

Florida Housing Finance Corporation
RFA 2022-205 SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with
Tax-Exempt Bonds and Non-Competitive Housing Credits Workshop Agenda
October 13, 2022, 2:00 p.m., Eastern Time

Workshop is held via webinar and in-person at Florida Housing at 227 N. Bronough Street, Tallahassee, FL 32301
To attend the workshop via webinar, registration is required.

Registration information is available on RFA Webpage¹

Overview

- A. Introductions
- B. Purpose of RFA

The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing's proposed RFA 2022-205 SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bonds and Non-Competitive Housing Credits.

Funding available

- A. Estimated total SAIL funding amount of \$49,504,605, to be divided as follows:

- 1. Demographic Funding Available:

- \$18,643,493 of Elderly funding (Demographic Commitment of Elderly ALF or Non-ALF)
- \$30,861,112 of Family funding (Demographic Commitment of Family)

Up to a maximum of \$15,430,556 of the Family funding (50% of the total) shall be reserved for Applicants that demonstrate self-financed sources and meet additional Application criteria set forth in Section Four, A.3.a.(1)(b) below. ("Self-Sourced Applicants")

\$15,430,556 of the Family funding (50% of the total) shall be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants.

- 2. Geographic Funding Available:

- \$25,890,908 for Large Counties
- \$18,663,236 for Medium Counties
- \$4,950,461 for Small Counties

- B. ELI Loan for Extremely Low Income (ELI) Set-Aside units:

New! Higher maximum amount

Applicants that are not committing to the Average Income Test are required to commit 10% of the total units as ELI Set-Aside Units. Applicants that are committing to the Average Income Test are required to commit 15% of the total units as ELI Set-Aside Units. Applications may be eligible for up to \$750,000 in ELI loan funding as described in 10.b.below and also in Section Four A.6.c.(2)(b) of the RFA.

¹ References to the RFA Webpage refer to <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-205> which can be accessed [here](#).

C. National Housing Trust Funds (NHTF)

New! All Applicants proposing the Development Category of New Construction or Redevelopment will be required to a certain number of 22% units.

A total of \$18,552,000 in NHTF Funding will be made available to Applicants proposing the Development Category of New Construction or Redevelopment (with or without Acquisition). The requirements for 22% Units are outlined in the RFA and 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, Non-Profit Applicants will not be charged a fee for the environmental review.

Applicants that are not eligible for NHTF Funding due to requirements such as the HUD environmental requirements as provided in 24 CFR 93.301(f)(1) and (2) may instead be awarded an equivalent amount of funding through Home Investment Partnerships Program (HOME) From The American Rescue Plan Act (HOME-ARP). Although the HUD environmental requirements provided in 24 CFR 93.301(f)(1) and (2) do not apply; however, all HOME-ARP requirements would apply such as how the units must be used for Qualifying Populations, the HUD environmental requirements provided in 24 CFR Part 92 and 24 CFR Part 58, AND Davis-Bacon requirements apply, if there are at least twelve 22% Units.

D. Tax-Exempt Bond Financing and 4 Percent Non-Competitive Housing Credits

All proposed Developments must use the SAIL funding offered under this RFA in conjunction with Tax-Exempt Bonds and 4% (Non-Competitive) Housing Credits.

The Applicant must apply for the following as a part of its SAIL RFA Application submission:

1. Corporation-issued Multifamily Mortgage Revenue Bonds (MMRB) and 4% Housing Credits (HC); or
2. 4% HC, to be used with Non-Corporation-issued Tax-Exempt Bonds

Note: Pursuant to subsection 67-21.003(11), F.A.C., the withdrawal by the Applicant from any one program will be deemed by the Corporation to be a withdrawal of the Application from all programs.

Outline of RFA

A. Section One – Introduction

B. Section Two – Definitions

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

C. Submission Requirements and Financial Arrears

1. Submission Requirements

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. 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. Review of Attachments

The Corporation will not review the substance of the documentation that is submitted as Attachments to this RFA during the Review Committee scoring process unless there is a reason to believe that any of the documents have been improperly executed. During Review Committee scoring, the Corporation will rely on the answers submitted by the Applicant in Exhibit A, the Development Cost Pro Forma, and the Principal Disclosure Form to determine whether an Applicant has met the requirements of this RFA. Additionally, the Corporation has no authority to, and will not, evaluate the validity or enforceability of any eligible site control documentation. If it is determined that the Attachments do not meet the RFA requirements, the Application may be deemed ineligible, and/or the Corporation may rescind the award, and all Principals of the Application may be subject to material misrepresentation, even if the Application was not selected for funding, was deemed ineligible, or was withdrawn.

