

BEFORE THE FLORIDA HOUSING FINANCE CORPORATION

QUAIL ROOST TRANSIT VILLAGE II, LTD.

Petitioner,

FHFC Case No.: 2023-011BP

vs.

RFA No.: 2022-203

Application No.: 2023-081C

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

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FORMAL WRITTEN PROTEST
AND PETITION FOR ADMINISTRATIVE HEARING

FLORIDA HOUSING
FINANCE CORPORATION

Petitioner Quail Roost Transit Village II, Ltd. (“Quail Roost”) files this Formal Written Protest and Petition for Administrative Hearing (“Petition”) pursuant to section 120.57(3), Florida Statutes, and rules 67-60.009 and 28-110.004, Florida Administrative Code. This petition challenges the eligibility determinations, evaluations and proposed allocations set forth in the Notice of Intended Decision posted on January 27, 2023 by Respondent, Florida Housing Finance Corporation (“Florida Housing”), in response to Request for Applications 2022-203 Housing Credit Financing for Affordable Housing Developments Located in Miami-Dade County (the “RFA”). In support, Quail Roost states:

I. Parties

1. Quail Roost is a legally formed entity qualified to do business in Florida that submitted an Application in response to the RFA. Quail Roost sought an award of Housing Credit Financing for Affordable Housing Developments Located in Miami-Dade County (“Housing Credits”) in connection with the proposed construction of a 124-unit high-rise development.

2. For purposes of this proceeding, Quail Roost’s address, telephone number, and email address are those of its undersigned counsel.

3. Florida Housing is the agency affected by this Petition. Florida Housing's address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301. Florida Housing's file number for Quail Roost's application is 2023-081C.

II. Notice

4. Quail Roost received notice of Florida Housing's intended decision to award funding pursuant to the RFA on January 27, 2023, when Florida Housing's Board of Directors approved the recommendation of its Review Committee. A copy of the notice posted on the Florida Housing website concerning the Board action is attached as **Exhibit 1**. Though its Application was deemed eligible for funding, Quail Roost was not among those recommended for an award of Housing Credits. For the reasons set forth below, Quail Roost contends that its Application should have been selected for funding.

5. Quail Roost timely filed a Notice of Intent to Protest, with attachments, on February 1, 2023. A copy of the notice is attached as **Exhibit 2**.

III. Background

6. Florida Housing is a public corporation created by section 420.504, Florida Statutes, to administer the governmental function of awarding various types of funding for affordable housing in Florida. In accordance with that authority, Florida Housing has adopted chapter 67-60, Florida Administrative Code, which governs the competitive solicitation process for several programs. Chapter 67-48 also applies to this competitive solicitation for Housing Credits. In addition, chapter 67-53 governs compliance procedures. Applicants seeking an allocation of Housing Credits are required to comply with the provisions of the RFA and each of the administrative rule chapters referenced in this paragraph. *See* RFA, pg. 6 (§ Three F.3).

7. The RFA was issued on November 14, 2022 and amended on November 18, 2022, November 29, 2022 and December 20, 2022. It anticipates the award of an estimated \$6,855,330 of Housing Credits to qualified Applicants who commit to provide housing under the terms and conditions of the RFA. RFA, pg. 2 (§ One).

8. The RFA sets forth the information required to be provided by an Applicant and provides a general description of the types of projects that will be eligible for funding. It further outlines a detailed process for selecting developments for an allocation of Housing Credits. *See generally* RFA, pgs. 7-77.

9. First, Applicants are required to meet certain mandatory eligibility requirements that must be satisfied in order to be selected for funding. RFA, pgs. 70-73 (§ Five A.1). For example, Applicants must prove their “Ability to Proceed” with the development through the execution of certain forms by the applicable local government. RFA, pgs. 39-41 (§ Four A.7.b.) These include forms demonstrating the status of site plan for the development site. RFA, pg. 40 (§ Four A.7.b.(4)).

10. Applicants are further required to earn a minimum number of “proximity points” based on the distance between the development and transit services or community services. RFA, pgs. 23-28 (§ Four A.5.e.). In addition, an Application cannot be selected for funding if any principal of the Applicant or Developer has failed to timely resolve an insurance deficiency on the most recently published Past Due Report for certain developments that have previously been awarded resources from Florida Housing. RFA, pg. 72 (§ Five A.1).

11. In addition to being reviewed for eligibility items, Applications also receive a score. Applicants had the opportunity to earn a maximum of 15 points, as follows:

Point Items	Maximum Points
Submission of Principal Disclosure Form that is 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	5
Bookmarking Attachments prior to submission	5
Local Government Contribution Points	5
Total Possible Points	15

RFA, pg. 74 (§ Five, A.2).

12. The RFA next explains the funding goals for applications:

a. The Corporation has a goal to fund one proposed Development that (a) selected the Demographic Commitment of Family at question 2.a. of Exhibit A and (b) qualifies for the Geographic Areas of Opportunity/SADDA Goal as outlined in Section Four A.10.a.(1)(d) of the RFA.

b. The Corporation has a goal to fund one proposed Development that selected the Demographic Commitment of Elderly (Non-ALF) at question 2.a. of Exhibit A.

c. The Corporation has a goal to fund one proposed Development that qualifies for the Urban Center Designation, with a preference that the proposed Development be located in a Tier 1 Urban Center.

RFA, pg. 75 (§ Five B.1).

13. Because multiple Applicants striving to meet each goal may achieve the maximum number of points and meet the mandatory eligibility requirements, the RFA also sets forth an Application Sorting Order:

The highest scoring Priority I 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. This will then be repeated for Priority II Applications:

a. First, by the Application's eligibility for the Per Unit Construction Funding Preference which is outlined in Section Four A.10.e. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);

b. Next, by the Application's eligibility for the Development Category Funding Preference which is outlined in Section Four A.4.b.(4) of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);

c. Next, by the Application's Leveraging Classification, applying the multipliers outlined in Item 3 of Exhibit C of the RFA (with Applications having the Classification of A listed above Applications having the Classification of B);

d. Next, by the Application's eligibility for the Proximity Funding Preference which is outlined in Section Four A.5.e. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);

e. Next, by the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);

f. And finally, by lottery number, resulting in the lowest lottery number receiving preference.

RFA, pg. 75 (§ Five B.2).

14. Lastly, the RFA outlines the Funding Selection Process for eligible applicants. It provides as follows:

a. First Application

The first Application selected for funding will be the highest-ranking eligible Priority I Application that qualifies for the Geographic Areas of Opportunity / SADDA Goal, OR the Goal to fund one Elderly (Non-ALF) Development, OR Goal to fund one Urban Center Development*.

*If there are no eligible Priority I Tier 1 Urban Center Developments, this may be met with the highest-ranking Priority I Tier 2 Urban Center Development.

b. Second Application

If the first Application selected was an Elderly Development, regardless of the funding goal, the next Application selected for funding will be the highest-ranking eligible unfunded Priority I Family Application that qualifies for one of the remaining goals not yet met. If the first Application selected was a Family

Development, regardless of the funding goal, the next Application selected for funding will be the highest-ranking eligible unfunded Priority I Elderly Application that qualifies for one of the remaining goals not yet met. The second Application may be awarded a binding commitment if necessary.

If less than two Applications were selected for funding as outlined above, the next Application(s) selected for funding will be the highest-ranking eligible unfunded Priority II Application that qualifies for one of the remaining goals not yet met so that a total of two Applications are selected for a funding in this RFA. The second Application may be awarded a binding commitment if necessary.

c. Remaining Funding

If funding remains after selecting the two highest ranking eligible unfunded Applications as outlined above, or if funding remains because there are not two eligible Applications that can be funded as outlined above, then no further Applications will be considered for funding and any remaining funding will be distributed as approved by the Board.

RFA, pgs. 75-76 (§ Five B.4).

15. The Review Committee met on January 17, 2023 to score the Applications and select Applicants for funding. The Review Committee determined that 27 of the 29 Applications submitted were eligible for funding, including Quail Roost’s Application. *See Exhibit 3* (RFA 2022-203 Application Scores).

16. The Review Committee also applied the Funding Selection process set forth in the RFA to develop a proposed allocation of Housing Credits. The Committee determined that Coco Plum Housing Partners, LP (“Coco Plum”) was the highest-ranked Priority I Applicant that qualified for any of the Goals, specifically the Goal to fund one Elderly (Non-ALF) Development. Accordingly, the Committee recommended that Coco Plum receive funding for its proposed development, Heritage at Gratigny Park.

17. The Enclave at Rio, LP (“the Enclave”) was found to be the second-highest Priority I Applicant that met any of the Goals, while Quail Roost was ranked third.

18. The Board approved the Committee’s recommendations at its meeting on January 27, 2023. *See* **Exhibit 1**.

IV. Substantial Interests Affected

19. Quail Roost’s substantial interests are affected because Coco Plum and the Enclave were erroneously found eligible for funding. If Florida Housing had properly recognized that Coco Plum and the Enclave were both ineligible for an award of Housing Credits, Quail Roost would be the highest-ranked eligible Priority I Application that qualified for a Goal and its Application would have been funded.

V. Errors in the Preliminary Awards and Determinations of Eligibility

Coco Plum

A. Coco Plum is Ineligible for Failing to Earn the Required Number of Proximity Points.

20. The RFA allows Applicants to earn “proximity points.” RFA, pgs. 24-28 (§ Four A.5.e.). Proximity points are based on the distance between the proposed development and transit services—including bus stops—and community services, such as public schools, medical facilities, grocery stores, and pharmacies. *Id.*

21. The RFA distinguishes between various categories of transit services. While all Public Bus Stops receive points, a higher score is provided to certain kinds of bus stops—such as Public Bus Transfer Stops and Public Bus Rapid Transit Stops. RFA, pg. 26 (§ Four A.5.e.). Point totals are calculated using the Transit and Community Service Scoring Charts, which identify the number of points an Applicant receives based on the number of miles between the development and each type of service. RFA, pgs. 109-110 (Exhibit C).

22. The RFA explains that Applications must earn a minimum number of proximity points in order to be eligible for funding. Applicants like Coco Plum, which did not claim certain

“point boosts,” are required to attain at least 10.5 proximity points. RFA, pg. 24 (§ Four A.5.e.). The RFA further provides that Applicants should receive a minimum number of transit service points. Coco Plum was required to achieve 2.0 points for transit services to be considered for an award of Housing Credits. *Id.*

23. Applicants that earn more proximity points may further qualify for the Proximity Funding Preference, resulting in a higher rank under the Application Sorting Order. In order to be eligible for the Proximity Funding Preference, an Applicant must achieve at least 12.5 proximity points. *Id.*

24. On page 8 of its Application, Coco Plum claimed to be .49 miles away from a “Public Bus Rapid Transit Stop.” *See Exhibit 4.* Based on the Transit Services Scoring Chart included in the RFA, Coco Plum claimed 5.5 proximity points for the distance from the bus stop identified in the Application. RFA, pg. 109 (Exhibit C).

25. The RFA defines “Public Bus Rapid Transit Stop” as follows:

A fixed location at which passengers may access public transportation via bus. **The Public Bus Rapid Transit Stop must service at least one bus that travels at some point during the route in either a lane or corridor that is exclusively used by buses,** and the Public Bus Rapid Transit Stop must service at least one route that has scheduled stops at the Public Bus Rapid Transit Stop at least every 20 minutes during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis.

Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.

RFA, pg. 100 (Exhibit B) (emphasis added).

26. The coordinates Coco Plum provided for its transit stop (latitude of 25.876785 and longitude of -80.245639) correspond to a public bus stop located on the North Campus of Miami-Dade College, designated as Bus Stop # 152. *See Exhibit 5* (Miami-Dade County MetroBus Stop

Lookup). Five bus routes stop at these coordinates: Routes 19, 27/27A, 32, 107, and 297. *Id.* Of the five routes, **none** “travel at some point during the route in either a lane or corridor that is exclusively used by buses.” See **Exhibit 6** (Email from Miami-Dade County Department of Transportation and Public Works Department stating that the South Dade Transitway is the only lane or corridor used exclusively by buses); **Composite Exhibit 7** (maps for all five bus routes showing that **none** travel through the South Dade Transitway).

27. Because it does not service even a single bus that travels through a bus lane or corridor, Bus Stop # 152 cannot be considered a Public Bus Rapid Transit Stop. Accordingly, it is not eligible for the 5.5 transit service points claimed in the Application.

28. Importantly, proximity points cannot be awarded for Bus Stop # 152 even if it could satisfy the definition of another type of bus stop identified in the RFA. Compare **Exhibit 8** (Northside Property Petition for Administrative Hearing) (alleging that funding recipient had wrongly classified a Public Bus Stop with 2 points as a Public Bus Transfer Stop worth 6 points) with *Northside Property II Ltd. v. Fla. Housing Fin. Corp.*, No. 18-0484BID, ¶ 13b. (Fla. DOAH April 19, 2018) (Recommended Order) (finding that Florida Housing agreed winner had earned no points for the transit service), No. 2017-099BP (FHFC May 4, 2018) (Final Order). There is accordingly no need to determine whether Bus Stop # 152 could be properly considered a Public Bus Stop or Public Bus Transfer Stop. Because Coco Plum misrepresented the nature of the bus stop, it is “entitled to zero points” for that transit service. *Northside Property II Ltd.*, No. 18-0484BID, at ¶ 13b.; see also *Houston Street Manor Ltd. P’ship v. Fla. Housing Fin. Corp.*, No. 15-3302BID, at ¶¶ 23-24, 31 (Fla. DOAH Aug. 18, 2015) (Recommended Order) (opining that “misrepresenting the true nature” of a bus stop was a material deviation that should render an application nonresponsive and recognizing that applicant cannot receive points for a quality

established by evidence submitted only after bid opening), No. 2015-024BP (FHFC Sept. 21, 2015) (Final Order).

29. When the transit service points that Coco Plum erroneously claimed for Bus Stop # 152 are revoked, Coco Plum is left without any transit service points. It consequently lacks the minimum of 2.0 transit service points required under the RFA.

30. Moreover, without the 5.5 transit service points erroneously claimed for Bus Stop # 152, Coco Plum is left with only 8 total proximity points. This total is less than the 10.5 proximity points needed to be eligible for funding—and falls well under the 12.5-point threshold necessary to achieve the Proximity Funding Preference. Coco Plum is accordingly not eligible for an award of Housing Credits under the RFA.

B. Coco Plum is Ineligible Because it Failed to Demonstrate Site Plan Approval.

31. To prove its “Ability to Proceed,” an Applicant must demonstrate the status of site plan approval for the proposed development in order to receive funding. RFA, pg. 40 (§ Four A.7.b.(4)); pg. 71 (§ Five A.1.). Coco Plum accordingly submitted the “Florida Housing Finance Corporation Local Government Verification of Status of Site Plan Approval for Multifamily Developments Form” (“the Form”) as part of its application. A copy is attached as **Exhibit 9**. On the Form, Coco Plum indicated that “[t]he final site plan” for its development had been “approved” by “the appropriate City/County legally authorized body.” *Id.*

32. However, this representation is, at best, inaccurate. Coco Plum never received final site plan approval for the development proposed in its Application. Instead, as explained below, Coco Plum’s approval was premised upon a materially different site plan which contained more (and different) units than the plan proposed in its Application.

33. The site plan Coco Plum submitted to the Miami-Dade County Department of Regulatory and Economic Resources (“the Department”) references a **168**-unit development. *See Exhibit 10* (Site Plan submitted to Miami-Dade County). The site plan further indicates that 50 studio apartments, 84 one-bedroom and 34 two-bedroom units would be included within the building. *Id.*, pg. 1. On October 6, 2021, the Department issued a letter approving the development described in the site plan. *See Exhibit 11* (Approval Letter).¹ The letter specifically notes approval “of a **mixed-use development consisting of 168 apartment units and 1,680 sq. ft. of commercial space,**” subject to thirteen listed conditions. *See id.*

34. In contrast, page 6 of Coco Plum’s Application seeks funding for a development with only **130** total units, or 22.6% fewer units than the county approved site plan. **Exhibit 12.** The development referenced in the Application also omits studio apartments—it is instead made up of 70 one-bedroom and 60 two-bedroom units. *Id.* These differences can be seen in the variance table below.

Unit Type	Approved Site Plan	FHFC Application	% Variance
Studios	50	0	-100.00%
1 BR	84	70	-16.66%
2 BR	34	60	+76.40%
Total	168	130	-22.61%

35. Because the Application proposes a materially different development than the one previously approved, Coco Plum can no longer validly claim to have final site plan approval. Condition 2 in the approval letter specifically conditions “approval of the plan” on “the same being substantially in accordance with that submitted” for Administrative Site Plan Review. **Exhibit 11,**

¹ Both the site plan and final approval letter were obtained through a public records request.

pg. 2. As a result of the changes described above, the development described in the county approved site plan is no longer “substantially” the same as the proposed development submitted to Florida Housing.

36. Moreover, it does not appear that Coco Plum can seek a site plan approval modification of this magnitude without going back through the approval process. Pursuant to section 33-310.1, Miami-Dade County Code, the Director shall approve an application to modify a condition of a prior approval (in this case, a final site plan approval) only if it is demonstrated that the proposed modification will result in substantial compliance with various requirements. *See Exhibit 13*, pg. 1 (§ 33-310.1, Miami-Dade County Code). One such requirement is that “the number of bedrooms and corresponding parking spaces may be increased **or decreased by as much as 10%.**” *Id.* (emphasis added).

37. Here, the Applicant has decreased the total number of units by over **22%**, and the number of bedrooms and corresponding parking spaces by well over 10%. The design, such as the elevations and renderings of the buildings, may have also materially changed—but neither Florida Housing nor the County has any way of knowing without seeing a site plan for the proposed 130 affordable housing units. *See id.* Due to the material change in the unit mix, the Applicant will need to go through the process of obtaining final site plan approval from Miami-Dade County on the proposed **130-unit** development.²

² Additionally, condition 12 in the Approval Letter requires Coco Plum to set aside “twelve and one-half (12.5) percent of the proposed 168 residential units”—a total of **21** units—“for Workforce Housing as defined in Section 33-284.83(A)(3) of the Code of Miami-Dade County.” Exhibit 11, pg. 2. Because Coco Plum now proposes a smaller development with 130 residential units, it will be providing only **16** Workforce Housing units to the County.

38. Additionally, a 22% decrease in the total number of units, and the change in the unit mix and bedroom types, might change the Applicant’s Development Type from a High-Rise (a building with 7 or more stories) to a Mid-Rise (a 4, 5 or 6-story building). RFA, pg. 24 (§ Four A.4.). By selecting a High-Rise Development Type, an Applicant affords its Application a competitive advantage by affecting the leveraging factor and the Application’s leveraging calculation. RFA, pgs. 111-13 (Exhibit C, § 3). For this reason, rule 67-48.004 specifically disallows the Development Type to be unilaterally changed by the Applicant after submission of the Application. Fla. Admin. Code R. 67-48.004(3)(g) (“[T]he Development Type may be changed only by” Florida Housing’s approval of a “written request of an Applicant” who has been invited into credit underwriting).

39. In sum, the development approved by the Department is not the one for which Coco Plum now seeks funding. Accordingly, Coco Plum did not receive final approval for the development proposed **in the Application**—a 130-unit development comprised solely of one- and two-bedroom units. Because Coco Plum has not demonstrated the status of site plan approval for the development it now intends to build, it is ineligible for an award of Housing Credits.

The Enclave

A. The Enclave is not Entitled to Five Points for Local Government Contribution.

40. The RFA awards five Local Government Contribution points for Applicants that have received 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 face amount

whose dollar amount is equal to or greater than \$100,000.” RFA, pgs. 66-67 (§ Four A.11.c.) (emphasis added).

41. To earn these points, the Enclave submitted the Local Government Verification of Contribution – Fee Waiver Form (the “Fee Waiver Form”). A copy is attached as **Exhibit 14**. The Enclave’s Fee Waiver Form indicated that the applicable locality, the City of Miami, waived fire, police, park, and road impact fees in the amount of \$765,713. *Id.*

42. Impact fees are paid to local governments before the issuance of a building permit. *See* City of Miami Code of Ordinances, Ch. 13, Art. I, § 13-3. They are designed to lessen the burden a new development will place on local services, such as police departments, fire rescue services, parks, and roads. *See* City of Miami Code of Ordinances, Ch. 13, Art. I, § 13-3.

43. The jurisdiction responsible for collecting such impact fee varies based on the location of the development and the type of fee at issue. If the development will be built within the limits of the City of Miami, police, fire, and park impact fees are due to the City. *See* City of Miami Code Ch. 13, Art. I, §§ 13-9, 13-10, 13-12 (providing for collection of police, fire rescue, and park impact fees, respectively); *see also* *Zoning Impact Fees*, Miami-Dade County Department Regulatory & Economic Resources (<https://www.miamidade.gov/zoning/impact-fees.asp>) (last visited Feb. 12, 2023).

44. In contrast, road impact fees are always paid to Miami-Dade County, regardless of where the development will be constructed. *See* Miami-Dade County Code of Ordinances, Ch. 33E, § 33E-16; *see also* *Zoning Impact Fees*, Miami-Dade County Department Regulatory & Economic Resources (<https://www.miamidade.gov/zoning/impact-fees.asp>) (last visited Feb. 12, 2023).

45. The development proposed in the Enclave’s Application will be built at 737 and 745 W Flagler Street and 742 NW 1st Street. *See* **Exhibit 14**. This location is within the Miami city limits. *See* **Exhibit 15**. Accordingly, on its Fee Waiver Form, the Enclave indicated that the “**City** of Miami” was the applicable jurisdiction to waive certain impact fees. **Exhibit 14**.

46. The Enclave’s Fee Waiver Form, however, is not signed by any employee or official for the City of Miami. Instead, the Fee Waiver Form was signed by Morris Copeland—the Chief Community Services Officer of Miami-Dade **County**. *Id.*

47. However, a **County** official lacks authority to waive police, fire, and parks impact fees for the Enclave’s development because those services are offered by, with fees are payable to, the **City** of Miami. City of Miami Code of Ordinances, Ch. 13, Art. I, §§ 13-9, 13-10, 13-12 (providing for collection of police, fire rescue, and parks impact fees, respectively); *see also* *Zoning Impact Fees*, Miami-Dade County Department of Regulatory & Economic Resources (<https://www.miamidade.gov/zoning/impact-fees.asp>) (last visited Feb. 12, 2023).³

48. Accordingly, Mr. Morris Copeland was an unqualified signatory—and the Fee Waiver Form itself provides that an “Applicant will not receive credit for th[e] contribution if the certification is improperly signed.” **Exhibit 14**.

49. At best, Mr. Morris Copeland could only have waived the Enclave’s obligation to pay road impact fees, the sole fee that would be collected by the County. The Enclave has not provided evidence that this waiver alone would qualify for Local Government Contribution points.

³ In addition, these police, fire, and park impact fees owed to the City could not be waived by even a City official. The City of Miami Code of Ordinances allows for such impact fees imposed on affordable housing units to be deferred—but not entirely waived. *See* City of Miami Code of Ordinances, Ch. 13, Art. I, § 13-8. Accordingly, a Local Government Verification of Contribution – Fee Deferral Form should have been submitted, rather than the Fee Waiver Form. RFA, pg. 59. This is yet another reason why the Enclave has not proven that it received a valid fee waiver.

The Fee Waiver Form does not certify that a waiver of only road impact fees has a value of at least \$100,000, as required by the RFA. RFA, pgs. 66-67 (§ Four A.11.c.).

50. The five points awarded to the Enclave for the Local Government Contribution must consequently be revoked, causing the Enclave to no longer be ranked as the second-highest scoring Priority I Applicant that met any of the Goals.

B. The Enclave is Ineligible Because a Principal of its Developer has an Insurance Deficiency.

51. In the section devoted to determining eligibility, the RFA provides that:

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 . . . **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.

RFA, pg. 72 (§ Five A.1.) (emphasis added). An Insurance Deficiency Report is regularly published by Florida Housing as part of the Past Due Report. *See* Past Due Reports, Florida Housing Finance Corporation, <https://www.floridahousing.org/data-docs-reports/past-due-reports> (last visited Feb. 12, 2023).

52. The most recent Past Due/Insurance Deficiency Report—which, as required by the RFA, was dated at least seven business days prior to the date the Committee met to make a recommendation to the Board—was issued on December 15, 2022 and updated on January 5, 2023 (“the Report”). *See id.* A copy of the Report is attached as **Exhibit 16**. On page 11, the Report lists an insurance deficiency for Oakdale Apartments. *Id.* at pg. 11. The Report indicates that Oakdale Apartments’

Named Storm limit is not indicated with correct limit. A current PML study has been requested. Loss limit is \$78,000,000 with \$758,312,773 in total values. Policy

has \$500,000 Self Insured Retention that Royal American Management is responsible for paying. Property and liability policies are over 90 days from the effective date.

Id.

53. The developer for Oakdale Apartments is listed as Royal American Development, Inc. *Id.* Enclave’s Application also identifies Royal American Development, Inc. as a principal of its developer, Royal American Properties, LLC. See **Exhibit 17** (the Enclave Principals Disclosure).

54. Accordingly, as of January 5, 2023, a “principal” of Enclave’s “Developer has an insurance deficiency” for a “Development awarded Corporation resources.” RFA, pg. 72 (§ Five A.1.). As a result of this defect, the Enclave should have been determined to be ineligible for funding.

VI. Disputed Issues of Material Fact and Law

55. Disputed issues of fact and law include the following:

- a. Whether Florida Housing’s Approved Scoring Results are contrary to the agency’s governing statutes, the agency’s rules or policies, or the solicitation specifications;
- b. Whether Florida Housing’s Approved Scoring Results are clearly erroneous, contrary to competition, arbitrary, or capricious;
- c. Whether Coco Plum’s Application meets the requirements of the RFA;
- d. Whether Coco Plum is eligible for 5.5 transit proximity points for a Public Bus Rapid Transit Stop;
- e. Whether Coco Plum is eligible for any transit proximity points, given its misidentification of the Public Bus Rapid Transit Stop;

- f. Whether Coco Plum has earned the minimum number of transit points to be eligible for funding;
- g. Whether Coco Plum achieved the minimum number of total proximity points to be eligible for funding;
- h. Whether Coco Plum has earned enough proximity points to qualify for the Proximity Funding Preference;
- i. Whether Coco Plum should be found ineligible because it did not provide evidence of site plan status for the development proposed in the Application;
- j. Whether Coco Plum should be found ineligible because it selected the wrong Development Type;
- k. Whether the Enclave's Application meets the requirements of the RFA;
- l. Whether the Enclave should lose 5 Local Government Contribution points for failing to provide adequate evidence of a local government fee waiver;
- m. Whether the Enclave should be found ineligible because a principal of its developer had an insurance deficiency at the close of business two days before the January 17, 2023 Committee meeting;
- m. Whether Florida Housing's proposed award of funding to Coco Plum is clearly erroneous, arbitrary, and capricious or contrary to competition; and
- n. Whether Florida Housing's determination that Coco Plum and the Enclave were eligible applicants is clearly erroneous, arbitrary and capricious or contrary to competition.

VII. Statement of Ultimate Facts

56. The ultimate facts alleged are that Coco Plum and the Enclave are ineligible for funding and were improperly scored. As a result of this determination, Quail Roost should be awarded Housing Credits as the highest-ranked Priority I Application that meets a Goal, specifically the Goal to fund one Elderly (Non-ALF) Development.

VIII. Right to Amend

57. Quail Roost reserves the right to amend this Petition if disputed issues of material fact or law become known during the course of discovery in this proceeding.

IX. Statutes and Rules that Quail Roost to Relief

58. Statutes and rules entitling Quail Roost to Relief are Part V of chapter 420, Florida Statutes; sections 120.569 and 120.57, Florida Statutes; Chapters 67-48, 67-60, 67-53, and rules 28-106 and 28-110, Florida Administrative Code.

X. Demand for Relief

59. Pursuant to section 120.57(3), Florida Statutes and Florida Administrative Code Rule 28-100.004, Quail Roost requests the following relief:

- a. Florida Housing schedule a meeting with Quail Roost to discuss resolution of this protest within seven business days, as required by section 120.57(3)(d)1., Florida Statutes;
- b. If the matter cannot be resolved, that Florida Housing refer this petition to the Division of Administrative Hearings for assignment of an Administrative Law Judge (ALJ);
- c. The ALJ enter a Recommended Order determining that Coco Plum and the Enclave are ineligible for funding, awarding funding to Quail Roost, and inviting Quail

Roost to the credit underwriting process; and

d. That Florida Housing adopt the Recommended Order of the ALJ as a Final Order.

Respectfully submitted this 13th day of February, 2023.

/s/ Christopher B. Lunny

CHRISTOPHER B. LUNNY (FBN: 0008982)

E-mail: clunny@radeylaw.com

Secondary E-mail: kellis@radeylaw.com

MELISSA R. HEDRICK (FBN: 1010989)

E-mail: mhedrick@radeylaw.com

Secondary E-mail: mterry@radeylaw.com

Radey Law Firm

301 South Bronough Street, Suite 200

Tallahassee, Florida 32301

Telephone: (850) 425-6654

**COUNSEL FOR PETITIONER,
QUAIL ROOST**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing Formal Written Protest and Petition for Formal Administrative Hearing has been filed by email to the Florida Housing Finance Corporation Clerk at CorporationClerk@floridahousing.org this 13th day of February, 2023.

/s/ Christopher B. Lunny

CHRISTOPHER B. LUNNY

Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

1

RFA 2022-203 Board Approved Preliminary Awards

Total HC Available for RFA	6,855,330.00
Total HC Allocated	6,531,800.00
Total HC Remaining	323,530.00

Application Number	Name of Development	Name of Authorized Principal Representative	Name of Developers	Demo	Total Units	HC Request Amount	Eligible For Funding?	Priority Level	Family Demo and qualifies for the Geographic Area of Opportunity / HUD-designated SADDA Funding Goal?	Urban Center?	Tier of Urban Center?	Total Points	Per Unit Construction Funding Preference	Total Corp Funding Per Set-Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
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2023-092C	Old Cutler Village Phase 2	David O. Deutch	Pinnacle Communities, LLC	F	120	\$3,458,400	Y	1	Y	N	N/A	15	Y	\$191,811.51	A	Y	Y	18

On January 27, 2023, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee’s motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

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EXHIBIT

2



PHONE (850) 425-6654 FAX (850) 425-6694 WEB WWW.RADEYLAW.COM
MAIL POST OFFICE BOX 10967 | TALLAHASSEE, FL 32302 OFFICE 301 SOUTH BRONOUGH ST. | STE. 200 | TALLAHASSEE, FL 32301

February 1, 2023

Via Electronic Filing

Corporation Clerk
Florida Housing Finance Corporation
227 North Bronough Street
Suite 5000
Tallahassee, Florida 32301

RECEIVED

FEB 1 2023 9:05 AM

FLORIDA HOUSING
FINANCE CORPORATION

Re: Notice of Intent to Protest, RFA 2022-203, Proposed Funding Selections

Dear Corporation Clerk:

Pursuant to section 120.57(3), Florida Statutes, rule chapters 28-106 and 28-110, and rule 67-60.009, Florida Administrative Code, Applicant No. 2023-081C, Quail Roost Transit Village II, Ltd. files this Notice of Intent to Protest the proposed funding selections adopted by the Florida Housing Finance Corporation ("FHFC") Board of Directors on January 27, 2023, concerning Request for Applications 2022-203, Housing Credit Financing for Affordable Housing Developments Located in Miami-Dade County.

A copy of the Board's Approved Preliminary Awards, as posted on the FHFC website, is attached to this notice as **Exhibit A**. A copy of the Board's Approved Scoring Results, also posted on the FHFC website, is attached as **Exhibit B**. A formal written protest petition will be filed within 10 days of this notice, as required by law.

Sincerely,

Christopher Lunny

Exhibit 2

RFA 2022-203 Board Approved Preliminary Awards

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RFA 2022-203 Board Approved Scoring Results

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Eligible Applications

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2023-073C	Rainbow Village II	Matthew A. Rieger	RGC Phase II Developer, LLC	E, Non-ALF	100	\$3,458,300	Y	1	N	N	N/A	15	Y	Y	\$214,055.46	B	Y	Y	17
2023-074C	Little River Commons	Matthew A. Rieger	HTG Little River Developer, LLC	E, Non-ALF	104	\$3,458,300	Y	1	N	Y	2	15	Y	Y	\$213,503.47	B	Y	Y	8
2023-075C	Heritage at Lake Park	Robert Hoskins	NuRock Development Partners, Inc.; R Howell Development, LLC; R Block Development, LLC	E, Non-ALF	130	\$2,908,400	Y	1	N	N	N/A	15	Y	Y	\$148,898.89	A	Y	Y	7
2023-076C	Heritage at Gragny Park	Robert Hoskins	NuRock Development Partners, Inc.; R Howell Development, LLC; R Block Development, LLC	E, Non-ALF	130	\$3,073,400	Y	1	N	Y	2	15	Y	Y	\$151,792.86	A	Y	Y	1
2023-077C	Catalyst at Goulds	Oscar Sol	Catalyst at Goulds Dev, LLC	E, Non-ALF	110	\$3,303,700	Y	1	N	Y	2	15	Y	Y	\$192,833.97	A	Y	Y	29
2023-078C	Casa Naranja	Oscar Sol	GM Casa Naranja Dev, LLC	E, Non-ALF	126	\$3,433,711	Y	1	N	Y	1	15	Y	Y	\$181,373.52	A	Y	Y	14
2023-079C	Perrine Village I	Kenneth Naylor	APC Perrine Development, LLC	E, Non-ALF	120	\$3,458,400	Y	1	N	Y	2	15	Y	Y	\$172,088.77	A	Y	Y	12
2023-080C	The Enclave at Rio	Joseph Chapman	Royal American Properties, LLC	E, Non-ALF	100	\$3,150,000	Y	1	N	N	N/A	15	Y	Y	\$202,248.90	A	Y	Y	2
2023-081C	Quail Roost Transit Village II	Kenneth Naylor	Quail Roost II Development, LLC	E, Non-ALF	124	\$3,458,400	Y	1	N	Y	2	15	Y	Y	\$179,072.61	A	Y	Y	3
2023-082C	Villa Esperanza II	Mara S. Mades	Cornerstone Group Partners, LLC	F	112	\$2,550,000	Y	1	Y	N	N/A	15	Y	Y	\$151,531.47	A	Y	Y	27
2023-083C	Metro Grande I	Mara S. Mades	Cornerstone Group Partners, LLC	F	108	\$2,800,000	Y	1	N	N	N/A	15	Y	Y	\$166,460.00	A	Y	Y	21
2023-084C	Metro Grande II	Mara S. Mades	Cornerstone Group Partners, LLC	E, Non-ALF	94	\$2,325,000	Y	1	N	N	N/A	15	Y	Y	\$158,807.39	A	Y	Y	10
2023-085C	Freedom Pointe (f.k.a. Little Havana Senior)	Kimberly Black King	Volunteers of America National Services	E, Non-ALF	75	\$2,217,000	Y	1	N	N	N/A	15	Y	Y	\$189,792.94	A	Y	Y	24

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2023-087C	Coco Palm Place	Jacob Morrow	Coco Palm Place Developer, LLC	E, Non-ALF	145	\$3,458,000	Y	1	N	Y	1	15	Y	Y	\$153,120.24	A	Y	Y	5
2023-088C	Hibiscus Grove	Jacob Morrow	Hibiscus Grove Developer, LLC	E, Non-ALF	145	\$3,458,000	Y	1	N	Y	2	15	Y	Y	\$153,120.24	A	Y	Y	16
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2023-090C	Vineyard Villas	Marc S. Plonskier	Gatehouse Development Corp.; Magellan Housing LLC	E, Non-ALF	97	\$2,900,000	Y	1	N	N	N/A	15	Y	Y	\$210,466.31	A	Y	Y	6
2023-091C	Catherine Flon Estates	Nikul A. Inamdar	Catherine Flon Estates Developer, LLC	E, Non-ALF	120	\$3,458,400	Y	1	N	N	N/A	15	Y	Y	\$185,041.69	A	Y	Y	26
2023-092C	Old Cutler Village Phase 2	David O. Deutch	Pinnacle Communities, LLC	F	120	\$3,458,400	Y	1	Y	N	N/A	15	Y	Y	\$191,811.51	A	Y	Y	18
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2023-095C	Sage Pointe	Nikul A. Inamdar	Sage Pointe Developer, LLC	E, Non-ALF	80	\$2,800,000	Y	1	N	Y	2	15	Y	Y	\$232,942.50	B	Y	Y	19
2023-098C	Cannery Row at Redlands Crossing Phase II	David O. Deutch	Pinnacle Communities, LLC; Rural Neighborhoods, Incorporated	E, Non-ALF	112	\$3,405,000	Y	1	N	Y	1	15	Y	Y	\$195,197.71	A	Y	Y	15
2023-099C	Brownsville 54	Oliver L. Gross	Brownsville 54 Developers, LLC	F	75	\$2,750,000	Y	1	N	Y	2	15	Y	Y	\$280,500.00	B	Y	Y	28
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Ineligible Applications

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EXHIBIT

3

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EXHIBIT

4

Exhibit A to RFA 2022-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County

**Section 4.A.5
Proximity, Mandatory Distance, and RECAP**

e. Proximity

(1) PHA or RD 515 Proximity Point Boost

(a) Does the proposed Development qualify for the PHA Proximity Point Boost?

No

If "Yes", provide the required letter as **Attachment 5**.

(b) Does the proposed Development qualify for the RD 515 Proximity Point Boost?

No

If "Yes", provide the required letter as **Attachment 14**.

(2) Transit Services

Applicants may select Private Transportation or provide the location information and distance for one of the remaining four Transit Services on which to base the Application's Transit Score.

(a) If the proposed Development will serve the Elderly (ALF or Non-ALF) Demographic Commitment, does the Applicant commit to provide Private Transportation?

No

(The proposed Development's Demographic Commitment is Elderly Non-ALF, which qualifies to select this option for 2 transit points.)

(b) Other Transit Services

Service	Latitude Coordinates	Longitude Coordinates	Distance*	Points awarded for Transit Type
Public Bus Stop 1				
Public Bus Stop 2				
Public Bus Stop 3				
Public Bus Transfer Stop				
Public Bus Rapid Transit Stop	25.876785	-80.245639	0.49	5.5
Public Rail Station				

This area intentionally left blank.

Exhibit A to RFA 2022-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County

(3) Community Services

Up to **three** Community Services may be selected, for a maximum 4 points for each service.

Service	Service Name	Service Address	Distance*	Points awarded for Community Services
Grocery Store				
Medical Facility	Med One Medical Center	486 Fisherman Street, Opa-Locka, FL 33054	1.29	1.5
Pharmacy	Walgreens	11920 NW 27th Ave, Miami, FL 33167	0.11	4.0
Public School	Henry E.S. Reeves Elementary School	2005 NW 111th St, Miami, FL 33167	1.01	2.5

*Rounded up to the nearest hundredth of a mile. Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

f. Racially and Ethnically Concentrated Areas of Poverty (RECAP)

Is any part of the proposed Development located in a RECAP designated area?

No

g. Urban Center Designation Qualifications

(1) Does the Application qualify for the Urban Center Designation?

(2) What is the name of the Urban Center in which the entire proposed Development, including all Scattered Sites, if applicable, is located? The entire proposed Development, including all Scattered Sites, if applicable, must be located within the Urban Center zoning designation .

Yes	
North Central	Tier 2

(The Tier level for Naranja is dependent upon the selected Demographic Commitment)

Transit Service Points calculated based on the information entered above:

5.5

Community Service Points calculated based on the information entered above:

8

PHA or RD Proximity Boost points achieved?

0

Total Proximity Points calculated based on information entered above:

13.5

Using the information entered above, does the Application meet the minimum Transit Point Requirement?

Yes

Using the information entered above, does the Application meet the minimum Proximity Point Requirement?

Yes

Using the information entered above, does the Application meet the Proximity Funding Preference?

Yes

EXHIBIT

5



Bus Stop Look Up



MIAMI DADE COLLEGE NORTH CAMPUS

(#152) Connecting Bus Routes

19 (NB)

- Destination: 163 St Mall
Arrival: 12:51 min (Bus 22125)

19 (SB)

- Destination: M.D.C. North
Arrival: Approaching (Bus 22125)

27 / 27A (NB)

- Destination: Calder
Arrival: 17:51 min * (Bus TBD)

27 / 27A (SB)

- Destination: Coconut Grove Sta.
Arrival: 4:18 min (Bus 20229)

32 (NB)

- Destination: NW 199 St / 47 Ave
Arrival: 15:17 min (Bus 18163)

32 (SB)

- Destination: Omni
Arrival: 24:37 min (Bus 18165)

107 Route G (EB)

- Destination: G - Beach / 96 St
Arrival: 17:51 min (Bus 16104)

107 Route G (WB)

- Destination: G - MDC North
Arrival: Under 2 min * (Bus TBD)

297 27th Avenue Orange MAX (NB)

- Destination: MAX to 207 St
Arrival: Approaching (Bus 20166)

297 27th Avenue Orange MAX (SB)

- Destination: MAX to Airport Sta.
Arrival: 17:34 min (Bus 9101)



[view full web site](#)

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Exhibit 5

Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

6

From: [Frometa-Spring, Esther \(DTPW\)](#)
To: [Aldis Roig](#)
Cc: [Jean-Baptiste, Antoinette \(DTPW\)](#)
Subject: RE: [GovQA] New Request Assignment - R018640-012023
Date: Monday, January 23, 2023 1:33:02 PM
Attachments: [image001.png](#)
[image002.jpg](#)

You don't often get email from esther.frometa-spring@miamidade.gov. [Learn why this is important](#)

Good day Aldis,

The only exclusively used by buses is the South Dade Transitway. All the other ones are shared.
Thanks

Esther M. Frometa
Service Planning & Scheduling
Transportation Planner 2
Department of Transportation and Public Works (DTPW)
701 N.W. 1st Court, Suite 1200, Miami, FL 33136
786.469.5140 Phone
emf@miamidade.gov
www.miamidade.gov/transit

From: Jean-Baptiste, Antoinette (DTPW) <Antoinette.Jean-Baptiste@miamidade.gov>
Sent: Friday, January 20, 2023 5:05 PM
To: Frometa-Spring, Esther (DTPW) <Esther.Frometa-Spring@miamidade.gov>
Cc: (DTPW) Public Records <MDT-PREC@miamidade.gov>
Subject: FW: [GovQA] New Request Assignment - R018640-012023

Good afternoon Eshter:

Please assist with the below request.

