

FLORIDA HOUSING FINANCE CORPORATION
Board Meeting
January 14, 2005
Consent Items



HOMEOWNERSHIP LOAN PROGRAM

Consent

I. HOMEOWNERSHIP LOAN PROGRAM

A. Request for Approval of the Analytical Review for Willington Hill/HH03-052

Applicant Name (“Applicant”):	Willington Hill, Ltd.
Development Name (“Development”):	Willington Hill
Developer/Principal (“Developer”):	Joseph McKinney
Number of Units: 68	Location: Polk County
Type: HOME Purchase Assistance Loan	Allocated Amount: \$1,983,168

1. Background

- a) At its July 30, 2004 meeting, the Board approved the final rankings for the 2003-2004 Homeownership Loan Program Supplemental Cycle.
- b) On August 2, 2004, Florida Housing issued an invitation into credit underwriting to the Applicant for a HOME Purchase Assistance Loan in the amount of \$1,983,168 to assist with the financing of 68 newly constructed homes in Polk County.
- c) On October 1, 2004, Florida Housing granted a 60-day extension of time to submit all required information to the credit underwriter.

2. Present Situation

- a) The credit underwriter provided staff with an Analytical Review outlining the parameters of the proposed Development. The Analytical Review is attached as [Exhibit A](#).
- b) Staff has reviewed the report and concurs with the credit underwriter’s recommendation to reserve HOME funds in the amount of \$1,983,168 for a HOME Purchase Assistance Loan.

3. Recommendation

Staff recommends that the Board approve the Analytical Review and authorize staff to issue a firm commitment letter in the amount of \$1,983,168 to the Developer for a HOME Purchase Assistance Loan, subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOMEOWNERSHIP LOAN PROGRAM

Consent

B. Request for Approval of the Analytical Review for Cornell II/HH03-040

Applicant Name (“Applicant”):	Habitat for Humanity of the Jacksonville Beaches (Non-Profit)
Development Name (“Development”):	Cornell II
Developer/Principal (“Developer”):	Deanna Baker-Ible
Number of Units: 16	Location: Duval County
Type: HOME Purchase Assistance Loan	Allocated Amount: \$240,000

1. Background

- a) At its July 30, 2004 meeting, the Board approved the final rankings for the 2003-2004 Homeownership Loan Program Supplemental Cycle.
- b) On August 2, 2004, Florida Housing issued an invitation into credit underwriting to the Applicant for a HOME Purchase Assistance Loan in the amount of \$240,000 to assist with the financing of 16 newly constructed homes in Duval County.
- c) On October 1, 2004, Florida Housing granted a 60-day extension of time to submit all required information to the credit underwriter.

2. Present Situation

- a) The credit underwriter provided staff with an Analytical Review outlining the parameters of the proposed Development. The Analytical Review is attached as [Exhibit B](#).
- b) Staff has reviewed the report and concurs with the credit underwriter’s recommendation to reserve HOME funds in the amount of \$240,000 for a HOME Purchase Assistance Loan.

3. Recommendation

Staff recommends that the Board approve the Analytical Review and authorize staff to issue a firm commitment letter in the amount of \$240,000 to the Developer for a HOME Purchase Assistance Loan, subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOMEOWNERSHIP LOAN PROGRAM

Consent

C. Request for Approval of the Analytical Review for St. John's County Scattered Sites/HH03-022

Applicant Name ("Applicant"):	The Housing League, Inc. (Non-Profit)
Development Name ("Development"):	St. John's County Scattered Sites
Developer/Principal ("Developer"):	Jerry Flick
Number of Units: 40	Location: St. John's County
Type: HOME Purchase Assistance Loan	Allocated Amount: \$1,000,000

1. Background

- a) The Applicant submitted an application during Round Two of the 2003 Homeownership Loan Program Cycle.
- b) On February 2, 2004, Florida Housing issued an invitation into credit underwriting to the Applicant for a HOME Purchase Assistance Loan in the amount of \$1,000,000 to assist with financing of 40 newly constructed homes in St. John's County.
- c) On September 10, 2004, the Board approved a rule waiver request which will allow the Applicant to build on county-maintained unpaved roads.

