

**STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION**

**CAMDEN CLUB, LTD. (2002-101S)
(PROJECT NAME: CAMDEN CLUB APARTMENTS)**

Petitioner,

vs.

Case No.: _____

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

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FLORIDA HOUSING
FINANCE CORPORATION

**PETITION FOR FORMAL
ADMINISTRATIVE HEARING**

Petitioner, Camden Club, Ltd., ("Camden Club" or "the Applicant"), by and through its undersigned attorneys and pursuant to Sections 120.569 and 120.57(1), Florida Statutes (2001), and Rule 28-106.201 and Rule 67-48.005, Florida Administrative Code ("F.A.C."), hereby files its petition for a formal administrative hearing to review the scoring of its application/development which it submitted to the Florida Housing Finance Corporation ("FHFC" or "Corporation") incident to seeking an allocation of funds from the 2002 Universal Application Cycle ("2002 Cycle") funding batch.

1. Petitioner's name, address and telephone number are:

Camden Club, Ltd.
615 Crescent Executive Court
Suite 120
Lake Mary, Florida 32746
407-333-3233

2. The name, address and telephone number of Petitioner's representatives for service purposes during this proceeding are:

Michael G. Maida
J. Stephen Menton
Rutledge, Ecenia, Purnell & Hoffman, P.A.
215 S. Monroe Street, Ste. 420
P.O. Box 551
Tallahassee, FL 32302
850/681-6788

3. The name and address of the affected agency are:

Florida Housing Finance Corporation
227 N. Bronough Street
City Centre Building, Room 5000
Tallahassee, Florida 32301-1329

4. The FHFC administers the State Apartment Incentives Loan (SAIL) program, as provided in Sections 420.507 and 420.5087, Florida Statutes (2001). The SAIL program provides loans for entities constructing or rehabilitating affordable residential rental units for low income and/or very low income persons. The FHFC also administers the Low-Income Housing Tax Credit (HC) program, as provided in Sections 420.5099, Florida Statutes (2001). The HC program provides tax credits for entities constructing or rehabilitating affordable residential rental units for low income and/or very low income persons. The Corporation allocates SAIL loans and HC tax credits through a combined competitive application process in accordance with Rule 67-48.004, F.A.C. The applications are competitively ranked by program within set-aside categories. Applicants compete for funding from the limited allocations to be made from the program(s) during annual cycles.

5. Camden Club and many other entities submitted applications seeking a SAIL loan from the 2002 Cycle. Camden Club's application was assigned Application Scoring No. 2002-101S (the "Application").

6. FHFC released its final scoring of the applications in the 2002 Cycle in a Notice dated July 22, 2002. The Applicant received the Notice on July 23, 2002 via overnight express mail. According to the Notice, Camden Club's Application received a final score of 60 points out of a possible 71 points. SAIL applicants who received less than the maximum 71 points are unlikely to receive funding from the 2002 Cycle. Camden Club will not be entitled to an allocation of funds from the 2002 Cycle if its final score is not increased. Camden Club will be entitled to an allocation of funds from the Corporation during the 2002 Cycle if it is successful in this petition to reinstate the points deducted from the scoring of its Application. Thus, Camden Club's substantial interests are subject to a determination in this proceeding.

7. The Corporations's July 22, 2002 Notice advised applicants of their right to contest the Corporation's scoring regarding their applications. Under Rule 67-48.005, an applicant may petition for a formal hearing if the appeal involves disputed issues of material fact.

8. The following paragraphs set forth the relevant scoring issues that led to a reduced score for Camden Club's Application. As set forth below, the Corporation's analysis is flawed. The Corporation unjustifiably refused to accept Camden Club's status as an "Elderly" project for scoring purposes. The Corporation's scoring of Camden Club's 2002 Application is inconsistent with the Corporation's prior scoring of Camden Club's application submitted in the Corporation's 2001 Combined Rental Application Cycle (the "2001 Cycle"). The Corporation failed to alert Camden Club and other applicants that the scoring of elderly programs in the 2001 Cycle could not be relied upon in the 2002 Cycle.

The Application Selection Procedure

9. The Corporation's scoring and evaluation process for SAIL and HC applications is set forth in Rule 67-48.004, F.A.C. Under that Rule, the applications are preliminarily scored based upon factors contained in the application package and the Corporation's published applicable rules. After scoring, the Corporation issues preliminary scores to all applicants.

10. Competitors can alert the Corporation of an alleged scoring error concerning another application by filing a written Notice of Possible Scoring Error (NOPSE) within the specified time frame. After the Corporation considers issues raised in a timely filed NOPSE, it notifies the affected applicant of its decision.

11. Applicants have an opportunity to submit "additional documentation, revised pages and such other information as the [a]pplicant deems appropriate to address the issues" raised by preliminary or NOPSE scoring. (Rule 67-48.004(6), F.A.C). In other words, Applicants can cure errors in their applications pointed out during preliminary scoring or raised by a competitor during the NOPSE process.

12. After affected applicants submit additional documentation to cure errors in their applications, competitors can file Notices of Alleged Deficiencies (NOADs) challenging the quality or validity of a cure. Following the Corporation's consideration of the cure materials submitted by the affected applicants and its review of the issues raised in the NOADs, the Corporation publishes the final scores.

13. The Corporation issues scores in two different categories: Total Points and Proximity Tie-Breaker Points. Total Points are based upon the Corporation's scoring of substantive information provided by an applicant. Proximity Tie-Breaker Points are based upon the proximity

of the proposed development to various services, such as grocery stores, public transportation, and medical facilities. The number of points awarded in each tie-breaker category varies, based on how close a particular service is to the development. An applicant's tie-breaker point total increases the closer the services are to the development. As there is a great deal of competition for funding, applicants seek to maximize their scores to enhance their prospects of obtaining funding.