2. Demographic Commitment

- a. The Demographic Commitment may be Family and Elderly (ALF or non-ALF). Note: Self-Sourced Applicants must select the Family Demographic Commitment.
- b. Veteran Preference in Elderly (ALF or Non-ALF) Developments in Medium and Large Counties

As defined in Exhibit B, a Veteran is a person who served in the active military, naval, or air service and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. To qualify for the Veteran Preference in Elderly Developments, commit to offer a preference to Veterans on occupancy applications and waitlists throughout the Compliance Period with a goal of at least five percent of the units in the Development being occupied by one or more Veterans.

Veteran Households that meet the Link Units or other AMI Set-Aside requirements will also count towards the goal of at least five percent of the units in the Development being occupied by one or more Veterans.

3. Applicant/Developer/Management Company/Contact Person

a. Applicant

- (1) State the name of the Applicant and whether the Applicant is a Self-Sourced Applicant. A summary of all criteria for Self-Sourced Applicants is in Section Four, A.3.a.(1)(b) of the RFA.
- (2) Evidence that Applicant is legally formed entity
- (3) If applying as a Non-Profit, the Applicant must meet the definition of a Non-Profit as set out in Rule 67-48, F.A.C., and provide documents outlined in RFA.

NEW! Demonstration of how the Non-Profit entity is materially substantially and materially participate in the predevelopment, management, and operation of the proposed Development (throughout the Compliance period, within the meaning of the material participation as defined in 26 USC §469, 26 USC §42, by submitting the Executive Director Certification of Non-Profit Entity Material Participation form (Rev. 09-22);

The Applicant's Non-Profit status will be verified during credit underwriting. If this cannot be verified, the Applicant will no longer be considered a Non-Profit Applicant.

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) 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 one multifamily rental housing development that consists 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 Developer Experience requirements must be disclosed on the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 05-2019) and must remain with the Development until the release of the operating deficit guarantee set forth in subsection 67-48.0072(18), F.A.C.

(b) The Withdrawal Disincentive

Withdrawal Disincentive points will not be awarded to Applicants this year.

Self-Sourced Applicants and Developers are on notice that any Self-Sourced Application submitted in this RFA from a Self-Sourced Applicant that is withdrawn any time subsequent to the Application Deadline but on or before the issuance of the Preliminary Determination Certificate and payment of the Administrative fee will (if the future RFA so provides) result in

a point reduction in the scoring of Developer experience in future Applications in which the Developer, Co-Developer or any Principal of the Developer(s) named in the Developer section of the Principals of the Applicant and Developer(s) Disclosure Form of the withdrawn Application is named for purposes of satisfying the Developer experience requirement in the future Application.

- (c) Reduction in number of Priority I Application submissions allowed in the Future Corresponding 2024/2025 RFA cycle

Applicants must close on the limited partnership agreement and, if applicable, Corporation funding and construction funding by the closing deadlines in Rule Chapter 67-48, F.A.C.. If the Application fails to meet these requirements and either requires extensions or withdraws from funding, the Principals of the Application will have a reduction in the number of Priority I Application submissions allowed in the Future Corresponding 2024/2025 RFA cycle.

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

(1) Eligibility

The Principals Disclosure Form must identify the Principals of the Applicant and each Developer, pursuant to the RFA, as of the Application Deadline. Per subsection 67-48.002(94), F.A.C., any Principal other than a natural person must be a legally formed entity as of the Application Deadline.

The investor limited partner of an Applicant limited partnership, or the investor member of an Applicant limited liability company must be identified.

(2) 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.