2. Present Situation

- a) The credit underwriter provided staff with an Analytical Review outlining the parameters of the proposed Development. The Analytical Review is attached as [Exhibit C](#).
- b) Staff has reviewed the report and concurs with the credit underwriter's recommendation to reserve HOME funds in the amount of \$1,000,000 for a HOME Purchase Assistance Loan.

3. Recommendation

Staff recommends that the Board approve the Analytical Review and authorize staff to issue a firm commitment letter in the amount of \$1,000,000 to the Developer for a HOME Purchase Assistance Loan, subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOMEOWNERSHIP LOAN PROGRAM

Consent

D. Authorize Staff to De-obligate HOME Funds for Pueblo Del Sol/99HH-017

Applicant Name (“Applicant”):	Jubilee/Pueblo del Sol, Inc.
Development Name (“Development”):	Pueblo Del Sol
Developer/Principal (“Developer”):	Doug Mayer
Number of Units: 44	Location: Miami-Dade County
Type: HOME Construction Loan	Allocated Amount: \$1,097,662

1. Background

- a) The Applicant submitted an application during the 1999-2000 HOME Homeownership Application cycle.
- b) On August 1, 2003 the Board approved the Credit Underwriting Report and authorized staff to issue a commitment letter in the amount of \$1,097,662 for a HOME Construction Loan. According to the commitment letter, the loan was to close no later than November 4, 2003.
- c) There have been several delays and the loan closing date has been extended four times, from November 4, 2003 to February 4, 2004, May 4, 2004, July 8, 2004 and December 8, 2004, respectively.

2. Present Situation

On November 17, 2004, the Developer advised via email that the general contractor was unable to obtain the required payment and performance bond and that they had made the decision to relinquish the HOME funds awarded to the Development. Additionally, the Executive Director of Jubilee Community Development Corporation who was responsible for the Application is no longer employed with the organization. The email is attached as [Exhibit D](#).

3. Recommendation

Staff recommends that \$1,097,662 in HOME funds for the Pueblo del Sol Development be de-obligated and made available for future use with the HOME Program.

HOMEOWNERSHIP LOAN PROGRAM

Consent

E. Authorize Staff to De-obligate HOME Funds for Highlands County Scattered Sites, Phase I/HH03-047

Applicant Name (“Applicant”):	Sandhill Enterprises, Inc.
Development Name (“Development”):	Highlands County Scattered Sites, Phase I
Developer/Principal (“Developer”):	Bill Dailey
Number of Units: 44	Location: Highlands County
Type: HOME Purchase Assistance Loan	Allocated Amount: \$625,000

1. Background

- a) The Applicant submitted an application during the 2003-2004 Homeownership Loan Program Supplemental cycle.
- b) The Applicant scored within the funding range and was invited into credit underwriting on August 2, 2004.

2. Present Situation

On December 22, 2004, the Developer requested that the HOME funds be reallocated, advising of the inability to obtain suitable lots. The letter is attached as [Exhibit E](#).

3. Recommendation

Staff recommends that \$625,000 in HOME funds for the Highlands County Scattered Sites, Phase I Development be de-obligated and made available for future use with the HOME Program.

HOME RENTAL

Consent

II. HOME RENTAL

A. Request Approval of Change to Site Plan for Magnolia Village Apartments (2003-006H)

Development Name: (“Development”)	Magnolia Village Apartments
Developer/Principal: (“Developer”)	Florida Low Income Housing Assoc., Inc.
Number of Units: 40	Location: Lecanto, Citrus County
Type: New Construction	Set Aside: 20% @ 50% AMI 80% @ 60% AMI
Allocated Amount: \$2,931,000	

1. Background

A HOME loan in the amount of \$2,931,000 for new construction of a 40-unit family development in Citrus County closed on December 23, 2003.

2. Present Situation

- a) On October 1, 2004, due to deed restrictions, Developer requested approval of amended site plans changing the number of buildings from 20 to 23, a reduction in duplex units from 40 to 34, with an addition of six single family homes. ([Exhibit A](#)).
- b) On November 10, 2004, staff received a credit underwriting review with a positive recommendation to approve the request for change in the site plan ([Exhibit B](#)).

