

## FLORIDA HOUSING FINANCE CORPORATION

### RFA 2022-106 Financing to Develop Housing for Persons with Disabling Conditions/ Developmental Disabilities October 7, 2021, 2:00 p.m., Eastern Time

Registration for Workshop is required. Registration information is available on RFA Webpage<sup>1</sup>

#### **Overview**

- A. Introductions
- B. Purpose of RFA

This Request for Applications (RFA) is open to Non-Profit Applicants proposing the development of Permanent Supportive Housing for either (i) persons with a Disabling Condition that also includes a portion of units for Homeless individuals and Household as defined in Exhibit B of this RFA; or (ii) Persons with Developmental Disabilities. Non-Profit Applicant entities may consist of either 100 percent Non-Profit entities or joint ventures between Non-Profit and for-profit entities, if the Applicant meets the definition of Non-Profit, as defined in subsection 67-48.002(84), F.A.C.

#### **Funding Available**

- Estimated \$2,750,000 of Competitive Housing Credits available for all Applicants
- Estimated \$4,000,000 of SAIL available, which includes ELI loan funding, for Applicants that commit to serve the Persons with a Disabling Condition Demographic Commitment
- Estimated \$4,600,000 in grants available for Applicants that commit to serve the Persons with Developmental Disabilities Demographic Commitment
- New! - Estimated \$4,500,000 of National Housing Trust Funds (NHTF)

The Corporation expects to offer an estimated \$4,500,000 in National Housing Trust Funds (NHTF). All Applicants that select the Development Category of New Construction will be required to commit a certain number of NHTF Units that meet the requirements outlined in Section Four, A.6.c.(2)(c) of the RFA. Applicants that select the Development Category of New Construction may also commit to additional NHTF Units. NHTF funding will be awarded based on each NHTF Unit, regardless of whether the NHTF Unit was required or optional. The invitation to enter credit underwriting will inform the Applicant of the NHTF award amount, and the requirement to set-aside NHTF Units. These requirements are similar to HOME funding, such as the requirement to comply with the HUD environmental requirements as provided in 24 CFR 93.301(f)(1) and (2). However, Applicants will not be charged a fee for the environmental review.

#### **Outline of RFA**

- A. Section One - Introduction
- B. Section Two – Definitions

Exhibit B of the RFA and Rules, which are posted on RFA website

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<sup>1</sup> The RFA Webpage can be found at <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-106> (also available by clicking [here](#)).

In addition to previously used definitions, this includes the following new definitions:

1. Joint Venture Applicant means a legal entity which is owned by two or more separate and distinct legal entities, at least one of which is a Non-Profit entity, which share no common ownership between or among them.
2. Non-Profit Applicant means an Applicant entity that is owned in part or in whole by one or more qualified non-profit entities as defined in Section 42(h)(5)(C), subsection 501(c)(3) or 501(c)(4) of the IRC and organized under Chapter 617, F.S., if a Florida Corporation, or organized under similar state law if organized in a jurisdiction other than Florida, to provide housing and other services on a not-for-profit basis. The non-profit entity(ies) meets the following requirements:
  - (a) owns at least 51 percent of the ownership interest in the Development held by the general partner or managing member entity, specifically including at least 51 percent of the profits, losses, capital and other economic benefits;
  - (b) receives at least 25 percent of the Developer Fee;
  - (c) maintains at least 51 percent of the voting and management control of the Development; and
  - (d) is acceptable to federal and state agencies and financial institutions as a Sponsor for affordable housing, as further described in Rule 67-48.0075, F.A.C.

If a for-Profit entity has an ownership interest in the Development, it must be 49 percent or less and maintains 49 percent or less of the voting and management control of the Development.

3. Resident Community Based Services Coordination means a formalized process of assisting a resident or resident household to, evaluate, identify, access, and/or maintain resident-specific community-based services and resources that facilitate a resident's or resident household's permanent housing stability and help them meet their self-sufficiency objectives.

#### C. Section Three –RFA Procedures and Provisions, including Submission Requirements

##### 1. Submission Requirements

It is expected that Florida Housing will continue receiving Applications through online submission only, and no longer receive hard copies of the Application package. Application Fees will continue to be submitted via check, ACH or wire payments, although Florida Housing **strongly recommends** providing the Federal Reference Number and wire confirmation number for wire payments, and trace number for ACH, in addition to the RFA Number/Development Name. Additionally, Florida Housing strongly recommends that payments be submitted at least 48 hours in advance of the Application Deadline. In the event that the online submission is not received, the payments will be refunded.

##### 2. New! - Financial Arrearage Requirement and Insurance Deficiency Requirement

An Application will be deemed ineligible for funding if, as of close of business **two days\*** before the Committee meets to make a recommendation to the Board, either of the following occur: (1) there remains any financial obligations for which an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer is in arrears to the Corporation or any agent or assignee of the Corporation as reflected on the most recently published Past Due Report; or (2) an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer has an insurance deficiency for any Development awarded Corporation resources, which are in first lien position, issued during or after

September 2016 that is governed by the Insurance Guide posted to the Corporation's Website under the link <https://www.floridahousing.org/data-docs-reports/insurance-guide> (also accessible by clicking [here](#)).

