STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

FHFC CASE NO. 2014-071VW
Application No. 2011-118C

PC REDEVELOPMENT PARTNERS, LLC

Petitioner,

vs.

FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

_____/

PETITION FOR WAIVER OF 2011 UNIVERSAL APPLICATION INSTRUCTIONS, HOUSING CREDIT PROGRAM, PART III, SECTION B(4)(a)

Petitioner, PC Redevelopment Partners, LLC, a Florida limited liability company ("PC") petitions Respondent Florida Housing Finance Corporation ("Florida Housing") for a waiver of the requirement to provide heat pumps in all units located in the Development (as defined below), *See* 2011 Universal Application Instructions, Housing Credit Program, Part III, Section B(4)(a) (the "Instructions"), which incorporate the Energy Star Qualified Homes Florida Builder Option Package, Rev. 01/05/2010 (the "Builder Option Package").

Pursuant to Section 120.542, Fla. Stat,, and Rule 28-104.001 through 28-104.006, F.A.C. PC requests a waiver of the Instructions in order to allow for the use of 16 SEER with electric heat strips (the "Alternative HVAC") in lieu of a heat pump (the "Required Pump"), in all three bedroom units in the Development. No waiver is sought with respect to the one and two bedroom units. In South Florida, where the differential between inside versus outside air temperature is much lower than in North Florida or other parts of the country, the Alternative HVAC is much more cost-efficient and energy-efficient than the Required Pumps. Inclusion of the Alternative HVAC will allow the Development to achieve a more favorable Home Energy

Rating System ("HERS") Index Score, while providing a more efficient product and saving costs to PC and the residents of the Development (see letter from NorthBay Energy Services, with energy calculations, attached hereto as Exhibit "A").

A. THE PETITIONER

1. The name, address, telephone and facsimile numbers, and email address for PC and its qualified representative are:

PC Redevelopment Partners, LLC
9400 S. Dadeland Boulevard
Miami, FL 33156
Telephone: (305) 854-7100
Facsimile: (305) 895-9858
E-mail: david@pinnaclehousing.com

2. The name, address, telephone and facsimile numbers, and e-mail address of PC's attorney, for purposes of this Petition, are:

Gary J. Cohen, Esquire
Shutts & Bowen LLP
201 S. Biscayne Boulevard
Suite 1500
Miami, Florida 33131
Telephone: (305) 347-7308
Facsimile: (305) 347-7808
E-mail: gcohen@shutts.com

B. THE DEVELOPMENT

3. In 2011, PC applied for low-income housing tax credits from Florida Housing pursuant to the 2011 Universal Cycle. *See* Application No. 2011-118C. The Universal Application package has been adopted and incorporated into Chapter 67-48 by Rule 67-48.004(1)(a), F.A.C. (2011). PC received an allocation of low income housing tax credits from Florida Housing.

4. PC has closed on the financing and housing using credit syndication which will provide funds for the construction of 86 units in 4 residential buildings intended to serve low-income persons in Lee County, Florida (the "Development").

5. The provisions of the 2011 Universal Cycle Application, by incorporation of the Builder Option Package, as more particularly described below, require the installation of a heating system, which might be satisfied by the use of the Required Pump (being described as a "right-sized >/= 14.5 SEER/12 EER/8.2 HSPF Energy Star qualified heat pump"), among other alternatives. However, it has been determined by PC that the use of the Required Pump would be unduly expensive, and the substitution of the Alternative HVAC for the Required Pump would not decrease the energy efficiency of the Development or adversely impact the projected HERS Index Score of 44-54 (see letter from NorthBay Energy Services, with energy calculations, attached hereto as Exhibit "A").

6. The requested waiver will not adversely affect the Development. However, a denial of this Petition (a) would result in substantial, unnecessary economic hardship to PC; (b) would provide residents with a less efficient and more expensive system in each apartment; and (c) would violate principles of fairness[1]. § 120.542(2), Fla. Stat. (2011).

7. The waiver being sought is permanent in nature.

C. <u>Rule from Which Relief is Requested and Statute Implemented By The Rule</u>

8. PC realleges and incorporates Paragraphs 1 through 7 as though fully set forth herein.

[1] "Substantial hardship" means a demonstrated economic, technological, legal or other type of hardship to the person requesting the variance or waiver. "Principles of Fairness" are violated when literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule. Section 120.542.(2), Florida Statutes.

