

PETITION FOR WAIVER

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 5000
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 Miami-Dade Infill Housing Development HAP 03-315 (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 September 19, 2003 for Miami-Dade Infill Housing (HAP 03-315) a scattered site development located in Miami-Dade County, Florida. On June 29, 2004 the Revised 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 by eliminating the two bedroom one and a half bath and establishing the sales price of the three and four bedroom homes 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.
 - 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.

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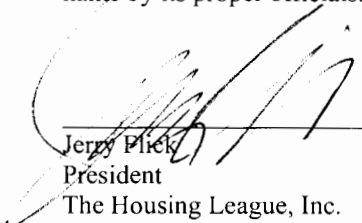
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FLORIDA HOUSING
FINANCE CORPORATION

- 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 Miami-Dade Infill Housing 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 Miami-Dade Infill Housing 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 Miami-Dade County.
- v. Whereas, the waiver of the Rule will serve the purpose of the underlying statute as Miami-Dade Infill 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 Miami-Dade 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 Plick
President
The Housing League, Inc.

Witnesses:

