

**BEFORE THE STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION**

VILLA CAPRI ASSOCIATES, LTD.,

Petitioner,

vs.

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

FHFC No. 2008-0584C
Application No. 2008-266BS

PETITION FOR REVIEW

Pursuant to Section 120.569 and .57, Florida Statutes (F.S.) and Rule 67-48.005(5), Florida Administrative Code (F.A.C.), Petitioner, VILLA CAPRI ASSOCIATES, LTD. ("Villa Capri") requests an administrative hearing to challenge FLORIDA HOUSING FINANCE CORPORATION's ("Florida Housing") scoring actions concerning Universal Cycle Application No. 2008-266BS. In support of this Petition, Villa Capri provides as follows:

1. Villa Capri is a Florida for-profit corporation with its address at 2121 Ponce de Leon Blvd., Penthouse, Coral Gables, Florida. Villa Capri is in the business of providing affordable rental housing units.
2. Florida Housing is the state agency delegated the authority and responsibility for administering and awarding funds pursuant to Chapter 420, F.S., and Rules 67-21 and 67-48, F.A.C.

Nature of the Controversy

3. On April 7, 2008, Villa Capri applied to FHFC for funding from several funding sources including the State Apartment Incentive Loan Program ("SAIL") and the Multifamily Mortgage Revenue Bonds Program ("MMRB"). The purpose of the requested funds was to supplement the construction of a 160-unit affordable housing apartment complex in Miami, Florida, named Villa Capri Apartments.

4. Specifically for purposes of this challenge, SAIL is a State funded program which awards project owners and developers low interest construction loans in exchange for the acquisition and substantial rehabilitation of low and very low income rental housing units. Similarly, the MMRB program uses both taxable and tax exempt bonds to provide below market rate loans to developers that supply affordable apartment units to low income families.

5. The demand for funding from the various programs administered by Florida Housing far exceeds the amount of funds available. Accordingly, Florida Housing has established a competitive application process for the award of funds ("Universal Application Cycle"). Applicants compete in the Universal Cycle by submitting a Universal Cycle Application ["Application"]. The Application requests information of each Applicant regarding the proposed project.

6. Subsequent to the submittal of Applications, pursuant to Rule 67-48.004, F.A.C., Florida Housing reviewed the Applications and assigned a preliminary score to each. Specifically, Rule 67-48.004, F.A.C., establishes an application and selection

process which allows applicants the opportunity to challenge all other applications through the filing of Notice of Proposed Scoring Errors ("NOPSEs") and subsequent Notice of Alleged Deficiencies ("NOADs"). Additionally, the process allows Applicants an opportunity to "cure" any deficiencies in its Application in an effort to maximize total points.

7. At the completion of this process a Final Score is assigned to each Application. Based on these Final Scores, and a series of Tie Breakers, Applications are then ranked. Funds are awarded to applicants starting with applicable preferences and set asides and the highest scoring applicants, until the available funds are exhausted. Applicants compete for funds, in large part, against other applicants in the same county size group, and against other applicants seeking to provide housing to the same demographic group. Villa Capri is an applicant for Developments in the Large County Geographic Set-Aside.

8. Based on a review of Florida Housing's Final Scoring Summary dated July 16, 2008, Villa Capri received a final score of 66 points on its application. Additionally, Villa Capri received the maximum number of tie-breaker proximity points of 7.5. This score would allow Villa Capri to receive a full award of its funding request. However, Villa Capri was displaced from the Large County funding range by the Florida Housing's scoring action regarding Villa Capri's response to Universal Application requirement at Part III.C.3.(a) concerning whether electricity was available to the Villa Copri development site

9. As will be explained more fully below, Florida Housing's scoring action in the instant case is erroneous.

Substantial Interests Affected

10. As an applicant for funds allocated by Florida Housing, Villa Capri's substantial interests are adversely affected by the scoring decisions here. The final scoring actions of Florida Housing resulted in Villa Capri's application being rejected from the funding range for Large County Developments. Since the purpose of the loan programs in general is to provide funding to developers of apartment projects for low income residents, then Villa Capri's interests are adversely and substantially affected by the loss of funding. Indeed, without the requested funding, Villa Capri's ability to provide much needed affordable housing units will be severely jeopardized.

