

CARLISLE PROPERTY MANAGEMENT, INC.
CARLISLE BUILDERS, INC.

PECEIVED

2002 AUG - 6 AM 8: 4:2

1. MARKET CORPORATION

August 5, 2002

#### **VIA FEDERAL EXPRESS**

Ms. Kerey Carpenter
Deputy Development Officer
Florida Housing Finance Corporation
Suite5000
227 North Bronough Street
Tallahassee, FL 32301

RE:

Submission of Appeal

Sonrise Villas; 2002-020CS

Dear Ms. Carpenter:

In accordance with the instructions contained in your July 22, 2002, memorandum, I am enclosing the following:

- 1. Completed and executed Election of Rights
- 2. Petition of Hearing Pursuant to Section 120.57(2), F.S.
- 3. Copy of the "notice of agency action" as required by Rule 28-106.301(3), F.A.C.

As you will see when you read the petition, this one is simple—just a matter of one of the cures having been overlooked during Florida Housing's review.

Thank you for your kind attention to this petition.

Lloyd Boggio

President, TCG Sonrise, Inc.

Managing Member Sonrise Villas, LLC.

### Petition for Hearing Pursuant to Section 120.57(2), Florida Statutes

Florida Housing Finance Corporation

227 North Bronough Street, Suite 5000

Tallahassee, FL 32301

RE:

2002-020CS, Sonrise Villas

#### Petitioner:

Sonrise Villas, LLC, Applicant

By its Managing Member, TCG Sonrise, Inc.

Lloyd J. Boggio, President, TCG Sonrise, Inc.

2937 SW 27th Avenue, Suite 303

Miami, FL 33133

305-476-8118

# Explanation of How the Petitioner's Substantial Interests Will Be Affected by the Agency's Determination:

The Applicant is seeking funding from the 2002 Universal Cycle specifically from both the SAIL and Housing Credits Programs. Funds are awarded based on a highly competitive scoring system. Applicant needs to obtain the highest possible score to insure successful competition for the funds.

#### When and How the Petitioner Received Notice of the Agency Decision:

The Applicant was notified of its final scores by memorandum dated July 22, 2002, from Kerey Carpenter, Deputy Development Officer. The memorandum and scoring summary were received via Federal Express on July 23, 2002.

Statement of Facts Alleged Including Specific Facts the Petitioner Contends

Warrant Reversal or Modification of the Agency's Proposed Action:

In accordance with the provisions of Rule 67-48.004, F.A.C., the Applicant timely submitted cure documentation relative to Exhibits 31, 33, and 37. At issue here is Exhibit 37. Although the cure documentation was properly submitted along with the properly executed Exhibit 37, Florida Housing did not award the Applicant the additional one point for Item 12S, Part IV, subsection b. Attached for ready reference is a copy of what was timely submitted to Florida Housing Finance Corporation on June 26, 2002 via UPS Next Day Air service. All other documentation submitted as part of the cure package was addressed by Florida Housing and the results were reflected on the 2002 Universal Scoring Summary. Therefore, it seems probable that the cure to Exhibit 37 was simply overlooked.

Statement of the Specific Rules or Statutes the Petitioner Contends Require Reversal or Modification of the Agency's Proposed Action:

Rule 67-48.004(6), F.A.C., provides the opportunity to submit additional documentation to address an issue that results in a score less than the maximum available. The additional documentation was timely submitted and in the proper format.

## Statement of the Relief Sought by the Petitioner:

Applicant requests that its application be awarded an additional one point for the proper cure of the Exhibit 37 deficiency. This would result in a total score of 71 points for the Sonrise Villas, LLC application #2002-020CS.

#### Submitted by:

Sonrise Villas, LLC, Applicant

By its Managing Member, TCG Sonrise, Inc.

Lloyd J. Boggio, President, TCG Sonrise, Inc.

## 2002 CURE FORM

# (Submit a SEPARATE form for EACH reason relative to EACH Application Part, Section, Subsection and Exhibit)

This	s cure form is being submitted	with regard to Applica	tion No. 2002-020	CS and pertains
Part	IV Section Subsection	ı <u>b</u> Exhibit No. <u>37</u> (if app	olicable)	
	attached information is submine Rental Scoring Summary b	-	2002 Universal Sco	oring Summary or
	, ,	ilure to achieve tie-b	reaker points selec	eted, and/or failure to
!		2002 Universal or	Created by:	
1		HOME Rental Scoring Summary	Preliminary Scoring	NOPSE
	Reason Score Not Maxed	Item No. <u>12</u> S	$\boxtimes$	
	Reason Threshold Failed	Item NoT		
	Reason for Failure to Achieve Proximity Tie- Breaker Points Selected (Universal	Item NoP		·
	Application Only)			
OR				
☐ II. Other changes are necessary to keep the Application consistent:				
	This revision or addition from a "cure" to <b>Part</b> _ applicable).			•



# LOCAL GOVERNMENT VERIFICATION OF AFFORDABLE HOUSING INCENTIVES CONTRIBUTIONS TO AFFORDABLE HOUSING PROFERTIES OR DEVELOPMENTS

Name of Applicant: Sourise Villas, LLC
Name of Development: Sourise Villas
Address: New York Avenue Fellamere, FL 32948
Name of City or County Government: Indian River County

The referenced local government has an on-going and current process for providing contributions to affordable housing properties or developments.

#### CERTIFICATION

I certify that the above information is true and correct.

James H. Chandler

Print or Type Name

County Administrator Print or Type Tide

This certification smet he signed by the Mayor, City Manager, County Manager/Administrator/Comfinator, or Chairperson of the Charles County Commission or Chairperson of the Board of County Commissionors. Other

Chairperson of the Chy Council/Commission or Chairperson of the Board of County Commissioners. Other signatories are not acceptable. Ecro points will be awarded. Signatory must be a representative of the local government that has enacted the incentive. For purposes of this form only, if a Dovelogenest is located within a musicipality but the incentive is not available in the city, Applicant stay use county incentive. For example, if a Dovelogenest is located in a town which does not have impact fee requirements but the county has rack requirements and they have a reduction or waiver of these fore for affordable housing, the Applicant may submit a property example. Local Government Varification of Affordable Housing Incentives Form from the county.

The Applicant will not receive credit for this incentive if the certification contains corrections or 'white-out'. If the certification is scanned, imaged, altered, or retyped, the Application will fall threshold and will be rejected assumationly. The certification may be phonocopied.

\*\*\*\*\*\*\*

# Brief Statement of Explanation for Cure For Application 2002- <u>020CS</u>

## Provide a separate brief statement for each Cure.

FHFC's Preliminary Score revealed that the Applicant, Sonrise Villas, LLC, neglected to					
submit a properly completed and executed Local Government Verification of Affordable					
Housing Incentives, Contributions to Affordable Housing Properties or Developments form, as					
required to obtain maximum points behind Exhibit 37. Sonvise Villas, LLC is providing a					
"revised" properly completed and executed Local Government Verification of Affordable					
Housing Incentives, Contributions to Affordable Housing Properties or Developments to					
include the signature of Mr. James E. Chandler, County Administrator, in order to cure the					
Preliminary Scoring Item # 12S, Part IV, Subsection b, Incentives.					
· ·					