Thank you,



Antoinette Jean-Baptiste
Lead Worker, Document Management
Department of Transportation and Public Works (DTPW)
Intergovernmental Affairs
Director's Office

Exhibit 6

Human Resources/Document Management

701 N.W. 1st Court, 13th & 17th Floor

Miami, FL 33136

Office: 786-469-5066 * 786-469-5208

www.miamidade.gov/transit

To Submit a Public Records Request go to [GovQA](#)



From: Miami-Dade County - Public Records <miamidadecounty@govqa.us>

Sent: Friday, January 20, 2023 4:58 PM

To: Jean-Baptiste, Antoinette (DTPW) <Antoinette.Jean-Baptiste@miamidade.gov>

Subject: [GovQA] New Request Assignment - R018640-012023

EMAIL RECEIVED FROM EXTERNAL SOURCE

A request has been assigned to you: Transportation and Public Works / R018640-012023

Request Information

Assigned Staff: Antoinette Jean-Baptiste

Status: In Progress

Requestor: Aldis Roig

Requestor Email: aroig@apcommunities.com

Requestor Company: AP Communities

Create Date: 1/20/2023 3:40:16 PM

Record(s) Requested: We are looking for a complete list of bus routes that travel at some point during the route in either a lane or corridor that is exclusively used by buses. I found the information for the South Dade Busway but am unable to find info on other routes on the Miami-Dade County transit website. Can you please provide this list? Thanks in advance!

Address of Location:

Date From:

Date To:

Login to the system and view your request by clicking [HERE](#).

This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT

REPLY



EXHIBIT

7

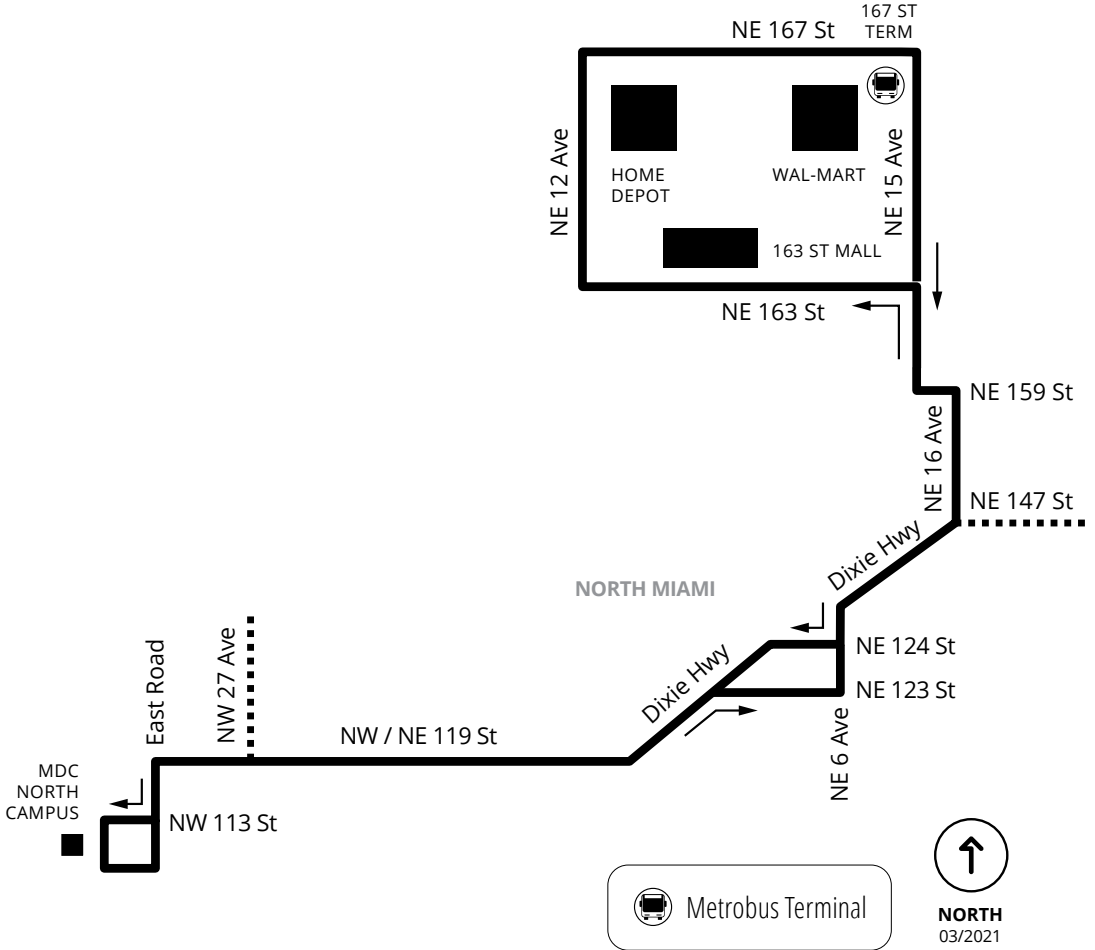


Exhibit 7



@GoMiamiDade

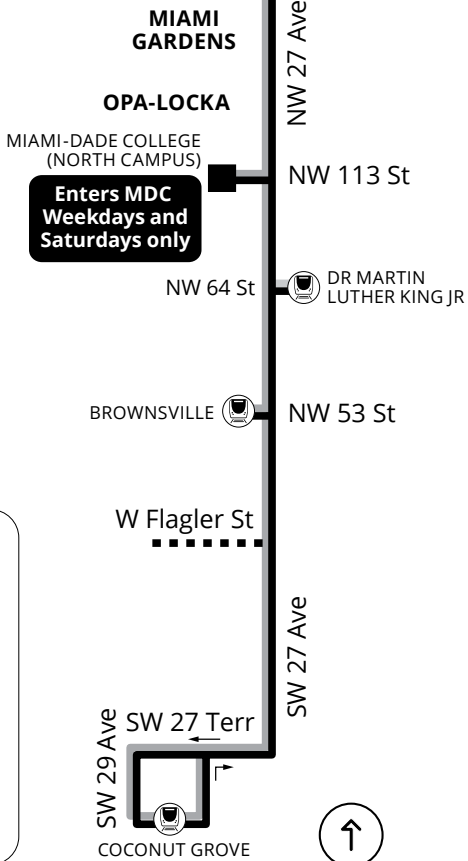
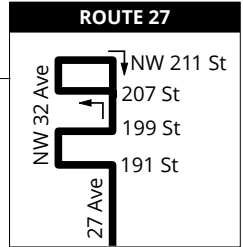
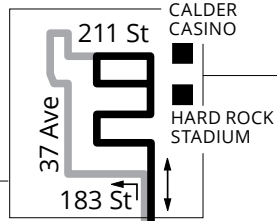
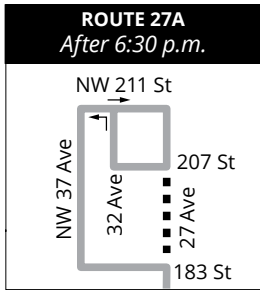
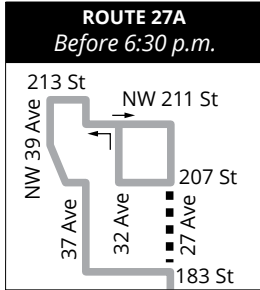


GO Miami-Dade Transit





27



**Enters MDC
Weekdays and
Saturdays only**

Route 27

**NW 207 St & 27 Ave
to Coconut Grove
Metrorail Station**

Route 27A

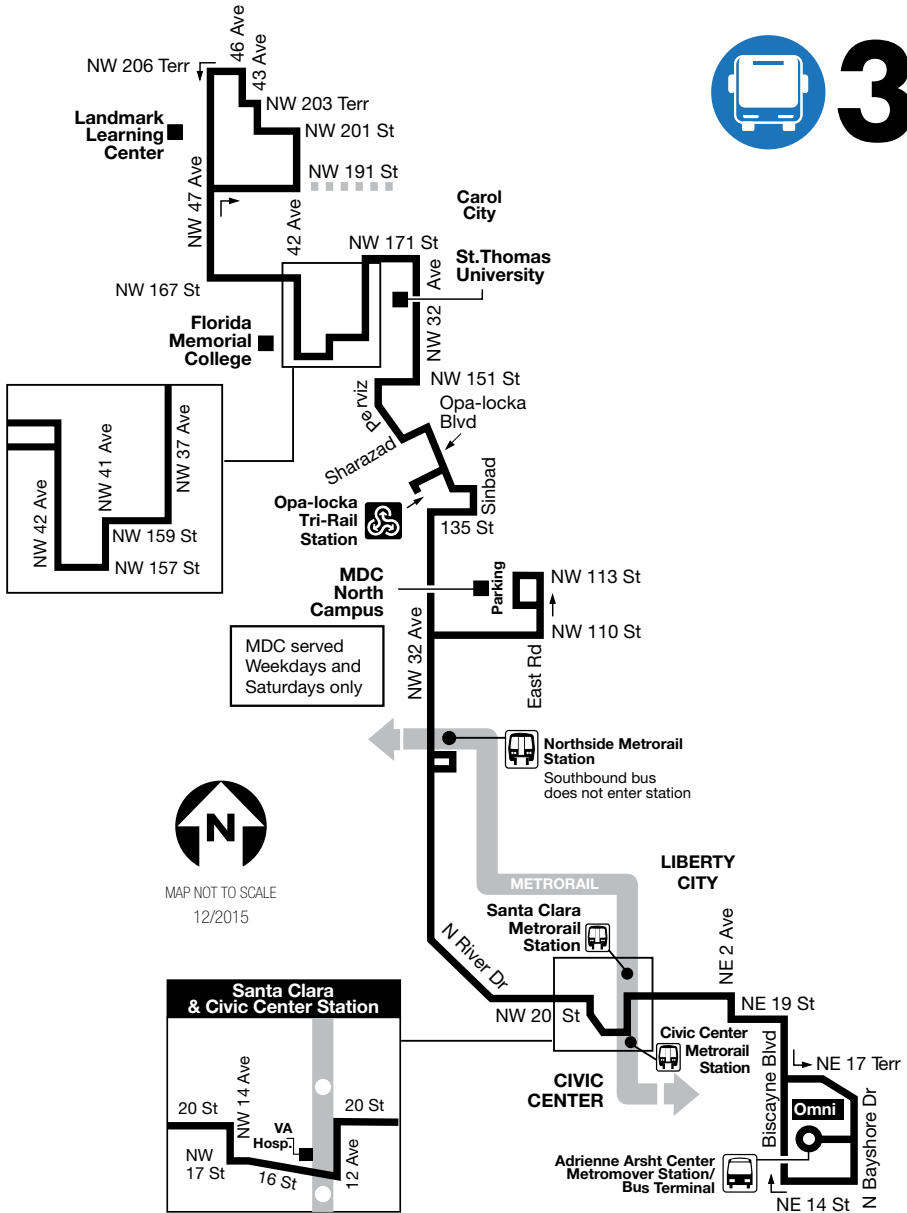
**NW 211 St & 37 Ave
to Coconut Grove
Metrorail Station**

Metrorail Station

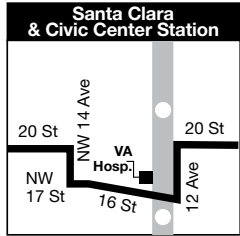


NORTH
10/2019





MAP NOT TO SCALE
12/2015

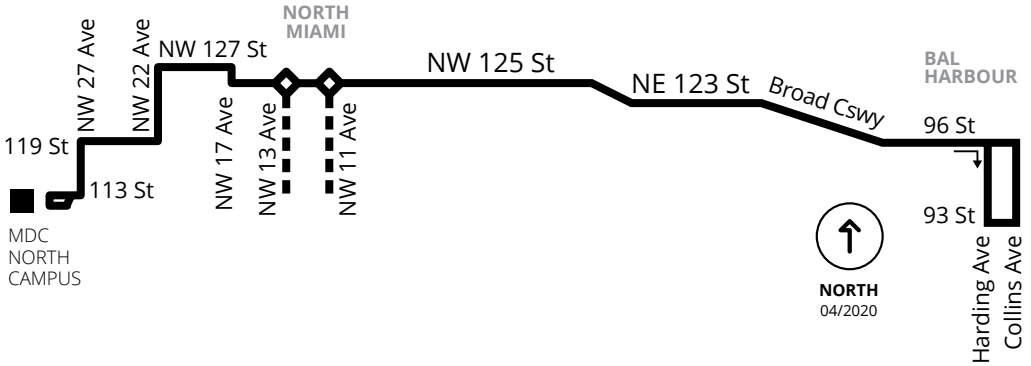


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GO Miami-Dade Transit





@GoMiamiDade



GO Miami-Dade Transit

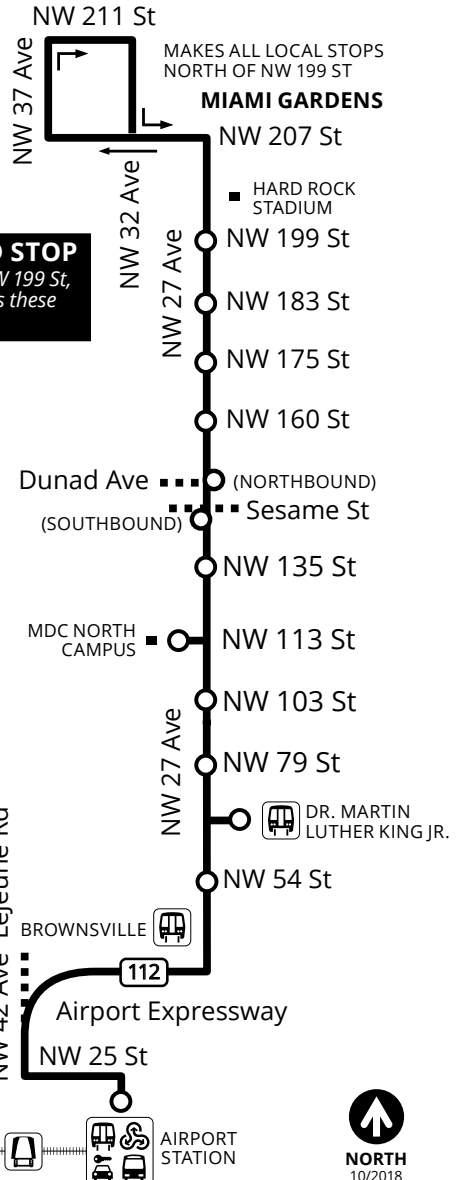




297

27TH AVENUE ORANGE MAX

LIMITED STOP
*South of NW 199 St,
route serves these
stops only.*



- METRORAIL STATION
- TRI-RAIL STATION
- MIA MOVER
- METROBUS TERMINAL
- RENTAL CAR FACILITY
- AIRPORT



@GoMiamiDade



GO Miami-Dade Transit



NORTH
10/2018



Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

8

BEFORE THE FLORIDA HOUSING FINANCE CORPORATION

NORTHSIDE PROPERTY II, LTD.,

Petitioner,

FHFC Case No.: 2017-099BP

FHFC Case No. 2018-047BS

vs.

RFA 2017-108

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

17 DEC 20 11:04
REGISTERED

**FORMAL WRITTEN PROTEST
AND PETITION FOR ADMINISTRATIVE HEARING**

Petitioner Northside Property II, Ltd. (“Petitioner” or “Northside”) files this Formal Written Protest and Petition for Administrative Hearing (“Petition”) pursuant to section 120.57(3), Florida Statutes, and rules 67-60.009 and 28-110.004, Florida Administrative Code. This Petition challenges the intended decision of Respondent Florida Housing Finance Corporation (“Florida Housing”) to award funding to Sierra Bay Apartments, Ltd., Application No. 2018-023BS (“Sierra Bay”) in connection with Request for Applications 2017-108, SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits (the “RFA”).

I. Parties

1. Petitioner is a legally formed entity qualified to do business in Florida that applied for funding¹ pursuant to the RFA. Petitioner sought funding in connection with the proposed new

¹ In accordance with the RFA, Northside sought funding from the State Apartment Incentive Loan (“SAIL”) program, in conjunction with an allocation of non-competitive Housing Credits and tax-exempt bond financing through Florida Housing’s Multifamily Mortgage Revenue Bond (“MMRB”) program.

construction of a 180-unit, high rise apartment complex called Northside Transit Village II that is intended to serve the elderly demographic in Miami-Dade County, Florida. For purposes of this proceeding, Petitioner's address, telephone number, and email address are those of its undersigned counsel.

2. Florida Housing is the agency affected by this Petition. Florida Housing's address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301. Florida Housing's file number for Petitioner's application is 2018-047BS.

II. Notice

3. Petitioner received notice of Florida Housing's intended decision to award funding pursuant to the RFA on December 8, 2017, when Florida Housing's Board of Directors approved the recommendation of its Review Committee, which previously had recommended certain applicants for funding. A copy of the notice posted on the Florida Housing website concerning the Board action is attached as **Exhibit A**. Petitioner was not among those recommended for funding.

4. Petitioner timely filed a notice of intent to protest on December 13, 2017. A copy of that notice is attached as **Exhibit B**.

III. Background

5. Florida Housing is a public corporation created by section 420.504, Florida Statutes, to administer the governmental function of awarding various types of funding for affordable housing in Florida. Among the programs administered by Florida Housing is the SAIL Program, governed by section 420.5087, Florida Statutes. RFA 2017-108 proposed to award \$87,320,000 in SAIL funding for the development of affordable housing for the elderly and family

demographic groups. The funding offered through the RFA is required to be used in conjunction with tax-exempt bonds and non-competitive Housing Credits.²

6. Florida Housing has the responsibility and authority to establish procedures for allocating and distributing various types of funding for affordable housing, including SAIL funds. In accordance with that authority, Florida Housing has adopted chapter 67-60, Florida Administrative Code, which governs the competitive solicitation process for several programs, including SAIL. R. 67-60.001(1), Fla. Admin. Code. Other administrative rule chapters relevant to Florida Housing's selection process in connection with this RFA are chapter 67-48, which governs competitive affordable multifamily rental housing programs; and chapter 67-53, governing compliance procedures. Applicants for funding pursuant to RFA 2017-108 are required to comply with provisions of the RFA and each of the administrative rule chapters referenced in this paragraph. *See* RFA, p. 7 (§ Three F.3).

7. The RFA was issued on August 31, 2017, and amended on September 13, September 15, and October 3, 2017. It establishes a detailed process of selecting Applicants for funding in large, medium and small counties. RFA, pp. 65-73 (§ 5). First, Applicants are required to meet certain mandatory submission requirements. RFA, pp. 65-68. Among these requirements is demonstrating an Applicant's "Ability to Proceed" with the development via

² Florida Housing issues both competitive and non-competitive housing credits pursuant to section 420.5099, Florida Statutes. Florida Housing is designated as the housing credit agency for the State of Florida within the meaning of Section 42(h)(7)(A) of the Internal Revenue Code. § 420.5099, Fla. Stat. Housing Credits (also known as tax credits) are a dollar-for-dollar offset to federal income tax liability. Developers who receive an allocation of housing credits receive the awarded amount every year for ten years. The developer usually sells the housing credits to a syndicator that in turn sells them to investors seeking shelter from federal income taxes.

the execution of certain forms by the local government where the development will be located. *See* RFA, pp. 34-37. Those Applications that do not meet these requirements are deemed ineligible for funding. The RFA sets forth goals for funding two elderly, new construction Applications located in a large county; three family, new construction Applications located in a large county; one elderly, new construction Application located in a medium county; and two family, new construction Applications located in a medium county. RFA, p. 69. Applicants are awarded points based on a variety of criteria, including proximity to transit services and community services such as a public school, medical facility, grocery store, or pharmacy. RFA, pp 19-23. All large county Applications must achieve a minimum number of transit service points and achieve a minimum number of total proximity points to be eligible for funding. RFA, p. 19. Applicants that achieve a higher number of total proximity points may also qualify for the Proximity Funding Preference. In order to receive the Proximity Funding Preference, Applicants in large counties must achieve at least 12.5 proximity points. In order to be eligible for funding at all, Applicants in large counties must achieve at least 10.5 total proximity points. RFA, p. 20.

8. Because many Applicants achieve the maximum number of points and meet the mandatory eligibility requirements, the RFA sets forth a series of tie-breakers to determine which Applications will be awarded funding:

- (1) **First, by the Application's eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e of the RFA) with the Applications that qualify for the preference listed above the Applications that do not qualify for the preference;**

- (2) Next, by the Application's eligibility for the Per Unit Construction Funding Preference (which is outlined in Section Four A.11.d of the RFA) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- (3) Next, by the Application's Leveraging Level number (which is outlined in Item 3 of Exhibit C) with Applications that have a lower Leveraging Level number listed above Applications that have a higher Leveraging Level number;
- (4) Next, by the Application's eligibility for Florida Job Creation Funding Preference (which is outlined in Item 4 of Exhibit C) with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- (5) Finally, by lottery number, with Applications that have a lower lottery number listed above Applications with a higher lottery number.

RFA, pp. 69-70 (emphasis supplied).

9. The RFA also provides that Applications will only be selected for funding if there is enough SAIL funding available in both the applicable SAIL Geographic Category (SAIL Geographic Funding Test) and the SAIL Demographic Category (SAIL Demographic Funding Test) to fund the Applicant's total SAIL request amount. RFA p. 70. The RFA also imposes a County Award Tally, which establishes a procedure to ensure that funding is not concentrated in any one county. *Id.* Nonetheless, the RFA provides that developments in certain counties will be funded first. For example, the highest-ranking eligible new construction Applications in Miami-Dade and Broward counties are to be funded first, regardless of the Applicant's demographic commitment. RFA, p. 70.³

10. Florida Housing received 38 applications in response to the RFA, of which 28 were found to be eligible for funding. **Exhibit C**, 2017-108 – All Applications Chart. Among

³ The Review Committee determined that no Broward County applications were eligible for funding.

the eligible Applications was Petitioner's Northside Transit Village II, to be located in Miami-Dade County. *Id.*

11. Florida Housing's Review Committee for the RFA met on November 15, 2017. Its recommendations were approved by the Florida Housing Board on December 8, 2017. *See Exhibit A.*

12. Among the Applications selected for funding is Sierra Bay, a proposed 140-unit new construction apartment complex to serve the elderly demographic. As more fully described below, Sierra Bay is ineligible for funding because it should not have received six points for a Public Bus Transfer Stop and because it made inconsistent representations about its proposed development to Florida Housing and to Miami-Dade County. If Sierra Bay is determined to be ineligible, Petitioner's Northside Transit Village II would be next in line for funding.

IV. Substantial Interests Affected

13. Petitioner's substantial interests are affected because if Sierra Bay is found ineligible for funding, Northside Transit Village II would be the next eligible Application based on the Funding Selection Order explained on pages 70-72 of the RFA. Sierra Bay and Northside Transit Village II are both new construction developments proposed to serve the elderly in a large county.⁴

⁴ Per the RFA's Funding Selection Order, the first Applications to be selected for funding are new construction Applications in Miami-Dade and Broward counties, regardless of the demographic commitment. Harbour Springs, Application No. 2018-048BS, a proposed family development in Miami-Dade County, meets this criteria. No Broward County Application was deemed to be eligible. The second RFA goal is to fund two elderly, large county new construction Applications. If neither of the Applicants selected under the first goal is a development proposed to serve the elderly, then the next two highest ranking eligible elderly, large county, new construction Applications are to be selected for funding, subject to the County Award Tally and both Funding Tests. Sierra Bay and Brisas del Rio Apartments, Application No. 2018-030BS (also in Miami-Dade County), were selected to meet this goal. Northside Transit Village II also meets

Sierra Bay's Public Bus Transfer Stop

14. Sierra Bay indicated that a "Public Bus Transfer Stop" was located .09 miles from the Development Location Point on the Sierra Bay development site. See Sierra Bay Application, p. 5. The RFA, on page 88, defines "Public Bus Transfer Stop" as follows:

For purposes of proximity points, a Public Bus Transfer Stop means a fixed location at which passengers may access at least three routes of public transportation via buses. Each qualifying route must have a scheduled stop at the Public Bus Transfer Stop at least hourly during the times of 7 am to 9 pm and also during the times of 4 pm to 6 pm Monday through Friday, excluding holidays, on a year-round basis. This would include bus stations (i.e., hubs) and bus stops with multiple routes. Bus routes must be established or approved by a Local Government department that manages public transportation. Buses that travel between states will not be considered.

Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.

(Emphasis supplied).

15. The coordinates provided by Sierra Bay (latitude of 25.565771 and longitude of -80.382293) for its transit stop correspond to a Miami-Dade transit stop identified as southbound "US 1 & SW 216 St," located on the southbound or west side of US 1, approximately 240 feet southwest of the centerline of the intersection of US 1 and SW 216th Street. See **Exhibit D**, Surveyor's Affidavit from Kenneth C. Jackson. Only one bus route stops at these coordinates: Route 35. See **Exhibit E**, Letter from Gerald Bryan, Chief, Service Planning and Scheduling, Miami-Dade County Department of Transportation and Public Works (confirming that as of the Application Deadline, October 12, 2017, the bus stop in question was -- and is -- served by only

this goal. If either Brisas del Rio or Sierra Bay are disqualified, Northside Transit Village II is the next eligible Application for funding. See RFA, pp. 70-71; see also **Exhibit A**.

one route. *See also Composite Exhibit F*, photographs of the bus stop sign and the Miami-Dade County Transit Schedule at the coordinates provided by Sierra Bay.

16. There are no Public Bus Transfer Stops located in the immediate area surrounding the coordinates Sierra Bay listed in its Application. The only other routes that make stops in the area are Routes 34 and 38. *See Exhibit E* (letter from Mr. Bryan). However, neither route stops at the bus stop listed in the Sierra Bay Application. Routes 34 and 38 only make stops at northbound “BUSWAY & SW 216 St,” a bus stop located approximately 150 feet west of the bus stop listed in the Sierra Bay Application. *Id.* Route 35 does not stop at “BUSWAY & SW 216 St.” *Id.*; *see also Composite Exhibit G* (schedules for Bus Routes 34, 35, and 38).⁵

17. The Miami-Dade transit stop identified as southbound US 1 & SW 216 St in Sierra Bay’s Application does not meet the definition of a Public Bus Transfer Stop because it does not access three routes of public transportation via buses. *See Exhibit E*.

18. Public Bus Transfer Stops are entitled to a maximum of six proximity points for transit services. RFA, p. 21. Public Bus Stops are entitled to a maximum of two proximity points for transit services. *Id.* Sierra Bay should have identified its bus stop at US 1 & SW 216 St. as a Public Bus Stop, which would have meant that Sierra Bay would have been entitled to two transit proximity points. However, because Sierra Bay incorrectly identified its bus stop as a Public Bus Transfer Stop, Sierra Bay is entitled to zero proximity points for transit services.

⁵ Notably, Route 34 does not make at least hourly stops during the times of 7 am to 9 am or 4 pm to 6 pm Monday through Friday, excluding holidays, on a year-round basis, as required by the RFA. Thus, even if Sierra Bay were to argue that all three routes should be combined – which is not contemplated by the RFA – Route 34 would fail to meet the number of stops required by the RFA.

19. Sierra Bay claimed 10 community services proximity points as follows: 3.5 points for a grocery store located 0.49 miles away; three points for a medical facility 0.54 miles away; and 3.5 points for a pharmacy 0.49 miles away. *See* Sierra Bay Application, p. 6. Because Sierra Bay is entitled to zero proximity points for transit services, it has a total of only 10 proximity points, .5 points less than the minimum number of points required for a large county Application. Thus, Sierra Bay is ineligible for funding. *See* RFA, p. 20. Even if Sierra Bay were awarded two transit proximity points for a Public Bus Stop, it would have only 12 total proximity points and would fail to achieve the 12.5 points required for the Proximity Funding Preference. *Id.* Without the Proximity Funding Preference, Sierra Bay would be ranked below Petitioner's Application.

20. Sierra Bay should have been aware of the necessity of precisely identifying a Public Bus Transfer Stop in order to receive the six points associated with such a transit service. Florida Housing, in two recent cases affecting Miami-Dade County applications, has rescinded proposed funding awards for Applicants that inappropriately identified Public Bus Stops as Public Bus Transfer Stops. *See Pinnacle Heights, LLC v. Florida Housing Finance Corporation*, DOAH Case No. 15-3304BID, FHFC Case No. 2015-025BP (Final Order adopting Recommended Order)⁶; *GM Silver Creek, Ltd. v. Florida Housing Finance Corporation*, DOAH Case No. 17-1545BID, FHFC Case No. 17-1545BID. The Final and Recommended Orders in *Pinnacle Heights* and the Consent Agreement in *GM Silver Creek* are attached as **Composite Exhibit H**.

21. In the *Pinnacle Heights* case, the challenged Applicant – Rio at Flagler LP – argued that one of its bus routes essentially constituted two routes because it had two separate destinations. Recommended Order at pp. 9-10. However, the Administrative Law Judge noted that Florida

⁶ The discussion of the issue can be found on pages 7-10 of the Recommended Order.

Housing relies on the determinations of local government officials as to the interpretation of “routes”:

[W]hether Route 11 is a single route or two routes is a determination that must be made by the local government, and not the applicant. Mr. Bryan testified that the Authority established Route 11 as a single route with two separate terminate points. . . . Because Florida Housing does not second guess the determination of the local government, the undersigned has rejected Rio’s assertion that the bus stop is a Public Bus Transfer Stop. Without the inclusion of the six proximity points for this type of transit service, Rio’s application is not eligible for funding in this cycle.

Recommended Order, p. 10. Notably, the “Mr. Bryan” referenced as the local government’s expert in the *Pinnacle Heights* Recommended Order in 2015 is the same Mr. Bryan who opined in 2016, in the *GM Silver Creek* case, according to the Petition for Administrative Hearing filed in that proceeding, that the transit service stop identified by Applicant Ambar Key, LTD. (Application No. 2017-147C), did not meet Florida Housing’s definition of a Public Bus Transfer Stop, as defined in RFA 2016-114. Florida Housing agreed with the challenger based on Mr. Bryan’s testimony. *See* Consent Agreement in **Composite Exhibit H**. Similar to the 2015 and 2016 cases, in 2017 Mr. Bryan wrote the letter attached as **Exhibit E** to this Petition. Mr. Bryan’s letter in **Exhibit E** clearly shows that the transit stop submitted by Sierra Bay does not meet Florida Housing’s definition of a Public Bus Transfer Stop.

Sierra Bay Site Plan Approval and Verification of Zoning Forms

22. As part of their Applications, Applicants are required to submit “Ability to Proceed” forms signed by local government officials, including forms demonstrating site control and that the development is consistent with zoning and land use regulations. RFA, pp. 34-35. The Ability to Proceed forms allow Florida Housing to have some degree of confidence that the development can move forward because the local government has reviewed certain elements of

the Development that the Applicant has presented to Florida Housing. In turn, the Applicant is required to certify to Florida Housing that the representations it makes to third parties, such as local governments, are consistent with information provided to Florida Housing in the Application. The Applicant Certification and Acknowledgement Form, which must be signed by each Applicant, provides:

14. In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third party information included in this Application and/or provided during the credit underwriting process and the information provided by any such party is based upon, and accurate with respect to, the Development as proposed in this Application.

RFA, Attachment 1, p. 3. Sierra Bay submitted an executed Applicant Certification and Acknowledgment Form with its Application.

23. Sierra Bay identified its proposed development in its Application as a 140-unit complex consisting of Garden Apartments. *See* Sierra Bay Application, pp. 4, 7. However, the site plan submitted to Miami-Dade County's Department of Regulatory and Economic Resources for purposes of obtaining signatures on the Ability to Proceed Forms details a project consisting of 170 total units in four-story and six-story mid-rise buildings. Copies of Sierra Bay's Local Government Verification of Status of Site Plan Approval for Multifamily Developments and its Local Government Verification that Development is Consistent with Zoning and Land Use Regulations, which were submitted as part of Sierra Bay's Application to Florida Housing, are attached as **Composite Exhibit I**. A copy of Sierra Bay's Site Plan that was submitted to Miami-Dade County's Department of Regulatory and Economic Resources shows that the proposed development consists of 170 units in four-story and six-story buildings. *See* **Composite Exhibit**

J. The final page of this composite exhibit is an enlargement of the Site Data Chart found on the final page of the site plan.⁷

24. Florida Housing requires Applicants to submit Ability to Proceed forms so it can be assured by the local government that the Applicant has the likely ability to build the proposed project, as described in the Application, on the designated site. If the information provided to the local government as to building types and number of units is inconsistent with information about the development provided to Florida Housing, there is no such assurance.

25. Notably, the “Development Type” identified by an Applicant to Florida Housing (i.e., Garden Apartments; Townhouses; Mid-Rise, 4 stories; Mid-Rise, 5 to 6-stories; or High Rise) cannot be changed once the Application is submitted. *See* R. 67-48.004(3)(g), Fla. Admin. Code. Sierra Bay designated its development as Garden Apartments in its Application. Garden Apartments, which are considered more “horizontal” in nature at three stories or less, have more site area devoted to the building footprints than taller, mid-rise developments, which are more “vertical” because they stack their units 4 to 6 stories high. This increased site area devoted to the building footprints has implications on the space remaining on site for drainage, parking, open space, etc. Because the site plan submitted by Sierra Bay to Miami-Dade County identifies the project as consisting of mid-rise buildings, Florida Housing does not have even preliminary assurance from the local government that the proposed development – as described in the Application to Florida Housing – can be built on the designated site.

26. Either Sierra Bay failed to conform the site plan documents it submitted to Miami-Dade County to its Application to Florida Housing, or it failed to conform its Application to Florida

⁷ The documents in this composite exhibit were obtained by Petitioner through a public records request to Miami-Dade County.

Housing to the site plan it submitted to Miami-Dade County. In either case, Sierra Bay submitted an incorrect and inaccurate Applicant Certification and Acknowledgement Form to Florida Housing, and should therefore be found ineligible for funding from RFA 2017-108.

V. Disputed Issues of Material Fact and Law

27. Disputed issues of material fact and law include, but may not be limited to:
- a. Whether Sierra Bay is eligible for six transit proximity points for a Public Bus Transfer Stop;
 - b. Whether Sierra Bay is eligible for any transit proximity points, given its incorrect designation of its bus stop as a Public Bus Transfer Stop;
 - c. Whether Sierra Bay achieved the minimum number of total proximity points to be eligible for funding;
 - d. Whether Sierra Bay achieved the minimum number of transit service points to be eligible for funding;
 - e. Whether Sierra Bay achieved the minimum number of total proximity points to receive the Proximity Funding Preference;
 - f. Whether Sierra Bay should be found ineligible for funding because it provided inconsistent information about its proposed development to Florida Housing and to the local government that executed Sierra Bay's Ability to Proceed forms.

VI. Statement of Ultimate Facts

28. Ultimate facts are that Sierra Bay should be determined to be ineligible for funding and that Petitioner's Application for Northside Transit Village II should be selected for funding.

VII. Right to Amend

29. Petitioner specifically reserves the right to amend this Petition as additional information is developed through discovery or through the review of public records.

VIII. Statutes and Rules that Entitle Petitioner to Relief

30. Statutes and rules entitling Petitioner to Relief are Part V of chapter 420, Florida Statutes; sections 120.569 and 120.57, Florida Statutes; and Chapters 67-21, 67-48, 67-60, 67-53, 28-106, and 28-110, Florida Administrative Code.

IX. Demand for Relief

31. Petitioner respectfully requests that:

a. Florida Housing schedule a meeting with Petitioner to discuss resolution of this protest within seven days, as required by section 120.57(3)(d)1., Florida Statutes;

b. Florida Housing refer this petition to the Division of Administrative Hearings for assignment of an Administrative Law Judge (“ALJ”);

c. The ALJ enter a Recommended Order determining that Florida Housing should find Sierra Bay ineligible for an award of funding pursuant to RFA 2017-108 and that Northside Transit Village II be awarded funding and invited into the credit underwriting process;

d. That Florida Housing adopt the Recommended Order of the ALJ as a Final Order.

Respectfully submitted this 26th day of December, 2017.



Donna E. Blanton
Florida Bar No. 948500
Radey Law Firm
301 South Bronough, Suite 200
Tallahassee, Florida 32301
(850) 425-6654
(850) 425-6694 (facsimile)
dblanton@radeylaw.com

CERTIFICATE OF SERVICE

I CERTIFY that the original of this Formal Written Protest and Petition for Administrative Hearing was filed by hand-delivery with Ana McGlamory, Agency Clerk, and that a copy was provided by hand-delivery to Hugh Brown, General Counsel, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, on this 26th day of December, 2017.



Donna E. Blanton

Ambar Key Applications were eligible for funding. Through the ranking and selection process outlined in the RFA, Ambar Key was recommended for funding. The Review Committee developed a chart listing its funding recommendations for the RFA that recommended Ambar Key, among other Applicants, for funding. Silver Creek's application, while eligible for funding, was not recommended for funding by the Review Committee.

The Florida Housing Board of Directors ("Board") adopted the Review Committee's RFA funding recommendations on February 3, 2017. Florida Housing posted its Notice of Intended Decision on February 3, 2017, and provided Applicants with a Notice of Rights pursuant to Sections 120.569 and 120.57, Florida Statutes.

Silver Creek timely filed a Notice of Intent to Protest followed by a Petition for Formal Administrative Hearing ("Petition") challenging the Board's finding that Ambar Key's Application was eligible for funding. On March 3, 2017, Florida Housing sent a Notice to All Bidders on RFA 2016-114 ("Notice"), including those bidders who had been preliminarily selected for funding. The Notice informed all bidders that their substantial interests might be affected by the disposition of Petitioner's Petition and advised the bidders of their opportunity to intervene. Ambar Key timely intervened.

The matter was initially referred to the Division of Administrative Hearings ("DOAH") for a formal hearing and assigned DOAH Case No. 17-001545BID. The case was then consolidated with petitions filed by Joe Moretti Phase Three, LLC and Stirrup Plaza Phase Three, LLC, DOAH Case Nos. 17-1543BID and 17-1544BID, respectively. Hearing for the consolidated case was set for April 12, 2017. On April 11, 2017, representatives of Silver Creek, Ambar Key, and Florida Housing entered into a Settlement Agreement in order to resolve the

disputes and avoid the inconvenience, expense, and uncertainty of litigation. Silver Creek and Ambar Key have agreed to be bound by the terms of the April 11, 2017 Settlement Agreement.

Upon issuance of a Final Order adopting the terms of this Consent Agreement, Silver Creek agrees to dismiss its Petition with prejudice. Upon issuance of a Final Order adopting the terms of this Consent Agreement, the parties waive all right to appeal this Consent Agreement or the Final Order and each party shall bear its own costs and attorney's fees. This Consent Agreement is subject to the approval of the Florida Housing Board of Directors (the "Board"). If the Board does not approve this Consent Agreement, no Final Order will be issued and this Consent Agreement shall be null and void as if it were never executed.

STIPULATED FINDINGS OF FACT

1. Silver Creek is a Florida limited partnership in the business of providing affordable housing. Silver Creek is an Applicant for tax credit financing in Florida Housing's RFA 2016-114 to construct an 80-unit development for low-income families. Its Application, assigned number 2017-156C, was deemed "eligible" but was not selected for funding by the Board.

2. Florida Housing is a public corporation that is organized to provide and promote the public welfare by administering the governmental function of financing and refinancing housing and related facilities in the State of Florida. § 420.504, Fla. Stat.; Chapter 67-60, Fla. Admin. Code.

3. Ambar Key is a Florida limited partnership in the business of providing affordable housing. Ambar Key is an Applicant for tax credit financing in Florida Housing's RFA 2016-114 to construct a 120-unit development for low-income families. Its Application, assigned

number 2017-147C, was deemed “eligible” and was selected for funding subject to credit underwriting.

4. Pursuant to section 420.5099, Florida Statutes, Florida Housing is designated as the housing credit agency for Florida within the meaning of section 42(h)(7)(A) of the Internal Revenue Code and has the responsibility and authority to establish procedures for allocating and distributing low-income housing tax credits.

5. Florida Housing issued RFA 2016-114 seeking applications for development of affordable housing for low income individuals in Miami-Dade County.

6. On or about December 15, 2016, Silver Creek, Ambar Key, and others submitted applications for financing for RFA 2016-114.

7. Florida Housing’s Review Committee for the RFA met on January 25, 2017, and reviewed all responsive applications to the RFA. The Review Committee determined that both the Silver Creek and Ambar Key Applications were eligible for funding. Through the ranking and selection process outlined in the RFA, Ambar Key was recommended for funding.

8. The Review Committee developed a chart listing its funding recommendations for the RFA that recommended Ambar Key, among other Applicants, for funding. The Florida Housing Board of Directors (“Board”) adopted the Review Committee’s RFA funding recommendations on February 3, 2017. Florida Housing posted its notice of intended decision on February 3, 2017, and provided Applicants with a Notice of Rights pursuant to Sections 120.569 and 120.57, Florida Statutes.

9. Silver Creek timely filed a Notice of Intent to Protest followed by a Petition for Formal Administrative Hearing (“Petition”) on February 16, 2017, challenging the Board’s finding that Ambar Key’s Application was eligible for funding.

10. On March 3, 2017, Florida Housing sent a Notice to All Bidders on RFA 2016-114 ("Notice"), including those bidders who had been preliminarily selected for funding. The Notice informed all bidders that their substantial interests might be affected by the disposition of Petitioner's Petition and advised the bidders of their opportunity to intervene. Ambar Key timely intervened.

11. Upon review of the Petition, as well as the Application, RFA documents, and information revealed during discovery, Florida Housing has determined that Ambar Key's Application should be ineligible for funding because it did not meet the minimum required score for Transit Services as outlined in the RFA.

