

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

ANGEL HOUSE ASSISTED LIVING, INC.,

Petitioner,

vs.

CASE NO: 26-004378RU

FLORIDA HOUSING FINANCE CORPORATION

AND AGENCY FOR HEALTH CARE ADMINISTRATION,

Respondents.

_____/

**PETITIONER'S SECOND AMENDED PETITION CHALLENGING AN
UNADOPTED ADMINISTRATIVE RULE PURSUANT TO SECTION 120.56(4),
FLORIDA STATUTES**

Petitioner, **ANGEL HOUSE ASSISTED LIVING, INC.**, pursuant to Sections 120.56(1), 120.56(4), and 120.57(1), Florida Statutes, and Florida Administrative Code Rule 28-106.201, hereby files this Second Amended Petition challenging specific, unadopted administrative rules and statements of general applicability actively enforced by the Respondents, **FLORIDA HOUSING FINANCE CORPORATION (FHFC)** and the **AGENCY FOR HEALTH CARE ADMINISTRATION (AHCA)**. This Second Amended Petition explicitly cures all prior pleading ambiguities by specifying the precise state agency authorship, operational statements, and controlling statutory violations. In support thereof, Petitioner states:

I. THE PARTIES, RESPONSIBLE ADDRESSES, AND STANDING

1. **Petitioner:** Angel House Assisted Living, Inc., is an active Florida small business corporation located at 10810 NW 20th Street, Pembroke Pines, FL 33026. Petitioner is an active, licensed provider of residential community care, holding a valid standard license from the Florida Agency for Health Care Administration (AHCA) to operate a home-scale, un-bifurcated 6-bed Assisted Living Facility. All official corporate and mailing communications for this action are secured directly at Petitioner's corporate home office located at 14190 SW 28th Street, Davie, FL 33330.
2. **Respondent Florida Housing Finance Corporation (FHFC):** The FHFC is a public corporation established within the Florida Department of Commerce pursuant to Chapter 420, Florida Statutes. Its principal office and legal address for administrative service is located at 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. Respondent FHFC is the public state entity responsible for administering state-backed housing funds, tax credits, and residential financing portfolios (including SHIP and SAIL) within the State of Florida.

3. **Respondent Agency for Health Care Administration (AHCA):** AHCA is a principal administrative agency of the executive branch of the State of Florida, established under Section 20.42, Florida Statutes. Its principal office and legal address for administrative service is located at 2427 Mahan Drive, Building 3, Tallahassee, FL 32308-5403. Respondent AHCA is the public state entity responsible for health facility licensure, care-hour compliance mandates, and the master administration of the Statewide Medicaid Managed Care (SMMC) Long-Term Care (LTC) waiver program.
4. **Substantial Interest Affected:** Pursuant to Section 120.52(14), Petitioner is a "substantially affected person." Petitioner owns the underlying residential real estate deed and operates the care facility within a single, unified, unbifurcated domestic Florida corporate identity. The Respondents' conjoined enforcement of unadopted underwriting statements and flat, non-tiered labor-reimbursement mandates automatically disqualifies Petitioner's corporate deed from standard residential financing pools, locks up Petitioner's land equity, imposes predatory commercial lending terms, and threatens the operational survival of a 17-year compliant footprint, as columns of financial accounting and institutional denials substantiate in (Exhibit A) and (Exhibit D).
5. **Date of Awareness and Continuous Operational Harm:** Petitioner's standing to bring this action against the separate named Respondents derives from a conjoined, multi-front regulatory compression:
As to Respondent FHFC: Petitioner became acutely aware of the uncopied credit filters and "loan leper" status on or about February 2020. At that time, conventional underwriting networks summarily canceled and blocked the finalized refinancing of Petitioner's licensed neighborhood group home footprints. Because conventional mortgage channels systematically blocked standard residential capital tracks, Petitioner was forced to absorb high-interest private hard money terms. While Petitioner exercised a strategic business choice to liquidate and sell the Lauderhill residential property (held under Campbell & Associates Appraisers)—choosing to exit the transaction when terms escalated from 6.5% to 8.5% plus punitive points—lenders were willing to underwrite that specific asset because it was structured as a single corporate lease to a recovery operator (Project Soar), involving a single monthly payment from one business to another. However, because the title was held corporately rather than in an individual name, it was blocked from utilizing the conventional Fannie Mae Group Home pathway. Conversely, the remaining anchor asset—Angel House in Pembroke Pines—faces an absolute financing embargo. Angel House operates on a single

corporate ledger that successfully pays all of its own liabilities, regular utility outlays, and extraordinary operational expenses month after month. No lender is ever required to track individual resident care vouchers or medical payments; Angel House itself simply pays its bills. Yet, conventional and commercial lending networks categorically refuse to provide funding under any market conditions or at any interest rate, explicitly utilizing unwritten automated screening scripts to block standard portfolio renewals the moment an active state healthcare registry is detected on a 1-to-4 family residential parcel. This algorithmic bias completely redlines a 17-year compliant, unbifurcated neighborhood infrastructure from the mainstream mortgage market, **all as historically and chronologically documented in the Financial Leverage Matrix attached hereto as (Exhibit D).**

6. **As to Respondent AHCA:** Petitioner's standing is continuous and rooted in an ongoing administrative practice dating back to the implementation of the November 15, 2018, emergency power infrastructure mandates and the crushing October 1, 2022, AHCA Medicaid Provider \$15.00/hour Supplemental Wage Mandate. While commercial retail entities were granted a multi-year gradual phase-in staircase to adjust payroll metrics, Respondent AHCA forced an immediate, overnight \$15.00 hourly wage floor onto long-term care providers under penalty of perjury. Petitioner became acutely aware of the agency's unwritten policy standard through sequential reimbursement processing cycles following this October 1, 2022, deadline through July 2026, where Respondent AHCA explicitly enforced its 212-weekly staff hour labor configuration while concurrently allowing private managed care middlemen to restrict capital allocations to sub-baseline flat vouchers under Billing Code T2030. Because this unpromulgated labor-payment paradox inflicts an active, compounding financial deficit onto Petitioner's operational ledger every single month, it constitutes a continuous administrative practice that targets and impacts Petitioner's substantial interests under Section 120.56(4), Florida Statutes.

II. JURISDICTION

7. **Statutory Authority:** The Division of Administrative Hearings has exclusive jurisdiction over this matter pursuant to Sections 120.56(1), 120.56(4), and 120.57(1), Florida Statutes, and Florida Administrative Code Rule 28-106.201.
8. **Rule Challenge Enforcement:** Under Section 120.56(4)(a), Florida Statutes, any substantially affected person may seek an administrative determination

that an agency statement constitutes an invalid, unadopted rule. Both named Respondents are "agencies" of the State of Florida as defined by Section 120.52(1), Florida Statutes, making their unwritten policies, generally applicable credit filters, and non-tiered Medicaid LTC care payment schedules fully subject to the binding, final order authority of an assigned Administrative Law Judge.

III. STATEMENT OF FACTS AND AGENCY HYPOCRISY

9. **Physical and Zoning Conformity:** Petitioner's property is a standard single-family residential house that completely conforms visually, physically, and structurally to its surrounding neighborhood grid. A formal appraisal executed in September 2025 legally certified that the property's Highest and Best Use (HBU) is strictly a Single-Family Residence (SFR). The layout utilizes non-structural interior furniture configurations only, completely preserving the existing residential footprint, yard space, and patio lifestyle, providing a fully homelike environment.
- **The Statutory Homelike Mandate and Core Labor Disparity:** Pursuant to Florida Statute Section 429.01(2), the Florida Legislature has established an explicit public policy mandate requiring that assisted living facilities be developed and maintained to provide a safe, sanitary, and "homelike environment" that protects the dignity and independence of vulnerable elders. Concurrently, under Florida Statute Section 419.001(2), the Legislature has decreed that a licensed community residential care home housing 6 or fewer residents is legally deemed a non-commercial, single-family residential use by right under local zoning codes. To fulfill this residential mandate, the state's health regulatory hand (AHCA) actively licenses this footprint to deliver a mandatory weekly labor configuration of exactly 212 total facility staff hours. For Petitioner's 6-bed capacity limit—which represents the operational baseline for the vast majority of independent neighborhood providers—this state-enforced baseline requires a fixed density of 35.3 hands-on care hours per resident every single week, as independently verified by the 17-year Longitudinal Quality of Life Performance Data attached hereto and incorporated herein as (**Exhibit B**).
10. **The Homelike Mandate Contradiction:** Pursuant to Section 429.01(2), Florida Statutes, the Florida Legislature enacted a strict public policy mandate requiring that care facilities be developed to preserve a protected, authentic "homelike environment." To fulfill this baseline, the Legislature established under Section 419.001(2), Florida Statutes, that an independent 6-bed neighborhood footprint is legally deemed a non-commercial, single-family

residential use by right, which federal underwriters mirror under Fannie Mae Selling Guidelines. It does not get more homelike than an actual 6-bed single-family house such as Angel House. Respondent FHFC's unwritten underwriting statement completely subverts this statutory framework. By executing an automated credit overlay that summarily reclassifies a standard 1-to-4 family residential parcel as a commercial risk solely due to the presence of an active AHCA health registry, Respondent FHFC forces an artificial commercial infrastructure requirement onto the most literal manifestation of the state's homelike mandate. This direct conflict between the health-licensure mandate and the housing-finance gate functions as an invalid, uncodified rule that violates Section 120.54(1)(a), Florida Statutes.