The Past Due Report contains the financial arrearages to the Corporation as well as the Insurance Deficiency Report. The most recently published Past Due Report is posted to the Corporation's Website under the link <https://www.floridahousing.org/data-docs-reports/past-due-reports> (also accessible by clicking [here](#)), but not more recently than seven business days prior to the date the Committee meets to make a recommendation to the Board.

\* For example, if a review committee meeting is held on a Wednesday, regardless of the time of the meeting, the arrearages must be paid by Monday close of business.

3. If the Attachment document is bookmarked, the Application will be awarded 5 points.

Instructions for adding bookmarks to pdf documents prior to uploading the Application has been added to each RFA Webpage. Acrobat Standard DC or Acrobat Pro DC are the programs required to create bookmarks.

D. Section Four of the RFA outlines instructions for completing Exhibit A

1. Include the Applicant Certification and Acknowledgement form, executed by the Authorized Principal Representative, to indicate the Applicant's certification and acknowledgement of the provisions and requirements of the RFA.

2. Demographic Commitment

- a. Select the Demographic Commitment and interest rate of SAIL loan

- (1) Persons with a Disabling Condition Demographic Commitment

- (a) Requirements

Applicants that commit to serve the Persons with a Disabling Condition Demographic Commitment will be required to make the following set aside commitments for a minimum of 50 years:

At least 50 percent of the units in the Development must consist of Permanent Supportive Housing for persons with a Disabling Condition as defined in Section 420.0004(7), F.S.;

AND

At least 20 percent of the units in the Development must consist of Permanent Supportive Housing for individuals and families that meet the definition of Homeless Households as defined in Exhibit B of the RFA, (which may be the same units set aside for the persons with a Disabling Condition Demographic Commitment).

- (b) Interest Rate

- (i) Applicants that commit to set aside at least 50 percent, but less than 80 percent, of the units in the Development for persons with a Disabling Condition will qualify for a SAIL loan with an interest rate of 0 percent for the percentage of units that are set aside for persons with a Disabling Condition, and an interest rate of 1 percent for the remaining units. For example, a set-aside commitment of 60 percent of the units for persons with

a Disabling Condition will have 60 percent at 0 percent and 40 percent at 1.0 percent, for a blended overall interest rate of 0.40 percent.

(ii) Applicants that commit to set aside at least 80 percent of the units in the Development for persons with a Disabling Condition will qualify for a SAIL loan with an overall interest rate of 0 percent.

(iii) The ELI loan is a forgivable loan as further outlined in Exhibit H.

(2) Persons with Developmental Disabilities Demographic Commitment

(a) Requirements

Applicants that commit to serve the Persons with Developmental Disabilities will be required to make the following set aside commitments for a minimum of 50 years:

At least 50 percent of the units in the Development must consist of Permanent Supportive Housing for Persons with Developmental Disabilities as defined in Section 393.063(12), F.S.

(b) Due to the likelihood that some or all Persons with Developmental Disabilities will have Mobility Impairments now or later in their lives, Applicants that commit to this Demographic must at a minimum meet the accessibility, adaptability, universal design and visitability features requirements outlined in the RFA, ("Level 1 Accessibility Requirements").

(c) Other Grant Funding requirements are outlined in Exhibit J.

c. Applicants must write a narrative describing the Persons with a Disabling Condition population(s) and Homeless population(s) to be served; or Persons with Developmental Disabilities population(s) to be served. This information will be considered by the Corporation when reviewing and scoring how the proposed access will assist the intended residents.

3. Applicant/Developer/Management Company/Contact Person

a. Applicant

(1) State the name of the Applicant

(2) Evidence that Applicant is legally formed entity

(3) New! Only Non-Profit Applicants are eligible for funding. The definition of a Non-Profit as set out in the RFA must be met, and the documents outlined in RFA must be provided. As described in the August 24, 2021 Public Meeting Regarding Strategies for Rental Housing for Persons with Special Needs and Homeless Households, the requirements outlined in the RFA must be met:

(a) Material Participation documents required to be submitted by all Applicants

Submit the following for each non-profit entity that makes up the Applicant:

- Non-Profit Entity Material Participation Questionnaire (form Rev. 08-2021)
- Non-Profit Executive Director Certification of Material Participation form (Rev. 09-2021)

- (b) The Corporation-approved Executive Director Certification of Non-Profit Entity Qualifications Form or the Non-Profit Application Package documents required to be submitted for each Non-Profit that makes up the Non-Profit Applicant as defined in Exhibit B

The Non-Profit Application Package consists of items (i) through (iv) below. The Non-Profit Application Package for each Non-Profit entity that makes up the Non-Profit Applicant as defined in Exhibit B may be submitted as Attachment 3 to Exhibit A or through the Advance Review process described in (4) below. Applicants that submit the Non-Profit Application Package through the Advance Review process and meet all requirements will receive an approved Executive Director Certification of Non-Profit Entity Qualifications Form for the non-profit entity, which may be submitted with the Application submittal in lieu of the documentation outlined in (ii) through (iv) below.