12. Section 6.c.1 of the RFA set forth that Applications will receive points for proximity to certain services ("Proximity Points"). The Proximity Points at issue here involve Transit Services. To receive points for Transit Services, Applicants may select among 1) a Public Bus Stop (maximum of two points), 2) a Public Bus Transfer Stop (maximum of six points), 3) a Public Bus Rapid Transit Stop (maximum of six points), and 4) a Public Rail Station (maximum of six points).

13. In its Application, Ambar Key selected Public Bus Transfer Stop and received 5.5 points.

14. The RFA defines a Public Bus Transfer Stop as:

[A] fixed location at which passengers may access at least three routes of public transportation via buses. Each qualifying route must have a scheduled stop at the Public Bus Transfer Stop at least hourly during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis.

15. The parties stipulate that the transit service stop identified by Ambar Key in its Application does not qualify as a Public Bus Transfer Stop, as defined in RFA 2016-114.

Specifically, the stop identified by Ambar Key is served by only one line that constitutes a “qualifying route,” as that term is used in the RFA to mean a route stopping at least hourly between the hours of 7 a.m. and 9 a.m., and again between 4 p.m. and 6 p.m., Monday through Friday. The other two routes relied upon by Ambar Key to qualify this stop as a Public Bus Transfer Stop do not in fact constitute “qualifying routes”.

16. Ambar Key submits that its reliance on information to the contrary was reasonable and that there was no intent on Ambar Key’s part to mislead Florida Housing or misrepresent the status of the transit service stop with the information provided in its application. Florida Housing and Silver Creek do not contest Ambar Key’s contentions in this regard.

17. The loss of Public Bus Transfer Stop points for the Ambar Key Application results in the Ambar Key Application not receiving points for Transit Services, and thus being deemed an ineligible Application under the terms of RFA 2016-114.

18. Florida Housing and Silver Creek agree that this Consent Agreement will not be considered a withdrawal of the Ambar Key Application, or any form of false statement or misrepresentation, and will not impact the ability of Ambar Key, its developers or co-developers, or any principal of the applicant or developer entities involved in the Ambar Key Application to participate in future Florida Housing funding programs.

19. Silver Creek withdraws the other issues raised in its Petition regarding the Ambar Key site, and both Silver Creek and Florida Housing agree as follows:

- a. As of December 15, 2016, the Ambar Key site is appropriately zoned for multifamily residential use, and no further hearings or approvals are required to obtain the zoning classification or density necessary to construct the Ambar Key proposed development on its site;

b. The Ambar Key Application's use of "Intersection of NE 2nd Street and NE 3rd Avenue, Florida City, Florida" as its development location is sufficient to comply with Florida Housing's RFA requirements for site address or location;

c. The Ambar Key site does not constitute a Scattered Site; and

d. The Ambar Key Application did not identify an incorrect development type by designating "Garden Apartments" in its application to Florida Housing.

20. The Parties agree that Silver Creek's Application meets all requirements and is eligible for funding under RFA 2016-114. In the event Silver Creek's Application is recommended for a tax credit allocation under RFA 2016-114 to Florida Housing's Board of Directors, Ambar Key and/or its affiliates will in no way seek to overturn, negatively impact, modify, or otherwise challenge any such recommended award of funding to Silver Creek under RFA 2016-114.

STIPULATED CONCLUSIONS OF LAW

21. Pursuant to Sections 120.569 and 120.57(3), Florida Statutes, and Chapter 67-60, Florida Administrative Code, the Florida Housing Board of Directors has jurisdiction over the parties to this proceeding.

22. Florida Housing is statutorily authorized to institute a competitive application process for adopted Chapter 67-60, Florida Administrative Code, to govern the competitive solicitation process for several different programs, including the program for tax credits.

23. Florida Administrative Code, Section 67-60.001 provides that Florida Housing allocate its tax credits, which were made available to Florida Housing on an annual basis by the U.S. Treasury, through the bid protest provisions of Section 120.57(3), Florida Statutes.

24. Petitioner's Application is eligible for funding subject to the ranking and selection process outlined in the RFA.

25. Ambar Key's Application is ineligible for funding under the terms of RFA 2016-114.

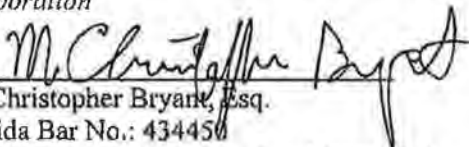
STIPULATED DISPOSITION

Ambar Key is ineligible for funding under the terms of RFA 2016-114. Funding under RFA 2016-114 will be distributed through the ranking and selection process conducted pursuant to the RFA and the outcome of pending litigation under the same RFA.

Respectfully signed this 1st ^{June} ~~May~~ day of ²⁰¹⁷ ~~2017~~.

By: 
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Attorney for Intervenor Ambar Key, Ltd

Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

9

**FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF STATUS
OF SITE PLAN APPROVAL FOR MULTIFAMILY DEVELOPMENTS**

Name of Development: Heritage at Gratiigny Park

NW 120th Terrace, Southeast of the intersection of NW 120th Terrace and NW 28th Avenue,

Development Location: Miami-Dade County

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

Mark the applicable statement:

1. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process. The final site plan, in the applicable zoning designation, has been approved for the above referenced Development by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

2. The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process, and (i) this jurisdiction provides either preliminary site plan approval or conceptual site plan approval which has been issued, or

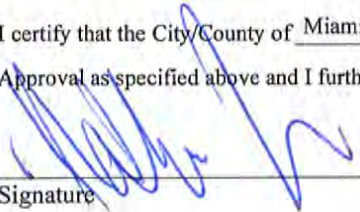
(ii) site plan approval is required for the new construction work and/or the rehabilitation work; however, this jurisdiction provides neither preliminary site plan approval nor conceptual site plan approval, nor is any other similar process provided prior to issuing final site plan approval. Although there is no preliminary or conceptual site plan approval process and the final site plan approval has not yet been issued, the site plan, in the applicable zoning designation, has been reviewed.

The necessary approval and/or review was performed on or before the signature date below by the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.

3. The above-referenced Development, in the applicable zoning designation, is rehabilitation without any new construction and does not require additional site plan approval or similar process.

CERTIFICATION

I certify that the City/County of Miami-Dade has vested in me the authority to verify status of site plan Approval as specified above and I further certify that the information stated above is true and correct.
(Name of City or County)



Signature

Nathan Kogon

Print or Type Name

Assistant Director

Print or Type Title

12-14-22

Date Signed

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to site plan approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted. If there are alterations made to this form that change the meaning of the form, the form will not be accepted.

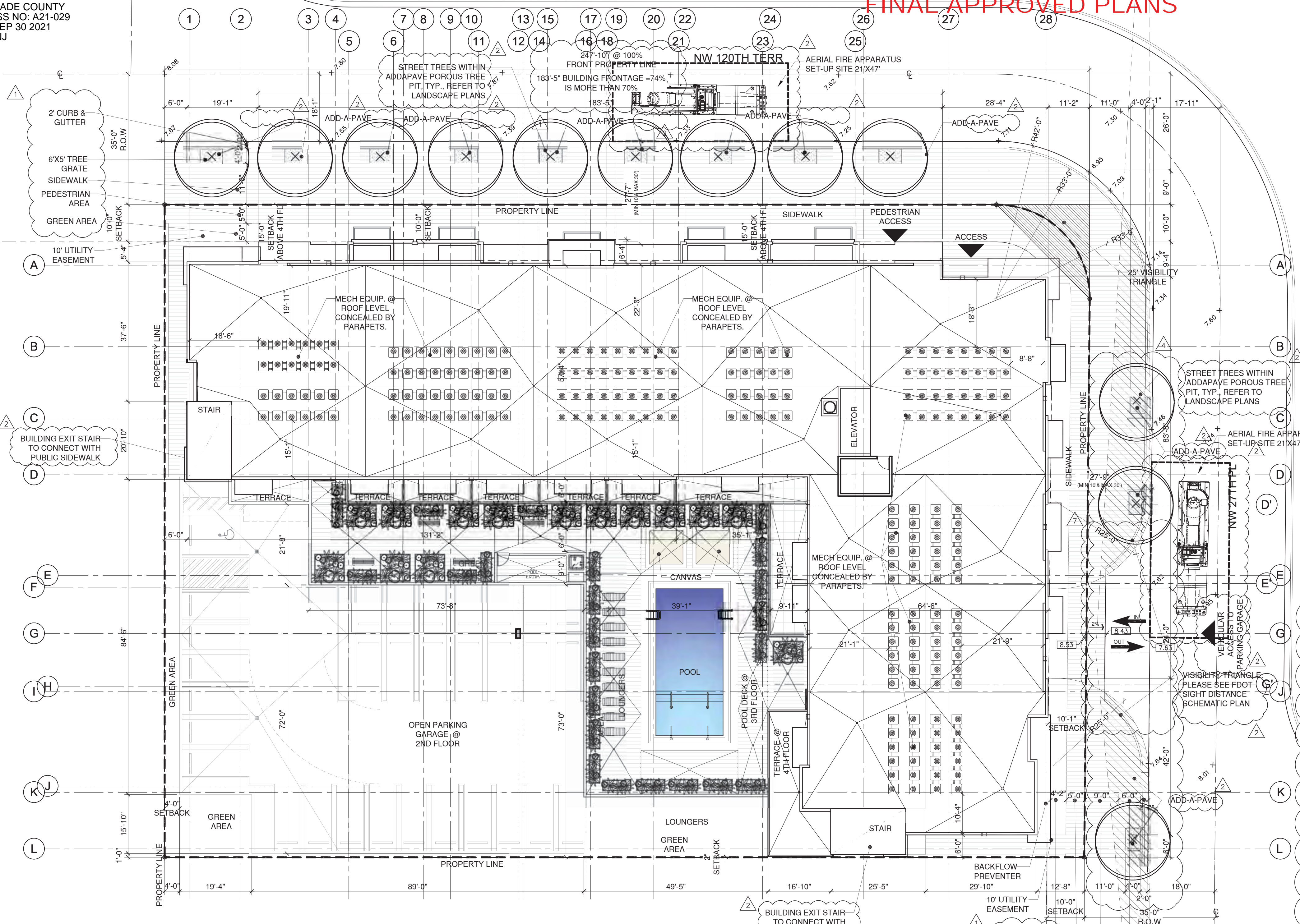
Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

10



ZONING ANALYSIS

PROJECT NAME	MIXED USE BUILDING
PROPERTY ADDRESS	
PROPERTY FOLIO NUMBERS:	30-2128-028-0950 & 30-2128-028-0940
FLOOD ZONE:	X
BASE ELEVATION:	N/A
FINISHED FLOOR ELEV.:	8.74' NGVD
LOWEST ELEVATION EQUIPMENT:	8.74' NGVD
HIGHEST CROWN OF ROAD:	8.08' NGVD
LOWEST AND HIGHEST ADJACENT GRADE:	7.44' NGVD & 9.71' NGVD
URBAN CENTER:	NORTH CENTRAL / NCUAD
SUB DISTRICT :	CORE
ZONING DISTRICT	UC-MC / NCUAD
NET LOT AREA:	43,144 SF
LAND USE:	MC - MIXED USE CORRIDOR

	ALLOWED	PROPOSED
F.A.R. (MIN - 1.5)	1.5 x 43,145 SF = 64,717 SF MIN. REQ.	149,750 SF (3.44)
BLDG. HEIGHT (STORIES)	MIN 3 TO MAX 12	8 STORIES
OPEN SPACE:	10% OF SITE MIN. (4,315 SF MIN. REQ.)	12,766 SF PROVIDED (29.58%)
DENSITY:	MAX 125 DU/AC 58,565 SF = 1.35 AC 1.35 AC X 125 DU = 168 DU MAX. ALLOWED	168 DU PROVIDED
BLDG. SETBACKS:		
PRINCIPAL FRONTAGE	10' MIN.	10'-0"
	15' ABOVE 4TH STORY	15'-0" (ABOVE 4TH STORY)
SECONDARY FRONTAGE	10' MIN.	10'-1"
SIDE (SOUTH)	0'-0"	0'-2"
SIDE (WEST)	0'-0"	4'-0"

PARKING CALCULATION

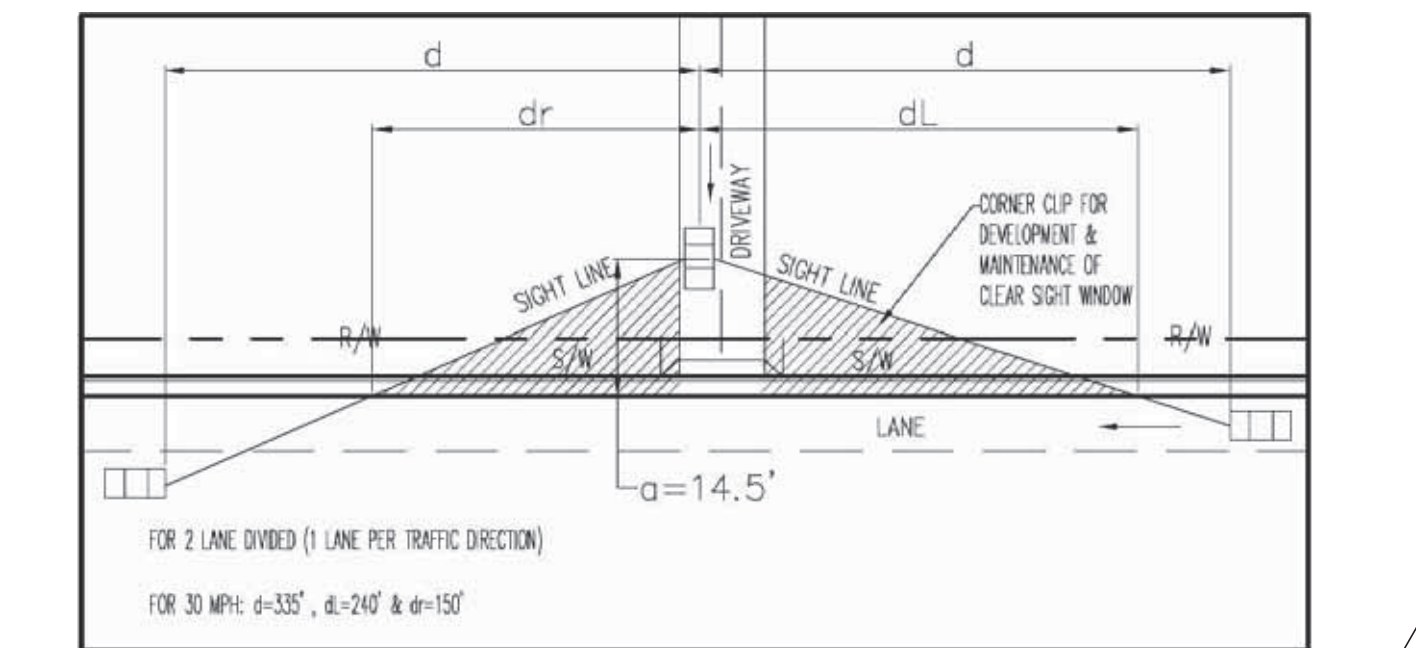
WORK-FORCE HOUSING UNITS PARKING CALCULATION	RETAIL AREA (1,680 SF)	6.72 PS (1 PS / 50 SF)
1B ----- 16 x 1.0 = 16.00 PS	125 + 6.72 = 131.72 = 132 PS MIN. REQUIRED	
2B ----- 5 x 1.5 = 7.50 PS		
23.50 PS MIN. REQ.		
25% PARKING REDUCTION : 23.5 x 0.75 = 17.62 PS MIN. REQ. (AS PER SECTION 33.284.86(F.3))	HC PS CALCULATION: (INCLUDED IN TOTAL)	
REGULAR UNITS PARKING CALCULATION	RESIDENTIAL: 125 PS x 0.02 (2%) = 2.5 HC PS (FOR RESIDENTIAL)	
1B ----- 108 x 1.0 = 108.00 PS	RETAIL 1,680 SF : 1 PS/250 = 6.72 PS	1.0 HC PS (FBC 208.2)
2B ----- 39 x 1.5 = 58.50 PS	TOTAL HC PS REQ. : 3.5 = 4 HC PS (INCLUDED IN THE TOTAL)	
166.50 PS MIN. REQ.		
20% PARKING REDUCTION (WITHIN 1/4 MILE OF A BUS STOP):		TOTAL MIN. REQUIRED = 132 PS
133.2 x 0.80 = 106.5 PS		TOTAL PROVIDED = 140 PS
17.62 PS + 106.5 PS = 124.12 PS = 125 PS MIN. REQ. FOR RESIDENTIAL	ELECTRIC VEHICLE: TOTAL REQUIRED 132 PS X 10% = 13.2 = 14 PS	
BICYCLE RACK SPACE (1 TO 500 PS = 12 REQUIRED)	REQUIRED = 12	PROVIDED: 12

	PARKING BREAKDOWN				UNIT BREAKDOWN					
	REGULAR PS	HC - PS	TANDEM PS	TOTAL PS PER FLOOR	STUDIO	1B/1B UNIT	1B/1B/DEN UNIT	2B/2B UNIT	TOTAL UNITS DU	TOTAL UNITS WHU
GROUND FLOOR	50	2	15	67	1	4	3	1		6 (WHU)
2ND FLOOR	59	2	10	71	1	7	3	3		14 (WHU)
3RD FLOOR					8	1	9	5	22	1 (WHU)
4TH FLOOR					8		12	5	25	
5TH FLOOR					8	5	7	5	25	
6TH TO 8TH FLOOR					8 x 3 = 24	5 x 3 = 15	7 x 3 = 21	5 x 3 = 15	25 x 3 = 75	
TOTAL	109	4	25	138	50	32	52	34	147	21

*TANDEM PARKING SPACES DO NOT COUNT TOWARD REQUIRED PARKING. WORK-FORCE HOUSING UNITS= 168 (12.5%) = 21 DU (WHU) - AS PER SEC. 33.284.83.3

SITE PLAN
 SCALE: 1/16" = 1'-0"

LEGAL DESCRIPTION:
 Tracts 466 and 467 of "EIGHTH ADDITION TO SEABOARD INDUSTRIAL PARK", according to the Plat thereof as recorded in Plat Book 142, Page 57, of the Public Records of Miami-Dade County, Florida.



FDOT SIGHT DISTANCE SCHEMATIC PLAN



LOCATION MAP
 N.T.S.

NOTA:
 GARBAGE PICKUP WILL BE COORDINATED BETWEEN PICKUP COMPANY AND OWNERSHIP TO BE PERFORMED DURING OFF PEAK HOURS ONLY

AREA TABLE

LEVEL	LOBBIES & CORRID.	OFFICES	AMENITIES	RETAIL	RESID. AREA	STAIRS & ELEV. AREA	SUPP. AREA	PARKING AREA	PRIVATE TERRACES	BALCONY	OPEN AREAS
GND FLOOR	1,933 SF	533 SF		1,680 SF	3,710 SF	700 SF	1,370 SF	28,538 SF			
2ND FLOOR	2,296 SF				9,295 SF	700 SF	673 SF	24,167 SF		1097 SF	
3RD FLOOR	2,214 SF		1,590 SF		15,830 SF	700 SF	392 SF		1,383 SF (PRIVATE)	702 SF	6,533 SF POOL DECK
4TH FLOOR	1,832 SF				17,370 SF	700 SF	392 SF		468 SF (PRIVATE)	862 SF	
5TH FLOOR	1,832 SF				16,435 SF	700 SF	392 SF			603 SF	
6TH FLOOR	1,832 SF				16,435 SF	700 SF	392 SF			862 SF	
7TH FLOOR	1,832 SF				16,435 SF	700 SF	392 SF			862 SF	
8TH FLOOR	1,832 SF				16,435 SF	700 SF	392 SF			862 SF	
ROOF						514 SF	153 SF				19,557 SF ROOF AREA
TOTAL	15,603 SF	533 SF	1,590 SF	1,680 SF	111,945 SF	5,086 SF	4,242 SF	52,705 SF	1,851 SF	5,850 SF	26,090 SF

TOTAL AREA: = 227,175 SF
 TOTAL RENTABLE AREA: RESIDENTIAL + BALCONIES + PRIVATE TERRACES + RETAIL = 111,945 + 5,850 + 1,851 + 1,680 = 121,326 SF (53.4% OF TOTAL AREA)



MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	10/06/2020 SITE PLAN A. COMM
2	01/10/2021 S. PLAN & ZONING.
3	06/22/2021 S. PLAN & ZONING.
4	06/25/2021 S. PLAN & ZONING.
5	06/29/2021 S. PLAN & ZONING.
6	07/13/2021 S. PLAN & ZONING.
7	09/13/2021 S. PLAN & ZONING.

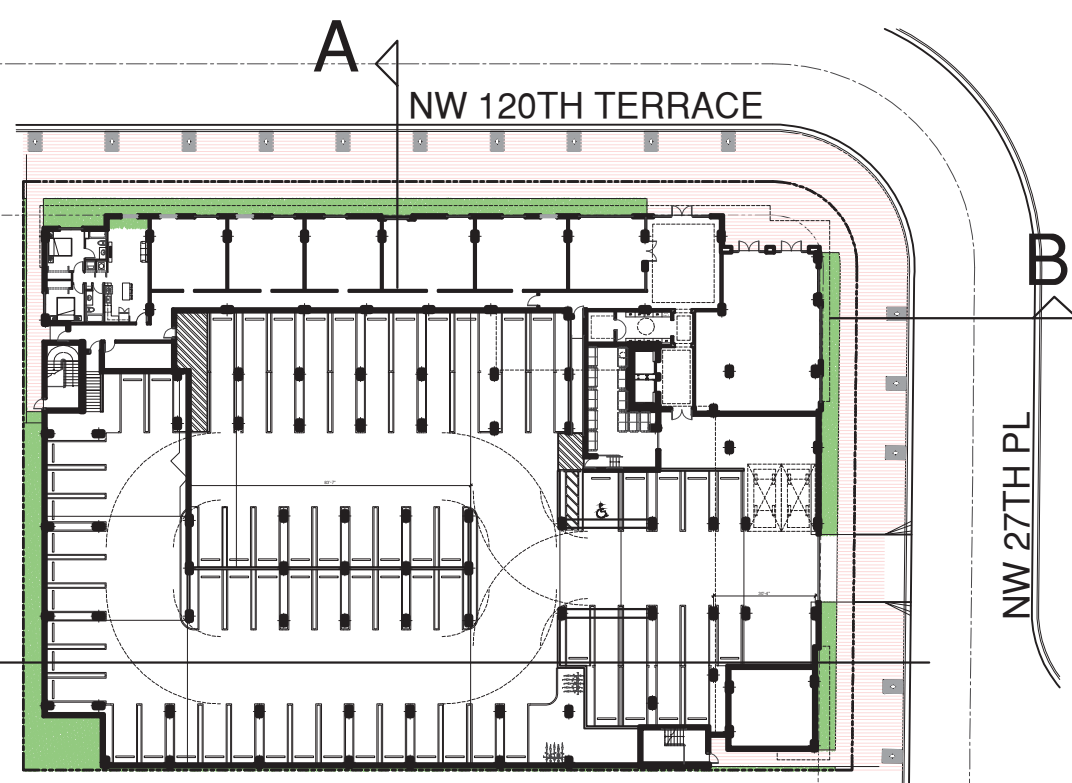
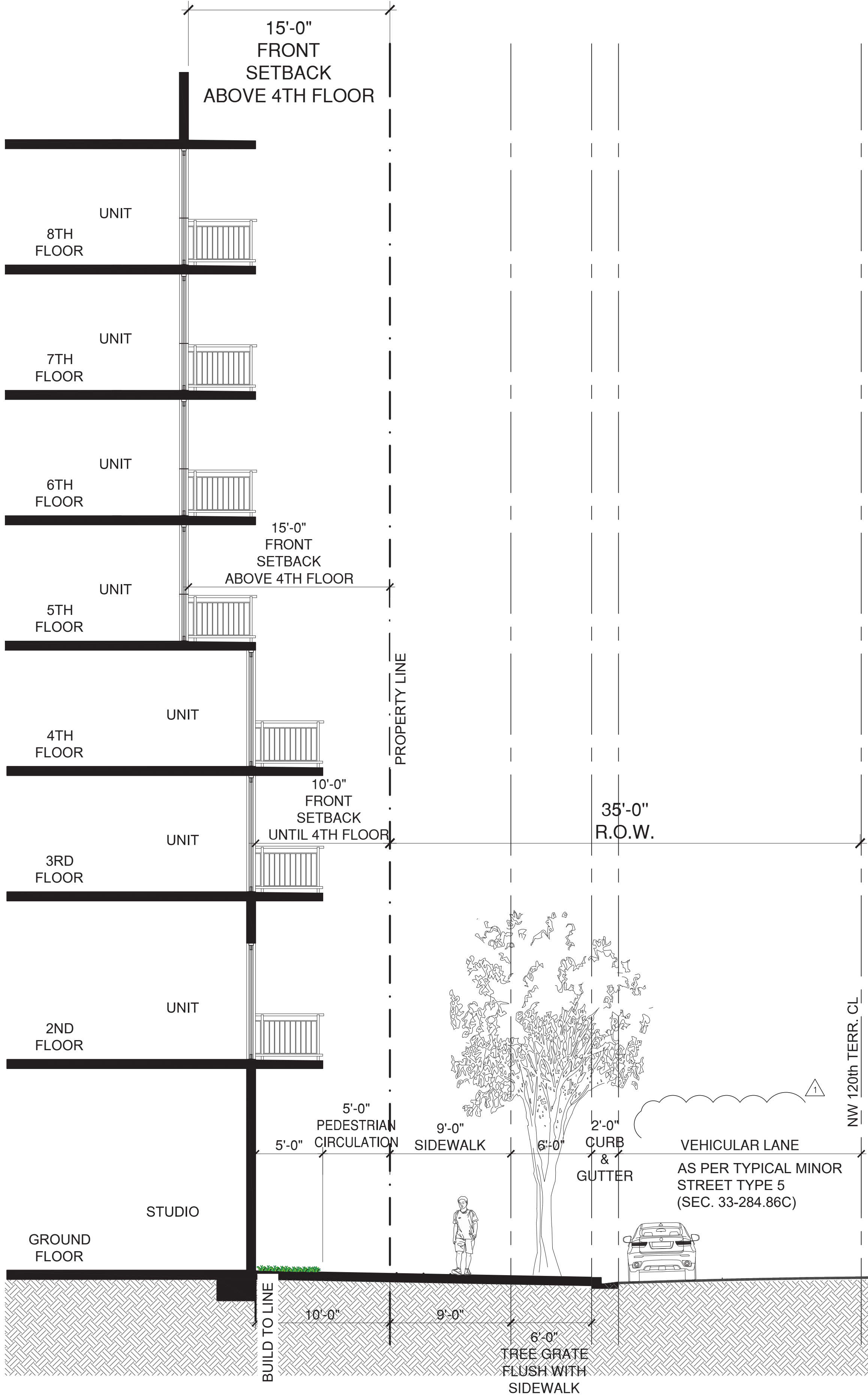
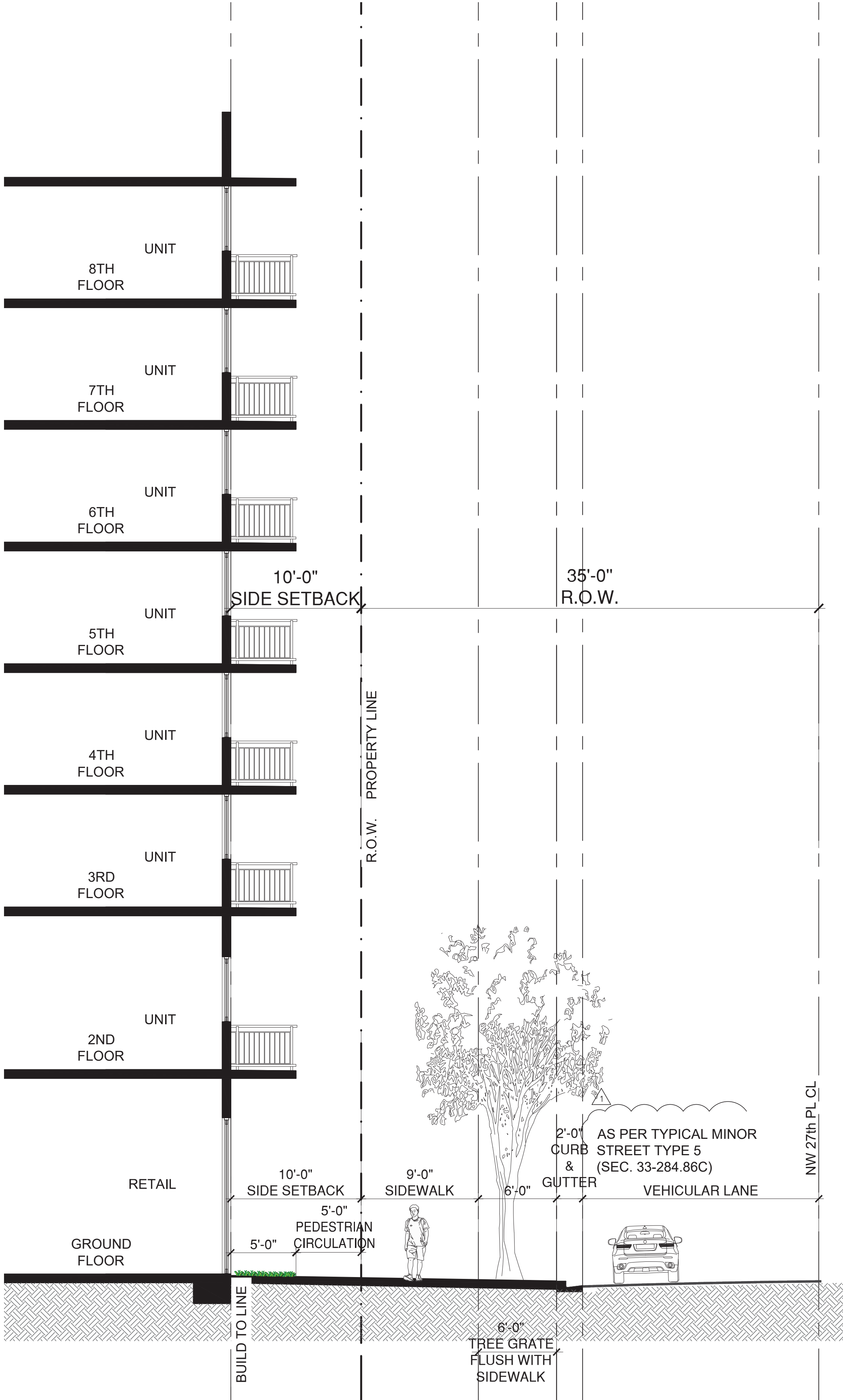
PROJECT No.:
 DESIGNED BY: O.M.
 DRAWN BY:
 CHECKED BY: O.M.
 ISSUE DATE: 12-03-2019
 DRAWING SCALE: AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC. #459090
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL: (305) 669-5040
 FAX: (305) 669-5041

DATE: 2021.09.24
 REGISTERED PROFESSIONAL ENGINEER

RECEIVED
 MIAMI-DADE COUNTY
 PROCESS NO: A21-029
 DATE: SEP 30 2021
 BY: LINNJ

FINAL APPROVED PLANS



CAYMRES MARTIN
 Architectural & Engineering Design
 AA 26001552 CA 27136
 5001 SW 74th Ct, Ste 100
 Miami, FL 33155
 Ph: (305) 669-5040 Fax:
 (305) 669-5041
 www.caymresdesign.com

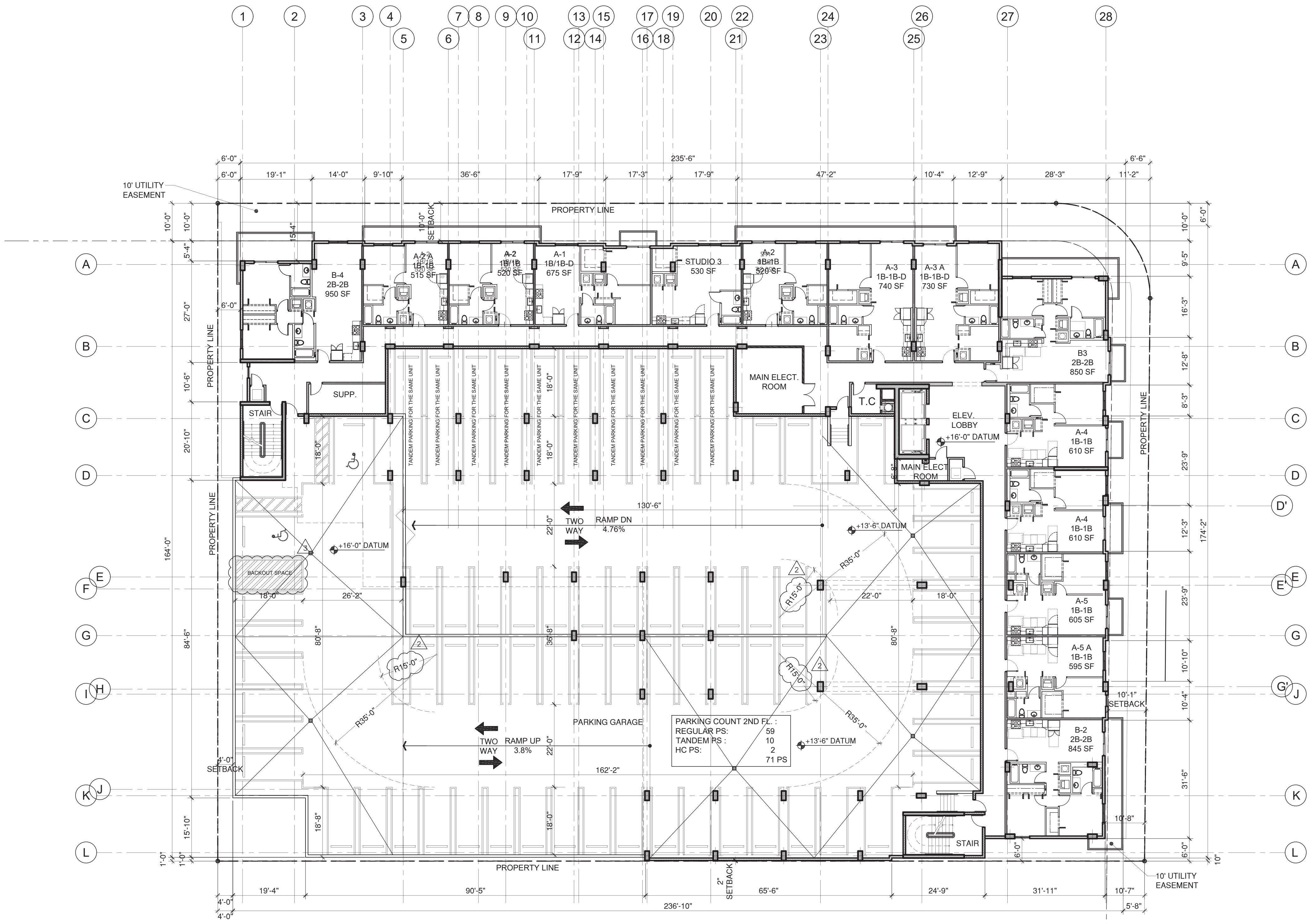
ICIG
 INVESTMENT AND CONSULTING
 INTERNATIONAL GROUP, INC.
 4750 W. Commercial Blvd, Tamarac,
 FL 33319

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	10/06/2020 SITE PLAN A. COMM
2	
3	
4	
5	
6	
7	
8	

PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC # AR 98290
 5001 SW 74th COURT, #100 MIAMI,
 FL 33155
 TEL: (305) 669-5040
 FAX: (305) 669-5041



SECOND FLOOR
 SCALE: 1/16" = 1'-0"

SECOND FLOOR	
Name	Count
STUDIO	1
1-1 UNIT	7
1-1 + D UNIT	3
2-2 UNIT	3
TOTAL	14

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	10/06/2020 SITE PLAN A. COMM
2	01/10/2021 ZONING COMM.
3	06/29/2021 ZONING COMM.
4	
5	
6	
7	
8	

PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH. CARMEN T. DIAZ
 LIC # AR 96290
 5001 S.W. 74th COURT #100 MIAMI, FL 33155
 TEL (305) 669-5040
 FAX (305) 669-5041

CARMEN T. DIAZ
 Digitally signed by
 CARMEN T. DIAZ
 Date: 2021.09.30 16:02:08 -0400

SITE PLAN APPROVAL

A-3.0

RECEIVED
MIAMI-DADE COUNTY
PROCESS NO: A21-029
DATE: SEP 30 2021
BY: LINNJ

FINAL APPROVED PLANS

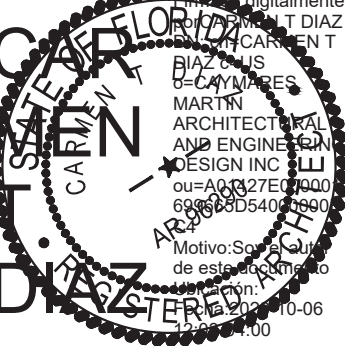


MIXED USE BLDG
SW PORTION OF NW 120 TH TERRACE AND
NW 27 TH PLACE INTERSECTION, MIAMI FL

DISCLAIMER: THESE DRAWINGS ARE CONCEPTUAL ONLY AND FOR THE CONVENIENCE OF REFERENCE. ALL ELEMENTS OF THIS CONCEPTUAL DESIGN ARE PLANNING-LEVEL. ALL ASSUMPTIONS AND PARAMETERS MUST BE RE-EVALUATED DURING DETAILED DESIGN PROCESS AND FURTHER SITE ASSESSMENT. QUANTITIES OF DWELLING UNITS, AND PARKING SPACES MAY CHANGE DURING THE DETAILED DESIGN PROCESS.

PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

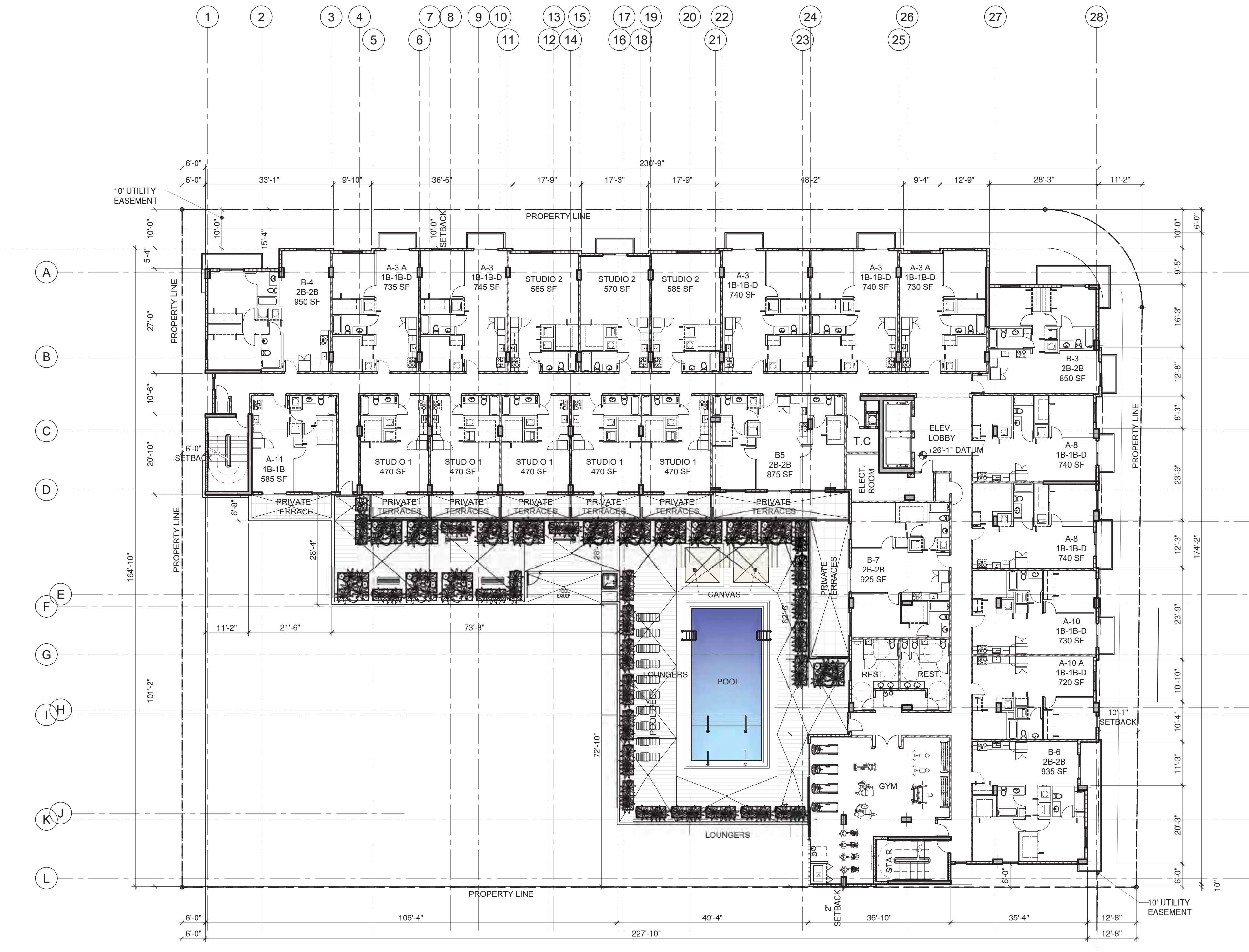
ARCH. CARMEN T. DIAZ
LIC # AR 98290
5001 S.W. 74th COURT, #100 MIAMI, FL 33155
TEL: (305) 669-5040
FAX: (305) 669-5041



VOID SHEET
N/A INTERMEDIATE FLOOR

SITE PLAN APPROVAL

A-4.0



THIRD FLOOR
 SCALE: 1/16" = 1'-0"

3RD FLOOR	
Name	Count
1-1 UNIT	1
1-1 + D UNIT	9
2-2 UNIT	5
STUDIO	8
TOTAL	23

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

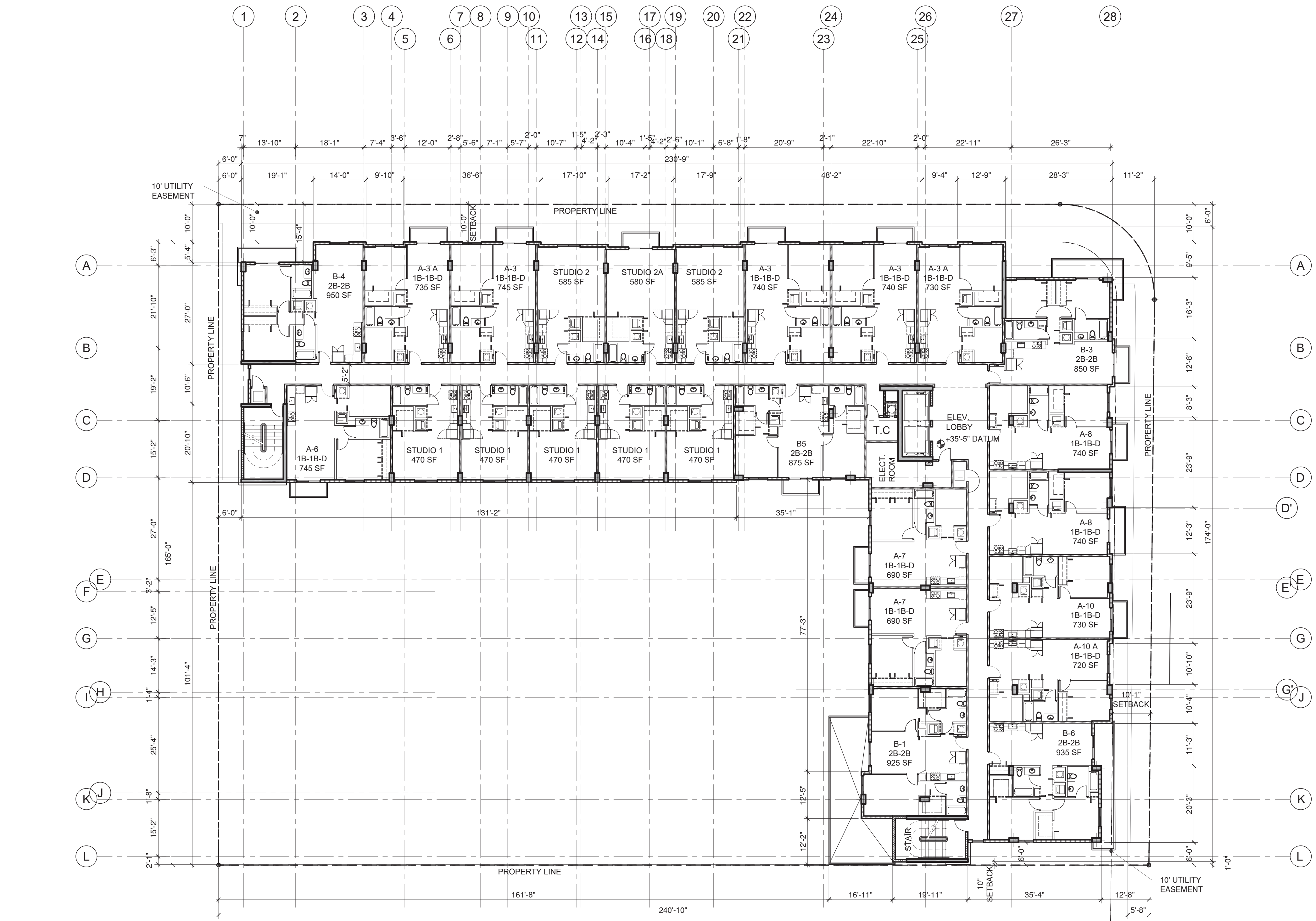
REV. #	DATE
1	10/06/2020 SITE PLAN A. COMM
2	01/10/2021 ZONING COMM.
3	
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PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-05-2019
DRAWING SCALE:	AS SHOWN

ARCH. CARMEN T. DIAZ
 LIC # AR 96290
 5001 S.W. 74th COURT #100 MIAMI,
 FL 33155
 TEL (305) 669-5040
 FAX (305) 669-5041

CARMEN T. DIAZ
 Date: 09/28/2021

SITE PLAN APPROVAL



4TH FLOOR
 SCALE: 1/16" = 1'-0"

4TH FLOOR	
Name	Count
1-1 + D UNIT	12
2-2 UNIT	5
STUDIO	8
TOTAL	25

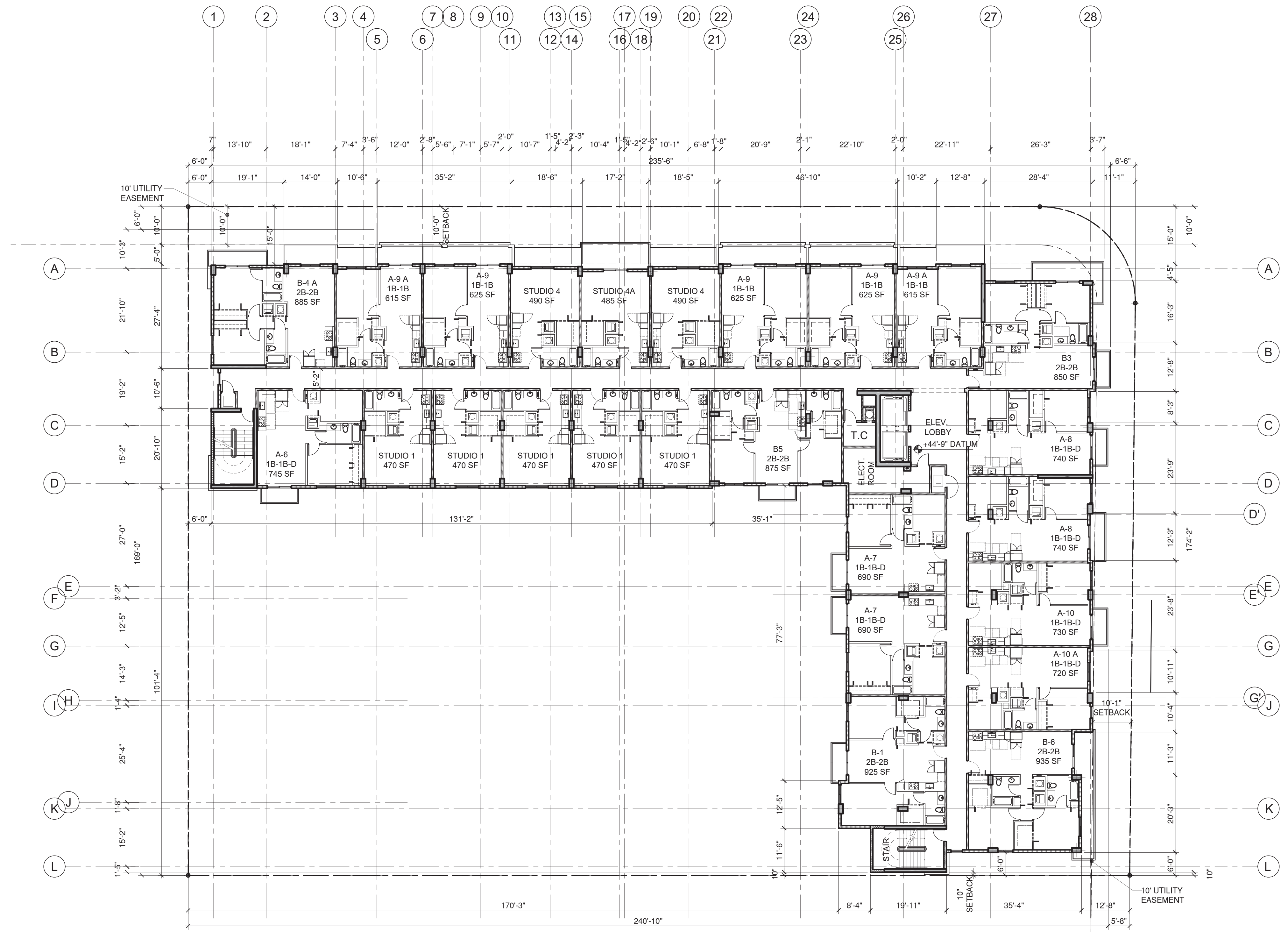
MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	01/10/2021 ZONNING COMM.
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PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH. CARMEN T. DIAZ
 LIC # AR 96290
 5001 S.W. 74th COURT #100 MIAMI, FL 33155
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 FAX (305) 669-5041

CARMEN T. DIAZ
 Digitally signed by
 CARMEN T. DIAZ
 Date: 2021.09.23
 16:03:02 -0400



5TH FLOOR
 SCALE: 1/16" = 1'-0"

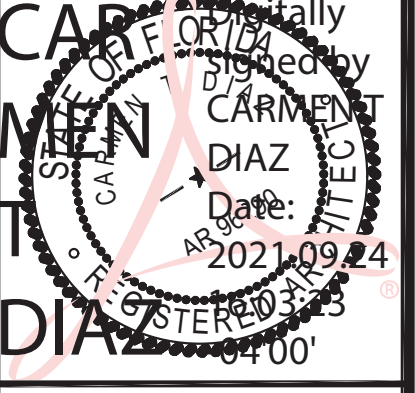
5TH FLOOR	
Name	Count
1-1 UNIT	5
1-1 + D UNIT	7
2-2 UNIT	5
STUDIO	8
TOTAL	25

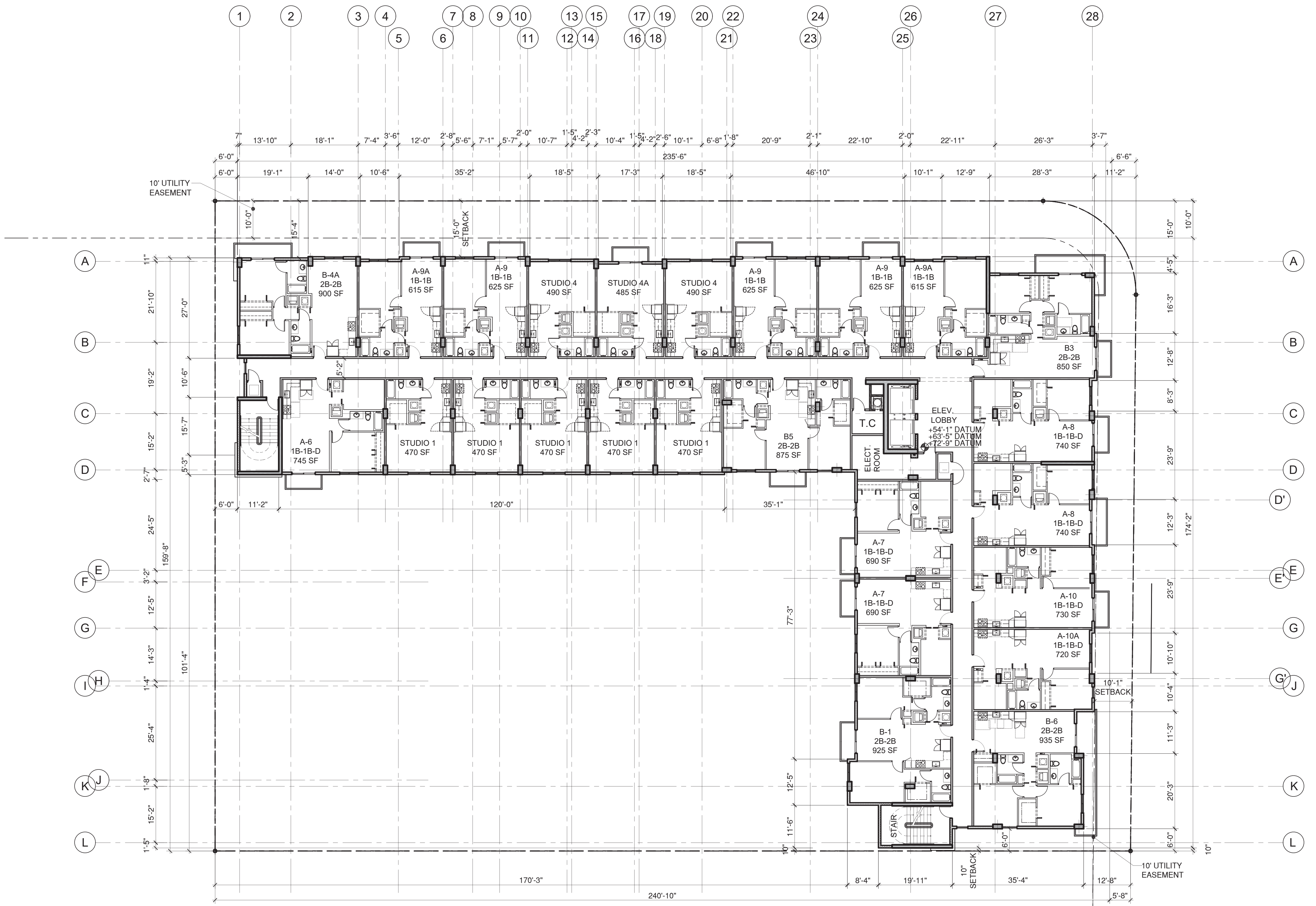
MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	01/10/2021 ZONING COMM.
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PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH. CARMEN T. DIAZ
 LIC # AR 96290
 5001 S.W. 74th COURT #100 MIAMI,
 FL 33155
 TEL (305) 669-5040
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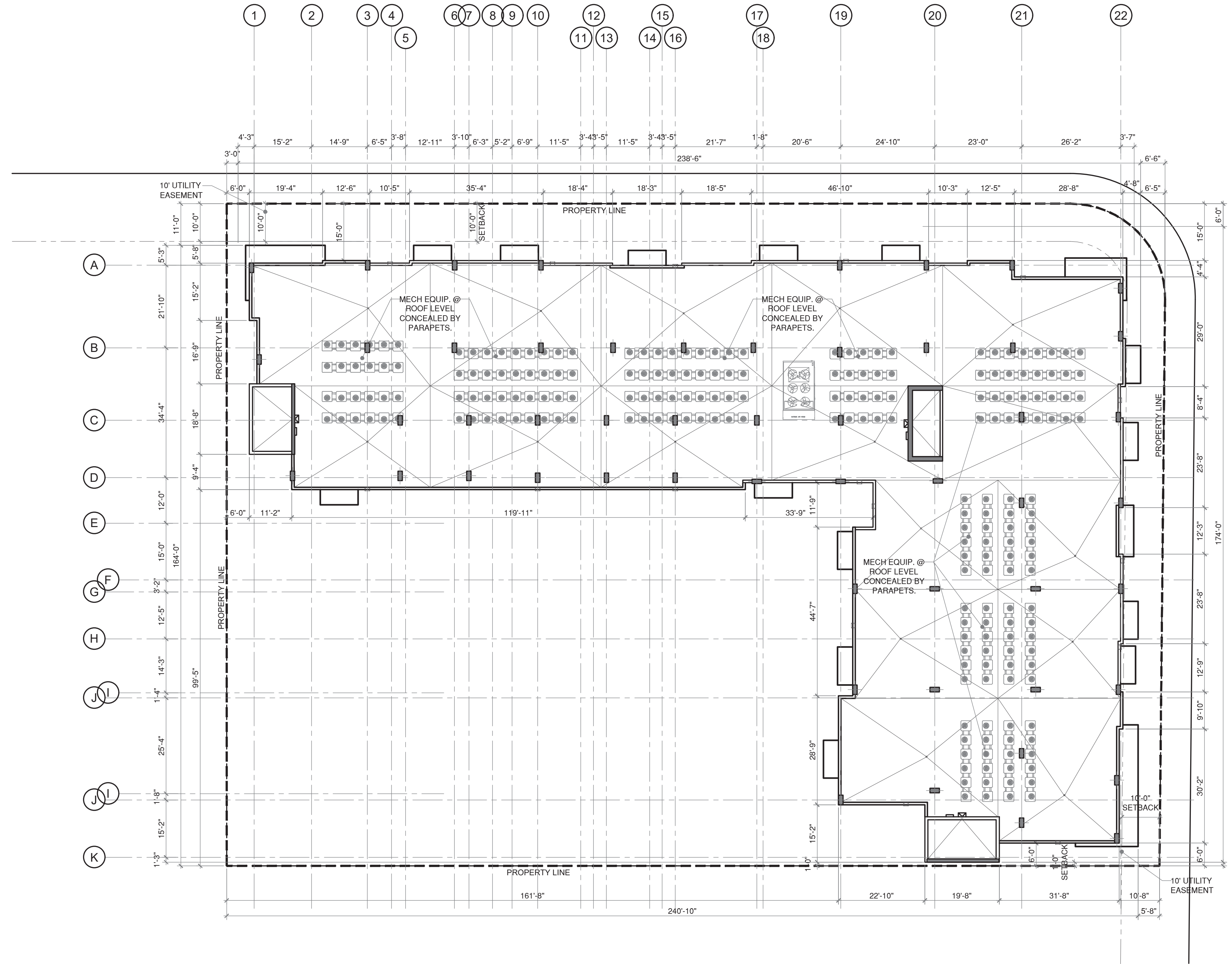
6TH TO 8TH FLOOR
 SCALE: 1/16" = 1'-0"

6TH-8TH FLOOR	
Name	Count
1-1 UNIT	5
1-1 + D UNIT	7
2-2 UNIT	5
STUDIO	8
TOTAL	25

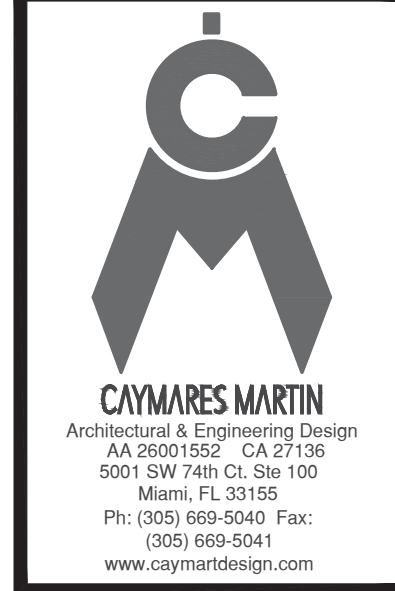
PROJECT No.:
 DESIGNED BY: O.M.
 DRAWN BY:
 CHECKED BY: O.M.
 ISSUE DATE: 12-05-2019
 DRAWING SCALE: AS SHOWN

ARCH. CARMEN T. DIAZ
 LIC # AR 96290
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 FL 33155
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Digitally signed by
 CARMEN T. DIAZ
 Date: 2021.09.24 10:03:00
 CA: CARMEN T. DIAZ, DN: cn=CARMEN T. DIAZ, o=ART+TEC DEVELOPMENT, ou=ART+TEC DEVELOPMENT, email=carmen@arttecdevelopment.com



ROOF PLAN
 SCALE: 1/16" = 1'-0"

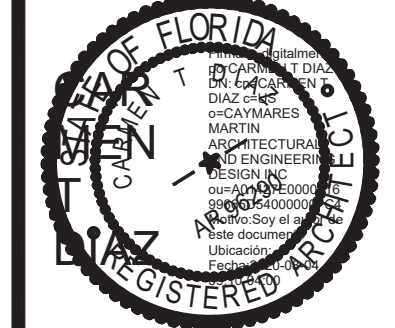


MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

DISCLAIMER: THESE DRAWINGS ARE CONCEPTUAL ONLY AND FOR THE CONVENIENCE OF REFERENCE. ALL ELEMENTS OF THIS CONCEPTUAL DESIGN ARE PLANNING-LEVEL. ALL ASSUMPTIONS AND PARAMETERS MUST BE RE-EVALUATED DURING DETAILED DESIGN PROCESS AND FURTHER SITE ASSESSMENT. QUANTITIES OF DWELLING UNITS AND PARKING SPACES MAY CHANGE DURING THE DETAILED DESIGN PROCESS.

PROJECT No.:	
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CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
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 LIC # AR 98290
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SITE PLAN APPROVAL

A-8.0

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 PROCESS NO: A21-029
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FINAL APPROVED PLANS



EAST ELEVATION
 PRINCIPAL FRONTAGE

SCALE: 3/32" = 1'-0"

MATERIAL LEGEND	
KEY VALUE	KEYNOTE DESCRIPTION
01	MASONRY: CMU/CONCRETE SUBSTRATE W/SMOOTH STUCCO FINISH, HIGH BUILD, ACRYLIC WATERPROOFING COATING (THOROCOAT BY BASF BUILDING SYSTEMS, OR ACCEPTABLE EQUIVALENT). COLOR PAINT TO BE SELECTED BY ARCHITECT.
02	ALUMINUM SLIDING GLASS DOOR ASSEMBLY . W/ LAMINATED TINTED GLASS W/ A HIGH PERFORMANCE COATING; TO MEET WIND LOAD REQUIREMENTS
03	ALUMINUM WINDOW ASSEMBLY . W/LAMINATED TINTED GLASS W/ A HIGH PERFORMANCE COATING; TO MEET WIND LOAD REQUIREMENTS. PROVIDE SAMPLES TO ARCHITECT FOR REVIEW.
04	ALUMINUM STOREFRONT ASSEMBLY . LAMINATED TINTED GLASS W/ A HIGH PERFORMANCE COATING; TO MEET WIND LOAD REQUIREMENTS. PROVIDE SAMPLES TO ARCHITECT FOR REVIEW.
05	CONCRETE SCORE LINES AT FACADE WALLS
06	ALUMINUM VERTICAL POSTS RAILING
07	CONCRETE EYEBROW
08	MOTORIZED OVERHEAD COILING DOOR. TO MEET WIND LOAD REQUIREMENTS.
09	CUSTOM-MADE PERFORATED SHEET METAL PANELS; TO MEET WIND LOAD REQUIREMENTS.

HEAT ISLAND EFFECT SOLAR REFLECTANCE REQUIREMENTS:
 ROOFING MATERIALS AND ALL ROOF EXTERIOR SURFACES AND BUILDING MATERIALS SHALL HAVE A MINIMUM SOLAR REFLECTANCE AS PER SECTION 3.13.2.c AND 3.13.2.d WHEN TESTED IN ACCORDANCE WITH ASTM E903 OR ASTM E1918 AS PER MIAMI 21 ARTICLE 3 SECTION 3.13.2 HEAT ISLAND EFFECT

SUSTAINABILITY REQUIREMENTS:
 BUILDING SHALL COMPLY WITH SUSTAINABILITY REQUIREMENTS AS PER MIAMI 21 SECTION 3.13.1

CAYMARES MARTIN
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 (305) 669-5041
 www.caymartdesign.com

ART+TEC
 DEVELOPMENT

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
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PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC # AS 9059
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL: (305) 669-5040

CARMEN T. DIAZ
 Digitally signed by
 CARMEN T. DIAZ
 Date: 2021.05.09:38:02 -0400

A-9.0

RECEIVED
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 PROCESS NO: A21-029
 DATE: SEP 30 2021
 BY LINNJ

FINAL APPROVED PLANS



MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV #	DATE
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PROJECT No.:
 DESIGNED BY: O.M.
 DRAWN BY:
 CHECKED BY: O.M.
 ISSUE DATE: 12-03-2019
 DRAWING SCALE: AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC # 485 9090
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL: (305) 669-5040
 FAX: (305) 669-5041
 Date: 2021.05.26
 REGISTERED

A-9.1



MATERIAL LEGEND	
KEY VALUE	KEYNOTE DESCRIPTION
01	MASONRY: CMU/CONCRETE SUBSTRATE W/SMOOTH STUCCO FINISH, HIGH BUILD, ACRYLIC WATERPROOFING COATING (THOROCOAT BY BASF BUILDING SYSTEMS, OR ACCEPTABLE EQUIVALENT). COLOR PAINT TO BE SELECTED BY ARCHITECT.
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SUSTAINABILITY REQUIREMENTS:
 BUILDING SHALL COMPLY WITH SUSTAINABILITY REQUIREMENTS AS PER MIAMI 21 SECTION 3.13.1

NORTH ELEVATION
 PRINCIPAL FRONTAGE
 SCALE: 3/32" = 1'-0"

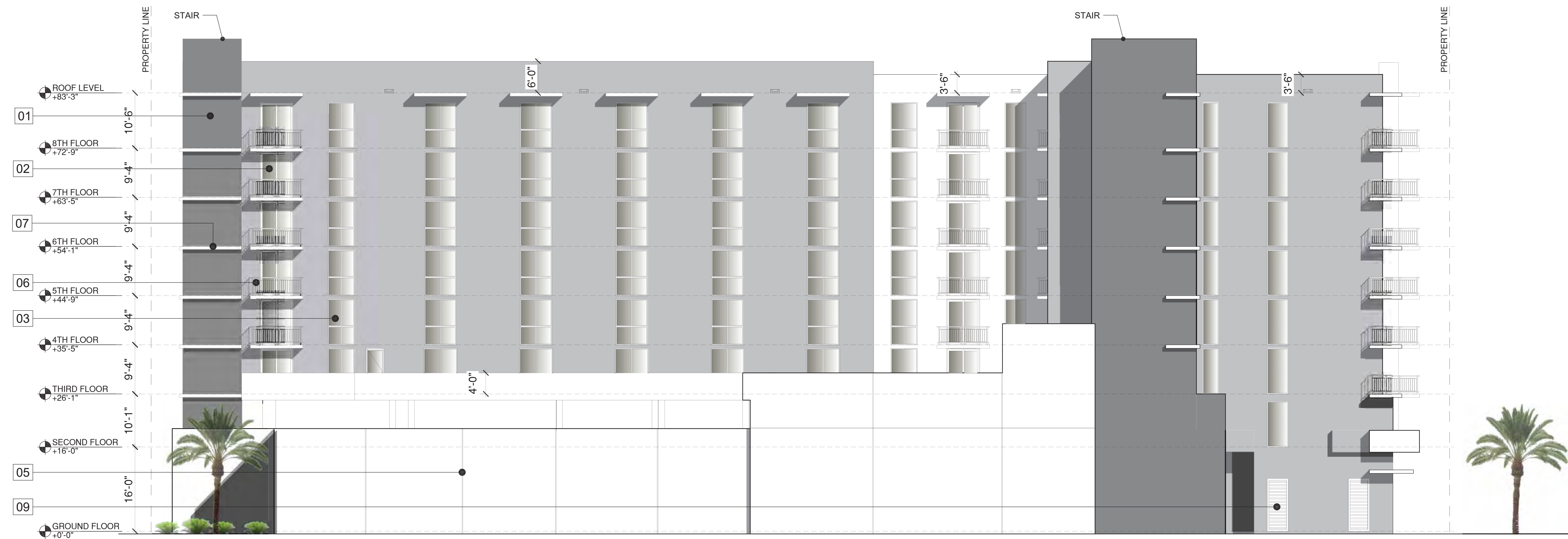
RECEIVED
 MIAMI-DADE COUNTY
 PROCESS NO: A21-029
 DATE: SEP 30 2021
 BY LINNJ

FINAL APPROVED PLANS



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 www.caymartdesign.com

ART+TEC
 DEVELOPMENT



MATERIAL LEGEND	
KEY VALUE	KEYNOTE DESCRIPTION
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SUSTAINABILITY REQUIREMENTS:
 BUILDING SHALL COMPLY WITH SUSTAINABILITY REQUIREMENTS AS PER MIAMI 21 SECTION 3.13.1

**SOUTH ELEVATION
 SECONDARY FRONTAGE**
 SCALE: 3/32" = 1'-0"

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV #	DATE
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PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC # AS 9290
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL: (305) 669-5040
 FAX: (305) 669-5041

CARMEN T. DIAZ
 ARCHITECT

DATE: 2021.05.26

RECEIVED
 MIAMI-DADE COUNTY
 PROCESS NO: A21-029
 DATE: SEP 30 2021
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FINAL APPROVED PLANS



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 www.caymartdesign.com

ART+TEC
 DEVELOPMENT



MATERIAL LEGEND	
KEY VALUE	KEYNOTE DESCRIPTION
01	MASONRY: CMU/CONCRETE SUBSTRATE W/SMOOTH STUCCO FINISH, HIGH BUILD, ACRYLIC WATERPROOFING COATING (THOROCOAT BY BASF BUILDING SYSTEMS, OR ACCEPTABLE EQUIVALENT). COLOR PAINT TO BE SELECTED BY ARCHITECT.
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SUSTAINABILITY REQUIREMENTS:
 BUILDING SHALL COMPLY WITH SUSTAINABILITY REQUIREMENTS AS PER MIAMI 21 SECTION 3.13.1

**WEST ELEVATION
 SECONDARY FRONTAGE**
 SCALE: 3/32" = 1'-0"

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV #	DATE
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PROJECT No.:	
DESIGNED BY:	O.M.
DRAWN BY:	
CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
DRAWING SCALE:	AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC # AR 90599
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL (305) 669-5040
 FAX (305) 669-5041

DATE: 2021.05.26

REGISTERED PROFESSIONAL ARCHITECT

A-9.3

RECEIVED
 MIAMI-DADE COUNTY
 PROCESS NO: A21-029
 DATE: SEP 30 2021
 BY LINNJ

FINAL APPROVED PLANS



CAYMARES MARTIN
 Architectural & Engineering Design
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 Miami, FL 33155
 Ph: (305) 669-5040 Fax:
 (305) 669-5041
 www.caymartdesign.com

ART+TEC
 DEVELOPMENT

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

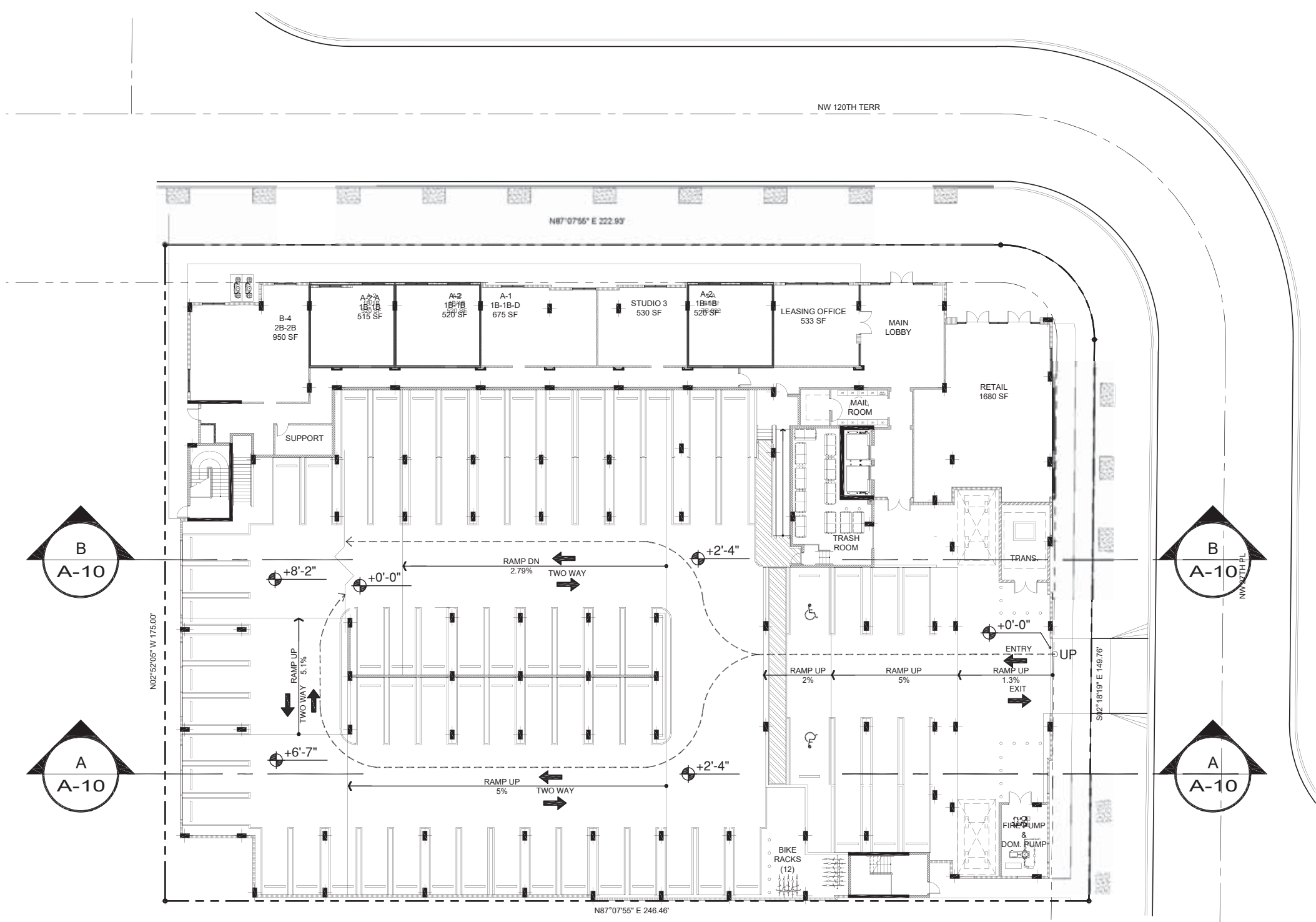
REV. #	DATE
1	01/10/2021 ZONING COMM.
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PROJECT No.:	
DESIGNED BY:	O.M.
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CHECKED BY:	O.M.
ISSUE DATE:	12-03-2019
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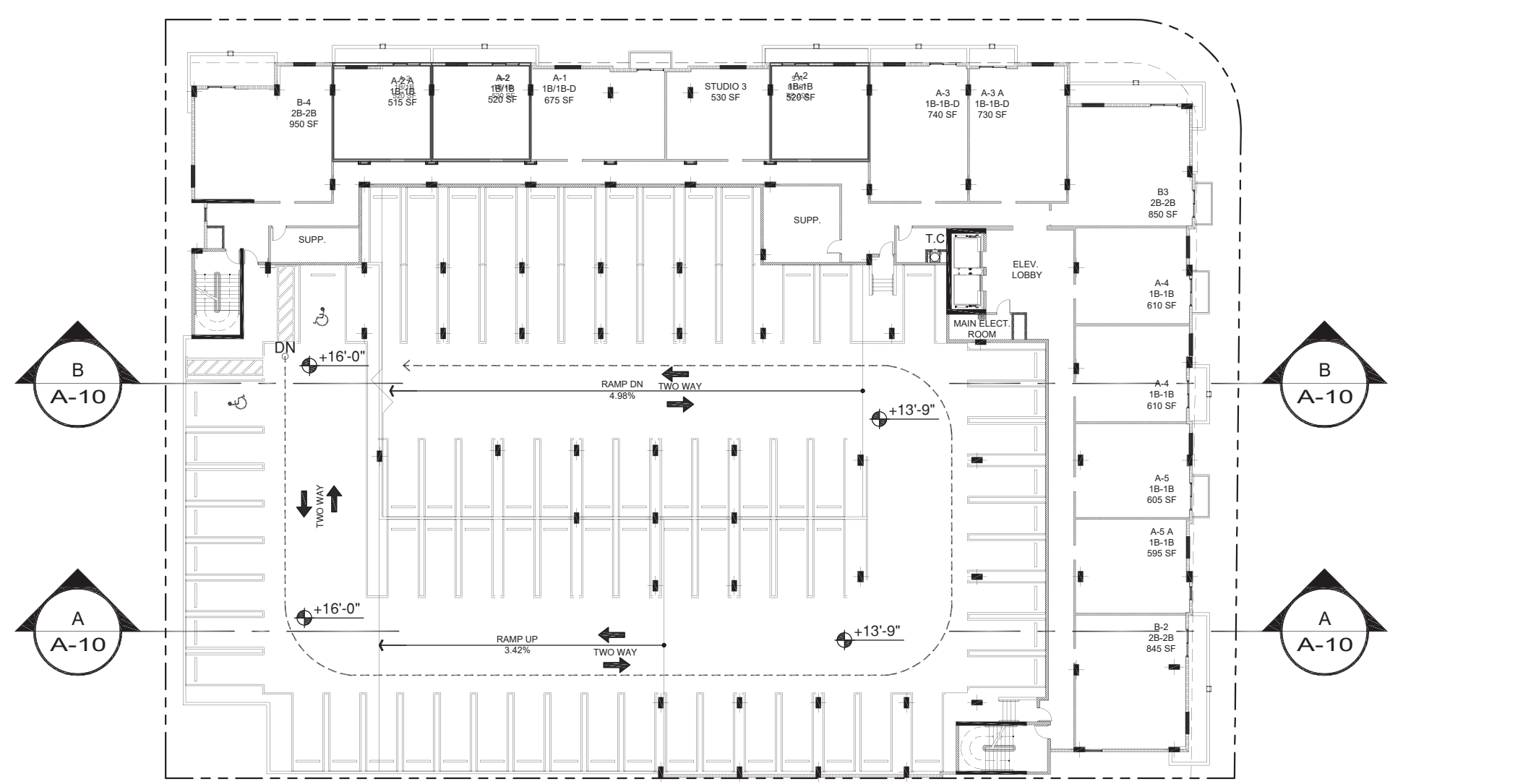
ARCH: CARMEN T. DIAZ
 LIC # AR 90900
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL (305) 669-5040
 FAX (305) 669-5041

APPROVED
 Date: 2021.03.26
 REGISTERED PROFESSIONAL ARCHITECT

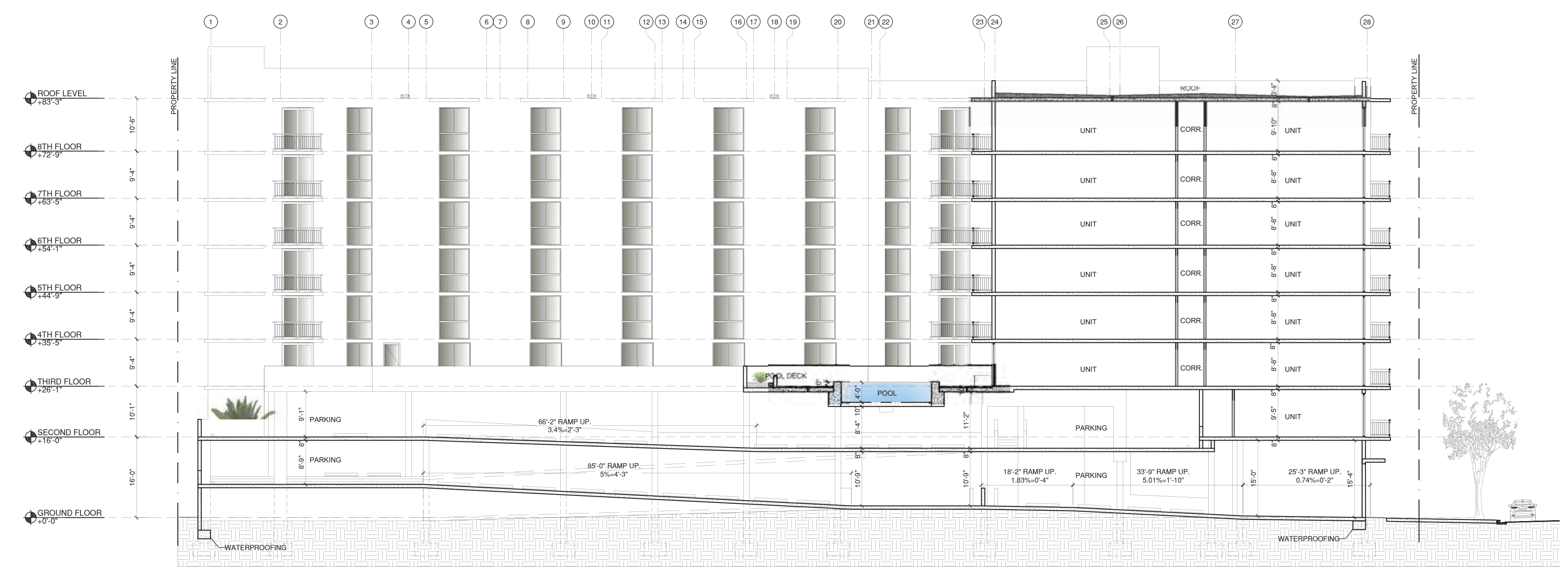
A-10



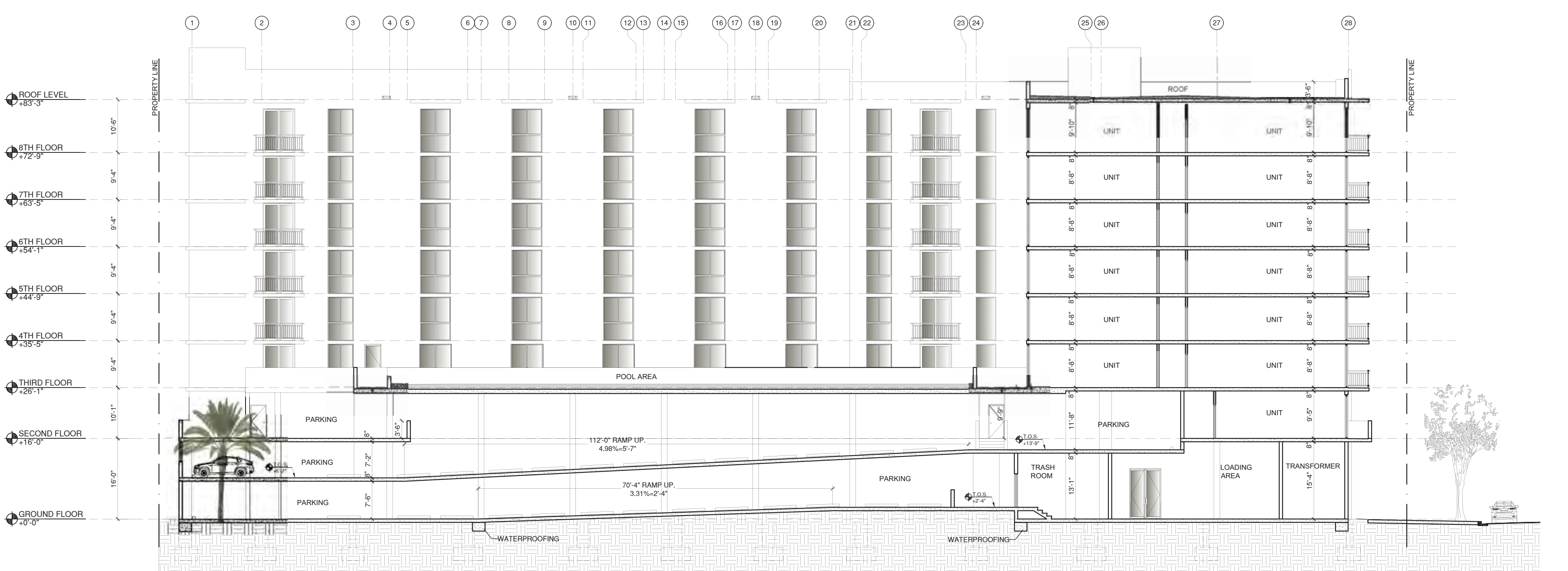
**VEHICLE CIRCULATION
 GROUND FLOOR**
 SCALE: 1/32" = 1'-0"