IV. SPECIFIC SPECIFICATION OF UNADOPTED RULE STATEMENTS AND AUTHORSHIP

COUNT I — Respondent FHFC's Invalid Unadopted Rule Statement

12. **The Statement:** Respondent, FLORIDA HOUSING FINANCE CORPORATION (FHFC), maintains and enforces a generally applicable, unwritten policy statement and operational filter that explicitly mandates: *"Any 1-to-4 family residential property that holds an active state health care license or whose deed is titled directly to an operating LLC, S-Corp, or Non-Profit care entity shall be summarily reclassified as a commercial property risk and barred from standard residential portfolio financing tracks, all as systematically documented via the Consolidated Lending Facts & Financial Leverage Matrix attached hereto and incorporated herein as (Exhibit D)."*
13. **Statutory Violations of Chapter 120 (FHFC):** Respondent FHFC's enforcement of this unwritten statement directly violates Section 120.54(1)(a), Florida Statutes, which strictly mandates that continuous administrative policies of general applicability must be formally adopted through the public rulemaking process. By setting these uncodified commercial filters, Respondent further violates Section 120.541(1)(b), Florida Statutes, by failing to execute a required Statement of Estimated Regulatory Costs (SERC) to account for the outsized financial burdens forced upon a Tier 1 small business corporation, **and further corroborated by the Chronological Lending Facts and Financial Leverage Matrix attached hereto and incorporated herein as (Exhibit D).**
14. **Concrete Document Source Evidence (FHFC):** The existence of this unwritten, state-directed exclusion is explicitly documented in writing via the July 27, 2026, administrative directive from Ralph Stone, Executive Director of the Broward Housing Finance Authority. In said statement, the agency explicitly admits that the state-backed housing bond and trust fund

infrastructure is structurally locked to a minimum project baseline of 70 to 100 units. This uncodified capital restriction directly penalizes and redlines the non-bifurcated neighborhood 6-bed care footprint, directly contradicting the statutory residential protections established under Section 419.001(2), Florida Statutes, **satisfying all jurisdictional notice criteria as evidenced by the Proof of Statutory Compliance Conduit Receipt attached hereto and incorporated herein as (Exhibit G).**

15. **Specific Specification of FHFC Regulatory Barriers:** Pursuant to Section 420.5087, Florida Statutes, the Florida Legislature created the State Apartment Incentive Loan (SAIL) program to fund housing specifically preserved for elderly populations. However, under Florida Administrative Code Rule 67-48.004, Respondent FHFC implements a rigid, unwritten underwriting standard that acts as a binary commercial filter. Respondent's application guidelines require any applicant seeking state-backed preservation loans or infrastructure allocations to satisfy a commercial development threshold requiring *"proof of millions of dollars in multi-family commercial project development volume within a strict past look-back period."* This specific, state-authored operational requirement bears zero rational relationship to the preservation or continuity of an independent, pre-existing 6-bed neighborhood care lifeboat legally protected under Section 419.001(2), Florida Statutes. By structuring public housing frameworks exclusively to favor large-scale corporate syndicates and multi-family developers, Respondent FHFC maintains an invalid unadopted rule that systematically capital-starves community-scale 4-to-15 bed care assets and causes localized credit redlining in violation of Section 120.54(1)(a), Florida Statutes, **and further corroborated by the Chronological Lending Facts and Financial Leverage Matrix attached hereto and incorporated herein as (Exhibit D).**
16. **Systemic Denial of Mandated Statutory Assistance:** Pursuant to Section 420.504(1) and Section 420.5087(1), Florida Statutes, the Respondent Florida Housing Finance Corporation is explicitly mandated by the Florida Legislature to administer public capital, tax credits, and preservation loans to safeguard and provide affordable housing options for "low-income persons" and "elderly persons" within the State of Florida. The statutory mandate contains zero language restricting public housing funds strictly to solitary individuals or multi-family commercial apartment complexes, nor does it authorize the exclusion of low-income seniors who reside collectively within a community residential home due to physical care needs and financial necessity. By enforcing an unwritten underwriting statement that summarily reclassifies a standard 1-to-4 family residential parcel as a commercial risk

based solely on a state healthcare license, Respondent FHFC has constructed an uncodified barrier that effectively denies state-allocated housing preservation assistance to vulnerable, low-income elders choosing a protective community group configuration. This underground exclusion actively subverts the legislative intent of Chapter 420 and imposes an unpromulgated regulatory overlay that violates Section 120.54(1)(a), Florida Statutes.

17. **The FNMA Lease-Bifurcation Device, The Property Tax Cliff, and Sovereign Abdication:** Pursuant to the official Fannie Mae (FNMA) Selling Guide Section B2-1.1-01, traditional residential secondary market underwriting guidelines restrict eligibility to transactions where "the borrower is an individual." While the guide purports to permit group home lending, it enforces a rigid operational loop mandating that an individual borrower must retain personal title to the physical land deed and manually lease the residential plant back to the operating healthcare company. While Respondent FHFC did not author this private text, its systematic, unpromulgated adoption of this individual-lease restriction as an automatic filter across state-backed housing portfolios constitutes an invalid unadopted rule. This unwritten overlay forces independent, non-profit operators to execute artificial multi-entity OpCo/PropCo bifurcations—mirroring the exact corporate shell games utilized by institutional syndicates to evade regulatory liability for the lives held in their hands. Forcing an independent provider to shift deeds into non-homesteaded personal files triggers a localized county property tax cliff, spiking small business overhead from \$450.00/year to over \$14,000.00/year simply because the property is licensed as a Tier 1 Residential Care Home. Conversely, out-of-state commercial syndicates routinely exploit the Live Local Act housing framework (F.S. § 196.1978(3)) to execute predatory de-conversion flips—such as the localized Oasis-to-Waterview apartment morphing process in Broward County—summarily evicting fragile elders and absorbing a mere \$40,000.00 municipal code citation for starting construction before securing permits or relocating residents, while capturing a 100% county ad valorem property tax erasure. Respondent FHFC's blind reliance on these commercial metrics constitutes an absolute abdication of its sovereign state mandate to construct viable housing lifelines for vulnerable elders under Chapter 420, violating Section 120.54(1)(a), Florida Statutes, **and further corroborated by the Chronological Lending Facts and Financial Leverage Matrix attached hereto and incorporated herein as (Exhibit D).**

18. Agency Responsibility for Correspondent Lending Networks:

Petitioner states that Respondent FLORIDA HOUSING FINANCE CORPORATION (FHFC) is legally and operationally responsible for the unwritten underwriting exclusions, commercial reclassifications, and automated portal filters executed by its designated direct lending channels and contracted processing partners, including Neighborhood Lending Partners (NLP) and Neighborhood Housing Services of South Florida (NHSSF). Under Section 120.56(4), Florida Statutes, actions and policy metrics executed by private correspondent networks operating under an agency's direct institutional framework and state-backed capital allocations constitute statements of the agency itself. Respondent FHFC cannot evade administrative review under Chapter 120 by claiming these underwriting blocks are independent, proprietary software calculations. What Respondent FHFC's delegated financial agents are paid with public housing funds to execute at the processing table is the direct administrative action of the FHFC itself, and their uncodified enforcement of commercial risk overlays on single-family deeds constitutes an invalid unadopted rule that violates Section 120.54(1)(a), Florida Statutes.