2002 APPLICATION

14. On or about April 15, 2002, Camden Club submitted an application for the 2002 Cycle seeking an allocation of SAIL funding. As discussed in more detail below, Camden Club received an allocation of housing credits in the 2001 Cycle. In the 2001 Cycle, Camden Club committed to and was approved for funding based upon the amenities for an "Elderly" development. Thus, at the time of the 2002 Application submission for a SAIL loan, the Camden Club development was dedicated to providing housing to the Elderly.

15. As noted above, in the final scoring of the 2002 Application, the Corporation awarded Camden Club 60 points out of a possible 71 points. The Corporation's Final Score and its conclusion on the funding status of Camden Club were based on the erroneous conclusion that the Application did not qualify as an Elderly facility.

Part III Development

F. Resident Programs

3. Qualified Resident Programs for Elderly Developments

16. Part III of the application form requires an applicant to provide information regarding the development. Under Section F, Subsection 3 of its 2002 Application, Camden Club agreed to provide qualified resident programs associated with elderly developments. Specifically, Camden Club agreed to provide programs for the elderly which included daily activities such as: a resident

assurance check-in program and a manager who would be on-call 24 hours per day. (See Page 17 of the 2002 Application attached hereto as Exhibit "A"). In scoring the Application, the Corporation concluded that Camden Club was not entitled to any points under this portion of the Application and awarded Camden Club zero points out of a possible 6 points. The rationale for this conclusion is set forth in the Corporation's scoring summary which states: "Applicant did not qualify as an elderly development under Part III. D, therefore Applicant is not qualified to select elderly resident programs." (See 2002 Universal Scoring Summary attached hereto as Exhibit "B"). In other words, according to the Corporation, only elderly developments can be awarded points for elderly resident programs.

17. As discussed below, the resident programs selected by Camden Club are virtually identical to the resident programs selected by Camden Club on Form 8 of the 2001 application. Camden Club's 2001 application received the maximum available points for its commitment to provide programs specifically designed for the Elderly. As a result of the Corporation's scoring and funding of its 2001 application, Camden was unconditionally obligated to provide resident programs to its Elderly tenants when it submitted its 2002 Application. In other words, 100% of the Camden Club units are specifically targeted for the "Elderly," as that term is defined by the Corporation. Camden Club should therefore receive the maximum score of 6 points for the Elderly programs contained in its 2002 Application.

Part III Development

D. Demographic or Area Commitment

18. Under Part III, Section D, an applicant is required to provide information regarding the demographic or area of commitment the development intends to serve. An applicant is required

to select one of the following: Florida Keys Area; Rural Development; Elderly; Farmworker or Commercial Fishing Worker; Homeless; Urban In-Fill Development; Large Family Development; Hope VI Development; and Front Porch Florida Community. (This portion of the 2002 application is similar to Form 21 of the 2001 application discussed below). Camden Club selected Elderly as its commitment¹. The Corporation refused to award Camden Club any points out of a possible 5 points for this portion of the Application on the grounds that the development did not qualify as an elderly development.

19. The Camden Club development is comprised of 215 units. According to the Corporation, in order for a development to be classified as “Elderly,” the “development cannot consist of more than 160 total units, unless the proposed Development is a rehabilitation of an existing elderly housing facility.” (See page 20 of the Universal Application Instruction attached hereto as Exhibit “C”). This is the same definition that was in place during the 2001 Cycle, when, as discussed below, the Corporation evaluated, scored and allocated housing credits to Camden Club based on a commitment to target 100% of its units for the Elderly.

20. At the time it submitted its 2002 Application, Camden Club was unconditionally obligated to target 100% of its units to the Elderly. This requirement was imposed by the Corporation when it agreed to allocate housing credits to Camden Club from the 2001 Cycle. The relevant portions of the application have not changed. Absent a clearly enunciated policy change,

¹There are no funds within the SAIL program set aside for Front Porch Florida Developments. Instead, in accordance with Section 480.5087, Florida Statutes, SAIL funds are reserved for the following demographic categories: Elderly, Homeless, Farmworker/Commercial Fishing Worker and Family. Since Camden Club had already committed to provide housing for the Elderly in its 2001 application, Camden Club appropriately selected Elderly as the category under which it was seeking an allocation of SAIL funds in 2002.

the Corporation should score and fund this development consistent with its acceptance of Camden Club as an Elderly development for the 2001 Cycle. Camden Club should therefore receive the maximum score of 5 points for this portion of the Application.

Proximity Tie-Breaker Points

21. The Corporation's final score for Camden Club did not include tie-breaker points for the proximity of a medical facility close to the development. According to the Corporation, in order to achieve such tie-breaker points, the Applicant had to qualify as an Elderly development. Because Camden Club qualifies as an Elderly development and was previously awarded points for its Elderly amenities, it is entitled to an award of 1.0 Proximity Tie-Breaker Points for medical facility proximity.

THE CAMDEN CLUB 2001 APPLICATION

22. For the reasons already mentioned, the application process for the 2001 Combined Cycle is relevant and must be considered in order to evaluate the scoring of Camden Club's 2002 Application.

23. The 2001 application was identical in all material respects to Camden Club's Application in the 2002 Cycle seeking a SAIL loan. The same development is the subject of both the 2001 and 2002 applications. That development is an existing 215-unit apartment complex in need of rehabilitation.

