

BEFORE THE FLORIDA HOUSING FINANCE CORPORATION

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**DDC INVESTMENTS, LTD.  
d/b/a DENISON DEVELOPMENT  
FLORIDA, LTD.,**

FLORIDA HOUSING  
FINANCE CORPORATION

**Petitioner,**

v.

**CASE NO:** 2012-0140C  
**FHFC Application No. 2011-137C**

**FLORIDA HOUSING FINANCE  
CORPORATION,**

**Respondent.**

**PETITION FOR INFORMAL ADMINISTRATIVE PROCEEDING**

Pursuant to sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.301, 67-48.005, and 67-52.002(3), Fla. Admin. Code, Petitioner, DDC Investments, Ltd. d/b/a Denison Development Florida, Ltd., (“Petitioner,” “DDC,” or “Merritt at Highland Park”) hereby requests an informal administrative proceeding regarding Florida Housing Finance Corporation’s decision to deny low income rental housing tax credits for an application submitted by DDC for the 2011 Universal Cycle. The application at issue was filed for a proposed development known as Merritt at Highland Park.

## **Parties**

1. The agency affected is the Florida Housing Finance Corporation (“FHFC”). Its address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329. Pursuant to Section 420.5099, FHFC is the agency designated by the State of Florida to allocate and distribute low income rental housing tax credits. The FHFC file number assigned to the application at issue is 2011-137C.

2. Petitioner is DDC Investments, Ltd. d/b/a Denison Development Florida, Ltd., which is authorized by the Florida Department of State to conduct business in the State of Florida as a foreign limited partnership. Its business address is 2520 Longfellow Street, Suite 310, Austin Texas, 78705. For purposes of this proceeding, DDC’s address is that of its undersigned counsel, Linda Loomis Shelley, Esquire, Fowler White Boggs, PA, 101 North Monroe Street, Suite 1090, Tallahassee, Florida, 32301; telephone number (850) 681-4260, facsimile number (850) 681-3381.

## **DDC’s Standing**

3. The Merritt at Highland Park application submitted by DDC proposes a multifamily affordable housing development to be located in Saint Petersburg, Pinellas County, Florida, and seeks low income rental housing tax credits through

the competitive 2011 Universal Cycle. The 2011 Universal Cycle's Scoring Summary Report reflects FHFC proposed final scoring.

4. DDC's substantial interests are affected by FHFC's proposed final scoring. As a result of the proposed final scoring of this application, Merritt at Highland Park will not qualify for low income rental housing tax credits.

#### **Agency Notice**

5. DDC received notice of the disputed FHFC scoring decisions by reviewing the FHFC website after FHFC posted several documents, including a scoring summary and a memorandum dated March 28, 2012. The March 28, 2012 memorandum includes the Notice of Rights, which advises all applicants for the 2011 Universal Cycle that the deadline to file a petition is 5 p.m. on April 19, 2012.

#### **Concise Statement of Ultimate Facts**

6. FHFC prepared the application package for the competitive 2011 Universal Cycle. The application package is adopted by reference in FHFC Rule 67-48.004(1)(a), Fla. Admin. Code, and includes the application form, application exhibit forms, and application instructions ("Instructions"). One of the programs that is administered through the 2011 Universal Cycle is the competitive Housing Credit Program that allocates low income rental housing tax credits.

7. During the 2011 Universal Cycle, DDC submitted an application for Merritt at Highland Park to qualify for low income rental housing tax credits (“Application”).

Part IV, Section A-Local Government Support Contributions

8. Part IV of the 2011 Universal Application is entitled “Local Government Support.” Section A of Part IV is entitled “Contributions.”

9. With respect Part IV, Section A, the Merritt at Highland Park Application responded in the affirmative that “a local government committed to provide a contribution to the proposed Development.” The applicable type of local government contribution is a loan. Form 38 is entitled and described in the application form as “Local Government Verification of Contribution-Loan Form.” As required by the Application, Form 38 was completed and included behind a tab attached as “Exhibit 38.” A copy of Merritt at Highland Park’s Exhibit 38 is attached and is incorporated herein as Exhibit 1.

10. The Instructions for Part IV, Section A of the 2011 Universal Application state that an applicant is entitled to five points for that section if: 1) the dollar amount has a value equal to or greater than the amounts on the County Contribution List; 2) such contribution is demonstrated by providing the properly completed applicable form; and 3) there is an attachment that either shows, as

applicable, the payment stream for all present value calculations or the calculations by which the total amount of each waiver is determined. Instructions, at 92-93.

11. The Instructions provide that an “intermediary” source of a contribution which is not a county or municipality may qualify an application for points under Part IV, Section A. The Instructions further advise that the only intermediary contributions that cannot qualify for points are those provided from an applicant; developer; principal, affiliate or financial beneficiary of an applicant or development; or HOPE VI funds:

State, federal or Local Government funds initially obtained by or derived from a Local Government qualify as a Local Governmental contribution **even though the funds are directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization**, provided that they otherwise meet the requirements set forth in this Application, including those relating to the executed verification form. Local Government contributions that have not received final approval will not qualify as a Local Government contribution for purposes of this Application. **The following will not qualify as a Local Government Contribution: (i) a contribution from an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of an Applicant or a Developer and (ii) HOPE VI funds.**

Instructions, at 92-93 (emphasis added).

12. The loan verification form reiterates that an entity other than a county or municipality may provide the local government contribution:

This certificate must be signed by the chief appointed chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager, Administrator Coordinator, Chairperson of the City Council Commission or Chairperson of the Board of County Commissioners... One of the authorized persons named may sign this form for certification of state, federal or Local Government funds initially obtained by or derived from a Local Government that is **directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization (CHDO).**

Form 38 (emphasis added).

13. The completed loan verification form submitted by Merritt at Highland Park as Exhibit 38 states that the “Government Contact” is the Saint Petersburg Housing Authority and is executed by the Chairman of the Saint Petersburg Housing Authority, Joseph Lettelleir.

14. In the preliminary scoring, Merritt at Highland Park was awarded the maximum five points for Part IV, Section A and a total score of 79 points.

15. After the preliminary scoring, applicants were provided the opportunity to submit Notices Of Proposed Scoring Errors (“NOPSEs”) to FHFC challenging specific section scores awarded to other applications. NOPSEs filed by certain other applicants disputed the maximum five points awarded preliminarily for Part IV, Section A to Merritt at Highland Park.

16. The Application received NOPSEs raising objections that the signature of the Chairman of the Saint Petersburg Housing Authority is not eligible to sign Form 38 and that the Saint Petersburg Housing Authority is ineligible to provide a local contribution loan for purposes of Form 38 because it is not a county or municipality.

17. After review of the NOPSEs, DDC submitted Cures pursuant to Rule 67-48.004(6), Fla. Admin. Code. A copy of the Cures are attached as Exhibit 2 and are incorporated herein.

18. As to the issue of whether the appropriate signature was obtained for Form 38, DDC's Cures argued that: 1) Execution of Form 38 is not limited to county or municipal officials; 2) FHFC senior management and senior legal counsel previously advised Merritt at Highland Park counsel and representatives verbally and in writing that "the signature of the local HFA executive director or other officer as authorized in the first sentence is acceptable"; and 3) the Chairman of the Saint Petersburg Housing Authority is eligible to sign Form 38 because he was appointed by the Mayor and is "the chief appointed official responsible for such approval." Additionally, in the event that FHFC might ultimately reject the signature of the Chairman of the Saint Petersburg Housing Authority, the Cure included a Substitute Exhibit 38 that was signed by Darrell Irions, the Chief

Executive Officer of the Saint Petersburg Housing Authority, as the “chief appointed [staff] responsible for such approvals.”

19. With respect to the issue of whether the Saint Petersburg Housing Authority may provide the loan contribution commitment, the Cure notes that Form 38 clearly references potential signatories other than a county or municipality, including, but not limited to, a Land Authority organized under Section 380.0663, Florida Statutes.

20. Also, as stated in the Cures, any ambiguity in Form 38 should be resolved in favor of Merritt of Highland Park because the intent of the Local Contribution requirement has been fully met. The loan contribution demonstrates local community participation in the development and will provide additional leveraging for development that will provide affordable housing in the City of Saint Petersburg.

21. None of the NOPSEs disputed the adequacy of the dollar amount of the loans, which is required to be at least equal to the amount listed in the County Contribution List, nor the Proposed Repayment Schedule included in Exhibit 38.

22. In the March 2012 Scoring Summary Report, Merritt at Highland Park received zero points for Part IV, Section A. The scoring sheet attributes the revised scoring to have been created as a result of the NOPSE process, as follows:

The Local Government Verification of Contribution –  
Loan form must be signed by the chief appointed official



(staff) responsible for such approvals, Mayor, City Manager, County Manager/Administrator/Coordinator, Chairperson of the City Counsel/Commission or Chairperson of the Board of County Commissioners. Therefore, zero points were awarded and the Applicant was not eligible for automatic points.

The Applicant received zero points for the Local Government Verification of Contribution – Loan form because the funding committed was not from the City/County, but from the Saint Petersburg Housing Authority. The Applicant was not eligible for automatic points.

March 2012 Scoring Summary Report, Merritt at Highland Park, at 2.

23. The March 2012 Scoring Summary Report provides the following additional comment regarding the final scoring of the Application:

The Applicant attempted to cure Item 11S. However, the Local Government Contribution – Loan form does not indicate if the funding commitment is from the city or county and it is still signed by the St. Petersburg Housing Authority. Therefore, zero points were awarded. The Applicant does not qualify for automatic points.

