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

FLORIDA HOUSING
FINANCE CORPORATION

JANIE POE ASSOCIATES 3 LLC

Petitioner,
vs.

FHFC No. 2012-029UC
Application No. 2011-201C

FLORIDA HOUSING FINANCE
CORPORATION,

Respondent.

_____ /

PETITION FOR REVIEW

Pursuant to Sections 120.569 and .57, Florida Statutes (F.S.) and Rule 67-48.005(5), Florida Administrative Code (F.A.C.), Petitioner, Janie Poe Associates 3 LLC ("Janie Poe") requests an administrative hearing to challenge FLORIDA HOUSING FINANCE CORPORATION's ("Florida Housing") scoring actions concerning Universal Cycle Application No. 2011-201C. In support of this Petition, Janie Poe provides as follows:

1. Janie Poe is a Florida for-profit limited liability company with its address at 3 East Stow Road, Suite 100, Marlton, New Jersey 08053. Janie Poe is in the business of providing affordable rental housing units in the State of Florida.

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 December 6, 2011, Janie Poe applied to Florida Housing for funding pursuant to the Low Income Housing Tax Credit Program (LIHTC). The purpose of the requested funds was to supplement the construction of an affordable housing apartment complex in Sarasota, Florida, named Janie's Garden Phase 3.

4. Pursuant to Section 420.5099, Florida Statutes, Florida Housing is the designated "housing credit agency" for the State of Florida and administers Florida's low-income housing tax credit program. Through this program, Florida Housing allocates Florida's annual fixed pool of federal tax credits to developers of affordable housing.

5. The tax credits allocated annually to each state are awarded by state "housing credit agencies" to single-purpose applicant entities created by real estate developers to develop specific multi-family housing projects. An applicant entity will then sell this ten-year stream of tax credits, typically to a "syndicator," with the sale proceeds generating much of the funding necessary for development and construction of the project. The equity produced by this sale of tax credits in turn reduces the amount of long-term debt required for the project, making it possible to operate the project at rents that are affordable to low-income and very-low-income tenants.

6. The United States Congress has created a program, governed by Section 42 of the Internal Revenue Code (“IRC”), by which federal income tax credits are allotted annually to each state on a per capita basis to encourage private developers to build and operate affordable low-income housing for families. These tax credits entitle the holder to a dollar-for-dollar reduction in the holder’s federal tax liability, which can be taken for up to ten years if the project continues to satisfy all IRC requirements.

7. Because Florida Housing’s available pool of federal tax credits each year is limited, qualified projects must compete for this funding. To assess the relative merits of proposed projects, Florida Housing has established a competitive application process pursuant to Chapter 67-48, F.A.C. Specifically, Florida Housing’s application process for 2011, as set forth in Rules 67-48.002-.005, F.A.C., involves the following:

- (a) The publication and adoption by rule of an application package;
- (b) The completion and submission of applications by developers;
- (c) Florida Housing’s preliminary scoring of applications;
- (d) An initial round of administrative challenges in which an applicant may take issue with Florida Housing’s scoring of another application by filing a Notice of Possible Scoring Error (“NOPSE”)

- (e) Florida Housing’s consideration of the NOPSEs submitted, with notice to applicants of any resulting change in their preliminary scores;
- (f) An opportunity for the applicant to submit additional materials to Florida Housing to “cure” any items for which the applicant received less than the maximum score;
- (g) A second round of administrative challenges whereby an applicant may raise scoring issues arising from another applicant’s cure materials by filing a Notice of Alleged Deficiency (“NOAD”);
- (h) Florida Housing’s consideration of the NOADs submitted, with notice to applicants of any resulting change in their scores;
- (i) An opportunity for applicants to challenge, via informal or formal administrative proceedings, Florida Housing’s evaluation of any item for which the applicant received less than the maximum score; and
- (j) Final scores, ranking, and allocation of tax credit funding the applicants through the adoption of final orders.

8. 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.

9. Based on a review of Florida Housing's Scoring Summary dated March 27, 2012, Janie Poe received a final score of 79 out of a possible 79 points for its Application. Additionally, Janie Poe received 6.00 out of 6.00 Ability To Proceed points and 27.00 out of 37 Tie-Breaker Proximity Points.

10. Florida Housing's scoring action in the instant case concerns whether Janie Poe was awarded maximum Tie-Breaker Points for its Bus Transfer Station and Public Library. As will be explained more fully below, Florida Housing's scoring action in the instant case is erroneous.

Substantial Interests Affected

11. As an applicant for funds allocated by Florida Housing, Janie Poe's substantial interests are adversely affected by the scoring decisions here. The final scoring actions of Florida Housing resulted in Janie Poe's Application not achieving maximum Tie-Breaker Points. Since the purpose of the loan program in general is to provide funding to developers of apartment projects for low income residents, then Janie Poe's interests are adversely and substantially affected by the loss of funding. Indeed, without the requested funding, Janie Poe's ability to provide much needed affordable housing units will be severely jeopardized.

Scoring of Janie Poe's Application

12. The Universal Application requests information regarding various Tie-Breaker Proximity Points. In essence, the Universal Application allows

applicants to earn points based upon the distance between the proposed development site and listed services. To qualify for these proximity points, an applicant must hire a Florida licensed surveyor to define and certify at Exhibit 25 the latitude and longitude coordinates for the project site and for the services selected by the applicant.

13. As provided by the Universal Application Instructions an applicant, to be entitled to the award of Tie-Breaker Points must first identify a Tie-Breaker Measurement Point on the proposed Development Site and provide the longitude and latitude coordinates determined in degrees and minutes stated as whole numbers and the seconds truncated after one decimal place.

14. Applicants must then select from the list of Tier 1 and Tier 2 services and show at Exhibit 25 the proximity of those services to the Development Site. To do this, applicants must select a measurement point on the doorstep threshold of the selected service and measure the distance from that point to the Tie-Breaker Measurement Point. Based on the distance the applicant will be awarded Tie-Breaker Proximity Points.

15. In response to these Application requirements Janie Poe in its initial Application submitted the necessary documentation including a Surveyor Certification Form properly executed by a licensed Florida Surveyor. The Certification included a Tie-Breaker Measurement Point and listed among other

services a Public Bus Transfer Stop and a Public Library. Based on the distance between these services and the Tie-Breaker Measurement Point, Janie Poe believed it was entitled to 9 Tie-Breaker Points (7 points For the Public Bus Transfer Stop and 2 points for the Public Library).

16. After conducting its Preliminary and NOPSE review of Janie Poe's Application, Florida Housing in its Scoring Summary dated February 22, 2012, awarded Janie Poe 10 automatic Tie-Breaker Proximity Points and made the following scoring decisions regarding the remaining Tie-Breaker Proximity Points.

Item #	Description	Created As Result
1P	Evidence provided in a NOPSE indicates that the Public Bus Transfer Stop/Public Bus Rapid Transit Stop listed on the Surveyor Certification for Competitive HC Applications form is neither a location at which passengers may access at least three routs of public transportation via buses nor a location where passengers may access at least one bus that travels at some point during the route in a lane or corridor that is exclusively used by buses and that has scheduled stops every 20 minutes during the hours of 7am to 9am and 4pm to 6pm Monday – Friday.	NOPSE
1P	Per subsection 67-48.002(114), F.A.C., if a Development consists of Scattered Sites, the Tie-Breaker Measurement Point must be located on the site with the most units. The information provided at Exhibit 19 regarding the Scattered Site does not seem to represent a site that contains the Tie-Breaker Measurement Point and it cannot be determined if the Tie-Breaker Measurement Point is on the site with the most units. Because of this, the form could not be considered, and the proposed Development is not eligible for proximity tie-breaker points for any Transit, Tier 1 or Tier 2 Services	Preliminary
4P	Evidence provided in a NOPSE calls into question whether the Medical Facility listed on the Surveyor Certification for Competitive HC Applications form is a walk-in clinic that provides general medical treatment or general surgical services to any physically sick or injured person at least five days per week.	NOPSE

(See Attachment A)

17. In response to these scoring issues Janie Poe provided as a CURE a revised Surveyor Certification Form which attempted to address the Tie-Breaker Measurement Point issues raised by Florida Housing. (See Attachment B)

18. In response to a NOAD which attacked Janie Poe's CURES Florida Housing found that the issue concerning the Public Bus Transfer and Public Library issues had not been addressed as follows:

Item #	Description	Created As Result
1P	The Applicant attempted to CURE Item 1P by providing information demonstrating that there was an additional bus route added prior to the Application Deadline; however the CURE is deficient because this route was "ready for implementation on December 5, 2011" and not available for use by the general public as of the Application Deadline as required.	Final
1P	The Applicant attempted to CURE Item 1P by providing information demonstrating that there was an additional bus route added prior to the Application Deadline; however, the CURE is deficient because the schedule for this route will not have hourly stops between the hours of 4p and 6p Monday – Friday as required.	Final
8P	The Applicant provided a revised Surveyor Certification for Competitive HC Applications form and a new Public Library; however the Verman Kimbrough Memorial Library does not meet the definition. Information provided in a NOAD demonstrates that this facility does not allow the public to borrow materials at no cost and that only those who pay annual membership fees may check out materials from the facility.	Final

19. Florida Housing scoring decision is erroneous as to both the scoring of the Public Bus Transfer Stop as well as the Public Library.

Public Bus Transfer Stop

20. In its Scoring Summary Florida concluded that Janie Poe's Public Bus Transfer Stop was not eligible for Tie-Breaker Points because the stop was not available for use by the general public as of the Application Deadline.

21. The Universal Application at Part III(A)(10)(2)(C) generally provides that to be considered for proximity tie-breaker points all Transit Services must be in existence and available for use by the general public as of the Application Deadline.

22. The Universal Application Instructions at Part III(A)(10)(a)(2)(ii), however, goes on to specifically provide that to be acceptable, bus routes must be established or approved by a Local Government department that manages public transportation, presumably as of the Application Deadline.

23. Based on the information included with its CURE, the Bus Transfer Stop submitted by Janie Poe was approved by Sarasota County Area Transit (SCAT), the area transit authority, functioning as a Department of Sarasota County Government, as of the Application Deadline and therefore should be considered acceptable.

24. Florida Housing has also concluded that Janie Poe's Public Bus Transfer Stop CURE was deficient because the schedule for the additional Bus Route "will not have hourly stops between the hours of 4pm and 6pm Monday – Friday."

25. This conclusion is erroneous in that it ignores the intent of the Rule, which is to provide efficient services to riders. (SCAT) disagrees with Florida Housing's interpretation of the route schedule.

26. SCAT manages hundreds of busses and numerous routes that have served area residents for many years. SCAT reviewed the applicable rule language for a Public Bus Transfer Stop and has determined that the stop in question meets the definition as written and as implied with the intent being to service area residents in the best way possible consistent with federal and state regulations.

27. SCAT bases their conclusion on how the Federal Transit Administration (FTA) calculates scheduled stop frequency in a very specific manner called Headway. Headway is calculated based upon the total number of stops a bus makes at a particular location in a given period of time. This calculation is required to be submitted to the Federal Transit Administration on an annual basis and requires an average calculation of stop times to determine service frequency. As evidenced by the attached SCAT letter(Attachment C), conformance with Title VI of the Civil Rights Act of 1964 demands that public transportation agencies serving any large urbanized area must establish stops such that that it avoids service and/or fare discrimination to the area residents. For this reason SCAT must average its stop frequency to comply with both FTA and FHFC requirements.

28. SCAT looks at all of its stops (including route 71) with the most important goal being to service the needs of its ridership. In this instance the demand does focus more need around the 5pm period, which falls between the

4pm – 6pm hours, due to its understanding of local ridership. SCAT is servicing the stop with the same frequency to which it is servicing the morning routes, which FHFC accepted. Accordingly, Janie Poe's Public Bus Transfer Stop should be found to be acceptable. (See Attachment C)

Public Library

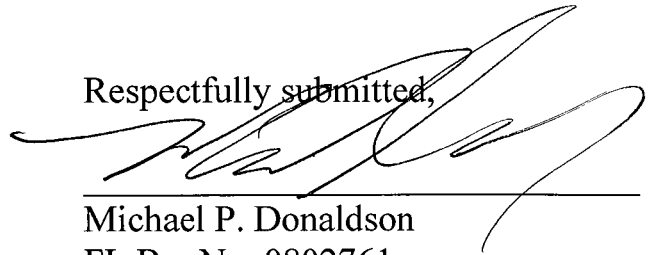
29. Florida Housing also found that Janie Poe's Public Library is deficient because the facility allegedly does not allow the public to borrow materials at no cost and that only those who pay annual membership fees may do so.

30. Florida Housing's conclusion that the Verman Kimbrough Memorial Library, which has served the Sarasota Community for the past 20 years and is a State-recognized Library Cooperative (Tampa Bay Library Consortium), does meet the Rule definition of a Public Library is erroneous. While this Public Library does have a membership option for a nominal annual fee, it “has materials available for the public to borrow at no cost” for use on the premises by area residents. “Materials” presumably refers to all available books, magazines, newspapers and computers. Nothing in the Rule definition requires that the borrower be able to remove materials from a library. Furthermore, in this era of information technology, the free availability of a computer with internet access provides a more useful service to area residents than the traditional act of checking out books, especially to those with low and moderate income, which this proposed

Development would target as future tenants. Accordingly, the Library satisfies the Universal Application Instructions and Rules.

WHEREFORE, Janie Poe requests that it be granted an administrative proceeding to contest Florida Housing's erroneous scoring decisions. To the extent that there are disputed issues of fact, this matter should be forwarded to the Division of Administrative Hearings. Ultimately, Janie Poe requests the entry of a Recommended and Final Order which finds that it has met threshold and awards Janie Poe all applicable points.

Respectfully submitted,



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Counsel for Applicant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing has been filed by Hand Delivery with the Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301; and a copy furnished to Wellington H. Meffert, II, Esq., Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, FL 32301, this 18th day of April, 2012.



MICHAEL P. DONALDSON

Scoring Summary Report

File #: 2011-201C Development Name: Janie's Garden Phase 3

As of: 03/27/2012

	Maximum Points/Eligibility	Preliminary	NOPSE	Final	Final Ranking
Met Threshold	Y/N	N	N	Y	
Total Points	79	76.00	76.00	79.00	
Ability to Proceed Tie-Breaker Points	6	6.00	6.00	6.00	
Proximity Tie-Breaker Points	37	10.00	10.00	27.00	
Eligible for 1/8th Mile Ranking Preference	Y/N	N	N	N	
Eligible for Age of Development Tie-Breaker Ranking Preference	Y/N	Y	Y	Y	
Eligible for Concrete Construction Tie-Breaker Ranking Preference	Y/N	N	N	N	
Eligible for Florida General Contractor Tie-Breaker Ranking Preference	Y/N	Y	Y	Y	
RA Level Classification (preference given to the lowest RA Level Classification)	1 - 6	5	5	5	

Scores:

Item #	Part	Section	Subsection	Description	Maximum Available Points	Preliminary	NOPSE	Final	Final Ranking
Developer									
1S	II.	B.	1.c.	Housing Credit Development Experience	3.00	0.00	0.00	3.00	
Construction Features and Amenities									
2S	III.	B.	3.a.	Optional - NC & Rehab. Units	9.00	9.00	9.00	9.00	
3S	III.	B.	3.b.	Optional - All Developments Except SRO	12.00	12.00	12.00	12.00	
3S	III.	B.	3.c.	Optional - SRO Developments	12.00	0.00	0.00	0.00	
4S	III.	B.	3.d.	Optional - Universal Design & Visitability	10.00	10.00	10.00	10.00	
5S	III.	B.	5.a.(1)	Green Building Features (NC & Redev.)	7.00	0.00	0.00	0.00	
5S	III.	B.	5.a.(2)	Green Building Certification (NC & Redev.)	10.00	10.00	10.00	10.00	
5S	III.	B.	5.b.	Green Building Features (Rehab. & Preserv.)	10.00	0.00	0.00	0.00	
Set-Aside Commitments									
6S	III.	E.	1.b.(2)	Special Needs Households	4.00	4.00	4.00	4.00	
7S	III.	E.	1.b.(3)	Total Set-Aside Commitment	3.00	3.00	3.00	3.00	
8S	III.	E.	3.	Affordability Period	5.00	5.00	5.00	5.00	
Resident Programs									
9S	III.	F.	1.	Programs for Non-Elderly & Non-Homeless	6.00	6.00	6.00	6.00	
9S	III.	F.	2.	Programs for Homeless (SRO & Non-SRO)	6.00	0.00	0.00	0.00	
9S	III.	F.	3.	Programs for Elderly	6.00	0.00	0.00	0.00	
10S	III.	F.	4.	Programs for All Applicants	8.00	8.00	8.00	8.00	
Local Government Contributions									
11S	IV.	A.		Contributions	5.00	5.00	5.00	5.00	
Local Government Incentives									
12S	IV.	B.		Incentives	4.00	4.00	4.00	4.00	

Reason(s) Scores Not Maxed:

Item #	Reason(s)	Created As Result	Rescinded As Result
1S	The Applicant provided one chart for both the General Development Experience and the HC Development Experience. The chart reflects the name of the co-Developer (Michaels Development Company I, LP) but does not reflect the name of a Principal of the Developer as required for the Housing Credit Development Experience points.	Preliminary	Final

Threshold(s) Failed:

Item #	Part	Section	Subsection	Description	Reason(s)	Created as Result of	Rescinded as Result of
1T	II.	A.	3.	Principals	The Applicant failed to identify the member(s) and manager(s) of The Michaels Development Holding Company, LLC, the general partner of the co-Developer entity The Michaels Development Company I, LP.	Preliminary	Final
2T	V.	B.		Construction/Rehab. Analysis	The Applicant has a construction financing shortfall of \$13,385,570.	Preliminary	NOPSE
3T	V.	B.		Permanent Analysis	The Applicant has a permanent financing shortfall of \$13,385,570.	Preliminary	NOPSE
4T	V.	D.	1.	Non-Corporation Funding	The Applicant submitted a commitment for "Other" financing from the Sarasota Housing Authority. One of the requirements for a financial commitment is that it contain a statement that the commitment does not expire before September 7, 2012 (a date that is nine (9) months after the Application Deadline). However, the "Other" financing from Sarasota Housing Authority (Exhibit 49) does not include this required statement. Therefore, it cannot be considered a source of financing.	Preliminary	Final
5T	V.	D.	2.	HC Equity	The Applicant provided an equity commitment from Prestige Affordable Housing Equity Partners that does not meet the 15% requirement. Per Part V.D.3.(a) of the 2011 Universal Application Instructions, at least 15% of the proposed equity to be provided must be paid prior to or simultaneous with the closing of construction financing. Therefore, the HC equity cannot be considered a source of financing.	Preliminary	Final
6T	V.	D.	1.	Non-Corporation Funding	The Applicant submitted a loan commitment from Continental Mortgage Corporation. Part V.D.1.(e) of the 2011 Universal Application Instructions states "if the commitment is not from a regulated Financial Institution in the business of making loans or a governmental entity, evidence of ability to fund must be provided." The loan does not appear to be from a regulated Financial Institution and no evidence of ability to fund was provided with the loan commitment. Therefore, neither the construction nor the permanent loan commitments can be considered a source of financing.	Preliminary	Final

Item #	Part	Section	Subsection	Description	Reason(s)	Created as Result of	Rescinded as Result of
7T	V.	D.	1.	Non-Corporation Funding	The permanent loan commitment from Continental Mortgage Corporation provided by the Applicant does not contain the terms of the commitment, specifically the number of years, as required by Part V.D.1.(a) of the 2011 Universal Application Instructions. Therefore, the commitment was not counted as a source of financing.	Preliminary	Final
8T	II.	B.	4.	Architect	Based on information provided in a NOPSE, the Florida License Number of Signatory stated on the Architect Certification form is not the license number of the signatory as required by the instructions on the form.	NOPSE	Final
9T	III.	C.	2.	Site Control	It appears that the tenant is in default under the terms of the Ground Lease Agreement because (i) construction of the improvements has not commenced and been completed in accordance with Section 4.1.1 of the Lease, and (ii) the tenant has not completed the initial closing of the development financing in accordance with Section 19.2.6 of the Lease. No evidence was provided in the Application to demonstrate that the Ground Lease Agreement has been modified or amended to address these defaults.	NOPSE	Final
10T	V.	D.	1.	Non-Corporation Funding	The Applicant submitted a loan commitment from Continental Mortgage Corporation that states on page 3 that the Applicant shall receive \$11,150,900 in tax credit equity. However, the Applicant provided an HC Equity commitment in the amount of \$11,125,400. Due to the inconsistency, the loan commitment cannot be used as a source of financing.	NOPSE	Final
11T	V.	B.		Construction/Rehab. Analysis	The Applicant has a construction financing shortfall of \$12,785,650.	NOPSE	Final
12T	V.	B.		Permanent Analysis	The Applicant has a permanent financing shortfall of \$12,785,650.	NOPSE	Final

Ability To Proceed Tie-Breaker Points:

Item #	Part	Section	Subsection	Description	Maximum Available Points	Preliminary	NOPSE	Final	Final Ranking
1A	III.	C.	1.	Site Plan/Plat Approval	1.00	1.00	1.00	1.00	
2A	III.	C.	3.a.	Availability of Electricity	1.00	1.00	1.00	1.00	
3A	III.	C.	3.b.	Availability of Water	1.00	1.00	1.00	1.00	
4A	III.	C.	3.c.	Availability of Sewer	1.00	1.00	1.00	1.00	
5A	III.	C.	3.d.	Availability of Roads	1.00	1.00	1.00	1.00	
6A	III.	C.	4.	Appropriately Zoned	1.00	1.00	1.00	1.00	

Proximity Tie-Breaker Points:

Item #	Part	Section	Subsection	Description	Maximum Available Points	Preliminary	NOPSE	Final	Final Ranking
Transit Services									
1P	III.	A.	10.a	Public Bus Stop	2.00	0.00	0.00	0.00	
1P	III.	A.	10.a	Public Bus Transfer Stop or Public Bus Transit Stop	6.00	0.00	0.00	0.00	
1P	III.	A.	10.a	Public Rail Station	7.00	0.00	0.00	0.00	
Tier 1 Services									
2P	III.	A.	10.a	Grocery Store	4.00	0.00	0.00	2.50	
3P	III.	A.	10.a	Public School	4.00	0.00	0.00	3.50	
3P	III.	A.	10.a	Senior Center	4.00	0.00	0.00	0.00	
4P	III.	A.	10.a	Medical Facility	4.00	0.00	0.00	2.00	
Eligible for Tier 1 Service Score Boost (Yes/No)						Y	Y	Y	
Total Tier 1 Service Score					12.00	0.00	0.00	12.00	
Tier 2 Services									
5P	III.	A.	10.a	Public Park	2.00	0.00	0.00	2.00	
6P	III.	A.	10.a	Community Center	2.00	0.00	0.00	1.75	
7P	III.	A.	10.a	Pharmacy	2.00	0.00	0.00	1.25	
8P	III.	A.	10.a	Public Library	2.00	0.00	0.00	0.00	
FHFC Proximity List									
9P	III.	A.	10.b	Proximity to Developments on FHFC Development Proximity List	10.00	10.00	10.00	10.00	

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

Item #	Reason(s)	Created As Result	Rescinded As Result
1P	<p>Evidence provided in a NOPSE indicates that the Public Bus Transfer Stop/Public Bus Rapid Transit Stop listed on the Surveyor Certification for Competitive HC Applications form is neither a location at which passengers may access at least three routes of public transportation via buses nor a location where passengers may access at least one bus that travels at some point during the route in a lane or corridor that is exclusively used by buses and that has scheduled stops every 20 minutes during the hours of 7am to 9am and 4pm to 6pm Monday - Friday.</p>	NOPSE	Final
1P	<p>The Applicant attempted to cure item 1P by providing information demonstrating that there was an additional bus route added prior to the Application Deadline; however the cure is deficient because this route was "ready for implementation on December 5, 2011" and not available for use by the general public as of the Application Deadline as required.</p>	Final	
1P	<p>The Applicant attempted to cure item 1P by providing information demonstrating that there was an additional bus route added prior to the Application Deadline; however the cure is deficient because the schedule for this route will not have hourly stops between the hours of 4pm and 6pm Monday - Friday as required.</p>	Final	
1P-8P	<p>Per subsection 67-48.002(114), F.A.C., if a Development consists of Scattered Sites, the Tie-Breaker Measurement Point must be located on the site with the most units. The information provided at Exhibit 19 regarding the Scattered Sites does not seem to represent a site that contains the Tie-Breaker Measurement Point and it cannot be determined if the Tie-Breaker Measurement Point is on the site with the most units. Because of this, the form could not be considered, and the proposed Development is not eligible for proximity tie-breaker points for any Transit, Tier 1 or Tier 2 Services.</p>	Preliminary	Final
4P	<p>Evidence provided in a NOPSE calls into question whether the Medical Facility listed on the Surveyor Certification for Competitive HC Applications form is a walk-in clinic that provides general medical treatment or general surgical services to any physically sick or injured person at least five days per week.</p>	NOPSE	Final
8P	<p>The Applicant provided a revised Surveyor Certification for Competitive HC Applications form and a new Public Library; however the Verman Kimbrough Memorial Library does not meet the definition. Information provided in a NOAD demonstrates that this facility does not allow the public to borrow materials at no cost and that only those who pay annual membership fees may check out materials from the facility.</p>	Final	

Additional Application Comments:

Item #	Part	Section	Subsection	Description	Comment(s)	Created as Result of	Rescinded as Result of
1C	III.	A.	10.b.	Proximity to Developments on FHFC Development Proximity List	The Application qualifies for 10 automatic proximity points at Part III.A.10.b.(2) of the Application.	Preliminary	
2C	V.	B.		Developer Fee	The Applicant provided a Commitment to Defer Developer Fee form from both Co-Developers, with each Developer committing to defer \$850,000 during construction and permanent financing. The total maximum combined amount of deferred Developer fee allowed is \$1,398,929, which is the amount utilized by Florida Housing as a source for construction and permanent financing to minimize shortfalls.	NOPSE	
3C	V.	B.		Pro Forma	The loan commitment provided states a loan commitment fee of 1% of both the construction and permanent loan amounts. However, the amounts listed on the proforma for loan origination fees exceed these amounts. Therefore, the Total Development Cost was reduced by \$50,991.	NOPSE	

Brief Statement of Explanation regarding
Application 2011 – 201C

Provide a separate brief statement for each Cure

ITEM # 1P:

Applicant's Public Bus Transfer Stop was questioned as to the number of different bus routes that stopped at its location. As per the submitted NOPSE's they did correctly verify that Route #7 and Route #8 stops at the corner of Orange Avenue and 23rd Street in Sarasota. However, what the submitted NOPSE's omitted was that Route #71 has been recently modified to stop at the same stop (Orange Avenue and 23rd Street) to better serve the needs of the community. As noted in the attached letter from the General Manager of Sarasota County Area Transit (SCAT) this stop was approved prior to the FHFC application deadline of December 6, 2011.

As per FHFC 2011 Instructions Part III A.10.a.(2).(a).(i).: "...Public Bus Transfer Stop (Maximum 6 Points) --For purposes of proximity tie-breaker points, a Public Bus Transfer Stop means a fixed location at which passengers may access at least three routes of public transportation via buses. Each route must have a scheduled stop at the Public Bus Transfer Stop at least hourly during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis. This would include both bus stations (i.e. hubs) and bus stops with multiple routes. Bus routes must be established or approved by a Local Government department that manages public transportation. Buses that travel between states will not be considered. ..."

This clarification shows it meets the requirements set forth in FHFC's 2011

Universal Application Instructions and should be deemed acceptable.

January 26, 2012



Stephen P. Auger
Executive Director
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301

Subject: Sarasota County Area Transit Route 71

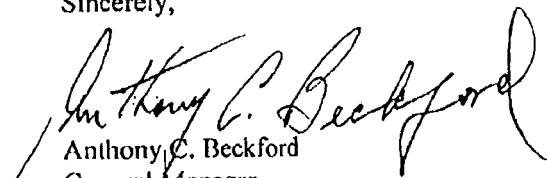
Dear Mr. Auger:

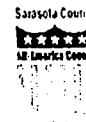
Sarasota County Area Transit (SCAT) approved Route 71 (Booker HS) schedule December 5, 2011 for regular service to Dr. Martin Luther King, Jr. Way in Sarasota, Florida. This route provides for peak hour service to the North Sarasota community within walking distance of Janie's Garden development. Route 71 starts at the Sarasota Downtown Transfer station and ends near Booker High School on 35th Street. Route 71 will have scheduled stops on Orange Avenue at 23rd Street in both northbound and southbound (see attached route schedule). The stop on Orange Avenue at 23rd Street is served currently by SCAT Route 7 (Newtown-NE) and Route 8 (Newtown-US 301).

Development of this route is the first step in providing much needed cross service along MLK and Myrtle Streets in North Sarasota. The effort is the result of community input initiated in early 2011. The MLK cross-town route is in the Sarasota County Transit Development Plan. The goal of that route is to create an east-west bus service connecting residents near US 301 to shopping located on North Tamiami Trail.

If you have any questions or comments regarding these responses, please contact me at (941) 861-1006.

Sincerely,

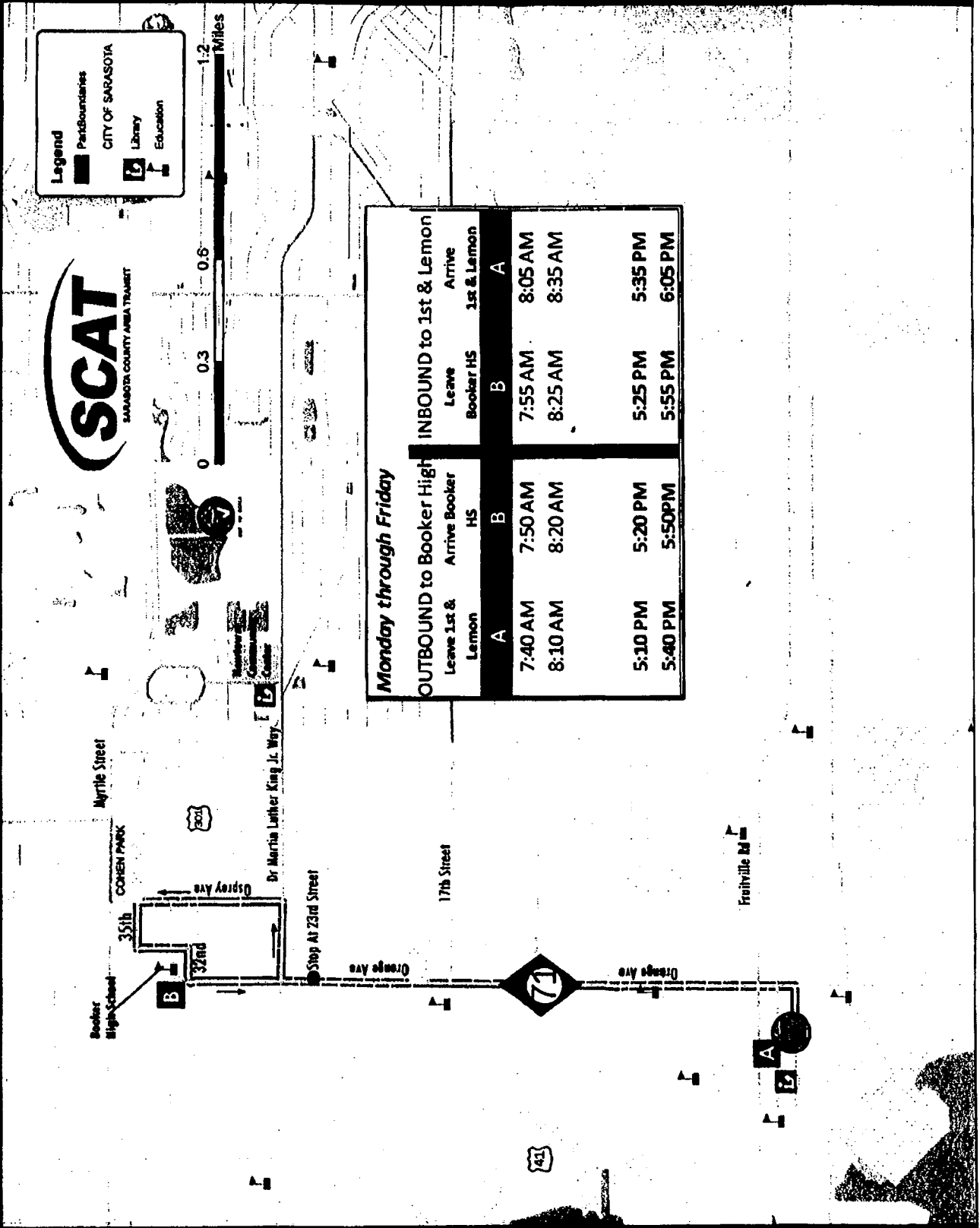

Anthony C. Beckford
General Manager



Route 71

Lowtown Booker High

Monday through Friday



Route 71

Route 8

Newtown US 301

8

Monday-Saturday

OUTBOUND to Goodwill - 301

Station	12:06	12:06	12:06	12:06	12:06	12:06	12:06	12:06	12:06	12:06	12:06
1st & Lemon	12:45	12:50	12:53	12:55	12:57	1:00	1:06				
Orange & 20th St.	1:45	1:50	1:53	1:55	1:57	2:00	2:06				
Dr. M.L. King Jr. Way & Goodrich	2:45	2:50	2:53	2:55	2:57	3:00	3:06				
Myrtle & N. Osprey	3:45	3:50	3:53	3:55	3:57	4:00	4:06				
US 301 & Northgate	4:45	4:50	4:53	4:55	4:57	5:00	5:06				
University & US 301	5:45	5:50	5:53	5:55	5:57	6:00	6:06				
Goodwill - 301	6:45	6:50	6:53	6:55	6:57	7:00	7:06				

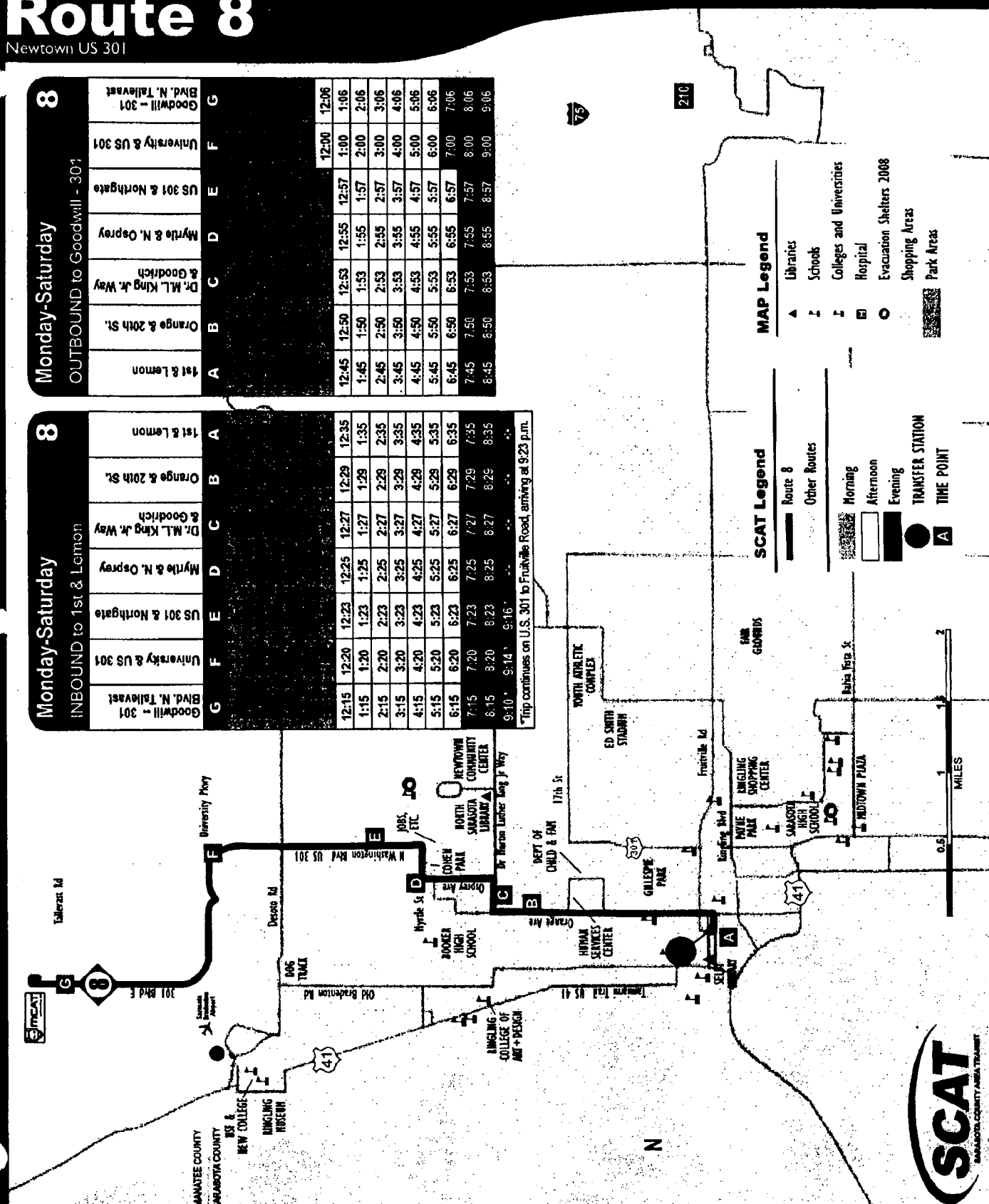
8

Monday-Saturday

INBOUND to 1st & Lemon

Station	12:15	12:20	12:23	12:25	12:27	12:29	12:35
1st & Lemon	12:15	12:20	12:23	12:25	12:27	12:29	12:35
Orange & 20th St.	1:15	1:20	1:23	1:25	1:27	1:29	1:35
Dr. M.L. King Jr. Way & Goodrich	2:15	2:20	2:23	2:25	2:27	2:29	2:35
Myrtle & N. Osprey	3:15	3:20	3:23	3:25	3:27	3:29	3:35
US 301 & Northgate	4:15	4:20	4:23	4:25	4:27	4:29	4:35
University & US 301	5:15	5:20	5:23	5:25	5:27	5:29	5:35
Goodwill - 301	6:15	6:20	6:23	6:25	6:27	6:29	6:35

*Trip continues on U.S. 301 to Fruitville Road, arriving at 9:23 p.m.



Route 7

Newtown—NE

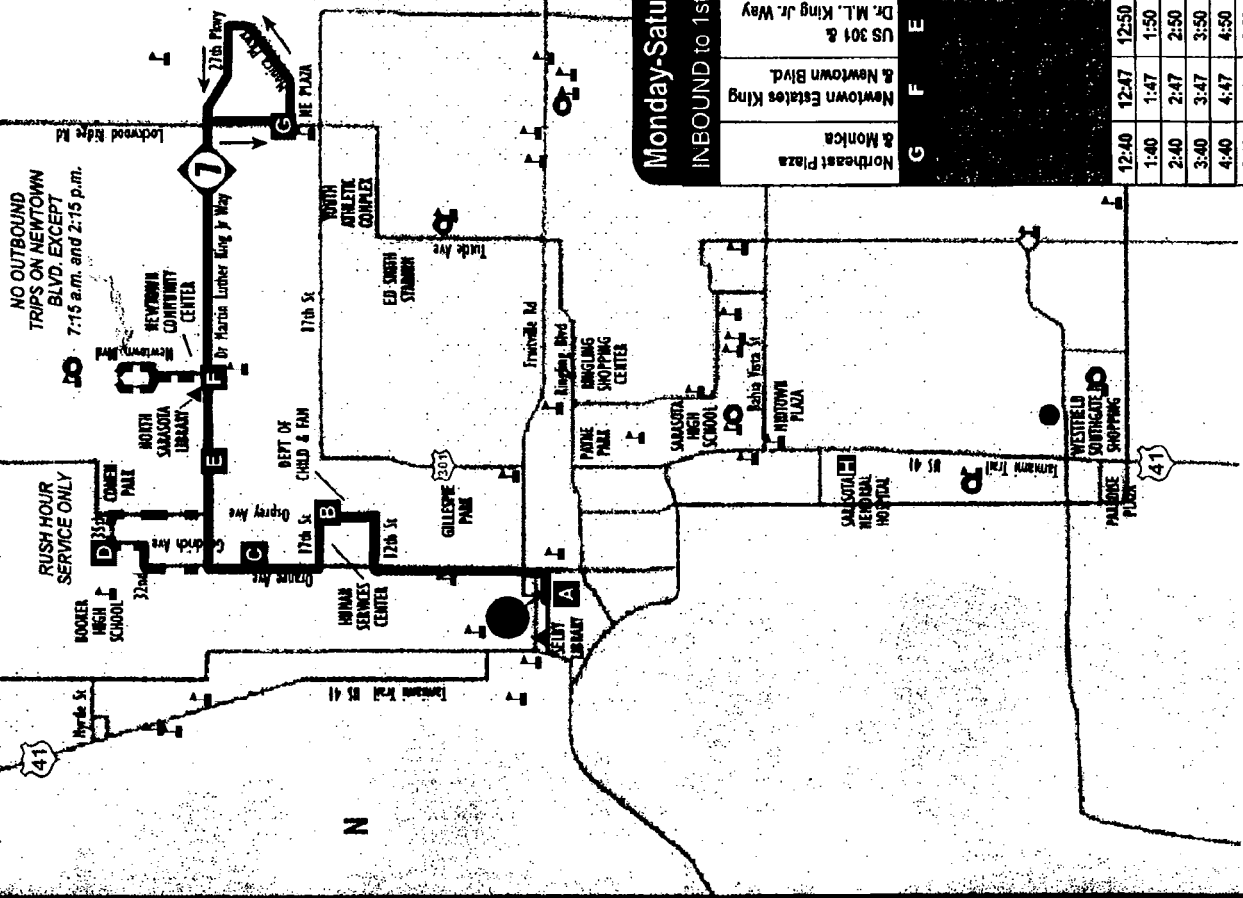
SCAT Legend

- Route 7
- Route 7 LIMITED
- Other Routes

- Morning
- Afternoon
- Evening
- TRANSFER STATION
- TIME POINT

MAP Legend

- Libraries
- Schools
- Colleges and Universities
- Hospital
- Evacuation Shelters 2008
- Shopping Areas
- Park Areas



NO OUTBOUND TRIPS ON NEWTOWN BLVD. EXCEPT 7:15 a.m. and 2:15 p.m.

RUSH HOUR SERVICE ONLY

Monday-Saturday

OUTBOUND to Northeast Plaza

Time	A	B	C	D	E	F	G
12:15	1st & Lemon	Human Services	Orange & 20th St.	35th St. & Goodrich	US 301 & Dr. M.L. King Jr. Way	Newtown Blvd. & Dr. M.L. King Jr. Way	Northeast Plaza & Monica
12:21							
12:22							
1:15							
1:21							
1:22							
2:15							
2:21							
2:22							
3:15							
3:21							
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7:22							
8:15							
8:21							
8:22							
9:15							
9:21							
9:22							
9:28							
9:36							

Monday-Saturday

INBOUND to 1st & Lemon

Time	G	F	E	D	C	B	A
12:40	Northeast Plaza & Monica	Newtown Estates King	US 301 & Dr. M.L. King Jr. Way	35th St. & Goodrich	Orange & 20th St.	Human Services	1st & Lemon
12:47							
12:50							
1:40							
1:47							
1:50							
2:40							
2:47							
2:50							
3:40							
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7:40							
7:47							
7:50							
8:40							
8:47							
8:50							
8:54							
8:55							
9:02							

*These trips go all the way around Newtown Estates loop.



Brief Statement of Explanation regarding
Application 2011 – 201C

Provide a separate brief statement for each Cure

ITEM # 1P-8P:

Applicant's Tie-Breaker Measurement Point was unable to be verified by FHFC due to a conflict with the coordinates listed on Exhibit 19. Applicant has changed the coordinates on Exhibit 19 to clearly state the site to be used for Tie-Breaker Measurement Purposes. Applicant has also revised Exhibit 25 to maintain consistency throughout the application.

These clarifications shows that the Applicant meets the requirements set forth in FHFC's 2011 Universal Application Instructions and should be deemed acceptable.

2011 UNIVERSAL CYCLE - SURVEYOR CERTIFICATION FOR COMPETITIVE HC APPLICATIONS

Name of Development: Janie's Garden Phase 3

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

See Exhibit 19

Development Location *:

(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. ¹	N <u>27</u> Degrees	<u>21</u> Minutes	<u>26.8</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>30.9</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.)²

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.³


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>21</u> Minutes	<u>26.1</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>18.7</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.³

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 - Publix Supermarket Address - 1044 N Tamiami Trail, Sarasota	N <u>27</u> Degrees	<u>20</u> Minutes	<u>45.1</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>44.4</u> Seconds (truncated after 1 decimal place)
Public School: Name - Hooker High School Address - 3201 N. Orange Ave. Sarasota, FL	N <u>27</u> Degrees	<u>21</u> Minutes	<u>49.2</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>23.5</u> Seconds (truncated after 1 decimal place)
Medical Facility: Name - North County Health Center Address - 1949 Northgate Blvd, Sarasota	N <u>27</u> Degrees	<u>22</u> Minutes	<u>23.0</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>31</u> Minutes	<u>57.4</u> Seconds (truncated after 1 decimal place)
Senior Center: Name - N/A Address - _____	N _____ Degrees	_____ Minutes	_____ Seconds (truncated after 1 decimal place)	W _____ Degrees	_____ Minutes	_____ Seconds (truncated after 1 decimal place)
Tier 2 Services:	Latitude			Longitude		
Public Park: Name - Dr. Martin Luther King Jr. Park Address - 2523 Coconut Ave, Sarasota, FL	N <u>27</u> Degrees	<u>21</u> Minutes	<u>32.3</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>42.7</u> Seconds (truncated after 1 decimal place)
Community Center: Name - NRO-Community Center Address - 1782 Dr. MLK Jr. Way, Sarasota	N <u>27</u> Degrees	<u>21</u> Minutes	<u>33.7</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>05.7</u> Seconds (truncated after 1 decimal place)
Pharmacy: Name - Publix Supermarket Address - 1044 N Tamiami Trail, Sarasota	N <u>27</u> Degrees	<u>20</u> Minutes	<u>45.1</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>44.4</u> Seconds (truncated after 1 decimal place)
Public Library: Name - Verman Kimbrough Mem. Library Address 2700 N Tamiami Trl., Sarasota	N <u>27</u> Degrees	<u>21</u> Minutes	<u>36.8</u> Seconds (truncated after 1 decimal place)	W <u>82</u> Degrees	<u>32</u> Minutes	<u>52.9</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 _____ Russell P. Hyatt, Vice-President _____ PSM 5303
 Print or Type Name and Title of Signatory _____ Florida License Number
 Hyatt Survey Services, Inc. 11007 8th Ave. E., Bradenton, FL 34212 941-748-4693
 Name of Surveyor _____ Address (street address, city, state) _____ Telephone Number (including area code)

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.

¹ 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.

² If the proposed Development uses 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.)

³ 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="0"> <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 31 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 54.3</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>Stauford SR46 Station</td> <td>N 28 48 48.8, 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 31 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 54.3	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	Stauford SR46 Station	N 28 48 48.8, 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.

List of Scattered Sites
 Project: Janie's Garden Phase 3
 Applicant: Janie Poe Associates 3, LLC

Site	Address	Size	Units	Zoning	Lat/Long
1	NE Corner of Central Ave & 22nd Street, Sarasota, FL 34234	4.6278 Acres	66	Housing Authority Overlay District	Latitude: 27 21' 26.8" North Longitude: 82 32' 30.9" West
2	South of 22nd Street, East of Central Ave., West of Lemon Ave., Sarasota, FL 34234	0.4935 Acres	7	Housing Authority Overlay District	Latitude: 27 21' 23.01" North Longitude: 82 32' 28.06" West

TOTALS 5.1213 Acres 73

Site 1 noted above contains the most units. Site 1 should be used for Tie Breaker Measurement Point Scoring.



February 28, 2012

Steve P. Auger, Executive Director
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301

Re: City of Sarasota Newtown Redevelopment Office (NRO)

Dear Mr. Auger,

The City of Sarasota NRO is a small City facility that serves the community and we are dedicated to helping the community become a better place.

William Russell, Executive Director of the Sarasota Housing Authority has asked me to verify the following four items:

1. We are open over 20 hours per week. We are open from 9AM – 5PM Monday thru Friday, excluding holidays.
2. The maintenance to the office is done by the Public Works Department, which maintains all other City Parks, Community Centers and Auditoriums.
3. We provide educational and business development services to those living in our community.
4. We allow local residents to schedule use of our facilities, such as our conference room for educational meetings and classes.

Please feel free to contact me directly at 941-954-4147.

Sincerely,

Timothy Littbet, Director
Neighborhood and Development Services

cc: William Russell, Executive Director, Sarasota Housing Authority
Lorna Alston, General Manager, NRO
Don Hadsell, Director, Housing & Community Development



**Ringling College
of Art + Design**

Office of the President

February 29, 2012

Steve P. Auger, Executive Director
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301

RE: FHFC Proximity Scoring-Library-Verman Kimbrough Memorial Library

Dear Mr. Auger:

Please allow me to take a moment to describe the Verman Kimbrough Memorial Library which is located on the Ringling College of Art and Design campus in beautiful Sarasota.

Per the FHFC Language Below:

"Public Library - For purposes of proximity tie-breaker points, a Public Library means a library that is part of a city, county or regional public library system or cooperative and has materials available for the public to borrow at no cost."

Based upon the above definition our Verman Kimbrough Memorial Library does qualify as a "Library" as defined by FHFC:

1. We are open every week, typically every day.
2. We are part of a Library Cooperative. Specifically, the "Tampa Bay Library Consortium."
3. We allow area residents to use the library free of charge which includes the use of our library computers as well as the ability to borrow any of our books for use within the library.

Sincerely,

Tracy A Wagner

Tracy Wagner
VP of Finance and Administration

Florida Department of State
Division of Library & Information Services

Citizens State Employees Librarians Archivists Records Managers



 [contact us](#)

Need Help?	Government	Business	Consumer	Working
	Education	Tourism	Hist/Culture	Libraries

Links to Florida Libraries

Cooperatives	Academic	Public	Special
------------------------------	--------------------------	------------------------	-------------------------

• Multi-type Library Cooperatives

- [NEFLIN](#) - Northeast Florida Library Information Network
- [PLAN](#) - Panhandle Library Access Network
- [SEFLIN](#) - Southeast Florida Library Information Network
- [SWFLN](#) - Southwest Florida Library Network
- [TBLC](#) - Tampa Bay Library Consortium

• Academic

- [Barry University](#)
- [Bethune-Cookman College](#)
- [Brevard Community College](#)
- [Broward Community College, University/College Library](#)
- [Chipola Junior College](#)
- [Clearwater Christian College](#)
- [College of Central Florida](#)
- [Daytona State College](#)
- [Distance Learning Reference & Referral Center](#)
- [Eckerd College](#)
- [Edison Community College](#)
- [Embry-Riddle Aeronautical University](#)
- [Everest University](#)
- [Everglades University](#)
- [Fiacler College](#)
- [Florida Agriculture & Mechanical University](#)
- [Florida Atlantic University](#)
- [Florida Christian College](#)
- [Florida Coastal School of Law](#)
- [Florida Gateway College \(Lake City\)](#)
- [Florida Gulf Coast University](#)
- [Florida Institute of Technology](#)
- [Florida International University](#)
- [Florida Keys Community College](#)
- [Florida Southern College](#)
- [Florida State College - Jacksonville](#)
- [Florida State University](#)
- [Florida State University College of Law Library](#)
- [Florida State University Dirac Science Library](#)
- [Florida State University School of Information Studies - Goldstein Library](#)
- [Gulf Coast State College](#)
- [Hillsborough Community College](#)

- [Hodges University](#)
 - [Indian River State College](#)
 - [Jacksonville University](#)
 - [Kelser University](#)
 - [Lake-Sumter Community College](#)
 - [Lynn University](#)
 - [Miami Dade College](#)
 - [New College of Florida](#)
 - [North Florida Community College](#)
 - [Northwest Florida State College](#)
 - [Nova Southeastern University](#)
 - [Nova Southeastern University Law](#)
 - [Palm Beach Atlantic University](#)
 - [Pasco-Hernando Community College](#)
 - [Pensacola State College](#)
 - [Polk State College](#)
 - [Rollins College](#)
 - [St. Johns River State College](#)
 - [Saint Leo University](#)
 - [St. Petersburg College](#)
 - [St. Thomas University](#)
 - [Santa Fe Community College](#)
 - [Seminole State College](#)
 - [South Florida Community College](#)
 - [State College of Florida, Manatee-Sarasota](#)
 - [Stetson University-duPont-Ball Library](#)
 - [Tallahassee Community College](#)
 - [Troy State University](#)
 - [University of Central Florida Library](#)
 - [University of Florida Education Library](#)
 - [University of Florida Health Science Center Library](#)
 - [University of Florida Levin College of Law](#)
 - [University of Florida Smathers Libraries](#)
 - [University of Miami](#)
 - [University of North Florida - Thomas A. Carpenter Library](#)
 - [University of South Florida - School of Library and Information Science](#)
 - [University of South Florida - St. Petersburg](#)
 - [University of South Florida - Tampa](#)
 - [University of South Florida - Hinks & Elaine Shimberg Health Sciences Library](#)
 - [University of Tampa](#)
 - [University of West Florida](#)
 - [Valencia College - East Campus Library](#)
 - [Valencia College - Osceola Campus Library](#)
 - [Valencia College - West Campus Learning Resource Center](#)
 - [Valencia College - Winter Park Learning Resource Center](#)
 - [Warner Southern College](#)
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- **Public**

- [Alachua County Library District](#)
- [Baker County - Emily Taber Public Library](#)
- [Bartow Public Library](#)
- [Bay County Public Library/Northwest Regional Library System](#)
- [Boca Raton Public Library](#)
- [Boynton Beach City Library](#)
- [Bradford County Public Library](#)
- [Brevard County Library System](#)
- [Brockway Memorial Library](#)
- [Broward County Library](#)
- [Calhoun County Public Library](#)
- [Charlotte Library System](#)
- [Citrus County Library System](#)
- [Clay County Library System](#)
- [Clearwater Public Library System](#)

- [Collier County Public Library](#)
- [Columbia County Public Library](#)
- [Delray Beach Public Library](#)
- [DeSoto Public Library](#)
- [Destin Public Library](#)
- [Dixie County Public Library](#)
- [East Lake Community Library](#)
- [Eustis Memorial Library](#)
- [Flagler County Public Library](#)
- [Florida Bureau of Braille and Talking Book Library Services](#)
- [Fort Myers Beach Public Library](#)
- [City of Fort Walton Beach Library](#)
- [Franklin County Public Library](#)
- [Gadsden County Library](#)
- [Glades County Public Library](#)
- [Gulf Beaches Public Library](#)
- [Gulf County Public Library](#)
- [Gulfport Public Library](#)
- [Hardee County Public Library](#)
- [Heartland Library Cooperative](#)
- [Hendry County Library System](#)
- [Hernando County Public Library](#)
- [Highland Beach Library](#)
- [Highlands County Public Library](#)
- [Hialeah Public Libraries](#)
- [Holmes County Public Library](#)
- [Indian River County Library System](#)
- [Jackson County Public Library](#)
- [Jacksonville Public Libraries](#)
- [Jefferson County Public Library](#)
- [Lake County Library System](#)
- [Lake Park Public Library](#)
- [Lake Wales Public Library](#)
- [Lake Worth Public Library](#)
- [Lakeland Public Library](#)
- [Largo Public Library](#)
- [Latt Maxcy Memorial Library](#)
- [Lee County Library System](#)
- [Leon County Public Library](#)
- [Leesburg Public Library](#)
- [Levy County Public Library](#)
- [Liberty County Public Library](#)
- [Lynn Haven Public Library](#)
- [Madison County Public Libraries](#)
- [Manatee County Public Library System](#)
- [Marion County Public Library System](#)
- [Martin County Public Library](#)
- [Miami-Dade Public Library](#)
- [Monroe County Public Libraries](#)
- [Nassau County Public Libraries](#)
- [New Port Richey Public Library](#)
- [New River Public Library Cooperative](#)
- [Niceville Public Library](#)
- [North Miami Beach Library](#)
- [North Miami Public Library](#)
- [Northwest Regional Library System](#)
- [Oakland Park Public Library](#)
- [Okaloosa County Public Library Cooperative](#)
- [Okeechobee County Library](#)
- [Oldsmar Public Library](#)
- [Orange County Library System](#)
- [Osceola County Library System](#)
- [Palm Beach County Library System](#)
- [Palm Beach Public Library Gardens Branch](#)