Scoring of Villa Capri's Application

11. The Application at Part III asks an applicant to provide information concerning the proposed development. At Part III.C., the Application requires an applicant to provide information concerning the Applicant's ability to proceed with the project. Specifically, at Part III.C.3., the Application asks for information concerning the availability of infrastructure, including electricity. The purpose of this section is to ascertain whether the necessary infrastructure is in place which will allow the development to proceed in a timely fashion. To the extent infrastructure is not available, additional time would be required to provide that infrastructure which will add time to the

development schedule. Whether or not infrastructure is available to a site is a threshold issue.

12. The Universal Application Instructions beginning at page 29 provides additional guidance to an Applicant regarding the infrastructure requirements. Specifically, the instructions provide that verification of the availability of each type of infrastructure on or before the application deadline must be provided. Infrastructure is considered available if there are no impediments to obtaining service other than the conditions expressed in the Verification of Availability of Infrastructure forms as provided in this Application Package.

13. In response to the above-referenced Application requirements, Villa Capri provided in its initial application a letter from Florida Power and Light ("FPL") which indicated that as of January 18, 2008, sufficient electrical capacity existed for the Villa Capri development (see Attachment A). Similarly, Villa Capri submitted evidence of the availability of other infrastructure, including water and sewer at Exhibits 29 and 30, and roads at Exhibit 31.

14. By issuing the electricity infrastructure letter, FPL confirmed that there were no impediments or conditions to obtaining service. In fact, the letter clearly indicates that infrastructure was available since as early as January 18, 2008, which is several months prior to the "Application Deadline." The availability of infrastructure is also confirmed by Exhibit 21 which verifies that the proposed project is an urban infill development which is located in an urban service area. Typically an urban service area is serviced by

infrastructure, including electricity (see Attachment B). This would certainly support the conclusion that electric infrastructure was in place well in advance of the Application Deadline.

15. Likewise, the Verification of Environmental Safety – Phase I Environmental Site Assessment at Exhibit 33 indicates the presence of existing buildings on the property. Indeed, the site was an existing mobile home park which was home to many residents. Obviously, the mobile home park was serviced by electricity. (See Attachment C.)

16. After conducting its preliminary review of the Application, Florida Housing did not question the availability of electricity to the site as of the application deadline but instead raised an issue concerning the address for the development site referenced in the FPL letter. Specifically, Florida Housing's Scoring Summary provides as follows:

The Applicant provided a letter from FPL as evidence of the availability of electricity; however, the letter contains conflicting information. Although the letter refers to the correct Development Name and street address, it refers to the city as Homestead rather than Miami.

(See Attachment D.)

17. In response to Florida Housing's preliminary scoring decision, Villa Capri provided as a cure a revised letter from FPL dated May 30, 2008 (see Attachment E). In direct response to Florida Housing's scoring issue, the revised FPL letter changes the address location of the property to reference Miami rather than Homestead as previously stated. The cure explanation clearly provides that this letter was only intended to reply to the scoring issue raised by Florida Housing.

18. In response to the Cures, Florida Housing on July 16, 2008, found that Villa Capri had addressed the location issue. However, Florida Housing concluded that Villa Capri failed threshold because allegedly it had not satisfied the electricity infrastructure requirements. Specifically, Florida Housing in its Final Scoring Summary concluded as follows:

As a cure for Item 1T, the Applicant provided a May 30, 2008 letter from FPL which states that electric service is available to the site". . .at the present time...." The cure is deficient because the letter does not specifically state that the service was available to the site on or before the Application Deadline (April 7, 2008) as required by the 2008 Universal Application Instructions.

(See Attachment F.)

19. Florida Housing's scoring decision is erroneous. Initially, as a process matter, Villa Capri in its cure responded to a questionable scoring decision made by Florida Housing as to the correct City for the development. Indeed, the actual project is in unincorporated Dade County and is approximately the same distance from Homestead as Miami. While Florida Housing found that Homestead in the original FPL letter was inconsistent with other parts of the Application, in reality Homestead is acceptable for purposes of identifying the location of the project. Moreover, the FPL letter did not even need to include a specific City, rather, it could have included other site specific information, including simply providing unincorporated Dade County which would have been accurate.

