

STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

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FLORIDA HOUSING
FINANCE CORPORATION

HTG Grand East, Ltd.,

Petitioner,

CASE NO. 2023-014BP
Application #2023-103C

v.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

_____ /

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

HTG Grand East, Ltd., (“Petitioner”) files this Formal Written Protest and Petition for Administrative Hearing (“Petition”) pursuant to sections 120.57(1) and (3), Florida Statutes, and Rules 67-60 and 28-110.004, Florida Administrative Code (“F.A.C.,”) to challenge 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”), relative to Request for Applications 2022-202 *Housing Credit Financing For Affordable Housing Developments Located In Broward, Duval, Hillsborough, Orange, Palm Beach, And Pinellas Counties* (the “RFA”).

Parties

1. Petitioner is a Florida limited partnership engaged in the business of providing affordable housing. Petitioner's address is 3225 Aviation Avenue, 6th Floor, Coconut Grove, Florida 33133. Petitioner filed a response to the RFA for its proposed affordable housing project Grand East Village, which was assigned application number #2023-103C (“Petitioner’s

Application”). For purposes of this proceeding, Petitioner's address, telephone number and email address are those of its undersigned counsel.

2. Florida Housing is the affected agency. Florida Housing's address is 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301. Florida Housing's file number for Petitioner's application is #2023-103C.

3. Florida Housing is a public corporation created by Section 420.504, Florida Statutes, to administer the governmental function of financing or refinancing affordable housing and related facilities in Florida.

Notice

4. Petitioner received notice of Florida Housing's intended decision to award funding pursuant to the RFA on January 27, 2023, when Florida Housing posted RFA 2022-202 Board Approved Preliminary Awards and the Board Approved Scoring Results on its website. Petitioner's Application was deemed eligible but was not included in the applications selected for a preliminary award based on the sorting and selection criteria in the RFA. For the reasons set forth below, Petitioner contends that its Application should have been selected for funding.

5. Petitioner timely filed its Notice of Intent to Protest Florida Housing's intended award decisions on February 1, 2023. See Exhibit A.

Background

6. Florida Housing administers several programs aimed at assisting developers in building affordable housing in the state in an effort to protect financially marginalized citizens from excessive housing costs. A portion of the units constructed with funding from these programs must be set aside for residents at or below a specified percentage of area median income.

7. One of the programs through which Florida Housing allocates resources to fund affordable housing is the State Housing Credit Program (the “Tax Credit Program”), which is established in Florida under the authority of Section 420.5093, Florida Statutes. Florida Housing is the designated entity in Florida responsible for allocating federal tax credits to assist in financing the construction or substantial rehabilitation of affordable housing.

The RFA

8. Chapter 67-60, F.A.C., establishes “the procedures by which the Corporation shall . . . [a]dminister the competitive solicitation process to implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S.” See Rule 67-60.001(2), F.A.C.

9. On November 14, 2022, Florida Housing issued the RFA seeking applications for development of affordable, multifamily housing located in the Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties as specified in the RFA. The RFA was issued pursuant to and in accordance with Rules 67-60.001 and 67-60.003, F.A.C.

10. The RFA was issued by Florida Housing as the competitive solicitation method for allocating funding to competing affordable housing developments. The RFA solicited proposals from qualified applicants for the award of up to an estimated \$16,491,600 of Housing Credits available for award to proposed developments located in the counties identified in the RFA. See RFA, p. 2. Applications in response to the RFA were due by 3:00 p.m. on December 29, 2022 (the “Application Deadline”).

11. Florida Housing received numerous applications in response to the RFA. Petitioner timely submitted its application in response to the RFA requesting financing for its proposed

affordable housing project, Grand East Village, located in Orange County and Petitioner's application satisfied all of the required elements of the RFA and is eligible for a funding award.

12. The RFA sets forth the information required to be submitted by an applicant and provides a general description of the type of projects that will be considered eligible for funding. All applicants must meet the requirements set forth in the RFA, include with their applications the specified exhibits and comply with the requirements of Chapter 67-60, 67-48 and 67-53, Florida Administrative Code. The RFA also delineates the funding selection criteria and specifies that only those applications that meet all of the Eligibility Items will be eligible for funding and considered for funding selection. See RFA, p. 74-75.