24. Form 38 does not inquire about the origin of a loan contribution that is provided by an intermediary. DDC fully and accurately completed Form 38 in accordance with the Form and with the Instructions.

25. In the March 2012 Scoring Summary Report, FHFC does not dispute the adequacy of the dollar amount of the loans or the adequacy of the Proposed Repayment Schedule included in Exhibit 38. FHFC also does not dispute whether the Chairman or the Chief Executive Officer of the Saint Petersburg Housing

Authority is the appropriate signatory of the Saint Petersburg Housing Authority. FHFC bases the score on the incorrect assumption that the Saint Petersburg Housing Authority is not eligible to execute Form 38 because it is an intermediary and erroneously requires additional information to be provided on Form 38 in the event that a loan is provided by an intermediary. The form is adopted by reference by Rule 67-48.004(1)(a), Fla. Admin. Code and cannot be modified in effect by a scorer.

26. FHFC erred in denying Merritt at Highland Park five points for Part IV, Section A. As stated in the attached Cure and summarized above, intermediary sources are acceptable for purposes of Form 38; a loan administered by the Saint Petersburg Housing Authority may qualify as an intermediary source of a local government contribution for purposes of Part IV, Section A; the appropriate chief appointed official for the Saint Petersburg Housing Authority, either its Chairman or its Chief Executive Officer, executed Exhibit 38; Form 38 does not require details as to the origin of a contribution provided by an intermediary; Exhibit 38 was properly executed and conforms with the Instructions; and FHFC officials, including its General Counsel, advised DDC that a signatory other than a county or municipality was eligible to sign Form 38 as an intermediary and confirmed this advice in writing.

27. In the March 2012 Scoring Summary Report, FHFC awarded Merritt at Highland Park a total score of 74 points. As a consequence of the revised scores, Merritt at Highland Park would not qualify for low income rental housing tax credits. DDC seeks reinstatement of Merritt at Highland Park's preliminary score of the maximum five points.

#### Proximity Tie Breaker Points

28. Part III, Section A, Subsection 10, of the 2011 Universal Application addresses proximity points and applies only to the competitive Housing Credit Program. Proximity points are used by FHFC as tie-breaker points.

29. Subsection 10. a. addresses Tier One services. One of the eligible Tier One services is "Medical Facility." A "Medical Facility" is defined in the Instructions, in relevant part, as follows:

For purposes of proximity tie-breaker points, a Medical Facility means a hospital, state or county health clinic or walk-in clinic (that does not require a prior appointment) that provides general medical treatment or general surgical services at least five days per week to any physically sick or injured person. This service may be selected by all Applicants regardless of the Demographic Commitment selected at Part III.D. of the Application.

30. The Application identifies and describes the "Richard E. Hosking Health Center" ("Hosking Health Center") as qualifying for Medical Facility proximity tie-breaker points. Exhibit 25 of the Application is a completed Form 25

entitled “SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS.”

31. Exhibit 25 was executed by Greg Nipper, a Florida licensed surveyor. Included in Exhibit 25 is a map depicting various proximate eligible services, including a Proximity Sketch showing that the Hosking Health Center is located 0.087 miles from the Merritt at Highland Park project site. A copy of the relevant portions of Exhibit 25 are attached as Exhibit 3 and are incorporated herein.

32. The Application received a preliminary score of the maximum four points for the Medical Facility portion of the proximity tie-breaker points.

33. After the preliminary scoring, the Application received a NOPSE disputing whether the Hosking Health Center qualifies as a Medical Facility. In its NOPSE, Application 2011-182C contends that the Health Center “is a county medical clinic, but does not provide general medical treatment to any physically sick or injured person.” The NOPSE includes information from the Pinellas County Health and Services (“PCHS”) website about the County’s health plan. The PCHS website provides a description of the Pinellas County Health Plan, including its one stop health care “medical home” program; lists qualification criteria for Pinellas County Health Plan services; and provides addresses of “medical homes” and “Health Department sites.”

34. After review of the NOPSE, FHFC revised the Medical Facility score from a proposed award of four points to zero points.

35. DDC filed a Cure responding to the Medical Facility NOPSE. A copy of that Cure is attached as Exhibit 4 and is incorporated herein. The Cure notes that the NOPSE is misleading and provides qualification criteria for a particular health plan offered by the Pinellas County Health Plan services, its Medical Home Health Plan, which is accepted at the Hosking Health Center. The NOPSE does not provide information about the full range of medical services provided by the Hosking Health Center, including to those not covered by the Medical Home Health Plan. As stated in the Cure, the Hosking Health Center is available to individuals who are not enrolled in the Medical Home Health Plan, provides a wide range of medical services that qualify it as a “full health clinic,” does not require a prior appointment, and is open Monday through Friday from 7:30 a.m. to 5:00 p.m. Exhibit A to the Cure is a page from the Pinellas County Health Department that describes the Hosking Health Center and lists its range of medical services. It does not state that its services are limited to those that are enrolled in the Medical Home Health Plan. Based on information provided in the Cure, the Hosking Health Clinic qualifies as a “Medical Facility,” as that term is described in the Instructions.

36. The Cure also includes Substitute Exhibit 25, which is an alternative “SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS” executed by Surveyor Greg Nipper that includes information about St. Anthony’s Hospital. That replacement exhibit was submitted by DDC for consideration in the event that FHFC determined that the Hosking Health Center did not qualify for proximity tie-breaker points.

37. After the Cure was filed, Application 2011-182C filed a Notice of Additional Deficiencies (“NOAD”) arguing that DDC’s Cure submitted two different locations for consideration and that the Instructions prohibit multiple locations. The NOAD did not dispute or otherwise address the substantive information provided in the Cure about the Hosking Health Center.

38. The Instructions prohibit an original application to submit more than one medical facility for FHFC consideration and scoring. Instructions, at 33. Replacement exhibits submitted as part of a Cure for alternative consideration are not prohibited.

39. In the March 2012 Scoring Summary Report, Merritt at Highland Park received 3.5 points for Medical Facility proximity tie-breaker points. Although the Scoring Summary Report does not state that FHFC awarded proximity points based on St. Anthony’s Hospital, the revised final score of 3.5 reflects an award based on the distance between St. Anthony’s Hospital and the proposed project

site. The scoring sheet attributes the revised scoring to have been created as a result of NOPSE because “Evidence provided in a NOPSE calls into question whether the Medical Facility listed on the Surveyor’s Certification for Competitive HC Applications form provides general medical treatment or general surgical services to any physically sick or injured person.”

40. DDC seeks a determination that reinstates the preliminary award of four points based on proximity to the Hosking Health Center. The Hosking Health Center qualifies as a “Medical Facility.” Neither the NOPSE nor the Scoring Summary Report disputes that it is a county health clinic, that it operates at least five days a week, or that it does not require a prior appointment. The information submitted in the Cure demonstrates that the Hosking Health Clinic provides general medical services, and that the NOSPE was misleading as to who may receive medical treatment and should be disregarded.

**Statutes, Rules and Other Legal Authority Entitling Relief**

41. The Application is entitled to an award of five points for Part IV, Section A based on its consistency with Section 420.5099, Florida Statutes; the application form, Form 38, and the Instructions adopted by reference in Rule 67-48.004(1)(a), Fla. Admin. Code; and Rule 67-48.023, Fla. Admin. Code. As demonstrated above, DDC is entitled to rely on a loan contribution provided by an intermediary source, including a public housing authority such as the Saint

Petersburg Housing Authority, and the loan contribution for Merritt at Highland Park was adequately verified by the proper official. Form 38 was fully and correctly completed by an intermediary contribution source and qualifies for the maximum five points.

42. DDC also is entitled to relief based on the doctrine of equitable estoppel. The Instructions and Form 38 clearly authorize an award of points if the loan contribution is provided by an intermediary source that is neither a county or municipality. The eligibility of an intermediary source also was confirmed to DDC representatives by FHFC senior management and senior legal counsel. It was reasonable for DDC to rely on the wording of the Instructions and Form 38, and the interpretations and assurances of FHFC senior management and senior legal counsel as to the eligibility of a intermediary source such as the Saint Petersburg Housing Authority. DDC's reasonable reliance affected how it prepared its application and its subsequent Cure to its substantial detriment, as demonstrated by FHFC's revised final scoring.

43. The Application is entitled to an award of the maximum four points for Medical Facility proximity tie-breaker points based on consistency with Section 420.5099, Florida Statutes; the application form, Form 25, and the Instructions adopted by reference in Rule 67-48.004(1)(a), Fla. Admin. Code; and



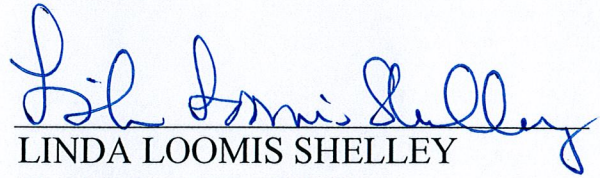
Rule 67-48.023, Fla. Admin. Code. As demonstrated above, the Hosking Health Center meets the definition of “Medical Facility” provided in the Instructions.

44. DDC is not aware of any material facts in dispute. If any disputed issue of material fact arises, DDC reserves the right for the matter to be forwarded to the Division of Administrative Hearings for the assignment of an administrative law judge to conduct a formal hearing.