(3) NEW! Designation of Priority I and II Applications

- (a) Limitation on number of Priority I Related Applications that can be submitted is limited to the lesser of the following:

- (i) Principals of Applications that received a funding commitment through the 2022 CHIRP ITP

Principals of Applications that received a funding commitment through the 2022 Construction Housing Inflation Response Program (CHIRP) Invitation to Participate (ITP) may have limitations on the number of Priority I Applications to be submitted in this RFA.

The 2022/2023 Priority I Application Limitation Chart, effective December 20, 2022 reflecting Priority I Related Application limitations of each Principal of each Application

that was awarded funding in the 2022 CHIRP ITP is available on the RFA Webpage. The 2022 CHIRP ITP outlines the methodology used for determining the limitation on the number of Priority I Related Applications and is also available on the 2022 CHIRP ITP Webpage <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2022/2022-chirp> (also available by clicking [here](#)).

- (ii) Principals of Applications in this RFA that are not subject to the limitations set forth in (i) above are limited to three Priority I Related Application submissions in this RFA.

(b) Increase in the number of Priority I Application submissions

If a Principal of at least one Application in this RFA was also a Principal of at least one Application awarded funding in RFA 2020-205 that meets ALL of the following conditions, the Principal is eligible to submit one additional Priority I Related Application beyond the limit of Priority I Applications set forth in (a) above:

- The Application must closed on the limited partnership agreement and, if applicable, construction funding prior to April 29, 2022; and
- The Application was not the subject of an award in 2022 CHIRP ITP.

For example, if a Principal of an Application in the 2022 CHIRP ITP was limited to submitting one Priority I Related Application in this RFA per paragraph (a)(i) above, and the same Principal was also Principal of two Applications, at least one of which meets all of the criteria in paragraph (b), that Principal is limited to two Priority I Related Application submissions in this RFA: one Priority I Related Application under paragraph (a)(i) above, and one additional Priority I Related Application.

d. Management Company Information

- (1) Contact information on Management Company
- (2) Required General Management Company experience

The Management Company or a principal of the Management Company must have completed at least two affordable rental housing properties, at least one of which consists of a total number of units no less than 50 percent of the total number of units in the proposed Development, for at least two years each.

e. Authorized Principal Representative / Operational Contact Person

The Authorized Principal Representative (a) must be a natural person Principal of the Applicant listed on the Principal Disclosure Form; (b) must have signature authority to bind the Applicant entity; (c) must sign the Applicant Certification and Acknowledgement section of Exhibit A; and (d) if funded, will be the recipient of all future documentation that requires a signature. The Operational Contact Person is optional.

4. General Proposed Development Information

a. Development Name

b. Development Category

- (1) The Development Categories are New Construction*, Rehabilitation**, Acquisition and Rehabilitation**, Redevelopment, Acquisition and Redevelopment.

If the Development Category of New Construction or Redevelopment (with or without Acquisition) is selected, the proposed Development must consist entirely of new construction and rehabilitation of existing units will not be allowed.

*Self-Sourced Applicants must commit to the New Construction Development Category.

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

- (2) The Development Category qualifications are outlined in each RFA. This includes a description of the Development Category Qualification Letter that is required of all Developments with the Development Category of Redevelopment (with or without Acquisition).

- (3) Rental Assistance (RA) Level Classification

The total number of units that will receive rental assistance (i.e., PBRA and/or ACC) will be the basis of the Applicant's RA Level Classification.

c. Characteristics of a Development

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

Note: Any dwelling unit that consists of more than one story, (e.g. Townhouse), is prohibited. A residential building that consists of more than one story is not prohibited if there is a minimum of one elevator per residential building provided for all units that are located on a floor higher than the first floor.

- (2) 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 and ESS Construction Funding Preference, the proposed Development must meet the ESS Construction qualifications outlined in the RFA.

d. Breakdown of number of units

Complete the chart in Exhibit A reflecting the number of units for each of the Development Categories, Development Types, or ESS/non-ESS Construction, for purposes of the Total Development Cost Per Unit Limitation calculation and the Leveraging Calculation.

All units of proposed Developments that are either (i) Self-Sourced Applications or (ii) Non-Self-Sourced Applications that select the Development Category of either New Construction or Redevelopment (with or without Acquisition), must be new construction without any rehabilitation.

