

PETITION FOR WAIVER

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PETITIONER
The Housing League, Inc.
1119 Cotorro Avenue
Coral Gables, FL 33146
(305) 962-3203
(305) 740-8321 Fax

RESPONDENT
Florida Housing Finance Corporation
227 North Bronough Street, Ste 500
Tallahassee, FL 32301
(850) 488-4197
(850) 488-9809

- A. Wherefore, the Petitioner respectfully requests that the Respondent waive the provisions of the Application Instructions, incorporated by reference in Homeownership Loan Program Rule Chapter 67-50.050 (6) (c) for St. Johns County Scattered Sites (HH03-022) (the Development) as set forth below.
- i. Florida Housing Finance Corporation Homeownership Loan Program Rule Chapter 67-50.050 (6)(c) "Application Package" or (HOMEOWN-530 (Rev. 4/03)) adopts and incorporates by reference the Application Instructions. Petitioner requests the waiver of the Application Instructions Part III (8), Unit Mix and waiver of Rules Part 67-50.050 (6)(c). Whereas, the Petitioner has received a preliminary commitment on February 2, 2004 for St Johns Scatter Sites (HH-03-022) a scattered site development located in St. Johns County, Florida. On May 24, 2005 a Firm Commitment was approved by the Florida Housing Finance Corporation's Board of Directors.
 - ii. Whereas, the Petitioner is requesting a waiver (Part III (8)) for a change in mix of units and establishing the sales price to be the current appraised sales price at time of competition of the home. Our request is to establish the mix and size of home by market demand. The Petitioner is requesting a waiver of Florida Housing Finance Corporation Homeownership Loan Program Rule Chapter 67-50.050 (6) (c) limiting the subsidy of 25%. The request is to increase the subsidy to 35% with a maximum of \$45,000 for families at 80% of medium income and 35% with no limit of the maximum subsidy for families at 50% of medium income or lower. The same amount of funds allocated will be used but due to the increase in subsidies, the mix and number of homes will change.
 - iii. Whereas, the application of the Rule will cause Petitioner to suffer substantial hardship in the following manner:
 - (a) The cost of construction has been rising rapidly. The costs are expected to continue rising rapidly due to the shortage of building materials caused by recent Hurricanes and our current housing boom. The time delay starting from the beginning of the application period to the final construction of the home is taking eighteen (18) to thirty six (36) months. The market demand and economic conditions continually change and are unlikely to be the same conditions when the original application was presented that exist when the home is completed. The costs at present are substantially above those costs at time of the original application and will further increase until this allocation is completed.
 - (b) It is presently impossible to build homes and sell the homes for the price initially submitted in our application. The increase in the price of the homes make it almost impossible to find low and very low income buyers who qualify for the subsidy limits imposed on the original application.

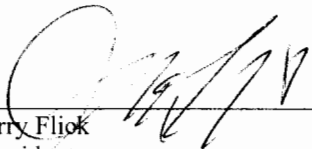
- iv. Whereas, the application of the Rule will cause Petitioner to suffer substantial hardship in the following manner:
 - (a) The present day costs to construct these homes are excessive therefore making it impossible to build under the original terms of the application. The changes requested above are necessary in order to complete this allocation. Whereas, the waiver of the Rules will serve the purposes of the underlying statute as St. Johns County Scattered Sites Development will be providing safe and affordable housing to the citizens of Florida if the Development is permitted to continue.
 - (b) If the above Rule Waivers are not waived, there will be a loss of the subsidy for St. Johns County Scattered Sites Development project and will make it not economically feasible for the potential home buyers; this in return will cause a serious economic hardship for The Housing League, Inc. and St. Johns County.

- v. Whereas, the waiver of the Rule will serve the purpose of the underlying statute as St. Johns County Scattered Sites Development Housing will be providing safe and affordable housing to the citizens of Florida if the Development is permitted to continue.

- vi. Whereas, this requested shall be permanent.

B. Wherefore, the Petitioner, The Housing League, Inc., respectfully requests that the Florida Housing Finance Corporation enter an order granting Petitioner a waiver of the requirement of the 25% maximum subsidy to 35% and granting a market demand determining the home mix and pricing to the final appraised value thereby permitting development and construction of much needed affordable single family homes in St. Johns County, Florida.

In Witness whereof, Petitioner, The Housing League, Inc. has caused these presents to be signed in its name by its proper officials.



Jerry Fliok
President
The Housing League, Inc.

Witnesses?