WHEREFORE, based on the foregoing, DDC respectfully requests that:

- 1) FHFC assign this matter to a hearing officer to conduct an informal hearing;
- 2) the hearing officer issue a Recommended Order that recommends awarding Merritt at Highland Park the maximum five points for Part IV, Section A and the maximum four points for Medical Facility proximity tie-breaker points;
- 3) FHFC issue a Final Order awarding Merritt at Highland Park the maximum five points for Part IV, Section A and the maximum four points for Medical Facility proximity tie-breaker points; and
- 5) FHFC allocate Merritt at Highland Park low income rental housing tax credits.

DATED this 19<sup>th</sup> day of April, 2012.



LINDA LOOMIS SHELLEY

Florida Bar No: 240621

KAREN A. BRODEEN

Florida Bar No: 512771

FOWLER WHITE BOGGS, PA

101 North Monroe Street, Suite 1090

Tallahassee, FL 32301

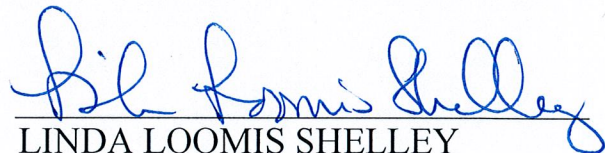
(850) 681-4260

Fax: (850) 681-6036

Attorneys for DDC Development,  
Ltd.

### CERTIFICATION OF SERVICE

I HEREBY CERTIFY that the original of the foregoing has been furnished by hand delivery to the Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301 and a copy to Wellington H. Meffert, II, General Counsel, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301, on this 19<sup>th</sup> day of April, 2012.



LINDA LOOMIS SHELLEY

**2011 UNIVERSAL CYCLE - LOCAL GOVERNMENT VERIFICATION  
OF CONTRIBUTION - LOAN**

To be eligible to be considered for points, a sheet showing the payment stream for which the net present value of the loan was calculated must be attached to this verification form.

Name of Development: Merritt at Highland Park  
(Part III A 1 of the 2011 Universal Cycle Application)

Development Location: 128 Dr MLK Jr St N, Saint Petersburg, FL 33705  
931 Arlington Ave N, Saint Petersburg, FL 33705

(At 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 (i) the street name, closest designated intersection and city if located within a city or (ii) the street name, closest designated intersection and county if located in the unincorporated area of the county.)

On or before the Application Deadline for the 2011 Universal Application Cycle (as stated on the FHFC Website [http://app.fhfd.com/in20112\\_standalone/FHFC\\_2011\\_Contrib\\_Pledge.asp](http://app.fhfd.com/in20112_standalone/FHFC_2011_Contrib_Pledge.asp)) the City/County of Saint Petersburg Housing Authority committed \$ 120,000.00 in the form of a reduced interest rate loan  
(Name of City or County) (loan amount)

to the Applicant for its use solely for assisting the proposed Development referenced above. The loan will bear interest at a rate of 0.000 % per annum over a period of 30 years. The loan's repayment period, amortization period, payment frequency and other applicable terms are:

Payment period is one payment of \$120,000 at the end of the 30 year term.

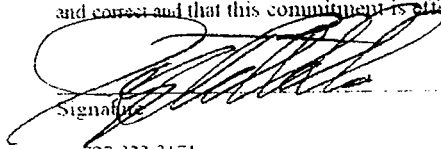
No consideration or promise of consideration has been given with respect to the loan. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. This loan is provided specifically with respect to the proposed Development.

The following government point of contact can verify the above stated contribution:

Name of Government Contact: St Petersburg Housing Authority  
Address (street address and city): P.O. Box 12849  
Saint Petersburg, FL 33733  
Telephone Number: 727-323-3171

**CERTIFICATION**

I certify that the foregoing information and the payment stream stated on the sheet attached to this form are true and correct and that this commitment is effective through 12-31-2012  
Date (mm/dd/yyyy)

  
Signature

JOSEPH T. LETTENIA  
Print of Type Name

727-323-3171  
Telephone Number

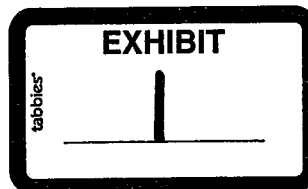
Chairman  
Print of Type Title

This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager, Administrator, Coordinator, Chairperson of the City Council, Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.9663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. One of the authorized persons named above may sign this form for certification of state, federal or Local Government funds annually obtained by or derived from a Local Government that is directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation or a state-certified Community Housing Development Organization (CHDO). Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. To be considered for points, the amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated up to, maximum of, not to exceed, etc.

This contribution will not be considered if the certification contains corrections or "white-out" or if the certification is scanned, imaged, altered, or retyped. The certification may be photocopied.

The Application may still be eligible for automatic points.

Provide Behind a Tab Labeled "Exhibit 38"



## 2011 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. 2011-137C** and pertains to:

Part IV Section A Subsection \_\_\_\_\_ Exhibit No. 38 (if applicable)

The attached information is submitted in response to the 2011 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:

	2011 Universal Scoring Summary Report	Created by:	
		Preliminary Scoring	NOPSE Scoring
<input checked="" type="checkbox"/> Reason Score Not Maxed	Item No. 11S	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Reason Ability to Proceed Score Not Maxed	Item No. ____A	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Failed Threshold	Item No. ____T	<input 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 2011 – 137C

Provide a separate brief statement for each Cure

The applicant received zero points for local government Verification of Contribution – Loan form because the form was not signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager/Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners, as indicated in the Scoring Summary Report.

Prior to filing the Application, the Applicant's representatives discussed Exhibit 38 with FHFC senior management and senior counsel and it was confirmed in writing that "the signature of the local HFA executive director or other officer as authorized in the first sentence is acceptable." Joe Lettelleir, having been appointed Chairman of the Board by the Mayor of St. Petersburg, is the "chief appointed official responsible for such approval" as directed in writing by FHFC and as is clearly stated on the form.

In the event that FHFC believes the form should be signed by the staff of the housing authority, attached hereto is an executed Exhibit 38 for the Merritt Highland Park Project, signed by Darrell Irions, the Chief Executive Officer of the St. Petersburg Housing Authority (SPHA). In this case, the Chief Executive Officer of the Housing Authority is the "chief appointed [staff] responsible for such approvals."

**Because we have followed the instructions provided by senior staff and counsel and followed the instruction of the form that clearly state that the "chief appointed official (staff)" sign the form, we request that scorer reinstate the five (5) points for Local Contribution.**

# **Substitute Exhibit 38**

**\*\*Should FHFC reject signature by Chief Appointed Official Joe Lettelleir**

**2011 UNIVERSAL CYCLE - LOCAL GOVERNMENT VERIFICATION  
OF CONTRIBUTION - LOAN**

To be eligible to be considered for points, a sheet showing the payment stream for which the net present value of the loan was calculated must be attached to this verification form.

Name of Development: Merritt at Highland Park

(Part III A.1. of the 2011 Universal Cycle Application)

Development Location: 128 Dr. MLK Jr St N, Saint Petersburg, FL 33705

(At 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 (i) the street name, closest designated intersection and city if located within a city or (ii) the street name, closest designated intersection and county if located in the unincorporated area of the county.)

On or before the Application Deadline for the 2011 Universal Application Cycle (as stated on the FHFC Website [http://apps.floridahousing.org/StandAlone/FHFC\\_ECM/ContentPage.aspx?PAGE=0238](http://apps.floridahousing.org/StandAlone/FHFC_ECM/ContentPage.aspx?PAGE=0238)) the City/County of Saint Petersburg Housing Authority committed \$ 120,000.00 in the form of a reduced interest rate loan  
(Name of City or County) (loan amount)

to the Applicant for its use solely for assisting the proposed Development referenced above. The loan will bear interest at a rate of 0.000 % per annum over a period of 30 years. The loan's repayment period, amortization period, payment frequency and other applicable terms are:

Payment period is one payment of \$120,000 at the end of the 30 year term.

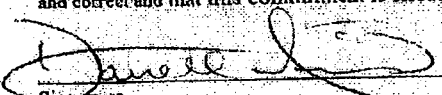
No consideration or promise of consideration has been given with respect to the loan. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. This loan is provided specifically with respect to the proposed Development.

The following government point of contact can verify the above stated contribution:

Name of Government Contact: Darrell Irions  
Address (street address and city): P.O. Box 12849  
Saint Petersburg, FL 33733  
Telephone Number: 727-323-3171

**CERTIFICATION**

I certify that the foregoing information and the payment stream stated on the sheet attached to this form are true and correct and that this commitment is effective through 12/31/2012  
Date (mm/dd/yyyy)

  
Signature

Darrell Irions  
Print or Type Name

727-323-3171  
Telephone Number

Chief Executive Officer  
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, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. One of the authorized persons named above may sign this form for certification of state, federal or Local Government funds initially obtained by or derived from a Local Government that is directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization (CHDO). Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is unacceptably signed. To be considered for points, the amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

This contribution will not be considered if the certification contains corrections or "white-out" or if the certification is scanned, imaged, altered, or retyped. The certification may be photocopied.

The Application may still be eligible for automatic points.

Provide Behind a Tab Labeled "Exhibit 33"



## 2011 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. 2011-137C** and pertains to:

Part IV Section A Subsection \_\_\_\_\_ Exhibit No. \_\_\_\_\_ (if applicable)

The attached information is submitted in response to the 2011 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:

	2011 Universal Scoring Summary Report	Created by:	
		Preliminary Scoring	NOPSE Scoring
<input checked="" type="checkbox"/> Reason Score Not Maxed	Item No. 11S	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Reason Ability to Proceed Score Not Maxed	Item No. ____A	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Failed Threshold	Item No. ____T	<input 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 2011 – 137C

Provide a separate brief statement for each Cure

The applicant received zero points because the local funding commitment did not come from a city or county but instead came from the St. Petersburg Housing Authority (SPHA). Due to this issue, raised by NOPSEs provided to FHFC, the applicant's points were deducted from the application and was not eligible for automatic points.