- (i) The Executive Director Certification of Non-Profit Entity Qualifications form (Form Rev. 09-2021).
  - (ii) The IRS determination letter which demonstrate that the non-profit entity is organized under 501(c)(3) or 501(c)(4) and also has been in existence at least three years prior to the issue date of this RFA;
  - (iii) Non-Profit Bylaws or Articles of Incorporation which meets the requirements outlined in the RFA; and
  - (iv) Either the IRS Form 990 with any Form 990 supplemental information provided to the IRS which meets the requirements outlined in the RFA or, if the non-profit entity has received an exemption from filing Form 990 from the IRS, the FHFC Certification of IRS Form 990 Exemption Form (Rev. 09-2021), signed by the Executive Director of the non-profit entity, with documentation from the IRS confirming the exemption.
- (4) New! Non-Profit Application Package qualifications for each non-profit entity met during Non-Profit Advance Review Process (10 Points)

Applicants are strongly encouraged to send the Non-Profit Application Package to the email address [FHFC\\_NonProfit\\_AdvanceReview@floridahousing.org](mailto:FHFC_NonProfit_AdvanceReview@floridahousing.org) (also available by clicking here) at least eight weeks prior to the Application Deadline.

Applications will receive 10 points if the Non-Profit Application Package is submitted for **each** non-profit entity and receives an Executive Director Certification of Non-Profit Entity Qualifications Form (Rev. 09-21) that is stamped "Received" by the Corporation at least 14 Calendar Days prior to the Application Deadline AND stamped "Approved" prior to the Application Deadline. The form will only be stamped "Received" on the date all required documentation is submitted for review. If the Corporation is unable to confirm the required information in the documentation provided, the Applicant will be notified. If additional information is required, this will generate a new "Received" date.

If more than one non-profit entity makes up the Applicant structure, in order to receive 10 points each non-profit entity must participate in the Advance Review process and receive an Executive Director Certification of Non-Profit Entity Qualifications Form stamped "Received" and "Approved" as outlined above.

(5) New! Resident Community Based Services Coordination Experience Requirements

- (a) Within the Applicant entity structure, at least one natural person Principal of a Non-Profit entity within the Applicant entity structure must have experience owning and operating a minimum of two Permanent Rental or Permanent Supportive Housing developments that provides Resident Community Based Services Coordination to Persons with a Disabling Condition. To meet this requirement, Applicants will be required to provide a chart listing the properties that serve Persons with a Disabling Condition, and there must be a combined total number of units within the properties that equals no less than 50 percent of the total number of units in the proposed Development.

OR

- (b) Applicants that do not meet the requirement described in (a) above may partner with a provider of supportive services that includes Resident Community Based Services Coordination for the intended Demographic. A Non-Profit, within the Applicant entity, that meets the qualifications to provide Resident Community Based Services Coordination, pursuant to this RFA, may partner with the Applicant to provide the Development's Resident Community Based Services Coordination. The Applicant must provide the properly completed and executed Florida Housing Finance Corporation Resident Community-Based Services Coordination Provider Or Principal Of Resident Community-Based Services Coordination Provider Certification Florida Housing Finance Corporation Services Coordinator or Principal of Services Coordinator Certification form (Form \_\_\_\_-21)\*.

\* A draft of this form is available on the RFA Webpage.

Note: In credit underwriting, the provider must demonstrate it has been in business and performing services coordination for at least 5 consecutive years from the date of Application submission, and the Applicant must provide the legal contract demonstrating the partnership with the service provider for approval.

(6) New! Pre-Application Meeting Incentive (10 Points)

Having a pre-application meeting with the Corporation to answer questions about the Proposed Development will encourage Applicants to prepare early to respond to the Application. Applications will receive 10 points if the following is met:

- (a) The Pre-Application Meeting(s) must be requested on or before November 19, 2021 by sending an email to [FHFC\\_PreApp\\_Meeting@floridahousing.org](mailto:FHFC_PreApp_Meeting@floridahousing.org) with subject line of RFA 2022-103 Pre-Application Meeting. The meeting(s) must be held on or before December 31, 2021;
- (b) One initial meeting for Applicant and Developer Entities
- (c) Additional separate meetings if the Applicant is a Joint Venture Applicant
- (d) Submission of the Pre-Application Meeting for Proposed Permanent Supportive Housing Developments Form, executed by the Corporation.
- (7) Homeless Assistance Continuum of Care Requirements for All Applicants that selected the Demographic Commitment of Persons with a Disabling Condition

b. Developer Information

- (1) Name of Developer (including all co-Developers);
- (2) Evidence each Developer is a legally formed entity qualified to do business in Florida as of Application Deadline
- (3) Development Experience
  - (a) Required Developer Experience

A natural person Principal of at least one experienced Developer entity, which must be disclosed on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) outlined below, must have, since January 1, 2002 completed at least three affordable rental housing developments, at least one of which was financed utilizing low-income housing tax credits pursuant to Section 42, IRC, and completed since January 1, 2012. At least one of the three completed developments must consist of a total number of units no less than 50 percent of the total number of units in the proposed Development.