24. Relevant portions of the 2001 application reflect that Camden Club committed to treat this development as a rehabilitation of an existing Elderly facility. As defined in the Corporation's rules:

“Elderly” means a person 62 years of age or older. With respect to the SAIL, HOME and HC Programs, persons meeting the Federal Fair Housing Act requirements for Elderly shall be considered Elderly.²

Rule 67-48.002, F.A.C.

Form 2: Portfolio Diversification and Geographic Distribution

25. Camden Club provided information throughout the 2001 application demonstrating its commitment to provide affordable housing to the Elderly. Under Form 2, an applicant was required to provide information regarding the targeted group that the development intended to serve. Applicants would select from various categories, including “General Family” or “Elderly.” For Camden Club, there was no competitive advantage to be gained in 2001 by selecting one category over the other. Camden Club committed in its 2001 application that 100% of the units would be targeted for “Elderly” residents.(See Form 2, page 2 of the 2001 application, attached hereto as Exhibit “D”).

Form 7: Development Feasibility and Ability to Proceed
Part I: Quality of Design

26. Form 7 of the 2001 application required that an applicant disclose the “construction category” and “demographic category” for the proposed development. Camden Club disclosed that the construction category was a “rehabilitation of existing development.” For the demographic category, an applicant had the option of selecting either “Elderly” or “Non-Elderly.” The point totals for each category were identical and there was no competitive advantage to Camden Club for selecting one category over the other. Camden Club listed the proposed development in its 2001

² Under the Fair Housing Act, persons 55 years of age or older are considered elderly.

application as an “Elderly” facility. Camden Club committed in 2001 to provide the following features designated as applicable to Elderly developments:

- Emergency call service in set-aside units
- Laundry facilities available on every floor or Laundry hook-ups and space for washer/dryer **inside each unit** (emphasis by the Corporation)
- Public transportation available within 150 feet of the property
- Exercise Room with appropriate equipment
- Community Center or Clubhouse
- Swimming Pool
- Covered Picnic Area with at least three permanent picnic tables and a permanent outdoor grill
- Shuffleboard Court.

27. According to the dictates of the 2001 application form, an applicant had to agree to “have at least 80% of the units set aside for the Elderly in order to receive points under this section as reflected on Form 2.” (See Form 7, page 2 of the 2001 application, attached hereto as Exhibit “E”). Camden Club agreed in its 2001 Application to set aside a minimum of 80% of the total units for the Elderly as defined in Rule, 67-48.002 F.A.C. The Corporation awarded full points to the 2001 application based on Camden Club’s commitment to provide these “Elderly” features thereby confirming that Camden Club satisfied the requirements of an Elderly development within the meaning of the Federal Fair Housing Act and the Corporation’s rules.

Form 8: Resident Programs

28. Form 8 of the 2001 application required the applicant to disclose information with respect to programs that would enhance the development and quality of life for the residents. An applicant was permitted to provide amenities designed to either enhance “Elderly” or “Non-Elderly” developments. There was no competitive advantage to Camden Club for selecting one category over another. Just as in Form 7, Form 8 required that an applicant must agree to “have at least 80% of

the residential units set aside for the Elderly as reflected on Form 2.” (See Form 8, pages 2 and 3 of the 2001 application attached hereto as Exhibit “F”). Camden Club elected to provide qualified resident programs for Elderly tenants. These qualified resident programs included a 24 hour per day on-call manager and supervised, structured on-site daily activities, which are provided at no cost to the residents.

Form 21: Special Targeting

29. In order to insure a diversified rental housing portfolio, the Corporation allocates credits based on demographic and other targeting goals. Form 21 of the 2001 application required applicants to commit to provide special targeting for a proposed development. By selecting an area of special targeting, an applicant was committing to provide housing to a “targeted resident group” (Form 21, p.1). According to the 2001 Qualified Allocation Plan adopted by reference in the Corporation’s rules, the Corporation targeted the following resident group categories: Large Family: Elderly: Farmworker or Commercial Fishing Worker: HOPE VI and Front Porch Florida Developments: and Urban In-fill Developments that are not HOPE VI or Front Porch Florida Developments.

30. To the extent that an applicant qualified, it could select any Special Targeting category depending on which program an applicant felt would enhance its likelihood of funding. In the 2001 Cycle, there was a reservation of housing credits earmarked for Front Porch Florida developments, but very few applications qualified as Front Porch Florida Developments. Since Camden Club was able to claim this designation, it was advantageous for Camden Club to select Front Porch Florida Development as its Special Targeting category.

31. In scoring Camden Club's 2001 application, the Corporation accepted the Applicant's Front Porch Florida Development special targeting selection along with the Elderly amenity offerings. Effectively, the Corporation determined that, unlike Large Family and Elderly or Farmworker and Elderly, the Front Porch Florida Development and Elderly targeting categories were not mutually exclusive.

32. The 2001 application form included the following provision:

In order for a proposed Development to be classified as Elderly for purposes of this Application, the Development **CANNOT HAVE MORE THAN 160 TOTAL UNITS**, unless the proposed Development is a rehabilitation of an existing elderly housing facility,..."

(Underscore added) (See Form 21, page 3). The "Elderly" classification was not limited to an election under Form 21. By its very terms, a development could not target the Elderly unless it was a new development that did not exceed 160 units or that the Corporation evaluated and scored as a rehabilitation of an existing elderly facility. The Camden Club application reflected an existing rehabilitation development comprised of 215 units. Based upon the foregoing, the 2001 Camden Club application was evaluated and scored as a qualifying Elderly facility within the Front Porch Florida Development Special Targeting category.

