

Florida Housing Finance Corporation
RFA 2021-101 Elderly Housing Community Loan
Registration for Workshop is required. Registration information is available on RFA Webpage¹

Overview

- A. Introductions
- B. Purpose of RFA

This Request for Applications (RFA) is open to Applicants proposing the rehabilitation of affordable, multifamily housing utilizing Elderly Housing Community Loan (EHCL) funding established under Section 420.5087(3)(e), F.S. Funding under this RFA must be used to provide for life-safety, building preservation, health, sanitation, or security-related repairs or improvements to Developments currently serving Elderly residents as defined in 420.503(15), F.S.

Eligible activities are limited to life-safety, health, sanitation, or security-related repairs or improvements which result in making the Development safe and secure, and meeting the requirements of state, federal, or local regulations. These activities may include, but are not limited to, the following:

Emergency generator system; sprinkler system; emergency alert or call system; rewiring of fire safety and/or sprinkler system; new or update of fire alarms; new or update of smoke detectors or smoke detection systems; security surveillance system; enhanced lighting; roof replacement or repair; plumbing replacement or repair; HVAC replacement or repair; improvement or project access to handicapped persons; repair or improvement to large boiler and chiller water systems; closed circuit security t.v. system; intercom system; installation of interior and/or exterior locks; regulatory federal, state, or local required repairs and/or improvements; security card access systems; fencing; exterior waterproofing of building; automated and/or remote activated entrance and/or exit door latch systems.

New! - The SAIL funding offered in this RFA may also be used in conjunction with Tax-Exempt Bonds and Non-Competitive Housing Credits. The Tax-Exempt Bonds may be obtained through the Corporation, a Public Housing Authority (established under Chapter 421, F.S.), a County Housing Finance Authority (established pursuant to Section 159.604, F.S.), or a Local Government. All Applicants that wish to use non-Corporation Tax-Exempt Bonds and 4% Non-Competitive Housing Credits will be required to have applied for the Tax-Exempt Bond financing prior to the Application Deadline in this RFA. All Applicants that wish to use 4% Non-Competitive Housing Credits with Corporation-issued MMRB must submit to the Corporation the Non-Competitive Application with the applicable Application fee within 21 Calendar Days after the date the Applicant enters credit underwriting for this RFA. Proposed Developments where the Applicant has already closed on the Tax-Exempt Bond financing are not eligible to receive funding under this RFA.

Funding available

\$2,521,500 (estimated) of EHCL funding comprised of a portion of the State Apartment Incentive Loan (SAIL) funding appropriated by the 2021 Florida Legislature.

Outline of RFA

- A. Section One – Introduction

¹ References to the RFA Webpage refer to <https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2021/2021-101> which can be accessed [here](#).

B. Section Two – Definitions

Exhibit B of the RFA and Rules, which are posted on the RFA Webpage.

C. Section Three –RFA Procedures and Provisions, including Submission Requirements

1. Electronic submission

The Application Package will continue to be electronically uploaded. There is no longer a requirement for a hard copy. The Application Fee of \$500 may be submitted via check or wire. The instructions for submitting this are outlined in Section Three.

To ensure that the Application Fee is processed for the correct online Application, the following is ***strongly recommended***: (i) provide the Application Fee at least 48 hours prior to the Application Deadline; (ii) whether paying by check, money order, ACH or wire transfer, include the Development Name, RFA number with the payment; and (iii) if paying by wire, include the Federal Reference Number, or if paying by ACH, include the Trace Number at question B.1 of Exhibit A.

2. If the Attachment document is bookmarked, the Application will be awarded 5 points.

Instructions for adding bookmarks to pdf documents prior to uploading the Application can be found on the RFA Webpage. Acrobat Standard DC or Acrobat Pro DC are the programs required to create bookmarks.

D. Section Four of the RFA outlines instructions for completing Exhibit A

1. Include the Applicant Certification and Acknowledgement form, executed by the Authorized Principal Representative, to indicate the Applicant’s certification and acknowledgement of the provisions and requirements of the RFA.

2. Demographic Commitment

The Applicant irrevocably commits to provide housing to Elderly residents as defined in 420.503(15), F.S.

3. Applicant/Contact Person

a. Applicant

(1) State the name of the Applicant.

(2) Evidence that Applicant is legally formed entity

(3) If applying as a Non-Profit, the Applicant must meet the definition of a Non-Profit as set out in Rule 67-48, F.A.C., and provide documents outlined in RFA.

b. List of Applicant Principals

(1) Eligibility

The Principals Disclosure Form must identify the Principals of the Applicant, pursuant to the RFA, as of the Application Deadline. The Corporation provided charts and examples in Item 1 of Exhibit C to assist the Applicant in providing the required list identifying the Principals for the

Applicant. Additionally, the Principals of the Applicant and Developer(s) Disclosure Form, (Rev 05-2019) form used in other RFAs and stamped "Approved" will also meet this eligibility requirement.