3. Recommendation

Approve the Developer’s request to amend the site plan, reducing the number of residential duplex units by six and adding the six single family units, and direct staff to modify the appropriate loan documents.

HOME RENTAL

Consent

B. Request Approval for Refinancing of the First Mortgage Loan for Woodlawn Terrace (2002-718H)

Development Name:	Woodlawn Terrace (“Development”)
Developer/Principal:	Housing for Rural, Inc. (“Developer”)
Number of Units: 76	Location: St. Augustine, St. John’s County
Type: Rehabilitation	Set Aside: 20% @ 50% AMI 80% @ 60% AMI
Allocated Amount: \$4,555,000	

1. Background

A HOME loan in the amount of \$4,555,000 for rehabilitation of a 76-unit garden style development located in St. John’s County closed on October 9, 2003.

2. Present Situation

- a) On October 29 2004, staff received a request to refinance the first mortgage loan ([Exhibit C](#)).
- b) On December 20, 2004, staff received a credit underwriting review with a positive recommendation to approve the request for refinancing of the first mortgage loan ([Exhibit D](#)), subject to the following conditions:
- (1) Review and approval of a final Sources and Use of Funds.
 - (2) All FHFC past due and/or non-compliance items brought current.
 - (3) Receipt and satisfactory review of all legal documents by FHFC and its legal counsel.
 - (4) Any other reasonable requirement(s) of the Loan Servicer and/or FHFC and its Legal Counsel.

3. Recommendation

Approve the Borrower’s request for refinancing of the first mortgage loan, subject to the conditions referenced above.

HOUSING CREDITS

Consent

III. HOUSING CREDITS

- A. Request From the Owner of the Villas at Palm Bay Development to Decrease the Number of Units From the Amount Originally Proposed in the Application, Thereby Taking a Reduction in Credits

DEVELOPMENT NAME (“Development”):	Villas at Palm Bay, 2003-024C
DEVELOPER/PRINCIPAL (“Developer”):	Creative Choice Homes XXV, Ltd.
NUMBER OF UNITS:	170
LOCATION (“County”):	Brevard County
TYPE:	New Construction
SET ASIDE:	13% @ 30% AMI & 87% @ 60% AMI
ALLOCATED AMOUNT:	\$1,000,000.00

1. **Background/Present Situation**

- a) The Development is a Competitive Housing Credit (tax credit), New Construction Development providing a proposed 160 set-aside units in Brevard County. Florida Housing issued an allocation of \$1,000,000.00 in housing credits in December, 2003.
- b) Florida Housing received a request, [Exhibit A](#), from the owner on November 24, 2004, to reduce the amount of units in the Development from 170 to 160. The Developer agrees to reduce the allocation from \$1,000,000.00 to \$941,176.00, which is the pro-rata reduced amount. This reduction in units and the credits allocated does not affect the original scoring of the application. The features and amenities for the Development will remain the same as indicated in the application.

2. **Recommendation**

Staff recommends that the Board approve this request.

LEGAL

Consent

IV. LEGAL

A. In Re: The Palms at Vero Beach Limited Partnership

Development Name: (“Development”):	Palms at Vero Beach Apartments
Developer/Principal: (“Petitioner”):	The Palms at Vero Beach Limited Partnership/MUDCO 4, Inc./ AIG SunAmerica
Number of Units: 259	Location: Indian River County
Type: Rental	Set Aside: 80% @ 60% AMI MMRB,100% @60% HC
Demographics: New Construction	Allocated Amount: \$8,070,000 Tax-Exempt Bonds and \$2,970,000 Taxable Bonds
MMRB: 2001 Application	Housing Credits: 2001 Application

1. Background

- a) During the 2001 Universal Application Cycle, The Palms at Vero Beach Limited Partnership applied for Multi-Family Mortgage Revenue Bonds.
- b) On November 12, 2004, Florida Housing received a Petition for Waiver of Rule 67-21.008(1)(g), Florida Administrative Code (“Petition”) from the Petitioner.

2. Present Situation

On December 20, 2004, Petitioner filed a notice of withdrawal of its Petition.

3. Recommendation

Staff recommends the Board issue an Order closing file.

