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FLORIDA HOUSING  
FINANCE CORPORATION

August 5, 2002

**VIA FEDERAL EXPRESS**

Ms. Kerey Carpenter  
Deputy Development Officer  
Florida Housing Finance Corporation  
Suite 5000  
227 North Bronough Street  
Tallahassee, FL 32301

RE: Submission of Appeal  
Sonrise Villas; 2002-020CS

Dear Ms. Carpenter:

In accordance with the instructions contained in your July 22, 2002, memorandum, I am enclosing the following:

1. Completed and executed Election of Rights
2. Petition of Hearing Pursuant to Section 120.57(2), F.S.
3. Copy of the "notice of agency action" as required by Rule 28-106.301(3), F.A.C.

As you will see when you read the petition, this one is simple—just a matter of one of the cures having been overlooked during Florida Housing's review.

Thank you for your kind attention to this petition.

Sincerely,

Lloyd J. Boggio  
President, TCG Sonrise, Inc.  
Managing Member, Sonrise Villas, LLC.

**Petition for Hearing Pursuant to Section 120.57(2), Florida Statutes**

Florida Housing Finance Corporation  
227 North Bronough Street, Suite 5000  
Tallahassee, FL 32301  
RE: 2002-020CS, Sonrise Villas

**Petitioner:**

Sonrise Villas, LLC, Applicant  
By its Managing Member, TCG Sonrise, Inc.  
Lloyd J. Boggio, President, TCG Sonrise, Inc.  
2937 SW 27<sup>th</sup> Avenue, Suite 303  
Miami, FL 33133  
305-476-8118

**Explanation of How the Petitioner's Substantial Interests Will Be Affected by the Agency's Determination:**

The Applicant is seeking funding from the 2002 Universal Cycle specifically from both the SAIL and Housing Credits Programs. Funds are awarded based on a highly competitive scoring system. Applicant needs to obtain the highest possible score to insure successful competition for the funds.

**When and How the Petitioner Received Notice of the Agency Decision:**

The Applicant was notified of its final scores by memorandum dated July 22, 2002, from Kerey Carpenter, Deputy Development Officer. The memorandum and scoring summary were received via Federal Express on July 23, 2002.

**Statement of Facts Alleged Including Specific Facts the Petitioner Contends**

**Warrant Reversal or Modification of the Agency's Proposed Action:**

In accordance with the provisions of Rule 67-48.004, F.A.C., the Applicant timely submitted cure documentation relative to Exhibits 31, 33, and 37. At issue here is Exhibit 37. Although the cure documentation was properly submitted along with the properly executed Exhibit 37, Florida Housing did not award the Applicant the additional one point for Item 12S, Part IV, subsection b. Attached for ready reference is a copy of what was timely submitted to Florida Housing Finance Corporation on June 26, 2002 via UPS Next Day Air service. All other documentation submitted as part of the cure package was addressed by Florida Housing and the results were reflected on the 2002 Universal Scoring Summary. Therefore, it seems probable that the cure to Exhibit 37 was simply overlooked.

**Statement of the Specific Rules or Statutes the Petitioner Contends Require**

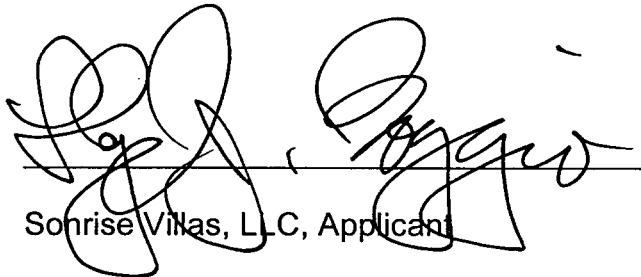
**Reversal or Modification of the Agency's Proposed Action:**

Rule 67-48.004(6), F.A.C., provides the opportunity to submit additional documentation to address an issue that results in a score less than the maximum available. The additional documentation was timely submitted and in the proper format.

**Statement of the Relief Sought by the Petitioner:**

Applicant requests that its application be awarded an additional one point for the proper cure of the Exhibit 37 deficiency. This would result in a total score of 71 points for the Sonrise Villas, LLC application #2002-020CS.

Submitted by:



Sonrise Villas, LLC, Applicant

By its Managing Member, TCG Sonrise, Inc.

Lloyd J. Boggio, President, TCG Sonrise, Inc.

## 2002 CURE FORM

(Submit a SEPARATE form for EACH reason  
relative to EACH Application Part, Section, Subsection and Exhibit)

This cure form is being submitted with regard to Application No. 2002-020CS and pertains to:

Part IV Section \_\_\_\_\_ Subsection b Exhibit No. 37 (if applicable)

The attached information is submitted in response to the 2002 Universal Scoring Summary or Home Rental Scoring Summary because:

- I. Preliminary Scoring and/or a NOPSE resulted in the imposition of a failure to achieve maximum points, a failure to achieve tie-breaker points selected, and/or failure to achieve threshold relative to this form. Check applicable item(s) below:

	2002 Universal or HOME Rental Scoring Summary	Created by:	
		Preliminary Scoring	NOPSE
<input checked="" type="checkbox"/> Reason Score Not Maxed	Item No. <u>12S</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Threshold Failed	Item No. _____T	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason for Failure to Achieve Proximity Tie-Breaker Points Selected (Universal Application Only)	Item No. _____P	<input type="checkbox"/>	<input type="checkbox"/>

**OR**

- II. Other changes are necessary to keep the Application consistent:

This revision or additional documentation is submitted to address an issue resulting from a "cure" to Part \_\_\_\_\_ Section \_\_\_\_\_ Subsection \_\_\_\_\_ Exhibit \_\_\_\_\_, as applicable).



