

Subject: Comments regarding RFA 2024-214 Live Local SAIL Financing for Developing and Reconstructing Affordable Multifamily Housing

Jean/Melissa/Marisa:

We are concerned about the unintended consequences of what I highlighted below in the following two definitions of the proposed RFA:

1. Occupied Development: An affordable multifamily development that, as of the Application Deadline, meets the following: (a) the development is at least 30 years old; and (b) the development is at least 75% occupied as of the Application Deadline or is a development owned by a Public Housing Authority that was 75% occupied within the last 12 months, but, as of the Application Deadline, has a lower occupancy rate because the former residents were relocated based on the Uniform Relocation Act.
2. New Development: An affordable multifamily Development that will be constructed within the same county and within 1.5 miles of the Occupied Development and with at least as many units as the Occupied Development. The existence and demolition of non-residential buildings on the site of the New Development is allowed. Additionally, the existence and demolition of residential buildings on the site of the New Development is allowed if all residential units within those buildings have been vacant for at least 24 months prior to the Application Deadline.

We understand the reasoning for why those conditions are part of those definitions is to try to tie this RFA to HUD programs like Choice, etc. But those HUD programs are not exactly what the Florida legislator had in mind at the creation of the Live Local allocations, because those serve a different need. Also:

1. It will be difficult to prove with certainty the occupancy percentage of an Occupied Development at a given time, especially if it's a non-regulated or non-restricted development.
2. It will be difficult to prove with certainty the occupancy status 2 years ago, especially if it's a non-regulated or non-restricted development...

Moreover, when having a Housing Authority Occupied or vacant site for the New Construction, FHFC should be trusting the process under HUD's guidelines. The Live Local Act does not require any occupancy of the occupied site, and does not require for the new construction site to be vacant.

We suggest the following changes to the definitions:

1. Occupied Development - An affordable multifamily development that, as of the Application Deadline, meets the following: (a) the development is at least 30 years old; and (b) the development is at least 75% occupied as of the Application Deadline or is a development owned by a Public Housing Authority that was 75% occupied within the last 12 months, but, as of the Application Deadline, has a lower occupancy rate because the former residents were relocated based on the Uniform Relocation Act that can demonstrate a relocation plan that guarantees all of the relocated residents the right to return or requires the relocated residents permanent relocation assistance under the Uniform Relocation Act.
2. New Development: An affordable multifamily Development that will be constructed within the same county and within 1.5 miles of the Occupied Development and with at least as many units as the Occupied Development. The existence and demolition of non-residential

buildings on the site of the New Development is allowed. Additionally, the existence and demolition of residential buildings on the site of the New Development is allowed if all residential units within those buildings have been vacant for at least 24 months prior to by the Application Deadline; or when the site is owned by a Public Housing Authority, then the Applicant shall provide proof of submittal of relocation plan to HUD within 21 days after invitation to underwrite and have a relocation plan approved by HUD by closing.

Thanks for your consideration!

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