5. Location

- a. County
- b. Provide the address
- c. State whether the Development consists of Scattered Sites
- d. Provide latitude and longitude coordinates for the Development Location Point and, if applicable, the Scattered Sites, stated in decimal degrees to at least six decimal places.
- e. Proximity Eligibility Requirements and Proximity Preferences

The Community Services that are available to all Demographics are Grocery Store, Medical Facility, Pharmacy, and Public School; however, **only three of the four Community Services may be selected for each Application**, for a maximum 4 Points for each service.

Proximity Eligibility Requirements

All Large County Applications must achieve a minimum number of points for Transit Services. All Applications must achieve a minimum number of total proximity points to be eligible for funding.

Proximity Funding Preference Qualifications

All Applications may also qualify for the Proximity Funding Preference.

Application Qualifications	If Eligible for PHA or RD Proximity Point Boost, Required Minimum Transit Service Points that Must be Achieved to be Eligible for Funding	If NOT Eligible for PHA or RD Proximity Point Boost, Required Minimum Transit Service Points that Must be Achieved to be Eligible for Funding	Required Minimum Total Proximity Points that Must be Achieved to be Eligible for Funding	Minimum Total Proximity Points that Must be Achieved to Receive the Proximity Funding Preference
Large County Applications	1.5	2.0	10.5	12.5 or more
Medium County Applications	Qualifies automatically	Qualifies automatically	7.0	9.0 or more
Small County Applications	Qualifies automatically	Qualifies automatically	4.0	6.0 or more

- f. **NEW!** - Mandatory Distance Requirement for Small and Medium Counties only

To meet the Mandatory Distance Requirement automatically, select the Development Category of Rehabilitation or Redevelopment (with or without acquisition), in addition to the other criteria outlined in the RFA.

Applications that are not eligible for automatic qualification will only qualify if the distance between the Development Location Point, and the latitude and longitude coordinates provided for any Scattered Sites, if applicable, to the coordinates for the other properties identified on the 2022 FHFC Development Proximity List that serve the same demographic group as the proposed Development are at least the distance stated below.

	Distance between the proposed Development and Developments on the List if the Development on the Proximity List has <u>at least</u> 31 Total Units	Distance between the proposed Development and Developments on the List if the Development on the Proximity List has <u>less than</u> 31 Total Units
All Small Counties	2.0 miles	1.0 miles
All Medium Counties	1.0 miles	N/A

The 2022 FHFC Development Proximity List has been posted to the RFA Webpage.

6. Number of Buildings and Units

a. Number of Units

Note: All Buildings must consist of at least five units per building. This will be confirmed in credit underwriting.

All proposed Developments must consist of a minimum of 30 total units.

(1) Elderly Non-ALF Developments

(a) There is no total unit limitation for proposed Developments with the Development Category of Rehabilitation, with or without Acquisition, of an existing, occupied housing facility that is operating as housing for older persons as set forth in the Federal Fair Housing Act as of the Application Deadline.

(b) Proposed Developments that do not meet the conditions in (a) above that are located in Columbia County may consist of up to 55 total units. Proposed Developments that do not meet the conditions in (a) above that are located in Miami-Dade County and Broward County may consist of up to 200 total units. Proposed Developments that do not meet the conditions in (a) above that are located in all other counties may consist of up to 160 total units.

(2) Elderly ALF Developments that are located in Columbia County may consist of up to 55 total units. All other Elderly ALF Developments with a Demographic Commitment of Elderly ALF cannot exceed 125 total units.

(3) Family Developments

Proposed Developments with a Development Category of New Construction or Redevelopment, with or without Acquisition that are requesting Corporation-issued MMRB cannot exceed a maximum of 300 total units.

b. Breakdown of number of units that are new construction or rehabilitation

If the Development Category of New Construction or Redevelopment (with or without Acquisition) is selected, the proposed Development must consist entirely of new construction and rehabilitation of existing units will not be allowed. If the Development Category of Rehabilitation (with or without Acquisition) is selected, the proposed Development may consist of either (A) 100 percent Rehabilitation; or (B) a combination of new construction and Rehabilitation if less than 50 percent of the total units are new construction.