LEGAL

Consent

B. In Re: Highlands County Scattered Sites Development, Phase I

Development Name: (“Development”):	Highlands County Scattered Sites
Developer/Principal: (“Developer”):	Sandhill Enterprises, Inc.
Number of Units: 25	Location: Highlands County
Type: Purchase Assistance	Set Aside: n/a
Demographics: n/a	Allocated Amount: \$625,000
MMRB: n/a	Housing Credits: n/a

1. Background

- a) During the 2003 Homeownership Loan Program, Supplemental Cycle, Florida Housing awarded an allocation of \$625,000 to Highlands County Scattered Sites Development, Phase I.
- b) On September 29, 2004, Florida Housing received a Waiver of Rule 67-50.005(6), F.A.C. (“Petition”), from Sandhill Enterprises, Inc. (“Petitioner”).

2. Present Situation

On December 22, 2004, Florida Housing received a notice of withdrawal from Petitioner.

3. Recommendation

Staff recommends the Board issue an Order closing file.

MULTIFAMILY BONDS

Consent

V. MULTIFAMILY BONDS

- A. Request Approval of the Final Credit Underwriting Report for the Development in the amount of \$40,700,000 of tax-exempt bonds, consisting of 806 Units, located in St. Petersburg, Pinellas County, Florida

DEVELOPMENT NAME (“Development”):	Lynn Lake Apartments
DEVELOPER/PRINCIPAL (“Applicant”):	Kings Lynn Lake Apartments, LLC/Ronald Fieldstone/Michael Denberg/Joe Lubeck/Paul Lester
NUMBER OF UNITS:	806
LOCATION (“County”):	Pinellas County
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	20% @ 50% (MMRB)
ALLOCATED AMOUNT:	\$40,700,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS:	

1. **Background**

Applicant submitted an application (“Application”) on behalf of the proposed Development during the 2004 MMRB Supplemental Application Cycle. Applicant applied for tax-exempt bonds in the amount of \$40,700,000 in order to acquire and rehabilitate the Development.

2. **Present Situation**

- a) While the current Program Rule does not prohibit changes or modifications of the proposed Development during credit underwriting, the Board has directed staff to advise it of any such changes.
- b) The Applicant requested \$40,700,000 in tax-exempt bonds in the Application. Based upon the currently proposed credit structure, the bond amount will remain the same but credit enhancement will only be provided for \$30,310,000 of the bonds. A joint venture between the Applicant and the credit enhancer, Fannie Mae, will provide for the purchase of the remaining \$10,390,000 of the bonds.
- c) Total Development Costs have increased 0.74% from the Application. The increase is due to an increase in renovation costs, as well as the inclusion of an expected extension fee in the purchase price of the property. The increase is anticipated to be funded by borrower equity.
- d) In the Application, the Applicant described the Development as containing 807 units. Upon further review it has been determined that one of the “units” is a portion of the clubhouse that has been used as a beauty salon and not an actual residential unit. The beauty salon had been added to the Development’s rent roll by the seller because of its cash inflow. The beauty salon will now be converted to a fitness center as part of the renovation process. As committed to in the Application, there will still be 162 set-aside units; however, there will now be 644 market-rate units instead of 645.
- e) A Final Credit Underwriting Report dated December 30, 2004, is attached as [Exhibit A](#).

MULTIFAMILY BONDS

Consent

3.

MULTIFAMILY BONDS

Consent

Recommendation

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated December 30, 2004 recommending that \$40,700,000 in bonds be issued for the purpose of acquiring and rehabilitating the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

- B. Request approval of the Transfer of Ownership of the Development; 2000 Series G in the amount of \$8,800,000 in Tax-Exempt Bonds, consisting of 243 units, located in Venice, Sarasota County, Florida**

DEVELOPMENT NAME (“Development”):	Falls of Venice
DEVELOPER/PRINCIPAL (“Developer/Owner”):	Falls of Venice Investments, Inc./FLAPA Residential Investments, LLC/Falls of Venice, LLC
NUMBER OF UNITS:	304
LOCATION (“County”):	Hillsborough
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	25% @ 80%; 75% @ 150%
ALLOCATED AMOUNT:	\$8,800,000 Tax-Exempt Bonds
ADDITIONAL COMMENTS: Transfer of Ownership	

1. Background

- a) In 1987, Florida Housing financed the construction of the Development with \$8,800,000 in tax-exempt bonds designated as 1987 Series E.
- b) In 1999 Florida Housing approved the transfer of ownership of the Development to the current Owner.
- c) In 2000, Florida Housing approved the refunding of the bonds for the Development, with \$8,800,000, in tax-exempt bonds, designated as 2000 Series G.