13. The RFA set forth a "goal to fund one Application in each of the six counties that qualifies as a Local Government Area of Opportunity, with a preference that each Application is a Priority I Application that qualifies for the Local Government Area of Opportunity Designation." See RFA, p. 78.

14. The RFA set forth a "Sorting Order" when selecting Applications to meet the Local Government Areas of Opportunity Funding Goals as follows:

When selecting Applications to meet the goal described [above], the highest scoring Applications will be determined by first sorting together all eligible Priority I 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:

- (1) 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);
- (2) 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);
- (3) 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);

- (4) 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);
- (5) And finally, by lottery number, resulting in the lowest lottery number receiving preference.

See RFA, pp. 78-79.

15. The following Sorting Order applies after selecting Applications to meet the Local Government Areas of Opportunity Funding Goal:

- If any of the six counties were not credited with one award because there were no eligible Applications in the county that qualified for the goal, the highest scoring Priority I Applications within the county will be determined by first sorting together all eligible Priority I 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:
- (1) 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);
 - (2) 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);
 - (3) 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);
 - (4) 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;
 - (5) 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);
 - (6) And finally, by lottery number, resulting in the lowest lottery number receiving preference.

See RFA, p. 79.

16. The RFA included the following funding test:

For purposes of this RFA, Funding Test means that Applications will be selected for funding only if there is enough funding available to fully fund the Eligible Housing Credit Request Amount.

See RFA, p. 80.

17. The RFA further set forth the following Funding Selection Process:

The Funding Selection Process

a. The first six Applications selected for funding will be the highest-ranking eligible unfunded Priority I Applications that qualifies for the Local Government Area of Opportunity Goal in each of the six counties that can be fully funded.

If there are no eligible Priority I Applications that qualify for the Local Government Area of Opportunity Goal in any of the six counties, then the highest-ranking eligible Priority II Application that qualifies for the Local Government Area of Opportunity Goal in those counties without an award will be selected for funding, if the Application can be fully funded.

If any of the six counties were not credited with one award because there were no eligible Applications in the county that qualified for the goal, then the highest-ranking eligible Priority I Application in those counties without an award will be selected for funding, if the Application can be fully funded.

If any of the six counties were still not credited with one award because there were no eligible Applications in the county that qualified for the goal, nor were there any eligible Priority I Applications in the county, then the highest-ranking eligible Priority II Application in those counties without an award will be selected for funding, if the Application can be fully funded.

b. No additional Applications from any county will be selected for funding and any remaining funding will be distributed as approved by the Board.

See, RFA, p. 80.

18. A Review Committee comprised of Florida Housing staff was assigned to conduct the initial evaluation and scoring of the RFA responses. The Review Committee scored the applications and developed a chart listing the eligible and ineligible applications. See Exhibit B. The Review Committee also applied the funding selection criteria set forth in the RFA to develop a proposed allocation of funding to eligible participants. The preliminary rankings and allocations were presented to and approved by the Florida Housing Board on January 27, 2023. See Exhibit C.

19. Of the applications received in response to the RFA, six (6) applications were preliminarily selected for funding. See Exhibit C. Petitioner's Application satisfied all of the required elements of the RFA and is eligible for funding but was not preliminarily selected for funding.

20. The RFA and applicable rules provide an opportunity for applicants to file administrative challenges to the scoring and rankings set forth in the preliminary allocations. After resolution of the administrative challenges, results will be presented to the Florida Housing Board for final approval prior to issuing invitations to the applicants in the funding range to enter the credit underwriting process.

21. A correct determination of the developments eligible for funding under the RFA has not been made. As a result of errors in the eligibility determinations, scoring and ranking process, applications that should have been deemed ineligible were included in the rankings and preliminary funding allocations posted on January 27, 2023.

22. One application (The Beacon at Creative Village – Phase II (App#: 2023-112C)) located in Orange County initially deemed eligible for funding is currently ranked higher than Petitioner's Application (hereafter referred to as "The Beacon"). As set forth below, the eligibility determinations and preliminary ranking of that application failed to take into account the failure of that applicant to meet certain mandatory Eligibility Items set forth in the RFA and applicable Rules. Under the terms of the RFA and Florida Housing's rules, The Beacon should be deemed ineligible and Petitioner's Application should be awarded housing tax credits for its proposed development.