Prior to filing the application, the Applicant's representatives discussed Exhibit 38 with FHFC senior management and senior counsel and it was confirmed in writing that "the signature of the local HFA executive director or other officer as authorized in the first sentence is acceptable." This advice from the Agency's senior officials clearly indicates that the Agency itself agrees that another local entity, other than a City or County official, may execute Exhibit 38.

It is noted that in the responses to 2011 Universal Application Questions and Answers, the Agency indicated as follows:

2. Q: Who is an acceptable signatory for the verification and certification forms?

A. Each verification and certification form states the acceptable and/or unacceptable signatories at the bottom of the form.

**Applicants are entitled to rely on the Agency instructions. The relevant form, Exhibit 38, provides the following instructions at the bottom of the form:**

**"This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager/Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. One of the authorized persons named above may sign this form for certification of state, federal or Local Government funds initially obtained by or derived from a Local Government that is directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization (CHDO). Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. To be considered for points, the amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc."**

**"This contribution will not be considered if the certification contains corrects or "white-out" or if the certification is scanned, imaged, altered, or retyped. The certification may be photocopied."**

“ The Application may still be eligible for automatic points.”

The fact that the Local Contribution form clearly references other potential signatories, including, but not limited to, a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, undercuts the argument that only a city or county appointed or elected official may sign the form. If there is any ambiguity in the form, it should be resolved in favor of the Applicant because the intent of the Local Contribution requirement has been fully met in this application.

The instructions for the 2011 Universal Cycle provide that to be eligible to receive five points, all applicants must obtain a local government contribution with a value equal to or greater than the amounts listed on the County contribution list and demonstrate such contribution by providing the properly completed and executed local government verification of contribution forms. To qualify for the points, the amount of the contribution stated on the applicable form must be a precise dollar amount and cannot include words such as estimated up to maximum of not to exceed. The form must reflect the following dates: The effective date of the local government commitment must be on or before the application deadline; and the term of the commitment and/or fee waiver must be effective at least through June 30 2012. In order to be eligible for points for a local government contribution, the contribution must provide a tangible economic benefit that results in a quantifiable

cost reduction and must be given specifically to the proposed development because the development will provide affordable housing.

This applicant clearly demonstrated that it has a local commitment for a loan for \$120,000, which is equal to or greater than the amount listed in the county contribution list; and it provided the properly executed local government verification of the contribution forms. The contribution was stated on the applicable form in the precise dollar amount and reflected the effective date of the local commitment, which was prior to the application deadline.

The Local Contribution serves two purposes within the application process. It was originally included to demonstrate local community participation and to provide additional leveraging. In addition, this requirement often lead to more meaningful and focused housing policies within the Comprehensive Plan. Originating from the 1987 Affordable Housing Study Commission Report, local contributions have been a consistent element in both the LTC and SAIL applications.

In the past, Sadowski Act funding provided a source of identifiable local funds that could be used for the Local Contribution through the SHIP program. As the Sadowski funds have been continually swept and the statewide downturn in revenue has continued, there has been a dramatic reduction in available resources. The needs have not diminished but the funding sources have dwindled.

The contribution from SPHA meets the intent of the Local Contribution requirement by demonstrating participation at a local level and leveraging the state funds. The mission of the SPHA is to manage and maintain public housing units within the City of St. Petersburg. Although SPHA is an independent legal entity, the City appoints all of the Board members, thereby exercising direct control over the entity.

\_\_\_\_\_

Therefore, we request that scorer reinstate the five (5) points for Local Contribution.

Such an action would be consistent with the confirmation received from Agency senior officials prior to the filing of the application, with the demonstrated local commitment of funds, and with the intent of the local contribution requirement.

2011 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

Name of Development: Merritt at Highland Park

(Part III A.1. of the 2011 Universal Cycle Application)

128 Dr. MLK Jr St N, St. Petersburg, FL 33705

Development Location: 931 Arlington Avenue N, St. Petersburg FL 33705

(At 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 (i) the street name, closest designated intersection and city if located within a city or (ii) the street name, closest designated intersection and county if located in the unincorporated area of the county.) \* If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Tie-Breaker Measurement Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates conforms to Rule 61G17-6, F.A.C.:

State the Tie-Breaker Measurement Point <sup>1</sup>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>22.6</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>48.5</u> Seconds (truncated after 1 decimal place)
--	------------------------	----------------------	--	------------------------	----------------------	--

If the Development consists of Scattered Sites, is a part of the boundary of each Scattered Site located within 1/2 mile of the Scattered Site with the most units?  
 Yes or  No (Must check one if Development consists of Scattered Sites) <sup>2</sup>

To be eligible for proximity tie-breaker points, Degrees and Minutes must be stated as whole numbers and Seconds must be truncated after 1 decimal place. The Corporation will utilize Street Atlas USA 2010, published by DeLorme, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Measurement Point

Transit Service - State the latitude and longitude coordinates for one (1) Transit Service on the chart below: <sup>3</sup>

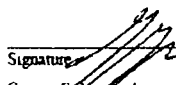
Public Bus Stop	Latitude			Longitude		
	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)
Public Bus Transfer Stop or Public Bus Rapid Transit Stop	N <u>27</u> Degrees	<u>46</u> Minutes	<u>19.5</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>49.4</u> Seconds (truncated after 1 decimal place)
Public Rail Station	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)

Tier 1 and Tier 2 Services - State the Name, Address and latitude and longitude coordinates of the closest service(s) on the chart below: <sup>3</sup>

Tier 1 Services:	Latitude			Longitude		
Grocery Store: Name - <u>Downtown Food Market</u> Address - <u>212 9th Street North</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>25.6</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>48.5</u> Seconds (truncated after 1 decimal place)
Public School: Name - _____ Address - _____	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)
Medical Facility: Name - <u>Richard E. Hosking Health Center</u> Address - <u>205 9th Street North</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>26.0</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>47.4</u> Seconds (truncated after 1 decimal place)
Senior Center: Name - <u>Sunshine Senior Center</u> Address - <u>330 5th Street North</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>32.2</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>24.9</u> Seconds (truncated after 1 decimal place)
Tier 2 Services:	Latitude			Longitude		
Public Park: Name - <u>Mirror Lake</u> Address - <u>Mirror Lake Drive &amp; 3rd Ave N</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>26.1</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>36.5</u> Seconds (truncated after 1 decimal place)
Community Center: Name - <u>Dwight H. Jones Neighborhood Ctr</u> Address - <u>1035 Burlington Avenue North</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>27.3</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>57.9</u> Seconds (truncated after 1 decimal place)
Pharmacy: Name - <u>Urban Specialty Pharmacy</u> Address - <u>326 9th Street North</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>32.4</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>48.6</u> Seconds (truncated after 1 decimal place)
Public Library: Name - <u>St. Petersburg Library</u> Address - <u>280 5th Street North</u>	N <u>27</u> Degrees	<u>46</u> Minutes	<u>28.7</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>38</u> Minutes	<u>25.0</u> Seconds (truncated after 1 decimal place)

If the Corporation discovers that there are any false statements made in this certification, the Corporation will forward a copy to the State of Florida Department of Business and Professional Regulation for investigation

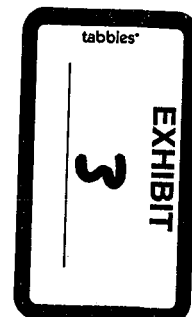
CERTIFICATION - Under penalties of perjury, I declare that the foregoing statement is true and correct

Signature:  \_\_\_\_\_  
 Print or Type Name and Title of Signatory: Greg S. Nipper, PSM, Project Surveyor  
 Florida License Number: LS5683  
 Name of Surveyor: George E. King, Inc.  
 Address (street address, city, state): 299 Dr. Martin Luther King Jr. Street North  
 Telephone Number (including area code): 727-822-4317

UA1016 (Rev. 2-11) 67-48.004(1)(a); 67-21.003(1)(a), F.A.C.

Provide Behind a Tab Labeled "Exhibit 25"

This certification, consists of 2 pages. This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. If the certification is inappropriately signed, the Application will not be eligible to receive proximity tie-breaker points. If this certification contains corrections or "white-out", or if it is scanned, imaged, altered, or retyped, the Application will not be eligible to receive proximity tie-breaker points. The Application may still be eligible for automatic points. The certification may be photocopied. To be considered for scoring purposes, at least page 1 of this 2 page certification form must be provided by the Applicant.



<sup>1</sup> Tie-Breaker Measurement Point means a single point selected by the Applicant on the proposed Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. For a Development which consists of Scattered Sites, this means a single point on one of the Scattered Sites which comprise the Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. In addition, the Tie-Breaker Measurement Point must be located on the site with the most units.

<sup>2</sup> If the proposed Development meets the definition of Scattered Sites, a part of the boundary of each Scattered Site must be located within 1/2 mile of the Scattered Site with the most units. "Scattered Sites," as applied to a single Development, means a Development site that, when taken as a whole, is comprised of real property that is not contiguous (each such non-contiguous site within a Scattered Site Development, a "Scattered Site"). For purposes of this definition "contiguous" means touching at a point or along a boundary. Real property is contiguous if the only intervening real property interest is an easement provided the easement is not a roadway or street. (See Rule 67-48.002, F.A.C.)