2. Present Situation

- a) Altman Development Corporation, (“Purchaser”) in a letter dated November 1, 2004 ([Exhibit B](#)), requested approval of a transfer of ownership of the Development to the Purchaser. The Purchaser requests the current set aside requirements be modified from 20% of the units at 80% AMI and the remaining units at 150% of AMI to 20% of the units at 80%, 40% of the units at 150% and the remaining units at market rate rents. The Purchaser also intends to invest \$500,000 to \$1,000,000 into the Development. However staff does not recommend that the Board approve a reduction in the existing set-asides.
- b) A Final Credit Underwriting Report dated December 30, 2004 ([Exhibit C](#)) recommends that Florida Housing allow the transfer.

3. Recommendation

That the Board approve the transfer of ownership of the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

- C. **Request Approval to amend the Trust Indenture with respect to Florida Housing's 1999 Series K-1 Bonds in the principal amount of \$17,035,000 in Tax-Exempt Bonds (the "Series 1999 K-1 Bonds") and 1999 Series K-3 Bonds in the principal amount of \$1,135,000 of Subordinate Tax-Exempt Bonds (the Series 1999 K-3 Bonds together with the Series 1999 K-1 Bonds are hereafter referred to as the "Bonds") for Sunset Place Apartments, 138 Units, located in Pinellas County, Florida, Cimarron Apartments, 400 Units, located in Hillsborough County, Florida and Olive Tree Apartments, 86 Units, located in Broward County, Florida (collectively, the "Development")**

DEVELOPMENT NAME ("Development"):	Sunset Place/Cimarron/Olive Tree Apartments
DEVELOPER/PRINCIPAL ("Developer")/("Owner"):	Coastal Affordable Housing, Inc./The NHP Foundation
NUMBER OF UNITS:	138/400/86
LOCATION ("County"):	Pinellas/Hillsborough/Broward
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	20% @ 50%; 60% @ 80%
ALLOCATED AMOUNT:	\$18,170,000 Tax-Exempt Bonds
ADDITIONAL COMMENTS:	Amendment to the Trust Indenture

1. **Background**

In September, 1999, Florida Housing financed the acquisition and rehabilitation of the Development with \$17,865,000 in Tax-Exempt Bonds, designated as 1999 Series K-1 Bonds, \$395,000 in Taxable Bonds, designated as 1999 Series K-2 and \$1,200,000 in Subordinate Tax-Exempt Bonds designated as 1999 Series K-3.

2. **Present Situation**

- a) On August 12, 2004, Standard & Poor's reduced the rating on the privately placed Series 1999 K-1 Bonds from "A" to "BBB-" and on the Series 1999 K-3 Bonds from "BBB" to "BB-" with the comment that it was based in part on a decline in debt service coverage. The Taxable Bonds are no longer outstanding. On December 17, 2004, the Owner, a 501(c)(3) corporation, advised Florida Housing that the Development is not currently producing sufficient cash to pay debt service on the Bonds and that the Owner's parent company, The NHP Foundation, has been contributing funds to ensure payment of debt service on the Bonds, but wishes to refinance all or part of the Development by restructuring the loan. The Indenture does not permit the Bonds to be redeemed under the described circumstances. The Owner has requested that Florida Housing approve an amendment to the Indenture, subject to the consent of two-thirds of the holders of the Bonds, which would enable the Owner to purchase the Bonds in lieu of a redemption upon an event of default.