COUNT II — Respondent AHCA's Invalid Unadopted Labor-Payment Paradox

19. The Statement: Respondent, AGENCY FOR HEALTH CARE ADMINISTRATION (AHCA), maintains and enforces a continuous, unwritten administrative practice that establishes a generally applicable, unpromulgated funding standard, explicitly mandating: *"The agency shall utilize a flat, non-tiered master voucher standard under Billing Code T2030 to reimburse vastly different types of intensive client care work at an identical dollar baseline, completely ignoring state-mandated staffing densities at different size facilities."*

20. Statutory Violations of Chapter 120 (AHCA): Respondent AHCA's unwritten enforcement framework violates Section 120.54(1)(a), Florida Statutes, by using an unpromulgated, underground policy statement to control substantial provider interests without passing a formal rule. Furthermore, this systemic calculation explicitly violates the legislative mandate built into Section 120.3, Florida Statutes, which bars state administrative agencies from enforcing rules or statements that create an overwhelming, un-reviewed cost burden that threatens to shut down or drive a domestic small business corporation completely out of business.

21. Concrete Document Source Evidence (AHCA): The explicit target and author of this unwritten statement is the Agency itself, as issued through AHCA's formal Tracking Response (Corrflow Tracking #381536) dated August 4, 2026. In this certified record, the Agency acknowledges the uniform

application of flat-rate checks under Billing Code T2030, which pays an identical baseline of \$1,950 to \$2,100 per month per resident as 100-bed corporate warehouses. Pursuant to Florida Administrative Code Rule 59G-4.192, Medicaid LTC waiver distributions under Billing Code T2030 are restricted exclusively to reimbursement for direct client care, to the explicit exclusion of real estate room and board.

Concurrently, under Florida Administrative Code Rule 58A-5.019, Respondent AHCA enforces a strict, non-discretionary labor mandate compelling Tier 1 6-bed providers to maintain a baseline of 212 total facility staff hours weekly, forcing an operational care density of exactly 35.3 direct care hours per resident, per week (\$2,300 monthly labor footprint). Conversely, under the identical administrative care code, Respondent permits institutional corporate warehouses to restrict direct bedside care delivery to a skeletal minimum of 5.8 to 12.9 hours per resident, weekly (\$450 labor footprint). By utilizing a flat, non-tiered reimbursement framework that treats completely unequal labor mandates as identical operational equivalents, Respondent AHCA enforces an unpromulgated funding policy that systematically forces independent neighborhood lifeboats to deliver high-density care at an intentional operational deficit, directly violating Section 120.3, Florida Statutes, by imposing an un-reviewed, overwhelming small business cost burden designed to drive independent local employers out of business in direct violation of the statutory "homelike environment" mandates established under Section 429.01(2), Florida Statutes, **all as verified via the official State Agency Tracking Response and Labor Hours Matrix attached hereto as (Exhibit C).**

22. The Deceptive Verbal Dual-Enrollment Insurance Brokerage Scheme: To mask the true depth of the corporate arbitrage, the Respondent Agency for Health Care Administration (AHCA) permits private Statewide Medicaid Managed Care (SMMC) middlemen, specifically Simply Healthcare, FCC, Humana and others, to enforce a deceptive, multi-tiered payment system that is intentionally communicated and enforced strictly through telephonic and verbal channels to evade written administrative tracking. While Simply Healthcare representatives routinely state that no provider is paid above the standard baseline, they actively maintain hidden premiums through verbal contract steering—offering favored or large-scale corporate facilities up to \$2,400.00 per month for identical care codes. This premium is directly conditional on the corporate facility acting as an unlicensed insurance broker, coercing vulnerable seniors to enroll in the HMO's secondary commercial Medicare "companion" or "dual enrollment" plans. Because transparent, independent 6-bed neighborhood lifeboats refuse to participate in these

unwritten verbal referral schemes, they are systematically capped at the sub-baseline rate of \$1,900.00 to \$2,100.00 per month, forcing them to deliver high-density care hours at an intentional financial deficit while corporate entities scoop up unchecked taxpayer subsidies for driving commercial health plan shifts.

23. **Intra-Agency Responsibility and the Agent Delegation Rule:** Petitioner states that Respondent AHCA is legally responsible for the systemic, unwritten reimbursement metrics and verbal contract pressures executed by its designated SMMC contract operators, including Florida Community Care (FCC), Simply Healthcare, and Humana. Under settled Florida administrative law and Section 120.56(4), Florida Statutes, actions executed by private corporate middlemen operating under an agency's direct institutional framework and public funding conduits constitute statements of the agency itself. Respondent AHCA cannot abdicate its statutory oversight duties by claiming care vouchers are the result of independent, "private contract negotiations." What Respondent AHCA's agents are paid with public funds to execute across the long-term care infrastructure is the direct administrative action of AHCA itself, and their unpromulgated enforcement of lopsided, flat-rate checks under Billing Code T2030 functions as an invalid unadopted rule that violates Section 120.54(1)(a), Florida Statutes.

COUNT III — Disparate Impact (Unlawful Administrative-Legislative Compression)

24. **The Policy and Core Labor Mandate Paradox:** Respondent Agency for Health Care Administration (AHCA) and state-contracted SMMC entities enforce a facially neutral funding and reimbursement structure that applies an identical flat-rate check per resident across all licensed Assisted Living Facilities (ALFs), regardless of bed capacity or localized staffing densities. While this reimbursement structure appears uniform on its face, its implementation creates a severe, unconstitutional disparate impact on small, community-based 4-to-8 bed micro-ALFs compared to large, commercial 100-plus bed institutional warehouses.
25. **The Structural Disparate Impact Metrics:** Pursuant to Florida Administrative Code Rule 58A-5.019, small community ALFs are held to a rigorous operational framework requiring **35.3 hours of direct staff care per resident every single week**, ensuring intensive, 24/7 individual supervision. Conversely, large commercial institutional chains are structurally mandated under state SMMC frameworks to provide only **5.8 hours of staff care per resident every week**, amounting to less than one hour of **physical direct staff care per senior daily**. By issuing the exact same baseline flat-

rate reimbursement check to both models under Billing Code T2030, the state's funding structure forces small independent providers to operate at a continuous, systemic financial deficit, absorbing a **six-fold (6x) frontline workforce payroll burden per capita** compared to institutional chains. **This is explicitly substantiated by the public records data, statutory hour comparison logs, and administrative tracking markers compiled in (Exhibit C)**

26. **Quantifiable Economic Harms and Public Records Baseline:** Factual accounting demonstrates that direct care staff payroll consumes approximately **60% of a micro-facility's consolidated gross monthly care revenue**, demanding an active operational outlay of approximately **\$18,510.00 per month** to sustain the mandatory 212 total facility staff hours. In contrast, large corporate warehouses restrict direct bedside labor costs to an estimated **\$450.00 per month per senior with only 5.8 hours weekly per resident**. This severe funding imbalance extracts free housing, utilities, and dietary provisions from small independent operators for zero additional state dollars, while allowing large corporate entities to use the PropCo/OpCo shell game to pocket surplus healthcare tax dollars into untaxable real estate assets. Consequently, this facially neutral policy serves as an active economic compression mechanism that starves localized community infrastructure of resources. It intentionally deprives honest small businesses of the financial reserves necessary to retain legal counsel or survive market disruptions, thereby systematically eliminating specialized, natural elder-care settings for vulnerable Florida seniors in direct violation of Section 120.3 and the statutory "homelike environment" mandates established under Section 429.01(2), Florida Statutes.

ADDITIONAL SYSTEMIC INFRASTRUCTURE CONSTRAINTS

27. **Unconstitutional Discrimination and Gross Fiscal Inefficiency:** Pursuant to established federal protections under the Fair Housing Amendments Act (FHAA) and the Americans with Disabilities Act (ADA), state-backed housing and health funding mechanisms are strictly prohibited from implementing arbitrary underwriting filters that discriminate against vulnerable citizens who reside collectively due to shared frailty and financial necessity. Respondent FHFC's unwritten commercial exclusions actively penalize low-income elders who cannot safely or financially afford to live in isolated solitary apartments, forcing them out of protected single-family neighborhoods. Concurrently, this unadopted framework creates an extreme, un-reviewed fiscal inefficiency that violates Section 120.541, Florida Statutes. While delivering equivalent high-vigilance care to solitary individuals through

disjointed home-health visits extracts a vastly higher per-capita cost from Florida taxpayers, and while Tier 3 institutional warehouses are systematically over-compensated under Billing Code T2030 while under-delivering care hours on skeletal shifts, Petitioner's Tier 1 neighborhood model provides the most cost-effective, high-density care engine (35.3 weekly care hours) in the mainstream housing market. By capital-starving this mainstream sector through uncoded credit barriers, along with underpayment for the required care hours, the Respondents' unwritten guidelines actively destroy the state's small business care infrastructure, bleeding local municipal budgets and driving independent local employers out of business in direct violation of Section 120.3, Florida Statutes, **and explicitly detailed in the Chronological Index of Discharge Planning Steering Logs attached hereto and incorporated herein as (Exhibit E).**

