

Second Set of Questions and Answers for RFAs 2023-201, 2023-202, and 2023-203

The following is a second set of Questions and Answers for the following RFAs:

- RFA 2022-201 Housing Credit Financing for Affordable Housing Developments Located in Medium and Small Counties
 - RFA 2022-202 Housing Credit Financing for Affordable Housing Developments Located in Broward, Duval, Hillsborough, Orange, Palm Beach, and Pinellas Counties
 - RFA 2022-203 Housing Credit Financing for Affordable Housing Developments Located in Miami-Dade County
1. Will the Application be deemed ineligible for funding if the Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer appears on the Insurance Deficiency Report?

Answer:

No. There is no eligibility requirement regarding the Insurance Deficiency Report.

2. Can you please confirm in more detail the LPA and Loan Closing Deadlines in relation to the limitation on future Priority I Application submissions?

Answer:

RFAs 2023-201, 2023-202, and 2023-203 state:

Applicants must either (i) close on the limited partnership agreement or limited liability company operating agreement, as applicable, by the closing deadlines as set forth in the Carryover Allocation Agreement; or (ii) if the Development has any HUD funding, including but not limited to rental subsidy, development funding, or insured mortgage financing, at least 90 days prior to the closing deadline set forth in the Carryover Allocation Agreement, the Applicant must submit evidence to the Corporation that the Financing Plan, Subsidy Layering Review Package, rental subsidy transfer documentation, or Firm Commitment Application, or similar necessary documentation for the application process has been submitted to HUD or the Public Housing Authority, as applicable. If the Application fails to meet these requirements and either requires a closing extension or withdraws from funding, or does not submit the required documentation outlined in (ii) above to HUD or the Public Housing Authority as applicable within the stated time frame, the Principals of the Application will be prohibited from submitting Priority 1 Applications in the Future Corresponding 2025/2026 RFA cycle, (i.e. RFA 2024 Housing Credit Financing For Affordable Housing Developments Located In Broward, Duval, Hillsborough, Orange, Palm Beach, And Pinellas Counties).

If the Development does not have any HUD funding, the Applicant must close on the limited partnership agreement or limited liability company operating agreement, as applicable, by the closing deadlines as set forth in the Carryover Allocation Agreement. For further information, within the Invitation to Enter Credit Underwriting, staff will include the deadline to close on the limited

partnership agreement or limited liability company operating agreement, as applicable and it will be set at 1 year from the date of the Invitation to Enter Credit Underwriting. If any extensions to this deadline are made, the Principals of the Application will be prohibited from submitting Priority 1 Applications in the Future Corresponding 2025/2026 RFA cycle.

RFA 2023-205 states:

(c) Reduction in number of Priority 1 Application submissions allowed in the Future Corresponding 2025/2026 RFA cycle Applicants must either (i) close on the SAIL funding by the closing deadlines as set forth in Rule Chapter 67-48, F.A.C.; or (ii) if the Development has any HUD funding, including but not limited to rental subsidy, development funding, or insured mortgage financing, the Applicant must, within 90 days of receipt of the Firm Commitment, submit evidence to the Corporation that the Financing Plan, Subsidy Layering Review Package, rental subsidy transfer documentation, or Firm Commitment Application, or similar necessary documentation for the application process has been submitted to HUD or the Public Housing Authority, as applicable. If the Application fails to meet these requirements and either requires a closing extension or withdraws from funding, or does not submit the required documentation outlined in (ii) above to HUD or the Public Housing Authority as applicable within the stated time frame, the Principals of the Application will be prohibited from submitting Priority 1 Applications in the Future Corresponding 2025/2026 RFA cycle, (i.e. RFA 2024 SAIL Financing Of Affordable Multifamily Housing Developments To Be Used In Conjunction With Tax-Exempt Bonds And Non-Competitive Housing Credits).

If the Development does not have any HUD funding, the Applicant must close on the SAIL funding within 180 Calendar Days after the required twelve-month firm loan commitment deadline from the Invitation to Enter Credit Underwriting, as set forth in Rule Chapter 67-48, F.A.C., as applicable, or by the date of the Board of Directors meeting immediately following this closing deadline. As allowed under Rule Chapter 67-48, F.A.C., the Applicant may request 1 extension to the firm loan commitment deadline of up to 6 months. While this extension request would not result in a limitation on the submission of future Priority 1 Applications, the closing of the SAIL funding must still occur within 180 Calendar Days after the required twelve-month firm loan commitment deadline from the Invitation to Enter Credit Underwriting. As allowed under Rule Chapter 67-48, F.A.C., the Applicant may request 1 extension to the loan closing deadline for a term of up to 90 Calendar Days. The request for an extension to the loan closing deadline does not in and of itself prohibit the submission of future Priority 1 Applications. However, if the SAIL funding does not close by the date of the Board of Directors meeting immediately following 180 Calendar Days after the required twelve-month firm loan commitment deadline from the date the Applicant is invited to enter credit underwriting, the reduction in number of Priority 1 Application submissions would apply to the Principals of the Applicant.

Please see the below example:

An Applicant is invited into credit underwriting on January 1, 2024. To avoid a prohibition on Priority I Application submissions in Future Corresponding 2025/2026 RFA cycle, the deadline to close on the SAIL funding would be the Board of Directors meeting immediately following July 1, 2025. The deadline of July 1, 2025 is calculated based on 180 days after the required twelve-month firm loan commitment deadline set forth in Rule Chapter 67-48, F.A.C., as applicable. If the SAIL funding does not close by the date of the Board of Directors meeting immediately following July 1,

2025 or the Applicant withdraws from funding, the Principals of the Application will be prohibited from submitting Priority 1 Applications in the Future Corresponding 2025/2026 RFA cycle.