<sup>3</sup> The latitude and longitude coordinates for all Proximity Services must represent a point as outlined below. The coordinates for each service must be stated in degrees, minutes and seconds, with the degrees and minutes stated as whole numbers and the seconds truncated after one decimal place. If the degrees and minutes are not stated as whole numbers and the seconds are not truncated after one decimal place, the Applicant will not be eligible for proximity tie-breaker points for that service.

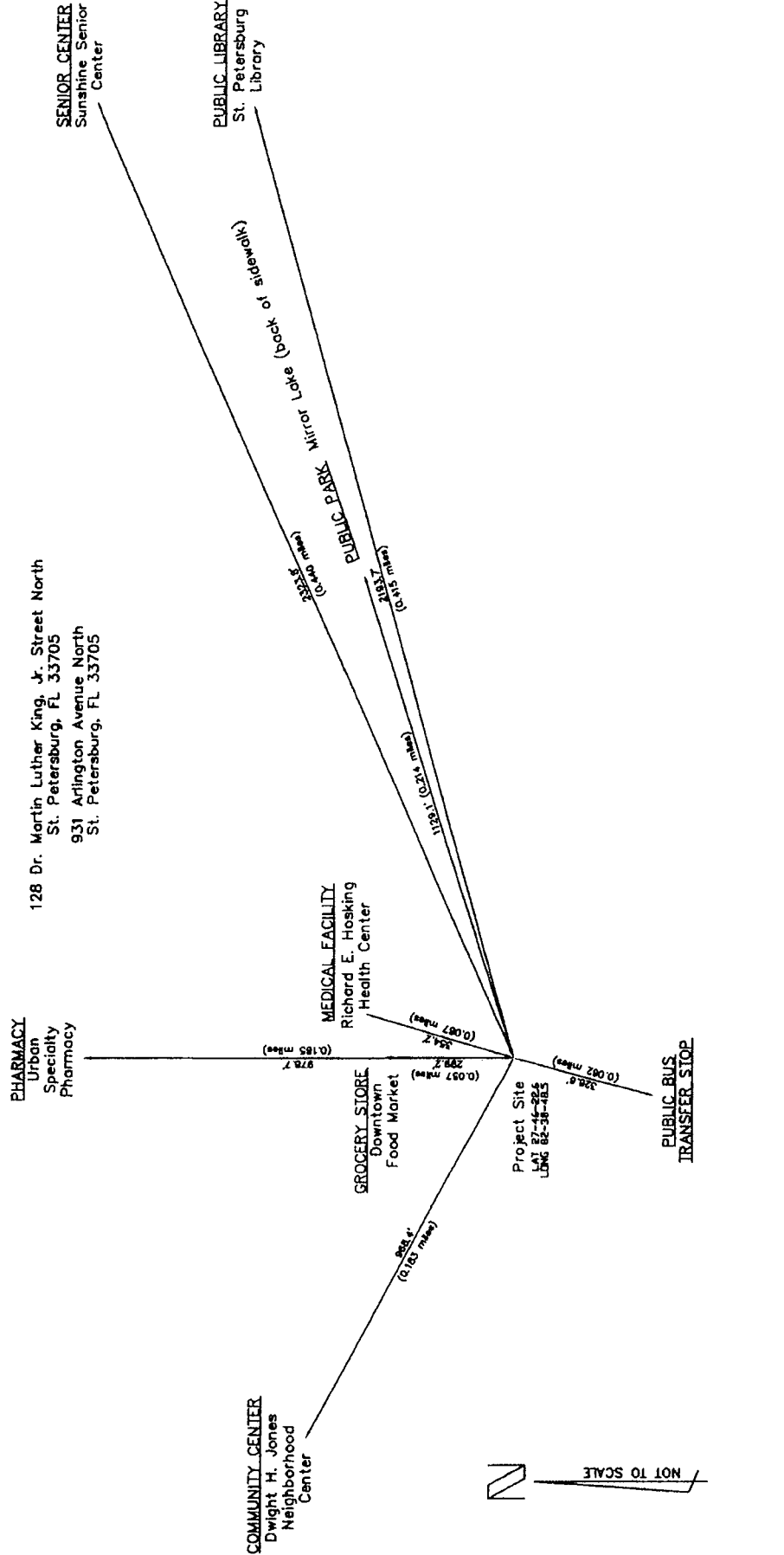
The Corporation will utilize Street Atlas USA 2010, published by DeLorme, using the method described below, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Measurement Point.

Service	Location where latitude and longitude coordinates must be obtained																										
Grocery Store, Public School, Medical Facility, Community Center, Senior Center, Public Library and Pharmacy	Coordinates must represent a point that is on the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located.																										
Public Park	Coordinates must represent a point that is on the premises; however, the point may not be located in the parking lot, street, or any area that is not intended for recreational activities. Additionally, if the area intended for recreational activities is enclosed, the coordinates must represent the public ingress/egress point of entry to the enclosed area.																										
Public Bus Stop, Public Bus Rapid Transit Stop, Public Bus Transfer Stop and Public Rail Station	With the exception of SunRail Rail Stations, coordinates must represent the location where passengers may embark and disembark the bus or train. SunRail Rail Stations coordinates must represent the coordinates listed below. <table border="1" data-bbox="690 877 1315 1142"> <thead> <tr> <th>Station Name</th> <th>Latitude/Longitude Coordinates</th> </tr> </thead> <tbody> <tr> <td>Altamonte Springs Station</td> <td>N 28 39 50.1, W 81 21 23.4</td> </tr> <tr> <td>Church Street Station</td> <td>N 28 32 20.3, W 81 22 50.6</td> </tr> <tr> <td>DeBary Station</td> <td>N 28 51 20.3, W 81 19 24.1</td> </tr> <tr> <td>Florida Hospital Station</td> <td>N 28 34 21.8, W 81 22 17.4</td> </tr> <tr> <td>Lake Mary Station</td> <td>N 28 45 31.8, W 81 19 04.3</td> </tr> <tr> <td>Longwood Station</td> <td>N 28 42 04.1, W 81 20 43.4</td> </tr> <tr> <td>LYNX Central Station</td> <td>N 28 32 52.2, W 81 22 51.0</td> </tr> <tr> <td>Maitland Station</td> <td>N 28 38 03.7, W 81 21 44.7</td> </tr> <tr> <td>Orlando Amtrak/ORMC Station</td> <td>N 28 31 39.5, W 81 22 55.6</td> </tr> <tr> <td>Sand Lake Road Station</td> <td>N 28 27 11.3, W 81 22 1.0</td> </tr> <tr> <td>Sanford/SR46 Station</td> <td>N 28 48 49.8, W 81 17 56.9</td> </tr> <tr> <td>Winter Park/Park Ave Station</td> <td>N 28 35 51.5, W 81 21 6.0</td> </tr> </tbody> </table>	Station Name	Latitude/Longitude Coordinates	Altamonte Springs Station	N 28 39 50.1, W 81 21 23.4	Church Street Station	N 28 32 20.3, W 81 22 50.6	DeBary Station	N 28 51 20.3, W 81 19 24.1	Florida Hospital Station	N 28 34 21.8, W 81 22 17.4	Lake Mary Station	N 28 45 31.8, W 81 19 04.3	Longwood Station	N 28 42 04.1, W 81 20 43.4	LYNX Central Station	N 28 32 52.2, W 81 22 51.0	Maitland Station	N 28 38 03.7, W 81 21 44.7	Orlando Amtrak/ORMC Station	N 28 31 39.5, W 81 22 55.6	Sand Lake Road Station	N 28 27 11.3, W 81 22 1.0	Sanford/SR46 Station	N 28 48 49.8, W 81 17 56.9	Winter Park/Park Ave Station	N 28 35 51.5, W 81 21 6.0
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If there is no exterior public entrance to the Tier 1 or Tier 2 Service, then a point should be used that is at the exterior entrance doorway threshold that is the closest walking distance to the doorway threshold of the interior public entrance to the service. For example, for a Pharmacy located within an enclosed shopping mall structure that does not have a direct public exterior entrance, the latitude and longitude coordinates at the doorway threshold of the exterior public entrance to the enclosed shopping mall that provide the shortest walking distance to the doorway threshold of the interior entrance to the Pharmacy would be used.

The Applicant may not use any other Tier 1 or Tier 2 Service for multiple point items unless they are separate functioning services that are housed at the same location. For instance, an Applicant may not use a Senior Center as both a Senior Center and a Community Center. However, Applicants may use the same latitude and longitude coordinates for the Grocery Store, Medical Facility and/or Pharmacy if the Grocery Store, Medical Facility and/or Pharmacy is housed at the same location.