Relevant Scoring Summary for Camden Club's 2001 Application

33. In evaluating and scoring its 2001 application, the Corporation awarded full points based upon Camden Club's selection of "Elderly" for quality of design features and resident programs. Camden Club would have had the opportunity to "cure" any alleged defects on Forms 2, 7 and 8 of its application if the Corporation had indicated the Front Porch Florida Development/Elderly combination was not acceptable in scoring the 2001 application. Camden

Club could have listed “General Family” if the Corporation has been unwilling to accept “Elderly” as an acceptable targeted group under Form 2 of the application. If “General Family” been the targeted group under Form 2, Camden Club would have listed “Non-Elderly” demographic and “Non-Elderly” resident programs under Forms 7 and 8 of the 2001 application.

34. Camden Club would have received an allocation of credits in 2001 if it had targeted the development as a “General Family” development with respect to Form 2 and selected “Non-Elderly” design features and resident programs in Forms 7 and 8. Because no issues or problems were raised by the Corporation in the scoring of the 2001 application, Camden Club committed to providing housing for the Elderly for the next 50 years. In the 2002 Cycle, the Corporation should not be permitted to recede from its prior acceptance of Camden Club’s status as an elderly development without adopting rules alerting the applicants as to the intended change.

35. In light of the foregoing, the Corporation erred in its evaluation and scoring of Part III of Camden Club’s 2002 Application and 11 points should be added back to the Applicant’s score. Moreover, Camden Club is entitled to 1.0 medical facility proximity tie-breaker point because its development is located between one and two miles from a medical facility.

DISPUTED ISSUES OF MATERIAL FACT AND LAW

36. Specific disputed issues of material fact and law in this proceeding include, but are not limited to the following:

a. Whether the Corporation erred in its evaluation and scoring of Camden Club’s 2002 Application;

b. Whether Camden Club, in the 2002 Cycle, was entitled to rely on the Corporation's evaluation and scoring of Camden Club's 2001 application with respect to similarly situated issues.

c. Whether the Corporation evaluated and scored Camden Club's 2002 Application in a manner different than the manner in which the Corporation evaluated and scored Camden Club's 2001 application on similarly situated issues.

d. Whether the Corporation is estopped from evaluating and scoring Camden Club's 2002 Application in a manner different than the manner in which the Corporation evaluated and scored Camden Club's 2001 application on similarly situated issues;

e. Whether the Corporation properly notified applicants of a change in policy that supports the Corporation's scoring in 2002 that fails to accept Camden Club's Elderly amenities; and

f. Whether the Corporation scored the Application in an arbitrary and capricious manner.

ULTIMATE FACTS AND LAW

37. As a matter of ultimate fact and law, Camden Club states that its 2002 Application should have been evaluated and scored as an Elderly development consistent with the Corporation's scoring of similar issues involving Camden Club in the 2001 Combined Cycle. Accordingly, Camden Club's Final Score in the 2002 Cycle should be increased as set forth herein.

STATUTES AND RULES AT ISSUE IN THIS PROCEEDING

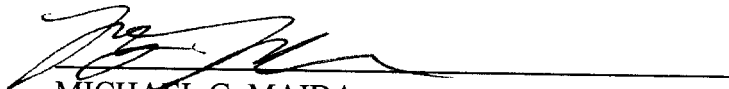
38. The statutes and rules at issue in this proceeding include, but are not limited to, Sections 420.507 and 420.5087, Florida Statutes (2001); Rule 28-106.201, Florida Administrative

Code; Rule 67-48.004, Florida Administrative Code; and Rule 67-48.005, Florida Administrative Code.

WHEREFORE, Petitioner, Camden Club, respectfully requests that:

- a. Florida Housing Finance Corporation refer this Petition to the Division of Administrative Hearing for the assignment of an Administrative Law Judge;
- b. A formal administrative hearing be conducted pursuant to Section 120.57(1), Florida Statutes (2001), to correct the scoring and ranking of Camden Club's Application;
- c. Recommended and final orders be issued enhancing Camden Club's 2002 score as requested in this Petition; and
- d. Such further relief as may be deemed appropriate be granted.

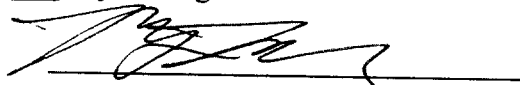
RESPECTFULLY SUBMITTED this 13th day of August, 2002.



MICHAEL G. MAIDA
FL BAR No.: 0435945
J. STEPHEN MENTON
FL BAR No: 3311181
Rutledge, Ecenia, Purnell & Hoffman, P.A.
215 S. Monroe Street, Ste. 420
P.O. Box 551
Tallahassee, FL 32302
850/681-6788

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing has been filed with Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329, on this 13th day of August 2002.