- c. If the Development Category is Rehabilitation, with or without Acquisition, indicate whether there are any existing units on the Development site as of Application Deadline, and if so, the occupancy status of such units.
- d. Set-Aside Commitments
 - (1) Total Income Set-Aside Units
 - (a) For Demographic Commitment of Family, Elderly Non-ALF– at least 80 percent of the total units must be set aside at 60 percent AMI or less.
 - (b) Average Income Test - at least 80 percent of the total units must be set-aside at 80% AMI or less; however, the average AMI of ALL of the Set-Aside Units must be at or below 60% AMI.
 - (c) For Demographic Commitment of Elderly ALF – at least 50 percent of the total units must be set aside at 60 percent AMI or less.
 - (2) Extremely Low Income (ELI) Set-Aside Units

ELI Set-Aside Unit Requirements for proposed Developments from Non-Self-Sourced Applicants

If the Average Income Test is not selected, the Applicant must set aside at least 10 percent of total units for ELI Households. The AMI for each county has been provided in the RFA.

If the Average Income Test is selected, the Applicant must set aside at least 15 percent of total units for ELI Households. The ELI units must be set aside at 30% AMI and below.

Set-Aside Unit Requirements for Self-Sourced Applicants that did not select the Average Income Test

If the Average Income Test is not selected, the Applicant must set aside at least five percent of the total units below 50 percent AMI. None of these units are required to be set aside for ELI Households; however, the Applicant will qualify for ELI Loan Funding if units are set aside for ELI Households (“ELI Set-Aside Units”) at the applicable county AMI provided in the RFA.

Set-Aside Unit Requirements for Self-Sourced Applicants that did selected the Average Income Test

If the Average Income Test is selected, the Applicant must set aside at least five percent of the total units below 50 percent AMI. Applicants will only qualify for ELI Loan Funding if units are set aside for ELI Households at 30 percent AMI or below (“ELI Set-Aside Units”), in addition to the five percent of the total units set aside below 50 percent AMI.

- (3) Link units for Persons with Special Needs

With the exception of Developments financed with HUD Section 811 or United States Department of Agriculture RD program, and Applicants that select the Elderly ALF Demographic Commitment, all Developments must commit to set-aside 50 percent of the ELI Set-Aside units, rounded up, as Link Units for Persons with Special Needs.

Note: The Tenant Selection Plan information has been clarified.

With the exception of Developments financed with HUD Section 811, a United States Department of Agriculture RD program, and Applicants that select the Elderly ALF Demographic Commitment, the Tenant Selection Plan, as explained in Exhibit G, shall be submitted by the owner to the Corporation for approval within 21 Calendar Days of the date of the invitation to enter credit underwriting. The waiting list section of the Tenant Selection Plan shall establish selection preferences or a section for special admissions specifically for individuals or families who are referred by a designated Referral Agency.

If a Development has a Housing Assistance Payment and/or an Annual Contributions Contract with HUD, the Tenant Selection Plan must be sent to the Corporation for preliminary approval before sending to HUD. Note: HUD approval may take several months. HUD approval shall be demonstrated to the Corporation prior to the completion of the final credit underwriting report.

(4) National Housing Trust Fund (NHTF) Units

In addition to the SAIL funding, ELI gap loan funding, non-competitive Housing Credits, and bond funding, \$18,552,000 in NHTF Funding will be made available to Applicants committing to the Development Category of New Construction or Redevelopment (with or without acquisition) and the following 22% Unit requirements must be met as further outlined in the RFA:

- (a) If the proposed Development is located in a Large County, five units that were committed to serving 60% AMI will be deemed 22% Units;
- (b) If the proposed Development is located in a Small or Medium County, three units that were committed to serving 60% AMI will be deemed 22% Units;
- (c) 22% Units will be committed to serving 22% AMI;
- (d) 22% 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;
- (e) After 30 years, all of the 22% Units may convert to serve residents at or below 60 percent AMI; and
- (f) For purposes of the Average Income Test, 22% Units will be treated as 60 percent AMI units.

Note: Examples of the options for Set-Asides are provided in Section Four, A.6.d. of the RFA.

e. Unit Mix requirements

Unit Mix requirements outlined in RFA are based on Demographic Commitment.

f. Number of residential buildings must be provided.