23. Specifically, The Beacon, located in Orange County, was determined to be eligible and preliminarily selected for funding. See Exhibits B, C. As is more fully explained below, The

Beacon should NOT be deemed eligible for funding for failure to meet the RFA requirements to demonstrate the Ability to Proceed as of the Application Deadline.

Substantial Interests Affected

24. Petitioner's substantial interests are affected because deeming The Beacon eligible for funding results in that application being ranked higher for funding selection purposes than Petitioner's Application in Orange County. See Madison Highlands, LLC v. Florida Housing Finance Corp., 220 So. 3d 467, 474 (Fla. 1st DCA 2017).

Errors in the Preliminary Awards and Determinations of Eligibility

The Beacon's Failure to Demonstrate Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank

25. As a mandatory Eligibility Item, the RFA requires an Applicant to demonstrate the Ability to Proceed which includes confirmation of that sufficient sewer capacity, package treatment or septic tank service is available to the entire proposed Development site as of the Application Deadline ("sewer capacity"). The RFA provides as follows:

(1) Determining Eligibility. Only Applications that meet **all of the following** Eligibility Items will be eligible for funding and considered for funding selection.

a. Availability of Sewer demonstrated

(3) Availability of Sewer. Demonstrate that as of the Application Deadline sewer capacity, package treatment or septic tank service is available to the entire proposed Development site by providing as Attachment 9 to Exhibit A:

(a) The properly completed **and executed** Florida Housing Finance Corporation Verification of Availability of

Infrastructure – Sewer Capacity, Package Treatment, or
Septic Tank form (Form Rev. 07-2022)

See RFA, pp. 41, 74-75.

26. In order to demonstrate the availability of sewer capacity as of the Application Deadline, The Beacon was required to include with its application a properly completed **and executed** Florida Housing Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank Form. See RFA, p. 41 and Attachment 9 (the “Sewer Availability Form”). The Sewer Availability Form must be executed by the service provider certifying “that, as of the date that this form was signed, Sewer Capacity or Package Treatment is available to the proposed Development.” See RFA, p. 41 and Attachment 9.

27. Although The Beacon’s application included a Sewer Availability Form with its Application, the Sewer Availability Form was not executed by a service provider as required by the RFA. See Exhibit D. Without a signed Sewer Availability Form, The Beacon’s Application cannot meet the mandatory eligibility requirement to demonstrate the availability of sewer capacity for the proposed development as of the Application Deadline.

28. Apart from the Sewer Availability Form, there is no other location within the four corners of its Application where The Beacon can point to verifying that there is in fact sewer capacity as of the Application Deadline.

29. The Beacon’s failure to include a properly executed Sewer Availability Form with its Application is not a minor irregularity and cannot be waived. The Beacon’s Application does not meet the mandatory eligibility criteria of the RFA and must be deemed ineligible. Prior Florida Housing precedent clearly requires an application to be deemed ineligible if it fails to include a fully and properly executed Sewer Availability Form so as to meet the requirement to demonstrate

sewer availability. See, e.g., Review Committee Recommendations Re: Application 2021-275BSN (Hermosa North Fort Myers) relative to RFA 2020-205 (SAIL) application deemed ineligible by scoring review committee for failure to include properly signed Sewer Availability Form.

30. In addition to the grounds set forth above, there may be other grounds for reranking which may result in Petitioner being ranked in the funding range. Petitioner reserves the right to identify and raise additional scoring and ranking errors based upon information revealed during the protest process.

31. Petitioner is entitled to a formal administrative hearing pursuant to Sections 120.57(1) and 120.57(3), Florida Statutes, to resolve the issues set forth in this Petition.

Disputed Issues of Material Fact and Law

32. Disputed issues of fact and law include, but are not limited to the following:
- a. Whether The Beacon provided all requisite documentation in compliance with the RFA to demonstrate sewer availability as of the Application Deadline.
 - b. Whether The Beacon is eligible for funding under the RFA.
 - c. Whether the proposed awards are consistent with the RFA and the grounds on which the tax credits are to be allocated.
 - d. Whether the proposed awards are based on a correct determination of the eligibility of applicants.
 - e. Whether Florida Housing's proposed award of funding to The Beacon is clearly erroneous, arbitrary and capricious and/or contrary to competition;
 - f. Whether Florida Housing's determination that The Beacon is an eligible Applicant is erroneous, arbitrary and capricious and/or contrary to competition;
 - g. Such other issues as may be revealed during the protest process.