MICHAEL G. MAIDA

(2) After School Program for Children (3 points)

(3) First Time Homebuyer (1 point)

c. The following resident programs are available for both SRO and NonSRO Developments:

(1) Welfare to Work or Self-Sufficiency Programs (1 point)

Identify the program and the contact person:

Name of Welfare to Work or Self-Sufficiency Program:

na

Name of Contact Person:

na

Telephone Number:

na

Address:

Street: na

City: na State: na Zip Code: na

(2) Literacy Training (2 points)

(3) Job Training (2 points)

3. Qualified Resident Programs for Elderly Developments (Maximum 6 Points)

a. Private Transportation (3 points)

b. Daily Activities (3 points)

c. Assistance with Light Housekeeping, Grocery Shopping and/or Laundry (1 point)

d. Resident Assurance Check-In Program (2 points)

e. Manager On-Call 24 Hours Per Day (2 points)

4. Qualified Resident Programs for ALL Applicants (Maximum 8 Points)

a. Health Care (1 point)

b. Resident Activities (2 points)

c. Health and Nutrition Classes (1 point)

d. Financial Counseling (1 point)

e. English as a Second Language (2 points)

f. Computer Lab (4 points)

g. Resident Assistance Referral Program (1 point)

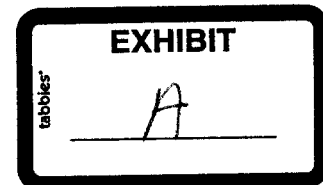
h. Swimming Lessons (2 points)

i. Life Safety Training (2 points)

j. Mentoring (1 point)

Part IV. Local Government Support

A. Contributions



2002 Universal Scoring Summary

As of: 07/22/2002

File # 2002-101S Development Name: Camden Club Apartments

As Of:	Total Points	Met Threshold?	Proximity Tie-Breaker Points	Corporation Funding per Set-Aside Unit *	SAIL as Percentage of Total Development Cost
07 - 22 - 2002	60	Y	6.25	\$46,453.49	11.87%
Preliminary	60	N	6.25	\$46,453.49	11.87%
NOPSE	60	N	6.25	\$46,453.49	11.87%
Final	60	Y	6.25	\$46,453.49	11.87%
Post-Appeal	0	Y	0		0

*Corporation funding includes Local Government-issued tax-exempt bond financing

Scores:

Item #	Part Section	Subsection	Description	Available Points	Preliminary	NOPSE	Final	Post-Appeal
1S	III	A	2.b	2	0	0	0	0
If SAIL Application for Development in one of these counties where no SAIL Application has ever been funded: Bay, Citrus, Leon, Nassau, Okaloosa, Okeechobee, St. Lucie or Santa Rosa								
Optional Features & Amenities:								
2S	III	B	2.a	9	9	9	9	0
2S	III	B	2.b	9	0	0	0	0
3S	III	B	2.c	12	12	12	12	0
3S	III	B	2.d	12	0	0	0	0
4S	III	B	2.e	9	9	9	9	0
Demographic or Area Commitment:								
5S	III	D	1.	7	0	0	0	0
5S	III	D	2.	5	0	0	0	0
5S	III	D	3.	5	0	0	0	0
5S	III	D	4.	5	0	0	0	0
5S	III	D	5.	5	0	0	0	0
5S	III	D	6.	5	0	0	0	0
5S	III	D	7.	5	0	0	0	0
5S	III	D	8.	5	0	0	0	0
5S	III	D	9.	5	0	0	0	0



2002 Universal Scoring Summary

As of: 07/22/2002

File # 2002-101S Development Name: Camden Club Apartments

Scores:

Item #	Part Section	Subsection	Description	Available Points	Preliminary	NOPSE	Final	Post-Appeal
6S	III	E	2. Set-Aside Commitment: Commitment to Serve Lower AMI	5	5	5	5	0
7S	III	E	3. Total Set-Aside Commitment	3	3	3	3	0
8S	III	E	4. Affordability Period	5	5	5	5	5
Resident Programs:								
9S	III	F	1. Programs for Non-Elderly & Non-Homeless	6	0	0	0	0
9S	III	F	2. Programs for Homeless (SRO & Non-SRO)	6	0	0	0	0
9S	III	F	3. Programs for Elderly	6	0	0	0	0
10S	III	F	4. Programs for All Developments	8	8	8	8	8
Local Government Support								
11S	IV	a.	Contributions	5	5	5	5	0
12S	IV	b.	Incentives	4	4	4	4	0

Reason(s) Scores Not Maxed:

Item #	Reason(s)	Created As Result	Rescinded as Result
1S	The proposed Development is not located in one of the stated counties.	Preliminary	
5S	(1) The proposed Development is not located in the Florida Keys Area. (2) The Applicant failed to qualify as an Elderly Development because the proposed Development exceeds 160 units and it is not a rehabilitation of an existing elderly facility.	Preliminary	
9S	Applicant did not qualify as an Elderly Development in Part III. D., therefore Applicant is not qualified to select elderly resident programs.	Preliminary	

Threshold(s) Failed:

Item #	Part Section	Subsection	Description	Reason(s)	Created As Result of	Rescinded as Result of
1T	V	B	Syndicator's reference letter	Applicant must provide at least one signed statement from a general partner of the ownership entity of a completed development which confirms that the syndicator has performed its obligations under the partnership agreement and is not currently in default with that agreement. The Applicant provided a letter signed by Kenneth Dixon, President of Leland Enterprises. The letter was not signed by the general partner as required. Therefore, the equity was not scored firm which resulted in a financial shortfall of \$6,957,300 for construction and permanent financing.	Preliminary	Final
2T	II	A	Non-Profit Status	Applicant indicates it is applying as a Non-Profit but has not demonstrated that a	NOPSE	Final

2002 Universal Scoring Summary

As of: 07/22/2002

File # 2002-101S Development Name: Camden Club Apartments

Threshold(s) Failed:

Item #	Part Section	Subsection	Description	Reason(s)	Created As Result of	Rescinded as Result of
				Non-Profit has 51% ownership in the general partner. The Affidavit of Capital Contributions provided at Exhibit 3 indicates that Camden Club, Inc. is the sole general partner of Camden Club, Ltd. Exhibit 9 shows that Camden Club, Inc. has 49% ownership interest in the general partnership and that HANDS has 51% ownership interest in the general partner. However, HANDS is not included as a general partner in the paperwork filed with the Secretary of State and Camden Club, Inc. has not demonstrated that it is a Non-Profit.		