9. PC requests a waiver of Part III, Section B(4)(a) (i) of the Universal Application Instructions that provides as follows:

> 4. Energy Features (Threshold):
>
> **a. For all new construction units;**
>
> **If the proposed Development includes any new construction units (regardless of the Development Category selected at Part III.A.3.a. of the Application), the eligible new construction units must (i) meet the requirements of Energy Star New domes per the Energy Star Qualified Homes Florida Builder Option Package, Rev. 01/05/2010, which is incorporated by reference and available on the 2011 Universal Application link labeled Related References and Links, and ...**

10. The possible choices for heat distributions system are set forth in the Builder Option Package. As noted above, the Development's HERS score of 44-54, which is well below the maximum allowable HERS score of 77, will not be adversely affected by the requested waiver, as documented in the Energy Report; in fact, the HERS score will be reduced to a range between 43-51 using the 16 SEER heat strip system (see letter from NorthBay Energy Services, with energy calculations, attached hereto as Exhibit "A").

11. The Florida Housing Finance Corporation Act[2] designates Florida Housing as the State of Florida's housing credit agency within the meaning of Section 42(h)(7)(A) of the Internal Revenue Code of 1986. As the designated agency, Florida Housing is responsible for and is authorized to establish procedures for the allocation and distribution of low-income housing tax credits. § 420.5099(1) and (2), Fla. Stat. (2011). The Allocation Procedures were established in Rule Chapter 67, Florida Administrative Code. Accordingly, the Instruction that is the subject of PC's waiver request is implementing, among other sections of the Act, the

[2] The Florida Housing Finance Corporation Act is set forth in Sections 420,501 through 420.516 of the Florida Statutes (the "Act"). Sec also, Rule 67.40,020(1), F.A,C. ("'Act' means the Florida Housing Finance Corporation Act, section 420.501 through 420.516 of the Florida Statutes").

statutory authorization for Florida Housing's establishment of Allocation Procedures for Housing Credit Programs. § 420.5099(l) and (2), Fla. Stat. (2011).

D. Justification for Petitioner's Requested Waiver

12. PC realleges and incorporates Paragraphs 1 through 11 as though fully set forth herein.

13. Under Section 120.542(1), Fla. Stat., and Chapter 28-104, F.A.C., Florida Housing has the authority to grant waivers to its rule requirements when strict application of these rules would lead to unreasonable, unfair and unintended consequences in particular instances. Waivers shall be granted when the person who is subject to the rule demonstrates that the application of the rule would (1) create a substantial hardship or violate principles of fairness, and (2) the purpose of the underlying statute has beet been or will be achieved by other means by the person. § 120.542(2), Fla. Stat. (2011).

14. In this instance, PC meets the standards for a waiver.

15. Pursuant to the Instructions and the Builder Option Package, a heat pump is one Choice among the various types of heating systems required in all new construction projects; the other available options for heating equipment listed in the Builder Option Package were inappropriate for the Development. Accordingly, PC selected the Required Pump as its method of heat distribution for the Development. Subsequently, PC determined that the Required Pump would be relatively inefficient with respect to the Development's three bedroom units, while being fairly expensive. The purported "efficiency" of the Required Pump means that it would take longer than its anticipated useful life to offset the increased cost of the equipment itself, compared to other comparable heat systems not included among the choices in the Builder Option Package. The Alternate HVAC has been the standard specification for South Florida

LIHTC developments because it is a more cost-efficient method which does not significantly compromise energy conservation measures.

E. Conclusion

16. Controlling statutes and Florida Housing's Rules are designed to allow the flexibility necessary to provide relief from rule requirements when strict application, in particular circumstances, would lead to unreasonable, unfair, or unintended results. Waivers should be granted when the applicant subject to the rule demonstrates that strict application would: (a) create a substantial hardship or violate principles of fairness; and (b) the purpose of the underlying statute has been or will be achieved by other means. §120.542(2), Fla. Stat. (2011).

17. The requested waiver will not adversely impact the Development or Florida Housing, and further, the required heating parameters set forth in the 2011 Application and instructions are unduly expensive with no corresponding increase in efficiency, energy conservation or useful life, when compared against certain alternative products. The goal of incorporating energy-efficient systems and building components into the Development will be achieved through the installation of the Alternate HVAC, with no detriment to any party.

18. A denial of the requested waiver could result in a substantial hardship for PC which would be required to install a product it knows to be more costly and less durable than the Alternate HVAC.

19. Finally, by granting the requested waiver, Florida Housing would recognize the economic realities and principles of fundamental fairness in the development of affordable rental housing. This recognition would promote participation by experienced developer entities in meeting the purpose of the Act through construction of projects in an economical and efficient

manner, as well as providing appropriate features a id amenities within residential units developed for low-income residents.

20. Should Florida Housing require additional information, PC is available to answer questions and to provide all information necessary for consideration of its Petition for Waiver of Part III, Section B(4)(a) of the Instructions which accompany the 2011 Universal Cycle Application.