28. **The Local Municipal Rampage and BORA Overreach:** Petitioner states that while the state's principal health regulatory hand (AHCA) mandates a residential "homelike environment" under Chapter 429, the state has actively permitted local cities and Broward County administrative desks to run amok with arbitrary, extra-statutory restrictions under color of improper downward delegation. Local planning boards systematically weaponize local ordinances to slap transparent, un-bifurcated 6-bed residential lifeboats with punitive "commercial property" or "special daycare use" designations that do not apply to regular family households. Concurrently, the Broward County Board of Rules and Appeals (BORA) enforces severe, hyper-fancy commercial engineering and building code overlays onto standard 1-to-4 family residential footprints. These extra-statutory demands function as an administrative racket, penalizing the smallest neighborhood housing structures with massive compliance delays while corporate warehouses smoothly use taxpayer subsidies to clear local clipboards, **as established via the Compliance Demands and Emergency Infrastructure Mitigation Log attached hereto and incorporated herein as (Exhibit F).**

29. **The Manufacture of Domestic Infractions and Cross-Agency Dogpiling:** This unadopted framework allows local cities—such as the City of Pembroke Pines—to play "boss" and enforce a predatory default reflex: if a residential activity is not explicitly permitted by a city clerk, it is prohibited by default. To collect an artificial city "vig," the municipality deploys private, for-profit compliance contractors like Calvin Giordano & Associates to manufacture commercial code violations out of routine household functions—such as backup generator line connections, domestic kitchen setups, and

interior furniture, daycare, or yard seating layout choices. These identical domestic activities are never penalized or regulated when carried out by a local business home meeting, a backyard gathering, an active barbecue, or a traditional large, multi-generational extended family living under one roof that routinely maintains more bedroom furniture, family members, and visitors than a licensed 6-bed home. By allowing local municipal clipboards to execute this discriminatory double standard to override state definitions, Respondent AHCA acts in direct violation of the total preemption mandates of Section 419.001(2), Florida Statutes, and enforces an invalid unadopted administrative practice under Section 120.54(1)(a), Florida Statutes.

30. **The Weaponization of Global Supply Chain Distortions and Remote Backdating Administrative Rackets:** Petitioner states that the cross-agency dogpiling and commercial shunting executed by the municipality and its private compliance contractors occurred during the peak of the 2021–2023 global supply chain crisis. During this specific historical timeframe, the manufacturing, delivery, and distribution of automated commercial backup generators and heavy transfer switches suffered catastrophic macro-delays, establishing wait times of six (6) to twelve (12) months for standard equipment delivery due to unprecedented international port gridlock. While neighboring municipal jurisdictions adjusted their local enforcement postures to accept immediate, flexible, low-barrier residential mitigation strategies—such as the utilization of standard mobile wheeled generators to protect fragile elders—the City of Pembroke Pines and BORA refused to recognize these market realities.

By holding Petitioner's file hostage within a manufactured "Commercial Lane" for nearly an entire calendar year, while concurrently demanding hyper-specific commercial features that were completely unavailable due to global shipping logjams, the local enforcement apparatus actively weaponized an international economic crisis to capital-starve a protected 6-bed residential care lifeboat and manufacture a compliance trap designed to destroy its operating license. Furthermore, because municipal staff were working remotely, upon finally releasing the long-withheld documentation after a one-year delay, the city issued the approvals backdated to the original historical date they *should* have been processed. This administrative manipulation artificially created a false public record implying that Petitioner was in possession of the required documentation and was intentionally withholding it from state regulatory authorities, creating an active administrative trap that directly endangered Petitioner's healthcare licensure, as **established via the Compliance Demands and Emergency Infrastructure Mitigation Log attached hereto and incorporated herein as (Exhibit F)**

31. The Resulting License Endangerment and Vested Economic

Damages: Petitioner states that the coordinated administrative delays detailed above were directly weaponized by Respondent Agency for Health Care Administration (AHCA) to initiate immediate, punitive enforcement actions against Petitioner's active operating license. While the local municipality intentionally held the critical emergency infrastructure permit hostage, Respondent AHCA simultaneously issued high-velocity non-compliance threats. These threats targeted the structural existence of the facility's operating license and placed the physical ownership of the underlying residential homestead in immediate, catastrophic jeopardy. To halt this top-down regulatory squeeze, preserve her home, and prevent the immediate eviction of her vulnerable senior residents, Petitioner was forced to divert scarce operational care capital to retain private emergency defense counsel, incurring thousands of dollars in unrecoverable legal fees. This systemic cross-agency squeeze proves that Respondents' unadopted credit filters and downward abdications of regulatory authority do not operate in a vacuum; they function as an active, predatory machinery designed to capital-starve independent Tier 1 neighborhood lifeboats, force honest providers into structural default, and strip away localized property equity to clear the market for high-density corporate warehouses.

V. PRAYER FOR RELIEF

WHEREFORE, Petitioner, ANGEL HOUSE ASSISTED LIVING, INC., respectfully requests that the Division of Administrative Hearings assign an Administrative Law Judge to conduct an expedited hearing pursuant to Section 120.56(4), Florida Statutes, and subsequently enter a binding Final Order:

1. **Declaring** Respondent Florida Housing Finance Corporation's automated corporate-deed lending exclusions, and Respondent Agency for Health Care Administration's flat-rate Medicaid LTC reimbursement framework under Billing Code T2030, as invalid, unadopted administrative rules that systematically violate Chapter 120;
2. **Ordering** both named Respondents to immediately cease and desist from enforcing these uncoded credit filters, discriminatory underwriting overlays, and predatory flat-dollar care allocations against compliant, independent neighborhood 6-bed care footprints;

3. **Compelling** Respondent Florida Housing Finance Corporation to build and implement a dedicated Residential Portfolio Lending pathway that evaluates un-bifurcated corporate and non-profit residential deeds using standard 1-to-4 family residential valuation and underwriting metrics;
4. **Compelling** Respondent Agency for Health Care Administration (AHCA) to immediately dismantle the unwritten corporate arbitrage rule that permits private insurance middlemen to hoard public care dollars on skeleton corporate shifts, and ordering AHCA to immediately deploy the direct Fee-for-Service (FFS) reimbursement rate structure mandated by the 2026 Legislature to compensate independent neighborhood homes based on real, state-mandated 35.3 care-hour density per resident, per week;
5. **Awarding** Petitioner all reasonable costs, administrative filing expenses, and financial photocopying fees incurred in bringing and prosecuting this Unadopted Rule Challenge pursuant to Section 120.595(4), Florida Statutes; and
6. **Granting** such other and further relief as the Administrative Law Judge deems just and proper under the circumstances.

Respectfully submitted this **29th day of September, 2026**.

By: _____

Doreen Campbell, Owner/Founder & Administrator

Angel House Assisted Living, Inc.

10810 NW 20th Street, Pembroke Pines, FL 33026

Davie Home Office Address: 14190 SW 28th Street, Davie, FL 33330

AngelHouse2@Live.com | Office@CampbellAppraisal.com

Phone: 954-483-7300

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Amended Petition has been filed electronically via DOAH's eALJ filing portal and served via electronic mail this **29th day of September, 2026**, to the following primary counsel of record for Respondents:

Rhonda DiVagno Morris, Esquire

Assistant General Counsel

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By: _____

Doreen Campbell

Owner/Founder & Administrator

Angel House Assisted Living, Inc.

EXHIBIT A: OPERATIONAL REAL ESTATE AND FIXED ASSET PROFILE

Operational Entity Registry: Angel House, Inc. and Go Agrihood, Inc. Portfolio

Baseline Data Date: June 12, 2026

SECTION 1: VALUATION AND COLLATERAL BALANCE MATRIX

The following figures represent the verified real estate assets and gross operational revenue baseline for the portfolio as of June 12, 2026:

1. Pembroke Pines Asset (Angel House Physical Footprint)
Certified Appraisal Valuation: \$675,000.00
Active Mortgage Principal Balance: \$223,500.00
Realized Property Equity Baseline: \$451,500.00
Loan-to-Value (LTV) Ratio: 33.1%
2. Davie Micro-Farm Asset (Go Agrihood Footprint)
Certified Market Valuation: \$1,300,000.00
Mortgage Principal Balance (Modified at 4.2%): \$365,140.00
Loan-to-Value (LTV) Ratio: 28.0%

SECTION 2: CONSOLIDATED REVENUE AND WORKFORCE OBLIGATION LEDGER

1. Active Gross Monthly Care Revenue (6-Bed High-Acuity Capacity):
Resident Tier 1 (Private / High-Acuity): \$6,500.00 / month
Resident Tier 2 (Private / Residential Baseline): \$5,000.00 / month
Resident Tier 3 (Managed Care Baseline Tracking): \$4,950.00 / month
Resident Tier 4 (Advanced Clinical Monitoring Track): \$4,875.00 / month
Resident Tier 5 (Restore-Mobility Integration Track): \$4,550.00 / month
Resident Tier 6 (Acute Care Transfer Track): \$5,000.00 / month
Consolidated Gross Monthly Care Revenue: \$30,850.00
2. Mandated Localized Labor Outlay:
State-Mandated Weekly Care Hours: 35.3 hours per resident per week (Totaling 212 facility staff hours weekly).
Direct Caregiver Payroll Burden: 60% of consolidated monthly gross revenue.
Fixed Monthly Labor Operational Outlay: \$18,510.00.