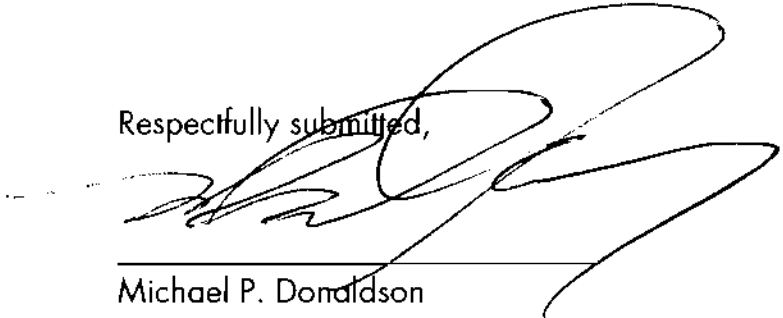
20. Nonetheless, Villa Capri, rather than arguing this point through the cure process, obtained a revised letter from FPL with the intent of addressing the location issue. Florida Housing, rather than accepting the revised location as satisfying the issue raised in their preliminary Scoring Summary instead raised a new issue which alleged that Villa Capri may not have demonstrated the availability of infrastructure as of the Application Deadline.

21. In reaching this conclusion, Florida Housing ignores the fact that infrastructure, as clearly demonstrated in the initial FPL letter, has been in place since at least January 18, 2008. Moreover, Florida Housing ignores the fact that the provision of infrastructure as of the Application Deadline had been already demonstrated without challenge. Nothing in the subsequent May 30, 2008, letter changes the fact that electric infrastructure was in place as of the Application Deadline. Indeed, the May 30, 2008, letter in no way "shut off" the power that was already servicing the site. In fact, the May 30, 2008, letter once again actually confirms the existence of the required infrastructure. As further supported by the follow-up e-mail issued by FPL representatives, when advised of Florida Housing's current position, electricity is and has been provided to the site (see Attachment G).

22. Villa Capri has satisfied the application requirements and the necessary infrastructure is in place and was in place as of the Application Deadline. Accordingly, Villa Capri has met threshold.

WHEREFORE, Villa Capri requests that it be granted an administrative proceeding to contest FHFC's clearly erroneous scoring decisions. To the extent there are disputed issues of fact, this matter should be forwarded to the Division of Administrative Hearings. Ultimately, Villa Capri requests the entry of a Recommended and Final Order which finds that it has met threshold.

Respectfully submitted,

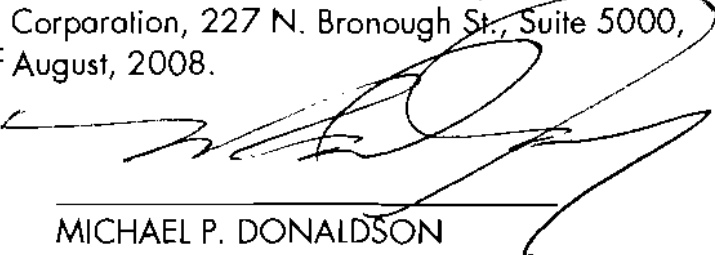


Michael P. Donaldson
FL Bar No. 0802761
CARLTON FIELDS, P.A.
P.O. Drawer 190
215 S. Monroe St., Suite 500
Tallahassee, FL 32302
Telephone: (850) 224-1585
Facsimile: (850) 222-0398

Counsel for Applicant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing has been filed by Hand Delivery with the Agency Clerk, Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301; and copies furnished to Wellington H. Meffert, II, Esq., Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301, this 2nd day of August, 2008.



MICHAEL P. DONALDSON

Exhibit 28

EXHIBIT

A



FLORIDA POWER & LIGHT COMPANY
14250 SW 112TH STREET
MIAMI, FLORIDA 33186
305 387 8850

January 23, 2008

Ms Mara S Mades
2121 Ponce de Leon Blvd Penthouse
Coral Gables, Fl 33134

Re Villa Capri
14500 SW 280th St.
Homestead, FL 33032

Dear Ms Mades

This letter is meant to confirm that, as of January 18, 2008, FPL has sufficient capacity to provide single phase electric service to the above captioned property. This service will be furnished in accordance with applicable rates, rules and regulations.

Please provide the final site plan, site survey and electrical load data as soon as possible so the necessary engineering can begin.

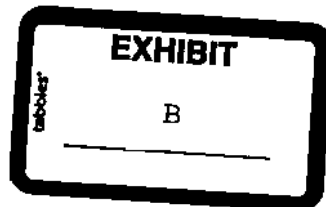
Early contact with FPL is essential so that resources may be scheduled to facilitate availability of service when required.