**VEHICLE CIRCULATION
 SECOND FLOOR**
 SCALE: 1/32" = 1'-0"



SECTION A-A
 SCALE: 3/32" = 1'-0"

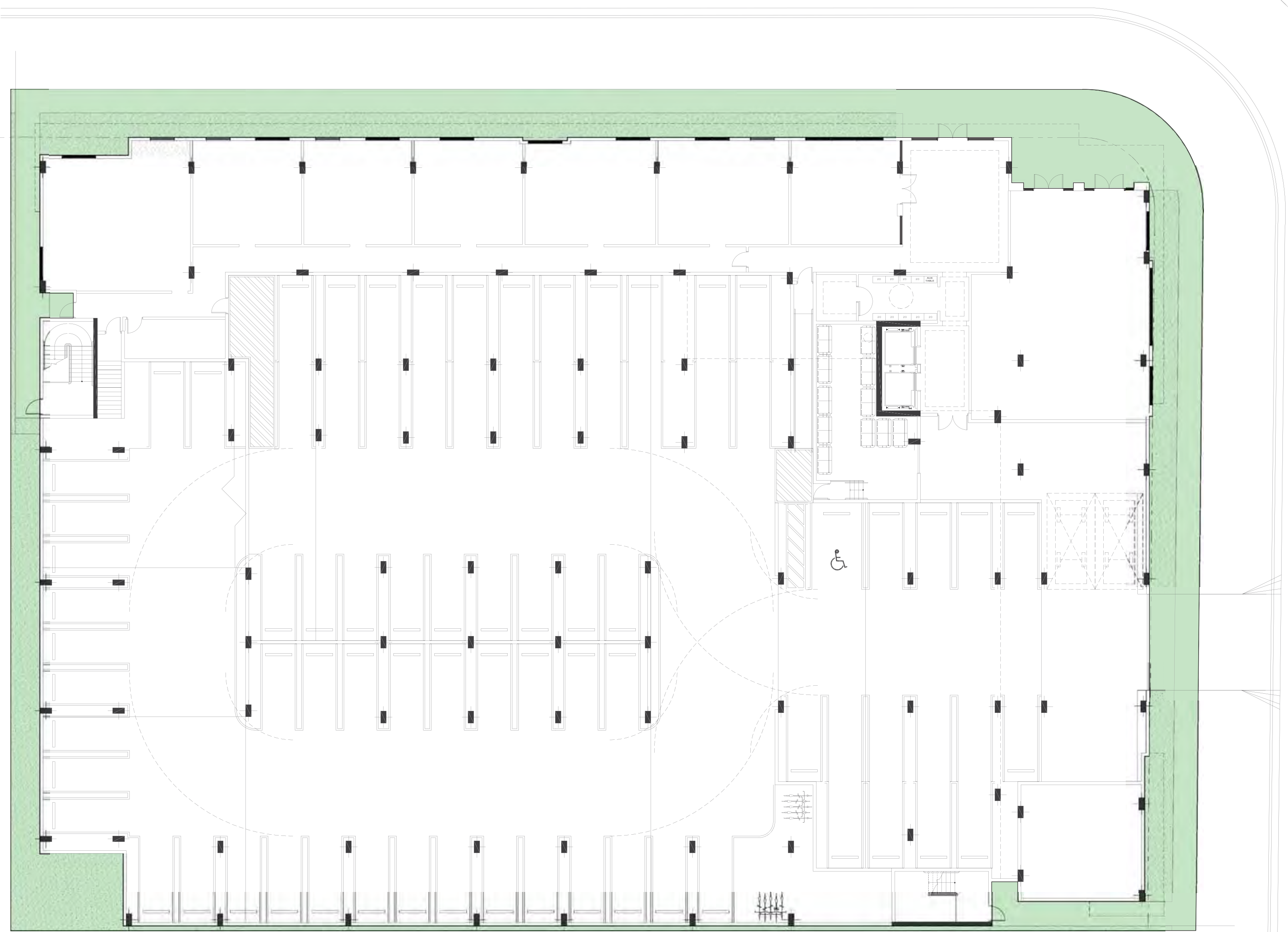


SECTION B-B
 SCALE: 3/32" = 1'-0"


SITE PLAN APPROVAL

RECEIVED
 MIAMI-DADE COUNTY
 PROCESS NO: A21-029
 DATE: SEP 30 2021
 BY LINNJ

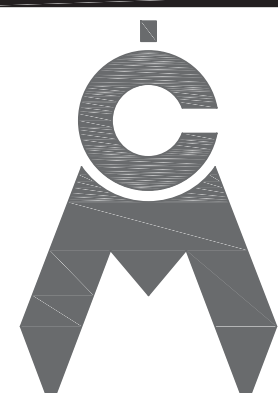
FINAL APPROVED PLANS



OPEN SPACE 
 OPEN SPACE : 6,820 SQ. FT. (15.8%)

LEGEND
 OPEN SPACE

OPEN SPACE: ON EACH LOT THERE SHALL BE PROVIDED AN OPEN SPACE EQUAL TO A MINIMUM OF FORTY (40) PERCENT OF THE TOTAL LOT AREA. SAID OPEN SPACE SHALL BE UNENCUMBERED WITH ANY STRUCTURE OR OFF-STREET PARKING, AND SHALL BE LANDSCAPED AND WELL MAINTAINED WITH GRASS, TREES, AND SHRUBBERY, EXCEPTING ONLY AREAS USED AS PEDESTRIAN WALKS AND INGRESS AND EGRESS DRIVES PROVIDED THAT SUCH DRIVES SHALL NOT EXCEED THE MINIMUM WIDTH REQUIRED TO SERVE THE PARKING AREA.



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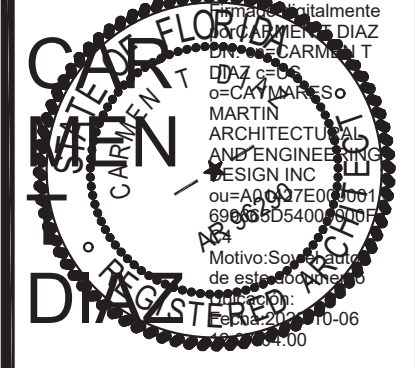
ICIG
 INVESTMENT AND CONSULTING
 INTERNATIONAL GROUP, INC.
 4750 W. Commercial Blvd, Tamarac,
 FL 33319

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	10/06/2020 SITE PLAN A, COMM
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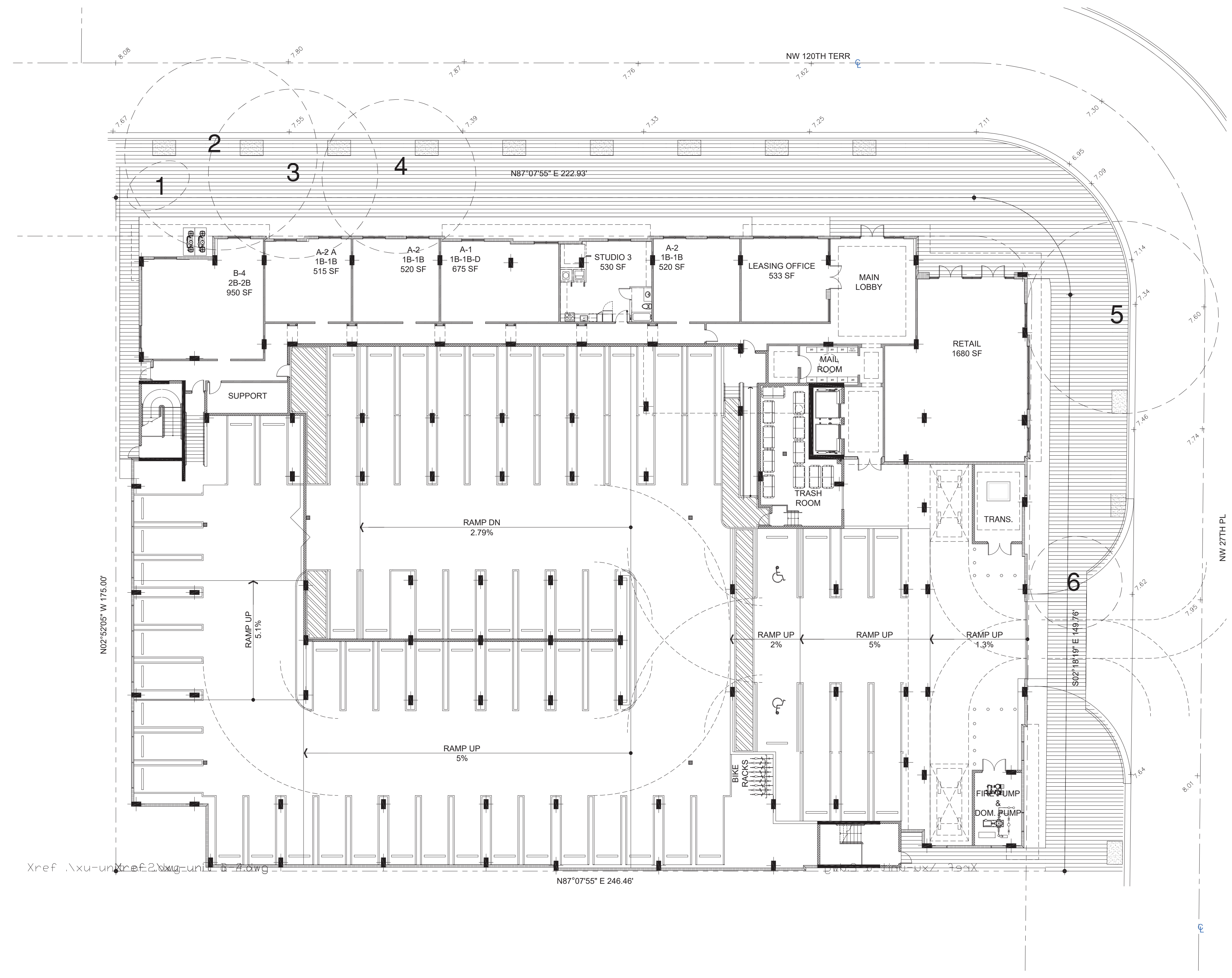
PROJECT No.:
 DESIGNED BY: O.M.
 DRAWN BY:
 CHECKED BY: O.M.
 ISSUE DATE: 12-03-2019
 DRAWING SCALE: AS SHOWN

ARCH: CARMEN T. DIAZ
 LIC # AR 9200
 5001 S.W. 74th COURT, #100 MIAMI, FL 33155
 TEL (305) 669-5040
 FAX (305) 669-5041



OPEN SPACE

G011



landscape legend

#	Name	dbh"	Size	Disposition
			ht' spr'	
1	Albezia lebbeck	8	20 15	remove
	Womens Tongue			
2	Casuarina equisetifolia	24	60 50	remove
	Australian Pine			
3	Casuarina equisetifolia	24	55 44	remove
	Australian Pine			
4	Albezia lebbeck	18	30 40	remove
	Womens Tongue			
5	Casuarina equisetifolia	22	60 50	remove
	Australian Pine			
6	Albezia lebbeck	6	22 24	remove
	Womens Tongue			

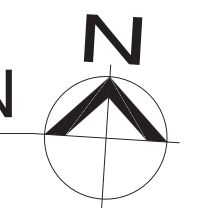
existing trees to be removed are weed species and do not require mitigation

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
1	06-25-21
2	09-27-21
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PROJECT NO.:	
DESIGNED BY:	EGS2
DRAWN BY:	
CHECKED BY:	EGS2
ISSUE DATE:	06-08-21
DRAWING SCALE:	AS SHOWN

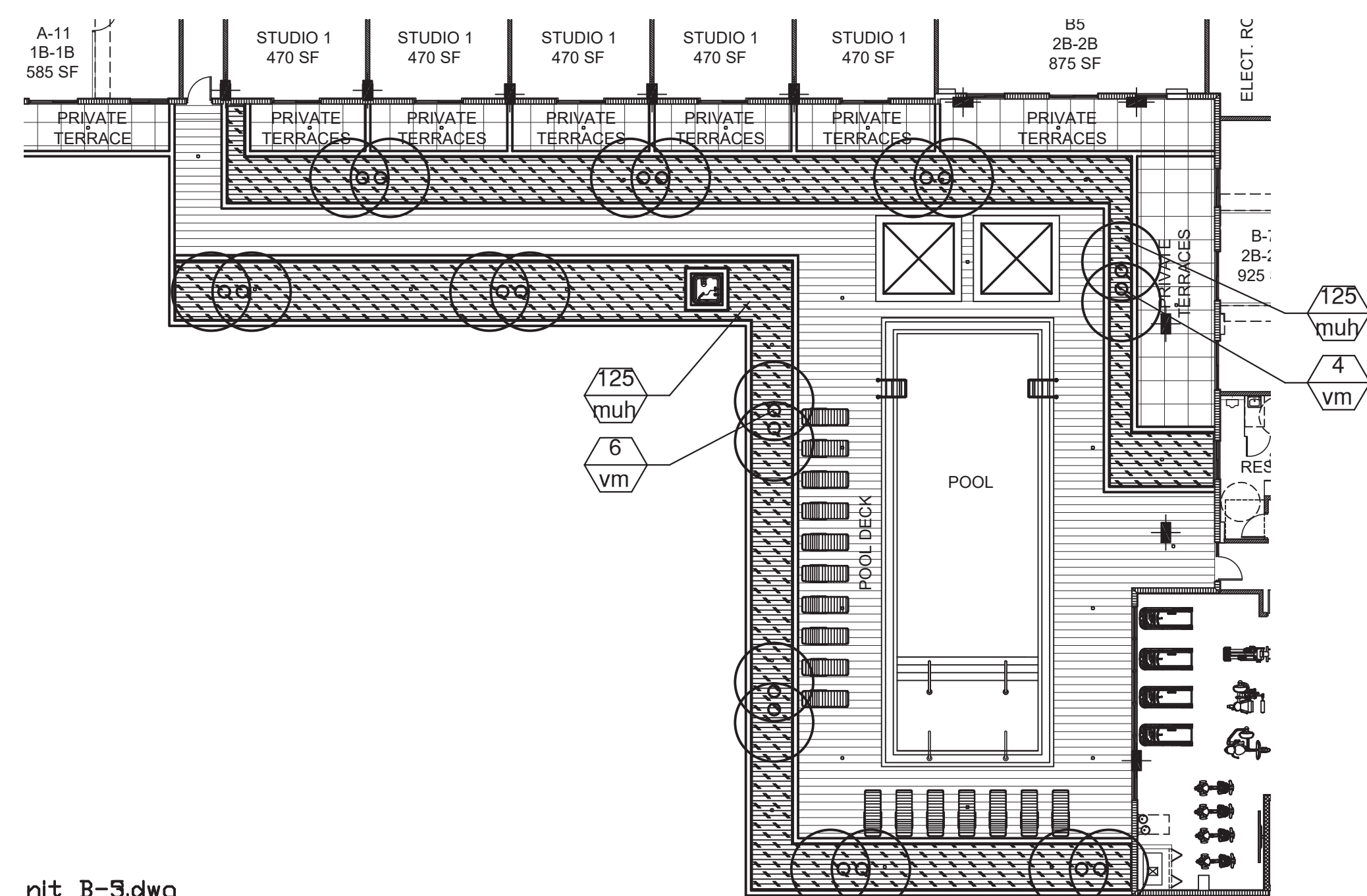
EXISTING TREE DISPOSITION PLAN
 SCALE: 1/16" = 1'-0"



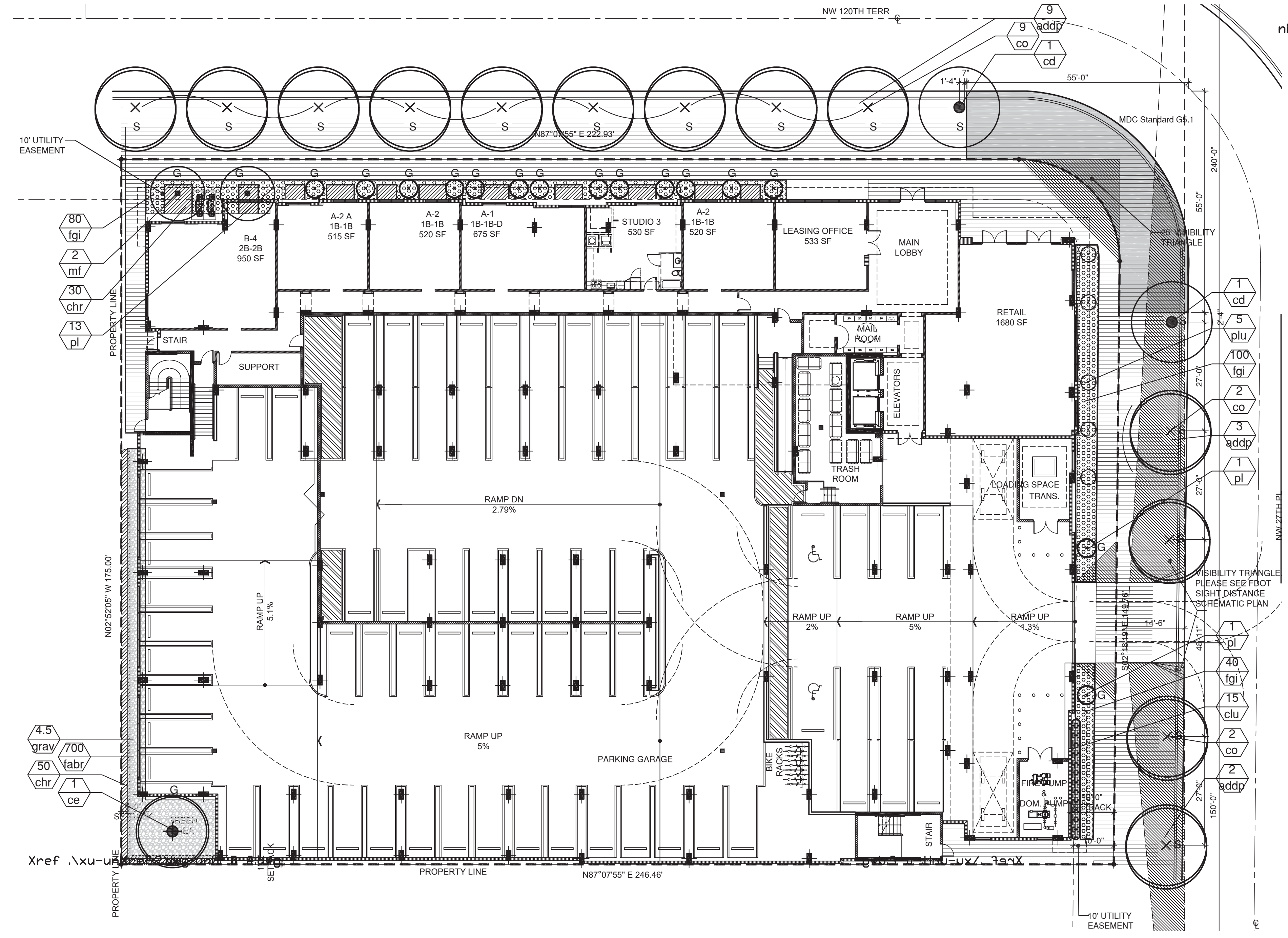
site plan updated

landscape architecture
 1421 N.W. 119 Avenue Miami, Florida 33186
 (305) 274-2702 Fax: (305) 274-2887 www.laparc.com

Digitally signed by
 William A Eager
 DN: cn=US, o=EGS2 Corp.,
 email=427E0000167A@ART+TEC.COM, c=US,
 cn=William A Eager
 Date: 2021.09.27
 15:39:42 -0400



LEVEL 3 PLANTING PLAN
 SCALE: 1/16" = 1'-0"



tree key

- G General Canopy Tree
- S Street Tree

fdot note

Trees located within the FDOT sight triangles are species whose trunks do not exceed 11", and, have been spaced at 27' o.c., or greater, based on a design speed of 35 mph.

GROUND FLOOR PLANTING PLAN
 SCALE: 1/16" = 1'-0"

CAYMARES MARTIN
 Architectural & Engineering Design
 AA 26001552 CA 27136
 5001 SW 74th Ct. Ste 100
 Miami, FL 33155
 Ph: (305) 669-5040 Fax:
 (305) 669-5041
 www.caymartindesign.com

ART+TEC
 DEVELOPMENT

MIXED USE BLDG
 SW PORTION OF NW 120 TH TERRACE AND
 NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
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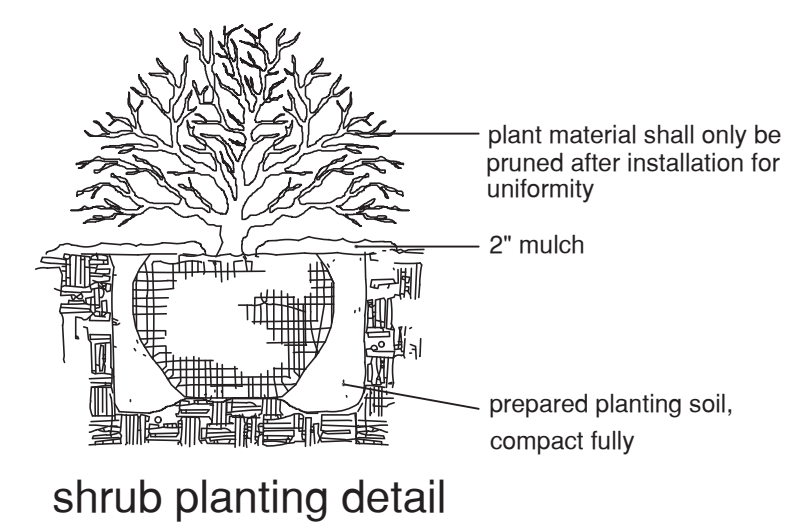
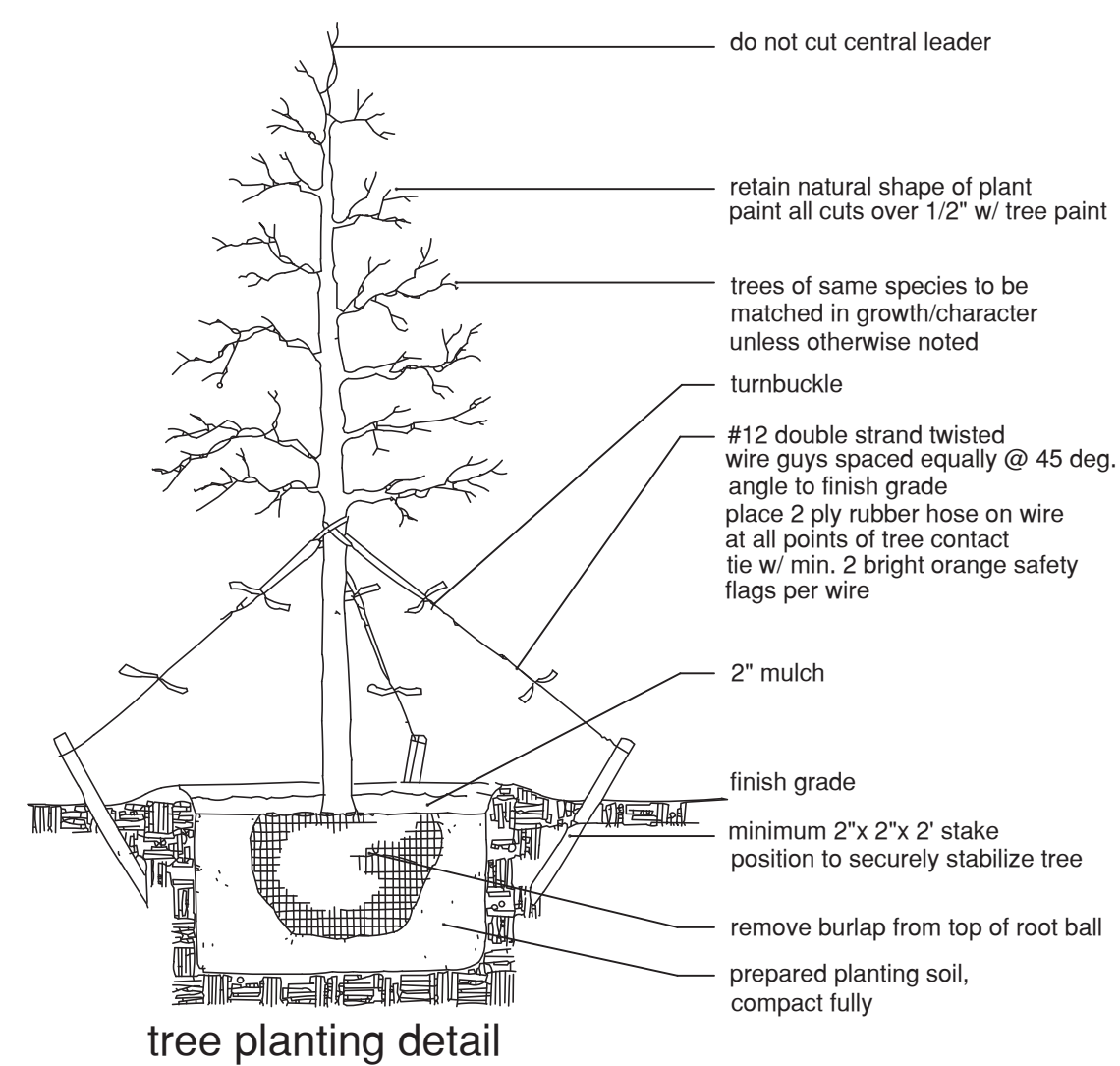
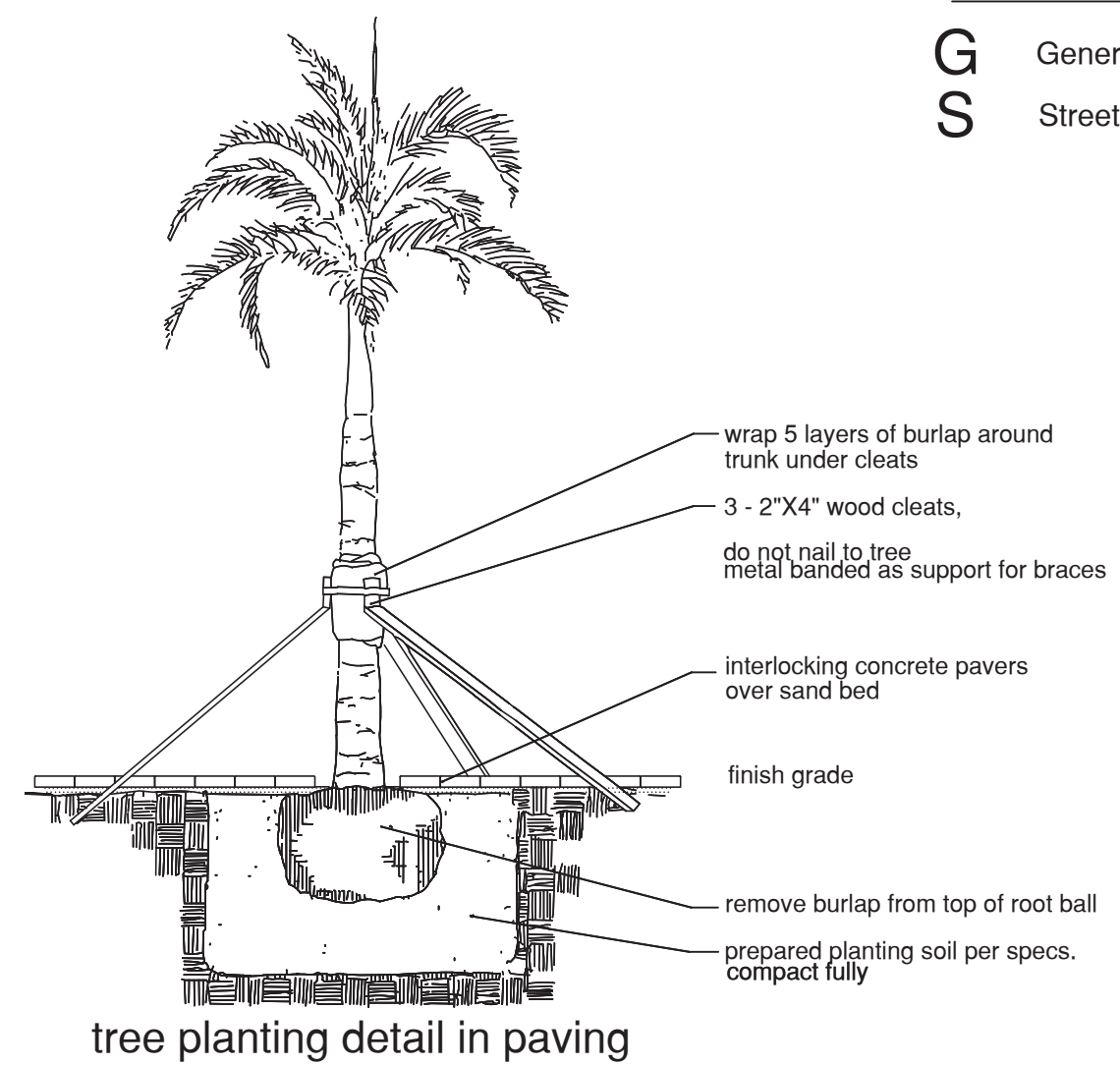
PROJECT No.:
 DESIGNED BY: EGSZ
 DRAWN BY:
 CHECKED BY: EGSZ
 ISSUE DATE: 06-08-21
 DRAWING SCALE: AS SHOWN

William A Eager
 A Eager
 landscape architecture

plant specifications

- Landscape Contractor shall be familiar w/ all work required by these drawings. This shall include all grading plans and detail sheets indicating depths of all plantings on the pool deck. If these sheets are not included, contact General Contractor. Drawings may not be part of the Landscape set and may be from another discipline.
- All plant material furnished by the Landscape Contractor unless otherwise specified in Grades and Standards for Nursery Plants, current edition, by the Florida Department of Agriculture and Consumer Services Division of the Plant Industry, shall be Florida Grade #1 or better.
- All shrubs and groundcovers shall be guaranteed for 1 year from date of final acceptance. All trees and palms shall be guaranteed for 1 year from date of final acceptance.
- Planting soil shall be weed free and consist of 60% clean silica sand, 30% everglades muck and 10% Canadian peat. All plants shall be installed with planting soil as indicated on details.
- Landscape Contractor shall take all steps required to make all planting beds weed and grass free prior to planting. All plant beds to be treated with a pre-emergent approved by Landscape Architect.
- Landscape Contractor shall locate and verify all underground utilities prior to digging.
- All trees shall be staked and/or guyed in a good workmanlike manner as per attached details. No nail staking permitted.
- Any wire guys and/or fabric straps shall be flagged w/ fluorescent colored tape as shown in details.
- All trees shall be fertilized at installation w/ "Agriform Pills", 21 gram size, w/ a 20-10-5 formulation., (or approved equal) according to manufacturers recommendations.
- All other plants shall be fertilized at installation w/ "Osmacote" time release pellets (or approved equal) according to manufacturers recommendations.
- All trees and plant beds shall be mulched with a 2" layer of shredded mulch. Mulch shall not touch the tree trunk. Cover all shrub beds with a 2" layer of shredded mulch. Mulch shall not be pine or cypress.
- Where quantities and/or species differ between the planting plans and plant lists, the plans shall take precedence.
- Landscape Contractor is responsible for doing a take-off of the attached plans. Plant list provided is for guidance only. Landscape Contractor, in submitting a proposal based on these plans, is responsible for all materials as noted on plans.
- Discrepancies shall be brought to the attention of the Landscape Architect.
- No changes shall be made without the prior consent of the Landscape Architect.
- Landscape Contractor is responsible for coordinating with the General Contractor or Owner any and all conditions which may affect the scope of work.
- Landscape contractor shall include in bid all materials and labor as required to complete the job as indicated on the plans and as directed by the General Contractor.
- All plant material shall meet or exceed specifications listed.
- All planted beds shall receive 100% coverage by a fully automatic irrigation system as per plans.
- Landscape Contractor shall be responsible for providing temporary watering provisions until such time as the irrigation system is operational.

plant details



tree key

- G General Canopy Tree
- S Street Tree

plant list

Key	Qty.	Name	ht'	spr'	Size dbh"	ct/gw'	note
ce	1	Conocarpus erectus (N) Green Buttonwood	10	4-5	2	6	full head
cd	2	Coccoloba diversifolia (N) Pigeon Plum	20	7-8	6	6	full head
co	13	Chrysophyllum oliviforme (N) Satinleaf	20	7-8	6	6	full head
mf	2	Myrcianthes fragrans (N) Simpsons Stopper	10	4-5	2	6	full head
pl	15	Polyathia longifolia Mast Tree	10	2	2	0	full head matched
vm	10	Veitchia arecina Montgomery Palm		6-8	2	10' gw	double

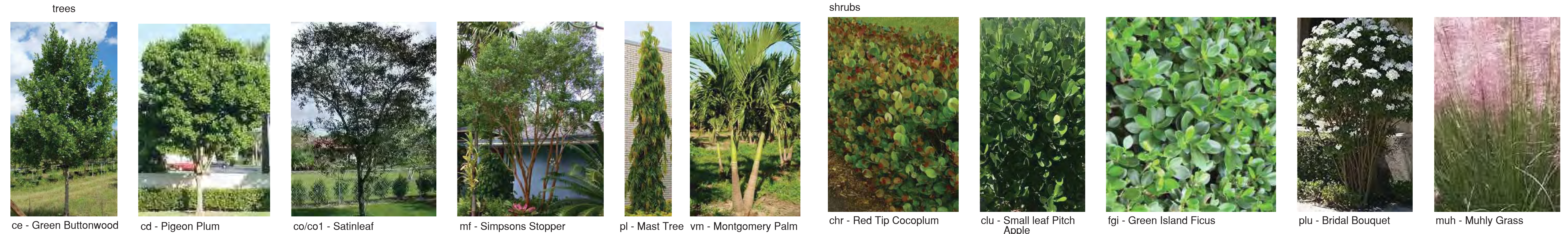
shrubs & groundcovers:	ht"	spr"	o.c."	note
chr 80	20-22	14-16	30	full to base
clu 15	20-22	16-18	24	full to base
fgi 220	16-18	16-18	24	full to base
plu 5	30	16		full to base
muh 217	18	18	36	full clump

miscellaneous:			
addp	14	Add-a-Pave (24 s.f. per)	to be selected
fabr	700	Weed Barrier Fabric	to be selected
grav	4.5	Gravel	to be selected

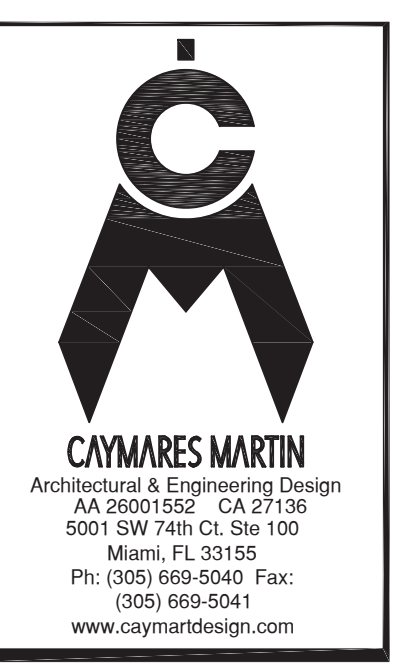
landscape legend

Zoning District	Net Lot Area	acres	REQUIRED	PROVIDED
NCUAD	.99	43,144		
OPEN SPACE				
A. Square Feet of open space required by Chapter 22, as indicated on site plan: Net Lot Area = 43,144 s.f. x 10 % = 4,315 s.f.				
			4,315	6,820
B. Square Feet of parking lot open space required by Chapter 18A, as indicated on site plan: No. parking spaces 0 x 10 s.f. per parking space =				
			0	0
C. Total s.f. of landscaped open space required by Chapter 33: A+B =				
			4,315	6,820
LAWN AREA CALCULATION				
A. 4,315 total s.f. of landscaped open space required by chapter 33				
			4,315	6,820
B. Maximum lawn area (sod) permitted = 60 % x 4,315 s.f. =				
			2,589	0
TREES				
A. No. trees required per net lot acre 16				
	16	trees x .99	16	G 18
Existing trees meeting minimum requirements				
			0	0
B. % Palms allowed: No trees required x 30%				
			0	0
C. % Natives Required: No. trees required x 30%				
			5	18
D. % Drought tolerant and low maintenance required				
	16	trees provided x 50%	8	18
E. Street Trees: 373 l.f. linear feet along street / 25'				
			15	S 15
F. Mitigation Trees:				
			0	0
G. Total Trees:				
			31	33
SHRUBS				
A. No. trees required 16 x 10 + No. of shrubs required				
	160		160	315
B. % Natives required: No. shrubs required 160 x 30%				
			48	95
C. % Drought tolerant and low maintenance required: No. shrubs required 160 x50%				
			80	95

representative plant photos



PLANT SPECIFICATIONS



MIXED USE BLDG

SW PORTION OF NW 120 TH TERRACE AND
NW 27 TH PLACE INTERSECTION, MIAMI FL

REV. #	DATE
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PROJECT No.:
DESIGNED BY: EGSZ
DRAWN BY:
CHECKED BY: EGSZ
ISSUE DATE: 06-08-21
DRAWING SCALE: AS SHOWN

William A Eager
A Eager
Digitally signed by William A Eager
DN: cn=US, o=EGSZ Corp., email=142700001@AIAA.com, ou=EGSZ Corp., c=US



PERMIT PROCESS NUMBER _____

Legal description: refer to attached

Lot: _____ Block: _____ Subdivision: _____
Plat Book: _____ Page: _____
Development Name: Mixed Use Building
Located at (address): NW 120 Terrace & NW 27 Place, Miami, FL

I/We hereby certify that the landscaping/irrigation plans being submitted for the above captioned complies, to the best of our knowledge, with the requirements of **Ordinance 98-13** (landscaping ordinance) as to species, height, trunk width and location at time of planting, and that the species as shown are in accordance with the accepted species approved by Miami-Dade County and that none of the species are from the prohibited list.

Additionally, automatic sprinkler system (if applicable) shall comply with requirements of said ordinance as to type of heads, spray system, location, etc.

I further certify that I am authorized under Chapter 481, Florida statutes to prepare and submit this landscaping/irrigation plan.

Professional Preparer's Signature

William A. Eager, ASLA

Seal:

William
A Eager

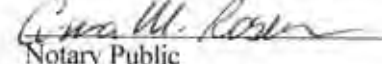
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DN: cn=EGS2 Corp., ou=EGS2, email=william@egs2.com, c=US
Date: 2021.09.27 15:46:05 -0500

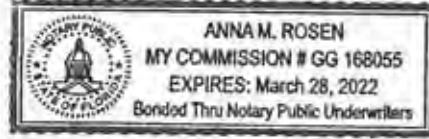
STATE OF Florida
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me this 27 day of September, 2021, by William Eager, of EGS2 a Landscape Architecture Corporation, on behalf of the corporation. He is personally known to me and did not take an oath.

Witness my signature and official seal this 27 day of September, 2021. In the County and State aforesaid, the date and year last aforesaid.

My Commission Expires 3/28/22


Notary Public



Anna M. Rosen
Print Name

EXHIBIT

11



October 6, 2021

Gabriel Boano
Gratigny 27 PL LLC
1111 Kane Concourse, Suite 517
Bay Harbor Islands, Florida 33154

Re: Administrative Site Plan Review of ASPR No. A2021000029

Name and Date of Plan:

Plans entitled "Mixed Use Bldg" as prepared by Caymares Martin, consisting of twenty-one (21) sheets dated stamped received September 30, 2021

Section-Township-Range: 28-52-41

Legal Description:

Tracts 466 and 467 of "EIGHTH ADDITION TO SEABOARD INDUSTRIAL PARK," according to the plat thereof, as recorded in Plat Book 142 Page 57, of the Public Records of Miami-Dade County, Florida

Dear Mr. Boano:

The staff of the Department of Regulatory and Economic Resources has reviewed and approved your request for site plan approval consisting of **a proposed mixed-use development consisting of 168 apartment units and 1,680 sq. ft. of commercial space**, subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include, but not be limited to: the location of structure or structures, types, sizes, location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.

