

**FLORIDA HOUSING FINANCE CORPORATION**  
**Board Meeting**  
March 18, 2011  
Consent Items



**AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

*Consent*

**I. AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

**A. Request Approval of Credit Underwriting Update Letter for Vista Grand at Spring Hill (2009-208C/2010-050CX)**

<b>Development Name: Vista Grand at Spring Hill (“Development”)</b>	<b>Location: Hernando County</b>
<b>Developer/Principal: NVC-I, LLC, Eastwind Development, LLC &amp; NuRock Development Group, Inc. (“Co-Developers”)</b>	<b>Set-Aside: 20 @ 35% AMI &amp; 80% @ 60% AMI</b>
<b>Number of Units: 90</b>	<b>Tax Credit Exchange Program: \$3,380,000</b>
<b>Type: Mid-Rise</b>	<b>Housing Credit Allocation: \$1,275,000</b>
<b>Demographics: Elderly</b>	<b>MMRB: N/A</b>

**1. Background/Present Situation**

- a) On December 14, 2010, a Tax Credit Exchange Program (TCEP) loan in the amount of \$3,380,000 for this 90 unit elderly development in Hernando County closed.
- b) On January 24, 2011, staff received a recommendation from the credit underwriter to consent to the release of James Dyal and his GP entity, NVC/GP-Spring Hill, LLC upon satisfactory lien-free construction completion and receipt of form 8609 ([Exhibit A](#)). Staff has reviewed this recommendation and finds that the development meets all of the requirements of Rule Chapter 67-48, F.A.C and RFP 2010-04.

**2. Recommendation**

Approve the credit underwriting update letter and direct staff to modify the loan closing documents accordingly.

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)

Consent

B. Request Approval to Exchange Amenities for Charlotte Crossing (2009-023CT)

Development Name: Charlotte Crossing (“Development”)	Location: Charlotte County
Developer/Principal: Charlotte Crossing Development, L.L.C. (“Developer”)	Set-Aside: 11% @ 40% AMI & 89% @ 60% AMI
Number of Units: 82	Tax Credit Assistance Program: \$3,025,443
Type: Garden Style	Housing Credit Allocation: \$1,275,000
Demographics: Elderly	MMRB: N/A

1. Background/Present Situation

- a) On August 19, 2010, a Tax Credit Assistance Program (TCAP) loan in the amount of \$3,025,443 for this 82 unit elderly development in Charlotte County closed.
- b) On January 3, 2011, staff received a letter from the Developer ([Exhibit B](#)) requesting the following amenity exchanges:
  - (1) “Gas Hydronic combo unit HVAC” (2 points) exchanged for “Wall insulation of R-15 or better” (2 points)
  - (2) “Gas water heater with energy factor of .61 or better” (1 point) exchanged for “Electric water heater with energy factor of .93 or better” (1 point)
  - (3) “Wall insulation of R-13 or better” (1 point) exchanged for “Energy Star Certified refrigerator and dishwasher in each unit” (1 point)
- c) The proposed changes are of equal point value to the amenities originally chosen.
- d) On January 5, 2011, staff received a review from the credit underwriter with a positive recommendation for the exchange of amenities ([Exhibit C](#)).

2. Recommendation

Approve the request to exchange the amenities and direct staff to proceed with amending the Land Use Restriction Agreement and Extended Low Income Housing Agreement.

**AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

*Consent*

**C. Request Approval of Credit Underwriting Update Letter for Mayfair Village Apartments (2009-121CH/2010-012CHX)**

<b>Development Name: Mayfair Village Apartments (“Development”)</b>	<b>Location: Duval County</b>
<b>Developer/Principal: Ability Housing of Northeast Florida, Inc. (“Developer”)</b>	<b>Set-Aside: 50% @ 30% AMI &amp; 50% @ 50% AMI</b>
<b>Number of Units: 83</b>	<b>Tax Credit Exchange Program: \$2,485,000</b>
<b>Type: Garden Style</b>	<b>HOME Program: \$4,000,000</b>
<b>Demographics: Homeless</b>	<b>Housing Credit Allocation: \$966,301</b>

**1. Background/Present Situation**

- a) On October 6, 2010, a Tax Credit Exchange Program (TCEP) loan in the amount of \$2,485,000 and a HOME loan in the amount of \$4,000,000 closed for this 83 unit homeless development in Duval County.
- b) On February 28, 2011, staff received a recommendation from the credit underwriter to replace \$365,175 of the construction period first mortgage with a \$365,175 grant from the Florida Department of Children and Family Services ([Exhibit D](#)). Staff has reviewed this recommendation and finds that the development meets all of the requirements of Rule Chapter 67-48, F.A.C and RFP 2010-04.

**2. Recommendation**

Approve the credit underwriting update letter and direct staff to proceed with loan closing of the Florida Department of Children and Families grant.

**AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

*Consent*

**D. Request Approval to Exchange Amenities for Arbours at Fort King (2009-132C/2010-036CX/2011-017CX)**

<b>Development Name: Arbours at Fort King (“Development”)</b>	<b>Location: Pasco County</b>
<b>Developer/Principal: Arbour Valley Development, LLC (“Developer”)</b>	<b>Set-Aside: 20% @ 35% AMI, 80% @ 60% AMI</b>
<b>Number of Units: 94</b>	<b>Housing Credit Amount: \$1,510,000</b>
<b>Type: Garden Apartments</b>	<b>Tax Credit Assistance Program: n/a</b>
<b>Demographics: Family</b>	<b>Tax Credit Exchange Amount: \$5,465,000</b>

**1. Background/Present Situation**

- a) On July 30, 2010, the Board approved the Credit Underwriting Report recommending a Tax Credit Exchange loan in the amount of \$4,700,000 and Low-Income Housing Credits in the amount of \$1,510,000 for this 94-unit family development in Pasco County. On December 10, 2010, the Board approved the Credit Underwriting Report recommending an additional Tax Credit Exchange loan in the amount of \$765,000.
  
- b) Florida Housing received a request from the Owner on January 24, 2011 to change the Green Building Options in the Extended Use Agreement ([Exhibit E](#)). The Applicant requests the following exchanges:
  - (1) “Toilets that have dual flush options which include 1.6 gallons of water or less” exchanged for “Low VOC paint (less than 50 grams per liter) in all units and common areas.”
  
  - (2) On February 25, 2011, staff received a review from the credit underwriter with a positive recommendation for the proposed changes ([Exhibit F](#)).
  
  - (3) The proposed changes are of equal point value to the amenities originally chosen in the application.

**2. Recommendation**

Approve the requested changes reflected above and direct staff to amend the Extended Use Agreement to reflect the changes.

**AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

*Consent*

**E. Request Approval to Exchange Features and Amenities for Arbours at Shoemaker Place (2008 Supplemental/2009-042X)**

<b>Development Name: Arbours at Shoemaker Place (“Development”)</b>	<b>Location: Walton County</b>
<b>Developer/Principal: Arbour Valley Development, LLC (“Developer”)</b>	<b>Set-Aside: 20% @ 40% AMI &amp; 80% @ 60% AMI</b>
<b>Number of Units: 80</b>	<b>Supplemental Loan: \$680,000</b>
<b>Type: Garden Style</b>	<b>Tax Credit Exchange Program Amount: \$9,095,000</b>
<b>Demographics: Family</b>	<b>MMRB: N/A</b>

**1. Background/Present Situation**

- a) On July 30, 2010, a Supplemental loan in the amount of \$680,000, and a Tax Credit Exchange Program (TCEP) Loan in the amount of \$9,095,000 closed for this 80 unit family development in Walton County.
- b) On January 24, 2011, staff received a letter from the Developer requesting the exchange of “Toilets that have dual flush options which include 1.6 gallons of water or less” for “Low VOC paint (less than 50 grams per liter) in all units and common areas” ([Exhibit G](#)). With the proposed change, the Development will continue to meet the green building requirements.
- c) On February 16, 2011, staff received a review from the credit underwriter with a positive recommendation for the exchange of green building features and amenities ([Exhibit H](#)).

**2. Recommendation**

Approve the request to exchange the green building features and amenities and direct staff to proceed with amending the Land Use Restriction Agreement and the Extended Use Agreement.

**ELDERLY HOUSING COMMUNITY LOAN PROGRAM (EHCL)**

*Consent*

**II. ELDERLY HOUSING COMMUNITY LOAN PROGRAM (EHCL)**

**A. Request Approval of Additional Funding Sources for The Allen Apartments, Cycle XX (2008-002E)**

<b>Development Name: The Allen Apartments (“Development”)</b>	<b>Location: Miami-Dade County</b>
<b>Developer/Principal: MBDC: The Allen, LLC (“Applicant”)</b>	<b>Set-Aside: 25% @ 33% AMI &amp; 75% @ 50% AMI</b>
<b>Number of Units: 39</b>	<b>Allocated Amount: \$750,000</b>
<b>Type: High-Rise</b>	<b>Total Housing Credit Equity: N/A</b>
<b>Demographics: Elderly</b>	<b>MMRB: N/A</b>

**1. Background/Present Situation**

- a) On November 10, 2009, an EHCL loan in the amount of \$750,000 for repairs for this 39-unit elderly development in Miami-Dade County closed. The EHCL loan was secured with a third mortgage.
- b) On November 5, 2010, staff received a letter from the Borrower requesting approval of additional funding sources for the development, which will be subordinate to the EHCL Loan ([Exhibit A](#)).
- c) On February 15, 2011, staff received a credit underwriting review with a positive recommendation to allow additional funding sources, specifically \$500,000 of Surtax funds from Miami-Dade County and an increase of \$423,786 to the existing HOME loan from the City of Miami Beach ([Exhibit B](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of EHCL Rule Chapter 67-32, F.A.C.

**2. Recommendation**

Approve the request for additional funding sources and direct staff to proceed with loan closing and modification of existing closing documents.

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### III. LEGAL

#### A. In Re: Malabar Cove II, LLLP – FHFC Case No. 2011-003VW

<b>Development Name: (“Development”):</b>	<b>Malabar Cove – Phase II Application No. 2008-242S</b>
<b>Developer/Principal: (“Developer”):</b>	<b>Atlantic Housing Partners, LLLP</b>
<b>Number of Units: 72</b>	<b>Location: Brevard County</b>
<b>Type: Garden Apartments</b>	<b>Set Asides: SAIL: 10% @ 33% AMI 60% @ 60% AMI 30% @ 120% AMI</b>
<b>Demographics: Family</b>	<b>SAIL: \$2,000,000</b>

#### 1. Background

- a) During the 2008 Universal Cycle, Malabar Cove II, LLLP (“Petitioner”) applied for and was awarded State Apartment Incentive Loan (SAIL) funding to finance the construction of Malabar Cove – Phase II (the “Development”) located in Brevard County, Florida.
- b) On February 16, 2011, Florida Housing received a Petition for Waiver from Florida Administrative Code Rule 67-48.010(8) (“Petition”) from Petitioner. A copy of the Petition is attached as [Exhibit A](#).

#### 2. Present Situation

- a) Rule 67-48.010(8), Fla. Admin. Code (2008) provides, in pertinent part:

(8) The determination of Development Cash Flow, determination of payment priorities, and payment of interest on SAIL loans shall occur annually. Any payments of accrued and unpaid interest due annually on SAIL loans shall be deferred to the extent that Development Cash Flow is insufficient to make said payments pursuant to the payment priority schedule established in this rule chapter. If Development Cash Flow is under-reported and such report causes a deferral of SAIL interest, such under-reporting shall constitute an event of default on the SAIL loan. A penalty of 5 percent of any required payment shall be assessed.
- b) Petitioner has requested a waiver of the above Rule to permit the annual interest payment on this SAIL loan to be “hard pay”, without such payment of interest being contingent on available Development Cash Flow. Petitioner’s tax-exempt (local) bond financing is cross-collateralized with adjacent developments owned by affiliates of Petitioner. As a result of this cross-collateralization, Florida Housing required Petitioner to agree that the annual interest payment would be paid notwithstanding Rule 67-48.010(8), Fla. Admin. Code (2008), which allows such interest payment to be deferred to the extent that Development Cash Flow is insufficient to make the interest payments pursuant to the payment priority schedule set forth in subsection (6) of the Rule. This Petition is filed to conform to the terms of the agreement reached by Petitioner and Florida Housing as a condition of closing.



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### *Consent*

- c) The requested change would neither affect the scoring of Petitioner's application nor allow Petitioner to gain an unfair advantage over other applicants.
- d) On February 25, 2011, the Notice of Petition was published in the Florida Administrative Weekly. To date, Florida Housing has received no comments concerning the Petition.
- e) Section 120.542(2), Florida Statutes provides in pertinent part:

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.
- f) Petitioner has demonstrated that strict application of the above Rule under these circumstances would cause substantial hardship to Petitioner and violate the principles of fairness, in that Florida Housing would not agree to close the SAIL loan under these circumstances absent this request for a waiver of Rule 67-48-010(8), Fla. Admin. Code. Petitioner has further demonstrated that permitting this change in Development would also serve the underlying purpose of the statute by permitting Petitioner to cross-collateralize with adjacent Developments owned by affiliates of Petitioner.

### 3. **Recommendation**

Staff recommends the Board grant Petitioner's request for a waiver of Rule 67-48.010(8), Fla. Admin. Code (2008), to require the annual payment of SAIL loan interest without deferment of such payment of interest based on the amount of available Development Cash Flow.