SECTION 3: MANDATED LIFE-SAFETY CAPITAL REINVESTMENT HISTORY

Verified physical infrastructure preservation and life-safety additions completely self-funded by the provider on a standard suburban lot to maintain regulatory compliance:

- Automated Fire Sprinkler and Commercial Alarm System: \$50,000.00
- Emergency Backup Natural Gas Infrastructure (Permitted and Installed): \$25,000.00
- Hurricane Impact Window Mitigation Envelope: \$14,800.00
- Structural Roof Remediation and Preservation: \$25,200.00
- Total Life-Safety Capital Contributions: \$115,000.00

SECTION 4: ACTIVE DEBT STRUCTURE

- Current Financing Vehicle: Private interest-only bridge note.
- Active Interest Rate: 11.0% per annum.
- Monthly Interest-Only Debt Service Outlay: \$2,048.75 (with zero principal balance reduction, short term loan requiring refinancing every 1 to 3 years with predatory costs).

SUMMARY OF SALIENT FEATURES

SUBJECT INFORMATION	Subject Address	10810 NW 20th St
	Legal Description	Pembroke Lakes Sec 2 81-48 B Lot 18 Blk 23
	City	Pembroke Pines
	County	Broward
	State	FL
	Zip Code	33026
	Census Tract	1103.07
	Map Reference	51-41-07
SALES PRICE	Sale Price	\$
	Date of Sale	
CLIENT	Borrower	DOREEN CAMPBELL
	Lender/Client	LeaderOne Financial
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	2,201
	Price per Square Foot	\$
	Location	N;Res;
	Age	50
	Condition	C3
	Total Rooms	8
	Bedrooms	5
	Baths	2.0
APPRAISER	Appraiser	RYAN JACOB MEACHAM
	Date of Appraised Value	08/29/2025
VALUE	Opinion of Value	\$ 675,000



LOAN STATEMENT

Statement Date:	5/21/2026
Loan Number:	2603057219
Payment Due Date:	6/9/2026
TOTAL AMOUNT DUE:	\$222.00

For Billing Inquiries, Please Call (800) 345-9372
or Email customerservice@goodleapsupport.com

DOREEN CAMPBELL
10810 NW 20TH ST
PEMBROKE PINES, FL 33026

If you have previously authorized automatic funds transfers to make your payments, your payment will be made on the Due Date listed above and the amount of the payment will be the Current Payment Due listed below. If you owe more than this amount, please access the Home Improvement Loan Portal or call our Customer Service number to arrange an additional payment.

Your online [Home Improvement Loan Portal](#) is active. To enroll, you will need your loan number and zip code. You can always access your portal at www.paygoodleap.com

ACCOUNT INFORMATION	
Property Address:	10810 NW 20TH ST Pembroke Pines, FL 33026
Outstanding Principal ¹ :	\$13,800.00
Target Principal Balance:	\$14,075.14
Target Balance Date:	10/9/2027
Promotional Period End Date:	10/9/2027
Maturity Date:	10/9/2037
Current Interest Rate ² :	15.49%

EXPLANATION OF AMOUNT DUE	
Principal & Interest:	\$222.00
Fees:	\$0.00
Current Payment Due:	\$222.00
Overdue Amount:	\$0.00
TOTAL AMOUNT DUE:	\$222.00

PAYMENT ACTIVITY SINCE LAST STATEMENT				
Total Paid: \$1,000.00	Principal: \$1,000.00	Interest: \$0.00	Fees: \$0.00	
Transaction Activity				
Payment Effective Date:	Payment:	Principal:	Interest:	Fees:
5/1/2026	\$500.00	\$500.00		
4/19/2026	\$500.00	\$500.00		

Thank you for choosing GoodLeap for
your financing needs.

Bankruptcy notice: If you are currently involved in a bankruptcy proceeding or have been discharged of your personal liability for the repayment of the debt, this notice is being provided for informational purposes only. It is not an attempt to hold you personally responsible for the debt. Any rights we may choose to pursue will be exercised against the property only.

¹Outstanding Balance does not reflect payoff amount. Please call (800) 345-9372 for a payoff quote. ²Interest Rate and Monthly Payments may vary depending upon whether you cancel or add Autopay Payments during the term of the loan based on your loan agreement.

For non-electronic payments, please detach section and return:

DOREEN CAMPBELL
10810 NW 20TH ST
PEMBROKE PINES, FL 33026

Loan Number:	2603057219
Payment Due Date:	6/9/2026
TOTAL AMOUNT DUE:	\$222.00



GoodLeap
P.O. Box 850717
Richardson, TX 75085

Payoff Balance

\$46,576.40

! Payoff Balances may not reflect in-flight payment transactions you have recently made but have not posted to your account.

Borrowers



Angel House Assited Living Inc

Borrower

AngelHouse2@Live.com (954) 476-5085



Doreen Campbell

100% Owner

angelhouse2@live.com (954) 483-7300

Edit

Effective Date	Processed Date	Transaction Type	Amount	Principal Amount	Interest Amount
06/22/2026	06/23/2026	Repayment by Borrower - Regular	\$228.00	-----	(\$228.00)
05/22/2026	05/26/2026	Repayment by Borrower - Regular	\$228.00	-----	(\$228.00)
04/22/2026	04/23/2026	Repayment by Borrower - Regular	\$228.00	-----	(\$228.00)
03/23/2026	03/24/2026	Repayment by Borrower - Regular	\$228.00	-----	(\$228.00)
02/23/2026	02/24/2026	Repayment by Borrower - Regular	\$228.00	-----	(\$228.00)
01/22/2026	01/23/2026	Repayment by Borrower - Regular	\$228.00	-----	(\$228.00)

EXHIBIT B: ANONYMOUS QUALITY-OF-LIFE PERFORMANCE DATA

Operational Track Record Recent Longitudinal Case Data [2009 - 2026]

SECTION 1: RESIDENT PROTOCOL CASE STUDY 1 (METABOLIC REVERSAL)

- Admission Status: Advanced age (up to 89) presenting with chronic metabolic decline and systemic insulin dependency.
- Active Interventions: Implementation of precision nutritional intervention, integrated circadian cycle alignment, and active hands-on urban farming stimulation in coordination with primary medical teams.
- Documented Result: Attained documented, historical stabilization of glycemic indices and a significant reduction in systemic insulin dependency & discontinuation of chemical controls through lifestyle and environmental controls.

SECTION 2: RESIDENT PROTOCOL CASE STUDY 2 (ELECTROLYTE RE-STABILIZATION)

- Admission Status: History of multi-source polypharmacy side effects, including drug-induced Syndrome of Inappropriate Antidiuretic Hormone secretion (SIADH) and critical hyponatremia.
- Active Interventions: Implementation of high-density mattress-side monitoring, targeted nutritional correction, and structured lifestyle changes in coordination with primary attending medical professionals.
- Documented Result: Attained complete elimination of offending medications, fully restored stable serum electrolyte balances, and achieved zero recurrence of related clinical seizure disorders without further pharmacological intervention.

SECTION 3: RESIDENT PROTOCOL CASE STUDY 3 (MOBILITY REHABILITATION)

- Admission Status: Long-term complete wheelchair confinement with advanced physical mobility deficits upon intake.
- Active Interventions: 1 to 5-year high-density physical mobilization framework and individual mechanical monitoring.
- Documented Result: Complete physical mobility restoration. The 5-year resident safely walks extended distances rapidly while maintaining complete baseline parity and using the exact same low-dose pain management regimen present at admission when much less mobile.

MANDATORY CLINICAL STATUS DISCLAIMER

The clinical milestones and operational data points detailed across this exhibit represent general informational and historical case outcomes. All modifications to individual healthcare routines, medication reductions, or supplement integrations are conducted exclusively under the direct oversight and approval of licensed primary attending physicians.