APPROVAL LETTER

2. That in the approval of the plan, the same being substantially in accordance with that submitted for ASPR review entitled "Mixed Use Bldg" as prepared by Caymares Martin, consisting of twenty-one (21) sheets dated stamped received September 30, 2021.
3. That the applicant submit to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
4. That screening of backflow preventers, check valves, and the like as required by Section 32-157(d) of the Code of Miami-Dade County be installed prior to the issuance of a Certificate of Use.
5. That the use be established and maintained in accordance with the approved plan subject to the conditions referenced in this letter.
6. That the applicant obtain a Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
7. That the applicant comply with all applicable conditions and requirements of the Miami-Dade County Department of Regulatory and Economic Resources – Division of Environmental Resources Management (DERM).
8. That the applicant comply with all applicable conditions and requirements of the Miami-Dade County Department of Regulatory and Economic Resources – Land Development – Traffic Concurrency/Platting Section.
9. That the applicant comply with all applicable conditions and requirements of the Miami-Dade County Water and Sewer Department.
10. That the applicant comply with all applicable conditions and requirements of the Miami-Dade County Department of Transportation and Public Works Traffic Engineering Division.
11. That the applicant comply with all applicable conditions and requirements of the Miami-Dade County Fire Rescue Department.
12. That the applicant shall proffer a Declaration of Restrictions/Agreement to the Department of Regulatory and Economic Resources indicating that a minimum of twelve and one-half (12.5) percent of the proposed 168 residential units (21 units) be set aside for Workforce Housing as defined in Section 33-284.83(A)(3) of the Code of Miami-Dade County.
13. That in the event of multiple ownership, a homeowner's association, Special Taxing

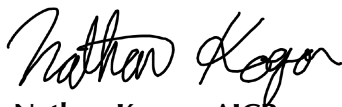
District or Community Development District shall be established in accordance with applicable regulations to assure that all common areas and facilities for use of all residents shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayer of Miami-Dade County. The instrument incorporating such provisions shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County.

This letter serves as formal notification that the Miami-Dade County Department of Regulatory and Economic Resources recommends that the applicant proceed with the permitting process so long as development remains in substantial compliance with said plans. Substantial deviation from approved plans will require review by the Department.

This item has been reviewed and approved for consistency with the standards of Ordinance No. 89-66, adopted on July 11, 1989, which established Miami-Dade County's Concurrency Management Program.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Sincerely,



Nathan Kogon, AICP

Assistant Director

Development Services Division

Department of Regulatory and Economic Resources

- c: James Byers, Chief, Permitting Division
Raul Pino, Chief, Land Development - Traffic Concurrency/Platting Section
Ronald Connally, Supervisor, Zoning Hearing Section

Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

12

Exhibit A to RFA 2022-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County

**Section 4.A.4
General Proposed Development Information**

(4) Development Category Funding Preference

If the Applicant selected the Development Category of Rehabilitation, with or without Acquisition, does the proposed Development meet the definition of Preservation as defined in Rule Chapter 67-48.002(92), F.A.C.?

<select one>

Note: If an Applicant selects the Development Category of Rehabilitation, with or without Acquisition, and either (i) does not answer this question or (ii) selects "Yes" as the answer to this question, the Application will NOT qualify for the Development Category Funding Preference.

c. Characteristics of Development

(1) Select the Development Type: _____ (Your selection for Development Type is confirmed by the Unit Characteristics table below)

High-Rise

Based on the input in the Unit Characteristics Table below, there is 1 predominant unit type and it is New Construction High-Rise ESS Construction.

(2) Enhanced Structural Systems ("ESS") Construction Qualifications are outlined in Section Four, A.4.c.(2) of RFA.

d. Breakdown of number of units

Complete the chart below 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. The last row of the far right column is the Leveraging Factor.

Unit Characteristics			Enter the applicable number of units	Leveraging Classification Development Type Multipliers
New Construction	Garden	ESS Construction		0.8004
	Garden	Non-ESS Construction		0.9200
	Mid-Rise	ESS Construction		0.7395
	Mid-Rise	Non-ESS Construction		0.8500
	High-Rise	ESS Construction	130	0.7134
	Other Dev Type*	ESS Construction		0.8700
	Other Dev Type*	Non-ESS Construction		1.0000
Rehab	Garden	ESS Construction		1.0000
	Garden	Non-ESS Construction		1.0000
	Mid-Rise, High-Rise	ESS Construction		1.0000
	Mid-Rise, High-Rise	Non-ESS Construction		1.0000
	Other Dev Type*	ESS Construction		1.0000
	Other Dev Type*	Non-ESS Construction		1.0000
Total Units:			130	0.7134**

The number of units calculated here matches the number of units in stated at 6.a.

* Other Dev(elopment) Type means any Development Type that is not specifically identified in the chart but could be selected in drop-down menu in A.4.A.c.

** Not all decimal places of the actual number for the overall Leveraging Classification Development Type Multiplier may be displaying. Nonetheless, the full actual number will be used to calculate the Applicant's overall Corporation's funding amount in the 'Funding' tab. The final Leveraging Multiplier is calculated by summing together the products of multiplying the number of units for each applicable Development Type by their Leveraging Classification Development Type Multiplier and dividing the results by the amount of Total Units.

Exhibit 12

Exhibit A to RFA 2022-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County

(b) Applicants committing to the IRS Average Income Test must complete this chart for HC Set-Aside Commitments. The minimum ELI Set-Aside Commitment is 15% of Total Units, or 20 units at 30% AMI or less.

Number of Residential Units	Percentage of Units	AMI Level, at or below:	Types of Units
	0.000%	20%	Housing Credit Units
20	15.385%	30%	
	0.000%	40%	
	0.000%	50%	
81	62.308%	60%	
	0.000%	70%	Housing Credit Units
29	22.308%	80%	
0	0.000%	Above 80%	Market Rate Housing Units
130	100.000%		Total Qualifying HC Units
130	100.000%		Total Units
		59.846%	Average AMI of the Qualifying HC Units

The total number of units calculated here matches the total number of units stated at 6.a. All of the units have been entered in the AIT Set-Aside Chart. With a HC commitment of 130 units, the minimum IRS Set-Aside commitment of 40% (52 units) is met. The average AMI of the HC units must be 60% or less which is met with an average of 59.846%. The Development qualifies for the minimum FHFC RFA overall set-aside commitment of at least 75 Set-Aside Units as a for profit Applicant with a Demographic Commitment of Elderly Non-ALF. The minimum FHFC ELI commitment (at 30% AMI or less) of 15% (20 units) is met with an ELI commitment of 20 units.

Note: If the Total Set-Aside Breakdown Chart reflects that the Average AMI of all Qualifying Housing Credit Units exceeds 60 percent, and/or if the number of Set-Aside Units set aside at 30 percent AMI or less, is not equal to or greater than the required ELI commitment, and/or the overall Set-Aside Commitment requirement is not met, the Application will not be eligible for funding.

d. Unit Mix Chart

Complete the chart below:

Number of Bedrooms/Bathrooms per Unit	Number of Units per Bedroom/Bathroom Type	Prorata ELI Distribution
0 Bedroom/1 bathroom		0
1 Bedroom/1 bathroom	70	11
2 Bedrooms/1 bathroom		9
2 Bedrooms/1.5 bathrooms		
2 Bedrooms/2 bathrooms	60	0
3 Bedrooms/1 bathroom		
3 Bedrooms/1.5 bathrooms		
3 Bedrooms/2 bathrooms		
3 Bedrooms/2.5 bathrooms		
3 Bedrooms/3 bathrooms		

Exhibit A to RFA 2022-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County

4 Bedrooms/1 bathroom		0
4 Bedrooms/1.5 bathrooms		
4 Bedrooms/2 bathrooms		
4 Bedrooms/2.5 bathrooms		
4 Bedrooms/3 bathrooms		
4 Bedrooms/3.5 bathrooms		
4 Bedrooms/4 bathrooms		
Totals	130	20

The total number of units calculated in the Unit Mix Chart matches the total number of units stated at 6.a. above.

This area intentionally left blank.

Chart for the Prorata Distribution of ELI units.

ELI Commitment: 15%

# of Bedrooms	Total Units	Total ELI
0	0	0
1	70	11
2	60	9
3	0	0
4	0	0
Totals	130	20

e. Number of Buildings

Number of anticipated residential buildings: 1

f. Compliance Period

All Applicants are required to set aside the units for this number of years, as further described in Section Four of the RFA.

50 Years

EXHIBIT
13

Sec. 33-310.1. - Administrative modification or elimination of conditions and restrictive covenants.

- A. *Standards.* The Director is authorized to consider and approve applications to modify or eliminate any condition or part thereof which has been imposed by any final decision adopted by resolution, and to modify or eliminate any restrictive covenant, or part thereof, accepted at public hearing, where the requirements of at least one of the following subsections have been demonstrated. Upon demonstration that such requirements have been met, an application may be approved as to a portion of the property encumbered by the condition or the restrictive covenant where the condition or restrictive covenant is capable of being applied separately and in full force as to the remaining portion of the property that is not a part of the application and both the application portion and the remaining portion of the property will be in compliance with all other applicable requirements of prior zoning actions and of this chapter.
- I. *Substantial Compliance With Previous Approval.* The Director shall approve an application to modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof, where it is demonstrated that the proposed modification or elimination will result in substantial compliance with the previous zoning action regarding a site plan, as demonstrated by all of the following:
- (A) Development density and intensity have not materially changed, in that:
1. the number of buildings is not increased by more than 10 percent;
 2. the number of stories is the same or fewer;
 3. the height of the building(s) is the same or less;
 4. the number of units is the same or fewer;
 5. the lot coverage and floor area ratio are the same or less;
 6. the number of bedrooms and corresponding parking spaces may be increased or decreased by as much as 10%, based on the entire plan, provided the plan complies with all other requirements of this subsection and of this chapter; and
 7. density or intensity (floor area ratio) may be transferred from one building to another or from one stage of development to another, provided that the total floor area ratio is not changed.
- (B) Design has not materially changed, in that:
1. the roadway patterns, including ingress-egress points, are in the same general location as shown on the original plans, and are no closer to the rear or interior side property lines than shown on the original plans;
 2. the parking area is in the same general location and configuration;
 3. the building setbacks are the same or greater distance from perimeter property lines, except that the building setbacks for detached single-family development, zero lot line, rowhouse, townhouse and cluster development may also be decreased, provided that such decrease is limited such that the resulting setback distance will be the greater of either
 - (a) the underlying zoning district regulations, or
 - (b) any condition or restrictive covenant regulating the setback for which a substantial compliance determination is sought;
 4. the landscaped open space is in the same general location, is of the same or greater amount, and is configured in a manner that does not diminish a previously intended buffering effect;
 5. the proposed perimeter walls and/or fences are in the same general location and of a comparable type and design as previously approved;

6. elevations and renderings of buildings have substantially similar architectural expressions as those shown on the approved plans, except that single use outparcel buildings fronting on section line, half-section line, or quarter-section line roads in business zoning districts shall not be subject to this requirement;
 7. recreational facilities, if shown on plans approved by a prior zoning action, either remain the same or are converted from one recreational use to another;
 8. if recreational facilities were not shown in the approved plans, they may be added, provided there is no increase in lot coverage or decrease in required open space and such facilities are located internally within the proposed development;
 9. if a variance for signage has been granted, the proposed sign(s) are no greater in size and are placed in the same general location on the site as approved by zoning action. An entrance sign location may be moved the same proportional distance as a relocated entrance drive;
 10. the proposed changes do not have the effect of creating any noncompliance or nonconformity with the strict application of the Zoning Code that were not previously approved at public hearing, or of expanding the scope of existing variances, alternative site development options, or other approvals pursuant to alternative development standards such that they would differ to a greater degree from the strict application of the zoning code;
 11. additional outparcels may be added where:
 - (a) there is no increase in the project's total floor area ratio or lot coverage;
 - (b) there is no reduction in the total amount of landscaped open space; and
 - (c) addition of the outparcel does not result in noncompliance with any other provision of this subsection on any other portion of the subject property.
 12. reductions in the number of parking spaces on the site are permitted if sufficient parking spaces are provided to satisfy the requirements of this Code.
- (C) The slope of any lake for which a modification is requested complies with Section 33-16 and all other applicable provisions of this Code.
- II. *Reformation of Resolutions and Declarations of Restrictive Covenants to Correct Clerical or Scrivener's Errors.*
- (A) The Director shall approve an application to reform a clerical or scrivener's error, in a prior zoning action, including an error in an application, declaration of restrictive covenants accepted upon public hearing, or notice, which error causes the zoning action not to accurately reflect the board's intent, and where it is demonstrated that all of the following requirements are met:
1. the reformation shall not include a change of judgment, policy, or prior intent of the board;
 2. prior to the conclusion of the public hearing at which the zoning action for which reformation is sought was taken, the current applicant either did not know of the error, or knew of the error and made it known to the adopting board;
 3. the reformation of the previous resolution or declaration is essential to insure that the zoning action reflects the intent of the adopting board;
 4. the record, including, but not limited to, the staff recommendation, minutes, and motion, evidences the clear intent of the board;
 5. the substance of the decision of the board was evident at the time of the adoption of the zoning action, and there was no intent to deceive the public or the board on the part of the current applicant at any time;

6. failure to approve the reformation would lead to an unjust result;
 7. the error in the prior zoning action did not mislead anyone in a way that would cause them to be prejudiced by the reformation; and
 8. any errors related to public notice did not affect the legal sufficiency of the required notice.
- (B) Notwithstanding the foregoing provisions, the Director, within thirty (30) days of the transmittal of a resolution, may reform a clerical or scrivener's error in a zoning action including a declaration of restrictive covenants accepted upon public hearing, without public notice, if:
1. the error is not related to public notice, and
 2. the error causes the resolution or declaration as written to inaccurately reflect the clear decision of the board.
- (C) A reformed zoning action shall relate back to the original zoning action and the effective date of the corrected language shall be deemed to be the same as the effective date of the previous resolution.
- III. *Modification or Elimination of Conditions and Restrictive Covenants Associated with Voluntarily Abandoned Zoning Actions.* The Director shall approve an application to modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof (except where the covenant requires a public hearing), where it is demonstrated by the following that the condition, restrictive covenant or part thereof was imposed to mitigate the adverse impacts of a zoning action which has been entirely and voluntarily abandoned, in that:
- (A) the applicant has provided a sworn affidavit stating that the applicant has sufficient title and authority to abandon the development rights under the zoning action for the property for which the modification or elimination is sought, that the applicant intends to abandon the zoning action and all rights thereunder, and that no material changes to the character or use of the land have ever been undertaken pursuant to the zoning action;
 - (B) the development rights granted by the zoning action have been voluntarily abandoned in writing in a form approved by the Director;
 - (C) the zoning action which imposed or accepted the condition or restrictive covenant was not a district boundary change; and
 - (D) abandonment of the zoning action will not cause the subject property to fail to comply with any applicable provision of this Code or the Comprehensive Development Master Plan.
- IV. *Modification or Elimination of Conditions and Restrictive Covenants That Are Satisfied or Moot.* The Director shall approve an application to modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof (except where the covenant requires a public hearing), where it is demonstrated by the following that the condition, restrictive covenant or part thereof either is satisfied or is moot:
- (A) *Satisfied conditions, covenants, or restrictions.* The requirements imposed by a condition, restrictive covenant or part thereof do not create a continuing obligation, and are fully completed or satisfied; and, in the case of a restrictive covenant, any procedural or approval requirement set forth in the covenant is satisfied. Applications under this paragraph must be accompanied by a sworn affidavit that the conditions of this subsection have been satisfied.
 - (B) *Moot conditions, covenants, or restrictions.* The condition, restrictive covenant or part thereof is moot in that it can no longer serve the purpose for which it was imposed. A condition, restrictive covenant or part thereof in effect for a period of more than five (5) years shall be determined to be moot upon demonstration of any of the four (4) following:
 1. The purpose of the condition, restrictive covenant or part thereof is apparent from the zoning record of the subject property, including record facts pertaining to the character

of the subject property and its immediate vicinity, and the impacts that were projected to be generated by the zoning action at the time the condition or covenant was imposed; and either

- (a) the property subject to the condition or covenant has been developed in a manner or to an extent which does not, and under existing zoning approvals cannot, generate the adverse impacts intended to be prevented or mitigated by the condition or covenant; or
- (b) since the imposition of the condition or covenant, all abutting parcels and the immediate vicinity have been zoned or developed in a manner or to an extent that the impacts previously anticipated or projected to be prevented or mitigated by the condition or restrictive covenant are not, and cannot be, adverse to the abutting parcels or the immediate vicinity.

2. The purpose of the condition, restrictive covenant or part thereof is not apparent from the zoning record of the subject property, including record facts pertaining to the character of the subject property and its immediate vicinity, and

- (a) the condition, restrictive covenant or part thereof if imposed under current circumstances, would not and could not mitigate or prevent any describable harm or create any describable benefit to the public or to owners or residents of property in the immediate vicinity to a degree that is greater than *de minimus*; and
- (b) the condition or restrictive covenant does not include a date of expiration.

3. The condition or restrictive covenant for which modification or elimination is sought involves the timing or phasing of development, and

- (a) the development which is the subject of the condition or restrictive covenant is completed; and
- (b) no enforcement action regarding the condition or restrictive covenant has been initiated.

4. The condition or restrictive covenant for which modification or elimination is sought involves only the timeliness of filing or recording of a document, and

- (a) the failure to file or record the document was due to circumstances beyond the control of the applicant, or to excusable neglect; and
- (b) no one is prejudiced by the modification or elimination of the condition or restrictive covenant regarding the timing of the filing or recording; and
- (c) the document has been recorded or filed subsequent to the deadline set by the original approval, and accepted by the County.

V. *Modification or Elimination of Conditions and Restrictive Covenants When No New Adverse Impacts Will Result.* The Director shall approve an application to modify an approved site plan, or modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof (except where the covenant requires a public hearing), where it is demonstrated by the following that the modification or elimination will not result in a material new adverse impact on the public health, safety, welfare, or aesthetic values:

(A) The proposed modification or elimination does not contravene or eliminate an express prohibition or timing or phasing requirement contained in the prior zoning action;

(B) The modification or elimination of the condition, restrictive covenant, or part thereof will not create new adverse impacts. The application will be deemed not to create new adverse impacts upon demonstration of the following:

1. the modification or elimination will result in an increase of not more than ten (10) percent in trips generated above that generated by the approved development, except that trips generated in excess of ten (10) percent shall be permitted where completely mitigated

by increased capacity constructed since the current development was approved. Trip generation shall be calculated based on the most current methodology applied by the County.

2. the modification or elimination will result in an increase in projected demand for local parks of no more than ten (10) percent or one-fifth (frax;1;5;) acre, whichever is greater, except that demand in excess of ten (10) percent or one-fifth (frax;1;5;) acre shall be permitted if there is sufficient capacity of local parks to accommodate the increase in demand created by the modification;
3. the modification or elimination will result in an increase in demand placed on public stormwater drainage systems of not more than ten (10) percent;
4. the modification or elimination will result in a projected increase in the number of school-age children residing on the subject property of not more than ten (10) percent, or not more than three (3) school-age children, whichever is greater;
5. the modification or elimination will not result in any increase in potable water, sanitary sewer, or solid waste disposal demand for which adequate capacity is not available, or any change in existing or planned facilities will not affect the level of service of potable water, sanitary sewer, or solid waste disposal;
6. the modification or elimination will not result in any material increase in the risk of potential for discharge or spillage of pollutants, or generation of carbon monoxide at unsafe levels;
7. the modification or elimination will not result in any material increase in the potential for damage to jurisdictional wetlands;
8. the modification or elimination will not result in a reduction in the area under tree canopy of greater than ten (10) percent;
9. the modification or elimination will not result in any material increase in the risk of smoke, fire, odors, gases, excessive noise or vibration;
10. the modification or elimination will result in an increase in building square footage on the subject property of no more than ten (10) percent for non-residential uses;
11. the modification or elimination will not result in any additional residential units.
12. the modification or elimination will result in a building height increase of no more than one (1) story;
13. the modification or elimination will not result in a decrease in the features or landscaping that buffer the existing use from properties in the immediate vicinity;
14. the modification or elimination will not result in any material decrease in the privacy enjoyed by adjoining properties;
15. the modification or elimination will not result in any material diminution of an existing view or vista to any landmark, natural area, or waterbody from any window or door in any residential unit on an adjoining parcel of land;
16. the modification or elimination will not result in any material increase in the potential for vehicular-pedestrian conflicts;
17. the modification or elimination will not result in any material and obvious departure from the aesthetic character of the immediate vicinity, taking into account the architectural design, scale, height, mass and building materials of existing structures, pattern of development and open space;
18. the modification or elimination will not result in any material increase in the area of shadow, or of light from outdoor lighting, cast onto adjacent parcels;

19. the modification or elimination will not result in any material change in the manner or hours of operation on the subject property so differing from the similar existing or approved uses in the immediate vicinity that the convenient, safe, peaceful or intended uses of such uses is interrupted or materially diminished;
20. the modification or elimination will not result in any material change in the density or intensity of use of the subject property so differing from the density or intensity of other existing or approved uses in the immediate vicinity that the subject property would represent an obvious departure from the established development pattern of the immediate vicinity;
21. the modification or elimination will not result in any material change in the type of use of the subject property so differing from the existing or approved uses in the immediate vicinity that the subject property would represent an obvious departure from the established pattern of use in the immediate vicinity;
22. the modification or elimination will not result in a use of land that will have a significant adverse impact upon the value of properties in the immediate vicinity; and
23. the modification or elimination will not result in a material increase in height or volume of open lot uses or facilities, or a material increase in intensity of allowed open lot uses, including, but not limited to, outdoor storage of products, materials or equipment, fleamarkets, carnivals, telecommunications facilities, concrete and asphalt batching plants, landfills and private playgrounds and recreational facilities.

(D) The subject property complies with all other applicable requirements of prior zoning actions and this Code.

VI. *Modification of Conditions and Restrictive Covenants to Extend Timing or Phasing Deadlines.* The Director shall approve an application to modify a condition or part thereof, or a restrictive covenant or part thereof (except where the covenant requires a public hearing) that is related solely to the timing or phasing of development, where the applicant demonstrates satisfaction of one of the following two requirements:

- (A) The applicant has been reasonably diligent in fulfilling the requirements of the condition or restrictive covenant, but is unable to perform within the time set forth in the condition or restrictive covenant, and
 1. No enforcement actions are pending with regard to the timing or phasing condition or covenant; and
 2. The condition or restrictive covenant was not imposed to enforce compliance with an obligation that was imposed or accepted prior to the zoning action in which the condition or restrictive covenant sought to be modified was imposed or accepted; and
 3. The extension of time or modification of phasing is:
 - a. no greater than fifty (50) percent of the time frame set forth in the condition or restrictive covenant or six (6) months, whichever is less; or
 - b. no greater than ten (10) percent of the number of residential units (if the time frame or phasing schedule is set forth in terms of completion of residential units) or twenty-five (25) residential units, whichever is less; or
- (B) Development pursuant to the zoning action has not proceeded because of a pending appeal or pending litigation regarding the zoning action, and the application seeks only an extension of time or modification of phasing for the length of time that development has not proceeded due to such appeal or litigation.

B. *Procedures for Administrative Determinations.*

(1) *Applications.* An application for administrative determination of substantial compliance with a prior administrative approval or zoning action, for reformation to correct a clerical or scrivener's

error, for modification or elimination of conditions and restrictive covenants associated with voluntarily abandoned zoning actions or administrative approvals, or for modification or elimination of conditions or restrictive covenants which are satisfied or moot, or for modification or elimination of conditions or restrictive covenants where no new adverse impacts will result, or for modifications of conditions or restrictive covenants to extend timing or phasing deadlines, or for parts of any of the foregoing, shall be submitted to the Department on a form required by the Director. If the application involves a restrictive covenant, the application shall demonstrate that any procedural or other consent or approval requirements to modify or eliminate the restrictive covenant have been satisfied.

(2) *Notice.*

(a) Within 15 days after the determination, notice of the Director's decision shall be published in a newspaper of general circulation; except that:

- (i) Substantial compliance determinations for administrative site plan reviews shall not be subject to the notice requirements set forth in this section; and
- (ii) All other substantial compliance determinations shall have a notice published in the newspaper of largest circulation in Miami-Dade County or a section or supplement in the newspaper of largest circulation in Miami-Dade County distributed only in the locality where the property subject to the application lies.

(b) Additionally, mailed written notice shall be provided to all property owners of record, as reflected on the Miami-Dade County Property Appraiser's tax roll as updated, within the same radius of the property as required to be noticed for the zoning action adopting or accepting the condition or restrictive covenant, or such greater distance as the Director may prescribe, for the following types of administrative modification applications:

- (i) Modification or elimination of conditions and restrictive covenants associated with voluntarily abandoned zoning actions or administrative approvals;
- (ii) Modification or elimination of conditions or restrictive covenants that are satisfied or moot;
- (iii) Modification or elimination of conditions or restrictive covenants where no new adverse impacts will result; and
- (iv) Modification of conditions or restrictive covenants to extend timing or phasing deadlines.

(3) *Appeals.* Any aggrieved person may appeal the Director's decision pursuant to Section 33-314 within thirty (30) days after the date of newspaper publication. For purposes of this section, an applicant for a substantial compliance determination shall not be considered an aggrieved person. If no timely appeal is taken, the decision shall become final, and the necessary changes shall be made upon the zoning maps and records. Any modifications or releases of recorded restrictive covenants, or parts thereof, shall be promptly recorded in the public records of Miami-Dade County, Florida.

(Ord. No. 03-93, § 3, 4-22-03; Ord. No. 13-16, § 7, 2-5-13; Ord. No. 14-24, § 2, 3-4-14; Ord. No. 19-51, § 33, 6-4-19)

EXHIBIT

14

**FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION - FEE WAIVER FORM**

Name of Development: The Enclave at Rio

Development Location: 737 and 745 W Flagler Street and 742 1st Street, Miami Fl
(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Development Location Point is located.)

The City/County of City of Miami, pursuant to Ord.# 90-59, Ord. #88-112,
Ord.# 90-26, Ord.#90-31, waived the following fees: _____
(Reference Official Action, cite Ordinance or Resolution Number and Date)
Roads, Fire, Police, Parks -Impact fees-

Amount of Fee Waiver: \$ 765,713.00

No consideration or promise of consideration has been given with respect to the fee waiver. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. This fee waiver must be effective as of the Application Deadline for the applicable RFA, and is provided specifically with respect to the proposed Development.

CERTIFICATION

I certify that the foregoing information is true and correct and that this commitment is effective at least through the date required in the applicable RFA.



Signature

Print or Type Name
MORRIS COPELAND, CPM
Date Signed 12/14/22

CHIEF COMMUNITY SERVICES OFFICER
MIAMI-DADE COUNTY, FL

NOTE TO LOCAL GOVERNMENT OFFICIAL: Additional information is set forth in the applicable Request for Application under which the Applicant is applying for funding for the above referenced Development.

This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager/Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. The amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

If there are alterations made to this form that change the meaning of the form, the form will not be accepted.

Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

15



City of Miami

Portal | Links | Disclaimer

Search Select Print Measure



Tools Search Legend Layers Results

1 Selected Feature(s)

Zoom	Select	Site Address	Own
		742 NW 1 ST	ROYAL AMERIC

Property Zoning LandUse Flood Links

Districts HEP

PROPERTY INFORMATION:

Folio:	0102000801060
City Address:	742 NW 1 ST
County Address:	742 NW 1 ST
Owner:	ROYAL AMERICAN DEVELOPMENT INC
Mailing Address:	1002 W 23 ST STE 400 PANAMA CITY, FL 32405
Beds/Bath/Half:	0/0/0
Floors:	0
Living Units:	0
Actual Area:	0 Sq Ft
Living Area:	0 Sq Ft
Adjusted Area:	0 Sq Ft
Lot Size:	7,500
Year Built:	0
Legal Description:	CITY OF MIAMI SOUTH PB B-41 LOT 6 BLK 8 LOT SIZE 7500 SQUARE FEET COC 24684-2183 06 2006 6 VIEW PLAT B-41 Deed: 24684-2183
Subdivision:	CITY OF MIAMI SOUTH BLK 8 PB B-41

ASSESSMENT INFORMATION:

Year:	2023	2022	2021
Land Value:	\$0	\$675,000	\$562,300
Building Value:	\$0	\$0	\$0
XF Value:	\$0	\$0	\$0
Market Value:	\$0	\$675,000	\$562,500
Assessed Value:	\$0	\$394,611	\$358,738

742 NW 1 St, Miami, FL

Exhibit 15



PEDRO J. GARCIA MIAMI-DADE PROPERTY APPRAISER

HOME

EXEMPTIONS &
OTHER BENEFITS

REAL
ESTATE

TANGIBLE
PERSONAL PROPERTY

PUBLIC
RECORDS

ONLINE
TOOLS

TAX ROLL
ADMINISTRATION

ABOUT
US

CONTACT
US



Address Owner Name Subdivision Name Folio

SEARCH:

742 nw 1 st

Suite



[Back to Search Results](#)

PROPERTY INFORMATION

Folio: 01-0200-080-1080

Sub-Division:
CITY OF MIAMI SOUTH BLK 8 PB B-41

Property Address
742 NW 1 ST

Owner
ROYAL AMERICAN DEVELOPMENT INC

Mailing Address
1002 W 23 ST STE 400
PANAMA CITY, FL 32405

PA Primary Zone
4801 MULTI-FAMILY - 8 STORY &

Primary Land Use
0081 VACANT RESIDENTIAL - VACANT LAND

Beds / Baths / Half 0 / 0 / 0

Floors 0

Living Units 0

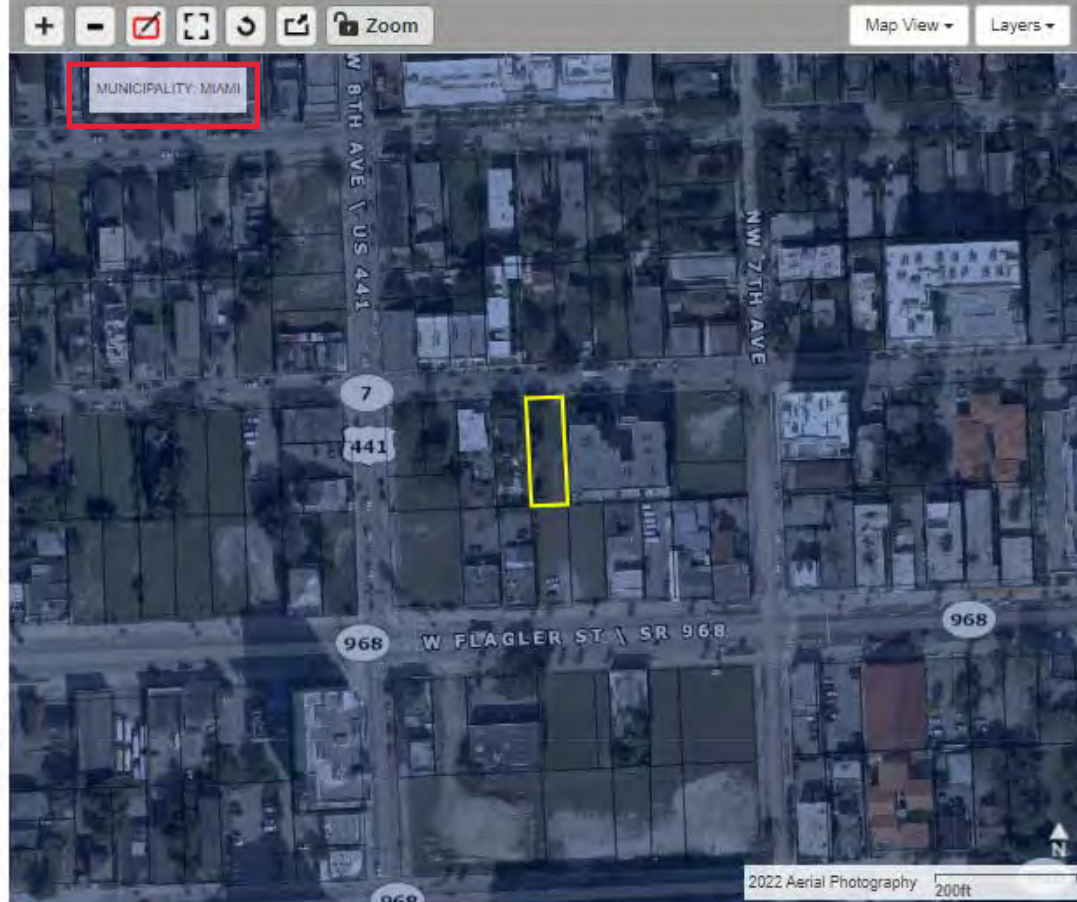
Actual Area 0

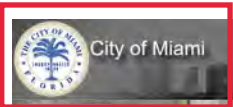
Living Area 0

Adjusted Area 0

Lot Size 7,600 Sq Ft

Year Built 0



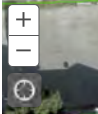


City of Miami

Portal | Links | Disclaimer

Search Select Print Measure

Themes



Tools

Search Legend Layers Results

1 Selected Feature(s)

Zoom Select Site Address 745 W FLAGLER ST ROYAL AME

Property Zoning LandUse Flood Links Districts HEP

PROPERTY INFORMATION:

Folio:	0102000801150
City Address:	745 W FLAGLER ST
County Address:	745 W FLAGLER ST
Owner:	ROYAL AMERICAN DEVELOPMENT INC
Mailing Address:	1002 W 23 ST STE 400 PANAMA CITY, FL 32405
Beds/Bath/Half:	0/0/0
Floors:	0
Living Units:	0
Actual Area:	0 Sq Ft
Living Area:	0 Sq Ft
Adjusted Area:	0 Sq Ft
Lot Size:	7,500
Year Built:	0
Legal Description:	CITY OF MIAMI SOUTH PB B-41 LOT 15 BLK 8 LOT SIZE 50.000 X 150 COC 24684-2181 06 2006 6 (2) VIEW PLAT B-41 Deed: 24684-2181
Subdivision:	CITY OF MIAMI SOUTH BLK 8 PB B-41

ASSESSMENT INFORMATION:

Year:	2023	2022	2021
Land Value:	\$0	\$750,000	\$600,000
Building Value:	\$0	\$0	\$0
XF Value:	\$0	\$0	\$0
Market Value:	\$0	\$750,000	\$600,000
Assessed Value:	\$0	\$603,940	\$549,037



745 W Flagler St, Miami, FL



PEDRO J. GARCIA MIAMI-DADE PROPERTY APPRAISER

HOME

EXEMPTIONS &
OTHER BENEFITS

REAL
ESTATE

TANGIBLE
PERSONAL PROPERTY

PUBLIC
RECORDS

ONLINE
TOOLS

TAX ROLL
ADMINISTRATION

ABOUT
US

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Address Owner Name Subdivision Name Folio

SEARCH:

745 w flagler

Suite



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PROPERTY INFORMATION

Folio: 01-0200-080-1150

Sub-Division:
CITY OF MIAMI SOUTH BLK 8 PB B-41

Property Address
745 W FLAGLER ST

Owner
ROYAL AMERICAN DEVELOPMENT INC

Mailing Address
1002 W 23 ST STE 400
PANAMA CITY, FL 32405

PA Primary Zone
8110 COMM/RESIDENTIAL-DESIGN D

Primary Land Use
1081 VACANT LAND - COMMERCIAL - VACANT LAND

Beds / Baths / Half 0 / 0 / 0

Floors 0

Living Units 0

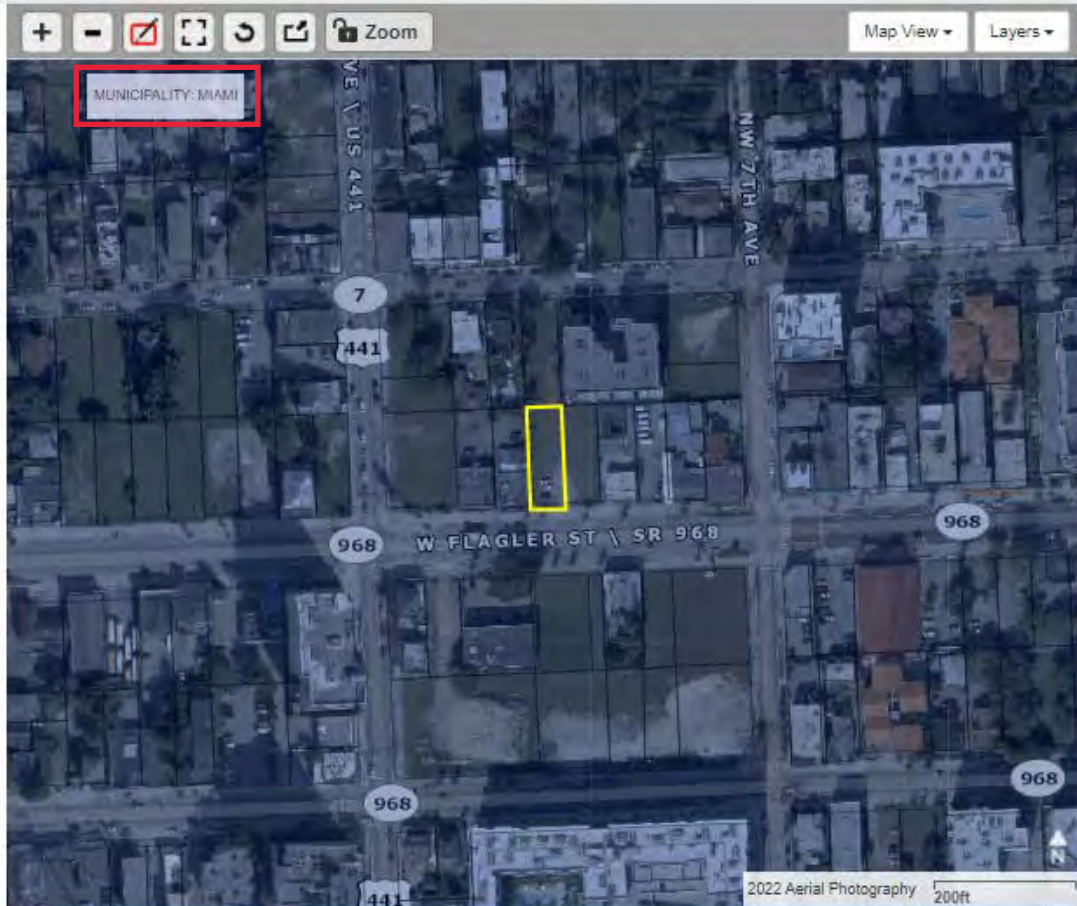
Actual Area 0

Living Area 0

Adjusted Area 0

Lot Size 7,500 Sq.Ft

Year Built 0



Themes



Tools

Search Legend Layers Results

1 Selected Feature(s)

Zoom	Select	Site Address
		737 W FLAGLER ST ROYAL AME

Property Zoning LandUse Flood Links
Districts HEP

PROPERTY INFORMATION:

Folio:	0102000801160
City Address:	737 W FLAGLER ST
County Address:	737 W FLAGLER ST
Owner:	ROYAL AMERICAN DEVELOPMENT INC
Mailing Address:	1002 W 23 ST STE 400 PANAMA CITY, FL 32405
Beds/Bath/Half:	0/0/0
Floors:	0
Living Units:	0
Actual Area:	0 Sq Ft
Living Area:	0 Sq Ft
Adjusted Area:	0 Sq Ft
Lot Size:	7,000
Year Built:	0
Legal Description:	CITY OF MIAMI SOUTH PB B-41 LOT 16 LESS S10FT BLK 8 LOT SIZE 50,000 X 140 COC 24684-2181 06 2006 6 (2) VIEW PLAT B-41 Deed: 24684-2181
Subdivision:	CITY OF MIAMI SOUTH BLK 8 PB B-41

ASSESSMENT INFORMATION:

Year:	2023	2022	2021
Land Value:	\$0	\$700,000	\$560,000
Building Value:	\$0	\$0	\$0
XF Value:	\$0	\$0	\$0
Market Value:	\$0	\$700,000	\$560,000



737 W Flagler St, Miami, FL



PEDRO J. GARCIA MIAMI-DADE PROPERTY APPRAISER

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RECORDS](#)[ONLINE
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ADMINISTRATION](#)[ABOUT
US](#)[CONTACT
US](#)

Address Owner Name Subdivision Name Folio

SEARCH:

737 w flagler

Suite

[Back to Search Results](#)**PROPERTY INFORMATION**

Folio: 01-0200-080-1180

Sub-Division:
CITY OF MIAMI SOUTH BLK 8 PB B-41Property Address
737 W FLAGLER STOwner
ROYAL AMERICAN DEVELOPMENT INCMailing Address
1002 W 23 ST STE 400
PANAMA CITY, FL 32405PA Primary Zone
8110 COMM/RESIDENTIAL-DESIGN DPrimary Land Use
1081 VACANT LAND - COMMERCIAL - VACANT LAND

Beds / Baths / Half 0 / 0 / 0

Floors 0

Living Units 0

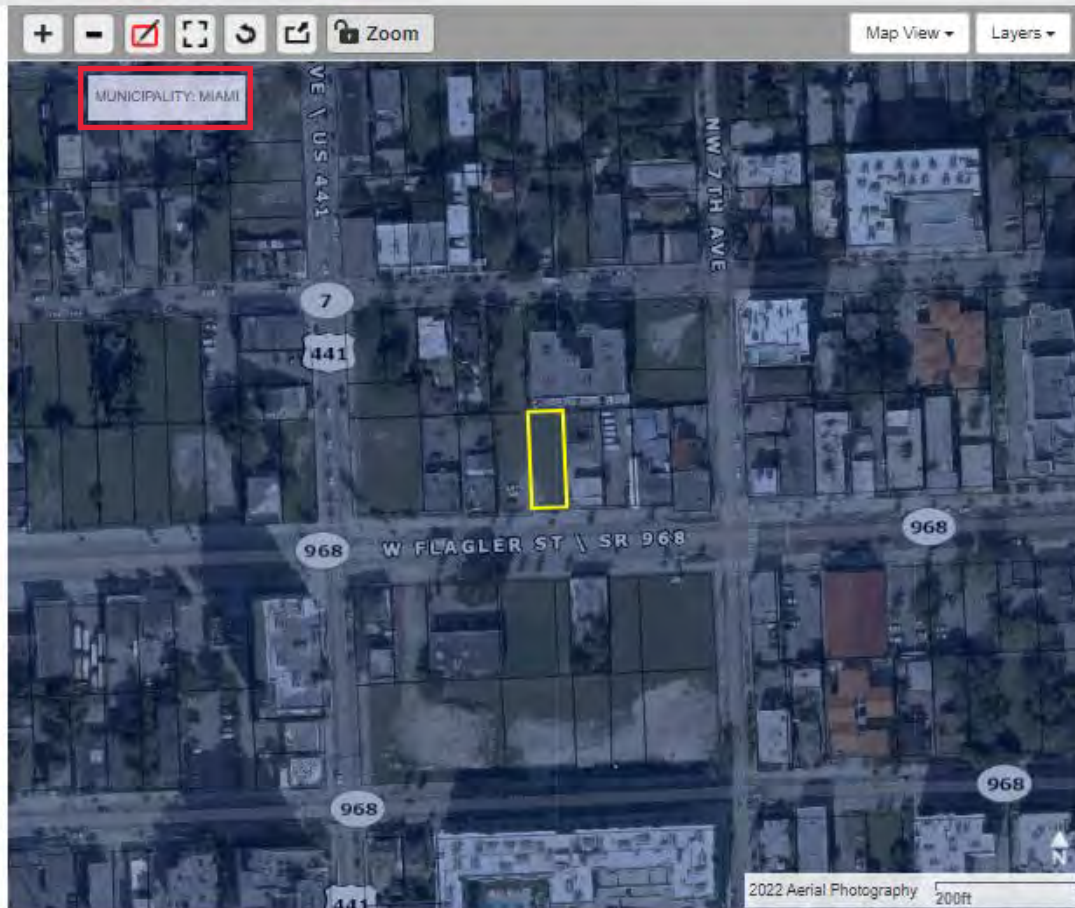
Actual Area 0

Living Area 0

Adjusted Area 0

Lot Size 7,000 Sq.Ft

Year Built 0



2022 Aerial Photography 200ft

Quail Roost Transit Village, II, Ltd. v. Florida Housing Finance Corporation

RFA NO.: 2022-203

Application No.: 2023-081C

EXHIBIT

16

**Florida Housing Finance Corporation
Past Due Report
As of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate/Financial Beneficiary/Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer / Trustee	Comments
400 Rosemary Ave Owner LLC Gopal Rajegowda	Ballet Villages I	400 Rosemary Ave Owner LLC	400 Rosemary Ave Owner LLC; Gopal Rajegowda; 400 Rosemary Mezz LLC	HOME 93HR-001 HC 94L-012	Palm Beach	\$555,000 N/A		FHFC	HOME - Failure to provide proof of adequate replacement reserves account. Owes \$250.00 late filing fee for 2021 AFS/SR1.
Alpha and Omega Freedom Ministries, Inc. Lorraine Gillespie	Hannah House	Alpha and Omega Freedom Ministries, Inc.	Alpha and Omega Freedom Ministries, Inc.	SAIL RFP 2008-01-07R	Hardee	\$1,577,186	Second	FHFC	SAIL - Past due for T&I payments and R&R payments.
Big Bend Community Based Care, Inc. Mike Watkins	Independence Village	Big Bend Community Based Care, Inc.	Independence Village LLC; Big Bend Community Based Care, Inc.; Coral Sky Development, LLC	SAIL RFP 2008-01-05R	Bay	\$1,691,745	First Mortgage	SMG/SA	SAIL- Borrower under Forbearance Agreement for escrow payments and financial reporting with FHFC due to damage from Hurricane Michael; working with Special Assets to pay-off the SAIL loan from and sale property to City of Panama City; Past due for annual servicing fees due to Seltzer on 3/15/20 in the amount of \$8,028.36; 4/17/20 FHFC Board Meeting - presented to Board for a short sale to the City of Panama City and subsequently approved. Big Bend and City of Panama City entered into contract to sale property on 1/21/21Due to budget constraints the City is no longer interested in purchasing the property. Special Assets is working with Big Bend on alternative options.
Biscayne Housing Group, LLC Shelley-Anne Glasgow Wilson	Emmas Place	Emmas Place, Inc.	Emmas Place, Inc.; Richard Macphee; Matthew Fenza; Thomas Hill; Thomas Osorio	DEMO 2006 01-02YFC	Miami-Dade	\$900,000	First	FHFC	DEMO - Failure to provide proof of adequate replacement reserves account.
Boley Centers, Inc. Jack Humburg	Salt Creek	Boley Centers, Inc.	Boley Centers, Inc.; Salt Creek Apartments LTD.; Jack Humburg; Kevin Marrone; Sandra Incorvia; Paul Misiewicz; Martin Lott; John Hebert; Rutland Bussey; Joseph Stringer; Leonard Coley; Dr. Robert Wallace; Major Markus Hughes; Susan Proctor; Dr. James Sewell; Michelle Joseph	SAIL 1998-006S HC 1997-024C	Pinellas	\$245,583.00 \$125,221.00		FHFC	SAIL - Owes \$500.00 late filing fee for 2022 AFS/SR1.
Brannon Group, L.C. and Co. D. Reid Brannon	Keys I & II	The Brannon Group, L.C.	The Brannon Group, L.C.; D. Reid Brannon; Ivan I. Brannon	SAIL 1993HRR-021 HC 1991L-066	Miami-Dade	\$1,481,200 N/A	Second N/A	FHDC	SAIL - Owes annual interest payment of \$133,308.00 plus a 5% late fee of \$6,665.40 due 8/31/2022. Last reminder notice sent 12/9/2022. Borrower has failed to remit RR deposits for August 2020 through November 2022. RR deposits are past due approximately \$25,890.00 through 11-30-22. Last reminder notice sent 12-12-22.
	The Keys III	The Brannon Group, L.C.	The Brannon Group, L.C.; D. Reid Brannon; Ivan I. Brannon	SAIL 1993HRR-022 HC 1996L-019	Miami-Dade	\$1,481,200 N/A	Second	FHDC	SAIL - Owes annual interest payment of \$133,308.00 plus a 5% late fee of \$6,665.40 due 8/31/2022. Last reminder notice sent 12/9/2022. Borrower has failed to remit RR deposits due January 2022 to November 2022 in the approximate amount of \$6,000.00. Reminder notice sent 12-12-22.