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### B. In Re: Fountains at Millenia IV, LLLP - FHFC Case No. 2011-004VW

<b>Development Name: (“Development”):</b>	<b>The Fountains at Millenia– Phase IV Application No. 2008-246S</b>
<b>Developer/Principal: (“Developer”):</b>	<b>Atlantic Housing Partners, LLLP</b>
<b>Number of Units: 100</b>	<b>Location: Orange County</b>
<b>Type: Garden Apartments</b>	<b>Set Asides: SAIL: 10% @ 33% AMI 60% @ 60% AMI 30% @ 120% AMI</b>
<b>Demographics: Family</b>	<b>SAIL: \$5,000,000</b>

#### 1. Background/Present Situation

- a) During the 2008 Universal Cycle, Fountains at Millenia IV, LLLP (“Petitioner”) applied for and was awarded State Apartment Incentive Loan (SAIL) funding to finance the construction of The Fountains at Millenia- Phase IV (the “Development”) located in Orange County, Florida.
- b) On February 16, 2011, Florida Housing received a Petition for Waiver from Florida Administrative Code Rule 67-48.010(8) (“Petition”) from Petitioner. A copy of the Petition is attached as [Exhibit B](#).

#### 2. Present Situation

- a) Rule 67-48.010(8), Fla. Admin. Code (2008) provides, in pertinent part:
  - (8) The determination of Development Cash Flow, determination of payment priorities, and payment of interest on SAIL loans shall occur annually. Any payments of accrued and unpaid interest due annually on SAIL loans shall be deferred to the extent that Development Cash Flow is insufficient to make said payments pursuant to the payment priority schedule established in this rule chapter. If Development Cash Flow is under-reported and such report causes a deferral of SAIL interest, such under-reporting shall constitute an event of default on the SAIL loan. A penalty of 5 percent of any required payment shall be assessed.
- b) Petitioner has requested a waiver of the above Rule to permit the annual interest payment on this SAIL loan to be “hard pay”, without such payment of interest being contingent on available Development Cash Flow. Petitioner’s tax-exempt (local) bond financing is cross-collateralized with adjacent developments owned by affiliates of Petitioner. As a result of this cross-collateralization, Florida Housing required Petitioner to agree that the annual interest payment would be paid notwithstanding Rule 67-48.010(8), Fla. Admin. Code (2008), which allows such interest payment to be deferred to the extent that Development Cash Flow is insufficient to make the interest payments pursuant to the payment priority schedule set forth in subsection (6) of the Rule. This Petition is filed to conform to the terms of the agreement reached by Petitioner and Florida Housing as a condition of closing.

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- c) The requested change would neither affect the scoring of Petitioner's application nor allow Petitioner to gain an unfair advantage over other applicants.
- d) On February 25, 2011, the Notice of Petition was published in the Florida Administrative Weekly. To date, Florida Housing has received no comments concerning the Petition.
- e) Section 120.542(2), Florida Statutes provides in pertinent part:

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.
- f) Petitioner has demonstrated that strict application of the above Rule under these circumstances would cause substantial hardship to Petitioner and violate the principles of fairness, in that Florida Housing would not agree to close the SAIL loan under these circumstances absent this request for a waiver of Rule 67-48-010(8), Fla. Admin. Code. Petitioner has further demonstrated that permitting this change in Development would also serve the underlying purpose of the statute by permitting Petitioner to cross-collateralize with adjacent Developments owned by affiliates of Petitioner.

### 3. **Recommendation**

Staff recommends the Board grant Petitioner's request for a waiver of Rule 67-48.010(8), Fla. Admin. Code (2008), to require the annual payment of SAIL loan interest without deferment of such payment of interest based on the amount of available Development Cash Flow.

## LEGAL

### *Consent*

**C. In Re: Paces Foundation, Inc., Chastain Development Corp., Mark M. duMas, Douglas F. duMas, O.C. Adams, and Leigh C. Westraad - FHFC Case No. 2010-032VW**

**1. Background**

- a) Paces Foundation, Inc., Mark M. duMas, Douglas F. duMas, O.C. Adams, and Leigh C. Westraad (collectively (“Petitioners”)) submitted two applications for funding during the 2009 Universal Cycle, Applications Nos. 2009-173C and 2009-174C. Both of these applications were rejected due to arrears totaling approximately \$2,000,000 regarding a development known as Edisto Lakes (Applications: #1994S-042, #1994L-163 and 1995L-006), a project previously financed by Florida Housing.
- b) Petitioner Chastain Development Corporation (“Chastain”) was the not for profit limited partner and later the general partner of the applicant entity for Edisto Lakes. Petitioner Paces Foundation, Inc. (“Paces”) is a Georgia non-profit corporation, authorized to do business in Florida, and was the designated Developer for the aforementioned rejected 2009 Applications. Petitioners Adams and Westraad are volunteer directors of Chastain, and Petitioner Mark M. duMas is the current President of Paces, and until his resignation in September, 2009, served as President of Chastain. Petitioner Douglas F. duMas (brother of M. duMas) is the current president of Chastain.
- c) All listed Petitioners are prohibited from participating in future Universal Application processes until the Edisto Lakes arrears are satisfied, as they fall within the scope of entities held responsible for arrearages for Edisto Lakes under the Rules set forth below.
- d) On August 18, 2008, Florida Housing received a Petition for Waiver from Florida Administrative Code Rules 67-48.004(5), 67-48.004(13) and 67-48.004(13)(d), Florida Administrative Code 2009, and proposed Rules 67-48.004(5), 67-48.004(13) and 67.48.004(13)(d) for the 2011 Universal Cycle, (“Petition”) from Petitioner. Petitioner has also requested waivers of the corresponding Rules governing the Multifamily Mortgage Revenue Bond (MMRB) Program: Rules 67-21.003(5), 67-21.003(13) and 67-21.003(13)(d), Florida Administrative Code. A copy of the Petition is attached as [Exhibit C](#).

**2. Present Situation**

- a) Rule 67-48.004(5) Fla. Admin. Code (2009) provides, in pertinent part:

The Corporation shall transmit to each Applicant the NOPSEs submitted by other Applicants with regard to its Application. The notice shall also include the Corporation’s decision regarding the NOPSE, along with any other items identified by the Corporation to be addressed by the Applicant, *which may include financial obligations for which an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of an Applicant or a Developer is in arrears to the Corporation or any agent or assignee of the corporation as of the due date for NOPSE filing as set forth in subsection (4) above.*

(Emphasis added).

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- b) Rule 67-48.004(13) Fla. Admin Code (2009) provides:

The Corporation shall reject an application if, following the submission of the additional documentation revised pages and other information as the Applicant deems appropriate as described in subsection (6) above.

- c) Rule 67-48.004(13)(d) Fla. Admin. Code (2009) provides:

The Applicant fails to satisfy any arrearages describe in subsection (5) above. For purposes of the SAIL and HOME Programs, this rule subsection does not include permissible deferral of SAIL or HOME interest.