The individual meeting the General Development Experience requirements must be disclosed on the Principals of the Applicant and Developer(s) Disclosure form and must remain with the Development until the release of the operating deficit guarantee set forth in Rule 67-48.0071(18).

- (b) Prior Development Experience a Point Item in Future RFAs

The Corporation will award points for Development Experience in certain RFAs beginning with the 2022/2023 RFA Cycle if criteria described in those RFAs are met.

c. Principals of the Applicant and Developer(s) Disclosure Form

- (1) Eligibility

The Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) (“Principals Disclosure Form”) must identify the Principals of the Applicant and each Developer, pursuant to the RFA, as of the Application Deadline.

- (2) Approval during Advance Review Process (5 Points)

Applicants will receive 5 points if the uploaded Principal Disclosure Form was either (a) stamped “Approved” at least 14 Calendar Days prior to the Application Deadline; or (b) stamped “Received” by the Corporation at least 14 Calendar Days prior to the Application Deadline AND stamped “Approved” prior to the Application Deadline.

The Advance Review Process for Disclosure of Applicant and Developer Principals is available on the RFA Webpage.

- d. Name and contact information of Management Company
- e. Community-Based Board of Directors Requirement

f. Authorized Principal Representative / Operational Contact Person

The Authorized Principal Representative identified in the Application MUST be a Principal of the Applicant and MUST sign the Applicant Certification and Acknowledgement form, the Resident Community-Based Services Coordination Provider form, and the Site Control Certification form. The Operational Contact Person is optional.

4. General Proposed Development Information

a. Development Name

b. Development Category - indicate whether the proposed Development will create new housing through the Development Category of new construction or through acquisition with Substantial Rehabilitation\*.

\*For purposes of SAIL funding, Rehabilitation includes Substantial Rehabilitation.

If selecting the Development Category of New Construction, all units must be new construction without any rehabilitation.

c. Development Type (Garden, Duplexes, Quadraplexes, Mid-Rise (4, 5 or 6 stories), or High Rise (7 or more stories)).

d. Enhanced Structural Systems Construction Qualifications

To qualify as “Enhanced Structural Systems Construction” (“ESS Construction”) for purposes of the Total Development Cost Limitation calculation and Leveraging Calculation, the proposed Development must meet the ESS Construction qualifications outlined in the RFA.

e. Combination of Development Categories, Development Types, or ESS/non-ESS Construction

If the Development utilizes a combination of Development Categories, Development Types, or ESS/non-ESS Construction, for purposes of the Leveraging Classification calculation and Total Development Cost Per Unit Limitation calculation, complete the chart in Exhibit A of the RFA reflecting the appropriate breakdown. An example of the chart in the RFA

5. Location

a. New! - Applicants may only apply for funding in Medium and Large Counties

b. Provide the address of the proposed Development

c. State whether the proposed Development consists of Scattered Sites

Note: Developments are limited to three Scattered Sites.

d. Latitude/Longitude Coordinates

Provide the latitude and longitude coordinates for the Development Location Point, and all Scattered Sites, if applicable, stated in decimal degrees, rounded to at least the sixth decimal place.



- e. New! - Confirmation that the proposed Development is not located in a known flood zone or wetland area

All successful Applicants that select the Development Category of New Construction will be awarded NHTF Funding for the required NHTF Units and also any optional NHTF Units, and therefore will be required to comply with the HUD environmental requirements as provided in 24 CFR 93.301(f)(1) and (2).

Confirm that the proposed Development is not located in a known flood zone or wetland area by providing evidence dated within six months of the Application Deadline. This evidence may be in the form of printed information from the following websites confirming that the Development Location Point and, if Scattered Sites, that the provided latitude and longitude coordinates of all other sites of the proposed Development are located outside of the flood zone and wetland areas.

- Mapping software from the National Wetlands Inventory can be found at the webpage <https://www.fws.gov/wetlands/> (which is also available here).
- Mapping software from the FEMA Flood Map Service Center can be found at the webpage <https://msc.fema.gov/portal/home> (which is also available here).

The Development's location within a flood zone or wetland area is subject to further verification in credit underwriting.

Note: Applicants will not be charged a fee for the environmental review.

6. Number of Buildings and Units

a. Units

- (1) Applicants that commit to serve the Persons with a Disabling Condition Demographic Commitment:

- (a) The minimum number of units in the Development is 30.
- (b) There is no maximum number of units.

- (2) Applicants that commit to serve the Persons with Developmental Disabilities Demographic Commitment:

- (a) The minimum number of units in the Development is 30.
- (b) The maximum number of units in the Development is 60.

Note: This RFA does not include IRO Units or Shared Housing Units.

- b. If there are existing occupied units and if the Development is funded, a plan for relocation of existing tenants will be required to be provided to the Credit Underwriter, as outlined in Exhibit D.

c. Set-Aside Commitments

(1) Required Income Set-Aside Units

If the Average Income Test is not selected, at least 80 percent of the units shall be rented to households (person or persons) with incomes at or below 60 percent of the Area Median Income (AMI).

If the Average Income Test is selected, at least 80 percent of the Development's total units must be set aside at 80 percent AMI or less, but the Average AMI of the Qualifying Housing Credit Units cannot exceed 60 percent.