MULTIFAMILY BONDS

Consent

- b) The reason for the amendment is that, in the event of default, it will facilitate the Owner's acquisition of the Bonds. Once the Owner has acquired the Bonds, it can more efficiently restructure the debt, make certain improvements to the Development and give the Owner the option to dispose of one or more of the properties that comprise the Development in order to ensure future financial viability.
- c) The Credit Underwriter has reviewed the request to amend the Trust Indenture and, by letter dated December 30, 2004 ([Exhibit D](#)) recommends approval.

3. Recommendation

That the Board approve the amendment to the Trust Indenture for the Development subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

- D. Request approval of the Supplemental Letter to the Final Credit Underwriting Reports for the Development in the amount of \$7,600,000, \$19,370,000, \$7,200,000, and \$5,995,000 in Tax-Exempt Bonds respectively, consisting of 200, 520, 159, 144 units respectively, located in Orange, Duval and Volusia Counties, Florida

DEVELOPMENT NAME (“Developments”):	Lakeside South/Victoria Park/Waterford at Regency/Wood Forest
DEVELOPER/PRINCIPAL (Collectively, the “Applicant”):	IMT/IMT-LB Central Florida Investors LLC/IMT-LB Central Florida Investors 14 LLC/Lehman Brothers/John Tesoriero/Cory Thabit/Bryan Scher
NUMBER OF UNITS:	200/520/159/144 respectively
LOCATION (County):	Orange/Duval/Duval/Volusia respectively
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	20% @ 80%, 80% @ 150% (Lakeside South) 30% @ 80%, 70% @ 150% (Victoria Park) 20% @ 80%, 80% @ 150% (Waterford @ Regency) 20% @ 80%, 80% @ 150% (Wood Forest)
ALLOCATED AMOUNT:	\$7,600,000 Tax-Exempt Bonds \$19,370,000 Tax-Exempt Bonds \$7,200,000 Tax-Exempt Bonds \$5,995,000 Tax-Exempt Bonds respectively
ADDITIONAL COMMENTS: Supplemental Letter to the Credit Underwriting Report	

1. **Background**

At the September 10, 2004, Florida Housing approved the August 27, 2004 Credit Underwriting Reports (“Credit Underwriting Reports”) recommending the Transfer of GP Interest in the Developments.

2. **Present Situation**

- a) James Giel, counsel for the Applicant, in a letter dated December 23, 2004 ([Exhibit E](#)) requested changes in the proposed ownership structure of the general partners of the Developments. In the Credit Underwriting Reports, IMT Central Florida Investors LLC (“Investors”) was shown as the owner of 5% of the newly formed IMT-LB Central Florida Holdings LLC (“Holding Company”) and the Lehman entity Lehman Brothers Real Estate Partners Central Florida, LLC (“LBREP”) was shown as the 95% owner of the Holding Company. Investors will now own 6% of the Holding Company and LBREP will own 94%. Capital Trust Inc., or an affiliate thereof (“Capital Trust”), will take 1% interest in a jointly owned holding company IMT-LB Central Florida Holdings 14 LLC in which the Holding Company will own a 99% interest. This additional holding company will then own 100% ownership in each of the four general partners that hold 100% ownership of the Developments. Capital Trust is making a significant equity contribution in return for this change to the ownership structure.

MULTIFAMILY BONDS

Consent

- b) A Supplemental Letter, dated December 30, 2004, from the Credit Underwriter recommending this change is attached as [Exhibit F](#).

3. Recommendation

That the Board approve the recommendation of the Credit Underwriter outlined in the Supplemental Letter to the Final Credit Underwriting Reports dated August 27, 2004, for the Development subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

VI. PREDEVELOPMENT LOAN PROGRAM (PLP)

A. Request to Change Applicant Entity from Catholic Charities Housing to Marian Manor, Inc.

DEVELOPMENT NAME (“Development”):	Marian Manor (formerly Vick Street Homes)
DEVELOPER/PRINCIPAL (“Developer”):	Catholic Charities Housing- A Florida not-for-profit corporation
NUMBER OF UNITS:	32
LOCATION (County):	Sarasota
TYPE:	Rental
SET ASIDE:	60% @ 60% AMI
PLP LOAN AMOUNT:	\$ 500,000
ADDITIONAL COMMENTS: None.	

