FLORIDA HOUSING FINANCE CORPORATION

Modification of Request for Applications (RFA) 2025-213 SAIL Funding for Live Local Mixed Income, Mixed-Use, and Urban Infill Developments

Pursuant to Rule 67-60.005, F.A.C., Modification of Terms of Competitive Solicitations, Florida Housing hereby modifies the Section Four, A. 6. c.(2)(b) of the RFA as follows:

(b) Extremely Low Income (ELI) Set-Aside Units

(i) ELI Set-Aside Unit Requirements for proposed Developments

If ~~the Average Income Test is not~~ the minimum Housing Credit set-aside commitment of 20% at 50% AMI or 40% at 60% AMI is selected~~selected~~ and ~~, unless~~ the Development does not qualify~~ies~~ for the Youth Aging Out of Foster Care Goal, the proposed Development must set aside five percent of the total units, up to a maximum of 15 total Units, for ELI Households ("ELI Set-Aside Units"). If the minimum Housing Credit set-aside commitment of 20% at 50% AMI or 40% at 60% AMI is selected and~~If~~ the Development qualifies for the Youth Aging Out of Foster Care Goal, the proposed Development must set aside ten percent of the total units (with no maximum), as ELI Set-Aside Units. The requirement to set aside units for ELI Households refers to the ELI AMI level for the county where the proposed Development is located, as outlined on the chart below. Such Applicants will be eligible for ELI funding. Unless the Development qualifies for the Youth Aging Out of Foster Care Goal, 50 percent of the ELI Set-Aside Units, rounded up, must meet the Link Unit requirements, as described below.

If the Average Income Test or the Live Local SAIL Only (no HC) is selected and the Development does not qualify ~~, unless the Development qualifies~~ for the Youth Aging Out of Foster Care Goal, the proposed Development must set aside five percent of the total units (with no maximum), as ELI Set-Aside Units. If the Average Income Test or the Live Local SAIL Only (no HC) is selected and the Development qualifies for the Youth Aging Out of Foster Care Goal, the proposed Development must set aside ten percent of the total units (with no maximum), as ELI Set-Aside Units. The ELI AMI level will be 30 percent or less, regardless of county. Applicants that commit to the Average Income Test will not be eligible for ELI funding. Unless the Development qualifies for the Youth Aging Out of Foster Care Goal, 50 percent of the ELI Set-Aside Units, rounded up, must meet the Link Unit requirements, as described below.

Pursuant to Rule 67-60.005, F.A.C., Modification of Terms of Competitive Solicitations, Florida Housing hereby modifies the Section Four, A. 10. a.(3) of the RFA as follows:

(3) Tax Exempt Bonds, if requested

(a) Corporation-Issued MMRB

State the amount of Corporation-Issued MMRB being requested. The MMRB Request amount must be in increments of $5,000. The Corporation will make any necessary adjustment by rounding up to the nearest $5,000 during credit underwriting.

There is no requirement to include any documentation regarding the MMRB in the Application. The necessary documentation that will be required after the Applicant is invited to enter credit underwriting is outlined in Exhibit D.

Note: If requesting MMRB, Applicants must also request 4% Housing Credits.

(b) ~~County HFA~~Non-Corporation-issued Tax-Exempt Bonds

(i) Provide, as **Attachment 9** to Exhibit A, a letter, executed by the chair or vice chair of the governing body, mayor, or deputy mayor, city manager or assistant city manager, county manager/administrator/coordinator or assistant county manager/administrator/coordinator, executive director or assistant executive director, or by an individual occupying a position reasonably equivalent to any of the foregoing, as applicable, of the entity issuing the Tax-Exempt Bonds, that (a) confirms that the Applicant has submitted an application for Tax-Exempt Bonds for the Development proposed in this RFA, (b) states the amount of the Applicant's Bond request, and (c) confirms that the closing on the Bonds has not occurred and will not occur prior to the Application Deadline for this RFA; and

(ii) The Applicant must include the anticipated amount of such Bond financing on the Construction/Rehab Analysis and the Permanent Analysis.

There is no requirement to include any other documentation regarding the County HFA or PHA-issued Tax-Exempt Bonds in the Application beyond what is required at **Attachment 9**. The necessary documentation will be required after the Applicant is invited to enter credit underwriting, as outlined in Exhibit D to the RFA.

Applicants are not eligible to apply for any funding offered in this RFA if the Applicant has already closed on the Tax-Exempt Bond financing prior to the Application Deadline for this RFA. As part of the Applicant's acceptance of the invitation to enter credit underwriting (i.e., the preliminary commitment), the Applicant will be required to confirm that the Bonds have not closed. In addition, Applicants must simultaneously close on all Corporation funding and, if the proposed Development is utilizing Non-Corporation-issued Tax Exempt Bonds, the Non-Corporation-issued bonds financing, or the Applicant's award will be rescinded.

