

Florida Housing Finance Corporation
RFA 2023-104 SAIL Financing Farmworker and Commercial Fishing Worker Housing Workshop Agenda
Registration for Workshop is required. Registration information is available on RFA Webpage¹

Overview

- A. Introductions
- B. Purpose of RFA

This Request for Applications (RFA) is open to Applicants proposing the construction of Commercial Fishing Worker or Farmworker (including Unaccompanied Commercial Fishing Worker or Farmworker as defined in Exhibit B) Developments or the Substantial Rehabilitation or Acquisition and Substantial Rehabilitation of existing Farmworker or Commercial Fishing Worker Developments that are currently in the Corporation’s portfolio and/or the United States Department of Agriculture Rural Development (RD) portfolio.

Funding available

Florida Housing Finance Corporation (the Corporation) expects to offer an estimated \$4,286,984 comprised of the State Apartment Incentive Loan (SAIL) funding appropriated by the 2022 Florida Legislature.

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*.

Exhibit B includes definitions for terms like Shared Housing, Unaccompanied Commercial Fishing Worker, and Unaccompanied Farmworker.

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

The submission process has been revised.

- 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. The Application Fee of \$1,500 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. 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

¹ References to the RFA Webpage refer to <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2023/2023-104> which can be accessed [here](#).

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.

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. NEW! Review of Application

With the exception of the narrative responses, the Corporation (i) may rely on the answers submitted by the Applicant in Exhibit A, the Development Cost Pro Forma, and the Principal Disclosure Form; and (ii) may, but is not obligated to, review the substance of the documentation that is submitted as Attachments to the Application.

If it is determined that the Attachments do not meet the RFA requirements or the Applicant submitted materially incorrect information in the Application, the Corporation may take any or all of the following actions, even if the Application was not selected for funding, was deemed ineligible, or was withdrawn: deem the Application ineligible, rescind the award, and consider all Principals of the Applicant to have made a material misrepresentation subject to Section 420.518, F.S.

2. Demographic Commitment

- a. Select one of the following Demographic Commitments

- (1) Farmworker (a household, that meets the definition of Farmworker, as defined by Section 420.503, F.S.)
- (2) Unaccompanied Farmworker, as defined in Exhibit B
- (3) Commercial Fishing Worker (as defined by Section 420.503, F.S.)
- (4) Unaccompanied Commercial Fishing Worker, as defined in Exhibit B

- b. Description of the Demographic Population Served

3. Applicant/Developer/Management Company/Contact Person

- a. Applicant

- (1) State the name of the Applicant.
- (2) Evidence that Applicant is legally formed entity qualified to do business in Florida as of the Application Deadline
- (3) Non-Profit Applicant qualifications

Applicants proposing a new construction Development must be a Non-Profit as defined in Section 67-48.002, F.A.C. to be eligible for funding.

Applicants proposing the Substantial Rehabilitation of an existing Development may be either a Non-Profit or for 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) Developer Experience

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, 2003 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.

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. Management Company Information

- (1) Management Company contact information
- (2) Required General Management Company experience

The Management Company or a principal of the Management Company must have managed 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 identified in the Application MUST be a Principal of the Applicant and MUST sign the Applicant Certification and Acknowledgement form and the Site Control Certification form. Note: If the proposed Development has a Development type of new construction, the natural person Principal must be a Principal of the Non-Profit entity of the Applicant. The Operational Contact Person is optional.

4. General Proposed Development Information

a. Development Name

b. Development Category

- (1) Select one of the following Development Categories:

- New Construction
- Rehabilitation*
- Acquisition and Rehabilitation*

*For purposes of SAIL funding, this includes Substantial Rehabilitation

- (2) Development Category required qualifications are listed in Section Four, A.4.b. of the RFA

c. Development Type

- (1) For new construction Developments, only Garden Apartments (a building comprised of 1, 2 or 3 stories, with or without an elevator) are allowable under this RFA.

- (2) For Substantial Rehabilitation of an existing Development, select the appropriate Development Type:

- Garden Apartments (a building comprised of 1, 2 or 3 stories, with or without an elevator)
- Townhouses
- Duplex
- Quadraplex
- Single Family

d. Enhanced Structural Systems Construction Qualifications

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

e. Breakdown of number of units

Reflect the appropriate breakdown reflecting the number of units within each of the Development Categories, Development Types, or ESS/non-ESS Construction, for purposes of the Total Development Cost Per Unit Limitation calculation in the chart of Exhibit A of the RFA.

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, rounded to at least the sixth decimal place.

e. Limited Development Areas (LDA)

Proposed developments located in the following counties will be deemed LDA: Hendry and Indian River

6. Number of Buildings and Units

a. Number of Units

(1) If new construction, the Development must consist of a minimum of 15 total units and a maximum of 50 total units, prior to any Shared Housing designations described below.

(2) If Substantial Rehabilitation, state the number of units in the existing development and the number of units in the proposed Development.

The total number of units in the proposed Development cannot be less than 90 percent of the existing total number of units (rounded up to the next whole unit).

b. Regardless of the Development Category, 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

c. Set-Aside Commitments

(1) Total Income Set-Aside Units

100 percent of the proposed Development's total units must be set aside at 60 percent Area Median Income (AMI) or less of which at least 20 percent must be set aside at 50 percent AMI or less (which may include ELI units if required below).