**\*\*As noted above, Petitioners have also requested waivers from the identical and corresponding Rules under Chapter 67-21, Florida Administrative Code.**

- d) Petitioners have requested a waiver of the above Rules to permit them to reenter the Universal Application process for the 2011 cycle. The Petitioners, acting as a non-profit, had no financial interest in Edisto Lakes except for Chastain, which was to receive a minimal financial benefit for the development in the form of an approximately \$10,000 scheduled payment from the managing general partner. However, like Florida Housing, Chastain is still owed money from the developer of Edisto Lakes, Edisto Group, Ltd. and its associated partner, the Heritage Companies ("Heritage"), which acted as the designated management company as well as the contractor for Edisto Lakes. Paces itself does not owe any funds to Florida Housing, but appears on the "Past Due List" by virtue of its connection to Chastain, and by Chastain's involvement with the Edisto Lakes development.
- e) Neither Chastain nor any of its past and present officers, nor the remaining Petitioners, possesses effective means to compel Heritage or Edisto to satisfy the arrearages owed to Florida Housing. Per the terms of their partnership agreement, Petitioners have been excluded from all financial or managerial involvement in Edisto Lakes. In spite of this, Petitioners have made good faith efforts to persuade Heritage and Edisto to satisfy the arrearages, efforts which have thus far proven fruitless.
- f) The Petitioners desire to have the opportunity to participate in Florida Housing funded projects in the future, but will be unable to without the requested Rule waivers. The waiver sought, although permanent in nature, applies only to the arrearages owed to Florida Housing regarding Edisto Lakes if granted.
- g) On September 3, 2010, the Notice of Petition was published in the Florida Administrative Weekly. To date, Florida Housing has received no comments concerning the Petition.
- h) Section 120.542(2), Florida Statutes provides in pertinent part:

Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.

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- i) Petitioner has demonstrated that strict application of the above Rule under these specific factual circumstances would cause substantial hardship to Petitioner and violate the principles of fairness.

### **3. Recommendation**

Staff recommends the Board grant Petitioner's request for a waiver of Rules 67-21.003(5), 67-21.003(13) and 67-21.003(13)(d), 67-48.004(5), 67-48.004(13) and 67-48.004(13)(d), Fla. Admin. Code (2009), to allow the Petitioners the ability to reenter future Florida Housing funding cycles without regard to only those arrearages owed to Florida Housing regarding the Edisto Lakes development.

# MULTIFAMILY BONDS

## Consent

### IV. MULTIFAMILY BONDS

#### A. Request Approval of the Recommendation of the Final Credit Underwriting Report for Solabella

<b>Development Name: Solabella</b> <b>(“Development”)</b>	<b>Location: Miami-Dade</b>
<b>Developer/Principal: Legacy Pointe Associates, Ltd./CSG Development Services, LLC/Jorge Lopez, individually/Stuart I. Meyers, individually/Leon J. Wolfe, individually/Mara S. Mades, individually</b> <b>(“Developer”, “Principal”, or “Owner”)</b>	<b>Set-Aside: 85% @ 60% AMI (MMRB)</b>
<b>Funding Sources: MMRB/HOME/HC</b>	<b>Amounts: \$7,800,000 Tax-Exempt Bonds</b> <b>\$1,600,000 HOME Funds</b>
<b>Number of Units: 92</b>	<b>Type: Rental</b>
<b>ADDITIONAL COMMENTS: New Construction</b>	

#### 1. Background

Applicant submitted an Application (“Application”) on behalf of the proposed Development during the 2009 MMRB Supplemental Cycle. Applicant applied for tax-exempt bonds in the amount of \$7,800,000 in order to acquire and construct the Development. The Applicant also submitted a response to RFP 2009-06, and was awarded funding for a HOME loan in the \$1,600,000.

#### 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 notify it of any such changes.
- b) The Bond application reflected that the HC equity provider would be PNC Bank, National Association (“PNC”) with Prudential Mortgage Capital Company providing credit enhancement through the FHA Section 221(d) program. The HC equity provider will now be Hudson Housing Capital and RBC Capital Markets will be acting as the private placement/bond purchaser. The Bond application requested a construction and permanent bond loan in the amount of \$7,800,000. The requested loan amounts have been revised to \$8,750,000 and \$3,850,000, respectively.
- c) Development costs have increased from \$11,116,451 to \$16,287,681, primarily due to an increase in construction costs, impact fees, financial costs, and developer fee.
- d) In the Application, the applicant indicated the subject developments unit mix would consist of thirty two bedroom/two and a half bathroom units and sixty-two three bedroom/two and a half bathroom units. During credit underwriting the applicant changed the unit mix to twenty-four two bedroom/two and a half bathroom units and seventy-eight three bedroom/two and a half bathroom units.

## MULTIFAMILY BONDS

### *Consent*

- e) The Bond application reflected Cornerstone Group Construction, Inc. as the general contractor. The general contractor to be used during construction of the subject development is now CSG Construction, L.L.C.
- f) The Applicant has requested to replace two features and amenities selected in its Application to Florida Housing. The Applicant requests replacing a library consisting of a minimum of 100 books and 5 current magazine subscriptions (1 point); and a computer lab on-site with minimum one computer per 50 units, with basic word processing, spreadsheet, and assorted educational and entertainment software programs and at least one printer (1 point) with two or more parking spaces per total number of units (1 point) and picnic area with hard cover permanent roof of a design compatible with the development, open on all sides, containing at least three permanent picnic tables with benches and an adjoining permanent outdoor grill (1 point). FHFC staff has no objections to these changes.
- g) These changes have no material impact to the loan or HC recommendations for this development.
- h) A Final Credit Underwriting Report dated March 4, 2011 is attached as [Exhibit A](#).

### **3. Recommendation**

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated March 4, 2011, recommending that \$7,800,000 in tax exempt bonds and \$1,600,000 in HOME funds be issued for the acquisition and construction 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*

#### B. Request Approval of the Final Credit Underwriting Report for Sorrento at Miramar Apartments

<b>DEVELOPMENT NAME (“Development”):</b>	<b>Sorrento at Miramar Apartments</b>
<b>DEVELOPER/PRINCIPAL (“Applicant”):</b>	<b>ZOM Foxcroft, L.P./ZOM Foxcroft GP, LLC/ZOM Holding, Inc./NRP Holdings, LLC/NRP Contractors, LLC/ZF Development, LLC/T. Richard Bailey, Jr., Alan F. Scott, J David Heller, individually</b>
<b>NUMBER OF UNITS:</b>	<b>320</b>
<b>LOCATION (“County”):</b>	<b>Broward</b>
<b>TYPE (Rental, Homeownership):</b>	<b>Rental/Family (MMRB, HOME and HC)</b>
<b>SET ASIDE:</b>	<b>85% @ 60% (MMRB) 100% @ 60% (HC) 20% @ 50% (HOME) 80% @ 60% (HOME)</b>
<b>ALLOCATED AMOUNT:</b>	<b>\$25,100,000 of Tax Exempt Bonds and \$3,900,000 HOME Loan</b>
<b>ADDITIONAL COMMENTS: New Construction</b>	

#### 1. Background

Applicant submitted an Application (“Application”) on behalf of the proposed Development during the 2010 MMRB Supplemental Cycle. Applicant applied for tax-exempt bonds in the amount of \$29,325,000 in order to construct the Development. The Applicant also submitted a response to RFP 2009-06 and was awarded funding, for a HOME loan in the amount of \$3,900,000.