Sincerely,

Bruno Bravo

Bruno Bravo
Customer Project Manager
Richmond Service Center

Exhibit 21



2008 UNIVERSAL CYCLE - LOCAL GOVERNMENT VERIFICATION OF
QUALIFICATION AS URBAN IN-FILL DEVELOPMENT

Name of Development Villa Capri Apartments

14500 SW 280th Street

Development Location Miami, Florida 33032

(All applicants provide the address assigned by the United States Postal Service including the address number, street name and city, or if the address has not yet been assigned provide the street name, closest designated intersection and city)

Local Government Miami Dade County

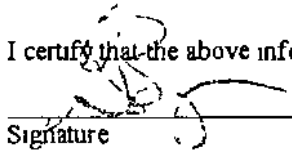
The City/County of Miami Dade County confirms that the Development
(Name of City or County)

identified above meets the following criteria:

1. The proposed Development is located on a site or in an area that is targeted for in-fill housing or neighborhood revitalization by the local, county, state or federal government as evidenced by its inclusion in a HUD Empowerment/Enterprise Zone, a HUD-approved Neighborhood Revitalization Strategy, Florida Enterprise Zone, area designated under a Community Development Block Grant (CDBG), area designated as HOPE VI or a Front Porch Florida Community, or a Community Redevelopment Area as described and defined in the Florida Community Redevelopment Act of 1969, or the proposed Development is located in a qualified census tract and the development of which contributes to a concerted community revitalization plan, and
2. the site is in an area that is already developed and is part of an incorporated area or existing urban service area, and
3. The proposed Development is not located within the Small County Category

CERTIFICATION

I certify that the above information is true and correct


Signature

George M. Burgess
Print or Type Name

7/14/08
Date (mm/dd/yyyy)

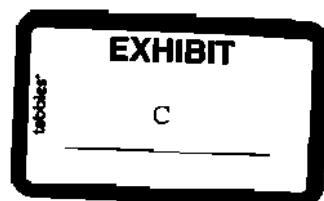
County Manager
Print or Type Title

This certification must be signed by the chief appointed official (staff) responsible for such approvals: Mayor, City Manager, County Manager/Administrator/Coordinator, or Chairperson of the City Council or County Commission. Other signatories are not acceptable. If this certification is inappropriately signed, the Application will not qualify as an Urban In-Fill Development.

If the certification contains corrections or 'white-out' or if it is scanned, imaged, altered, or retyped, the Application will fail to qualify as an Urban In-Fill Development and will fail threshold. The certification may be photocopied.



Exhibit 33



**2008 UNIVERSAL CYCLE - VERIFICATION OF ENVIRONMENTAL
SAFETY - PHASE I ENVIRONMENTAL SITE ASSESSMENT**

Name of Development Villa Capri Apartments

Development Location 14500 SW 280th Street Miami FL 33032
(As a minimum, provide the address assigned by the United States Postal Service including the address number street name and city or if the address has not yet been assigned provide the street name closest designated intersection and city)

As a representative of the firm that performed the Phase I Environmental Site Assessment (ESA) I certify that a Phase I ESA of the above referenced Development site was conducted by the undersigned environmental firm as of 03/15/2008 and
(Date of Phase I ESA - mm/dd/yyyy)

such Phase I ESA meets the standards of ASTM Practice #E-1527-05

Check all that apply in Items 1, 2 and 3 below

1 If the Phase I ESA is over 12 months old from the Application Deadline for this Application, has the site's environmental condition changed since the date of the original Phase I ESA?

Yes No

If "Yes" to demonstrate the condition of the site the signatory must answer question (1) or (2) below

(1) an update to the original Phase I ESA was prepared on _____ (Date - mm/dd/yyyy)
(Date of update must be within 12 months of the Application Deadline for this Application) or

(2) a new Phase I ESA was prepared on _____ (Date - mm/dd/yyyy)
(Date of new Phase I ESA must be within 12 months of the Application Deadline for this Application)

Note: The Corporation will not consider a Phase II ESA to be a substitute for the updated Ph. I ESA or new Ph. I ESA.

