



May 4, 2020

Mr. Trey Price and Ms. Marisa Button
Florida Housing Finance Corporation
227 N. Bronough Street, Suite 5000
Tallahassee, FL 32301

RE: Bus Stop Definition in the 2020 Housing Credit Financing RFA For Affordable Housing Developments Located In Medium and Small Counties – 2020/2021 RFA General Process

Dear Mr. Price and Ms. Button,

The Agenda provided for the March 5, 2020 RFA Funding Cycle Workshop included some proposed changes to definitions of existing services for Proximity points. The Agenda suggests that the Public Bus Stop definition that was first introduced last year in the 2019/2020 RFA Cycle (New Definition) will be maintained going forward in the 2020/2021 RFA Cycle. The definition it replaced is included below for reference (Old Definition).

New Definition (2019/2020 RFA Cycle)

*"A fixed location at which passengers may access one or two routes of public transportation via buses. The Public Bus Stop must service at least one bus route with the following number of scheduled stops within at **24 hour period** Monday through Friday, excluding holidays, on a year-round basis:*

*Small and Medium Counties: **12 scheduled stops**"*

Old Definition (2018/2019 RFA Cycle)

*A fixed location at which passengers may access one or two routes of public transportation via buses. The Public Bus Stop must service at least one bus route with scheduled stops 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. 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.*

We believe that using only the New Definition for Medium and Small Counties would be detrimental to the Corporation's housing goals. Below are some of the considerations and solutions that would lead to a more comprehensive definition that would better serve sites in these counties and still align with the initial intent that led to the definition change last year:

CONSIDERATIONS:

1. **Proposed Corporation Objective/Intent for Definition B implementation.** For many years the Old Definition proved problematic in spurring litigation. Although based on a logical and practical set of guidelines for the future residents of these developments, the technicality and extent to which a bus stop met the definition was problematic for many years. The New Definition was partly an attempt to minimize the amount of resources and efforts spent in litigation by providing a more general definition.



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2. ***Recent Interpretation Changes Affecting Public Bus Stop Definition.*** The Corporation has recently started to consistently interpret the “hourly” requirement in the Old Definition to mean one scheduled stop in the first hour and one scheduled stop in the second hour of each of the two hour windows specified in the RFA, regardless of how far apart in time the two stops occur. This clarification in recent litigation transcripts will lessen the litigation volume mentioned previously.

 3. ***Medium and Small counties can vary highly in levels of public transportation access,*** especially in satellite cities that serve the major metropolitan and employment centers. These areas are home to many who commute to the bigger cities and, as such, they are still in great need of affordable housing with the demand and market to support new units. In many cases, these smaller cities have responded to the residents’ commuting needs by specifically providing public bus routes that have stops scheduled around the commuting times. Despite lacking the resources and infrastructure to provide a large quantity of stops that would satisfy the New Definition, they focus on providing a limited amount of quality stops that would satisfy the Old Definition.

SOLUTION:

Incorporating both definitions as alternatives to allow flexibility for the diverse urban landscapes found in Medium and Small Counties. Since the Old Definition has now been given a more defined interpretation and set of guidelines, the Corporation’s concerns about litigation volume no longer come into play. We understand that the New Definition was also drafted in response to comments from Applicants, and that is why we propose to allow **both** definitions to be used in order to better capture and respond to the housing needs in these counties.

Respectfully submitted,

Housing Trust Group, LLC,
a Florida limited liability company



Matthew Rieger, Manager