Note: All Buildings must consist of at least five units per building.

g. Compliance Period - All Applicants are required to set aside the units for 50 years. Points will be awarded to Self-Sourced Applicants based on the following chart:

Number of years that Self-Sourced Applicant is committing to waive the option to convert	Points Awarded
50 or more	4
40-49	3
30-39	2
20-29	1

Any non-Self-Sourced Applicant is knowingly, voluntarily and irrevocably committing to waive the option to convert after year 14.

7. Readiness to Proceed

- a. A Site Control form is no longer required. Site control documentation must be submitted with the Application.

Applicants must demonstrate site control as of Application Deadline by providing an eligible contract (effective at least through June 30, 2023), a deed, and/or a lease. For Developments with an existing Declaration of Trust between a Public Housing Authority and HUD, provide an Option to Enter into a Ground Lease Agreement (“eligible agreement”) between the Applicant and the owner of the property.

- b. NEW! Ability to Proceed forms

- (1) NEW! Zoning and Infrastructure

The Ability to Proceed forms demonstrating zoning, water, sewer/package treatment/septic tank have been revised. The 07-2022 forms are provided on the RFA Webpage. These must be submitted with the Application and dated within 12 months of the Application Deadline.

- (2) NEW! Status of Site Plan/Plat Approval

Demonstrate the status of site plan or plat approval as of the Application Deadline, for the entire proposed Development site, by providing the applicable properly completed and executed verification Site Plan Approval/Plat Approval form (Form Rev. 07-2022).

- (3) NEW! Environmental Site Assessment

Demonstrate that a Phase I Environmental Site Assessment (ESA), and if required or recommended, a Phase II ESA, have been performed on or before the Application Deadline for the entire proposed Development site by providing the applicable environmental form(s) (Form Rev. 07-2022).

If the proposed Development consists of Scattered Sites, the Applicant must provide the appropriate evidence that a Phase I ESA and, if applicable, a Phase II ESA, has been performed for all of the Scattered Sites.

- (4) Electricity and Roads

The Ability to Proceed forms demonstrating electricity and roads were not updated and the 08-2020 forms will continue to be submitted during credit underwriting.

8. Construction Features

Proposed Developments with the Development Category of New Construction or Redevelopment, with or without Acquisition, must select one of the Green Building Certification programs. Proposed Developments with a Development Category of Rehabilitation, with or without Acquisition, must select enough additional Green Building features in Exhibit A so that the total point value of the features selected equals at least 10 points. All Developments that involve any rehabilitation that are awarded funding will be required to do the Capital Needs Assessment process (Exhibit F).

9. Resident Programs

- a. If the Family Demographic is selected, provide at least three of the resident programs: After School Program, Adult Literacy, Employment Assistance Program, Family Support Coordinator, Financial Management Program.
- b. If the Elderly Demographic (ALF or Non-ALF) is selected, provide at least three of the resident programs, in addition to the required resident programs outlined in the RFA: Adult Literacy, Computer Training, Daily Activities, Assistance with Light Housekeeping/Grocery Shopping/Laundry, Resident Assurance Check-In Program.

10. Funding

a. SAIL

(1) Eligible SAIL Loan Request Amount maximum – the lesser of:

- Self-Sourced Applicants are limited to a maximum SAIL request limit of \$36,000 per unit; however, this may be further reduced if Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants are provided*. All other Applicants are limited to a maximum SAIL request limit of \$84,000 per unit;
- \$8,400,000 per Development that is located in a Large County, and has a Development Category of New Construction or Redevelopment (with or without Acquisition);
- \$7,200,000 per Development that is located in a Small or Medium County, and has a Development Category of New Construction or Redevelopment (with or without Acquisition);
- \$6,000,000 per Development if the Development Category is Rehabilitation (with or without Acquisition);
- A maximum of 25 percent of Total Development Cost if less than five percent of the total units are ELI Set-Aside Units, or 35 percent of Total Development Cost if at least five percent of the total units are ELI Set-Aside Units.