Concise Statement of Ultimate Facts

47. Petitioner participated in the RFA process in order to compete for an award of tax credits with other developers based on the scoring and ranking in the RFA. Other developments were incorrectly deemed eligible and unjustifiably elevated ahead of the Petitioner. Petitioner may be erroneously denied funding if the current proposed awards are allowed to become final.

48. Unless the eligibility determinations are corrected and preliminary allocations are revised, Petitioner may be excluded from funding and developers may be awarded tax credits contrary to the provisions of the RFA and Florida Housing's governing statutes and rules.

49. The process set forth in the RFA for determining eligible projects supports a determination that The Beacon should be determined ineligible for funding based on the failure to meet the requisite mandatory items for funding eligibility.

50. Petitioner's Application for Grand East Village should be selected for funding.

Reservation to Amend

51. Petitioner reserves the right to amend its Petition as discovery proceeds.

Statutes and Rules Entitling Relief

52. The statutes and rules which are applicable in this case and that require modification of the proposed allocations include, but are not limited to, Section 120.57(3) and Chapter 420, Part V, Florida Statutes, and Chapter 28-110 and 67-60, F.A.C.

Demand for Relief

53. Pursuant to Section 120.57(3), Florida Statutes, and Rules 28-110.004, F.A.C., the Petitioner requests the following relief:

- a. An opportunity to resolve this protest by mutual agreement within seven days of the filing of this Petition as provided by Section 120.57(3)(d)1., Florida Statutes.

- b. If this protest cannot be resolved by mutual agreement, that the matter be referred to the Division of Administrative Hearings for a formal hearing to be conducted before and Administrative Law Judge pursuant to Section 120.57(1) and (3), Florida Statutes.
- c. Recommended and Final Orders be entered determining that The Beacon is ineligible for an award of funding pursuant to RFA 2022-202 and that Grand East Village be awarded funding and invited to credit underwriting.

Respectfully submitted this 13th day of February, 2023.

/s/ J. Stephen Menton
J. Stephen Menton
Florida Bar No. 331181
Tana D. Storey
Florida Bar No. 514472
Rutledge Ecenia, P.A.
119 South Monroe Street, Suite 202
Tallahassee, FL 32301
850-681-6788 Telephone
850-681-6515 Facsimile
smenton@rutledge-ecenia.com
tana@rutledge-ecenia.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this original has been filed with the Agency Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000 Tallahassee, Florida 32301 via email at: CorporationClerk@floridahousing.org and Ana.McGlamory@Floridahousing.org and an electronic copy provided to Hugh Brown, General Counsel, Florida Housing Finance Corporation, Hugh.Brown@floridahousing.org, via email, this 13th day of February, 2023.

/s/ J. Stephen Menton
Attorney

Rutledge | Ecenia

119 S. Monroe Street, Suite 202
Tallahassee, Florida 32301

P.O. Box 551
Tallahassee, Florida 32302

February 1, 2023

Sent via email

CorporationClerk@floridahousing.org

Ana.McGlamory@floridahousing.org

Ana McGlamory
Corporation Clerk
Florida Housing Finance Corporation
227 North Bronough, Suite 5000
Tallahassee, FL 32301

Re: Notice of Intent to Protest, Request for Applications (RFA) 2022-202 Proposed
Funding Selections

Dear Corporation Clerk:

On behalf of Applicant HTG Grand East, Ltd., for proposed development Grand East Village (Application No. 2023-103C), we hereby give notice of the intent to protest the Preliminary Awards and the scoring and ranking of applications for RFA 2022-202 posted by Florida Housing Finance Corporation ("Florida Housing") on Friday, January 27, 2023, at 10:50 a.m. concerning *Housing Credit Financing For Affordable Housing Developments Located In Broward, Duval, Hillsborough, Orange, Palm Beach, And Pinellas Counties*. (See Attached).

A formal written petition will be submitted within ten (10) days of this Notice as required by law.