(2) Demographic Minimum Set-Aside Requirement

To be eligible to receive funding under this RFA, Applicants must commit to set aside either 40 percent or 80 percent of the proposed Development's total units to serve Farmworkers,

Unaccompanied Farmworkers, Commercial Fishing Workers, or Unaccompanied Commercial Fishing Workers.

Applicants that commit to the 80 Percent Minimum Set-Aside will be eligible to receive a more favorable interest rate for the SAIL loan requested in this RFA than Applicants that commit to the 40 Percent Minimum Set-Aside.

(3) Extremely Low Income (ELI) Set-Aside Requirements

- (a) Applicants that commit to set aside 40 percent of the proposed Development's total units to serve Farmworkers, Unaccompanied Farmworkers, Commercial Fishing Workers, or Unaccompanied Commercial Fishing Workers must commit to set aside a minimum of 2 units for ELI Households.
- (b) Applicants that commit to set aside 80 percent of the proposed Development's total units to serve Farmworkers, Unaccompanied Farmworkers, Commercial Fishing Workers, or Unaccompanied Commercial Fishing Workers are not required to set aside any units for ELI Households.

e. Unit Mix

(1) New Construction Developments

- The proposed Development may only consist of Zero Bedroom, one bedroom, and two bedroom units.
- Up to 50 percent of the units may consist of Zero Bedroom Units.
- Units in a proposed Development with a demographic commitment of Unaccompanied Farmworker may consist of Shared Housing*, as defined in Exhibit B, in which no more than two persons may share a bedroom.

*One or two-bedroom units may consist of Shared Housing.

(2) Substantial Rehabilitation of existing Developments – no unit mix limitations

f. Number of residential buildings must be provided

g. Compliance Period Requirements

- (1) New Construction Developments must set aside the units for a minimum length of 30 years.
- (2) Substantial Rehabilitation of existing Developments:

(a) If the Development is in the Corporation's Portfolio (and may also be in RD's portfolio):

Set aside the proposed units for a minimum length of the greater of 30 years or the remaining term of the existing SAIL or applicable Corporation-issued HOME LURA. All restrictive covenants, inclusive of the income set-asides (except where the Applicant commits to more restrictive income set-asides in the Total Set-Aside Breakdown Chart), that are associated with any existing Corporation-issued LURA or EUA, except for the Farmworker or Commercial Fishing Worker Demographic set-aside commitment, will remain in effect.

Or

(b) If the Development is in RD's Portfolio and is not also in the Corporation's portfolio:

Set aside the units for a minimum length of 30 years.

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 July August 31, 2023), a deed, and/or a lease.

- b. The 07-22 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 07-22 Ability to Proceed forms (electricity and roads) must be submitted during credit underwriting.

8. Construction Features

All units 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
- b. General Features
- c. Accessibility, Adaptability, Universal Design and Visitability Features
- d. Required Green Building Features for all Developments

Applicants must choose additional Green Building options in Exhibit A.

9. Funding

- a. Corporation Funding

The SAIL Request Amount is limited to the lesser of the following:

- \$255,000 per unit for New Construction;
- \$65,000 per unit for Substantial Rehabilitation;
- \$4,286,984 per Development

- b. Interest Rate of the SAIL loan

Applicants that commit to the 80 Percent Minimum Set-Aside will be eligible to receive a more favorable interest rate for the SAIL loan requested in this RFA than Applicants that commit to the 40 Percent Minimum Set-Aside.

- c. Developer Fee/General Contractor Fee/Operating Deficit Reserve

(1) Developer Fee shall be limited to a total of 16 percent of Development Cost.

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

(3) Operating Deficit Reserves

d. Total Development Cost Per Unit Limitation

e. Leveraging

E. Narrative Scoring

1. Current and Future Need for Farmworker or Commercial Fishing Worker Housing in the Area (Up to 15 Points)
2. Experience Operating and Managing Farmworker or Commercial Fishing Worker Housing (Up to 20 Points)
3. Outreach, Marketing and Referral (Up to 30 Points)
4. Resident Access to Onsite and Offsite Programs, Services and Resources (Up to 30 Points)

F. Scoring And Evaluation Process

The highest scoring Applications will be determined by first sorting together all eligible Applications from highest score to lowest score, with any scores that are tied separated in the following order:

- a. First, by the total points received for the Current and Future Need for Farmworker or Commercial Fishing Worker Housing in the Area narrative;
- b. Next, by the total points received for the Experience Operating and Managing Farmworker or Commercial Fishing Worker Housing narrative at Section Four C.1. above, listed in descending order;
- c. Next, by the Application's Eligible SAIL Request Amount Per Unit;
- d. Next, by the Application's Eligible SAIL Request Amount as a Percentage of Total Development Cost, (with Applications that have an Eligible SAIL Request Amount that is 90 percent of the Total Development Cost or less listed above Applications that have an amount greater than 90 percent);
- e. Next, by the Application's eligibility for the Florida Job Creation Preference; and
- f. By lottery number.

3. Funding Selection Process

G. Credit Underwriting Process

H. 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
 - b. Florida Job Creation Funding Preference
 - c. Fees
 - d. Additional Requirements
- 4. Exhibit D – Timeline
 - 5. Exhibit E – intentionally omitted
 - 6. Exhibit F – Rehabilitation Scoping Process with a Capital Needs Assessment
 - 7. Exhibit G - Tenant Application and Selection Requirements
- I. 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

Issue RFA:	February 22, 2023
RFA Due Date:	March 23, 2023
Review Committee Meeting (make recommendations to Board)	April 19, 2023
Request Board Approval of Recommendations	April 28, 2023