EXHIBIT C: STATE ADMINISTRATIVE CORRESPONDENCE AND PUBLIC CONDUIT DISCLOSURES

Operational Entity Registry: Angel House, Inc. and Go Agrihood, Inc. Portfolio
Baseline Data Date: August 4, 2026

SECTION 1: AGENCY FOR HEALTH CARE ADMINISTRATION OFFICIAL TRACKING DATA

The following figures represent the verified administrative record issued by the Respondent Agency for Health Care Administration:

- Document Source: Certified Agency Tracking Response
- **Administrative Reference Number: Corrflow Tracking #381536**
- Date of Official Issuance: **August 4, 2026**
- Primary Finding: The Agency explicitly acknowledges the uniform, statewide application of a flat-rate master voucher standard under Billing Code T2030. They are saying they will refer parts of our recommendations and issues to various departments for review.

SECTION 2: STATEWIDE MEDICAID MANAGED CARE PROGRAM DATA

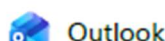
Factual metrics of the flat-rate Medicaid Long-Term Care (LTC) waiver program under Billing Code T2030:

- Active Reimbursement Range: \$1,950.00 to \$2,100.00 per month per resident.
- Scope of Use: Under Florida Administrative Code Rule 59G-4.192, these voucher funds are restricted exclusively to direct client care, to the explicit exclusion of real estate room, board, rent, and utility costs.

SECTION 3: MANDATED LABOR FLOOR CONFIGURATION

The non-discretionary labor mandate enforced against a Tier 1 licensed 6-bed provider:

- Governing Rule: Florida Administrative Code Rule 58A-5.019.
- Core Staffing Requirement: Mandatory baseline of 212 total facility staff hours weekly.
- Localized Operational Care Density: 35.3 direct hands-on care hours per resident, per week.
- Comparative Structural Floor: Respondent concurrently permits institutional 100-plus bed corporate warehouses to restrict direct bedside care delivery to a skeletal minimum of 5.8 to 12.9 hours per resident weekly under the identical care billing code.



Billing Code Question Corrfow 381536

From Leckinger, Christina <Christina.Leckinger@ahca.myflorida.com>

Date Tue 8/4/2026 2:29 PM

To angelhouse2@live.com <angelhouse2@live.com>

Thank you for your correspondence regarding Billing Code T2030, managed care reimbursement, and long-term care program administration. The Agency for Health Care Administration (Agency) has reviewed the recommendations and shared the applicable issues with the appropriate program areas for consideration. The following responses address each of the recommendations within the context of the Agency's statutory and contractual responsibilities:

1. Actuarial Realignment of Billing Code T2030

The current flat-rate reimbursement code pays an identical voucher regardless of facility scale. This creates an operational misalignment: a small 6-bed neighborhood home is legally mandated to provide 35.3 care hours per resident/week (212 total staff hours). Conversely, a 100-bed corporate facility utilizes a sliding-scale grid requiring only 4.5 to 5.8 care hours per resident/week. We request a tier-based realignment to slice this corporate excess by -\$600 and allocate it to frontline caregivers delivering high-density care.

Response: Thank you for your recommendation regarding the reimbursement methodology associated with Billing Code T2030. The Agency has referred this issue to its actuarial contractor for consideration during ongoing rate development activities. Under the Statewide Medicaid Managed Care (SMMC) program, the Agency develops actuarially sound capitation rates for managed care plans; however, the Agency does not prescribe how plans reimburse individual assisted living facilities. Each managed care plan negotiates reimbursement with its contracted providers, and the SMMC contract does not require plans to reimburse all facilities using a uniform or flat-rate methodology.

2. Halting the Corporate "Double-Dip" Pipeline

Managed Care Organizations are currently allowing 100-bed corporate facilities to pocket standard residential rates (\$1,900/month) while outsourcing their daytime care deficits to external strip-mall daycares at \$75/day. This fragments care and drains \$3,400 per month from the state Medicaid budget per resident. When these understaffed models inevitably collapse, those seniors default into skilled nursing facilities, forcing the state budget to absorb a catastrophic safety-net bill ranging from \$9,095 to \$10,418 per month.

Response: The Agency has shared your concerns with the Bureau of Medicaid Managed Care Policy, the Contract Development Unit, and the Bureau of Medicaid Program Integrity for review. Under the SMMC program, managed care plans are responsible for care coordination, utilization management, authorization of covered services, and provider contracting. Reimbursement arrangements between managed care plans and assisted living facilities are negotiated by the contracting parties. Medicaid does not reimburse room and board in assisted living facilities. During the 2026 Legislative Session, the Legislature directed the Agency to establish fee-for-service reimbursement rates for assisted living

facility services; implementation of that requirement is separate from managed care provider contracting.

3. Dismantling the Three-Agency Fragmentation Trap

In alignment with Secretary Harris's foundational work on Hope Florida to bridge agency divides, we must address how the isolation of the Intake Gate (DCF financial caps), the Medical Gate (DOEA CARES bottlenecks), and the Payout Gate (AHCA MCOs) creates an administrative echo chamber.

Response: Thank you for sharing these recommendations. The Agency recognizes that long-term care services frequently involve coordination among multiple state agencies with distinct statutory responsibilities. Your recommendations have been provided to Agency leadership for consideration. Any changes involving responsibilities assigned to multiple agencies would require coordination with the appropriate state partners.

We appreciate the time and effort you devoted to developing and sharing your recommendations. Thank you for your continued interest in Florida's Medicaid program.

Sincerely,

**Christina Leckinger - GOVERNMENT OPERATIONS
CONSULTANT III**



Bldg 3, Rm 2325D - BUREAU OF MEDICAID POLICY
2727 MAHAN DR., TALLAHASSEE, FL. 32308
+1 850-412-4624 (Office) - (Fax)
Christina.Leckinger@ahca.myflorida.com



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EXHIBIT D: CHRONOLOGICAL LENDING FACTS AND FINANCIAL LEVERAGE MATRIX

Operational Entity Registry: Angel House, Inc. and Go Agrihood, Inc. Portfolio
Filing Record Performance Nexus: February 2020 through September 2026

SECTION 1: TD BANK USA INSTITUTIONAL CATEGORICAL REJECTION DOCUMENT

- Document Source: Certified Email Transmittal (Designated File Record Doc D-3b)
- Date of Record Stamp: August 3, 2026, at 10:04 AM
- Originating Agent: Sandra Velez, Premier Banker, Weston South Branch (Transit #2164567)
- Physical Practice Address: 4475 Weston Road, Weston, Florida 33331
- Primary Finding: "I provided the information to the commercial banker, and he explained that we are not doing business loans for Assisted living facilities."

SECTION 2: OPTIMUMBANK COMMERCIAL REFUSAL CORRESPONDENCE

- Document Source: Certified Email Transmittal (Designated File Record Doc D-2b)
- Date of Record Stamp: July 2, 2026, at 10:04 AM
- Originating Agent: Stephanie Leyva, Assistant Vice President and Strategic Relationship Manager
- Reviewing Officer: Jeni Chokron, Chief Lending Officer (Office Address: 2929 E. Commercial Blvd Ste 303, Fort Lauderdale, FL 33308)
- Primary Finding: "As we discussed on our call, after reviewing both SBA and conventional financing options, the numbers do not cash flow at this time... we were ultimately unable to find a viable financing solution at this time."
- Precedent Verification (Dated June 29, 2026): "I confirmed that at this time, nonprofits do not qualify for SBA financing."

SECTION 3: THE AUTOMATED INVESTOR LOAN HOUSING REDLINE

- Underwriting Framework: Debt Service Coverage Ratio (DSCR) Investor Portfolio Lines
- Applied Market Practice: Standard processing guidelines allow retail real estate investors to secure immediate programmatic financing based entirely on a property's gross rental income clearing a baseline 1.25 debt service threshold.
- Algorithmic Exclusion: The exact moment an un-bifurcated healthcare group home utilizes this identical investor loop, the automated software cross-references the deed, detects a non-profit title or an active state healthcare registry, and automatically shunts the file away from competitive residential pools into rigid commercial silos where it is instantly rejected based on an intimate residential footprint.

SECTION 4: THE PRE-PANDEMIC CONVENTIONAL FINANCING TIMELINE

- Effective Date of Record: February 2020
- Verified Loan Status: Portfolio held a formal, credit-approved 5.50% fixed-rate, 30-year fully amortized primary mortgage commitment within 14 business days of scheduled closing.
- Portfolio Financial Cushion: Both the independent appraised value and total requested financing amount maintained a historically low, safe Loan-to-Value (LTV) cushion with zero pre-existing federal disaster debt payloads.
- Administrative Action: Conventional banking networks summarily terminated the approved

transaction immediately following the state-level emergency health declarations, permanently freezing the residential file.