#### 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 notify it of any such changes.
- b) The Developer submitted a housing credit syndication proposal from Hudson Housing Capital (“Hudson”) in the Application. Subsequently, the Developer has replaced Hudson with AEGON USA Realty Advisors, LLC.
- c) In the Application, the Developer selected all windows double-pane with minimum solar heat gain coefficient of < or equal to .5 and minimum of .75 U Value. The Developer wants to substitute the Application selection with all windows single-pane with shading coefficient of .67 or better. Both amenities received a score of two points in the Application.
- d) The Developer applied with a ZOM related General Partner entity. NRP Foxcroft L.L.C. has been proposed as a Co-General Partner with 30% ownership of the Applicant.
- e) The total development costs are \$47,102,698 or approximately a .8% increase from the Application.

## MULTIFAMILY BONDS

### *Consent*

- f) A Final Credit Underwriting Report dated March 3, 2011 is attached as [Exhibit B](#).

### **3. Recommendation**

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated March 3, 2011, recommending that \$25,100,000 in tax exempt bonds and a \$3,900,000 HOME loan for the acquiring and constructing 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 Of The Revised Credit Underwriting Recommendation For Monterra Apartments

<b>DEVELOPMENT NAME (“Development”):</b>	<b>Monterra Apartments</b>
<b>DEVELOPER/PRINCIPAL (“Applicant”):</b>	<b>ZOM Monterra, L.P./ZOM Monterra GP, LLC/ ZOM Holding, Inc./NRP Holdings, LLC/NRP Contractors, LLC/ZF Development, LLC/T. Richard Bailey, Jr., Alan F. Scott, J David Heller, individually</b>
<b>NUMBER OF UNITS:</b>	<b>300</b>
<b>LOCATION (“County”):</b>	<b>Broward</b>
<b>TYPE (Rental, Homeownership):</b>	<b>Rental/Family (MMRB, HOME and HC)</b>
<b>SET ASIDE:</b>	<b>85% @ 60% (MMRB) 100% @ 60% (HC) 20% @ 50% (HOME) 80% @ 60% (HOME)</b>
<b>ALLOCATED AMOUNT:</b>	<b>\$25,780,000 of Tax Exempt Bonds and \$3,500,000 HOME Loan</b>
<b>ADDITIONAL COMMENTS: New Construction</b>	

#### 1. Background

- a) Applicant submitted an Application (“Application”) on behalf of the proposed Development during the 2010 MMRB Supplemental Cycle. Applicant applied for tax-exempt bonds in the amount of \$27,283,000 in order to construct the Development. The Applicant also submitted a response to RFP 2009-06 and was awarded funding, for a HOME loan in the amount of \$3,500,000.
- b) At the October 22, 2010 Board Meeting, Florida Housing approved a Final Credit Underwriting Report (the “CUR”) for the financing of the Development’s tax-exempt bonds in the amount of \$25,780,000 and a HOME loan in the amount of \$3,500,000.
- c) The Developer, ZF Development, LLC (“ZOM”), has requested Florida Housing approve modifications to the financial structure of the transaction, resulting in a revised credit underwriting.

#### 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 notify it of any such changes.
- b) The Developer applied with a ZOM related General Partner entity. NRP Monterra L.L.C. has been proposed as a Co-Owner of the General Partner with 30% ownership.
- c) The letter of credit provider during construction has been changed from JPMorgan Chase Bank, N.A. to Bank of America.

## MULTIFAMILY BONDS

### *Consent*

- d) The total development costs are \$46,564,501 or approximately a 7.8% increase from the initial approval of the CUR. The primary reasons for the increased costs are environmental remediation, increased financial and other costs, and carrying costs for a longer period of time than anticipated at the time of the previous CUR.
- e) A Final Credit Underwriting Report dated March 3, 2011 is attached as [Exhibit C](#).

### **3. Recommendation**

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated March 3, 2011, recommending that \$25,780,000 in tax exempt bonds and a \$3,500,000 HOME loan for the acquiring and constructing 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*

**D. Request Approval of the Request for Consent to Transfer Ownership Interest in Island Club Apartments**

<b>DEVELOPMENT NAME (“Development”):</b>	<b>Island Club Apartments</b>
<b>DEVELOPER/PRINCIPAL (“Applicant”):</b>	<b>Rolf H. Gardey, LLC/Rolf H. Gardey, individually</b>
<b>NUMBER OF UNITS:</b>	<b>204</b>
<b>LOCATION (“County”):</b>	<b>Volusia</b>
<b>TYPE (Rental, Homeownership):</b>	<b>Rental/Family (MMRB, HOME and HC)</b>
<b>SET ASIDE:</b>	<b>20% @ 80% (MMRB) 80% @ 150% (MMRB) 100% @ 60% (HC)</b>
<b>ALLOCATED AMOUNT:</b>	<b>\$11,270,000 of Tax Exempt Bonds</b>
<b>ADDITIONAL COMMENTS: Transfer of Ownership</b>	

**1. Background**

- a) Florida Housing financed the construction of the above referenced Development in 1985 with \$11,340,000 in tax exempt bonds designated as 1985 Series CCC.
- b) Florida Housing refunded the Development in 1990 with \$11,270,000 in tax exempt bonds designated as 1990 Series B.
- c) Florida Housing refunded the Development in 2001 with \$8,440,000 in tax exempt bonds designated as 2001 Series J-A and \$2,830,000 in tax exempt bonds designated as 2001 Series J-B.

**2. Present Situation**

- a) AIMCO Holding, L.P. and AIMCO Holdings QRS, Inc. the Co-General Partners of the Development, in a letter dated February 9, 2011, attached as [Exhibit D](#), requested the consent of Florida Housing in connection with the proposed transfer of ownership interest to Rolf H. Gardey L.L.C.
- b) The Credit Underwriter has reviewed the request and by letter, dated March 3, 2011, attached as [Exhibit E](#), recommends that Florida Housing approve the request.

**3. Recommendation**

That the Board approve the Request for Consent to Transfer Ownership Interest in the Developments, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, Credit Enhancer of Bondholder (if required or applicable) and the appropriate Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

**E. Request Approval of Berkadia Commercial Mortgage as Sub-Servicer for Citibank on the Referenced Properties in Connection with Ownership or Credit Enhancement of the Bonds**

<b>Development Name: Greenview Manor Apartments (“Development”)</b>	<b>Location: Pinellas</b>
<b>Developer/Principal: American Opportunity for Housing (“Developer” or “Principal”)</b>	<b>Set-Aside: 85% @ 60% AMI (MMRB) 100% @ 60% AMI (HC)</b>
<b>Funding Sources: MMRB 2007 Series K</b>	<b>Amounts: \$1,945,000 Tax-Exempt Bonds</b>
<b>Number of Units: 52</b>	<b>Type: Rental</b>
<b>Development Name: Walden Pond Villas (“Development”)</b>	<b>Location: Miami-Dade</b>
<b>Developer/Principal: The Related Companies (“Developer” or “Principal”)</b>	<b>Set-Aside: 85% @ 60% AMI (MMRB) 100% @ 60% AMI (HC)</b>
<b>Funding Sources: MMRB 2009 Series B</b>	<b>Amounts: \$13,700,000 Tax-Exempt Bonds</b>
<b>Number of Units: 290</b>	<b>Type: Rental</b>

**1. Background**

Citibank is the owner and servicer of the Bonds in connection with Greenview Manor and is the Servicer for Freddie Mac in connection with the Credit Enhancement for Walden Pond Villas.