George F. Young, Inc.  
299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701  
PHONE (777) 822-4317 FAX (777) 822-2919  
BUSINESS ENTRY 1801

ARCHITECTURE - ENGINEERING - ENVIRONMENTAL - LANDSCAPE PLANNING - SURVEYING - UTILITIES  
GAINESVILLE - LAKEWOOD MANOR - ORLANDO - PALM BEACH GARDENS - ST. PETERSBURG - TAMPA - VENICE

Since 1919

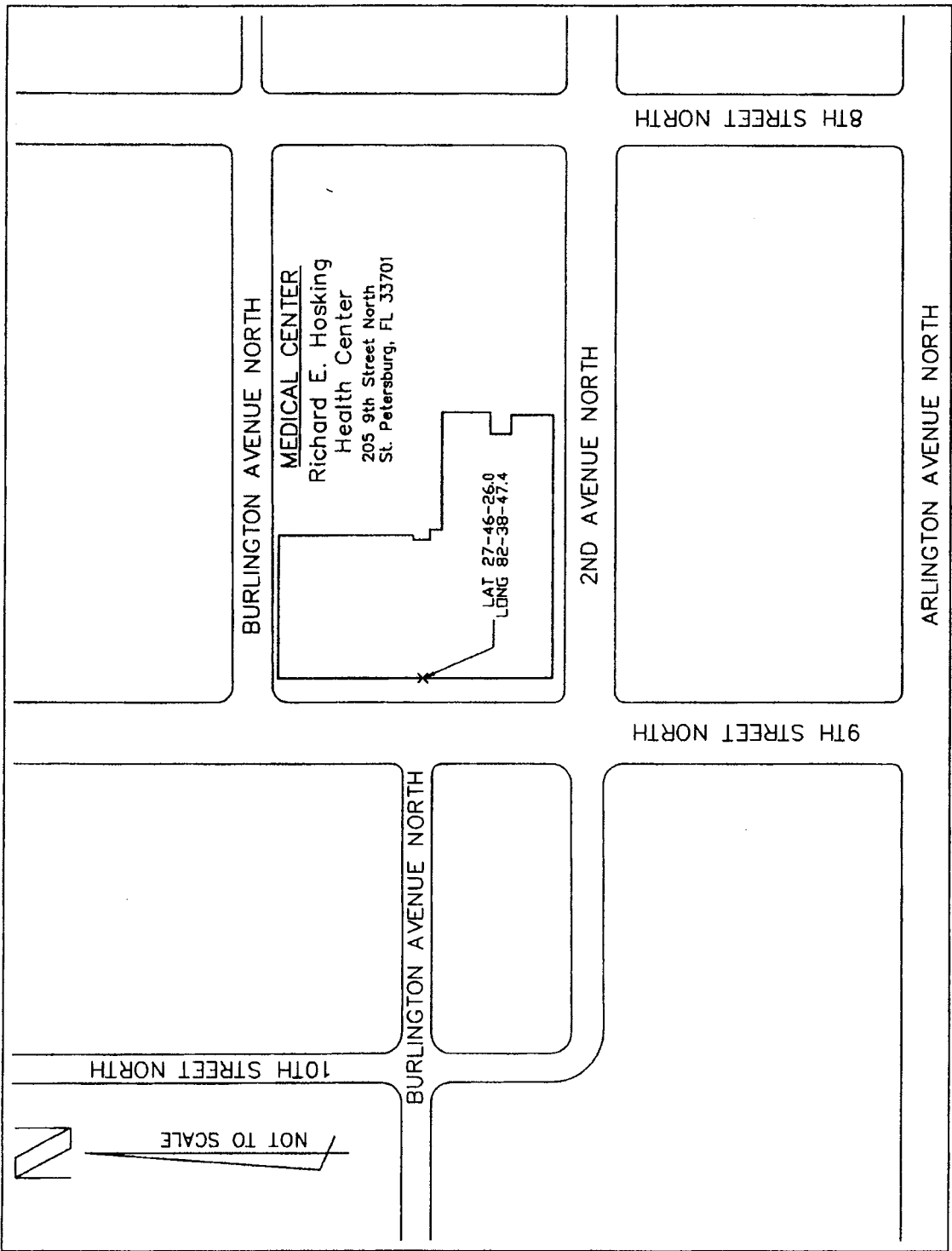
**Merritt at Highland Park Proximity Sketch**

SECTION: TOWNSHIP S. RANGE E.  
PREPARED FOR: DFC St. Pete 9, Ltd.  
2510 Mystic Point Way  
Tampa, FL 33611

JOB NO. 11006400SH  
SHEET NO. 1 of 9

INITIALS	DATE
CREW CHIEF	
DRAWN JP	
CHECKED	
FIELD BOOK	
FIELD DATE	

PS: IS \_\_\_\_\_  
DATE \_\_\_\_\_



CREW CHIEF	INITIALS	DATE	<b>George F. Young, Inc.</b> 299 DR. MARTIN LUTHER KING JR. STREET, N. ST. PETERSBURG, FLORIDA 33701 PHONE (727) 822-4317 FAX (727) 822-2919 BUSINESS ENTITY US21 ARCHITECTURE • ENGINEERING • ENVIRONMENTAL • LAND PLANNING • SURVEYING • UTILITIES SINCE 1919 GAINESVILLE • LAKEWOOD RANCH • ORLANDO • PALM BEACH S. ST. PETERSBURG • TAMPA • VENICE	<b>Merritt at Highland Park Medical Facility</b> TOWNSHIP S. RANGE E. DOC ST. PATE 9, Ltd. 2510 Metic Point Way Tampa, FL 33611	JOB NO. 11006400SH
DRAWN	JP			SECTION	SHEET NO. 8
CHECKED				PREPARED FOR	
FIELD BOOK					
FIELD DATE					

## 2011 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. 2011-137C** and pertains to:

Part III Section A Subsection 10a Exhibit No. 25 (if applicable)

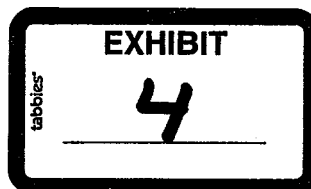
The attached information is submitted in response to the 2011 Universal Scoring Summary Report because:

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:

	2011 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 type="checkbox"/> Reason Ability to Proceed Score Not Maxed	Item No. ____A	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Failed Threshold	Item No. ____T	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Reason Proximity Points Not Maxed	Item No. 4P	<input type="checkbox"/>	<input checked="" 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 2011 – 137C

Provide a separate brief statement for each Cure

Evidence provided in a NOPSE calls into question whether the Medical Facility listed on the Surveyor Certification for Competitive HC Application form in Part III.A 10.a provides general medical treatment or general surgical services to any physically sick or injured person. As a result of FHFC's review of the NOPSE, the scorer took away the points for this proximity item.

A proximity survey was provided in the Application for the Richard E. Hosking Health Center which per Competitive HC Application Part III.A., 10.a.(2)(b), (iv) meets the criteria for Medical Facility. The Richard E. Hosking Health Center is a division of the Pinellas County Health Department. The definition of a Medical Facility provided in 2011 Universal Application Instructions state:

"A Medical Facility means a hospital, state or county health clinic or walk-in clinic (that does not require a prior appointment) that provides general medical treatment or general surgical services at least five days per week to any physically sick or injured person. This service may be selected by all Applicants regardless of the Demographic Commitment selected at Part III.D. of the Application."

The Richard E. Hosking County Health Center offers a variety of services including but not limited to; primary medical care, lab work, wellness and prevention services, prescriptions, free immunizations, cancer screenings, disease management

services, dental care, and limited specialty care. The Richard E Hosking Health Center is open Monday through Friday from 7:30 a.m. to 5:00 p.m. This County Health Clinic does not require a prior appointment. By definition, The Richard E. Hosking Health Center meets the requirements necessary to qualify as Medical Facility. Please see Exhibit A for a page from the website for the Florida Department of Health showing the Richard E Hosking Health Center, its address, and clearly describing it as a "full health clinic."

The NOPSE exhibit (Exhibit B) provided to FHFC was an effort to mislead FHFC. By referencing the header of the Exhibit which states "Pinellas Health and Human Services - Health Plan - About the Pinellas County H...." and by reading the information provided in the exhibit, it is clear the exhibit provided from the Pinellas County website relates to a Medical Home Health Plan offered by the Pinellas County Health and Human Services Department. Individuals may utilize the services offered at the Richard E Hosking Health Center regardless of whether they are enrolled in a Pinellas County Health and Human Service plan or any other plan for that matter. Any restrictions associated specifically with Pinellas County's Medical Home Health Plan are limited to that specific Home Health Plan and do not apply to the numerous other services referenced above which are offered by the Richard E Hosking Health Center.

Therefore, the Hosking Health Center qualifies for Proximity points and we ask FHFC to reinstate these 4 points. If FHFC decides the Hosking Health Center does

**not qualify, we have included a replacement proximity survey for St. Anthony's  
Hospital.**

# **Exhibit A**



Meet the Director  
 Claude Dharamraj, M.D., M.P.H., F.A.A.P.

## Centers/Offices

### + Services & Programs

- Birth/Death Certificates
- Florida Breast & Cervical Cancer Early Detection Program
- Child Care Licensing
- Childhood Lead Poisoning
- Dental Health Clinic
- Environmental Engineering
- Environmental Health And Preparedness
- Epidemiology Program
- Family Planning
- Florida KidCare
- Healthy Start / healthy Families
- Health Information Management
- Hepatitis Program
- HIV/AIDS Program
- Immunizations, Flu, Foreign Travel
- Injury & Violence Prevention
- Men's Services
- Minority Health
- Needle Disposal Program
- Office of Chronic Disease Prevention
- Refugee Health

- [All Centers Map](#)
- [8800 Building Office](#)
- [Clearwater Center](#)

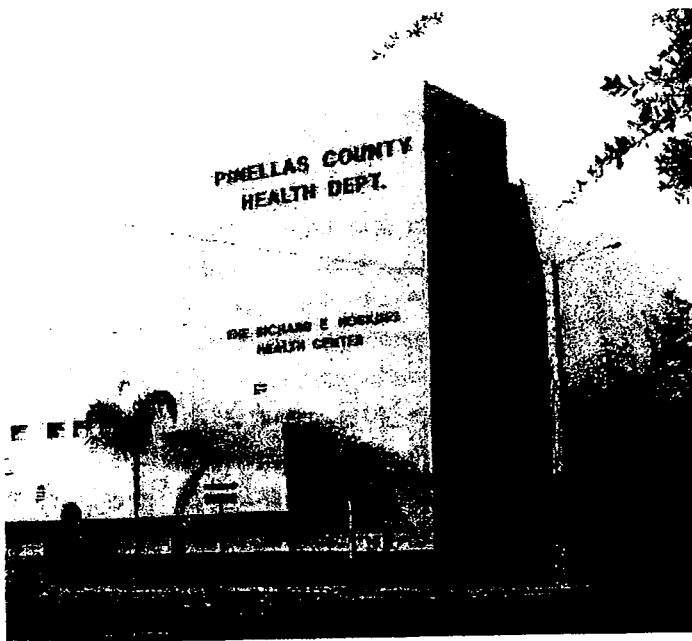
- [Mid-County Center](#)
- [Largo Center](#)
- [Northeast High Clinic](#)

- [Pinellas Park Center](#)
- [St. Petersburg Center](#)
- [Tarpon Springs Center](#)

### St. Petersburg Center

205 Dr. M. L. King Street North  
 St. Petersburg, FL 33701  
 Phone: (727) 824-6900

The St. Petersburg Center is located at 205 Dr. Martin Luther King, Jr. Street North in downtown St. Petersburg, Florida. It is the headquarters for the Pinellas County Health Department and houses administrative staff as well as a full health clinic. \*



#### Directions to St. Petersburg Center

- From I 275 N. exit I-175. Turn left onto 8th Street N. Turn left onto 2nd Ave. N. Parking is on the left.



Offices/Centers

Sexually Transmitted Diseases (STD) Clinic

- » School Health Services
- » Teen Services
- » Tobacco Prevention
- » Tuberculosis (TB) Clinic
- » WIC & Nutrition
- » Women's Health

+ Communication/Public Info

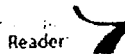
- » Public Contact Information
- » Calendars and Class Schedules
- » Community Newsletters
- » Agency Brochures
- » News Releases
- » Volunteer Opportunities

+ Data & Reports

- » CHARTS
- » Interactive Tools on Medicaid
- » Annual Report 2008-2010
- » Strategic Plan
- » 2011 County Health Rankings

+ Emergency Preparedness

- » Hurricane Information
- » Public Health Preparedness



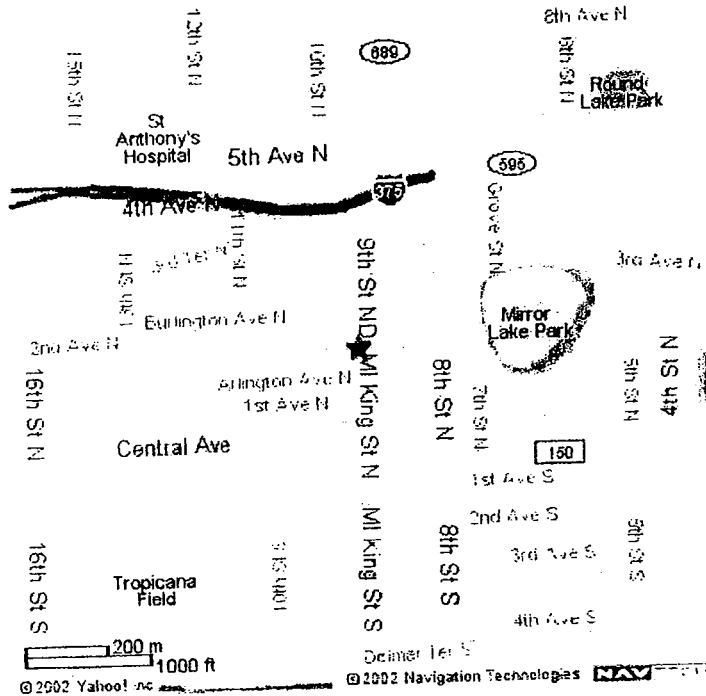
Visitor No.: 3,050,919

Last Update: 2/27/2012

105 Maria Luther King St. Suite 200 North St. Petersburg, FL 33701 • Phone: (727) 324-6900

- From I-275 S. exit I-375. Turn right onto Dr. MLK St. N. Turn left onto 2nd Ave. N. Parking is on the right.

Driving Map



[Home](#) • [Contact Information](#) • [Site Index](#)

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# **Exhibit B**

Exhibit B

**NOPSE Exhibit**  
**Pinellas Home Health**  
**Plan Website**

**\*\*Submitted by competitive Applicant misleading FHFC that this website somehow described the Hosking Medical Center.**

This website is not applicable to the <sup>Hosking</sup> Medical Center\*


## Your Medical Home . . . A One-Stop Health Center . . .


### ▶ What is a Medical Home?

Trips to the emergency room for routine medical care are a thing of the past. That's because your Medical Home is your first stop for health care. A Medical Home is the place you can go for primary care and to help you receive other care offered in the Pinellas County Health Plan.

We will work with you to maintain a healthy lifestyle and coordinate health services. The professionals working in your Medical Home care about you and look forward to helping you live a healthier life. In addition, your Medical Home provides easy access to medical staff through same-day office appointments and some locations are open in the evening or on Saturdays.

- ▼ Do I qualify?
- ▼ What does the program cover?
- ▼ How do I sign up?
- ▼ What should I bring to my first Medical Home visit?
- ▼ What if I still have questions?
- ▼ What if I'm not eligible for this program?

■ [Medical Home Flyer](#) 

■ [Client Handbook](#)   
(Updated 05-03-11)

### ▶ Do I qualify?

#### To qualify for services, you must:

- Be a U.S. citizen or non-sponsored legal resident
- Be a Pinellas County resident
- Be an adult between the ages of 18 and 64
- Be uninsured and cannot pay for the medical care you need
- Not be eligible for Medicaid, Medicare or other public assistance programs
- Meet Federal Income Guidelines - see below

Income guidelines are based on the current Federal Poverty Guidelines for family size. These guidelines are updated each year. The figures shown are for net income after taxes are paid.

Federal Income Guidelines:	
Persons in Household	Net Monthly Household Income
1	\$908
2	\$1,226
3	\$1,544
4	\$1,863
5	\$2,181

If you meet these requirements, you may apply for the Pinellas County Health Plan through a Medical Home. You can rest easy because the Medical Home staff offers professional services with no co-pays. Memberships generally last for one year.

## Medical Home Health Plan

### \* What does the program cover?

*Not Applicable to Hosking.*

Case management services may be offered to help residents dealing with the challenges of:

- Doctor visits at your Medical Home
- Referrals when necessary - only to approved providers
- Mental health and substance abuse services
- Wellness and prevention services such as
  - Annual physicals
  - Nutrition education and counseling
- Cancer screening
- Physical therapy
- Pharmacy services
- Referral for dental "relief of pain"
- Laboratory and medical services such as:
  - Pap smears
  - PSA blood levels
  - Urine analysis including pregnancy test
  - General X-rays
  - Ultrasounds
  - MRIs
  - CT scans
  - Mammograms
- Physical illness
- Disability
- Psychological concerns
- Addictive behaviors

Please review our Client Handbook for more information. (updated 05-03-11)

Please note that emergency room treatment and hospitalization are not covered. You are responsible for payment of these services. Be sure to ask for more information if you have questions about services you are eligible for.

### \* How do I sign up?

You must visit a Medical Home to sign up. Follow these four simple steps:

1. Look at the Medical Homes locations for the one nearest you. This is the enrollment site for the Pinellas County Health Plan.
2. Call to find out when it is open and get directions.
3. Get your paperwork ready. See list below
4. Go to the nearest Medical Home location to apply.

#### Apply here for Medical Home locations

- **Community Health Centers of Pinellas - gmap**  
(Johnnie Ruth Clarke Health Center)  
1344 22nd St. S.  
St. Petersburg, FL 33712  
(727) 821-6701
- **Community Health Centers at Largo - gmap**  
12420 130th Ave. N.  
Largo, FL 33774  
(727) 587-7729
- **Community Health Centers at Tarpon Springs - gmap**  
247 S. Huey Ave.

**Substitute**

**Exhibit 25**

**(St. Anthony's Hospital)**

**\*\*Should FHFC reject Richard E Hosking Health Center.**

2011 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

Name of Development: Merritt at Highland Park

(Part III.A.1. of the 2011 Universal Cycle Application)

128 Dr. MLK Jr St N, St. Petersburg, FL 33705

Development Location: 931 Arlington Avenue N, St. Petersburg FL 33705

(At 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 (i) the street name, closest designated intersection and city if located within a city or (ii) the street name, closest designated intersection and county if located in the unincorporated area of the county.) \* If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Tie-Breaker Measurement Point is located.)

The undersigned Florida licensed surveyor confirms that the method used to determine the following latitude and longitude coordinates conforms to Rule 61G17-6, F.A.C.:

State the Tie-Breaker Measurement Point:	N 27 Degrees	46 Minutes	22.6 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	48.4 Seconds (truncated after 1 decimal place)
--	-----------------	---------------	---	-----------------	---------------	---

If the Development consists of Scattered Sites, is a part of the boundary of each Scattered Site located within 1/2 mile of the Scattered Site with the most units?  
 Yes or  No (Must check one if Development consists of Scattered Sites.)

To be eligible for proximity tie-breaker points, Degrees and Minutes must be stated as whole numbers and Seconds must be truncated after 1 decimal place. The Corporation will utilize Street Atlas USA 2010, published by DeLorme, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Measurement Point.

Transit Service - State the latitude and longitude coordinates for one (1) Transit Service on the chart below.

Public Bus Stop	Latitude			Longitude		
	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)
Public Bus Transfer Stop or Public Bus Rapid Transit Stop	N 27 Degrees	46 Minutes	19.5 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	49.4 Seconds (truncated after 1 decimal place)
Public Rail Station	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)

Tier 1 and Tier 2 Services - State the Name, Address and latitude and longitude coordinates of the closest service(s) on the chart below.

Tier 1 Services:	Latitude			Longitude		
	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)
Grocery Store: Name - <u>Downtown Food Market</u> Address - <u>212 9th Street North</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	25.6 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	48.5 Seconds (truncated after 1 decimal place)
Public School: Name - _____ Address - _____	N Degrees	Minutes	Seconds (truncated after 1 decimal place)	W Degrees	Minutes	Seconds (truncated after 1 decimal place)
Medical Facility: Name - <u>St. Anthony's Hospital</u> Address - <u>1200 7th Avenue North</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	42.7 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	59.3 Seconds (truncated after 1 decimal place)
Senior Center: Name - <u>Sunshine Senior Center</u> Address - <u>330 5th Street North</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	32.2 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	24.9 Seconds (truncated after 1 decimal place)
Tier 2 Services:	Latitude			Longitude		
Public Park: Name - <u>Mirror Lake</u> Address - <u>Mirror Lake Drive &amp; 3rd Ave N</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	26.1 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	36.5 Seconds (truncated after 1 decimal place)
Community Center: Name - <u>Dwight H. Jones Neighborhood Ctr</u> Address - <u>1035 Burlington Avenue North</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	27.3 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	57.9 Seconds (truncated after 1 decimal place)
Pharmacy: Name - <u>Urban Specialty Pharmacy</u> Address - <u>326 9th Street North</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	32.4 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	48.6 Seconds (truncated after 1 decimal place)
Public Library: Name - <u>St. Petersburg Library</u> Address - <u>280 5th Street North</u> <u>SAINT PETERSBURG, FL</u>	N 27 Degrees	46 Minutes	28.7 Seconds (truncated after 1 decimal place)	W 82 Degrees	38 Minutes	25.0 Seconds (truncated after 1 decimal place)

If the Corporation discovers that there are any false statements made in this certification, the Corporation will forward a copy to the State of Florida Department of Business and Professional Regulation for investigation.

CERTIFICATION - Under penalties of perjury, I declare that the foregoing statement is true and correct.

Signature: [Signature] Greg S. Nipper, PSM, Project Surveyor  
 Print or Type Name and Title of Signatory  
 Florida License Number: LS5683  
 Name of Surveyor: George F. Young, Inc. 299 Dr. Martin Luther King Jr. Street North  
 Address (street address, city, state): SAINT PETERSBURG, FL  
 Telephone Number (including area code): 727-822-4317

UA1016 (Rev. 2-11) 67-48.004(1)(a), 67-21.003(1)(a), F.A.C. Provide Behind a Tab Labeled "Exhibit 25"  
 This certification, consists of 2 pages. This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. If the certification is inappropriately signed, the Application will not be eligible to receive proximity tie-breaker points. If this certification contains corrections or "white-outs", or if it is scanned, imaged, altered, or retyped, the Application will not be eligible to receive proximity tie-breaker points. The Application may still be eligible for automatic points. The certification may be photocopied. To be considered for scoring purposes, at least page 1 of this 2 page certification form must be provided by the Applicant.

<sup>1</sup> Tie-Breaker Measurement Point means a single point selected by the Applicant on the proposed Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. For a Development which consists of Scattered Sites, this means a single point on one of the Scattered Sites which comprise the Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. In addition, the Tie-Breaker Measurement Point must be located on the site with the most units.

<sup>2</sup> If the proposed Development meets the definition of Scattered Sites, a part of the boundary of each Scattered Site must be located within 1/2 mile of the Scattered Site with the most units. "Scattered Sites," as applied to a single Development, means a Development site that, when taken as a whole, is comprised of real property that is not contiguous (each such non-contiguous site within a Scattered Site Development, a "Scattered Site"). For purposes of this definition "contiguous" means touching at a point or along a boundary. Real property is contiguous if the only intervening real property interest is an easement provided the easement is not a roadway or street. (See Rule 67-48.002, F.A.C.)

<sup>3</sup> The latitude and longitude coordinates for all Proximity Services must represent a point as outlined below. The coordinates for each service must be stated in degrees, minutes and seconds, with the degrees and minutes stated as whole numbers and the seconds truncated after one decimal place. If the degrees and minutes are not stated as whole numbers and the seconds are not truncated after one decimal place, the Applicant will not be eligible for proximity tie-breaker points for that service.

The Corporation will utilize Street Atlas USA 2010, published by DeLorme, using the method described below, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Measurement Point.

Service	Location where latitude and longitude coordinates must be obtained																										
Grocery Store, Public School, Medical Facility, Community Center, Senior Center, Public Library and Pharmacy	Coordinates must represent a point that is on the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located.																										
Public Park	Coordinates must represent a point that is on the premises; however, the point may not be located in the parking lot, street, or any area that is not intended for recreational activities. Additionally, if the area intended for recreational activities is enclosed, the coordinates must represent the public ingress/egress point of entry to the enclosed area.																										
Public Bus Stop, Public Bus Rapid Transit Stop, Public Bus Transfer Stop and Public Rail Station	With the exception of SunRail Rail Stations, coordinates must represent the location where passengers may embark and disembark the bus or train. SunRail Rail Stations coordinates must represent the coordinates listed below: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th>Station Name</th> <th>Latitude/Longitude Coordinates</th> </tr> </thead> <tbody> <tr> <td>Altamonte Springs Station</td> <td>N 28 39 50.1, W 81 21 23.4</td> </tr> <tr> <td>Church Street Station</td> <td>N 28 32 20.3, W 81 22 50.6</td> </tr> <tr> <td>DeBary Station</td> <td>N 28 51 20.3, W 81 19 24.1</td> </tr> <tr> <td>Florida Hospital Station</td> <td>N 28 34 21.8, W 81 22 17.4</td> </tr> <tr> <td>Lake Mary Station</td> <td>N 28 45 51.8, W 81 19 04.3</td> </tr> <tr> <td>Longwood Station</td> <td>N 28 42 04.1, W 81 20 43.4</td> </tr> <tr> <td>LYNX Central Station</td> <td>N 28 32 52.2, W 81 22 51.0</td> </tr> <tr> <td>Mainland Station</td> <td>N 28 38 03.7, W 81 21 44.7</td> </tr> <tr> <td>Orlando Amtrak/ORMC Station</td> <td>N 28 31 39.5, W 81 22 55.6</td> </tr> <tr> <td>Sand Lake Road Station</td> <td>N 28 27 11.3, W 81 22 1.0</td> </tr> <tr> <td>Sanford/SR46 Station</td> <td>N 28 48 49.8, W 81 17 56.9</td> </tr> <tr> <td>Winter Park/Park Ave Station</td> <td>N 28 35 51.5, W 81 21 6.0</td> </tr> </tbody> </table>	Station Name	Latitude/Longitude Coordinates	Altamonte Springs Station	N 28 39 50.1, W 81 21 23.4	Church Street Station	N 28 32 20.3, W 81 22 50.6	DeBary Station	N 28 51 20.3, W 81 19 24.1	Florida Hospital Station	N 28 34 21.8, W 81 22 17.4	Lake Mary Station	N 28 45 51.8, W 81 19 04.3	Longwood Station	N 28 42 04.1, W 81 20 43.4	LYNX Central Station	N 28 32 52.2, W 81 22 51.0	Mainland Station	N 28 38 03.7, W 81 21 44.7	Orlando Amtrak/ORMC Station	N 28 31 39.5, W 81 22 55.6	Sand Lake Road Station	N 28 27 11.3, W 81 22 1.0	Sanford/SR46 Station	N 28 48 49.8, W 81 17 56.9	Winter Park/Park Ave Station	N 28 35 51.5, W 81 21 6.0
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If there is no exterior public entrance to the Tier 1 or Tier 2 Service, then a point should be used that is at the exterior entrance doorway threshold that is the closest walking distance to the doorway threshold of the interior public entrance to the service. For example, for a Pharmacy located within an enclosed shopping mall structure that does not have a direct public exterior entrance, the latitude and longitude coordinates at the doorway threshold of the exterior public entrance to the enclosed shopping mall that provide the shortest walking distance to the doorway threshold of the interior entrance to the Pharmacy would be used.

The Applicant may not use any other Tier 1 or Tier 2 Service for multiple point items unless they are separate functioning services that are housed at the same location. For instance, an Applicant may not use a Senior Center as both a Senior Center and a Community Center. However, Applicants may use the same latitude and longitude coordinates for the Grocery Store, Medical Facility and/or Pharmacy if the Grocery Store, Medical Facility and/or Pharmacy is housed at the same location.



## 2011 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. 2011-137C** and pertains to:

Part V Section B Subsection \_\_\_\_\_ Exhibit No. \_\_\_\_\_ (if applicable)

The attached information is submitted in response to the 2011 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:

	2011 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 type="checkbox"/> Reason Ability to Proceed Score Not Maxed	Item No. ____A	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Failed Threshold	Item No. ____T	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reason Proximity Points Not Maxed	Item No. ____P	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Additional Comment	Item No. 2C	<input checked="" 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).