2 If there are one or more existing buildings on the proposed site the presence or absence of asbestos or asbestos containing materials and lead based paint must be addressed either as a part of the Phase I ESA or as a separate report. The signatory must indicate which of the following (Item a or b) applies

a the Phase I ESA referenced above addresses the presence or absence of asbestos or asbestos containing materials and lead based paint or

b separate report(s) addressing the presence or absence of asbestos or asbestos containing materials and lead-based paint have been prepared and the undersigned has reviewed the separate report(s). Such separate report(s) may or may not be incorporated by reference in the Phase I ESA.

3 If the Phase I ESA discloses potential problems (including but not limited to asbestos or asbestos containing materials lead-based paint, radon gas, etc.) on the proposed site the signatory must indicate which of the following (Item a, b or c) applies

a environmental safety conditions on the site require remediation and a plan that includes anticipated costs and estimated time needed to complete the remediation has been prepared either as a part of the Phase I ESA or as a separate report or

b a Phase II ESA is required or recommended (the firm that performed the Phase II ESA, even if it is the same firm that prepared the Phase I ESA, MUST complete and execute the Phase II Environmental Site Assessment Verification) or

c although environmental safety conditions exist on the site no remediation or further study is required or recommended

CERTIFICATION

I certify that the foregoing information is true and correct

Edward G. Ralung 3/15/2008 Solutech Inc
Authorized Signature Date (mm/dd/yyyy) Name of Firm that Performed the Phase I ESA

Edward G Ralung P G 5841 Corporate Way #102 W Palm Beach FL 33407
Print or Type Name of Signatory Address of Environmental Firm (street address city state)

Vice President (561) 688-2904
Print or Type Title of Signatory Telephone Number Including Area Code

This certification must be signed by a representative of the firm that performed the Phase I ESA for the proposed Development location. If this certification contains corrections or white-out or if it is scanned, imaged, altered, or retyped, the Application will fail to meet threshold. The certification may be photocopied.

2008 MMRB, SAIL & HC Scoring Summary

As of: 05/07/2008

File # 2008-266BS

Development Name: Villa Capri Apartments

As Of:	Total Points	Met Threshold?	Proximity Tie-Breaker Points
05 - 07 - 2008	66	N	7.5
Preliminary	66	N	7.5
NOPSE	0	N	0
Final	0	N	0
Final-Ranking	0	N	0

Scores:

Item #	Part	Section	Subsection	Description	Available Points	Preliminary	NOPSE	Final	Final Ranking
Features & Amenities									
1S	III	B	2 a.	New Construction	9	9	0	0	0
1S	III	B	2 b.	Rehabilitation/Substantial Rehabilitation	9	0	0	0	0
2S	III	B	2 c.	All Developments Except SRO	12	12	0	0	0
2S	III	B	2 d.	SRO Developments	12	0	0	0	0
3S	III	B	2 e.	Energy Conservation Features	9	9	0	0	0
4S	III	B	3	Green Building	5	5	0	0	0
Set-Aside Commitments									
5S	III	E	1 b.(2)(b)	Total Set-Aside Commitment	3	3	0	0	0
6S	III	E	3.	Affordability Period	5	5	0	0	0
Resident Programs									
7S	III	F	1.	Programs for Non-Elderly & Non-Homeless	6	6	0	0	0
7S	III	F	2.	Programs for Homeless (SRO & Non-SRO)	6	0	0	0	0
7S	III	F	3.	Programs for Elderly	6	0	0	0	0
8S	III	F	4.	Programs for All Applicants	8	8	0	0	0
Local Government Support									
9S	IV		A.	Contributions	5	5	0	0	0
10S	IV		B.	Incentives	4	4	0	0	0



2008 MMRB, SAIL & HC Scoring Summary

As of: 05/07/2008

File # 2008-266BS

Development Name: Villa Capri Apartments

Threshold(s) Failed:

Item #	Part	Section	Subsection	Description	Reason(s)	Created As Result of	Rescinded as Result of
1T	III	C	3.a.	Availability of Electricity	The Applicant provided a letter from FPL as evidence of the availability of electricity; however, the letter contains conflicting information. Although the letter refers to the correct Development Name and street address, it refers to the city as Homestead rather than Miami.	Preliminary	

Proximity Tie-Breaker Points:

Item #	Part	Section	Subsection	Description	Available	Preliminary	NOPSE	Final	Final Ranking
1P	III	A	10.a.(2)(a)	Grocery Store	1.25	1.25	0	0	0
2P	III	A	10.a.(2)(b)	Public School	1.25	1.25	0	0	0
3P	III	A	10.a.(2)(c)	Medical Facility	1.25	0	0	0	0
4P	III	A	10.a.(2)(d)	Pharmacy	1.25	0	0	0	0
5P	III	A	10.a.(2)(e)	Public Bus Stop or Metro-Rail Stop	1.25	1.25	0	0	0
6P	III	A	10.b.	Proximity to Development on FHFC Development Proximity List	3.75	3.75	0	0	0

2008 CURE SUMMARY FORM

This Cure Summary Form is submitted with regard to **Application No. 2008- 266BS** and pertains to the Application parts, sections, subsections, and exhibits listed below (please list the parts, sections, subsections and exhibits in the order they appear in the most recent Scoring Summary Report):

Part (I, II, III, IV, V)	Section (A, B, C, D, etc)	Subsection (1, 2, 3, etc or 1 a., 2 a., etc.)	Exhibit (1, 2, 3, etc)	Submitted in Response to:				Created by:	
				Reason Score Not Maxed (Provide Item No. from Application Scoring Summary)	Reason Failed Threshold (Provide Item No. from Application Scoring Summary)	Proximity Scoring (Provide Item No. from Application Scoring Summary)	Additional Comment (Provide Item No. from Application Scoring Summary)	Mark this column if Item No. indicated in "Submitted in Response to" column(s) resulted from Preliminary Scoring	Mark this column if Item No. indicated in "Submitted in Response to" column(s) resulted from NOPSE Scoring and state NOPSE Tracking No., if known
III	C	3.a.	28	S	T	P	C	X	
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		
				S	T	P	C		



2008 CURE FORM

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

This Cure Form is being submitted with regard to **Application No. 2008-266BS** and pertains to:

Part III Section C Subsection 3.a. Exhibit No. 28 (if applicable)

The attached information is submitted in response to the 2008 Universal Scoring Summary Report because:

1. Preliminary Scoring and/or NOPSE scoring resulted in the imposition of a failure to achieve maximum points, a failure to achieve threshold, and/or a failure to achieve maximum proximity points relative to the Part, Section, Subsection, and/or Exhibit stated above. Check applicable item(s) below:

	2008 Universal Scoring Summary Report	Created by:	
		Preliminary Scoring	NOPSE Scoring
<input type="checkbox"/> Reason Score Not Maxed	Item No. ____S	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Reason Failed Threshold	Item No. 1T	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Proximity Points Not Maxed	Item No. ____ P	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Additional Comment	Item No. ____C	<input type="checkbox"/>	<input type="checkbox"/>

2. Other changes are necessary to keep the Application consistent:

This revision or additional documentation is submitted to address an issue resulting from a cure to Part ____ Section ____ Subsection ____ Exhibit ____ (if applicable).

Brief Statement of Explanation regarding
Application 2008 – 266BS

Provide a separate brief statement for each Cure

Applicant failed to meet Threshold in Part III, Section C, Subsection 3.a., Exhibit 28, because the Applicant provided a letter from FPL that contained Homestead as the site address, rather than Miami that is listed in the Application.

Enclosed herein please find a revised Exhibit 28, Evidence of Availability of Electricity. This allows the application to meet Threshold.



Florida Power & Light Company

May 30, 2008

Ms. Mara S. Mades
2121 Ponce De Leon Blvd
Penthouse
Coral Gables, FL 33134

Re: **Villa Capri**
14500 SW 280th Street
Miami, FL 33032

Dear Ms. Mades:

This is to confirm that, at the present time, FPL has sufficient capacity to provide electric service to the above captioned property. This service will be furnished in accordance with applicable rates, rules and regulations.

Please provide the final site plan, site survey and electrical load data as soon as possible so the necessary engineering can begin.

Early contact with FPL is essential so that resources may be scheduled to facilitate availability of service when required.

Sincerely,

A handwritten signature in cursive script that reads "George Quintanilla".