1. Background

- a) On February 11, 2004, Florida Housing issued an Invitation to Participate in the Predevelopment Loan Program(PLP) to the Developer. The development will be located in Sarasota County.
- b) On July 30, 2004 the Board approved the development plan and budget approved and submitted by the Technical Assistance Provider and authorized staff to issue a PLP Loan in the amount of \$500,000.

2. Present Situation

- a) For the purposes of accountability, fund tracking and separation of assets and potential liabilities, Catholic Charities Housing would like to establish separate legal entities for the various facilities that they operate. As such, they have created a separate legal entity, Marian Manor, Inc., for the purpose of developing the Development. They request that the PLP loan be closed in the name of the new legal entity.
- b) Staff has reviewed the documents evidencing the Not-for-profit status of the new legal entity and has determined that the new Applicant Entity meets the requirements of the Predevelopment Loan Program ([Exhibit A](#) and [Exhibit B](#)).

3. Recommendation

Approve the Applicant’s request to change the Applicant Entity from Catholic Charities Housing to Marian Manor, Inc.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

VII. STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

A. Request Approval of Loan Closing Extension for Aswan Village Apartments, Cycle XV, (2003-026S)

Development Name: Aswan Village Apartments (“Development”)	Location: Miami-Dade County
Developer/Principal: Banc of America Community Development Corporation (“Developer”)	Set-Aside: 5% @ 30% AMI and 95% @ 60% AMI
Number of Units: 216	Allocated Amount: \$2,000,000
Type: Garden Style Buildings	Total Housing Credit Equity: \$5,563,642
Demographics: Family	MMRB: \$9,900,000 Local

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 16, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL second mortgage loan in an amount up to \$2,000,000 for this 216-unit family Development in Miami-Dade County.
- c) On May 21, 2004, the Board approved the final credit underwriting report and a closing deadline was set for August 6, 2004.
- d) On July 30, 2004, the Board approved a 60 day extension to the closing deadline which expired October 5, 2004.
- e) On October 15, 2004, the Board approved an exchange of tenant programs and a 60 day extension to the closing deadline which expired December 6, 2004.
- f) On November 23, 2004, staff received a letter from Lynn C. Washington, counsel for the borrower, requesting a one hundred and twenty (120) day extension until April 5, 2005 for the SAIL loan closing due to several outstanding issues regarding required reports and due diligence documentation. Due to the age of the credit underwriting report, an update by the underwriter and further approval by the Board will be required. The long extension is required due to the fact that there will not be another Board meeting until March [\(Exhibit A\)](#).

2. Recommendation

Approve the 120 day extension for Aswan Village Apartments subject to payment of the loan closing extension fee as required by Rule 67-48 Florida Administrative Code.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

B. Request Approval for Change of Amenities for Merritt Place Estates, Cycle XIV, (2002-010CS)

Development Name: Merritt Place Estates (“Development”)	Location: Miami-Dade County
Developer/Principal: Merritt Housing, LLC (“Developer”)	Set-Aside: 56% @ 50% AMI and 43.4% @ 60% AMI
Number of Units: 159	Allocated Amount: \$2,000,000
Type: Single Family Residences	Total Housing Credit Equity: \$1,800,000
Demographics: Farmworker	MMRB: N/A

1. Background/Present Situation

- a) In December of 2002, the Development received an allocation of \$1,800,000 in Housing Credits.
- b) On May 2, 2003, the Board approved a credit underwriting report with a recommendation for a SAIL loan in the amount of \$2,000,000 and a firm commitment letter was issued. On September 18, 2003, the SAIL loan closed.
- c) On December 8, 2004, staff received a letter from the Developer requesting a change from the “Double-pane glass on all Windows” for “Single-pane windows with shading coefficient of .67 or better” due to an energy efficiency issue ([Exhibit B](#)). Both items are worth 2 points.
- d) On December 20, 2004, staff received a cost analysis review from the credit underwriter indicating that the change would be beneficial ([Exhibit C](#)).