Respectfully Submitted,

J. Stephen Menton

J. Stephen Menton

JSM/tds

cc: Hugh Brown, General Counsel

RFA 2022-202 Board Approved Preliminary Awards

Total HC Available for RFA	16,491,600
Total HC Allocated	16,146,600
Total HC Remaining	345,000

Application Number	Name of Development	County	Name of Authorized Principal Representative	Developers	Demo	Total Units	HC Funding Amount	Eligible For Funding?	Priority Level	Qualifies for the Local Government Area of Opportunity	Total Points	Per Unit Construction Funding Preference	Development Category Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
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One Broward County Applications

2023-114C	Residences at Beverly Park	Broward	Robert Hoskins	NuRock Development Partners, Inc.; R Howell Development, LLC; R Block Development, LLC	F	115	\$3,113,400	Y	1	Y	15	Y	Y	NC	\$152,966.16	A	Y	Y	1
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One Duval County Application

2023-107C	Madison Palms	Duval	James R. Hoover	TVC Development, Inc.	F	240	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$171,856.00	A	Y	Y	5
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One Hillsborough County Application

2023-113C	Lake Bluetail	Hillsborough	Shawn Wilson	Blue LBT Developer, LLC	F	120	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$158,068.13	A	Y	Y	4
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One Orange County Application

2023-112C	The Beacon at Creative Village - Phase II	Orange	Jay P. Brock	Atlantic Housing Partners II, L.L.C.	F	81	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$243,982.80	B	N	Y	15
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One Palm Beach County Application

2023-115C	Southridge Phase I	Palm Beach	Darren Smith	SHAG Roseland Gardens Developer, LLC; Magnolia Affordable Development, Inc.	E, Non-ALF	125	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$152,745.13	A	Y	Y	2
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One Pinellas County Application

2023-104C	Clearwater Gardens	Pinellas	Brett Green	Archway Clearwater Gardens Developer, LLC	F	81	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$184,184.80	A	Y	Y	8
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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.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2022-202 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Developers	Demo	Total Units	HC Funding Amount	Eligible For Funding?	Priority Level	Qualifies for the Local Government Area of Opportunity	Total Points Per Unit	Construction Funding Preference	Development Category Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
2023-101C	Foxcroft Estates	Broward	David O. Deutch	Pinnacle Communities, LLC	F	84	\$3,030,000	Y	1	N	10	Y	Y	NC	\$211,264.59	A	Y	Y	6
2023-102C	Calusa Pointe	Palm Beach	J. David Page	Southport Development, Inc.,	E, Non-ALF	110	\$2,800,000	Y	1	Y	15	Y	Y	NC	\$194,727.27	A	Y	Y	3
2023-103C	Grand East Village	Orange	Matthew A. Rieger	HTG Grand East Developer, LLC	E, Non-ALF	92	\$2,700,000	Y	1	N	15	Y	Y	NC	\$243,000.00	B	Y	Y	11
2023-104C	Clearwater Gardens	Pinellas	Brett Green	Archway Clearwater Gardens Developer, LLC	F	81	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$184,184.80	A	Y	Y	8
2023-105C	The Pantry Lofts	Broward	Oscar Sol	The Pantry Lofts GM Dev, LLC; The Pantry Lofts NP Dev,	E, Non-ALF	100	\$3,203,700	Y	1	Y	15	Y	Y	NC	\$181,013.15	A	Y	Y	10
2023-106C	The Residences at Martin Manor	Palm Beach	Kenneth Naylor	DM Redevelopment Developer, LLC	F	95	\$2,565,000	Y	1	Y	15	Y	Y	NC	\$180,882.40	A	Y	Y	7
2023-107C	Madison Palms	Duval	James R. Hoover	TVC Development, Inc.	F	240	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$171,856.00	A	Y	Y	5
2023-108C	Tallman Pines - Phase I	Broward	Matthew A. Rieger	HTG Tallman Villas Developer, LLC; Building	F	80	\$2,500,000	Y	1	Y	15	Y	Y	NC	\$184,232.07	A	Y	Y	9
2023-109C	The Flats on Main Street	Pinellas	Brett Green	The Flats on Main Street Developer, LLC	F	63	\$2,020,000	Y	1	Y	15	Y	Y	NC	\$230,972.57	B	Y	Y	13
2023-110C	Flats on 4th	Pinellas	Brett Green	Flats on 4th Developer, LLC	F	64	\$1,925,000	Y	1	Y	15	Y	Y	NC	\$216,670.78	A	Y	Y	14
2023-111C	Grand Oaks	Pinellas	Brian Evjen	Newstar Development, LLC; Norstar Development USA,	F	80	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$187,715.73	A	Y	Y	12
2023-112C	The Beacon at Creative Village - Phase II	Orange	Jay P. Brock	Atlantic Housing Partners II, L.L.C.	F	81	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$243,982.80	B	N	Y	15
2023-113C	Lake Bluetail	Hillsborough	Shawn Wilson	Blue LBT Developer, LLC	F	120	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$158,068.13	A	Y	Y	4
2023-114C	Residences at Beverly Park	Broward	Robert Hoskins	NuRock Development Partners, Inc.; R Howell	F	115	\$3,113,400	Y	1	Y	15	Y	Y	NC	\$152,966.16	A	Y	Y	1
2023-115C	Southridge Phase I	Palm Beach	Darren Smith	SHAG Roseland Gardens Developer, LLC; Magnolia	E, Non-ALF	125	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$152,745.13	A	Y	Y	2