**2. Present Situation**

Citibank has contracted with Berkadia Commercial Mortgage, a newly formed entity owned by Berkshire Hathaway Inc. and Leucadia National Corporation, to sub-service and administer the functions associated with these properties. Berkadia recently completed the purchase of Capmark Financial Group Inc. and, as a result, is fully authorized by Fannie Mae, Freddie Mac, and Citibank and its affiliated entities to provide the requested sub-servicing function. This transfer does not affect the ownership and/or Credit Enhancements of these transactions.

**3. Recommendation**

Staff recommends that the Board approve the request to allow Berkadia Commercial Mortgage to sub-service the above referenced properties, subject to further approvals and verifications by Bond Counsel, Special Counsel and Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

#### F. Request Approval of the LURA Amendment for Ashton Point Apartments

<b>Development Name: Ashton Point Apartments (“Development”)</b>	<b>Location: Volusia</b>
<b>Developer/Principal: Ashton Lake Apartments, LP/Picerne Affordable Development (“Developer”, “Principal”, or “Owner”)</b>	<b>Set-Aside: 50% @ 60% AMI (MMRB)</b>
<b>Funding Sources: MMRB 2000 Series U</b>	<b>Amounts: \$9,615,000 Tax-Exempt Bonds \$ 2,630,000 Taxable Bonds</b>
<b>Number of Units: 268</b>	<b>Type: Rental/Family</b>
<b>ADDITIONAL COMMENTS: MMRB LURA Amendment</b>	

#### 1. Background

Florida Housing financed the construction of the above referenced Development in 2000 with \$9,615,000 in tax-exempt bonds and \$2,630,000 in taxable bonds designated as 2000 Series U.

#### 2. Present Situation

- a) The Owner, in a letter dated January 13, 2011, attached as [Exhibit F](#), requested an amendment of the LURA to remove any reference to specific flooring types within the units such as wall to wall carpeting in order to replace the current flooring with laminate flooring that resembles hardwood. The Owner states it believes the laminate flooring is more durable, attractive and economical and is viewed by tenants as an upgrade.
- b) The Credit Underwriter has reviewed the request and by letter, dated February 17, 2011, attached as [Exhibit G](#), and recommends that Florida Housing approve the request.

#### 3. Recommendation

That the Board approve the LURA Amendment for the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, Credit Enhancer of Bondholder (if required or applicable) and the appropriate Florida Housing staff.

# MULTIFAMILY BONDS

## *Consent*

### **G. Assignment of Bond Underwriters and Structuring Agents**

#### **1. Background**

- a) Pursuant to staff's request for approval to issue bonds to finance the acquisition, construction and/or rehabilitation of the proposed Developments referenced below, Final Credit Underwriting Reports are being presented to the Board for approval simultaneously with this request to assign the appropriate professionals to these transactions. Brief descriptions of the Developments are detailed below along with the Staff's recommendations for the assignments.
- b) Additionally, the Corporation's Senior Financial Advisor has prepared method of bond sale letters. Staff has reviewed the method of sale letters and Board approval is requested at the current meeting.

#### **2. Present Situation**

- a) The Credit Underwriter, the Senior Financial Advisor and Florida Housing staff have reviewed the financing structure for the proposed Developments.
- b) The Senior Financial Advisor's recommendations for the methods of bond sale are being presented to the Board at the current meeting during the Multifamily Mortgage Revenue Bond Program Update of items on the agenda.

#### **3. Recommendation**

That the Board approves the assignment of the recommended professionals as shown in the chart for the proposed Developments.

<b>Development Name</b>	<b>Location of Development</b>	<b>Number of Units</b>	<b>Method of Bond Sale</b>	<b>Recommended Professional</b>
Sorrento at Miramar	Broward	320	Negotiated	Raymond James
Solabella	Miami-Dade	92	Private Placement	RBC Capital Markets, Inc.



# MULTIFAMILY BONDS

## *Consent*

### H. Request Approval of the Method of Bond Sale Recommendations from Florida Housing's Senior Financial Advisor

#### 1. Background/Present Situation

- a) The Credit Underwriter has provided Final Credit Underwriting Reports for the proposed Developments below. Florida Housing seeks Board approval pursuant to the recommendations of the Credit Underwriter and the appropriate Florida Housing staff.
- b) Pursuant to Rule 67-21.0045, F.A.C., staff has requested a review of the proposed bond structures by the Senior Financial Advisor in order to make recommendations to the Board for the methods of bond sale.
- c) TIBOR PARTNERS, Inc. has prepared an analysis and recommendation for the methods of bond sale for the Developments. The recommendation letters are attached as [Exhibit H](#).

<b>Development Name</b>	<b>Location of Development</b>	<b>Number of Units</b>	<b>Method of Bond Sale</b>
Sorrento at Miramar	Broward	320	Negotiated
Solabella	Miami-Dade	92	Private Placement

#### 2. Recommendation

That the Board approves the recommendations of the Senior Financial Advisor for the methods of bond sale for the above Developments.

**PUBLIC HOUSING MITIGATION INITIATIVE (PHMI)**

*Consent*

**V. PUBLIC HOUSING MITIGATION INITIATIVE (PHMI)**

**A. Request Approval of Loan Closing Extension for Defuniak Springs Housing Authority (RFP 2009-07-05)**

<b>Public Housing Authority (“PHA”):</b>	<b>Defuniak Springs Housing Authority</b>
<b>Location:</b>	<b>Walton County</b>
<b>Number of Units ≥ 30 Years Old:</b>	<b>50</b>
<b>Grant Amount:</b>	<b>\$42,606</b>

**1. Background/Present Situation**

- a) On November 13, 2009, Florida Housing Finance Corporation issued a request for proposal (RFP) for the Public Housing Mitigation Initiative (PHMI) to assist in the preservation and rehabilitation of dwellings which are 30 years or older under control by Public Housing Authorities.
- b) On January 22, 2010, the Board approved the final scores and ranking and directed staff to proceed with all necessary credit underwriting activities.
- c) On February 5, 2010, staff issued a preliminary commitment letter and an invitation to enter credit underwriting for PHMI funds in the amount of \$42,606 to Defuniak Springs Housing Authority.
- d) On September 16, 2010, the Board approved the final credit underwriting report, and staff issued a firm commitment letter for PHMI funds in the amount of \$42,606 with a loan closing deadline of March 15, 2011.
- e) Staff is requesting that Defuniak Springs Housing Authority be granted an extension of the March 15, 2011 loan closing deadline to allow loan closing to occur by April 15, 2011.

**2. Recommendation**

Approve the extension of the loan closing deadline until April 15, 2011.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Consent*

#### VI. PROFESSIONAL SERVICES SELECTION (PSS)

##### A. Printing Services Contract Renewal

###### 1. Background

- a) On May 29, 2008, Florida Housing entered into a contract with Imagemaster, Inc. to provide services for the printing, binding, shipping, and electronic transmission of preliminary and final official statements.
- b) The original term was for a period three years and will expire on May 29, 2011. The contract allows an option to renew on a yearly basis for a period of up to two (2) years.