Proximity Tie-Breaker Points:

Item #	Part Section	Subsection	Description	Available	Preliminary	NOPSE	Final	Post-Appeal
1P	III	A	11.b.(1). Grocery Store	1.25	1.25	1.25	1.25	0
2P	III	A	11.b.(2). Public School	1.25	0	0	0	0
2P	III	A	11.b.(3). Medical Facility	1.25	0	0	0	0
3P	III	A	11.b.(4). Bus Stop or Metro-Rail Stop	1.25	1.25	1.25	1.25	0
4P	III	A	11.c. Address/Location on FHFC Development Proximity List	3.75	3.75	3.75	3.75	0

Reason(s) for Failure to Achieve Selected Proximity Tie-Breaker Points:

Item #	Reason(s)	Created As Result of	Rescinded as Result of
2P	Because Application is not eligible for points as Elderly Demographic, Application is not eligible for medical facility proximity tie-breaker points.	Preliminary	

Additional Application Comments:

Item #	Part Section	Subsection	Description	Reason(s)	Created As Result of	Rescinded as Result of
1C	III	D	3 Demographic or area commitment	After reviewing the cure and NOAD for item 5S, FHFC determined that this development does not qualify for the Elderly Demographic or Area Commitment.	Final	
2C	III	F	3 Resident programs	As the cure submitted for item 5S does not correct that section, there is no change to item 9S.	Final	
3C	III	A	11 Proximity	Camden Club Apartments is not an elderly development in the 2002 Universal Application cycle, and therefore is not eligible for Proximity Tie-Breaker points associated with a medical facility	Final	

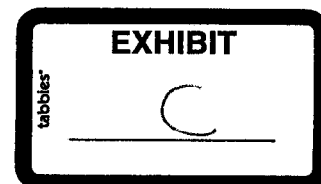
alternative financing commitment(s) to qualify during scoring. Such commitment(s) may be replaced during credit underwriting.

3. Elderly (MMRB, SAIL and HC Applicants may make this selection) – 5 Points

SAIL Applicants making this selection will compete in the SAIL Elderly Special Set-Aside for the Elderly Categorical Set-Aside funds.

In order for a proposed Development to be classified as Elderly, the Development must meet all of the following restrictions:

- a. Applicant understands, acknowledges and agrees that it will comply with the Federal Fair Housing Act requirements and rent at least 80% of the total units to residents that qualify as Elderly pursuant to that Act. Further, Applicant understands, acknowledges and agrees that all such units are subject to the income restrictions committed to in the Set-Aside Commitment section of this Application;
- b. The Development cannot consist of more than 160 total units, unless the proposed Development is a rehabilitation of an existing elderly housing facility;
- c. At least 50% of the total units must be comprised of one-bedroom and no more than 15% of the total units can be larger than 2 bedroom;
- d. Applicant must provide a market analysis, dated within 9 months of the Application Deadline, that demonstrates a local need for such housing. The market analysis must be provided behind a tab labeled “**Exhibit 31**”.
- e. A minimum of one elevator per residential building must be provided for all new construction Developments that consist of more than one story if any of the Elderly set-aside units will be located on a floor higher than the first floor.
- f. The Applicant must provide the following features in the specified percentages of all units in new construction (NC) and Rehabilitation/Substantial Rehabilitation (SR) Developments. Features required in less than 100% of the units must be provided in the same units so that the designated number/percentage of units is fully useable by handicapped or frail Elderly households.



NOTE: In order to ensure that the mandate for geographical distribution is met, specific fund prioritize Applications from one or more of the above-specified county groups. Such priority will be announced in the NOTICE OF FUNDING AVAILABILITY or in the NOTICE OF CREDIT AVAILABILITY for the cycle.

II. Portfolio Diversification

A. Targeted Resident Population: Indicate the targeted group and the percentage of the residential units that will be targeted for that population for this Development. Check all that apply:

Targeted Group	Percentage of Residential Units Targeted*		
	SAIL	HOME	HC
<input type="checkbox"/> General Family	_____ %	_____ %	_____ %
<input type="checkbox"/> Large Family (3 or more bedrooms per unit)	_____ %	_____ %	_____ %
<input checked="" type="checkbox"/> Elderly	_____ %	_____ %	100%
<input type="checkbox"/> Farmworker	_____ %	_____ %	_____ %
<input type="checkbox"/> Commercial Fishing Worker	_____ %	_____ %	_____ %
<input type="checkbox"/> Homeless	_____ %	_____ %	_____ %
<input type="checkbox"/> Disabled	_____ %	_____ %	_____ %
TOTAL	100%	100%	100%

***NOTE:** Calculate this percentage by dividing the number of units targeted to the selected group by the number of residential units. See Forms 11, 13 and 19 .

