) Minimum Set-Aside Commitments per Section 42 of the IRC

If not requesting 9% Housing Credits or MMRB or local bonds with 4% Housing Credits, select “Live Local SAIL only” as the set-aside commitment at question 6.c.(1) of Exhibit A.

21. Next, Section Four.A.10(a) addresses the proposed development’s funding sources. This section includes identification of the amount of requested funding from Florida Housing (Section Four.A.10(a)(1)), a request amount for Housing Credits ((Section Four.A.10(a)(2)), as well as the Development Cost Pro Forma which identifies the proposed project’s sources and uses (Section Four.A.10(c)).

The Requested Waiver will Serve the Underlying Purpose of the Act

22. With this Petition, Catchlight Workforce requests a waiver from the applicable administrative rules and RFA criteria. In submitting its Application seeking a competitive funding

award pursuant to the RFA, Catchlight Workforce did not contemplate nor request to utilize tax-exempt bonds or 4% Housing Credits. At the time, Catchlight Workforce solely requested Live Local SAIL funding to support its development of the 84-unit portion of the larger community, the majority of which were designated to serve 80% AMI. This occurred because Florida Housing issued tax-exempt bonds for the first phase of Catchlight Crossings that was awarded funding in response to RFA 2024-216. *See generally* Application 2025-157S submitted in response to RFA 2024-216. As the second phase of a larger community, Florida Housing preferred not to issue additional tax-exempt bonds to support the same affordable housing development, despite being developed under a separate legal entity. In addition, Catchlight Workforce did not request local Housing Authority funds for this specific proposed development at this time because the third phase of Catchlight Crossings will be receiving such funds.

23. After entering credit underwriting, the Project, through no fault of its own, now faces significant inflationary stresses, budgetary uncertainties, and changes with the local government on the waiver of impact fees. Noted above, the Project's original scope and budget was premised on the overlapping continuity of this Project in relation to the larger Catchlight Crossings community. This includes reliance not only on timely commencement and progress of construction of each phase, but also coordination with Orange County for design, permitting, and necessary approvals. This is reflected in the bids received and accepted by the Project's contractor and sub-contractor teams who gave favorable pricing on supply and labor costs due to the expected continuing scope of work, the benefits of which will be lost if the Project is unable to commence in the immediate future. It is also reflected in the design and permitting timelines with Orange County. At present, Catchlight Workforce's Project has pending building permits and Project designs that are grandfathered under earlier versions of the Florida Building Code.

24. Recently, Orange County notified Catchlight Workforce of its decision to waive a portion, only 50%, instead of all the Project's impacts fees. This change alone, enacted after the Application entered credit underwriting, has caused an approximately \$1,000,000.00 increase in the budget for the Project. Catchlight Workforce also faces other uncertainties with Orange County related to the vested nature of its permit applications. The Project's building permits are complete and ready to be issued; however, recent timing delays has led to shifts in the Orange County's position about the vested and permit-ready position of Catchlight Workforce's approvals. This shift has placed Catchlight Workforce between a rock and a hard place – continue to rely on Orange County's original vested position or pull the permits, paying over \$1,300,000.00 in permit fees, impact fees, and utility connection charges for the single Project building (and more than \$5,800,000.00 for all four of the buildings within the second phase), just to wait and see if the Project will close. If this vested status is lost, the Project must be redesigned and re-permitted in accordance with the current version of the Florida Building Code, adding significant time delays, redesign costs with its architect and engineers, and construction cost increases due to both the building code changes and the timeline before commencement.

Funding Diversification for the Project

25. Catchlight Workforce has worked diligently to address these issues and seeks to mitigate them by adding to its allowable funding sources. Specifically, Catchlight Workforce seeks to incorporate tax-exempt bonds from allowable sources identified within the RFA and to apply for Non-Competitive 4% Housing Credits from Florida Housing.

26. Once the Project's budget challenges were apparent, Catchlight Workforce explored obtaining tax-exempt bonds from the RFA's allowable sources. At that time, Orange County and the Orange County Housing Finance Authority had already distributed their allocated funds for the

year. Catchlight Workforce also coordinated with Florida Housing who confirmed Orange County Housing Finance Authority's inability to issue tax-exempt bonds in 2026.