Pursuant to Rule 67-60.005, F.A.C., Modification of Terms of Competitive Solicitations, Florida Housing hereby modifies Section Four, A. 10. b. of the RFA as follows:

b. Non-Corporation Funding Proposals

Unless stated otherwise within this RFA, for funding, other than Corporation funding and deferred Developer Fee, to be counted as a source on the Development Cost Pro Forma, provide documentation of all financing proposals from both the construction and the permanent lender(s), equity proposals from the syndicator, and other sources of funding. The financing proposals must state whether they are for construction financing, permanent financing, or both, and all attachments and/or exhibits referenced in the proposal must be provided as **Attachment 11*** to Exhibit A. If using bond reinvestments as a source provide a term sheet from an investment banker that includes the estimated amount.

***Attachment 10 intentionally omitted in this RFA.**

For purposes of the Application, the following will not be considered a source of financing: net operating income, capital contributions not documented in accordance with financing proposals that are not from a Regulated Mortgage Lender, fee waivers or any portion of any fees that are reimbursed by the local government. Additionally, fee waivers or any portion of any fees that are reimbursed by the local government cannot be considered as Development costs.

(1) Financing Proposal

Financing proposal documentation, regardless of whether the documentation is in the form of a commitment, proposal, term sheet, or letter of intent, must meet the following criteria.

Each financing proposal shall contain:

- Amount of the construction loan, if applicable;
- Amount of the permanent loan, if applicable;
- Specific reference to the Applicant as the borrower or direct recipient; and
- Signature of lender.

Note: If using bond reinvestments as a source, provide an executed term sheet from an investment banker that meets the requirements noted above, as applicable, and includes the estimated amount of the reinvestment earnings. Demonstration of the ability to fund would not be applicable for this source.

Note: Eligible Local Government financial commitments (i.e., grants and loans) can be considered a source of financing without meeting the requirements above if the Applicant provides the properly completed and executed Local Government Verification of Contribution Form (Form 03-2025), completes the Grant or Loan contribution portions of the chart on the form, dates the form within 12 months of the Application Deadline, and such grant and/or loan is effective at least through June 30, 2026. The Local Government contribution forms (Form 03-2025) are available on the RFA Webpage.

Note: In this RFA, the face amount of the contribution may be entered as a source on the Development Cost Pro Forma.

(2) Financing that has closed:

(a) For any financing other than Tax-Exempt Bond financing*, if the financing has closed in the Applicant's name, provide a letter from the lender acknowledging that the loan has closed. The letter must also include the following information:

- Amount of the construction loan, if applicable;
- Amount of the permanent loan, if applicable; and
- Specific reference to the Applicant as the borrower/direct recipient/mortgagee.

*As stated in Section One and Section Four A.10.a. of the RFA, Applicants are not eligible to apply for any funding offered in this RFA if the Applicant has already closed on the Tax-Exempt Bond financing prior to the Application Deadline for this RFA. As part of the Applicant's acceptance of the invitation to enter credit underwriting (i.e., the preliminary commitment), the Applicant will be required to confirm that the Bonds have not closed. In addition, Applicants must simultaneously close on all Corporation funding and, if the proposed Development is utilizing Non-Corporation-issued Tax Exempt Bonds, the Non-Corporation-issued bonds financing, or the Applicant's award will be rescinded.

(b) Except for HUD and RD funding, if the financing involves an assumption of debt not currently in the Applicant's name, as evidence that the lender approves of the proposal of assumption, provide a letter from the lender, dated within six months of the Application Deadline, that includes the following information:

- Specifically references the Applicant as the assuming party;
- If a permanent loan, states the amount to be assumed; and
- If a construction loan, states the maximum amount of funding capacity.

If the debt being assumed is provided by HUD, provide a letter from HUD, dated within six months of the Application Deadline, confirming the funding source. The letter must include the following information:

- Name of existing development;
- Name of proposed Development;
- Loan balance;
- Acknowledgment that property is applying for Housing Credits, if applicable; and
- Applicable HUD program.

If the debt being assumed is provided by RD, the Applicant is only required to provide the information described in Item 10.b.(1)(b) above.

(3) If the financing proposal is not from a Regulated Mortgage Lender in the business of making loans or a governmental entity, evidence of ability to fund must be provided, with one exception. Applicants that qualify as Tier 1 Applications will be required to

provide the evidence of ability to fund that source of financing during credit underwriting. If Tier 1 Applications include any other financing proposal that is not from a Regulated Mortgage Lender in the business of making loans or a governmental entity, evidence of ability to fund must be provided.

Evidence of ability to fund includes: (i) a copy of the lender's most current audited financial statements no more than 17 months old; or (ii) if the loan has already been funded, a copy of the note and recorded mortgage. The age of all financial statements is as of the Application Deadline. In evaluating ability to fund, the Corporation will consider the entity's unrestricted current assets typically used in the normal course of business. Assets considered restricted include, but are not limited to, pension funds, rental security deposits, and sinking funds. Financing proposals from lenders who cannot demonstrate ability to fund will not count as a source of financing. Financial statements must be included in the Application. Note: This provision does not apply to deferred Developer Fee.