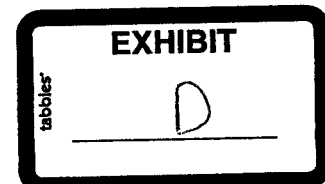
B. Location in Counties with Populations of 50,000 or Less as determined by the 1999 Florida Statistical Abstract: Developments with no more than 50 total units which are located in the following counties will receive 2 points:

Baker	Gilchrist	Jackson	Sumter
Bradford	Glades	Jefferson	Suwannee
Calhoun	Gulf	Lafayette	Taylor
De Soto	Hamilton	Levy	Union
Dixie	Hardee	Liberty	Wakulla
Flagler	Hendry	Madison	Walton
Franklin	Holmes	Okeechobee	Washington

If the proposed Development has 50 or fewer total units and is located in one of the listed counties (which has a population of 50,000 or less as determined by the 1999 Florida Statistical Abstract), indicate which county on the line below:

na

Name of County



- Cable or Satellite TV Hook-ups inside each unit = 3 points

B. Check the applicable demographic category for the proposed Development and select features ONLY from the list corresponding with the indicated category. Maximum Points = 16

- Elderly.** Must have at least 80% of the units set aside for the Elderly in order to receive points under this section as reflected on Form 2, Item II. All common areas must be wheelchair accessible. Two (2) points will be awarded for each item marked below up to a maximum of 16 points.

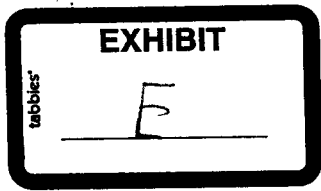
NOTE: ALL ITEMS SELECTED BELOW MUST BE LOCATED ON THE DEVELOPMENT PROPERTY (OR ON A CONTIGUOUS, PREVIOUSLY COMPLETED PHASE OF THIS DEVELOPMENT) WITH THE EXCEPTION OF PUBLIC TRANSPORTATION:

- Emergency call service in set-aside units
- Hairdresser Shop/Barber Shop on site
- Laundry facilities available on every floor or Laundry hook-ups and space for washer/dryer **inside each unit**
- Pantry in Kitchen Area (must be approximately 6'8"H x 24"W x 18"D; exact dimensions may vary but pantry CANNOT be just an under- or over-the-counter cabinet)
- Bathrooms in all Elderly set-aside units which are handicapped accessible with grab-bars per ANSI requirements
- Basic Furnishings in each unit (must have a bed, chest of drawers, table and two chairs)
- Microwave Oven in each unit.
- Public transportation available within 150 feet of the property
- Exercise Room with appropriate equipment
- Community Center or Clubhouse
- Swimming Pool
- Covered Picnic Area with at least three permanent picnic tables and a permanent outdoor grill
- Outside Recreation facility (such as Shuffleboard Court, Putting Green, Tennis court) Identify facility: shuffleboard court
- NOTE:** Specific item must be identified in order to receive points for Recreation facility.
- Library consisting of a minimum of 100 books and 5 magazine subscriptions

- NON-Elderly.** The list below must be used for all demographic categories other than Elderly, e.g. family, homeless, disabled, Farmworker or Commercial Fishing Worker. **NOTE: Applications which set-aside 80% or more of units for the Elderly as reflected on Form 2, Item II are NOT eligible to receive points in this sub-section.** Two (2) points will be awarded for each item marked below up to a maximum of 16 points.

NOTE: ALL ITEMS SELECTED BELOW MUST BE LOCATED ON THE DEVELOPMENT PROPERTY (OR ON A CONTIGUOUS, PREVIOUSLY COMPLETED PHASE OF THIS DEVELOPMENT) WITH THE EXCEPTION OF CHILD CARE FACILITY AND PUBLIC TRANSPORTATION:

- Pantry in Kitchen Area (must be approximately 6'8"H x 24"W x 18"D; exact dimensions may vary but pantry CANNOT be just an under- or over-the-counter cabinet)
- Exercise Room with appropriate equipment



- Homeless/Public Housing Authorities:** The Applicant commits to regularly notify the Local Coalition for the Homeless (created by Section 420.623, F.S.) and the local Public Housing Authority (created by Section 421.04, F.S.) of unit availability. Regularly is defined as not less often than once a month. (3 points)

B. Qualified Resident Programs for Elderly or SRO Developments. In order to receive points under this section, Applicant must have at least 80% of the residential units set aside for the Elderly as reflected on Form 2, Item II, OR must have selected "SRO" on Form 1, Section II.E. (Maximum Points = 20) NOTE: All SAIL Applicants shall be required to choose the "Welfare to Work or Self-Sufficiency Programs" activity set forth below. This is a required activity for SAIL; HOME and HC Applicants MAY NOT choose this activity under this Section B.

Mark the appropriate box for all programs to which the Applicant wishes to commit:

- Meals:** The Applicant commits to pay for daily, at least one meal per day, delivery and cost of meals to the residents or provide for the daily preparation and serving of meals in a designated common facility. Programs such as "Meals on Wheels" will NOT qualify for points because that is a government-sponsored program and the Applicant is not providing the service. Choose ONE of the following:

- Applicant will provide for preparation, serving and cost of daily meals (at least one meal per day) to be served in a designated common facility located ON-SITE. (15 points)

OR

- Applicant will arrange for daily meals, at least one meal per day, to be delivered to the residents at no cost to the residents. (10 points)

- Private Transportation for the Development:** To qualify for points, this service must be provided by the Applicant or its Management Agent at no cost to the resident. The Development must provide a qualified driver and have a safe and serviceable vehicle that can transport residents to off-site locations for such things as medical appointments, public service facilities, and/or educational or social activities. A nearby bus stop or access to programs such as "Dial-A-Ride" will not be acceptable for purposes of this form. (10 points)

- Assistance with Light Housekeeping, Shopping and/or Laundry:** To receive points for this program, the Applicant commits to provide weekly assistance with at least two of the following: (1) light housekeeping and/or (2) grocery shopping and/or (3) laundry as follows (select only ONE option below):