27. With strict deadlines and no available bonds from allowable sources in 2026, Catchlight Workforce also explored obtaining tax-exempt bonds from other entities not specifically identified within the RFA. During the summer, a different bond holder confirmed that tax-exempt bonds were readily available and Catchlight Workforce originally sought a waiver from Florida Housing to incorporate this alternative funding source to support the Project. However, Catchlight Workforce did not give up on its attempts to secure tax-exempt bonds from sources identified within the RFA and continued communicating with Florida Housing, Orange County, and Orange County Housing Finance Authority during this time.

28. While its original petition was being evaluated by Florida Housing, on August 19, 2026, Catchlight Workforce received an update from Orange County Housing Finance Authority regarding the prospective availability of tax-exempt bonds to support the Project. While bonds were not available in 2026, Orange County Housing Finance Authority determined tax-exempt bonds could be available for Catchlight Workforce in January 2027. Recently, Florida Housing also confirmed this potential availability. For this to occur Orange County Housing Finance Authority needs to begin the bond financing process immediately, taking proactive steps such as a TEFRA hearing and other inducement approvals prior to the end of this year, so the funds can be available for a closing in the very first part of January 2027.

29. The availability of tax-exempt bonds from allowable sources in January 2027 has allowed Catchlight Workforce transition away from the alternative bonding source and focus on securing a funding allocation from traditionally allowable sources within the RFA. Noted above, timing is critical to the success of the Project and Catchlight Workforce currently faces deadlines

that expire in December 2026. But these recent updates have given Catchlight Workforce the ability to further coordinate with Orange County, Orange County Housing Finance Authority, Florida Housing, its contractors and sub-contractor teams, and institutional lenders about extending the Project's deadlines into January 2027.

30. In seeking this waiver, Catchlight Workforce requests to be permitted to incorporate tax-exempt bonds from allowable funding sources and add to the Project's overall sources and uses. Since filing the original petition Catchlight Workforce has confirmed that tax-exempt bonds can be available from allowable sources to fund the Project in January 2027.

31. Here, strict application of Florida Housing's administrative rules and the RFA will impose a substantial hardship on the Project. The RFA recognizes that applicants could utilize multiple funding sources. For the reasons discussed, Catchlight Workforce solely requested Live Local SAIL funds in its Application and it was financially feasible at that time. In fact, the Application's financial feasibility was challenged, defended, supported by Florida Housing, and successfully upheld by an Administrative Law Judge. Now, due to forces outside of its control that occurred after the Project entered credit underwriting, Catchlight Workforce needs to add its funding sources to ensure the Project can continue proceed by early January 2027, which is critical due to the interconnected nature of the larger Catchlight Crossings community. Without budgetary diversification, the Project in its current state would struggle to be financially feasible. Catchlight Workforce seeks to address this by applying for Non-Competitive 4% Housing Credits and incorporating tax-exempt bonds from allowable sources within the RFA.

32. Granting the request waiver fully satisfies and supports the purpose of the Florida Housing's statutes and the Live Local Act. The Live Local Act reflects the Legislature's clear recognition that Florida faces a statewide affordable housing shortage. Therein, the Legislature

designated Florida Housing as the agency to address this shortage by the implementation of Live Local programs and allocation of Live Local funds. With this framework, the Live Local Act requires Florida Housing to support the expedited development of affordable and workforce housing through innovative public-private partnerships, flexible financing mechanisms, and supporting the development of large-scale projects of significant regional impact.

33. Overall, the addition of tax-exempt bonds and Non-Competitive 4% Housing Credits to support the Project's funding sources will also not adversely impact Florida Housing. Due to the multi-phase nature of Catchlight Crossings, the Project was unable to request the other funding sources at the time of Application. Since entering credit underwriting, all the allowable funding sources confirmed that no RFA-eligible tax-exempt bonds were available to support the Project closing in 2026. But recently, Catchlight Workforce received confirmation that allowable funding sources, such as Orange County Housing Finance Authority, have tax-exempt bonds that could be available in January 2027 to support the Project. But for these funds to be ready early next year, the bond financing process needs to begin immediately.

34. Confirmation of this allowable funding source has also given Catchlight Workforce the ability to coordinate with Florida Housing, its contractors, subcontractors, institutional lenders, and others to obtain good-faith commitments that the Project's budget, construction, and timeline continuity can continue until early January 2027. However, if this new timeline is missed, the Project will face substantial economic hardship and complete loss of continuity between itself and the larger Catchlight Crossings community.