- (a) The Applicant requested an extension of its firm loan commitment to February 1, 2025. The Applicant received its firm loan commitment on February 1, 2025 and its loan closing deadline was set 180 days later on July 31, 2025. The Applicant closed on the SAIL funding on May 1, 2025.

The Principals of the Application would not have any limitation on Priority 1 Application submissions because it closed by the closing deadline of July 1, 2025.

- (b) The Applicant requested an extension of its firm loan commitment to March 1, 2025. The Applicant received its firm loan commitment on March 1, 2025 and its loan closing deadline was set 180 days later on August 28, 2025. The Applicant closed on the SAIL funding on August 28, 2025, which is after the Board of Directors meeting immediately following the July 1, 2025 deadline.

The Principals of the Application would be prohibited from submitting Priority 1 Applications in the Future Corresponding 2025/2026 RFA cycle because it did not close by the by the closing deadline of July 1, 2025.

- (c) The Applicant completed credit underwriting and received its firm loan commitment on September 1, 2024. Based on this date, the loan closing deadline was 180 days later on February 28, 2025. The Applicant requested an extension of the loan closing deadline to June 1, 2025 and closed on the SAIL funding on June 1, 2025.

The Principals of the Application would not have any limitation on Priority 1 Application submissions because it closed on the SAIL funding by the closing deadline of July 1, 2025.

These requirements will be memorialized in the Invitation to Enter Credit Underwriting and in the firm commitment.

- 3. The Corporation has a goal to fund one Application proposing a Development that is part of a Local Government Revitalization Plan. I am inquiring what specifically qualifies as local government revitalization given different counties will label these plans differently. For example, Hillsborough County refers to "Neighborhood Strategic Revitalization Areas." Counties sometimes use "Community Redevelopment Agencies" that select neighborhoods and communities that need development, "Community Development Areas." Are these CRA's able to qualify for the Local Government Revitalization Goal?

Answer:

To qualify for the goal, the completed Florida Housing Finance Corporation Local Government Verification That Development Is Part Of A Local Revitalization Plan form (Form Rev. 08-2020) must be executed and submitted. This form outlines the minimum standards of plan that would qualify.

4. I'm writing to inquire about the LGAO goal for RFA 2023-202. My question stems from the language within the Limit on the number of Applications within the same Local Government.

Specifically, "Any single Local Government may not contribute cash loans and/or cash grants to more than one proposed Development applying for the Local Government Area of Opportunity Designation. If multiple Applications demonstrate Local Government Area of Opportunity Funding from the same Local Government and those Applications qualify for the Local Government Area of Opportunity Designation, then all such Applications will be deemed ineligible for the Local Government Area of Opportunity Designation, regardless of the amount of Local Government Area of Opportunity Funding or how the contribution is characterized."

It appears that there were three applications that qualified as an LGAO for Broward County on the "7-7-23 Previously Submitted but Unfunded LGAO Applications list" posted to the RFA Webpage. If multiple contributions from the same county will deem the applications ineligible, then how did these three applications all qualify?

Answer:

You are correct that the 3 Applications proposed Developments are located in Broward County, but the contribution that allowed them to qualify for the LGAO Goal in 2022-202 did not all come from the same Local Government. The City of Hollywood, City of Deerfield Beach, and the City of Fort Lauderdale provided these contributions.

5. It appears that Application #2023-054C Trinity Village qualified as an Local Government Area of Opportunity (LGAO) in RFA 2022-201, but is not on the "7-7-23 Previously Submitted but Unfunded LGAO Applications list" posted to the RFA Webpage. Will this list be updated?

Answer:

Yes. A new list called "8-25-23 List of Previously Submitted but Unfunded LGAO Applications" has been posted to the RFA Webpage. The only difference between this revised list and the previous list is that Trinity Village has been added. This list will be used to review qualifications for the Preference to select Applications that demonstrate continuous Local Government Area of Opportunity support outlined in Section Four, A.11.b. of RFA 2023-201.

6. On the Proforma Tab of Exhibit A, Pg. 2 starts with "Insurance" but appears to be missing soft cost line items/categories (i.e., "Architect", FHFC Fees, Civil Engineer" etc.) that would typically precede the 'Insurance' line item. Are these items no longer required to be accounted for on the Proforma?

Answer:

The line items on the pro forma have been condensed where possible. Please see Section Four, A.10.c. of the modified RFA for description of these items.

7. In the Exhibit A for RFA 2023-203, I entered a Geographic Areas of Opportunity Census Tract Number for the QAP-Designation basis boost that I know is correct, but I am getting an error message stating that it is not a GAO tract in Miami-Dade County. Can this be corrected?

Yes. A revised Exhibit A was posted on August 24, 2023 to correct this. Applicants who are applying in RFA 2023-203 and receive an error message when attempting to enter a Geographic Areas of Opportunity Census Tract Number for the QAP-Designation basis boost should use the 8-24-23 version of Exhibit A.

Please Note: The Q&A process for RFAs 2023-201, 2023-202 and 2023-203 is concluded and Florida Housing does not expect to issue any further Q&As regarding these RFAs.

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The Q and A responses are based on the information presented in the question and the terms of the RFA. The responses to the Q and A are provided as a courtesy and shall not be construed as scoring of an application. If there is any conflict between the response to a Q and A and the RFA itself, the terms of the RFA control. These Q and A responses apply solely to RFAs 2023-201, 2023-202, and 2023-203.