- At a rate which is at least 25% lower than market. (10 points)

OR

- At market rate but the Applicant will provide residents with a list of qualified service providers for all three types of services and will coordinate, AT NO CHARGE TO THE RESIDENT, the scheduling and provision of services. (3 points)

- Manager On-Call 24 Hours Per Day:** To receive points, Applicant commits to provide a manager and/or security guard on the Development's premises at all times who is available and accessible to the residents 24 hours per day, seven days per week. (10 points)

EXHIBIT	
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- Resident Assurance Check-In System:** To receive points, Applicant commits to provide and use an established system for checking in with each resident on a pre-determined basis not less than once per day. Residents may opt out of this program with a written certification that they chose not to participate. (10 points)
- Case Management/Residential Stabilization Services:** To qualify for points, this service must be provided by a qualified social worker at no cost to the resident. This program requires that the following services be made available on-site no less often than once a week: crisis intervention, individual and family needs assessment, problem solving and planning, appropriate information and referral to community resources and services based on need, monitoring of ongoing ability to retain self-sufficiency, and advocacy to assist clients in securing needed resources. (5 points)
- Daily Activities:** This program requires the Applicant or its Management Agent to provide SUPERVISED, STRUCTURED activities at least FIVE DAYS PER WEEK. Activities must be on-site and at no charge to the residents. (10 points)
- Welfare to Work or Self-Sufficiency Programs:** The Applicant commits to actively seek residents who are participating in or who have successfully completed the training provided by these types of programs. (5 Points) **NOTE: This activity is required for all SAIL Applications. HOME and HC Applicants MAY NOT choose this activity under this Section B.**

Identify the Program and the Contact Person:

(Name of Welfare to Work or Self-Sufficiency Program)

(Name of Contact Person) (Telephone Number)

(Address)

Failure to provide the above information will result in ZERO POINTS for this item. Evidence that the resident is or was a participant in this program must be maintained in the resident file.

OR

C. Qualified Programs for Non-Elderly Developments. (Maximum Points = 20) NOTE: Applications which set aside 80% or more of the residential units for the Elderly, as reflected on Form 2, Item II, or which selected "SRO" on Form 1, Section II.E. are NOT eligible to receive points for Part C. Mark the appropriate box for all programs to which the Applicant wishes to commit. NOTE: All SAIL Applicants shall be required to choose the "Welfare to Work or Self-Sufficiency Programs" activity set forth below.

- After School Program for Children:** This program requires the Applicant or its Management Agent to provide DAILY, SUPERVISED, STRUCTURED, age-appropriate activities for children during the after-school hours. Activities must be on-site and at no charge to the residents. (10 points)
- Specialized Training:** To qualify for points, these training programs must be offered at no cost to the resident and must be offered on a regularly scheduled basis as indicated below. Applicant may select all three options for 12 points.
- Literacy Training On-Site:** Applicant commits to make available literacy tutor(s) to provide weekly

ELECTION OF RIGHTS

Application Number: 2002- 1015 Development Name: CAMDEN CLUB

- 1. I do not desire a proceeding.
- 2. I elect an informal proceeding to be conducted in accordance with Sections 120.569 and 120.57(2), Florida Statutes. In this regard I desire to (Choose one):
 - submit a written statement and documentary evidence; or
 - attend an informal hearing to be held in Tallahassee.

Note: Rule 28-106.301, Florida Administrative Code, requires Applicant to submit a petition in a prescribed format. (attached)

- 3. I elect a formal proceeding at the Division of Administrative Hearings. This option is available only if there are disputed issues of material fact.

Note: Applicant must submit an appropriate petition in accordance with Rule 28-106.201, Florida Administrative Code. (attached)

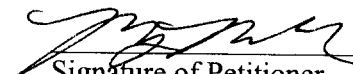
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FLORIDA HOUSING FINANCE CORPORATION
AUG 13 2002

Following are my top eight preferences, in order from 1-8 (with 1 being my first choice, etc.) for scheduling my informal hearing. Formal hearings will be scheduled by the Division of Administrative Hearings.

Hearing Dates:	A.M.	P.M.	Hearing Dates:	A.M.	P.M.	Hearing Dates:	A.M.	P.M.
August 29, 2002	___	___	September 9, 2002	___	___	September 17, 2002	___	___
August 30, 2002	___	___	September 10, 2002	___	___	September 18, 2002	___	___
September 3, 2002	___	___	September 11, 2002	___	___	September 19, 2002	___	___
September 4, 2002	___	___	September 12, 2002	___	___	September 20, 2002	___	___
September 5, 2002	___	___	September 13, 2002	___	___			
September 6, 2002	___	___	September 16, 2002	___	___			

Please fax a Hearing Schedule to me at this fax number: () _____

DATE: 8/13/02



Signature of Petitioner

Name: Michael G. Maida

Address: Rutledge, Ecenia, Purnell & Hoffman
P.O. Box 551
215 S. Monroe St., Ste. 420
Tallahassee, FL 32302

Phone: 850-681-6788

TO PRESERVE YOUR RIGHT TO A PROCEEDING, YOU MUST RETURN THIS FORM WITHIN (21) DAYS OF RECEIPT OF THIS NOTICE TO THE FLORIDA HOUSING FINANCE CORPORATION AT THE ADDRESS INDICATED IN THE NOTICE OF RIGHTS. TO FACILITATE THE SCHEDULING OF HEARINGS, THIS FORM MAY BE SUBMITTED PRIOR TO FILING A PETITION.