###### 2. Present Situation

Florida Housing staff supports a renewal to extend the term of the contracts for the initial one-year period.

###### 3. Recommendation

Staff believes that it is in the best interests of Florida Housing to continue to retain ImageMaster, Inc., and recommends that the Board direct staff to proceed with the initial renewal. If the need arises for any amendments to the substance of the contracts, such changes will be brought to the Board for approval.

## STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

### *Consent*

#### VII. STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

##### A. Request Approval to Correct the Unit Mix for Villa Aurora (2005-020CS/2007-004CS)

<b>Development Name: Villa Aurora (“Development”)</b>	<b>Location: Miami-Dade County</b>
<b>Developer/Principal: Carrfour Supportive Housing, Inc. (“Developer”)</b>	<b>Set-Aside: 21% @ 30% AMI and 79% @ 60% AMI</b>
<b>Number of Units: 76</b>	<b>Allocated Amount: \$3,000,000</b>
<b>Type: High-Rise</b>	<b>Housing Credit Equity: \$20,701,206</b>
<b>Demographics: Homeless</b>	<b>MMRB: N/A</b>

##### 1. Background/Present Situation

- a) On December 4, 2007, a SAIL loan in the amount of \$3,000,000 for this 76 unit homeless development in Miami-Dade County closed. The Development description in the Land Use Restriction Agreement (LURA) and Extended Use Agreement (EUA) indicates that there are 21 two bedroom/two bathroom units.
- b) On October 7, 2010, a review and inspection of the development was conducted by Seltzer Management Group, Inc. which noted that 2 of the 21 two bedroom /two bathroom units contained one and one- half baths as opposed to two full baths.
- c) On January 14, 2011, staff received a letter from the Borrower requesting a correction to the unit mix from 21 two bedroom/two bath units to 19 two bedroom/two bath units and 2 two bedroom/one and one-half units ([Exhibit A](#)).
- d) On January 26, 2011, staff received a review from the credit underwriter with a positive recommendation for the unit mix correction and amendment of the LURA and EUA ([Exhibit B](#)).

##### 2. Recommendation

Approve the request to exchange features and amenities and direct staff to proceed with amending the LURA and EUA.

## STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

### *Consent*

#### **B. Request Approval to Exchange Energy Conservation Features for Lake Harris Cove Apartments (2006-11-SEL)**

<b>Development Name: Lake Harris Cove Apartments (“Development”)</b>	<b>Location: Lake County</b>
<b>Developer/Principal: Atlantic Housing Partners, LLLP (“Developer”)</b>	<b>Set-Aside: 70% @ 60% AMI</b>
<b>Number of Units: 152</b>	<b>Allocated Amount: \$3,000,000 (2005) and \$1,000,000 (2006)</b>
<b>Type: Garden Style</b>	<b>Housing Credit Equity: \$5,114,965</b>
<b>Demographics: Family</b>	<b>MMRB: \$10,000,000 (Local)</b>

#### **1. Background/Present Situation**

- a) On May 15, 2006, a SAIL loan in the amount of \$3,000,000 for this 152 unit family development in Lake County closed. Additionally, a SAIL loan in the amount of \$1,000,000 closed on November 14, 2006.
- b) On January 25, 2011, staff received a letter from the Developer ([Exhibit C](#)) requesting the following amenity exchanges:
  - (1) “Heat pump with a minimum HSPF of 7.5 instead of electric resistance” (2 points) exchanged for “Gas Hydronic combo unit HVAC” (2 points).
  - (2) “Electric water heater with energy factor of .91 or better” (1 point) and “Air conditioning with a SEER rating of 12 or better” (1 point) exchanged for “Air conditioning with a SEER rating of 13 or better” (2 points).
  - (3) “Wall insulation of R-7 or better for masonry/concrete block construction” (2 points) exchanged for “Wall insulation of R-13 or better for frame built construction” (2 points)
- c) On February 18, 2011, staff received a review from the credit underwriter with a positive recommendation for the exchange of energy conservation features ([Exhibit D](#)).

#### **2. Recommendation**

Approve the request to exchange the energy conservation features and direct staff to proceed with amending the Land Use Restriction Agreement and Extended Low Income Housing Agreement.

**STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

*Consent*

**C. Request Approval to Exchange Resident Programs for Lewis Place at Ironwood (99-036S/2000-514C)**

<b>Development Name: Lewis Place at Ironwood (“Development”)</b>	<b>Location: Alachua County</b>
<b>Developer/Principal: Jennings Development Group, Inc./HKW Enterprises, Inc. (“Developer”)</b>	<b>Set-Aside: 100% @ 60% AMI</b>
<b>Number of Units: 112</b>	<b>Allocated Amount: \$900,000</b>
<b>Type: Garden Style</b>	<b>Housing Credit Equity: \$2,745,000</b>
<b>Demographics: Family</b>	<b>MMRB: N/A</b>

**1. Background/Present Situation**

- a) On March 15, 2000, a SAIL loan in the amount of \$900,000 for this 112 unit family development in Duval County closed.
- b) On January 24, 2011, staff received a letter from the Borrower requesting the exchange of resident programs from “On-site child care/ day care facility” for “Financial Assistance with Purchasing a Home” and “First Time Homeowner Seminars” ([Exhibit E](#)).
- c) On February 16, 2011, staff received a review from the credit underwriter with a positive recommendation for the exchange of resident programs ([Exhibit F](#)).

**2. Recommendation**

Approve the request to exchange the resident programs and direct staff to proceed with amending the Land Use Restriction Agreement and Extended Low Income Housing Agreement.

## STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

### *Consent*

#### D. Request Approval to Increase the Number of Units for Pinellas Hope II (RFP 2008-01-01)

<b>Development Name: Pinellas Hope II (“Development”)</b>	<b>Location: Pinellas County</b>
<b>Developer/Principal: General Home Development Corporation of Pinellas, Inc. and PDC Affordable Housing (“Co-Developers”)</b>	<b>Set-Aside: 30% @ 33% AMI and 70% @ 60% AMI</b>
<b>Number of Units: 50</b>	<b>Allocated Amount: \$3,000,000</b>
<b>Type: Garden Style</b>	<b>Housing Credit Equity: N/A</b>
<b>Demographics: Homeless</b>	<b>MMRB: N/A</b>

#### 1. Background/Present Situation

- a) On August 10, 2009, a SAIL loan in the amount of \$3,000,000 for this 50 unit homeless development in Pinellas County closed.
- b) On December 23, 2010, staff received a letter from the Borrower requesting an increase in the total number of units from 50 to 80 in addition to various other revisions to the features and amenities requirements ([Exhibit G](#)).
- c) On March 4, 2011, staff received a review from the credit underwriter with a positive recommendation for an increase in the total number of units from 50 to 80. The credit underwriter also recommends that the number of roll-in showers currently required shall remain in place, which requires an amendment to the Land Use Restriction Agreement (LURA) from “Roll-in showers on 50% of the units with permanently affixed seat” to “Roll-in showers on 25 of the units with permanently affixed seat” ([Exhibit H](#)).