WHEREFORE, Petitioner PC Redevelopment Partners, LLC, respectfully requests that the Florida Housing Finance Corporation provide the following relief:

A. Grant the Petition and all relief requested herein;

B. Waive the requirement for the use of the Required Pump, and allow PC to install the Alternate HVAC in the three bedroom units in the Development; and

C. Grant such further relief as may be deemed appropriate.

Respectfully submitted,

SHUTTS & BOWEN LLP
Counsel for PC Redevelopment Partners, LLC
201 S. Biscayne Boulevard
Suite 1500
Miami, FL 33131
Tel: (305) 347-7308
Fax: (305) 347-7808
E-mail: gcohen@shutts.com

By: _____
GARY J. COHEN

CERTIFICATE OF SERVICE

The original Petition is being served by overnight delivery, with a copy served by electronic transmission for filing with the Corporation Clerk for the Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301, with copies served by overnight delivery on the Joint Administrative Procedures Committee, 680 Pepper Building, 111 W. Madison Street, Tallahassee, Florida 32399-1400, this 30th day of May, 2014.

By: _____
Gary J. Cohen, Esq.

Exhibit A

NorthBay Energy Services
645 Old San Carlos Blvd.
Fort Myers Beach, Fl 33931
par@northbayenergy.com
239-293-8180

4/5/14

Timothy Wheat
Pinnacle Housing Group – Regional Office
1921 Abbey Road
West Palm Beach, FL 33415

Dear Tim,

As per your request, I have analyzed the HERS performance scores comparing the BOP prescribed Heat Pump versus a SEER 16 AC w/electric heat strip.

A Worst Case Analysis was performed on the two models of three bedroom units utilizing these systems. Attached you will find the HERS reports generated as a result.

The executive summary of this analysis is as follows:

- The SEER 16 AC w/electric heat strip out performed the Heat Pump by 5% in both cases. This a result of the higher efficiency, and related demand for the cooling load, of the SEER 16 AC w/electric heat strip.
- The HERS scores for this analysis ranged from 44 to 54, with the lowest score (highest number) exceeding the efficiency of the Florida Housing Finance Corporations required HERS 77 score by 30%.

Please let me know if I can be of further assistance regarding this matter.

Best regards,

Paul A Rosen

Paul Rosen
RESNET HERS Certified Rater
Florida Energy Gauge Class 1 Rater
Florida Certified General Contractor

WORST CASE ROTATION - RATING
BUILDING ENERGY SUMMARY

Pinnacle-HACFM
3101 Dale Street
Fort Myers, FL, 33-916
Registration #:

Title: 3301 Dale Street 3BR 16 SEER
User 1255 sq.ft.

TMY City: FL_SOUTHWEST_FLO
Elec Util: EnergyGauge Default
Gas Util: EnergyGauge Default
Run Date: 04/05/2014 05:54:31

	---- Cooling ----			---- Heating ----				HERS	
Rotation	Energy Use	Fan Energy	Cost	Energy Use	Fan/Pump	Cost	Total Energy	Index	e-Ratio
0	1310 kWh	267 kWh	$185	67 kWh	3 kWh	$8	5.621 MBtu	50.38	
45	1294 kWh	263 kWh	$183	84 kWh	3 kWh	$10	5.611 MBtu	50.30	
90	1265 kWh	257 kWh	$178	93 kWh	4 kWh	$11	5.525 MBtu	49.93	
135	1257 kWh	255 kWh	$177	98 kWh	4 kWh	$11	5.508 MBtu	49.85	
180	1270 kWh	258 kWh	$179	88 kWh	3 kWh	$10	5.526 MBtu	49.94	
225	1307 kWh	265 kWh	$184	78 kWh	3 kWh	$9	5.641 MBtu	50.44	
270	1333 kWh	271 kWh	$188	64 kWh	3 kWh	$8	5.703 MBtu	50.72	
315	1344 kWh	273 kWh	$190	61 kWh	2 kWh	$7	5.734 MBtu	50.85	

These results represent the most recent analysis when worst case was checked. For ratings where default appliance values were not used, the energy values will represent the building used for the HERS Score and not the entered building. Select Reports|Annual Simulation to view energy use from the current building.

WORST CASE ROTATION - RATING
BUILDING ENERGY SUMMARY

Pinnacle-HACFM
3101 Dale Street
Fort Myers, FL, 33-916
Registration #:

Title: 3301 Dale Street 3BR BOP Spec
User 4255 sq.ft

TMY City: FL_SOUTHWEST_FLO
Elec Util: EnergyGauge Default
Gas Util: EnergyGauge Default
Run Date: 04/05/2014 06:16:14