35. If the requested waiver is granted, Catchlight Workforce will continue to abide by the RFA and Florida Housing's rules and policies for all funding sources which is required upon its acceptance of the RFA's Live Local SAIL funds. In addition, Catchlight Workforce commits to

using the same bond counsel – Bryant, Miller, & Olive – who coordinated with Florida Housing on the successful bond issuance and closing of the first phase of Catchlight Crossings.

Expansion of the Project

36. These changes also prompted Catchlight Workforce to reevaluate its Project as a whole and it now desires to expand the scope of its originally proposed Project to include an additional 45 units. Beyond increasing the Project's scope from 84 to 129 units, Catchlight Workforce also seeks to diversify the affordability of its units and increase the number of units that serve low and extremely low-income residents.

37. Catchlight Workforce now seeks to complete 65 units, or 50% of the units, with an 80% AMI set-aside; 31 units, or 24% of units, with a 50% AMI set-aside; and 33 units, or 25% of the units, with a 30% AMI set-aside. The expanded Project, when completed, will have 100% of the units set-aside, with 65 units serving low-income residents and 64 units serving extremely low-income residents. In addition to the enhanced affordability of the units presented within this waiver, as noted before, the Project is only a portion of the larger second phase of Catchlight Crossings.

38. In this instance, Catchlight Workforce meets the standard for waiver of the administrative rules and pertinent criteria within the RFA. Catchlight Workforce believes its request serves the purposes of the Act and its implementing administrative rules because one of its overarching goals is for Florida Housing to facilitate the availability of safe, decent, and sanitary housing to Florida's low-income individuals. §420.502(4), Fla. Stat.

39. The requested waiver will not adversely impact Florida Housing or the Project. Instead, granting this request will ensure that 129 units of much-needed affordable housing will become available in Orange County, Florida. With 100% of the units set-aside for low-income and

extremely-low income residents, the Project's expanded scope and the requested waiver further serves the purposes of Florida Housing's statutory authority and mission to increase affordable housing for those of low, moderate, and middle income in Florida.

40. Strict application of the administrative rules and RFA will create a substantial hardship for Catchlight Workforce because it will not be able to meet strict application of these standards requirements through no fault of its own. Noted above, after entering credit underwriting, numerous factors with contractors, permitting, and the local government impacted the Project causing budgetary and timing challenges. Catchlight Workforce acted quickly to mitigate these unexpected issues, seeking out new funding sources while expanding the scope and affordability of the Project. At this stage, the Project is permit-ready, and Catchlight Workforce has an engaged and committed construction and subcontractor team. Without this waiver, the Project will face even greater additional budget constraints and significant time delays including but not limited to the loss of potential bids, loss of construction transition and demobilization, and loss of coordination with Orange County on the vested status of building permit approvals leading to redesign of the Project to meet newest version of the Florida Building Code. Any of these outcomes would violate the principles of fairness and lead to insurmountable costs and time delays.

41. Demonstrated within, strict application of the administrative rules and pertinent RFA criteria will constitute a substantial hardship and violate the principles of fairness. §120.542(2), Fla. Stat. Waiver of Florida Housing's administrative rules and the applicable RFA criteria will also serve the purposes of the Act because one of Florida Housing's primary goals is to facilitate the availability of decent, safe, and sanitary housing in Florida to low, moderate, and middle income persons and households. §420.502(4)-(6), Fla. Stat. Granting the requested waiver will also promote the legislative intent of the Live Local Act and its desire to creatively and

expediently support public-private partnerships as well as large-scale projects of regional significant regional impact that increase affordable and workforce housing statewide.

42. Should Florida Housing require additional information, Catchlight Workforce is available to answer questions and provide all information necessary for consideration and approval of this Second Amended Petition.

WHEREFORE, Catchlight Workforce respectfully requests that Florida Housing:

1. Grant the Second Amended Petition and all the request relief;
2. Permanently waive the applicable administrative rules and RFA criteria; and
3. Grant any such further relief as may be deemed appropriate or just.

Respectfully submitted this 8th day of September 2026.

/s/ Laura S. Olympio
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been electronically filed with the Florida Housing Finance Corporation's Corporation Clerk (CorporationClerk@floridahousing.org) and the Joint Administrative Procedures Committee (joint.admin.procedures@leg.state.fl.us) on this 8th day of September 2026.

/s/ Laura S. Olympio
Counsel for Petitioners