#### 2. Recommendation

Approve the recommendation as stated above and direct staff to proceed with amending the LURA accordingly.

**STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)**

*Consent*

**E. Request Approval to Exchange Features and Amenities for Hannah House, Cycle XX (RFP 2008-01-07)**

<b>Development Name: Hannah House (“Development”)</b>	<b>Location: Hardee County</b>
<b>Developer/Principal: Alpha and Omega Freedom Ministries and Judd K. Roth Real Estate Development (“Co-Developers”)</b>	<b>Set-Aside: 35.29% @ 40% AMI, 29.41% @ 50% AMI and 35.29% @ 60% AMI</b>
<b>Number of Units: 17</b>	<b>Allocated Amount: \$1,577,186</b>
<b>Type: Garden Style</b>	<b>Housing Credit Equity: N/A</b>
<b>Demographics: Homeless</b>	<b>MMRB: N/A</b>

**1. Background/Present Situation**

- a) On April 11, 2008, Florida Housing Finance Corporation issued a request for proposal (RFP) for the development and substantial rehabilitation of housing for special needs populations.
- b) On August 8, 2008, the Board approved the final scores and ranking and directed staff to proceed with all necessary credit underwriting activities.
- c) On September 15, 2008, staff issued a preliminary commitment letter and invitation to enter credit underwriting for a SAIL loan in an amount up to \$1,700,000 for this 17-unit homeless development located in Hardee County.
- d) On October 22, 2010, the Board approved the final credit underwriting report and directed staff to proceed with the issuance of a firm loan commitment and loan closing activities.
- e) On November 18, 2010, staff received a letter from the Borrower requesting relief of the requirement to provide dishwashers in each unit and two or more parking spaces per unit. The Borrower will provide 18 spaces for the 17 units. Additionally, the Borrower requests to provide a badminton court in lieu of a full size basketball court ([Exhibit I](#)).
- f) On March 1, 2011, staff received a review from the credit underwriter with a positive recommendation to grant relief from the requirement of dishwashers in each unit and two or more parking spaces per unit as well as to allow the substitution of a badminton court for a full size basketball court ([Exhibit J](#)).

**2. Recommendation**

Approve the request to grant relief from the requirement of dishwashers in each unit and two or more parking spaces per unit as well as to allow the substitution of a badminton court for a full size basketball court and direct staff to proceed with amending the Land Use Restriction Agreement.



## SPECIAL ASSETS

### *Consent*

#### VIII. SPECIAL ASSETS

##### A. Request Approval of Transfer of General Partnership Interest for Lewis Place at Ironwood (1999-036S / 2000-514C)

<b>Development Name: Lewis Place at Ironwood (“Development”)</b>	<b>Location: Alachua</b>
<b>Developer/Principal: Jennings Development Group, Inc. (“Developer”)</b>	<b>Set-Aside: SAIL &amp; HC: 100% @ 60% AMI SAIL 50 years; HC: 30 years</b>
<b>Number of Units: 112</b>	<b>Allocated Amount: SAIL \$900,000; HC \$349,730</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

##### 1. Background

During the 1999 funding cycle, Florida Housing awarded \$900,000 in SAIL funds to Lewis Place Associates, Ltd., a Florida limited partnership (Borrower), for the development of a 112-unit property in Alachua County, Florida. The development also received a 2000 Housing Credit allocation of \$349,730. The loan was closed on March 15, 2000.

##### 2. Present Situation

- a) By correspondence dated January 19, 2011, the Special Limited Partner, Centerline Capital Group, requested approval to transfer and assign the GP interest in Lewis Place Associates, Ltd from Lewis Plaza, Inc. to The Partnership, Inc., a non-profit entity.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit A](#)).

##### 3. Recommendation

Staff recommends that the Board approve the transfer of the GP interest subject to the conditions provided in the credit underwriting report dated February 28, 2011 and direct staff to proceed with loan document modification activities as needed.

## SPECIAL ASSETS

### *Consent*

**B. Request Approval of Transfer of General Partnership Interest for Colonial Park Apartments (2002-111S/2002-542C)**

<b>Development Name: Colonial Park Apartments (“Development”)</b>	<b>Location: Broward</b>
<b>Developer/Principal: Triad Housing Partners (“Developer”)</b>	<b>Set-Aside: SAIL 4%@30%, 95%@60%; HC: 99%@60% AMI SAIL 50 years; HC: 30 years</b>
<b>Number of Units: 160</b>	<b>Allocated Amount: SAIL \$2,000,000; HC \$378,470</b>
<b>Demographics: Family</b>	<b>Servicer: First Housing</b>

**1. Background**

During the 2002 funding cycle, Florida Housing awarded \$2,000,000 in SAIL funds to Reflections Housing, Ltd., a Florida limited partnership (Borrower), for the development of a 160-unit property in Broward County, Florida. The development also received a 2002 Housing Credit allocation of \$378,470. The loan was closed on May 9, 2003.

**2. Present Situation**

- a) By correspondence dated November 18, 2010, the Borrower requested approval to transfer and assign the GP interest in Reflections Housing, Ltd. from THP Reflections Corp. to a GP entity affiliated with the Related Group.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit B](#)).

**3. Recommendation**

Staff recommends that the Board approve the transfer of the GP interest subject to the conditions provided in the credit underwriting report dated March 4, 2011 and direct staff to proceed with loan document modification activities as needed.

## SPECIAL ASSETS

### *Consent*

C. **Request Approval of Transfer of General Partnership Interest for Meridian Apartments (2002-110S/2002-543C)**

<b>Development Name: Meridian Apartments (“Development”)</b>	<b>Location: Broward</b>
<b>Developer/Principal: Triad Housing Partners (“Developer”)</b>	<b>Set-Aside: SAIL 4% @ 30%, 95% @ 60%; HC: 99% @ 60% AMI SAIL 50 years; HC: 30 years</b>
<b>Number of Units: 160</b>	<b>Allocated Amount: SAIL \$2,000,000; HC \$547,037</b>
<b>Demographics: Family</b>	<b>Servicer: First Housing</b>

1. **Background**

During the 2002 funding cycle, Florida Housing awarded \$2,000,000 in SAIL funds to Meridian Housing, L.P., a Florida limited partnership (Borrower), for the development of a 160-unit property in Broward County, Florida. The development also received a 2002 Housing Credit allocation of \$547,037. The loan was closed on May 9, 2003.

2. **Present Situation**

- a) By correspondence dated November 18, 2010, the Borrower requested approval to transfer and assign the GP interest in Meridian Housing, L.P from THP Meridian Corp. to a GP entity affiliated with the Related Group.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit C](#)).

3. **Recommendation**

Staff recommends that the Board approve the transfer of the GP interest subject to the conditions provided in the credit underwriting report dated March 4, 2011 and direct staff to proceed with loan document modification activities as needed.