(2) Required ELI Commitments

If the Average Income Test is not selected, at least 15 percent of the total units must be set aside to serve Extremely Low Income (ELI) Households. Applicants that commit to serve Persons with a Disabling Condition and do not commit to the Average Income Test are eligible for ELI Loan funding for one-third of the required ELI Set-Aside units, (i.e., five percent of the total units). Applicants that commit to serve Persons with Developmental Disabilities are not eligible for ELI Loan funding. For purposes of this provision, the requirement to set aside units for ELI Households refers to the 2021 ELI Area Median Income (AMI) level for the county where the proposed Development is located outlined in the 2021 ELI AMI Level chart in the RFA.

If the Average Income Test is selected, at least 20 percent of total units must be set aside to serve ELI Households. The ELI AMI level will be 30%, regardless of county. The Applicant is not eligible for ELI Loan Funding.

(3) National Housing Trust Fund (NHTF) Units

If the Applicant committed to the Development Category of New Construction, the Applicant is required to subsidize a certain number of deep targeted units for Persons with Special Needs (NHTF Units) at 22% AMI. The number of units that must be set aside as NHTF Units is based on the County Size.

- (a) For NHTF Funding located in a Large County, four units that were committed to serving 60% AMI (or higher if an adequate amount of 60 percent units are not available) will be deemed NHTF Units;
- (b) For NHTF Funding located in a Medium County, three units that were committed to serving 60% AMI (or higher if an adequate amount of 60 percent units are not available) will be deemed NHTF Units.
- (c) Applicants will also have the option to request for additional NHTF Units at 22% AMI. The maximum number of total NHTF Units (required NHTF Units plus optional NHTF units) is the lesser of 10 NHTF Units or 10% of the total number of units in the proposed Development.
- (d) NHTF Requirements:
  - All NHTF Units will be committed to serving 22 percent AMI;
  - All NHTF Units are in addition to the requirement to set aside ELI Set-Aside units as calculated in (b) above;

- All NHTF Units must be set aside as Link units for Persons with Special Needs who are referred by a Corporation-designated Special Needs Household Referral Agency;
- All NHTF Units will be eligible for forgivable NHTF loan funding as outlined in Section Four, A.10.(a)(4) and Exhibit I of the RFA.
- After 30 years, all of the NHTF Units may convert to serve residents at or below 60 percent AMI; and
- For purposes of the Average Income Test, NHTF Units will be treated as 60 percent AMI units.

d. Unit Mix

- Units must consist of Zero, one, or two bedrooms only;
- At least 50 percent of the total units, rounded up, must be one bedroom units; and
- No more than 50 percent of the total units, rounded up, may be Zero Bedroom Units.

e. Number of residential buildings must be provided.

f. Compliance Period Requirements.

7. Readiness to Proceed

- a. A Site Control form must be submitted with site control documentation and executed by the Authorized Principal Representative.

Applicants must demonstrate site control as of Application Deadline by providing an eligible contract (effective at least through August 31, 2022), a deed, and/or a lease.

- b. The 06-20 Ability to Proceed forms (zoning, water, sewer/package treatment/septic tank) are provided on the RFA Webpage. These must be submitted with the Application.

The 08-20 Ability to Proceed forms (electricity and roads) must be submitted during credit underwriting.

Note: The 08-18 Ability to Proceed forms will not be accepted.

8. Required Construction Features

All units are expected must meet all requirements as outlined in the RFA. If the proposed Development consists of rehabilitation, the proposed Development's ability to provide all construction features will be confirmed.

- a. Federal Requirements and State Building Code Requirements

Note: Section 504 of the Rehabilitation Act of 1973 requirements are met through the Applicant's commitment to meet either the Level 1 or Level 2 requirements described in c. below.

- b. General Features

- c. Accessibility, Adaptability, Universal Design and Visitability Features

(1) Level 1 Accessibility Requirements

(2) Level 2 Accessibility Requirements

d. Required Green Building Features for all Developments

(1) Proposed Developments with the Development Category of New Construction

Proposed Developments with the Development Category of New Construction must select one of the following Green Building Certification programs: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); Enterprise Green Communities; or ICC 700 National Green Building Standard (NGBS).

(2) Proposed Developments with the Development Category of Acquisition with Rehabilitation

Applicants must choose additional Green Building options.

9. Resident Community-Based Services Coordination

The Applicant shall commit to submit a Resident Community-Based Service Coordination Plan to Florida Housing for review and approval during credit underwriting.

10. Funding

a. Corporation Funding

(1) Competitive Housing Credits

The Housing Credit Request Amount cannot exceed the applicable County Category amount stated in the following chart:

County Category	Maximum Request Amounts
Medium Counties	\$1,700,000
Large Counties	\$2,375,000

(2) SAIL must be requested by all Applicants that commit to the Persons with a Disabling Condition Demographic Commitment

The SAIL Request Amount **plus** the ELI Loan Request Amount is limited to the lesser of the following:

- (a) \$4,000,000;
- (b) 35 percent of the Total Development Cost.