In the case where the seller (or lessor) of the Development's property is providing a seller's or lessor's note (purchase money mortgage or equivalent) to help finance the Applicant's acquisition of the property, evidence of its ability to fund the amount of the note is not needed so long as the Application includes a letter from the seller or lessor that meets the financing proposal criteria outlined in (2)(a) above and the amount of the note is equal to or less than the purchase price of the property.

(4) If a financing proposal shows an amount less than the corresponding line item on the Development Cost Pro Forma, only the financing proposal amount will be considered as a funding source. However, if a financing proposal shows an amount greater than the corresponding line item on the Development Cost Pro Forma, up to the total amount of the financing proposal amount may be utilized as a funding source, if needed.

(5) The loan amount may be conditioned upon an appraisal or debt service coverage ratio or any other typical due diligence required during credit underwriting.

(6) Financing proposals may be conditioned upon the Applicant receiving the funding from the Corporation for which it is applying.

(7) If a financing proposal has a provision for holding back funds until certain conditions are met, the amount of the hold-back will not be counted as a source of construction financing unless it can be determined that the conditions for the release of the hold-back can be met prior to or simultaneous with the closing of the Development's permanent financing.

(8) Grant funds are contributions to the Development, other than equity, which carry no repayment provision or interest rate. A commitment for grant funds will be considered a commitment if the commitment is properly executed and, if applicable, evidence of ability to fund is provided.

(9) Demonstration of permanent source(s) of financing from Self-Sourced Applicants

All Self-Sourced Applicants must include the Self-Sourced Financing Commitment Verification form (Rev. 08-2025) as **Attachment 11** demonstrating self-sourced financing on the form in an amount that is at least half of the Applicant's eligible SAIL Base Request Amount (excluding the ELI Funding) or $1,500,000, whichever is greater.

During credit underwriting, the self-sourced financing must demonstrate evidence of ability to fund the amount stated on the Self-Sourced Financing Commitment Verification form as described in (c) above.

Deferred Developer Fee cannot be used to qualify as a self-sourced funding source for Self-Sourced Applicant.

Self-sourced financing will be funded and dispersed pro rata along with SAIL funding. The self-sourced financing must be subordinate to the SAIL loan. For example: The Self-Sourced Applicant demonstrates the ability to fund a subordinate bond purchase (e.g., a Tranche B loan, subordinate to all other financing). Self-Sourced permanent financing sources must be identified on the Development Cost Pro Forma and labeled as either "Self-Sourced: Bond-Financing" or "Self-Sourced: Non-Bond-Financing" using the drop-down option available. Self-Sourced financing proposals must be provided in **Attachment 11,** in accordance with the requirements of subsection (c), above.

Pursuant to Rule 67-60.005, F.A.C., Modification of Terms of Competitive Solicitations, Florida Housing hereby modifies the Exhibit B of the RFA as follows:

"Mixed-Use Development in Operation"	A Development used for Developer Experience and Management Company Experience that contains (1) a residential component (inclusive of residential units, common area and ancillary residential uses) and (2) a non-residential component that meets the definition of Mixed-Use Commercial Space and/or Mixed-Use Institutional Space that is built out, occupied and has been in operation continuously since a date that is at least six months prior to the Application Deadline for this RFA, and also meets the following requirements: • The Mixed-Use Commercial Space and/or Mixed-Use Institutional Space does not include uses that are accessory, ancillary, or incidental to the residential component, or allowed only on a temporary basis. Additionally, common areas such as clubhouses, leasing offices, computer labs, tennis courts, swimming pools, and playgrounds, or services/products required by the RFA, irrespective of how they are operated, do not qualify. • The Mixed-Use Commercial Space and/or Mixed-Use Institutional Space must consist of (1) for Developments with a residential component consisting of net rentable area of 300,000 square feet or less, the greater of 5% of the net rentable area of the residential component (not inclusive of parking garage area) or 1,500 square feet or (2) for Developments with a residential component consisting of net rentable area over 300,000 square feet, a minimum of 15,000 square feet.

	• The Mixed-Use Commercial Space and/or Mixed-Use Institutional Space cannot be used by an entity that is an Affiliate of any Principal of the Applicant or Developer.

Pursuant to Rule 67-60.005, F.A.C., Modification of Terms of Competitive Solicitations, Florida Housing hereby modifies Item 4.b(2) the Exhibit H of the RFA as follows:

(2) Applications that decline an offer of award

If an Applicant is offered an award of full funding for an Application on the Ranked Waiting List, and the Applicant declines the offer for any reason, that Application will be removed from the Ranked Waiting List and will not be offered additional Returned Funding for this RFA. There are no exceptions to this. This is not considered a withdrawal of funding as described in Section Four, A.3.d. of the RFA.

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