(2) Eligible SAIL Loan Request Amount minimum

Miami-Dade County Applications must reflect a minimum SAIL Loan Request Amount of \$3,000,000. If any adjustments are made during the scoring process which cause the Applicant's SAIL Loan Request Amount to fall below \$3,000,000, the Application will no longer be eligible to be considered for any funding.

b. Eligible ELI Loan Request Amount

- (1) All Non-Self-Sourced Applicants are eligible for ELI Loan funding for each ELI Set-Aside unit, not to exceed the lesser of (i) \$750,000; or (ii) the maximum amount based on the ELI Set-Aside per

unit limits for 10 percent of the total units, as further outlined in Section Four A.10.a.(1)(b) of the RFA. All Self Sourced Applicants are eligible for ELI Loan funding for each ELI Set-Aside unit that is in addition to the five percent of the total units below 50 percent AMI, not to exceed 10 percent of the total units, as further outlined in Section Four A.10.a.(1)(b) of the RFA.

- (2) The amount of the loan is dependent upon the county where the proposed Development is located and the Development's unit mix. Applicants should use the ELI Maximum Determination Worksheet which will be posted to the RFA Website.
- (3) The ELI Loan shall be forgivable and is subject to the credit underwriting and loan terms and conditions outlined in the RFA.

c. NHTF Funding

An Applicant that commits to the Development Category of New Construction or Redevelopment is required to provide 22% Units for the following:

Large County will be awarded NHTF Funding for five NHTF Link units.

Small and Medium County will be awarded NHTF Funding for three NHTF Link units.

The NHTF loan shall be a forgivable loan with an interest rate of 0 percent for 30 years. The terms and conditions of the NHTF loans are further outlined in the RFA.

Because the exact amount of NHTF Funding awards will be calculated after Applications are selected for funding, NHTF Funding will not be counted as a source of funding on the Development Cost Pro Forma.

d. Tax-Exempt Bonds:

(1) Corporation-issued MMRB; or

(2) Non-Corporation-issued Tax-Exempt Bonds (i.e., bonds obtained through a Public Housing Authority (established under Chapter 421, F.S.), a County Housing Finance Authority (established pursuant to Section 159.604, F.S.), or a Local Government

e. Non-Competitive 4% HC

f. Developer Fee for this RFA is based on 18% of Development Cost

g. Per Unit Construction Funding Preference

11. Local Government Contributions

- a. With the exception of Applicants of proposed Developments located in Miami-Dade County, Applications with Development Category of Rehabilitation (with or without Acquisition) automatically qualify for 5 Points.
- b. In order for Applicants of proposed Developments located in Miami-Dade County, regardless of Development Category, to receive the maximum of five points, provide evidence of at least \$250,000 in Local Government committed funding (i.e. grants and/or loans and/or fee waivers) that is effective as of the Application Deadline and is in effect at least through June 30, 2022. Fee deferrals cannot be counted towards the \$250,000 requirement. Applicants of proposed Developments located in

Miami-Dade County with less than \$250,000 in committed funds from the Local Government will receive zero Local Government contribution points.

- c. In order for Applicants of proposed Developments located in counties other than Miami-Dade County that selected the Development Category of New Construction or Redevelopment, with or without Acquisition to receive the maximum of five points, provide evidence of a Local Government grant, loan, fee waiver and/or fee deferral that is effective as of the Application Deadline, is in effect at least through June 30, 2023, and has a value whose dollar amount is equal to or greater than the amount listed on the County Contribution List for All Counties Other than Miami-Dade County (set out in RFA) for the county in which the proposed Development will be located.
- d. If a Self-Sourced Applicant demonstrates Permanent Sources that Cause Reduction in Maximum SAIL Request Amounts of Self-Sourced Applicants, the funding will be divided by the total number of units. The result of this will be deducted from the maximum per unit SAIL request (\$36,000). For example: If a Self-Sourced Applicant is proposing a Development consisting of 100 total units and includes \$1,000,000 in permanent financing from a government entity, the maximum per unit SAIL Request will be reduced from \$36,000 per unit to \$26,000 per unit ($\$1,000,000 / 100 = \$10,000$. $\$36,000 - \$10,000 = \$26,000$).

Loans and fee deferrals must be net present valued using the discount rate of 6.22%.