(3) Eligible ELI Loan Request Amount

Applicants that commit to the Persons with a Disabling Condition Demographic Commitment and not the Average Income Test are eligible for ELI Loan funding for the required ELI Set-Aside units, not to exceed the lesser of (i) \$600,000; or (ii) the maximum amount based on the ELI Set-Aside per unit limits, as outlined in Section Four, A.6. above, for five percent of the total units (total number of units x 0.5, rounded down).

(4) Grant Funding

Applicants that select the Persons with Developmental Disabilities Demographic Commitment may request up to \$4,600,000 in grant funding. There is no additional funding for the required ELI Set-Aside Units.

(5) NHTF Loan Funding

Applicants that commit to the Development Category of New Construction will be awarded NHTF Funding for each required NHTF Unit and each optional unit, up to the maximums stated in the RFA, using the process outlined in Exhibit I of the RFA

b. Developer Fee / General Contractor Fee/Operating Deficit Reserve

(1) Developer fee

The Developer Fee is limited to 16 percent of the Development Cost; however, the Corporation will allow Applicants to provide a Developer Fee up to 21 percent of the Development Cost to be stated on the Development Cost Pro Forma, with up to 5 percent of the Development Cost placed in an operating deficit reserve account to be held by the Corporation or its servicer.

(2) General Contractor fee shall be limited to 14 percent of actual construction cost.

c. Completing the Development Cost Pro Forma

d. Qualifying Financial Assistance Funding Preference

To qualify for the Qualifying Financial Assistance Preference, the Applicant must meet one of the following requirements:

(1) Cash Funding equals at least 3 percent of the Applicant's Eligible SAIL Request Amount

(2) Donation of Land by a Local Government

If the Applicant qualifies for this preference through the donation of land and is awarded funding under this RFA, the Applicant will not receive any Corporation funding in excess of the allowable costs outlined in the RFA towards the cost of the land.

Note: In-kind donations, waivers of any fees, and any funding from the Corporation are not considered Qualifying Financial Assistance, although they can be used to help reduce costs in the construction of the proposed Development.

e. Per Unit Construction Funding Preference

f. New - Principal of the Applicant is a Public Housing Authority and/or an instrumentality of a Public Housing Authority

Applicants may qualify for an "Add-On Bonus" used in the Total Development Cost Per Unit Base Limitation calculation described in Section Five and in Item 1 of Exhibit C of the RFA, and the PHA Add-On used in the Leveraging Calculation described in Item 2 of Exhibit C if either (i) the Applicant has entered into a land lease with a Public Housing Authority on property where the proposed Development is to be located and the property has an existing Declaration of Trust between the

Public Housing Authority and HUD; or (ii) the Applicant is associated with a Public Housing Authority and/or an instrumentality of a Public Housing Authority in the ownership structure.

- g. Allowances for Higher Costs of Enhanced Safety and Accessibility Features
- h. Total Development Cost Per Unit Limitation

### **Narrative Scoring**

The following narrative section allows for Applicants to provide detailed responses about the Development. Each response must address the specific criteria identified in the corresponding description. When scoring narrative responses, Florida Housing will only consider the written responses provided in Exhibit A. When assigning points for each narrative section, only the narrative for that particular requirement will be considered. Information in other narrative sections will not be considered. It is recommended to account for all criteria for each response, even if it requires repeating information in multiple narrative responses.

1. Operating/Managing Experience (Maximum of 45 points)
2. Access to Community-Based Services and Resources (Maximum 55 Points)
  - a. Access to community-based general services such as shopping for groceries, medicine, clothing, and other household and personal items (Up to 20 Points)
  - b. Access to community-based services and resources that address tenants' physical health, behavioral health and wellness, and self-sufficiency services and activities that can lead to stable and integrated lives in their community (Up to 35 Points)
3. Assist Intended Residents in Meeting their Housing Stability and Self-Sufficiency Needs, Goals and Expectations
  - a. Permanent Housing Stability (Up to 10 points)
  - b. Self-Sufficiency (Up to 10 points)

### **Selection Process**

1. Eligibility Requirements
2. Sorting Order
  - a. First, by Managing Permanent Supportive Housing Experience points;
  - b. Next, by the Application's Leveraging Classification, with Applications having a lower amount of total Corporation funding per Set-Aside Unit above those with a higher amount of total Corporation funding per Set-Aside Unit;
  - c. Next, by the Application's eligibility for the Qualifying Financial Assistance Funding Preference;
  - d. Next, by the Per Unit Construction Funding Preference;
  - e. By the Application's eligibility for the Florida Job Creation Funding Preference; and
  - f. By lottery number, resulting in the lowest lottery number receiving preference.

3. Goals

The Corporation has a goal to fund one Development that selected the Demographic Commitment of Persons with Developmental Disabilities Demographic Commitment.