SECTION 5: THE CONVENTIONAL FANNIE MAE GROUP HOME PATHWAY AND LEASE-BIFURCATION TRAP

— Underwriting Guideline Standard: Federal National Mortgage Association (FNMA) Selling Guide Section B2-1.1-01.

— Textual Operational Pathway: The official FNMA guidelines explicitly provide a dedicated lending framework for residential properties operating as licensed "group homes" to serve health, care, and business-related community housing purposes.

— The Underwriting Loophole: While the guide establishes eligibility for these healthcare assets, it enforces a rigid operational loop mandating that the transaction can only clear if "the borrower is an individual" who holds personal title to the physical land deed, who must then manually lease the residential plant back to the operating healthcare company or non-profit corporation.

— Localized Financial Injury: This unpromulgated state-level reliance on individual-lease structures forces independent local providers to execute artificial multi-entity OpCo/PropCo bifurcations. Shifting the property deed into non-homesteaded, personal, or corporate files triggers a localized county property tax cliff, spiking small business overhead from a \$450.00 yearly baseline to over \$14,000.00 annually simply because the property is licensed as a Tier 1 Residential Care Home.

SECTION 6: BROWARD HOUSING FINANCE AUTHORITY TRUST FUND VOLUME BARRIERS

— Document Source: Official Certified Administrative Directive

— Date of Record Entry: July 27, 2026

— Issuing Authority: Ralph Stone, Executive Director, Broward Housing Finance Authority

— Minimum Project Allocation Threshold: System instructions restrict public mortgage conduit financing and trust fund infrastructure allocations to large-scale project baselines maintaining a minimum of 70 to 100 continuous residential units.

— Applied Structural Exclusion: This uncodified capital volume restriction directly penalizes and redlines the non-bifurcated neighborhood 6-bed care footprint, directly contradicting the statutory residential protections established under Section 419.001(2), Florida Statutes.

SECTION 7: STATE APARTMENT INCENTIVE LOAN (SAIL) INFRASTRUCTURE OVERLAYS

— Governing Rule Framework: Florida Administrative Code Rule 67-48.004

— Application Guidelines Barrier: Respondent Florida Housing Finance Corporation (FHFC) implements an underwriting guideline standard requiring any applicant seeking state-backed preservation loans or infrastructure allocations under Section 420.5087, Florida Statutes, to satisfy a commercial development threshold requiring "proof of millions of dollars in multi-family commercial project development volume within a strict past look-back period."

— Applied Exclusion Impact: This specific operational requirement bears zero rational relationship to the preservation of an independent, pre-existing 6-bed neighborhood care lifeboat, capital-starving the community-scale 4-to-15 bed care assets that operate within standard 1-to-4 family residential footprints.

SECTION 8: THE SBA EIDL DISASTER DEBT AND DOUBLE INTEREST PENALTY

- Outstanding Note Instrument: Small Business Administration (SBA) Economic Injury Disaster Loan (EIDL) secured to survive Main Street disaster closures.
- Active Balance Metrics: \$46,000.00+ locked at a fixed 3.75% interest rate.
- Automated Underwriting Closing Mandate: Conventional automated underwriting screens require the complete 100% principal payoff of this 3.75% federal loan at the closing table just to clear an uncodified title screen, due to the potential for the federal government to freeze small business assets.
- Resulting Financial Impact: Forcing that disaster note into a new commercial or DSCR mortgage note priced at 7.5% or higher physically forces the compliant small business to absorb double the interest rate on its disaster debt, destroying its long-term financial sustainability through inflated closing costs.

SECTION 9: BROWARD COUNTY EXTRA-STATUTORY TAX MANEUVERS (CASE STUDIES)

- **Case Study 1** (The 2.38-Acre Davie Parcel): The Broward County Property Appraiser's (BCPA) office weaponized uncodified, extra-statutory mandates to strip a historic "Greenbelt" Agricultural Classification under F.S. Section 193.461, demanding the production of a corporate 5-year business plan under threat of permanent revocation. While the owner was operating as a frontline healthcare provider frantically protecting elderly residents and staff from viral outbreaks, the BCPA stripped the classification, saddling a local employer and first responder, herself 70 years of age, with a punitive, inflated tax bill.
 - **Case Study 2** (The Boulevard Heights Veteran Catch-22): At 1100 N 70th Terrace (Boulevard Heights), a 100% service-connected permanently disabled veteran attempted to add his partner of 20 years to the property deed for estate continuity. The BCPA stated that adding an unmarried partner to the deed triggers a dynamic ownership change, causing an immediate property re-assessment that completely wipes out the home's long-term "Save Our Homes" (SOH) tax valuation cap, forcing the household to choose between proper estate planning or facing a massive tax spike despite the total property tax exemption mandated under F.S. Section 196.081.
-



LOAN REFINANCE

From Velez, Sandra S NMLS 2164567 <Sandra.Velez@td.com>
Date Mon 8/3/2026 10:04 AM
To Doreen Campbell <angelhouse2@live.com>

Good morning Daureene,

I provided the information to the commercial banker, and he explained that we are not doing business loans for Assisted living facilities.

Best regards,

Sandra Velez | Premier Banker | Weston South | **TD Bank U.S.**
Transit #2164567 | 4475 Weston Road, Weston, Florida 33331
T: 954 343 4243 | Fax: 954 659 132

Premier Concierge Support: (800)698-0816
<https://meet.td.com/us/Sandra.Velez/58C1B27921>

Internal

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RE: Angel House Cash Flow Underwriting

From Stephanie Leyva <sleyva@optimumbank.com>

Date Thu 7/2/2026 10:04 AM

To Doreen Campbell <angelhouse2@live.com>

Cc Jeni Chokron <jchokron@optimumbank.com>

Hi Doreen,

I hope you are doing well.

First, could you please confirm that you are receiving my emails? I have been receiving notifications that my messages were undeliverable and have opened a ticket with our IT support team to investigate.

I also want to thank you again for your interest in working with us.

As we discussed on our call, after reviewing both SBA and conventional financing options, the numbers do not cash flow at this time. Our Chief Lending Officer, Jeni Chokron cc'd here, requested that we explore every possible avenue. The bank tried all available avenues to make this work, including both SBA and conventional structures; however, we were ultimately unable to find a viable financing solution at this time. That said, we would be happy to revisit the opportunity once your 2025 tax returns are available, as updated financial information may provide additional options for consideration.

Additionally, Phil Fitzpatrick is no longer with OptimumBank.

To help you explore alternative funding options, OptimumBank partners with Approved Funding, a trusted third-party referral source. For full transparency, our Bank Chairman holds a minority ownership interest in the company. If you are interested, I would be happy to make an introduction to our contact, Shmuel, to discuss potential financing solutions that may better fit your needs.

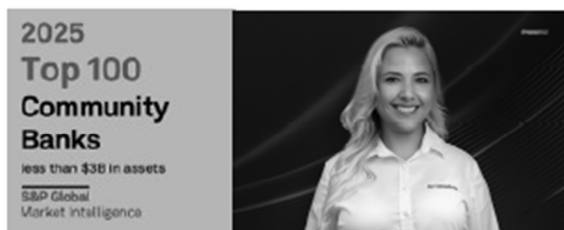
Thank you again for the opportunity, and please let me know if you would like me to facilitate the introduction.

Kind Regards,

OPTIMUMBANK

Stephanie Leyva, AVP
Strategic Relationship Manager
2929 E. Commercial Blvd Ste 303
Fort Lauderdale, FL 33308
Phone (954)947-2705

sleyva@optimumbank.com
www.optimumbank.com
NMLS 1185408



From: Doreen Campbell <angelhouse2@live.com>
Sent: Monday, June 29, 2026 3:06 PM
To: Stephanie Leyva <sleyva@optimumbank.com>
Subject: Re: Angel House Cash Flow Underwriting

External Email

Hi Stephanie,

I was not aware you were trying SBA at all... I thought we'd discussed that it would not work. I've tried many things, not just FNMA & SBA, including DSCR and more. We are a Very Underserved niche and we're very necessary to aging Floridians. So, I've also reached out to Moishe Gubin and Phil Fitzpatrick on a whole other 'channel' as I've decided I need to Create financing for our ALF homes out of whole cloth if I must. I hope to be making headway with that soon. OTOH, I still must solve my own refinancing issues now. You'd originally said 'even if we are just paying the bills, it can work' and unfortunately, though we are more than doing that at both homes, it's still not enough. That's the nature of most lending processes, unfortunately to move the goal posts repeatedly. It's not at all intentional on the part of any person, but the hold the screens have over all of life's essential processes today and since 2020 when things profoundly changed. Thank you,

*Doreen Campbell for Angel House
Adult Daycare & Assisted Living for Over 16 years
Email: AngelHouse2@Live.com*

<http://AngelHouseSeniors.org>

Office: (954) 476-5085 - Fax: (954) 476-5079

Angel House is a non-profit human service agency, providing housing and healthcare education and assistance, social services (including benefits assistance) adult daycare and recreational activities, to improve the quality of life for seniors and their caregivers.