- [Palm Harbor Library](#)
 - [Palm Springs Public Library](#)
 - [Panhandle Public Library Cooperative System](#)
 - [Parkland Public Library](#)
 - [Pasco County Library System](#)
 - [Pinellas Park Public Library](#)
 - [Pinellas Public Library Cooperative](#)
 - [Polk County Library Cooperative](#)
 - [Putnam County Library System](#)
 - [Riviera Beach Public Library](#)
 - [Robert L. F. Sikes Public Library](#)
 - [Safety Harbor Public Library](#)
 - [Sanibel Public Library](#)
 - [Santa Rosa County Public Library](#)
 - [Sarasota County Public Libraries](#)
 - [Seminole Community Library](#)
 - [Seminole County Public Library System](#)
 - [St. Johns County Public Library System](#)
 - [St. Lucie County Library System](#)
 - [St. Pete Beach Library](#)
 - [St. Petersburg Public Library System](#)
 - [Sumter County Library System](#)
 - [Suwannee River Regional Library System](#)
 - [Tampa-Hillsborough County Public Library System](#)
 - [Tarpon Springs Public Library](#)
 - [Taylor County Public Library](#)
 - [Union County Public Library](#)
 - [Valparaiso Community Library](#)
 - [Volusia County Public Library](#)
 - [Wakulla County Public Library](#)
 - [Walton County Library](#)
 - [West Florida Public Library](#)
 - [West Palm Beach Public Library](#)
 - [Wilderness Coast Public Libraries](#)
 - [Wilton Manors Public Library](#)
 - [Winter Park Public Library](#)
 - [Winter Haven Public Library](#)
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• Special

- [Bureau of Braille and Talking Book Library Services](#)
 - [Florida First District Court of Appeal](#)
 - [Florida Geological Survey Research Library](#)
 - [Florida Institute of Phosphate Research](#)
 - [State Library and Archives of Florida, Capitol Branch](#)
 - [Florida Supreme Court Library](#)
 - [Mote Marine Lab Library](#)
 - [Louis de la Parte Florida Mental Health Institute Research Library](#)
 - [Ringling Museum of Art](#)
 - [State Library of Florida](#)
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**Home**

To add a library URL, ask a question or make a comment,
contact the [State Library](#).
Last modified Tuesday February 28 2012



PSI SERVICES LLC

March 13, 2012

**Carlton Fields
P.O. Box 3239
Tampa, FL 33601-3239**

To Whom It May Concern:

In connection with an audit of the financial statements of the PSI Parent LLC (the "Company") as of December 31, 2011 and for the twelve months then ended, we would appreciate your furnishing to our independent accountants, PricewaterhouseCoopers LLP, 350 S Grand Ave., 44th Floor, Los Angeles, CA 90071 ATTN: Sean Butler, a description and evaluation of certain matters with respect to which you have been engaged and to which you have devoted substantive attention on behalf of the Company in the form of legal consultation or representation.

Pending or Threatened Litigation, Claims, and Assessments (excluding unasserted claims)

With respect to all pending or threatened litigation, claims, and assessments, including those matters in which the Company is the plaintiff, as to which you have been engaged for legal consultation or representation, please provide a description of (1) the nature of the litigation, (2) the progress of the case or matter to date, (3) how the Company is responding or intends to respond to the litigation (for example, to contest the case vigorously or to seek an out-of-court settlement), and (4) an evaluation of the likelihood of an unfavorable outcome and an estimate, if one can be made, of the amount of range of potential loss.

Unasserted Claims and Assessments (considered by management to be probable of assertion, and that, if asserted, would have at least a reasonable possibility of an unfavorable outcome)

Please furnish to our independent accountants such explanation, if any, that you consider necessary to supplement the foregoing information, including an explanation of those matters as to which your views may differ from those stated.

We understand that whenever, in the course of performing legal services for us with respect to a matter recognized to involve an unasserted possible claim or assessment that may call for financial statement disclosure, you have formed a professional conclusion that we should disclose or consider disclosure concerning such possible claim or assessment, as a matter of professional responsibility to us, you will so advise us and will consult with us concerning the question of such disclosure and the applicable requirements of Financial Accounting Standards Board *Accounting Standards Codification* 450, *Contingencies* (ASC 450). Please specifically confirm to our independent accountants that our understanding is correct. We have advised PricewaterhouseCoopers LLP that management has disclosed to them all unasserted possible claims or assessments that you have advised are probable of assertion and must be disclosed or considered for disclosure in accordance with ASC 450.

Other Matters

Please specifically identify the nature of and reasons for any limitation on your response.

To facilitate the evaluation of your response by our independent accountants, please respond by **April 13, 2012**. Your response should include matters that existed as of **December 31, 2011** and during the period from that date to the effective date of your response. They would appreciate receiving your reply by that date with a specified effective date no earlier than **April 2, 2012**.

We do not intend that either our request to you to provide information to our independent accountants or your response to them should be construed in any way to constitute a waiver of the attorney-client privilege or the attorney-work privilege.

Please also state the amount and date of any unpaid fees billed by you and an estimate of any unbilled fees as of December 31, 2011 in your response.

Very truly yours,

Jeffrey E. Moxie
CFO



SARASOTA COUNTY

"Dedicated to Quality Service"

April 19, 2012

Mr. Steve Auger
Florida Housing Finance Corporation
227 N. Bronough Street, Suite 5000
Tallahassee, Florida 32301

Dear Mr. Auger:

FHFC's preliminary scoring decision for route 71 was as follows "The Applicant attempted to cure Item 1P by providing information demonstrating that there was an additional bus route added prior to the Application Deadline; however the cure is deficient because the schedule for this route will not have hourly stops between the hours of 4pm and 6pm Monday – Friday as required."

Sarasota County Transportation Authority (SCTA) is the area transit authority, functions as a department of Sarasota County Government and requests further discussion of the FHFC's interpretation of our route schedule.

Below is the current FHFC rule that relates to this service:

"Each route must have a scheduled stop at the Public Bus Transfer Stop at least hourly during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis."

SCTA manages a total fleet of nearly 100 buses and has served residents for over 33 years, since April 1979. SCTA operates 43 fixed route buses Monday – Saturday with routes on Sunday and a separate Express service on Monday – Friday. SCTA service along Orange Avenue (and to the Orange Avenue and 23rd Street stop) has improved and evolved over the past years.

SCTA looks at all of its routes and stops, including Route 71 (Downtown-Booker High School) with the most important goal being to serve the needs of its ridership. Implementation of the north-south route along Orange Avenue is a step in continued improvements along this major collector corridor. In the future, Orange Avenue is identified for higher frequency transit service, as evidenced by SCAT's Transit Development Plan.

In terms of meeting of the FHFC requirements during the pm period indicated for us as 4 to 6 pm, the average headway, as defined by SCAT, is one hour, which equates to "hourly." That number is derived by dividing the period (two hours) by the number of directional trips, two, to obtain the average one hour headway.

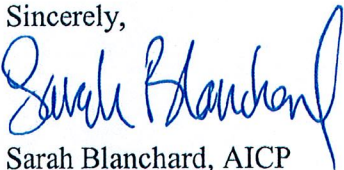
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April 19, 2012

SCAT is servicing the stop in the 4 pm – 6 pm period with the same frequency to which it is servicing the morning routes (which FHFC accepted).

The attached timetable shows the times Route 71 serves Orange Avenue and 23rd Street.

Please contact me if you have further requirements or need additional data or clarification for this response.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Blanchard". The signature is written in a cursive style with a large, looping initial "S".

Sarah Blanchard, AICP
Sarasota County Area Transit
(941) 650-2284
sblancha@scgov.net