4. County Award Tally

5. Funding Selection Process

**Exhibits to RFA**

Exhibit A – Application

Exhibit B – Definitions used in RFA that are not defined in Rule

Exhibit C – Additional Information

1. Total Development Cost Per Unit Limitation methodology used in credit underwriting and final cost certification
2. New! - Leveraging Classification has been revised to include a breakdown of multiple Development Types
3. Florida Job Creation Funding Preference
4. Fees
5. Additional Requirements

Exhibit D – Timeline

Exhibit E – Intentionally Omitted for this RFA

Exhibit F – Rehabilitation Scoping Process with a Capital Needs Assessment

Exhibit G - Tenant Application and Selection Requirements

Exhibit H – Credit Underwriting Procedures for the ELI Loan

Exhibit I – Credit Underwriting Procedures for the NHTF Forgivable Loan

Exhibit J – Credit Underwriting Procedures for the Grant Award

**Other Important Information**

1. Public comment link on each RFA Webpage for viewing and submitting public comments
2. Question and Answers process outlined in Section Three, D. of the RFA

**Expected Timeline**

<i>Issue RFA</i>	<i>November 4, 2021</i>
<i>RFA Due Date</i>	<i>February 17, 2022</i>
<i>Review Committee Meeting (make recommendations to Board)</i>	<i>March 30, 2022</i>
<i>Request Board Approval of Recommendations</i>	<i>Early Spring 2022</i>

**FLORIDA HOUSING FINANCE CORPORATION**  
**CERTIFICATION OF IRS FORM 990 EXEMPTION**

Name of Non-Profit Entity: \_\_\_\_\_

The above-referenced non-profit entity (1) has received an IRS form 990 filing exemption from the IRS, as evidenced in the attached documentation from the IRS; and (2) meets the following requirements:

- (a) The organization has a written conflict of interest policy;
- (b) Officers, directors, or trustees, and key employees are required to disclose annually interests that could give rise to conflicts;
- (c) The organization regularly and consistently monitors and enforces compliance with the policy;
- (d) The organization has a written whistleblower policy; and
- (e) The process for determining compensation of the following persons includes a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision:
  - The organization's CEO, Executive Director, or top management official; and
  - Other officers or key employees of the organization

**CERTIFICATION BY THE EXECUTIVE DIRECTOR<sup>1</sup> OF THE ABOVE-REFERENCED NON-PROFIT ENTITY:**

I certify that the above information is true and correct.

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Print or Type Name of Executive Director

In order for this form to be considered complete, it must be signed by the Executive Director of the non-profit entity, and documentation from the IRS confirming the non-profit entity is exempt from filing a IRS form 990 must be attached.

<sup>1</sup> If the NP Entity does not have a position called Executive Director, the individual that is comparable to an Executive Director (e.g., President, Chief Executive Officer, etc.) will be considered the Executive Director. This individual must be identified on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) as the Executive Director of the NP Entity.



To be completed by FHFC Staff for Advance Review only:

Date all required documentation in A through C below was received by the Corporation: \_\_\_\_\_

Date Approved by the Corporation: \_\_\_\_\_

Staff Initials: \_\_\_\_\_

FLORIDA HOUSING FINANCE CORPORATION

EXECUTIVE DIRECTOR CERTIFICATION OF NON-PROFIT ENTITY QUALIFICATIONS FORM

Name of non-profit entity: \_\_\_\_\_  
Name of Contact Person: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Attach the documentation outlined in A through C below:

**A. The most recent IRS Form 990, along with any Form 990 supplemental information provided to the IRS. In the Form 990 the answers to the questions listed below and found under Part VI, Governance, Management, and Disclosure, Section B. Policies, must be answered as YES, and where specified below, described in Schedule O.**

**OR**

**If the IRS has issued an exemption of Form 990 to the non-profit entity, attach the FHFC Certification of Form 990 Exemption Form (Rev. 09-2021) and the IRS exemption letter.**

11a.	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?
11b.	Describe in Schedule O the process, if any, used by the organization to review this Form 990. MUST BE FILLED OUT IN SCHEDULE O OF FORM 990 AND PROVIDED TO FHFC WITH FORM 990
12a.	Did the organization have a written conflict of interest policy?
12b.	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?
12c.	Did the organization regularly and consistently monitor and enforce compliance with the policy? Describe in Schedule O how this was done. MUST BE FILLED OUT IN SCHEDULE O OF FORM 990 AND BE PROVIDED WITH FORM 990
13	Did the organization have a written whistleblower policy?
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision? DESCRIPTIONS OF EACH MUST BE INCLUDED IN SCHEDULE O OF FORM 990 AND THE DESCRIPTION INCLUDED IN SCHEDULE O MUST BE PROVIDED WITH FORM 990
15a.	The organization's CEO, Executive Director, or top management official
15b.	Other officers or key employees of the organization

**B. Non-Profit Bylaws and/or Articles of Incorporation, one of which must include the information outlined below. When submitting the Non-Profit Bylaws and/or Articles of Incorporation, the Applicant must include the entire document, including any subsequent amendments.**

Indicate, in the space provided, the applicable document and section wherein the information is found.