Note: For purposes of this RFA, only disclosure of the Principals of the Applicant is required and, due to circumstances unique to the EHCL Program, the Corporation will not require disclosure of natural person Principals by the third Principal disclosure level. However, if the Applicant intends to also apply for 4% Non-Competitive Housing Credits with or without Corporation-Issued MMRB through the Corporation's Non-Competitive Application process found on the webpage <https://www.floridahousing.org/programs/developers-multifamily-programs/non-competitive> (also available by clicking here), the Principals Disclosure for the Applicant and for each Developer requirements of that Application process must be met with the submission of the Non-Competitive Application, which is due no later than 21 days following the invitation to enter credit underwriting for the EHCL funding.

(2) Advance Review of List of Applicant Principals (5 points)

Applicants will receive 5 points if the List of Applicant Principals was 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.

The Advance Review Process for Disclosure of Applicant Principals is available on the RFA Webpage.

c. Authorized Principal Representative / Operational Contact Person

The Authorized Principal Representative identified in the Application MUST be a Principal of the Applicant and MUST sign the Applicant Certification and Acknowledgement form. The Operational Contact Person is optional.

4. General Proposed Development Information

a. Development Name

b. Development Category

Funding under this RFA must be used to provide for life-safety, building preservation, health, sanitation, or security-related rehabilitation, repairs, or improvements.

c. Development Type (i.e., Garden, Duplexes, Quadraplexes, Mid-Rise (4, 5 or 6 stories), or High Rise (7 or more stories)).

5. Location

a. County

The selection process will begin first with Applications in Small Counties, followed by those in Medium Counties, and then followed by those in Large Counties. Counties and the corresponding County sizes can be found in Section Four, A.5.a. of the RFA.

b. Provide the address

c. Latitude and Longitude Coordinates

Provide the latitude and longitude coordinates of one point located anywhere on each site. The coordinates should be stated in decimal degrees and rounded to at least the sixth decimal place.

Note: 30.443900, -84.283960 is an example of decimal degrees format, represented to six decimal places.

6. Number of Buildings and Units

a. State the number of units

- b. Confirm, as of Application Deadline, that at least 90 percent of the units are currently occupied. During credit underwriting, the Applicant will be required to provide the current rent-roll for the Development verifying that, as of Application Deadline, the Development is at least 90 percent occupied.

If temporary relocation of existing tenants will be required, the Applicant will be required to provide the Credit Underwriter with a plan for relocation of existing tenants. The plan and timeline will be due as outlined in Exhibit D and must be approved by the Corporation.

- c. Provide the age of the Development in the form of recorded legal documents, tax collection records, certificates of occupancy, property appraiser records, or other official documents confirming the age of the Development.

To be eligible for funding, Developments must have been completed prior to January 1, 2006. During the funding selection process, preference will be given to Developments completed prior to January 1, 2001.

d. Previous Underwriting

Indicate whether the proposed Development is currently being underwritten or has been underwritten previously by any Credit Underwriter under contract with the Corporation and, if known, identify the name of the Credit Underwriter

e. Set-Aside Commitments

If the Applicant intends to also apply for 4% Non-Competitive Housing Credits with or without Corporation-Issued MMRB through the Corporation's Non-Competitive Application process found on the webpage <https://www.floridahousing.org/programs/developers-multifamily-programs/non-competitive> (also available by clicking [here](#)), the Set-Aside commitment requirements of that Application process must be met with the submission of the Non-Competitive Application, which is due no later than 21 days following the invitation to enter credit underwriting for the EHCL funding.

(1) Resident Income Set-Aside Requirement

Set-aside at least 20 percent of the total units at or below 50 percent of the area median income (AMI).

(2) ELI Set-Aside Commitment

Applicants may elect to set aside units for ELI Households; however, the Applicant may not commit to an ELI Set-Aside exceeding 25 percent of the total units.

The Corporation shall forgive indebtedness for the share of the EHCL loan attributable to the units in a project reserved for Extremely Low-Income (ELI) residents for eligible Non-Profit organizations as defined in s.420.004(5), F.S.

- f. Complete the Unit Mix chart listing the total number of bedrooms per unit, the total number of bathrooms per unit (including half-baths, if applicable), the total number of units per bedroom type.
- g. Number of residential buildings must be provided.
- h. Compliance Period

All Applicants are required to set aside the units for a minimum length of 15 years.

Applicants intending to apply for Non-Competitive funding through the Non-Competitive Application process should note that the minimum length of the Compliance Period in that Application process is 30 years.