And

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In Miami-Dade, Broward & Palm Beach Counties
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Purchase, Refinance, Bankruptcy, Estate, Divorce....*

From: Stephanie Leyva <sleyva@optimumbank.com>

Sent: Monday, June 29, 2026 11:35 AM

To: Doreen Campbell <angelhouse2@live.com>

Subject: RE: Angel House Cash Flow Underwriting

Good Morning Doreen,

I hope you had a nice weekend and thank you for taking the time to share this information in such detail.

I confirmed that at this time, nonprofits do not qualify for SBA financing. However, I will review this with Jeni, our Chief Lending Officer, to explore any alternative options such as a conventional loan that may be available. I will follow up with you as soon as possible.

Thank you again, and I appreciate your patience.

Kind Regards,

OPTIMUMBANK

Stephanie Leyva, AVP

Strategic Relationship Manager

2929 E. Commercial Blvd Ste 303

Fort Lauderdale, FL 33308

Phone (954)947-2705

sleyva@optimumbank.com

www.optimumbank.com

NMLS 1185408

2025
Top 100
Community
Banks

less than \$3B in assets

S&P Global

Market Intelligence



From: Doreen Campbell <angelhouse2@live.com>

Sent: Sunday, June 28, 2026 8:50 PM

To: Stephanie Leyva <sleyva@optimumbank.com>

Subject: Angel House Cash Flow Underwriting

External Email

Stephanie,

Small world, today I've sent an email to Moishe Gubin about our Ms Campbell Goes to Tallahassee movement and some of our programs.

Between \$16,000+ in 2024-25 and \$12,000+ in 2025-26, Simply makes me look bad to the tune of over \$40k counting the first batch of \$1,700+ interest I never got any of. But my point is we are still here, still paying all bills, regular and extraordinary, with an Extremely Low LTV, regardless of the SBA loan even adding it, we are Still Well Below 50% LTV.

The only reason we couldn't get the DSCR loan is the non-profit status.

Thank you,

Doreen Campbell for Angel House

Adult Daycare & Assisted Living for Over 13 years

Email: AngelHouse2@Live.com

<http://AngelHouseSeniors.org>

Office: (954) 476-5085 - Fax: (954) 476-5079

Angel House is a non-profit human service agency, providing housing and healthcare education and assistance, social services (including benefits assistance) adult daycare and recreational activities, to improve the quality of life for seniors and their caregivers.

And

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EXHIBIT E: CONSOLIDATED ANALYSIS OF DEFACTO DISCHARGE REFERRAL WORKFLOWS

Operational Entity Registry: Angel House, Inc.

Filing Record Time-Nexus: September 2026

Target Pleading Reference: Paragraph 22 and Paragraph 27

SECTION 1: UNWRITTEN PLACEMENT SELECTION CRITERIA

Factual operational tracking parameters regarding the systemic allocation of high-acuity residential placements across Broward County:

- **Applied Administrative Standard:** Hospital social work desks, discharge planning software coordinators, and state-contracted placement agents utilize a defacto, unwritten referral workflow that automatically routes high-acuity, dual-eligible seniors into centralized, large-scale corporate facilities.
- **Common-Knowledge Operational Default:** Case management channels utilize corporate institutional networks as a primary volume clearinghouse due to constant open bed capacity, bypassing specialized, home-scale independent placements without conducting localized, care-density evaluations.

SECTION 2: PUBLIC CAPITAL FLOW AND MATERIAL INJURY

The direct economic impact of the unpromulgated referral practice on Tier 1 independent infrastructure:

- **Capital Allocation Impact:** By systematically routing resident volume away from 6-bed neighborhood assets, the unwritten placement default forces compliant small business operators into extended vacancy cycles.
- **Systemic Arbitrage:** Public healthcare tax dollars distributed under Medicaid Long-Term Care Billing Code T2030 are disproportionately funneled to large corporate entities that restrict direct bedside care delivery to a skeletal minimum of 5.8 hours per resident weekly, while independent local providers delivering state-mandated high-density care hours (35.3 hours weekly per resident) are excluded from the regional discharge planning process.

EXHIBIT F: COMPLIANCE DEMANDS AND EMERGENCY INFRASTRUCTURE MITIGATION LOG

Operational Entity Registry: Angel House, Inc.

Filing Performance Nexus: 2021 through 2023 Global Supply Chain Crisis

Target Pleading Reference: Paragraph 28 and Paragraph 30

SECTION 1: THE REMOTE WORK LOGJAM AND 2020 BACKDATING PERMIT TRAPS

Factual line items documenting how remote municipal administrative bottlenecks and backdated reporting systems manufactured an artificial compliance infraction:

— Regulatory Action: The City of Pembroke Pines Fire Department (PPFD) conducted virtual life-safety reviews but failed to deliver the physical, qualifying inspection paperwork for ten (10) consecutive months due to remote work re-platforms and staff retirements.

— The Document Backdating Illusion: Upon finally releasing the critical inspection report electronically on June 29, 2021, the municipality issued the document backdated to September 1, 2020. This administrative backdating artificially manufactured a deceptive public record making it appear as though the provider had been in possession of the document for nearly a year and was willfully withholding it from health surveyors.

— Resulting Material Injury: The induced clerical gap was weaponized by state surveyors to cite the facility for a late application, causing immediate license endangerment and thousands of dollars in emergency legal fees.

SECTION 2: EXTRA-STATUTORY DESIGNATIONS AND 2021-2023 GENERATOR PERMITTING LOOPS

Factual chronological parameters documenting the cross-agency enforcement of commercial building layers onto standard single-family care infrastructure:

— Regulatory Action: The local municipality and private compliance contractors accepted and processed permanent, fixed emergency backup generator infrastructure plans under standard residential guidelines, only to arbitrarily revoke the status after a multi-month delay and force the contractor to re-initiate the identical physical project within a high-barrier "Commercial Lane".

— Induced Equipment Deficits: This unpromulgated commercial reclassification dragged the infrastructure timeline directly into the peak of the international shipping gridlock, a historical nexus where the

manufacturing, delivery, and distribution of automated commercial backup components suffered catastrophic macro-delays.

— Induced Compliance Trap: By holding the single-family file hostage within an artificial permitting loop for nearly an entire calendar year, the remote municipal apparatus effectively ensured that when the permit was finally issued, zero fixed generator systems or heavy transfer switches were physically available on the open market due to international port gridlock.

SECTION 3: CLARIFYING FILE INDEX OF EVIDENCE RECORD ATTACHMENTS

- Pages 1–3: Petitioner’s Certified Chronological Case Analysis detailing remote work constraints and the complete absence of a written paper trail from the city.
 - Page 4: The Official PPFD Fire Safety Inspection Report showing the dynamic 9/1/2020 date conflict received on 6/30/2021.
 - Pages 5–9: Stamped Outlook Email Transmittals (Involving Wayne Automatic, Michael Testagrossa, and Assistant Fire Marshal Brian Nettina) verifying the virtual inspection timeline.
 - Pages 10–15: The Certified AHCA Statement of Deficiencies proving surveyors cited the facility for failing to produce unwritten explanations that were actively withheld by municipal clerks.
 - Pages 16–17: The final, hard-fought Broward County Emergency Management Division CEMP/EECP Approval Letter and Consumer-Friendly Summary.
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EXHIBIT G: PROOF OF STATUTORY COMPLIANCE CONDUIT RECEIPT

Filing Performance Nexus: July 2026 through September 2026

Target Pleading Reference: Paragraph 14

SECTION 1: VERIFIED ADMINISTRATIVE RECEIPT RECORD

- Document Source: Automated Portal Autoreply and Certified e-Filing Transmission Receipt.
- Date of Record Entry: July 28, 2026.
- Originating Action: Formal electronic filing of the mandatory Statutory Compliance Notice submitted directly to the Florida Housing Finance Corporation Corporate Clerk and General Counsel.
- Evidentiary Value: This record provides definitive, objective proof that the state agency received the required statutory notifications. This completely satisfies all pre-suit administrative notification criteria required under Chapter 120, Florida Statutes, prior to the active initiation of this unadopted rule challenge.