	Section of document where requirement can be found:
The role and responsibilities of the board of directors;	
The number of members that are part of the board;	

<p>The bylaws or articles of incorporation must state one of the purposes of the Non-Profit is to foster low-income housing. This requirement may be met with the most recent IRS form 990, if the form 990 states that one of the purposes of the Non-Profit is to foster low-income housing.</p> <p>If this requirement is stated in the IRS form 990, state the Section of the form where this information can be found.</p>	
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<p><b>C. The IRS determination letter for the Non-Profit Entity</b></p>	<p><b>Date of letter</b></p>
<p>The letter must confirm the Non-Profit is considered a Non-Profit under subsection 501(c)(3) or 501(c)(4) of the IRC, and that the non-profit entity has been in existence at least three years prior to the Application Deadline for the applicable RFA.</p>	

**D. By signing and submitting this form, the Executive Director of the non-profit entity certifies to the following:**

<p>At least 51% of the Board of Directors include members of the community with backgrounds in various disciplines useful to the oversight of the Non-Profit;</p>
<p>No member of the Board of Directors is, or will be, related by family to each other or to compensated members of the NP Entity's management or staff, and no more than 20% of the Board of Directors will be related by business relationships;</p>
<p>The Board of Directors will include members or representatives of the population(s) being served by the Non-Profit;</p>
<p>The Board of Directors holds, or will hold, at least 4 Board meetings annually;</p>
<p>The Board of Directors has an adopted conflict of interest policy that applies to both the Board and staff;</p>
<p>No member of the Board of Directors receives compensation for serving on the board;</p>
<p>If the NP Entity was formed by a parent entity (such as a bank or a for profit development company), no staff or principal of said parent entity that is a developer of affordable housing serves on the Board of Directors;</p>
<p>Private interests of any board member or staff will not be furthered by the work of the Non-Profit (e.g., real property sales or management contracts), no part of the Non-Profit's net earnings will inure, directly or indirectly, to the benefit of any private member, staff or board member; and</p>
<p>The NP Entity is not affiliated with, or controlled by, a for profit organization.</p>

Signature of Executive Director:

Date signed:

**This form, if stamped "approved" by the Corporation, may be submitted with the Applicant's RFA Application submission in lieu of the documentation outlined above, provided it meets the requirements outlined in the applicable RFA.**

**If the Applicant did not participate in the Advance Review process or this form was not stamped "approved" by the Corporation, this form and all attachments thereto must be submitted with the Application submission and must meet the requirements of the RFA.**

## FLORIDA HOUSING FINANCE CORPORATION

NON-PROFIT ENTITY MATERIAL PARTICIPATION IN PERMANENT SUPPORTIVE HOUSING  
QUESTIONNAIRE

The purpose of this form is to show the roles of each entity and more specifically how the Non-Profit entities will participate materially across financial, development and asset management responsibilities. A separate form must be used for each Non-Profit entity.

Name of Non-Profit entity: \_\_\_\_\_

1. Is this a Joint Venture with another entity (whether non-profit or for profit) and if so, will the joint venture be turn-key or long term?
2. Provide the percentage of ownership the Non-Profit entity will hold in the proposed Development.
3. Describe the division of Developer fees and cash flow. What percentage of the Developer fee will be paid to the Non-Profit entity?
4. Describe how the Non-Profit entity will materially participate in the proposed Development. As set forth in Section 42 of the IRC, and as defined in Section 469(h) of the IRC, a non-profit entity shall be treated as materially participating in an activity only if the entity is involved in the operations of the activity on a basis which is regular, continuous, and substantial.
5. Briefly describe the following as it pertains to the Non-Profit entity:
  - Developer experience
  - Property (land)
  - Access to local government funding
  - Local Government/other relationships
  - Access to supportive services
  - Financial strength
6. Will the Non-Profit entity participate in the procurement of pre-development funding, construction financing, and operations funding? Explain.
7. Will the Non-Profit entity be involved in the financial decision affecting guarantees during construction? Explain.
8. How will the Non-Profit entity be involved in project management during the construction phase?
9. How will the Non-Profit entity be involved in the management of community/political relationships?
10. Describe how the Non-Profit entity will be involved in the operations and management decisions, including:
  - Tenant leasing, including income targeting and mitigating barriers to entry
  - Marketing the property through relationships with the community

**FLORIDA HOUSING FINANCE CORPORATION**  
**NON-PROFIT EXECUTIVE DIRECTOR CERTIFICATION OF MATERIAL**  
**PARTICIPATION**

Name of Non-Profit Entity: \_\_\_\_\_

Name of Proposed Development: \_\_\_\_\_

The undersigned, as Executive Director<sup>1</sup> of the above referenced non-profit entity (“NP Entity”), certifies that the NP Entity will substantially and materially participate in the predevelopment, management, and operation of the proposed Development throughout the compliance period, within the meaning of material participation as defined in 26 USC §469, 26 USC §42, and the applicable Request for Applications (“RFA”).

The NP Entity will (a) be regularly, continuously, and substantially involved in providing services integral to the development and operation of the proposed Development; and (b) ensure such involvement is maintained throughout the calendar year.

\_\_\_\_\_  
Name of Executive Director

\_\_\_\_\_  
Signature of Executive Director

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
<sup>1</sup> If the NP Entity does not have a position called Executive Director, the individual that is comparable to an Executive Director (e.g., President, Chief Executive Officer, etc.) will be considered the Executive Director. This individual must be identified on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) as the Executive Director of the NP Entity.