Note: Set aside the units for a minimum length of the greater of 15 years or the remaining term of any existing Corporation-issued LURA and/or EUA issued on any portion of the Development site. All restrictive covenants associated with any existing Corporation-issued LURA and/or EUA will remain in effect.

7. First Mortgagee Certification

a. Requirement

If there is an existing first mortgage on the Development, the Applicant must include evidence that the first mortgagee has reviewed and approved the Applicant's intent to apply for EHCL funding. As evidence of such, the Applicant must utilize the First Mortgagee Certification form (Rev. 11-2018).

b. Funding Preference for Existing Financing through a Mortgage Loan Made or Insured by HUD

During the funding selection process, preference will be given to Developments with an existing Department of Housing and Urban Development (HUD) mortgage. To qualify, a letter from HUD must be provided, which includes the name of the Development, HUD program, number of units, and year built. In addition, the First Mortgagee Certification form must be provided.

8. Funding

a. Corporation Funding

(1) State the amount of EHCL funding it is requesting.

The Maximum eligible EHCL Request Amount is limited to \$750,000 per Development.

The EHCL loan shall be non-amortizing and shall have an interest rate of 1 percent.

(2) Previous Corporation Funding

If applicable, list previous Corporation funding sources with the Corporation file number, source of funding, and amount of funding in Exhibit A.

(3) Previous EHCL Funding

Indicate whether the Development has received previous EHCL funding and/or other Corporation funding. During the funding selection process, preference will be given to Applications for Developments that have not been previously funded through the EHCL program.

(4) Non-Competitive Application Process

Applicants that also apply for non-competitive funding for the proposed Development in addition to the EHCL funding in this RFA will have additional requirements. These requirements include, but are not limited to, the following:

- Submission of the Principals of the Applicant and Developer(s) Disclosure Form, (Rev 05-2019) form
- Qualifications of the Development Category of Rehabilitation or Preservation outlined in the Non-Competitive Application
- Number of unit maximums
- Set-Aside requirements specific to the applicable type(s) of funding that is the subject of the Non-Competitive Application
- Features and Amenities
- Depending on the source of the tax-exempt bond funding, a certain number of additional Resident Programs for Elderly, Assisted Living Facility (ALF) or Non-ALF, may also be required, as applicable
- All fees including an additional Application Fee
- Submission of the Applicant Certification and Acknowledgement Form
- Credit Underwriting process outlined in the Non-Competitive Application
- Provisions of Rule Chapter 67-21, F.A.C.

b. Required Applicant Match Funding

To be eligible for funding, commit to match at least five percent of the Applicant's Eligible EHCL Request Amount.

Match funds must be from cash loans, cash grants and/or cash on hand from local or other non-Corporation sources. In-kind donations or any other donation of property or assets as well as any waiver of fees will not be considered as a cost, source of funding, or a part of Match Funding.

c. Provide the Development Cost Pro Forma

d. Scope of Work

Provide the estimated expenses and the proposed scope of work

e. Applicant Overhead

Applicant Overhead is limited to 10 percent of Development Cost. Applicant Overhead will be inclusive of any consulting fee or Developer fee paid by the Applicant to a Developer. Any Developer

fee shall be part of the Applicant Overhead and shall not be listed as a separate line item on the Development Cost Pro Forma.

D. Funding Selection Process

1. Sorting Order

The highest scoring 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:

- a. Applications that have not been previously funded through the EHCL Program will be listed above Applications that have previously received funding through the EHCL Program
- b. Applications for Developments that were completed prior to January 1, 2001 will be listed above Applications for Developments completed since January 1, 2001
- c. Applications for Developments with existing financing through a HUD program will be listed above Applications for Developments that do not have existing HUD financing
- d. Florida Job Creation Funding Preference
- e. Lottery number

2. Selection Process

The selection process will begin first with Applications in Small Counties, followed by those in Medium Counties, and then followed by those in Large Counties, as outlined in Section Five of the RFA.

E. Credit Underwriting Process

F. Exhibits to RFA

1. Exhibit A – Application
2. Exhibit B – Definitions used in RFA that are not defined in Rule
3. Exhibit C – Additional Information
 - a. Information and examples about the List of Applicant Principals
 - b. Florida Job Creation Funding Preference
 - c. Fees
 - d. Additional Requirements
4. Exhibit D – Timeline

G. Other Important Information

1. Public comment link on each RFA Webpage for viewing and submitting public comments
2. Question and Answers process outlined in Section Three, D. of the RFA

3. Expected Timeline

Issue RFA:

November 2, 2021

RFA Due Date:

December 7, 2021

Review Committee Meeting (make recommendations to Board)

early January 2022

Request Board Approval of Recommendations

first Board Meeting of 2022

H. Other Discussion Topics