12. HOME Uniform Relocation Act

D. Ranking and Funding Selection

1. Estimated Demographic Funding Available:

- \$18,643,493 of Elderly funding (Demographic Commitment of Elderly ALF or Non-ALF)
- \$30,861,112 of Family funding (Demographic Commitment of Family)

Up to a maximum of \$15,430,556 of the Family funding (50% of the total) shall be reserved for Applicants that qualify as Self-Sourced Applicants

\$15,430,556 of the Family funding (50% of the total) shall be reserved for Applicants that select the Family Demographic Commitment but do not qualify as Self-Sourced Applicants.

2. Estimated Geographic Funding Available:

- \$25,890,908 for Large Counties
- \$18,663,236 for Medium Counties
- \$4,950,461 for Small Counties

In order for an Application to be selected for funding, there must be enough of the applicable Demographic funding and Geographic funding available to fully fund the Applicant's Total SAIL Request Amount (i.e., total of the Applicant's Eligible SAIL Request Amount plus the Applicant's Eligible SAIL ELI Loan Request Amount).

3. Goals

- Two Elderly, New Construction Application located in a Large County, with a preference for Priority I Applications that qualify for the Veterans Preference

- Three Family, New Construction Priority I Applications located in a Large County, with a preference that at least one Application is from a Self-Sourced Applicant.
- One Elderly, New Construction, Priority I Application located in a Medium County, with a preference for Applications that qualify for the Veterans Preference.
- Two Family, New Construction, Priority I Applications located in a Medium County, with a preference that at least one Application is from a Self-Sourced Applicant.

4. Sorting Order

- a. Per Unit Construction Funding Preference
- b. A/B Leveraging Classification
- c. Proximity Funding Preference
- d. Florida Job Creation Funding Preference
- e. Lottery number

5. Selection Process

As outlined in the RFA, the highest-ranking Application(s) that can be fully funded will be selected for funding for each goal, then the Applications in Small Counties, then the Applications in Medium Counties, and then the Applications in Large Counties, subject to all Funding Tests and County Award Tally.

Self-Sourced and Non-Self-Sourced funding will remain separate throughout the funding selection process.

A more detailed description of the selection process is in the RFA.

E. Credit Underwriting Process

F. Exhibits to RFA

1. Exhibit A – Application
2. Exhibit B – Definitions used in RFA that are not defined in Rule
3. Exhibit C – Additional Information
 - a. Total Development Cost Per Unit Limitation methodology used in credit underwriting and final cost certification. Note: The Total Development Cost numbers have been revised in the RFA.
 - b. New! – A/B Leveraging Classification
 - (1) Leveraging Classification Methodology will be applied to all Applications
 - (2) Current draft shows an 80/20 line instead of using the 5 Leveraging Levels. This would be applied to the 6 groups (Priority I Self-Sourced Applications, Priority I New Construction/Redevelopment Applications, Priority I Rehab Applications, then the same groups using Priority II Applications).

For Discussion: Another option is for a 60/40 line with a 1.10 multiplier applied to those same six groups. This means that, for each of the 6 groups, FHFC would multiply the number of Applications within the group by 0.60. Then FHFC would multiply the Corporation Funding Per Set-Aside Amount associated with that Application by 1.10. Any Application on the list that has a Corporation Funding Per Set-Aside Amount that is equal to or less than that amount would be

classified as an A Leveraging. Any other Application within that group would be classified as a B Leveraging.

- c. Florida Job Creation Funding Preference
 - d. Fees
A one-time Link Monitoring Fee of \$1,000 has been added
 - e. Additional Requirements
- 4. Exhibit D – Timeline
 - 5. Exhibit E – Additional requirements for the Link Units for Persons with Special Needs
 - 6. Exhibit F – Rehabilitation Scoping Process with a Capital Needs Assessment
 - 7. Exhibit G - Tenant Application and Selection Requirements
 - 8. Exhibit H – Credit Underwriting Procedures for ELI Loan
 - 9. Exhibit I – Credit Underwriting Procedures for NHTF Forgivable Loan
 - 10. Exhibit J - Credit Underwriting Procedures for HOME-ARP Forgivable Loan
- G. 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
 - 3. Expected Timeline
- | | |
|--|-------------------|
| Issue RFA: | November 10, 2022 |
| RFA Due Date: | December 29, 2022 |
| Review Committee Meeting (make recommendations to Board) | January 18, 2023 |
| Request Board Approval of Recommendations | January 27, 2023 |
- H. Other Discussion Topics