On January, 27, 2023, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2022-202 Board Approved Preliminary Awards

Total HC Available for RFA	16,491,600
Total HC Allocated	16,146,600
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Application Number	Name of Development	County	Name of Authorized Principal Representative	Developers	Demo	Total Units	HC Funding Amount	Eligible For Funding?	Priority Level	Qualifies for the Local Government Area of Opportunity	Total Points	Per Unit Construction Funding Preference	Development Category Funding Preference	Development Category	Total Corp Funding Per Set Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
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One Broward County Applications

2023-114C	Residences at Beverly Park	Broward	Robert Hoskins	NuRock Development Partners, Inc.; R Howell Development, LLC; R Block Development, LLC	F	115	\$3,113,400	Y	1	Y	15	Y	Y	NC	\$152,966.16	A	Y	Y	1
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One Duval County Application

2023-107C	Madison Palms	Duval	James R. Hoover	TVC Development, Inc.	F	240	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$171,856.00	A	Y	Y	5
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One Hillsborough County Application

2023-113C	Lake Bluetail	Hillsborough	Shawn Wilson	Blue LBT Developer, LLC	F	120	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$158,068.13	A	Y	Y	4
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One Orange County Application

2023-112C	The Beacon at Creative Village - Phase II	Orange	Jay P. Brock	Atlantic Housing Partners II, L.L.C.	F	81	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$243,982.80	B	N	Y	15
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One Palm Beach County Application

2023-115C	Southridge Phase I	Palm Beach	Darren Smith	SHAG Roseland Gardens Developer, LLC; Magnolia Affordable Development, Inc.	E, Non-ALF	125	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$152,745.13	A	Y	Y	2
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One Pinellas County Application