**Florida Housing Finance Corporation
Past Due Report
As of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate/Financial Beneficiary/Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer / Trustee	Comments
Carlisle Group (PNC Real Estate David Hasselwander)	Silurian Pond	Carlisle Group	Silurian Pond, Ltd; TCG Silurian Pond, LLC; Carlisle Development Group, LLC; Lloyd J. Boggio (deceased); Circle Silurian Pond, LLC; Columbia Housing SLP Corporation; PNC Multifamily Capital Institutional Fund XXXVILP	RRLP Base Loan ELI RRLP Base Loan Non-ELI Supplemental Loan	Escambia	\$1,812,500 \$5,437,500 \$1,240,000	First Mortgage	SMG	RRLP - past due for 2018 RRLP loan interest In the amount of \$78,268.00 due 5/21/22 and corresponding late charge in the amount of \$3,913.40, 2019 RRLP loan interest In the amount of \$54,375.00 due 5/21/22 and corresponding late charge in the amount of \$2,718.75 and 2020 RRLP loan interest In the amount of \$54,375.00 due 5/21/22 and corresponding late charge in the amount of \$2,718.75. Borrower indicates that do not have the cash flow to remit payment. Past due for the December T&I escrow payment in the amount of \$11,628.91
CEDO Housing Development Corp. Al Gunn	Triple Oaks II a/k/a Omega Villas	CEDO Housing Development Corporation	James Palmer; Inez Holt; Robert Green; Willie Major Jackson; Jerome Showers; Marilyn Anderson	SAIL 2000-107S	Gadsden	\$2,490,000	Second	FHFC/SA	SAIL - Loan matured 12/31/17. Amount drawn is \$2,490,000.00. FHFC sent latest demand letter on 11/30/22. Board approved an extension to 12/31/2023 at the 12/9/22 meeting
Children's Home Society of Florida Angela King	CHS Buckner	Childrens Home Society	Childrens Home Society of Florida; Andry Sweet; Kymberly Cook; Barbara McDonald; Dale Jacobs; Brand Meyer	DEMO 2006 01-04YFC	Duval	\$249,000	First	FHFC	DEMO - Replacement reserves account is underfunded.
Community Enterprise Investments, Inc. & Palafox Landing Development, LLC Matthew Greer	Palafox Landing	Palafox Landing, Ltd.	Palafox Landing, Ltd.; Carlisle Development Group, LLC; Matthew Greer	TCAP 2009-065CTX HOME/TCAP RFP 2009-04 TCEP 2009-065CTXE	Escambia	\$2,764,100 \$115,900 \$8,455,940	First Fifth	FHDC	TCAP- Owes quarterly servicing fee of \$1,502.98 plus a 5% late fee of \$75.15 due 10/31/2022. Last reminder sent 12/2/2022.
Community Enterprise Investments, Inc. Robin Kingry	Townsend Terrace	Community Enterprise Investments, Inc.	Community Enterprise Investments, Inc.	HOME 2004-005H	Escambia	\$264,000	Second	FHDC	HOME - Owes 1 monthly tax & insurance payment of \$746.87, due 11/30/2022. Reminder Notice sent 12/2/2022
Creative Choice Homes Dilip Barot Yash Pal Kakkar	Andros Isle aka Vista Palms	Creative Choice Homes	Creative Choice Homes XI, Ltd., Creative Choice Homes XI Inc.; Creative Choice Homes, Inc.; Vista Palms Investment Holding LLC; Dr. Paresh Desai	SAIL 2001-060S ELI 2010-16-26R SMI #27 HC 2001-533C	Lee	\$2,000,000 \$2,299,425 \$491,274 N/A	Credit Enhancement /Second	SMG/SA	SAIL - Loan Matured on 12/18/18. SMI - Loan Matured on 12/15/20. FHFC sent latest demand letter on 11/30/22. Past due 2019 SAIL Interest in the amount of \$96,645.00 due 8/31/20 and corresponding late charge amount of \$4,832.35 for failure to remit payment. Borrower requesting a forbearance plan from FHFC which is currently under review. SMI - Loan Matured on 12/15/20. FHFC sent latest demand letter on 11/30/22. Borrower to clear all default issues prior to a Forbearance Agreement being approved/completed/executed. 11/29/21 - received a partial interest payment in the amount of \$19,329.00 for the 2019 SAIL interest that was outstanding leaving \$77,316.00 outstanding along with the \$4,832.25 late charge. 9/8/22 borrower made partial payment of \$20,000; 10/6/22 - borrower made partial payment of \$17,171.70; 11/9/22 - borrower made partial payment of \$17,171.70 on 12/8/22; \$13,900.90 remains outstanding. Past due 2021 SAIL Interest in the amount of \$65,416.00 due 8/31/22 for failure to remit payment.

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Developer/Contact	Property Name	Owner Entity	Affiliate/Financial Beneficiary/Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer / Trustee	Comments
Creative Choice Homes, cont. Dilip Barot Yash Pal Kakkar	Douglass Square (My Isle)	Creative Choice IV Limited, LLC	DSQ Manager, LLC; NB Holdings Management, LLC; Naimisha Barot	SAIL 1989-84S	Monroe	\$1,290,000	First	FHDC/SA	SAIL - Loan Matured 02/28/2018. FHFC sent latest demand letter on 11/30/22.
	Marina Del Ray	Creative Choice Homes, Inc.	Creative Choice Homes XXVIII, LTD Creative Choice Homes XXVIII, Inc. Creative Choice Homes, Inc Dilip Barot	SAIL 2002-026CS	Citrus	\$1,100,000	Second	AmeriNat	PAST DUE INVOICE: 2021 Annual SAIL Loan Interest \$43,714.00 due 8/31/22. Late Fee has been billed
East Little Havana Community Development Corporation Anita T. Rodriguez-Tejera	Rio Towers	East Little Havana Community Development Corporation	Anita T. Rodriguez-Tejera, Wilfredo Gort, Florentino Almeida, Yunis Segura	HC 90L-031	Miami-Dade	NA	NA	FHDC	HC - Owes FHFC HC compliance monitoring fees i/a/o \$12,750. Last contacted the owner on 12/1/2022.
Florence Villa Community Development Corporation Nathaniel Birdsong	Ridgewood Apartments	Ridge Winter Haven Ltd.; Florence Villa Community Development	Florence Villa Community Development Corporation, Ridge Winter Haven Ltd., Nathaniel Birdsong	PLP 2007-149	Polk	\$76,359	Second	FHFC/SA	PLP - Loan matured on 3/11/14. FHFC sent latest demand letter on 11/30/22. Amount drawn is \$76,358.94.
Florida Housing Affordability, Inc Joseph J. Savino	Three Fountains	Florida Housing Affordability, Inc	Joseph J. Savino, Mark E. Sturm, Debra Savino, Kyle M. Savino, Andrea M. Savino	FDIC-AHDP	Osceola	NA	NA	FHFC	FDIC - Owes FHFC Administration Fees i/a/o \$25,369.96, including \$12,634.16 for a prior year. Owner indicated they could not pay and FHFC notified servicer to cease monitoring on 8/20/15.
Grace and Truth Community Development Bishop Eugene M. Johnson	Grace Manor	Grace and Truth Community Development	Bishop Eugene M. Bishop; Alonza Anderson; Reginald Ansley; Carolyn Laws; William Gaines; Bishop Fred Brown	PLP 2007-142	Duval	\$649,989	First	FHFC/SA	PLP - Loan matured on 6/19/14. Amount drawn: \$649,989.40. 6/4/19 Lis Pendens filed.
H.A.N.D.S. of Central Florida Jill McReynolds	Lake Jennie II	Housing and Neighborhood Development Services of Central Florida, Inc.	Housing & Neighborhood Development Services of Central Florida, Inc.	HOME 96HR-005	Seminole	\$1,428,265	Second	AmeriNat/SA	HOME - Loan Matured 5/27/2017. Rec'd copies of draft Allonge to Promissory Note extending Maturity Date to 4/1/2038. To date, transaction hasn't closed. Transaction being reviewed by FHFC outside counsel. No notice to date.
	Lancaster Villas	Housing & Neighborhood Development Services of Central Florida, Inc.	Housing & Neighborhood Development Services of Central Florida, Inc.	HOME 1996HR-015	Orange	\$964,419	Second	AmeriNat	HOME - 2013 HOME Late Fee \$500 for Failure to provide SR-1. Correspondences sent 7/11/14; 8/22/14; 09/10/14; 10/7/14; 11/7/14, 12/29/14 & 10/2/2015.

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Developer/Contact	Property Name	Owner Entity	Affiliate/Financial Beneficiary/Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer / Trustee	Comments
Housing Independence, Inc. Debbie Schaibly	Independence Village I	Housing Independence, Inc.	Independence Village I Apartments	FDIC-AHDP	Hillsborough	NA	NA	FHFC	FDIC - Past due servicer fees i/a/o \$1,589.60. The owners have refused to pay their fees and we have ceased monitoring to eliminate future fees. Last contacted the owner on 6/25/12.
Indiantown Non Profit Housing, Inc. David Powers	Joseph L. Lee Gardens	Indiantown Homes RRH, Ltd.	Indiantown Homes RRH, Ltd.; Indiantown Non Profit Housing, Inc.	HOME 1999-HR009	Martin	\$926,827	Second	FHDC/SA	HOME - Loan Matured 02/01/2020. FHFC sent latest demand letter on 11/30/22.
	New Hope Community	Indiantown Non-Profit Housing Inc.	Indiantown Non-Profit Housing Inc.; David Powers; Peter Upton; Stephanie Weldon; Phil Yates; Tomasita Corral	DEMO 01/10-055FW	Martin	\$1,325,600		FHFC	DEMO - Failure to provide proof of adequate replacement reserves account.
	New Hope Community, II	Indiantown Non-Profit Housing, Inc.	Indiantown Non-Profit Housing, Inc.	HOME 1995HR-011	Martin	\$1,910,814	Second	AmeriNat/SA	MATURED - January 26, 2019. FHFC sent latest demand letter on 11/30/22. Borrower stopped making payments to T&I account (held by Sr. lien holder). Last payment received was for May 2022.
Jennings Development Corp. Anne M. Wallace	Eden Park at Ironwood	Jennings Development Corp.	Ironwood Associates, Ltd.; Ironwood partners, Inc.; Ironwood Associates, Inc.; MEC Bond Warehousing, LLC; Midland Special Limited Partner, Inc.; Anne M. Wallace; Edward L. Jennings, Jr.	SAIL 2000-067S HC 2004-519C	Alachua	\$1,025,000 N/A	Second Mortgage	SMG	SAIL -Past Due in the amount of \$45,367 for SAIL interest payment which is the remaining amount owed from the total invoice that was sent in the amount of \$68,367.00 due 8/31/18. The developer paid a partial payment in the amount of \$23,000.00 in protest that the interest calculation was wrong. Developer is also past due in the amount of \$2,268.35 for the late payment invoice sent on 9/21/18 due upon receipt. The developer is still disputing the amount that was billed for SAIL interest is incorrect with FHFC at this time. Per email from FHFC on 1/7/19 there will be no reduction of SAIL interest.
Maint - Co Services, LLC Gail Curtis	Ivy Chase - Hudson	Ivy Chase Apartments, Ltd.	Gail W. Curtis	HC 93L-086	Pasco	NA	NA	FHFC	HC - Owes FHFC HC compliance monitoring fees i/a/o \$4,200. Last contacted the owner on 11/27/2017. Monitoring ended 12/31/17. Final Judgement of Foreclosure was executed on 3/12/2018.
McCormack Baron Sandra Seals	Delmar Terrace	Delmar Terrace South, LLC	Delmar Terrace South, LLC Delmar Terrace MBS Member, Inc. MBA Properties, Inc. McCormack Baron Salazar, Inc.	Viability 2017-285V SAIL 2015-158CS / 2017-253CS HC 2019-434CS	Pinellas	\$540,093 \$3,250,000 N/A	First/Second	AmeriNat	11.28.22 Report - T&I and RR monthly deposits have commenced but the initial deposits to the accounts were not for the amounts required. RR is due \$1,625 and T&I is due \$23,659.78. Management company is aware and said they will send the funds. 12.15.22 Report - November T&I deposit of \$11,830.02 and RR deposit of \$1,625.00 have not been received.

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Developer/Contact	Property Name	Owner Entity	Affiliate/Financial Beneficiary/Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer / Trustee	Comments
Miami Beach Community Development Corporation, Inc Christian Arango	Meridian Place (fka Sunsouth Place)	MBCDC Meridian Place LLC	MBCDC Meridian Place LLC; Ahmed Martin; Michael Hammon; Jason Witrock; Jeff Feldman	DEMO 01/08-006HL	Miami-Dade	\$1,000,000	Second	FHFC/SA	DEMO - Loan matured 4/4/21. Amount drawn is \$1,000,000.00 FHFC sent latest demand letter on 11/30/22. Replacement reserves account is underfunded. Balance as of 9/30/21 should be \$140,223.01. Actual balance is \$134,977.60.
	Villa Maria	MBCDC Villa Maria LLC	MBCDC Villa Maria LLC; Raymond Pereira; Michael Hammon; Cristian Arango; Jeff Feldman; Will Wiseheart	SHADP 2007-009FHS	Miami-Dade	\$2,000,000		FHFC	SHADP - Failure to provide proof of adequate replacement reserves.
National Church Residences Steve Bodkin Sr.	The Landings of St Andrew	Landings Port Richey Senior Housing Limited Partnership	Landings Port Richey Senior Housing Limited Partnership; National Church Residences Landings Port Richey FL, LLC; National Church Residences	SAIL 1994-034S HC 1993L-026 SAIL 2015-245CS HC 2017-196CS/15-245CS	Pasco	\$1,990,000 N/A \$2,000,000 N/A	Third N/A Fourth N/A	FHDC	SAIL - Owes annual interest payment of \$96,392.33 plus a 5% late fee of \$4,819.62 due 8/31/2022. Last reminder notice sent 12/9/2022. SAIL - Owes annual interest payment of \$53,708.33 plus a 5% late fee of \$2,685.42 due 8/31/2022. Last reminder notice sent 12/9/2022.
New Affordable Housing Partners LIFT Orlando Community Development James S. Grauley	Pendana at West Lake	West Lake Phase I, LP	West Lakes Phase I, LP West Lakes Phase I Partners, LLC Lift Orlando GP, LLC Lift Orlando, Inc. New Columbia Residential, LLC James S. Grauley Noel F. Khalil	SAIL 2015-232S / 2017-197S HC 2015-232CS/17-197CS	Orange	\$2,000,000 N/A	Second	AmeriNat	PAST DUE INVOICE: 2021 Annual SAIL Loan Interest \$15,481.87 due 10/31/22.
North Florida Educational Development Corp. Carolyn Ford	Lanier Oaks	North Florida Educational Development Corp.	North Florida Educational Development Corp.; Carolyn Ford; Tonjii Wiggins McGriff; Ora Green; Clarence Lewis; Sarah Figgers; Lizzie Thomas; Elvelia	SAIL 1998-049S	Gadsden	\$1,430,000	First	FHFC/SA	SAIL - Loan matured 12/15/15. Demand letter sent 9/30/2020. Borrower non-responsive. Failure to submit 2003-2021 Audited Financial Statements and SAIL Cash Flow Reporting Forms. Owes 2004-2021 Servicing fees and late charges totaling \$100,079.63. On 5/27/22 notice was sent to borrower regarding unpaid fees. 11/13/20 NGN filed the foreclosure Complaint with the Court. SA department has spoken with Borrower. 12/9/22 Board approved workout. Documents to be prepared by counsel.
Oakwood Manor, LLC Vito Difronzo	Oakwood Manor (Bear Creek II - Bartow)	Oakwood Manor, LLC		FDIC-AHDP	Polk	NA	NA	FHFC	FDIC - Owes FHFC Administration Fees i/a/o \$10,240.86 due 3/15/22. Last contacted 2/2/2022. The owner has refused to pay fees and we have ceased monitoring effective 4/26/2022 to eliminate future fees.
Peachtree FL LLC Oron Zarum	Peachtree Commons (fka Twin Oak Villas)	JPC Charities	Aloft Management	HC 92L-091	Escambia	NA	NA	FHFC	HC - Owes FHFC HC compliance monitoring fees i/a/o \$2,500. Last contacted the owner on 12/1/2022.
Pines Apartments of Palm Bay, LLC Jeffery W. Wells	Pines	Pines Apartments of Palm Bay, LLC	Jeffery W. Wells, Teeraporn W. Wells	FDIC-AHDP	Brevard	NA	NA	FHFC	FDIC - Past due servicer fees i/a/o \$16,982.28. Invoice sent 2/13/14. Reminder Notice sent 3/26/14. Past Due Notices sent 4/17/14, 5/5/14, and 7/23/14. Removed from MOU on 11/24/14 and we have ceased monitoring.

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Developer/Contact	Property Name	Owner Entity	Affiliate/Financial Beneficiary/Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer / Trustee	Comments
Real Estate Management, LLC Richard Willie	Belmont Gardens (VBL I)	Belmont Gardens, LLC	Real Estate Management, LLC	FDIC-AHDP	Escambia	NA	NA	FHFC	FDIC - Past due servicer fees i/a/o \$5,012.48. The owners have refused to pay their fees and we have ceased monitoring to eliminate future fees. Last contacted the owner on 6/25/12.
	Lloyd House (VBL II)	Lloyd House, LLC	Real Estate Management, LLC	FDIC-AHDP	Escambia	NA	NA	FHFC	FDIC - Past due servicer fees i/a/o \$5,012.48. The owners have refused to pay their fees and we have ceased monitoring to eliminate future fees. Last contacted the owner on 6/25/12.
	Villa Barcelona (VBL I)	Villa Barcelona, LLC	Real Estate Management, LLC	FDIC-AHDP	Escambia	NA	NA	FHFC	FDIC - Past due servicer fees i/a/o \$5,012.48. The owners have refused to pay their fees and we have ceased monitoring to eliminate future fees. Last contacted the owner on 6/25/12.
RLI Beneficial Development 8 LLC Donald W. Paxton	Pine Berry Senior Apartments	Pine Berry Senior Limited Partnership	Pine Berry Senior Limited Partnership; RLI Beneficial Holdings 8 LLC;	TCAP 2009-036CT HOMETCAP RFP 2009-03 HC 2009-036CT	Pinellas	\$5,474,441 \$115,900 N/A	First	FHDC	TCAP - Owes 1 monthly replacement reserve payment of \$2,425.28 and 1 monthly tax & insurance payment of \$8,623.94, both due 11/30/2022. Reminder Notice sent 12/2/2022.
RLI Beneficial Development 9 LLC & Affordable Housing Solutions, Inc.	Olive Grove Apartments	Olive Grove Apartments Limited Partnership	Olive Grove Apartments Limited Partnership; Beneficial Olive Grove	TCEP 2010-048CX HC 2009-191C	Volusia	\$5,015,000 N/A	Second	FHDC	TCEP - Owes 1 monthly replacement reserve payment of \$2,367.80 and 1 monthly tax & insurance payment of \$9,493.86, both due 11/30/2022. Reminder Notice sent 12/2/2022.
Safety Shelter of St. Johns County, Inc	Betty Griffin House	Safety Shelter of St. Johns County, Inc.	Safety Shelter of St. Johns County, Inc.;	DEMO 2003 03-001VDV	St. Johns	\$207,539	Second	FHFC	DEMO - Failure to provide proof of adequate replacement reserves account.
Southport Financial Services, Inc. J. David Page	Foxwood Apartments	Southport Financial Services, Inc.	Apartment Management Consultants, LLC	HC 2012-021C	Bay	NA	NA	FHFC	HC - Owes FHFC HC compliance monitoring fees i/a/o \$12,634. The check was mailed 12/12/22 but has yet to be received.

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Insurance Deficiency Report
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Developer/Contact	Property Name	Affiliate/Financial Beneficiary/Principal	Funding Source	County	Original Loan Amount	Lien Position	Servicer	Insurance Type	Policy Expiration Date	Coverage Amount	Deductible	Deductible Required	Comments
Catholic Charities Housing, Inc. Frank V. Murphy III	Pinellas Hope V Apartments	Catholic Charities Housing Inc.,	ELI RFP 2014-102 / 2014-343P BASE RFP 2014-102 / 2014-343P	Pinellas	\$1,050,000.00 \$1,600,000.00	First	SMG	Property Liability	04/10/2022	\$9,270,000 \$1,000,000	\$15,000	\$15,000	Self Insured through Catholic Mutual Relief Society of America. This is not a rated insurance underwriter as well as they have responded to attempts to get accord 28 form and a rating advising they are not rated and not an insurance company. They are a non-profit that provides coverage to the Diocese. Currently being reviewed by FHFC.
Community Enterprise Investments, Inc. Palafox Landing Development, LLC Tammy Riego	Palafox Landing Apartments	Palafox Landing, Ltd.; Carlisle Development Group, LLC; Matthew Greer	TCAP 2009-065CTX HOME/TCAP RFP 2009-04 TCEP RFP 2009-04/2009-065CTX	Escambia	\$2,764,100 \$115,900 \$8,455,940	First First Fifth	FHDC	Property	5/25/2023	\$5,685,261	\$10,000	\$0	A PML study has been requested. The property policy received without FHFC named as mortgagee and loss payee. Both property and liability policies do not indicate Palafox Landing as a named insured.
Cornerstone Group Partners, LLC Mara S. Mades	Sunset Pointe Apartments	Sunset Pointe Associates, Ltd.; Brookstone Sunset Pointe, LLC; Cornerstone Group Partners, LLC; Jorge Lopez & Awilda Lopez, tenants by the entirety; Leon J. Wolfe; Mara S. Mades	MMRB 2017 Series I-1 & 2 HOME 2016-107H Viability 2017-286V	Miami-Dade	\$15,600,000 \$4,346,000 \$625,000	First Third Second	FHDC	Property Liability	4/30/2023 4/30/2023	\$100,000,000 \$1,000,000	\$5,000	\$0	Property and Liability policies have not been received. Policies are over 90 days past due.
	Sunset Pointe II Apartments	Sunset Pointe II Associates, Ltd.; Cornerstone Sunset Pointe II, LLC; Jorge Lopez & Awilda Lopez, Tenants by the Entireties; Leon J. Wolfe; Mara S. Mades; M3 Acquisitions, LLC; M.S. Mades Family Limited Partnership; M.S. Mades Associates, L.L.C.; Cornerstone Group Partners, LLC	MMRB Series 2020 N SAIL/ELI/NHTF RFA 2018-116/2019 - 138BSN	Miami-Dade	\$11,750,000 \$3,000,000 \$600,000 \$1,435,800	First Second Third Fourth	FHDC	Property Liability	4/30/2023 4/30/2023	\$100,000,000 \$1,000,000	\$5,000	\$0	Property and Liability policies have not been received. Policies are over 90 days past due.
Crystal Lake Supportive Environments INC. DBA Attain Inc. Craig A. Cook	Community Residential Home #4 Orange County	Crystal Lake Supportive Environments INC. DBA Attain Inc.	RFA 2019-117/2020-066G	Orange	\$498,000	N/A Grant	AmeriNat	Contractor GL/Umbrella	12/4/2022	\$1,000,000 \$2,000,000	N/A	N/A	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Contractors GL/Umbrella limits are \$1,000,000/\$2,000,000. Compliance notification provided 11/30/2022, 12/9/22, 12/14/22.
DDA Development, LLC Bowen A. Arnold	The Graham at Gracepoint	The Graham at Gracepoint, LLC; DDA-Graham, LLC; DDA Development, LLC; Gracepoint Community Development, LLC; Bowen A. Arnold; John M. Schilling	SAIL 2015-140CS	Hillsborough	\$4,500,000	First	FHDC	Property	3/20/2023	\$11,000,000	\$5,000	\$0	Property Policy does not indicate FHFC as mortgagee and Loss Payee, properties are not listed on the policy.

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Developer/Contact	Property Name	Affiliate/Financial Beneficiary/Principal	Funding Source	County	Original Loan Amount	Lien Position	Servicer	Insurance Type	Policy Expiration Date	Coverage Amount	Deductible	Deductible Required	Comments
DDA Development, LLC, cont. Bowen A. Arnold	The Heights at Gracepoint	Gracepoint Heights, LLC; The Heights at Gracepoint, LLC; DDA-Heights, LLC; DDA Development, LLC; Bowen A. Arnold; John M. Schilling	SAIL 2018-350CS	Hillsborough	\$3,243,000	First	FHDC	Property	3/20/2023	\$8,500,000	\$5,000	\$0	Property Policy does not indicate FHFC as mortgagee and Loss Payee, properties are not listed on the policy.
General Home Development Corporation of Pinellas, Inc. & PDC Affordable Housing James Wayne	Pinellas Hope II Apartments	Catholic Charities Housing, Inc.; Catholic Charities Diocese of St. Petersburg, Inc.	SAIL 2008-01-01R	Pinellas	\$3,000,000	First	FHDC	Property	4/10/2023	\$5,197,000	\$2,500	\$0	Liability and Property policies are now over 90 days from the effective date.
Gorman & Company, Inc. & Cen Trust Development Group, Inc. Kyle Culotta	Blue Water Workforce Housing	Blue Water Workforce Housing, LLC; Tavernier, LLC doing business in Florida as Tavernier I, LLC; Gorman & Company, Inc.; Gary J. Gorman	TCEP RFP2010-04/2009-103C/2010-011CX	Monroe	\$1,800,000	First	FHDC	Property	4/1/2023	\$78,000,000	\$10,000	\$0	Property policy is now over 90 days from the effective date..
H.A.N.D.S. of Central Florida Jill McReynolds	Green Gables	Central Florida H.A.N.D.S.	HOME 97HR-005	Orange	\$1,179,728	Second	AmeriNat	Property/GL	6/1/2022	\$5,047,300	\$5,000,000	\$25,000,000	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Terrorism - Property and GL Policies exclude terrorism. 2. Liability Limits insufficient - Primary GL limits are \$1,000,000/\$2,000,000 with \$1,000,000 Umbrella Policy in lieu of the required \$2,000,000. Per Borrower on 8/5/2019 & 6/2/2020 they can not afford to bring insurance into compliance. Compliance notification provided 05/01/2015, 05/06/2015, 08/20/2015, 05/18/2016, 07/18/2016, 01/05/2017, 04/29/2017, 06/29/2017, & 05/31/2018, 7/18/2019, 8/2/2019, 6/1/20 & 5/27/21 & 6/17/22
	Lake Jennie II	Housing and Neighborhood Development Services of Central Florida, Inc.	HOME 96HR-005	Seminole	\$1,428,265	Second	AmeriNat	Property/GL	6/1/2022	\$3,030,400	\$5,000,000	\$15,000	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Terrorism - Property and GL Policies exclude terrorism. 2. Liability Limits insufficient - Primary GL limits are \$1,000,000/\$2,000,000 with \$1,000,000 Umbrella Policy in lieu of the required \$2,000,000. Per Borrower on 8/5/2019 & 6/2/20 they can not afford to bring insurance into compliance. Compliance notification provided 05/01/2015, 05/06/2015, 08/20/2015, 05/18/2016, 07/18/2016, 01/05/2017, 04/29/2017, 06/29/2017, & 05/31/2018, 7/18/2019, 8/2/2019, 6/1/2020 & 5/27/21 & 6/17/22
	Lancaster Villas	Housing and Neighborhood Development Services of Central Florida, Inc.	HOME 96HR-015	Orange	\$964,419	Second	AmeriNat	Property/GL	6/1/2022	\$8,720,800	\$5,000,000	\$25,000	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Terrorism - Property and GL Policies exclude terrorism. 2. Liability Limits insufficient - Primary GL limits are \$1,000,000/\$2,000,000 with \$1,000,000 Umbrella Policy in lieu of the required \$2,000,000. Per Borrower on 8/5/2019 & 6/2/20 they can not afford to bring insurance into compliance. Compliance notification provided 05/01/2015, 05/06/2015, 08/20/2015, 05/18/2016, 07/18/2016, 01/05/2017, 04/29/2017, 06/29/2017, & 05/31/2018, 7/18/2019, 8/2/2019, 6/1/2020 & 5/27/21 & 6/17/22

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Developer/Contact	Property Name	Affiliate/Financial Beneficiary/Principal	Funding Source	County	Original Loan Amount	Lien Position	Servicer	Insurance Type	Policy Expiration Date	Coverage Amount	Deductible	Deductible Required	Comments
Henderson Global Investors Taeuk Namkoong	Cameron Cove (Sun Pointe Cove)	Sunpointe Cove, LLC; Casa Partners II, L.P.; Henderson Global Investors GP, L.L.C.	MMRB 1985 XX	Broward	\$8,500,000	First	FHDC	Property Liability	3/1/2023 3/1/2023	\$400,000,000 \$2,000,000	\$100,000	\$0	Liability certificate does not indicate 30 day notice of cancellation. Property evidence did not provide 30 day notice of cancellation. Statement of values has been requested. Policies are now over 90 days from the effective date.
In the Pines, Inc. Gerald A. Goray	In the Pines South	In the Pines, Inc.	SAIL 2000-025S	Palm Beach	\$1,346,710	First	FHDC	Property	3/12/2023	\$3,689,000	\$5,000	\$0	Evidence does not indicate FHFC as mortgagee and loss payee. Limits not indicated for Ordinance or Law.
JJR Apartments, LLC Joel Reyes	Teal Pointe	JJR Apartments, LLC; Joel Reyes, Xiomara Reyes	HOME 1993HD-014	Miami-Dade	\$1,000,000	First	FHDC	Property Liability Excess Flood	9/2/2023 9/8/2023 9/8/2020 Expired	\$4,515,147 \$1,000,000 \$1,000,000	\$5,000	\$0	Need 30 day Notice of Cancellation on all certificates. Sinkhole coverage not indicated on Property; Excess flood expired 9/8/2020.
Meridian Preservation, L.P. Long J. Ha	Meridian Apartments	Meridian Preservation, L.P.	MMRB Series F 2020 SAIL 2002-110S	Broward	\$15,300,000 \$2,000,000	First Third	FHDC	Liability	4/15/2023	\$1,000,000	\$0	\$0	Liability policy received without Florida Housing indicated on Form GC2018 as an additional insured.
MerryPlace at Pleasant City Associates, Ltd. Linda Odum	Merry Place	Merry Place at Pleasant City Associates, Ltd. Merry Place LLC MerryPlace at Pleasant City, LLLP Banc of America Community Development Corporation Baobab Development, Inc.	RFP 2006-04-06	Palm Beach	\$1,024,000	Second	AmeriNat	Property/Wind	11/29/2022	\$14,120,161	\$5,000,000	\$5,000,000	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Property renewal received but has a coinsurance of 90%, Per borrower 1st lien holder JLL approved, requested the approval from JLL, awaiting email confirmation 2. Wind coverage on property was removed on the renewal received, per borrower working with Citizens trying to resolve. Compliance notification provided 11/29/22, 12/1/22, 12/6/22, 12/8/22, 12/14/22.
Mount Sinai Medical Center Construction Services Department Alex Mendez	Lowenstein Building Workforce	Mount Sinai Medical Center of Florida, Inc.; Mount Sinai Medical Center Foundation, Inc.	CWHIP 2007-022W	Miami-Dade	\$3,265,600	Second	FHDC	Liability Property	2/1/2023 4/1/2023	\$5,000,000 \$250,000,000	0 \$100,000	\$0	Property coverage does not provide windstorm or named storm coverage on the property located in Miami. Borrower has been advised to purchase. I do not find that the lack of windstorm and named storm have been approved.
National Church Residences Steve Bodkin Sr.	The Landings of St. Andrew	National Church Residences; National Church Residences Landings Port Richey FL, LLC; Landings Port Richey Senior Housing Limited Partnership	SAIL 2015-245CS	Pasco	\$2,000,000	Fourth	FHDC	Workers Compensation	11/1/2022 Expired	\$1,000,000	\$0	\$0	The Workers Compensation renewal certificate is over 30 days. Borrower has been advised that renewal must be received.

**Florida Housing Finance Corp.
Insurance Deficiency Report
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Developer/Contact	Property Name	Affiliate/Financial Beneficiary/Principal	Funding Source	County	Original Loan Amount	Lien Position	Servicer	Insurance Type	Policy Expiration Date	Coverage Amount	Deductible	Deductible Required	Comments
Preservation of Affordable Housing, LLC Rodger Brown	New Horizons Apartments	New Horizons Preservation Associates, LLLP; Preservation of Affordable Housing, Inc.; Preservation of Affordable Housing, LLC	MMRB 2009E/2010C	Miami-Dade	\$4,900,000	First	FHDC	Wind Property	1/1/2023 1/1/2023	\$10,254,752 \$200,000,000	\$100,000 \$10,000	\$0	Property renewal evidence received and the following is needed: FEMA Flood Determination, Named Storm limit and deductible, and PML study. Wind policy received without FHFC named on the policy as mortgagee and loss payee. Property and Liability policies are over 90 days from the effective date.
Reflections Developer, LLC Long J. Ha	Colonial Park	Reflections Preservation, L.P.; Reflections Preservation GP, LLC; Reflections Developer, LLC; JMP Investor, LLC; The Related Companies, L.P.	MMRB Series G 2020 SAIL 2002-111S	Broward	\$15,200,000 \$1,887,123	First Second	FHDC	Liability	4/15/2023	\$1,000,000	\$0	\$0	Liability policy is over 90 days from the effective date.
Royal American Development, Inc. Joseph F. Chapman, IV	Oakdale Apartments	Oakdale Redevelopment, Ltd.; Royal American Development, Inc.; Jeannette B. Chapman	HOME/TCAP RFP 2009-04 TCAP 2009-048CTX HOME 93HR-005	Walton	\$115,900 \$1,316,391 \$1,416,000	First Second Second	FHDC	Property	4/1/2023	\$78,000,000	\$10,000	\$0	Named Storm limit is not indicated with correct limit. A current PML study has been requested. Loss limit is \$78,000,000 with \$758,312,773 in total values. Policy has \$500,000 Self Insured Retention that Royal American Management is responsible for paying. Property and liability policies are over 90 days from the effective date..
Special Account - U, L.P. Taeuk Namkoong	Woodlands Apartments	Special Account - U, L.P.; Global Investors GP, LLC	MMRB 1985 SS	Orange	\$20,000,000	First	FHDC	Property Liability	3/1/2023 3/1/2023	\$400,000,000 \$2,000,000	\$100,000	\$0	Liability certificate does not indicate 30 day notice of cancellation. Property evidence did not provide 30 day notice of cancellation. Statement of values has been requested. Policies are now over 90 days.
Spinal Cord Living-Assistance Development, Inc. Pedro Rodriguez	Park Place	Spinal Cord Living Assistance Development, Inc. a Florida Non-Profit Corporation	HOME 1995HR-004	Dade	\$1,372,677	First Second	SMG	WC	1/1/2022	\$1,000,000	\$2,500	\$2,500	Failure to provide adequate Workers Comp.
The Related Companies Colony Lakes Developer, LLC Long J. Ha	Colony Lakes Apts. fka Riverwalk III	Colony Lakes Preservation, L.P.; Colony Lakes Preservation GP, LLC; Colony Lakes Preservation GP II, LLC; The Related Companies, Inc.	MMRB 2009 C & 2010 A HOME 93HD-020	Miami-Dade	\$10,010,000 \$4,800,000	First Second	FHDC	Property	3/1/2023	\$1,500,000,000	\$25,000	\$0	Policies for property, terrorism, and liability are now over 90 days from the effective date. A current PML study has been requested. Prior request from 2021-2022 have not been received.

