

RUTLEDGE ECENIA

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

MICHAEL J. BARRY
STEPHEN A. ECENIA
DIANA M. FERGUSON
MARTIN P. McDONNELL
J. STEPHEN MENTON
CRAIG D. MILLER
R. DAVID PRESCOTT

POST OFFICE BOX 551, 32302-0551
119 SOUTH MONROE STREET, SUITE 202
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515
www.rutledge-ecenia.com

MARSHA E. RULE
GARY R. RUTLEDGE
MAGGIE M. SCHULTZ
GABRIEL F.V. WARREN
GOVERNMENTAL CONSULTANT
JONATHAN M. COSTELLO
OF COUNSEL
HAROLD F. X. PURNELL

April 28, 2015

Hugh Brown, Esquire
Florida Housing Finance Corporation
227 N Bronough Street
Suite 5000
Tallahassee, FL 32301

Re: Madison Crossings II Petition for Administrative Hearing in
Small/Medium County RFA

Dear Hugh:

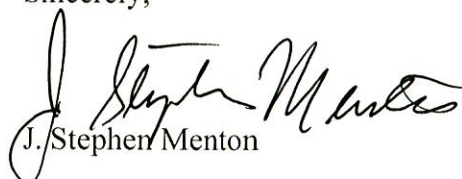
I wanted to confirm our telephone conversation yesterday, April 27, regarding the above-referenced matter. During our conversation, I confirmed that my client's interest in submitting the Petition was to preserve its ability to challenge the responsiveness of applicants who failed to respond to mandatory questions in the RFA. In the settlement conference, and during subsequent discussions, you indicated that Florida Housing and, potentially, other applicants questioned the standing of my client to advance these arguments in the Small/Medium County RFA. My client contends that the applicable statutory provisions provide standing for a developer with affiliated entities applying for funding under the RFA. However, my client has determined that there is no need to litigate these standing issues so long as my client will have the ability to raise its substantive arguments in the Large County RFA. You have advised me that Florida Housing will not assert a collateral estoppel or res judicata argument to preclude my client from raising the responsiveness argument in the Large County RFA. It is not clear at this time whether the substantive arguments will even need to be raised in the Large County RFA. Consequently, in the interest of efficiency and economy, it makes sense to defer the substantive issues until the scoring and rankings on the Large County RFA are released. In doing so, we can obviate the need to address the standing issue in the Small/Medium RFA. Based upon this understanding, my client has directed me to advise that it does not intend to proceed with the Petition filed challenging the Small/Medium County RFA scoring and ranking results. Please give me a call if you would like to discuss or if the summary above does not comport with your recollection of our discussions.

RUTLEDGE ECENIA

Hugh Brown, Esquire
April 28, 2015
Page 2

Thank you for your consideration.

Sincerely,



J. Stephen Menton

JSM/rd

RUTLEDGE ECENIA

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

POST OFFICE BOX 551
TALLAHASSEE, FLORIDA 32302-0551

Hugh Brown, Esquire
Florida Housing Finance Corporation
227 N Bronough Street
Suite 5000
Tallahassee, FL 32301

FLORIDA HOUSING
FINANCE CORPORATION

15 APR 29 PM 2:26

RECEIVED