2023-104C	Clearwater Gardens	Pinellas	Brett Green	Archway Clearwater Gardens Developer, LLC	F	81	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$184,184.80	A	Y	Y	8
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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.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2022-202 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Developers	Demo	Total Units	HC Funding Amount	Eligible For Funding?	Priority Level	Qualifies for the Local Government Area of Opportunity	Total Points Per Unit	Construction Funding Preference	Development Category Funding Preference	Development Category	Total Corp Funding Per Set-Aside	Leveraging Classification	Proximity Funding Preference	Florida Job Creation Preference	Lottery Number
2023-101C	Foxcroft Estates	Broward	David O. Deutch	Pinnacle Communities, LLC	F	84	\$3,030,000	Y	1	N	10	Y	Y	NC	\$211,264.59	A	Y	Y	6
2023-102C	Calusa Pointe	Palm Beach	J. David Page	Southport Development, Inc.,	E, Non-ALF	110	\$2,800,000	Y	1	Y	15	Y	Y	NC	\$194,727.27	A	Y	Y	3
2023-103C	Grand East Village	Orange	Matthew A. Rieger	HTG Grand East Developer, LLC	E, Non-ALF	92	\$2,700,000	Y	1	N	15	Y	Y	NC	\$243,000.00	B	Y	Y	11
2023-104C	Clearwater Gardens	Pinellas	Brett Green	Archway Clearwater Gardens Developer, LLC	F	81	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$184,184.80	A	Y	Y	8
2023-105C	The Pantry Lofts	Broward	Oscar Sol	The Pantry Lofts GM Dev, LLC; The Pantry Lofts NP Dev,	E, Non-ALF	100	\$3,203,700	Y	1	Y	15	Y	Y	NC	\$181,013.15	A	Y	Y	10
2023-106C	The Residences at Martin Manor	Palm Beach	Kenneth Naylor	DM Redevelopment Developer, LLC	F	95	\$2,565,000	Y	1	Y	15	Y	Y	NC	\$180,882.40	A	Y	Y	7
2023-107C	Madison Palms	Duval	James R. Hoover	TVC Development, Inc.	F	240	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$171,856.00	A	Y	Y	5
2023-108C	Tallman Pines - Phase I	Broward	Matthew A. Rieger	HTG Tallman Villas Developer, LLC; Building	F	80	\$2,500,000	Y	1	Y	15	Y	Y	NC	\$184,232.07	A	Y	Y	9
2023-109C	The Flats on Main Street	Pinellas	Brett Green	The Flats on Main Street Developer, LLC	F	63	\$2,020,000	Y	1	Y	15	Y	Y	NC	\$230,972.57	B	Y	Y	13
2023-110C	Flats on 4th	Pinellas	Brett Green	Flats on 4th Developer, LLC	F	64	\$1,925,000	Y	1	Y	15	Y	Y	NC	\$216,670.78	A	Y	Y	14
2023-111C	Grand Oaks	Pinellas	Brian Evjen	Newstar Development, LLC; Norstar Development USA,	F	80	\$2,241,600	Y	1	Y	15	Y	Y	NC	\$187,715.73	A	Y	Y	12
2023-112C	The Beacon at Creative Village - Phase II	Orange	Jay P. Brock	Atlantic Housing Partners II, L.L.C.	F	81	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$243,982.80	B	N	Y	15
2023-113C	Lake Bluetail	Hillsborough	Shawn Wilson	Blue LBT Developer, LLC	F	120	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$158,068.13	A	Y	Y	4
2023-114C	Residences at Beverly Park	Broward	Robert Hoskins	NuRock Development Partners, Inc.; R Howell	F	115	\$3,113,400	Y	1	Y	15	Y	Y	NC	\$152,966.16	A	Y	Y	1
2023-115C	Southridge Phase I	Palm Beach	Darren Smith	SHAG Roseland Gardens Developer, LLC; Magnolia	E, Non-ALF	125	\$2,850,000	Y	1	Y	15	Y	Y	NC	\$152,745.13	A	Y	Y	2

On January, 27, 2023, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE –
SEWER CAPACITY, PACKAGE TREATMENT, OR SEPTIC TANK**

Name of Development: The Beacon at Creative Village - Phase II

Development Location: 630 W. Amelia Street, Orlando

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). The location of all Scattered Sites, if applicable, must also be included.

Number of Units in the Development: 81

This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

The undersigned service provider confirms that, as of the date that this form was signed, Sewer Capacity or Package Treatment is available to the proposed Development; or there are no known prohibitions to installing a Septic Tank system with adequate capacity for the proposed Development location or, if necessary, upgrading an existing Septic Tank system with adequate capacity for the proposed Development location.

To access such waste treatment service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, provide easements, and/or remove, relocate, install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development. Execution of this document does not guarantee that waste treatment service will be available to the Applicant in the future and does not provide the Applicant with any vested rights to receive waste treatment service. The availability of waste treatment services is subject to the approval of all applicable governmental agencies having jurisdiction over these matters.

For projects located within Miami-Dade County, the Applicant is advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including the Consent Decree entered on April 9, 2014, in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

CERTIFICATION

I certify that the foregoing information is true and correct.

Signature
David Breitrick, P.E.

Print or Type Name
Engineering & Mapping Manager

Print or Type Title
November 11, 2022

Date Signed

City of Orlando Water Reclamation Division

Name of Entity Providing Service
5100 L.B. McLeod Rd

Address (street address, city, state)
Orlando, FL 32811

407-246-2213

Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from elected local government officials are not acceptable. If there are alterations made to this form that change the meaning of the form, the form will not be accepted.