George Quintanilla
Customer Project Manager

2008 MMRB, SAIL & HC Scoring Summary

As of: 07/16/2008

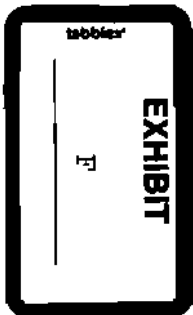
File # 2008-266BS

Development Name: Villa Capri Apartments

As Of:	Total Points	Met Threshold?	Proximity Tie-Breaker Points
07 - 16 - 2008	66	N	7.5
Preliminary	66	N	7.5
NOPSE	66	N	7.5
Final	66	N	7.5
Final-Ranking	0	N	0

Scores:

Item #	Part	Section	Subsection	Description	Available Points	Preliminary	NOPSE	Final	Final Ranking
Features & Amenities									
1S	III	B	2.a	New Construction	9	9	9	9	0
1S	III	B	2.b.	Rehabilitation/Substantial Rehabilitation	9	0	0	0	0
2S	III	B	2.c.	All Developments Except SRO	12	12	12	12	0
2S	III	B	2.d.	SRO Developments	12	0	0	0	0
3S	III	B	2.e.	Energy Conservation Features	9	9	9	9	0
4S	III	B	3	Green Building	5	5	5	5	0
Set-Aside Commitments									
5S	III	E	1.b.(2)(b)	Total Set-Aside Commitment	3	3	3	3	0
6S	III	E	3.	Affordability Period	5	5	5	5	0
Resident Programs									
7S	III	F	1	Programs for Non-Elderly & Non-Homeless	6	6	6	6	0
7S	III	F	2.	Programs for Homeless (SRO & Non-SRO)	6	0	0	0	0
7S	III	F	3.	Programs for Elderly	6	0	0	0	0
8S	III	F	4.	Programs for All Applicants	6	8	8	8	0
Local Government Support									
9S	IV		A.	Contributions	5	5	5	5	0
10S	IV		B.	Incentives	4	4	4	4	0



2008 MMRB, SAIL & HC Scoring Summary

As of: 07/16/2008

File # 2008-266BS

Development Name: Villa Capri Apartments

Threshold(s) Failed:

Item #	Part	Section	Subsection	Description	Reason(s)	Created As Result of	Rescinded as Result of
1T	III	C	3.a.	Availability of Electricity	The Applicant provided a letter from FPL as evidence of the availability of electricity, however, the letter contains conflicting information. Although the letter refers to the correct Development Name and street address, it refers to the city as Homestead rather than Miami.	Preliminary	Final
2T	III	C	3.a.	Availability of Electricity	As a cure for Item 1T, the Applicant provided a May 30, 2008 letter from FPL which states that electric service is available to the site "... at the present time ...". The cure is deficient because the letter does not specifically state that the service was available to the site on or before the Application Deadline (April 7, 2008) as required by the 2008 Universal Application Instructions	Final	

Proximity Tie-Breaker Points:

Item #	Part	Section	Subsection	Description	Available	Preliminary	NOPSE	Final	Final Ranking
1P	III	A	10.a.(2)(a)	Grocery Store	1.25	1.25	1.25	1.25	0
2P	III	A	10.a.(2)(b)	Public School	1.25	1.25	1.25	1.25	0
3P	III	A	10.a.(2)(c)	Medical Facility	1.25	0	0	0	0
4P	III	A	10.a.(2)(d)	Pharmacy	1.25	0	0	0	0
5P	III	A	10.a.(2)(e)	Public Bus Stop or Metro-Rail Stop	1.25	1.25	1.25	1.25	0
6P	III	A	10.b.	Proximity to Development on FHFC Development Proximity List	3.75	3.75	3.75	3.75	0

Donaldson, Michael

From: Donaldson, Michael
Sent: Tuesday, August 05, 2008 3:51 PM
To: Donaldson, Michael

-----Original Message-----

From: George_Quintanilla@fpl.com [mailto:George_Quintanilla@fpl.com]
Sent: Monday, August 04, 2008 10:32 AM
To: Rob Ippolito
Subject: Re: Request for Electric Capacity Letter - Villa Capri

Rob,

Unfortunately the letter sent on May 30, 2008 is FPL's standard "Service Availabilty" letter and cannot be altered. All electrical drawing of FPL's electrical grid are proprietary and therefore I regretfully cannot provide them to you. The fact a mobile home community was at the location prior and served cletrical service should prove there is and was electrical service available to the property.

Regards,
George Quintanilla
RIO/MRI
305/387-6623

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8/5/2008