

PETITION FOR RULE WAIVER

2005-004VW

Petitioner:

Florida Low Income Housing Associates, Inc.
701 White Blvd
Inverness, Florida 34453
352-726-1113

Respondent:

Florida Housing Finance Corporation
227 N. Bronough Street
Tallahassee, Florida 32301

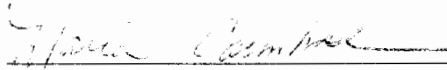
- A. Wherefore the Petitioner respectfully request that the respondent waive Rule 67-50.001(6) for Citrus County Scattered Sites III (HH03-029).
1. Florida Housing Finance Corporation Rule 67-50.001(6) herein (the Rule) States "Application" means the completed forms from the Application Package together with all exhibits submitted to the corporation in order To apply for either HAP or HOME Loan funds, in accordance with the Rule Chapter and the application Package instructions, which is adopted and incorporated herein by reference.
 2. As part of the Rule, Exhibit 21 Verification of Availability of Infrastructure For Roads states the following:
"Existing **paved** (emphasis added by Petitioner) roads provide access to the proposed Development or **paved** (emphasis added by Petitioner) roads will be constructed as part of the proposed development."
 3. Walt Eastman, Engineering Project Manager for Citrus County executed The form on March 23, 2004.
 4. Whereas there are lots within the scope if the application located in Citrus County owned and maintained roads that are not paved.
 5. Whereas the application of the Rule will cause Petitioner to suffer a substantial hardship in the following manner:
 - a) Income eligible families have qualified for participation in the HOME program and have permanent financing approved by local lenders subject to HOME Down Payment Assistance.
 - b) The Petitioner has purchased the building lots, paid for all pre-construction expenses and will suffer severe financial loss.
 - c) The Petitioner has included lots within the application that will be affected by the Rule.
 6. Whereas, the requested waiver shall be permanent.

B. WHEREFORE, the Petitioner respectfully requests that the Respondent waive the subsection of the Florida Housing Finance Corporation Rule 67-50.001(6) for Citrus County Scattered Sites III development as set forth below.

1. Florida Housing Finance HOME Homeownership Rule 67-50.001(6) herein (the Rule) states Application means the completed forms from the application Package together with all exhibits submitted to the corporation in order to apply for either HAP or HOME Loan funds, in accordance with the Rule Chapter and the application Package instructions, which is adopted and incorporated herein by reference.
2. Whereas the Petitioner was awarded a HOME loan in the amount of \$738,750.00, during the 2003-2004 Supplemental Cycle of the Homeownership Loan Program competitive Application Cycle for Citrus County Scattered Sites III.
3. Whereas, the application of the Rule will cause Petitioner to suffer a substantial hardship in the following manner
 - a) Income eligible families have qualified for participation in the HOME program and have permanent financing approved by local lenders subject to HOME Down Payment assistance.
 - b) The Petitioner has purchased the building lots, paid for all pre-construction expenses and will suffer severe financial loss.
 - c) The Petitioner has included lots within the application that will be affected by the Rule.
4. Whereas, the application of the Rule will violate principles of fairness in the following manner:
 - a) In most low income, rural neighborhoods throughout the state where there are developed subdivisions and roads in the neighborhood are owned and maintained by the local government entity, these roads may not be paved.
 - b) Local conditions and customs make unpaved roads acceptable for HUD, VA, and USDA-RD financing as well as local bank financing.
 - c) Urban standards for roads differ in rural, lower income communities of Florida.
 - d) Petitioner is a non-profit organization with limited resources and is not able to suffer such financial hardship. Without the rule waiver, the Petitioner will lose the use of fifteen building sites in an area in critical need of affordable housing.
 - e) All building lots within Citrus County Scattered Sites III are designated for buyers at or below 80% of the area median income.
5. Whereas, the waiver if the Rule will serve the purpose of the underlying Statute in the following manner:
 - a) Provide affordable housing to income eligible families
 - b) Provide affordable housing with financing guidelines within the guidelines of HUD regulations

Signed, witnessed, and executed and acknowledged on this 5th day of May, 2005.

IN WITNESS WHEREOF, PETITIONER, Florida Low Income Housing Associates, Inc. has caused these presents to be signed in its name by its proper official.

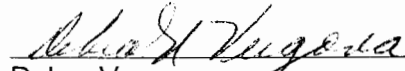


Maria Coimbre, Corporate Secretary
Florida Low Income Housing Associates, Inc.

WITNESSES



Dan Wilson



Debra Vergona

STATE OF FLORIDA
County of Citrus

The foregoing instrument was acknowledged before me by Maria Coimbre, Corporate Secretary and Director of Florida Low Income Housing Associates On behalf of the corporation. She is personally known and did not tale an oath.

Witness my signature and official seal this 5th day of May, 2005, in the County And State.



Debra N Vergona
My Commission DD097704
Expires March 06, 2006