2. Recommendation

Approve the request to exchange the type of windows and direct staff to amend the Land Use Restriction Amendment and the Extended Use Agreement

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

C. Request Approval of Credit Underwriting Report for Andrews Place Phase II, Cycle XVI, (2004-068S)

Development Name: Andrews Place Phase II Apartments (“Development”)	Location: Bay County
Developer/Principal: Nantahala Housing, Inc. (“Developer”)	Set-Aside: 100% @ 60% AMI
Number of Units: 120	Allocated Amount: \$1,000,000
Type: Three-Story Garden Style Buildings	Total Housing Credit Equity: \$3,407,000
Demographics: Family	MMRB: \$5,455,000

1. Background/Present Situation

- a) On October 14, 2004, the Board approved the final scores and ranking for the 2004 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 28, 2004, staff issued a preliminary commitment letter and invitation to credit underwriting for a SAIL loan in the amount up to \$1,000,000 for this 120-unit apartment family development in Bay County.
- c) On December 28, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in an amount for \$1,000,000 ([Exhibit D](#)). The SAIL loan will be secured by a second mortgage. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

D. Request Approval of Credit Underwriting Report for Nassau Club Apartments, Cycle XVI, (2004-120S)

Development Name: Nassau Club Apartments (“Development”)	Location: Nassau County
Developer/Principal: Sandspur Housing Development, Ltd. (“Developer”)	Set-Aside: 70% @ 60% AMI
Number of Units: 192	Allocated Amount: \$2,000,000
Type: Garden Style Buildings	Demographics: Family
MMRB: N/A	

1. Background/Present Situation

- a) On October 14, 2004, the Board approved the final scores and ranking for the 2004 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 28, 2004, staff issued a preliminary commitment letter and invitation to credit underwriting for a SAIL loan in the amount up to \$2,000,000 for this 192-unit family development in Nassau County.
- c) On December 27, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in an amount for \$2,000,000 ([Exhibit E](#)). The SAIL loan will be secured by a second mortgage. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

E. Request Approval of Credit Underwriting Report for Bristol Bay Apartments, Cycle XVI, (2004-066S)

Development Name: Bristol Bay Apartments (“Development”)	Location: Hillsborough County
Developer/Principal: Cornerstone Group Development, L.L.C. (“Developer”)	Set-Aside: 100% @ 60% AMI
Number of Units: 300	Allocated Amount: \$2,000,000
Type: Garden Style	Total Housing Credit Equity: \$6,159,000
Demographics: Family	MMRB: \$13,900,000 (Florida Housing)

1. Background/Present Situation

- a) On October 15, 2004, the Board approved the final scores and ranking for the 2004 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On December 6, 2004, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$2,000,000 for this 300-unit family development in Hillsborough County. This Development was previously awarded a Florida Housing MMRB allocation.
- c) On December 23, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$2,000,000 ([Exhibit E](#)). A portion of the SAIL funds will be used to redeem bonds. It should be noted that at the time of the MMRB closing, it was not contemplated that SAIL funds would be used to redeem bonds. Therefore, a condition of the credit underwriting report is that the Developer shall obtain bond holder approval of the redemption prior to the SAIL loan closing. The SAIL loan will be secured with a second mortgage. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

Approve the final credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

F. Request Approval of a SAIL Loan Closing Extension for Harding Village, Cycle XV, (2003-016CS)

Development Name: Harding Village (“Development”)	Location: Miami-Dade County
Developer/Principal: Carrfour Supportive Housing, Inc. (“Developer”)	Set-Aside: 16% @ 30% AMI and 84% @ 60% AMI
Number of Units: 93	Allocated Amount: \$2,000,000
Type: Single Room Occupancy	Total Housing Credit Equity: \$1,946,644
Demographics: Homeless-Transition	MMRB: N/A

1. Background/Present Situation

- a) On July 30, 2004, the Board approved the credit underwriting report for the SAIL loan in the amount of \$2,000,000 for the Development.
- b) On October 14, the Board approved a SAIL loan extension of sixty (60) days for the Development.
- c) On December 2, 2004, staff received a letter ([Exhibit G](#)) from the Developer requesting an additional extension for the Development because other funding associated would not be able to close by the current SAIL loan closing deadline which is a requirement by Rule 67-48 FAC. The new SAIL loan closing deadline would be February 7, 2005.

2. Recommendation

Approve the SAIL loan closing extension for Harding Village.