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Developer/Contact	Property Name	Affiliate/Financial Beneficiary/Principal	Funding Source	County	Original Loan Amount	Lien Position	Servicer	Insurance Type	Policy Expiration Date	Coverage Amount	Deductible	Deductible Required	Comments
The Related Companies Cutler Vista Preservation, L.P. Ricardo Perez	Cutler Vista (Cutler Canal II)	Cutler Vista Preservation, L.P.; Cutler Vista Preservation, LLC; Cutler Vista Preservation GP II, LLC; RAP FL, LLC; The Related Companies, L.P.	MMRB 2006 A SAIL 1989-090S	Miami-Dade	\$7,120,000 \$2,500,000	First Second	FHDC	Property	3/1/2023	\$1,500,000,000	\$25,000	\$0	Policies for property, terrorism, and liability are now over 90 days. A current PML study has been requested. Prior request from 2021-2022 have not been received.
The Related Companies Hainlin Mills Developer, LLC David Pearson	Hainlin Mills	Hailing Mills Preservation, L.P.; Hainlin Mills Preservation GP, LLC; Hainlin Mills Preservation GP II, LLC; The Related Companies, L.P.	MMRB 2009 N SAIL 1993HRR-015	Miami-Dade	\$9,250,000 \$1,564,000	First Second	FHDC	Property	3/1/2023	\$1,500,000,000	\$25,000	\$0	Policies for property, terrorism, and liability are now over 90 days. A current PML study has been requested. Prior request from 2021-2022 have not been received.
The Related Companies Royal Coast Developer, LLC David Pearson	Royal Coast Apartments	Royal Coast Preservation, L.P.; Royal Coast Preservation GP, LLC; Royal Coast Preservation GP II, LLC; The Related Companies, L.P.	MMRB 2009 R	Miami-Dade	\$9,250,000	First	FHDC	Property	3/1/2023	\$1,500,000,000	\$25,000	\$0	Policies for property, terrorism, and liability are now over 90 days. A current PML study has been requested. Prior request from 2021-2022 have not been received.
The Related Companies Walden Pond Developer, LLC Mark E. Carbone	Walden Pond Villas	Walden Pond Preservation, L.P.; Walden Pond Preservation GP, LLC; Walden Pond Preservation GP II, LLC; The Related Companies, L.P.	MMRB 2009 B	Miami-Dade	\$13,700,000	First	FHDC	Property	3/1/2023	\$1,500,000,000	\$25,000	\$0	Policies for property, terrorism, and liability are now over 90 days. A current PML study has been requested. Prior request from 2021-2022 have not been received.
The Related Companies Winchester Gardens Developer, LLC David Pearson	Winchester Gardens	Winchester Gardens Preservation, L.P.; Winchester Gardens Preservation GP, LLC; Winchester Gardens Preservation GP II, LLC; The Related Companies, L.P.	MMRB 2009 M HOME 94DRHR-011	Miami-Dade	\$6,000,000 \$1,450,000	First Second	FHDC	Property	3/1/2023	\$1,500,000,000	\$25,000	\$0	Policies for property, terrorism, and liability are now over 90 days. A current PML study has been requested. Prior request from 2021-2022 have not been received.
Woodlawn Terrace Apartments LLC Joseph F. Eddy	Woodlawn Terrace	Woodlawn Terrace Apartments LLC JE Properties LLC	HOME 2002-718H	St. Johns	\$4,555,000	First	AmeriNat	Property/GL/ Auto/Umbrella	12/14/2022	\$5,000,000 \$1,000,000 \$2,000,000	\$5,000,000	\$5,000,000	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Property & Terrorism policy 2. General Liability & Auto & Umbrella - Primary GL limits are \$1,000,000/\$2,000,000 with \$1,000,000 Umbrella Policy required \$2,000,000 Umbrella. Compliance notification provided 11/29/2022, 12/14/22

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Workforce Housing Ventures, Inc. Brian M. Smith	Village Springs	Workforce Housing Ventures, Inc. GHD Construction Services, Inc. Brian M. Smith	HOME 2017-260H	Walton	\$4,686,300	Second	AmeriNat	Builders Risk Architect E&O Contractor's Umbrella/ Workers Comp	5/4/2022 6/18/2022 8/4/2022	\$3,365,950 \$1,000,000 \$2,000,000	\$5,000,000 N/A N/A	\$25,000 N/A N/A	Failure to provide evidence of insurance coverage in accordance with loan documents and Fannie Mae Guidelines. 1. Builders Risk with Terrorism. 2. Architect Errors and Omissions (E&O) insurance in an amount equal to the greater of \$1 Million or 10% of the construction contract amount. 3. Contractors Umbrella Policy required \$2,000,000 & Workers Comp – Minimum \$1M/occurrence. Compliance notification provided 5/2/2022, 5/16/2022, 5/26/2022, 6/1/22, 6/22/22, 7/1/22, 7/13/22, 7/28/2022, 8/12/22, 9/30/22, 10/10/22, 11/15/22.

**FHFC
Foreclosure Report
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Developer/Contact	Property Name	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer/Trustee	Units	Set Asides	Foreclosure Completed / Loan Charged Off	(\$) Amount Charged Off
American Opportunity for Housing, Inc.	Dovetail Villas II	AOH-Dovetail Villas LLC	HC 93L-004	Orange	N/A	N/A	FHDC	160	160 @ 60%	10/15/2014	N/A
American Opportunity for Housing, Inc.	The Regents	AOH-Regent Limited Partnership	Bonds MR2006J HC 2006-509C	Duval	\$14,630,000 N/A	First	AmeriNat	304	85 @ 60	5/17/2011	N/A
Bay Equity Investments, Inc.	Magnolia Pointe-Cedar Grove	Ronnie H. Adams	HOME 96HR-021 HC 96L-054	Bay	\$625,000 N/A	Second	FHDC	100	20% @ 45% 20% @ 50% 60% @ 60%	10/6/2015	\$480,903
BECO Properties Inc. Robert Betterman	President's Walk	N/A	Bonds MR 1983 B	Palm Beach	\$2,550,000	First	FHDC	59	N/A	6/16/1905	N/A
Benchmark Maggie Shotwell	Walker Avenue	Walker Avenue Club, Ltd., Walker Avenue Partners, Ltd.	Bonds MR 2000 L1-2 HC 2000-533C	Indian River	\$8,945,000 N/A	First	FHDC	172	50 @ 60 100 @ 60	12/1/2009	N/A
Blackwater Housing Corporation Michael Kent	Park Place - Milton	Blackwater Housing Corporation	Michael Kent	FDIC-AHDP	Santa Rosa	NA	NA	50	20% @ 50% (10 units) 15% @ 805 (8 units)	2/7/2018	N/A
Bonita Springs Area Housing Development Corporation	Red Hibiscus	Bonita Springs Area Housing Development Corporation	PLP 03-052	Lee	\$112,010	Second	FHFC	N/A	100 @ 80	6/26/2012	N/A
C. J. Communities, Inc. Charles Erdman	Turtle Creek	Turtle Creek, Ltd., J.C. Housing, Inc.	Bonds MR 1996 C HC 97L-507	Collier	\$13,500,000 N/A	First	SMG	268	40 @ 60 100 @ 60	5/10/2010	N/A
Carlisle Group, Inc.	Oaks @ Omni	The Oaks at Omni, Ltd.	HC 2001-025C	Lee	N/A	N/A	SMG	300	15 @ 30 85 @ 60	8/7/2009	N/A

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Capital Development Group, LLC C. Break Kean	Magnolia Pointe	CHP Housing Development LLC; C. Breck Kean; FWB Magnolia Pointe Ltd.	Series 2004J SAIL 2002-176BS	Okaloosa	N/A	N/A	N/A	N/A	N/A	8/9/2006	N/A
Carlisle Group, Inc. Lloyd Boggio	Carlisle Lakes II (Sherwood Lakes)	TCG Sherwood Lake, Ltd.	SAIL 2001-021S HC 2001-528C	Hillsborou gh	\$950,000 N/A	Second	FHDC	149	23 @ 30 126 @ 60	8/10/2009	
CED Companies	Hampton Greens	Melbourne Hampton Greens Affordable Housing Partners, LP	HC 1993L-032	Brevard	\$1,031,637	N/A	FHDC	216	100 @ 60	2/8/2011	N/A
CED Companies	Highland Oaks	Highland Oaks Partners, Ltd.	HC 1990L-003	Orange	\$946,711	N/A	SMG	216	100 @ 60	3/9/2010	N/A
CED Companies Alan H. Ginsburg	Whispering Oaks (f/k/a Atlantic Oaks)	Atlantic Oaks Partners, Ltd. (Developer, Applicant, & Borrower)	HC 1990-079C	Duval	\$260,213	N/A	FHDC	128	20 @ 40 80 @ 60	11/24/2009	N/A
CITI Equity Group, Inc. Chris Record	Regency Green	Royal Regency of Jacksonville	HC 1987L-001	Duval	\$179,748	N/A	FHDC	304	100 @ 60	5/31/1996	N/A
Creative Choice	Carillon Place	Creative Choice Homes XII	1999-012C	Polk	N/A	N/A	FHDC	120	15% @ 35% 05% @ 50% 80% @ 60%	11/17/2012	N/A
Davis & Sons Construction Stefan M. Davis & Norita V. Davis	Mystic Pointe	Mystic Pointe Apts., Ltd.	HC 1993L-074	Orange	\$1,870,701	N/A	FHDC	373	100 @ 60	8/25/2009	N/A
Davis & Sons Construction Stefan M. Davis & Norita V. Davis	Sheridan Place	Sheridan Place of Bradenton, Ltd.	Bonds MR 2001 O HC 2001-5630C	Manatee	\$6,865,000 N/A	First	SMG	145	116 @ 60 29 @ MR	1/2/2014	N/A
Davis Heritage Ltd.	Cobblestone	Cobblestone of Kissimmee, Ltd.	Bonds MR 2000 K1- K2 2000-531C	Osceola	\$17,800,000 N/A	First	SMG	421	50 @ 60 100@60	11/13/2009	N/A

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Developer/Contact	Property Name	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer/Trustee	Units	Set Asides	Foreclosure Completed / Loan Charged Off	(\$) Amount Charged Off
Escambia County Community Land Trust, Inc. O.J. Rember	ECCLT Affordable Housing Development Phase I	Escambia County Community Land Trust, Inc.	PLP 05-091	Escambia	Original \$500,000 Disbursed \$237,983	Second	FHFC	N/A	No LURA	4/4/2011	\$237,983
First Coast Family and Housing Foundation	Nia Terrace	VCP-Housing Foundation, Inc.	SAIL 1996S-014	Duval	\$660,000	Second	AmeriNat	237	50 @ 60	6/6/2008	\$632,350
First Florida Equities, Inc.	Laurel Oaks	Lancelot/Nottingham Apartments, Ltd.	HC 1990L-032	Duval	N/A	N/A	FHDC	120	10 @ 40 90 @ 60	11/23/2009	N/A
Flournoy Development Company Randall Jones	Hillmoor Village I & II	Hillmoor Townhomes, Ltd. & Hillmoor Townhomes Phase II, Ltd.	HC 1990L-035 HC 1995L-054	Saint Lucie	N/A	N/A	FHDC	120/110	100 @ 60	11/29/2010	N/A
Flournoy Development Company Randall Jones	Tree Trail Apts	Tree Trail Apartments, LP	HC 1991L-047	Alachua	N/A	N/A	SMG	108	100 @ 60	12/11/2012	N/A
Greater Miami Neighborhoods Russell Sibley, Jr.	Brandywine Court Apts	Brandywine Court, LLC	HOME 2004-054H HC 89-095	Duval	\$2,000,000 N/A	First	FHDC	52	20 @ 50 80 @ 60	6/8/2009	\$1,127,147
Greater Miami Neighborhoods Russell Sibley, Jr.	Island Place	Island Place Apartments, LLC.	SAIL 2001-034S	Miami-Dade	\$2,800,000	Second	SMG	199	15 @ 33 5 @ 50 50 @ 60 30 @ 80	7/12/2010	\$2,567,723
Gulf Landings Development Corp. Joe Borda	Landings at Boot Ranch West	Boot Ranch West, Ltd.	Bonds MR 1995 K SAIL 1996S-010S HC 95L-504	Pinellas	\$11,700,000 \$2,450,000 N/A	First Second	SMG	232	20 @ 50 25 @ 50	10/19/2009	\$2,450,000
Hammon Park	Hammon Park	N/A	CWHIP 2004-037		\$1,575,256		AmeriNat		N/A	7/5/2013	\$174,625
Harrison Construction, Inc.	Homestead Plaza	Homestead Plaza Apartments, Ltd.	1993-033L	Miami-Dade	N/A	N/A	SMG	28	10@40, 90@60	4/21/2015	N/A
HERD Community Development Corp. Keith Bowers	Jackson Place	N/A	PLP 2005-097	Bay	\$366,681	N/A	SMG	N/A	N/A	8/20/2014	\$334,522
Heritage Affordable Development, Inc. Paul C. Steinfurth	Gifford Groves	Gifford Groves Ltd.	HC 1993L-093	Indian River	N/A	N/A	FHDC	61	100 @ 60	7/27/2011	N/A

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Heritage Affordable Development, Inc. Paul C. Steinfurth	Spring Glade	Spring Glade Affordable Housing, Ltd.	HC 1994L-147	Hillsborough	N/A	N/A	FHDC	78	10 @ 45 90 @ 60	10/19/2009	N/A
Heritage Partners Group, Inc. James Kincaid	Royal Palm Lakes	Heritage Partners Group II, Inc.; James Kincaid	SAIL 1995-030S HC 1996L-010	Palm Beach	\$389,945 N/A	Second	FHDC/SA	42	20@40 & 80@60 Both	8/6/2019	\$389,945
Home America, Inc. Vincent Bekiempis	Regent	N/A	Bonds MR 1985 F	Hillsborough	\$2,755,000	First	FHDC	96	N/A	3/25/1991	N/A
Housing and Education Alliance Redevelopment Team II, LLC	El Capitan Crossings	Housing and Education Alliance Redevelopment Team II, LLC	PLP 05-078	Hillsborough	\$500,000	Second	FHFC	N/A	50 @ 80 50 @ 120	5/20/2009	\$480,234
Housing Assistance Corp. of Nassau County, Inc. Harold R. Perry	Nassau Senior Housing (Whispering Woods)	Housing Assistance Corp. of Nassau County, Inc.	PLP 05-063	Nassau	\$301,455	First	FHFC	N/A	60 @ 60	12/16/2010	\$200,185
JE Robert Companies Roger Beless	Westview Terrace	N/A	Bonds GN 1985 ONE	Miami-Dade		First	FHDC	421	N/A	2/22/1996	N/A
Jesse Jones and Associates Jesse W. Jones	Avalon Apartments	Avalon Apartments, Ltd.	HC 1993L-016	Lee	N/A	N/A	FHDC	14	100 @ 60	9/23/2008	N/A
John D. Carver, Jr.	Hawthorne Villas	Hawthorne Villas, Ltd.	HC 1990L-022	Alachua	N/A	N/A	Rural Developm ent	29	100 @ 60	1/3/2000	N/A
John D. Carver, Jr.	Inglis Villas	Inglis Villas, Ltd.	HC 1990L-020	Levy	N/A	N/A	Rural Developm ent	32	100 @ 60	10/4/2002	N/A
John D. Carver, Jr.	Pinewood Villas	Pinewood Villas, Ltd.	HC 1990L-021	Levy	N/A	N/A	Rural Developm ent	16	100 @ 60	1/9/2003	N/A
Kashi Church Foundation, Inc.	By The River	By the River, Inc.	HOME RFP 2006-02- 04SNP SHADP 2007- 002FHSB	Indian River	\$2,959,216 \$1,840,763.76	First Second	AmeriNat	41	9 @ 30 32 @ 60	10/24/2013 12/19/2013	HOME \$2,959,216 SHADP \$1,037,893
Leland Enterprises, Inc. Ken Dixon	Silver Pines	Affordable/Silver Pines, Ltd.	SAIL 94S-007 HC 94L-162/95L-008	Orange	\$2,420,000 N/A	Second	SMG	240	20 @ 40 80 @ 60	10/28/2011	\$2,420,000
Madrid, Inc	Westport Commons	Westport Commons Apartments, LLC	HC 1990L-026	Hillsborough	N/A	N/A	FHDC	135	60 @ 60	11/23/2009	N/A

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Maint - Co Services, LLC Gail Curtis	Steeplechase I	Gail W. Curtis, Steve W. Scott	SAIL 1995S-020 HC 1996L-004	Marion	\$1,800,000 N/A	Second N/A	FHDC	161	32 @ 40 128 @ 60	6/19/2014	\$1,800,000
Marc Plonskier	Harris Music Lofts	N/A	HC 1993L-021	Palm Beach	N/A	N/A	FHDC	38	20 @ 40 80 @ 60	9/8/2014	N/A
MAS Apartment Corp. Richard J. Whaley	Belle Creste	Belle Creste, LP	HC 1992L-087	Orange	N/A	N/A	SMG	260	20 @ 40 80 @ 60	4/16/2003	N/A
MMA Financial	Kimber's Cove aka Saddle Creek	Kimber's Cove, L.P.	HC 2007-506C	Duval	N/A	N/A	FHDC	288	100 @ 60	8/4/2010	N/A
National Housing Development Corporation Thomas Kinsey	Mangonia Residence	Mangonia Residence I, Ltd.	SAIL 1995-028S HC 1995L-032	Palm Beach	\$1,982,000 N/A	N/A	SMG	252	20 @ 40 80 @ 60	5/21/2001	\$1,931,799
NHAN Development Corporation Carrill S. Munnings, Sr.	Doveland Villas	NOAN Development Corporation; Edna McClendon; Laura Jackson; Louis Chedler; Anthony Lopez; Paulina	SAIL 1990S-001	Palm Beach	\$1,118,000	First	FHDC/SA	88	88 @ 50	12/31/2014	\$1,101,010
North Florida Education Development Corporation Carolyn Ford	South Springs	North Florida Education Development Corporation	PLP 98-026	Gadsden	\$410,573	N/A	FHFC	N/A	100 @ 80	12/29/2010	\$410,573
Ocala Leased Housing Corp., Inc. John M. Curtis	Silver Oaks Village	John M. Curtis/Ocala Leased Housing Corp., Inc.	HC 2003-531C	Marion	N/A	N/A		261	100 @ 60	11/28/2011	N/A
Paragon Group Fred Rath	Fifth Season Phase II	Fifth Season II Associates Ltd.	Bonds MR 1985 G	Pinellas	\$8,445,000	First	FHDC	264	N/A	5/1/1993	N/A
Picerne	Silver Ridge	Silver Ridge, Ltd.	HC 1994L-145	Orange	N/A	N/A	SMG	192	10 @ 45 90 @ 60	11/18/2011	N/A

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Pinellas Village, Inc.	Pinellas Village	Pinellas Village, Ltd.	HC 1990L-057	Pinellas	N/A	N/A	SMG	72	20 @ 40 80 @ 60	5/29/2012	N/A
Reliance-Magnolia Point, LLC	Magnolia Point - Jacksonville (aka Royal Pointe)	Reliance-Magnolia Point, LLC	SAIL 90S-078 HC 90L-078	Duval	\$1,220,130 N/A	Second	FHDC	208	10 @ 35 65 @ 60	6/6/2008	\$468,729
Renaissance Housing V, LLC	River Run	River Run Apts, LLC	Bonds MR 2001 C	Clay	\$12,880,000	First	SMG	284	20 @ 50 55 @ 80	1/3/2005	N/A
Retirement Facility at Palm-Aire George Janke	Preserve at Palm Aire (Golden Pond)	N/A	Bonds MR 1989 S	Broward	\$28,000,000	First	FHDC	297	N/A	6/15/1905	N/A
Robert J. DeHarder	Sugar Cane Villas	N/A	HC 90L-069	Palm Beach	N/A	N/A	Rural Developm ent	87	20 @ 40 80 @ 60		N/A
Sam Hardee	Citrus Meadows	Citrus Meadows Apts., Ltd.	Bonds GN 1989 Q SAIL 89S-501 HC 91-501C	Manatee	\$5,333,000 \$2,116,567 N/A	Second	FHDC	200	40 @ 60 100 @ 60	7/7/2011	\$2,116,567
Stanley Vandroff	Southwood	N/A	HC 1990L-090	Duval	N/A	N/A	SMG	85	20 @ 40 80 @ 60	9/4/2002	N/A
Steeplechase Apartments II, Ltd.	Steeplechase II	N/A	HC 1996L-072	Marion	N/A	N/A	FHDC	80	15 @ 35 85 @ 60	08/09/16	N/A
The Arlington, LP, Tony King	Arlington	Arlington Brencor, LP	Bonds MR 2004 G HC 2004-502C	Duval	\$11,575,000 N/A	First	AmeriNat	288	100 @ 60	7/14/2011	N/A
Vestcor Development Corporation Steve Frick	Riley Chase	Vestcor Fund XVII, Ltd., Vestcor Partners XVII, Inc.	Bonds MR 1999 L1-L2 HC 2000-510C	Sarasota	\$13,460,000 N/A	First	AmeriNat	312	50 @ 60 100 @ 60	11/9/2009	N/A
We Help CDC	Abidjan Estates	We Help CDC; Dr. D.M. Walker	PLP 2000-027	Palm Beach	\$498,820	N/A	FHFC/SA	N/A	N/A	5/1/2015	\$374,115
White Oak Real Estate Development Paula J. Ryan	Summer Palms (aka Brandon Creek)	Brandon Creek Apartments, Ltd.	Bonds MR 2000 P HC 2000-534C	Hillsborough	\$15,800,000 N/A	First	FHDC	340	50 @ 60 100 @ 60	1/21/2009	N/A

**FHFC
Foreclosure Report
as of 12/15/2022**

Developer/Contact	Property Name	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount	Lien-Position	Servicer/Trustee	Units	Set Asides	Foreclosure Completed / Loan Charged Off	(\$) Amount Charged Off
Whitemark, Inc. Larry White	Woodbridge-Orlando	N/A	Bonds MR 1985 JJ	Orange	\$6,000,000	First	FHDC	168	N/A	6/25/1991	N/A
Worthwhile Development Bryan Townsend	Heritage	Worthwhile Development III Ltd.	Bonds MR 2001 E1-E2 HC 2001-518C	Collier	\$19,710,000 N/A	First	FHDC	320	50 @ 60 100 @ 60	2/22/2011	N/A
Worthwhile Development Bryan Townsend	Nelson Park	Worthwhile Development IV, Ltd., Worthwhile Development IV, Inc.	Bonds MR 2000 A1- A2 HC 2001-522C	Lake	\$16,055,000 N/A	First	FHDC	358	50 @ 60 100 @ 60	2/15/2011	N/A
Worthwhile Development Bryan Townsend	Sarah's Place	Worthwhile Development II, Ltd., Worthwhile Development II, Inc.	Bonds MR 1997 L HC 1999-502C	Lake	\$12,560,000 N/A	First	SMG	330	50 @ 60 100 @ 60	6/23/2010	N/A
Worthwhile Development Eric Bonney	Riverfront	Worthwhile Development, Ltd., Worthwhile Development, Inc.	Bonds MR 1997 A HC 1997L-503	Orange	\$15,625,000 N/A	First	FHFC	356	50 @ 60	7/24/2009	N/A

**FHFC
Short Sale Report
as of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount or HC allocation	Lien-Position	Servicer / Trustee	(\$) Amount Charged Off	Date Charged Off	Units	Set Asides
Empowerment Alliance of SW Florida CDC Dorothy Cook	Esperanza Place	Empowerment Alliance of SW Florida CDC	Empowerment Alliance of SW Florida CDC, Dorothy Cook, Edward Olesky, Fredrick Small, Jeff Barwick, Maria Adame, Michael Jordan, Erin Houck-Toll	PLP 2007-137	Collier	\$376,000	First	FHFC/SA	\$84,461	10/28/2015	N/A	N/A
Enterprise Community Investment, Inc. John Brandenburg/Ron Sagaldo	Richmond Pine	Richmond Pine Limited Partnership	Richmond Pine Limited Partnership	HOME 93HRR-003 HC 93L-100	Miami-Dade	\$2,800,000 N/A	First	SMG	\$1,400,000	1/21/2016	80	20 @ 40 80 @ 60
Florida Non-Profit Services, Inc. Carl Kuehner	Esperanza Place II	Florida Non-Profit Services, Inc.	Florida Non-Profit Services, Inc.; Carl Kuehner; Robert Wolfe; Frank Proto; Harriet Lancaster	PLP09-010P-07	Collier	\$300,000	First	FHFC/SA	\$228,173	4/17/2015	N/A	N/A
Gatehouse Group Marc S. Plonskier	Bayou Crossing	The Gatehouse Group, Inc.	GHG Riverview, Inc., Boston Capital Partners, Marc S. Plonskier, David J. Canepari	SAIL 94S-031	Hillsborough	\$2,600,000	Second	SMG	\$2,285,614	10/17/2011	290	290
Gatehouse Group Marc S. Plonskier	Club Goldenrod II a/k/a Oasis Club	The Gatehouse Group, Inc.	Florida Affordable Housing, Boston Capital Partners, Marc S. Plonskier, David J. Canepari	SAIL 1993-014S HC 94L-023	Orange	\$1,950,000 N/A	Second	SMG	\$1,401,841	10/17/2011	220	100 @ 60

**FHFC
Short Sale Report
as of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount or HC allocation	Lien-Position	Servicer / Trustee	(\$) Amount Charged Off	Date Charged Off	Units	Set Asides
Gatehouse Group Marc S. Plonskier	Springbrook Commons	The Gatehouse Group, Inc.	Marc S. Plonskier	SAIL 96-001S HC 94L-109	Palm Beach	\$1,880,900 N/A	Second	SMG	\$1,810,982	1/31/2012	144	144
Heritage Partners Jim Kincaid	Bella Grande	Bella Grande, Ltd.	Bella Grande, Ltd; James Kincaid	SAIL 1994-041 HC 93L-089	Hendry	\$578,355 N/A	Second	FHDC	\$141,116	12/31/2012	30	6 @ 45 24 @ 60
Heritage Partners Jim Kincaid	Edisto Lakes	Edisto Group, Ltd.	Edisto Group Inc, GP; Group Edisto, Inc.; Key Corp. Inv. LP, LP 1 and LP; James Kincaid; Neal Harding;	SAIL 1994S-042 HC 1995L-006 HC 1994L-150	Lee	\$2,822,781 N/A	Second	FHDC	\$810,614	10/3/2011	376	20 @ 40 80 @ 60
Kyle's Run Apartments Kyle's Run	Kyle's Run	The Richman Group of Florida, Inc.	The Richman Group of Florida, Inc.	SAIL 95S-044 HC 96L-008	Indian River	\$1,550,000 N/A	Second	SMG	\$550,000	1/8/2013	200	40 @ 40 160 @ 60
Summerset Village, LLC Renee Sandell	Summerset Village	Transom Development, Inc. a/k/a Regency Development Associates, Inc. ----- Summerset Village LLC	Transom Development, Inc. a/k/a Regency Development Associates, Inc. ----- -----Summerset Village LLC	SAIL 2004-094S HC 2006-511C	St. Johns	\$1,500,000 N/A	Second	SMG	\$750,000	10/25/2013	132	132 @ 60
United Development Communities, Inc. Priscilla H. Barker	UDC-AHRP	United Development Communities, Inc.	N/A	Non-Conforming PLP 2003-048	Broward	\$48,720.00 \$176,412.96	First Second	FHFC	\$48,720 \$176,412	3/14/2012	N/A	N/A
Villas of Capri	Villas of Capri	Read Property Group LLC	N/A	HOME 96DHR-016 HC 96L-504	Collier	\$2,585,000 N/A	Second	AmeriNat	\$2,385,000	7/11/2011	235	235 @ 60
Ward Temple AME Church, Inc.	Ward Temple Villas	Ward Temple AME Church, Inc.	N/A	SAIL 1996-030S	Manatee	\$337,500	Second	AmeriNat	\$231,001	10/15/2001	10	5 @ 50

**FHFC
Short Sale Report
as of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount or HC allocation	Lien-Position	Servicer / Trustee	(\$) Amount Charged Off	Date Charged Off	Units	Set Asides
White Oak Real Estate Dev. Corp. Kevin King	Crossings at Cape Coral	White Oak Real Estate Dev. Corp.	White Oak Real Estate Dev. Corp.	SAIL 99-060S HC 2000-525C	Lee	\$1,577,726 N/A	Second	SMG	\$827,726	10/25/2013	168	84 @ 50 68 @ 60
Westside Ministries, Inc. Gerald P. Jones	Lundy-Cox Community	Westside Ministries, Inc.	Westside Ministries, Ltd., Willie Jackson, Jerome Sanders, Gerald Jones, Lonnie Stewart, Charles Spencer	PLP 2005-126	Duval	\$500,000	Second	FHFC/SA	\$69,549	10/2/2017	75	N/A

**FHFC
Other Writeoff Report
as of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount or HC allocation	Lien-Position	Servicer / Trustee	(\$) Amount Charged Off	Date Charged Off	Units	Set Asides
Alachua Rural Housing, Inc.	N/A	N/A	N/A	PLP A-06-02-11-08	Alachua	\$209,868	N/A	FHFC	\$5,070	12/30/2002	N/A	N/A
Bruce L. Parker	Sunrise Bay fka Country Lakes	Bruce L. Parker	Country Lakes Apts., Ltd.	SAIL 89-001S HC 90L-016	Polk	\$1,350,000 N/A	Second	FHDC	\$802,138	12/31/2010	18	20 @ 50
Clay County Affordable Housing, Inc.	N/A	N/A	N/A	PLP A-51-04-20-08	Clay	\$204,000	N/A	FHFC	\$614	12/30/2002	N/A	N/A
Columbia Housing, Inc.	N/A	N/A	N/A	PLP A-15-03-22-08	Columbia	\$30,750	N/A	FHFC	\$23,063	12/30/2002	N/A	N/A
Consortium Development, Inc	Richardson Place	Consortium Development Group	The Consortium Development Group Inc., Fernanada M. Jones II, Robert Koch, Kenneth Coyne, Mark Guyer, Steve Chitwood	PLP 2000-041		\$97,177	N/A	FHFC	\$97,177	12/31/2010	N/A	N/A
Farmworkers Assn. Central Florida	N/A	N/A	N/A	PLP A-15-06-58-08		\$400,000	N/A	FHFC	\$151,502	12/30/2002	N/A	N/A
Good Homes of Manasota	Good Homes of Manasota	Good Homes of Manasota	N/A	Nonconforming	Sarasota	\$290,000	N/A	N/A	\$260,000	1/10/2013	6	N/A
Las Villas at Kennilworth	Las Villas at Kennilworth	N/A	N/A	CWHIP/RFP 2006-05	Highlands	\$847,143	Second	SMG	\$475,291	12/8/2011 - 9/1/2016	7	N/A
Lutheran Social Services of North Florida, Inc. James T. Freeman	Supportive Housing - Magnolia Acres	Lutheran Social Services of North Florida, Inc.	Emily Millett, William H. Taylor, Mary Hafner	PLP 2003-061	Leon	\$45,968	N/A	FHFC	\$45,968	12/31/2010	N/A	N/A
Mannausa Development Company Tom Mannausa	Bear Creek	Mannausa Development Company	Bear Creek of Naples, Ltd	SAIL 93S-045 HC 94L-005	Collier	\$1,225,000 N/A	2nd	SMG	\$914,532	6/23/2011	120	120 @ 60

**FHFC
Other Writeoff Report
as of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount or HC allocation	Lien-Position	Servicer / Trustee	(\$) Amount Charged Off	Date Charged Off	Units	Set Asides
Opa-Locha Community Development Corporation Stephanie Williams-Baldwin	Westview Terrace	Opa-Locha Community Development Corporation	Opa-Locha Community Development Corporation, Fred Feneus, Mary Brown, Dave Pemberton, Nashid Sabir, Wilbert Holloway, Willie Logan	PLP 2000-026	Miami - Dade	\$282,038	N/A	FHFC	\$282,038	12/31/2010	N/A	N/A
Osceola County	Osceola County	Osceola County	N/A	Nonconforming	Osceola	\$200,000	N/A	FHFC	\$127,535	1/31/2008	N/A	N/A
Southlake Community Foundation, Inc. Robert Chapman and William Rutledge	Southlake	Southlake Community Foundation, Inc. Robert Chapman and William Rutledge	N/A	SAIL 1991-020S	Lake	\$2,858,783	Second	FHDC	\$2,858,783	8/17/2001	434	217 @ 60
Springfield Preservation and Restoration, Inc. (SPAR) Paul Hazlett	S.P.A.R. Share II	Springfield Preservation and Restoration, Inc. (SPAR) Paul Hazlett	N/A	SAIL 1994-045S	Duval	\$83,300	Second	FHDC	\$34,774	7/29/2008	N/A	N/A
UDC-ARHP Broward	UDC-ARHP Broward	N/A	N/A	PLP 05-093	Broward	\$105,186	Second	FHFC	\$105,186	9/26/2008	N/A	N/A
Universal Truth CDC Rose Mincey	Universal Homes	Universal Truth CDC	Universal Truth CDC	PLP 00-016	Miami-Dade	\$209,173	Second	FHFC	\$14,191	9/23/2011	N/A	100 @ 80
Universal Truth CDC Rose Mincey	Universal Homes	Universal Truth CDC	Universal Truth CDC	PLP 00-016	Miami-Dade	\$209,173	Second	FHFC	\$8,604	9/30/2014	N/A	100 @ 80
Universal Truth CDC Rose Mincey	Universal Homes	Universal Truth CDC	Universal Truth CDC	PLP 00-016	Miami-Dade	\$209,173	Second	FHFC	\$28,782	3/1/2016	N/A	100 @ 80
Westshore Community Development Corp. Ronald T. Rotella	Westshore Landing	Westshore Community Development Corporation, a not-for-profit entity	Ronald T. Rotella, C. Norman S	PLP 2005-114	Hillsborough	\$500,000	Second	FHFC	\$392,225	7/7/2005	N/A	N/A

**FHFC
Other Writeoff Report
as of 12/15/2022**

Developer/Contact	Property Name	Owner Entity	Affiliate / Financial Beneficiary / Principal	Funding Source(s)	County	Original Loan Amount or HC allocation	Lien-Position	Servicer / Trustee	(\$) Amount Charged Off	Date Charged Off	Units	Set Asides
Little Haiti Housing Assoc., Inc. Sam Diller	Villa Jardin III	Little Haiti Housing Assoc., Inc.	Maria Pascal, Nathaniel Belcher, Eustache Fleurant, Rodriguez Eustache, Sam Diller	PLP 2005-087	Miami-Dade	\$435,450	Second	FHFC/SA	\$218,526	3/1/2016	N/A	N/A
Leland Enterprises, Inc. Ken Dixon	Citrus Glen	Affordable/Citrus Glen Ltd.	Affordable/Citrus Glen Ltd.; Kenneth Dixon	AIL 1993S-013HC 1994L-006	Orange	\$1,670,000 N/A	Second	FHFC/SA	\$920,000	9/2/2020	176	176

EXHIBIT

17

Principal Disclosures for the Applicant

APPROVED for HOUSING CREDITS
FHFC Advance Review
Received 11.18.22; Approved 11.21.22

Select the organizational structure for the Applicant entity:

The Applicant is a: Limited Partnership

Provide the name of the Applicant Limited Partnership:

The Enclave at Rio, LP

First Principal Disclosure Level:

[Click here for Assistance with Completing the Entries for the First Level Principal Disclosure for the Applicant](#)

<u>First Level Entity #</u>	<u>Select Type of Principal of Applicant</u>	<u>Enter Name of First Level Principal</u>	<u>Select organizational structure of First Level Principal identified</u>
1.	<u>General Partner</u>	<u>RA The Enclave at Rio, LLC</u>	<u>Limited Liability Company</u>
2.	<u>Investor LP</u>	<u>Waddell Plantation, Inc.</u>	<u>For-Profit Corporation</u>

Second Principal Disclosure Level:

The Enclave at Rio, LP

[Click here for Assistance with Completing the Entries for the Second Level Principal Disclosure for the Applicant](#)

Select the corresponding First Level Principal Entity # from above for which the Second Level Principal is being identified

<u>Second Level Entity #</u>	<u>Select the type of Principal being associated with the corresponding First Level Principal Entity</u>	<u>Enter Name of Second Level Principal</u>	<u>Select organizational structure of Second Level Principal identified</u>
<u>1. (RA The Enclave at Rio, LLC)</u>	<u>1.A. Manager</u>	<u>Waddell Plantation, Inc.</u>	<u>For-Profit Corporation</u>
<u>1. (RA The Enclave at Rio, LLC)</u>	<u>1.B. Member</u>	<u>Waddell Plantation, Inc.</u>	<u>For-Profit Corporation</u>
<u>1. (RA The Enclave at Rio, LLC)</u>	<u>1.C. Member</u>	<u>JBC of Panama City, Inc.</u>	<u>For-Profit Corporation</u>

Third Principal Disclosure Level:

The Enclave at Rio, LP

[Click here for Assistance with Completing the Entries for the Third Level Principal Disclosure for the Applicant](#)

Select the corresponding Second Level Principal Entity # from above for which the Third Level Principal is being identified

<u>Third Level Entity #</u>	<u>Select the type of Principal being associated with the corresponding Second Level Principal Entity</u>	<u>Enter Name of Third Level Principal who must be either a Natural Person or a Trust</u>	<u>The organizational structure of Third Level Principal identified Must be either a Natural Person or a Trust</u>
<u>1.A. (Waddell Plantation, Inc.)</u>	<u>1.A.(1) Executive Director</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>1.A. (Waddell Plantation, Inc.)</u>	<u>1.A.(2) Officer/Director</u>	<u>Chapman, Joseph F., IV</u>	<u>Natural Person</u>
<u>1.A. (Waddell Plantation, Inc.)</u>	<u>1.A.(3) Officer/Director</u>	<u>Pippin, Laurretta J.</u>	<u>Natural Person</u>
<u>1.A. (Waddell Plantation, Inc.)</u>	<u>1.A.(4) Shareholder</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>1.B. (Waddell Plantation, Inc.)</u>	<u>1.B.(1) Executive Director</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>1.B. (Waddell Plantation, Inc.)</u>	<u>1.B.(2) Officer/Director</u>	<u>Chapman, Joseph F., IV</u>	<u>Natural Person</u>
<u>1.B. (Waddell Plantation, Inc.)</u>	<u>1.B.(3) Officer/Director</u>	<u>Pippin, Laurretta J.</u>	<u>Natural Person</u>
<u>1.B. (Waddell Plantation, Inc.)</u>	<u>1.B.(4) Shareholder</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>1.C. (JBC of Panama City, Inc.)</u>	<u>1.C.(1) Executive Director</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>1.C. (JBC of Panama City, Inc.)</u>	<u>1.C.(2) Officer/Director</u>	<u>Pippin, Laurretta J.</u>	<u>Natural Person</u>
<u>1.C. (JBC of Panama City, Inc.)</u>	<u>1.C.(3) Shareholder</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>

Exhibit 17

Principal Disclosures for the Developer

APPROVED for HOUSING CREDITS
FHFC Advance Review
Received 11.18.22; Approved 11.21.22

How many Developers are part of this Application structure?

1

Select the organizational structure for the Developer entity:

The Developer is a: Limited Liability Company

Provide the name of the Developer Limited Liability Company:

Royal American Properties, LLC

First Principal Disclosure Level:

Royal American Properties, LLC

[Click here for Assistance with Completing the Entries for the First Level Principal Disclosure for a Developer](#)

First Level Entity #	Select Type of Principal of Developer	Enter Name of First Level Principal	Select organizational structure of First Level Principal identified
1.	<u>Manager</u>	<u>Royal American Development, Inc.</u>	<u>For-Profit Corporation</u>
2.	<u>Member</u>	<u>Royal American Development, Inc.</u>	<u>For-Profit Corporation</u>
3.	<u>Member</u>	<u>PFP Holdings, Inc.</u>	<u>For-Profit Corporation</u>

Second Principal Disclosure Level:

Royal American Properties, LLC

[Click here for Assistance with Completing the Entries for the Second Level Principal Disclosure for a Developer](#)

Select the corresponding First Level Principal Entity # from above for which the Second Level Principal is being identified

Select the type of Principal being associated with the corresponding First Level Principal Entity

Select organizational structure of Second Level Principal identified

Second Level Entity #	Principal Entity	Enter Name of Second Level Principal	Structure
<u>1. (Royal American Development, Inc.)</u>	<u>1.A. Executive Director</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>1. (Royal American Development, Inc.)</u>	<u>1.B. Officer/Director</u>	<u>Chapman, Joseph F., IV</u>	<u>Natural Person</u>
<u>1. (Royal American Development, Inc.)</u>	<u>1.C. Officer/Director</u>	<u>Clemo, Clifford S.</u>	<u>Natural Person</u>
<u>1. (Royal American Development, Inc.)</u>	<u>1.D. Officer/Director</u>	<u>Pippin, Laurretta J.</u>	<u>Natural Person</u>
<u>1. (Royal American Development, Inc.)</u>	<u>1.E. Shareholder</u>	<u>Peoples First Properties, Inc.</u>	<u>For-Profit Corporation</u>
<u>2. (Royal American Development, Inc.)</u>	<u>2.A. Executive Director</u>	<u>Chapman, Jeannette B.</u>	<u>Natural Person</u>
<u>2. (Royal American Development, Inc.)</u>	<u>2.B. Officer/Director</u>	<u>Chapman, Joseph F., IV</u>	<u>Natural Person</u>
<u>2. (Royal American Development, Inc.)</u>	<u>2.C. Officer/Director</u>	<u>Clemo, Clifford S.</u>	<u>Natural Person</u>
<u>2. (Royal American Development, Inc.)</u>	<u>2.D. Officer/Director</u>	<u>Pippin, Laurretta J.</u>	<u>Natural Person</u>
<u>2. (Royal American Development, Inc.)</u>	<u>2.E. Shareholder</u>	<u>Peoples First Properties, Inc.</u>	<u>For-Profit Corporation</u>
<u>3. (PFP Holdings, Inc.)</u>	<u>3.A. Executive Director</u>	<u>Chapman, Joseph F., IV</u>	<u>Natural Person</u>
<u>3. (PFP Holdings, Inc.)</u>	<u>3.B. Officer/Director</u>	<u>Chapman, Joseph F., IV</u>	<u>Natural Person</u>
<u>3. (PFP Holdings, Inc.)</u>	<u>3.C. Officer/Director</u>	<u>Pippin, Laurretta J.</u>	<u>Natural Person</u>
<u>3. (PFP Holdings, Inc.)</u>	<u>3.D. Shareholder</u>	<u>Peoples First Properties, Inc.</u>	<u>For-Profit Corporation</u>