	---- Cooling ----			---- Heating ----				HERS	
Rotation	Energy Use	Fan Energy	Cost	Energy Use	Fan/Pump	Cost	Total Energy	Index	e-Ratio
0	1538 kWh	285 kWh	$213	32 kWh	3 kWh	$4	6.341 MBtu	53.40	
45	1513 kWh	280 kWh	$210	37 kWh	4 kWh	$4	6.260 MBtu	53.05	
90	1479 kWh	273 kWh	$205	39 kWh	4 kWh	$5	6.127 MBtu	52.50	
135	1465 kWh	270 kWh	$204	41 kWh	4 kWh	$5	6.076 MBtu	52.29	
180	1482 kWh	273 kWh	$206	38 kWh	4 kWh	$4	6.134 MBtu	52.54	
225	1527 kWh	282 kWh	$212	35 kWh	4 kWh	$4	6.307 MBtu	53.25	
270	1559 kWh	288 kWh	$217	31 kWh	3 kWh	$4	6.420 MBtu	53.72	
315	1575 kWh	292 kWh	$219	30 kWh	3 kWh	$4	6.484 MBtu	53.99	

These results represent the most recent analysis when worst case was checked. For ratings where default appliance values were not used, the energy values will represent the building used for the HERS Score and not the entered building. Select Reports|Annual Simulation to view energy use from the current building.

Building Input Summary Report

PROJECT

Title:	3301 Dale Street 3BR BOP S	Bedrooms:	3	Address Type:	Street Address
Building Type:	User	Bathrooms:	2	Lot #	
Owner:	Pinnacle-HACFM	Conditioned Area:	1255 sq.ft.	Block/SubDivision:	
# of Units:	1	Total Stories:	3	PlatBook:	
Builder Name:	Brooks and Fruend	Worst Case:	Yes	Street:	3101 Dale Street
Permit Office:	Fort Myers Community Dev.	Rotate Angle:	315	County:	Lee
Jurisdiction:	City of Fort Myers	Cross Ventilation:		City, State, Zip:	Fort Myers , FL , 33-916
Family Type:	Multi-family	Whole House Fan:			
New/Existing:	New (From Plans)	Terrain:	Suburban		
Year Construct:	2013	Shielding:	Suburban		
Comment:					

CLIMATE

Design Location	Tmy Site	Design Temp 97.5 %	Design Temp 2.5 %	Int Design Temp Winter	Int Design Temp Summer	Heating Degree Days	Design Moisture	Daily Temp Range
FL, Lee/Collier	FL_SOUTHWEST_FLORIDA_I	46	91	70	75	321	58	Medium

UTILITY RATES

Fuel	Unit	Utility Name	Monthly Fixed Cost	$/Unit
Electricity	kWh	EnergyGauge Default	0	0.1172
Natural Gas	Therm	EnergyGauge Default	0	1.72
Fuel Oil	Gallon	EnergyGauge Default	0	1.1
Propane	Gallon	EnergyGauge Default	0	1.4

SURROUNDINGS

Ornt	Type	Shade Trees Height	Shade Trees Width	Shade Trees Distance	Exist	Adjacent Buildings Height	Adjacent Buildings Width	Adjacent Buildings Distance
N	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
NE	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
E	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
SE	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
S	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
SW	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
W	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft
NW	None	0 ft	0 ft	0 ft		0 ft	0 ft	0 ft

BLOCKS

Number	Name	Area	Volume
1	Block1	1255	11295

SPACES

Number	Name	Area	Volume	Kitchen	Occupants	Bedrooms	Finished	Cooled	Heated
1	Main	1255	11295	Yes	5	3	Yes	Yes	Yes

FLOORS

#	Floor Type	Space	R-Value	Area		Tile	Wood	Carpet
1	Floor Over Other Space	Main		1255 ft²	0	1	0	0

Building Input Summary Report

ROOF

#	Type	Materials	Roof Area	Gable Area	Roof Color	Solar Absor.	SA Tested	Emitt	Emitt Tested	Deck Insul.	Pitch (deg)
1	Hip	Metal	1359 ft²	0 ft²	Medium	0.75	No	0.83	No	30	22.6

ATTIC

#	Type	Ventilation	Vent Ratio (1 in)	Area	RBS	IRCC
1	Full attic	Unvented	0	1255 ft²	N	N

CEILING

#	Ceiling Type	Space	R-Value	Area	Framing Fraction	Truss Type
1	Under Attic ()	Main	0.1	1255 ft²	0.11	Wood

WALLS

Wall orientation below is as entered. Actual orientation is modified by rotate angle shown in "Project" section above.

#	Ornt	Adjacent To	Wall Type	Space	Cavity R-Value	Width Ft	Width In	Height Ft	Height In	Area	Sheathing R-Value	Framing Fraction	Solar Absor.	Below Grade%
1	S=>SE	Exterior	Concrete Block - Int Insul	Main	7	12	8	9		114.0 ft²		0	0.5	0
2	W=>SW	Exterior	Concrete Block - Int Insul	Main	7	5	8	9		51.0 ft²		0	0.5	0
3	S=>SE	Exterior	Concrete Block - Int Insul	Main	7	18	4	9		165.0 ft²		0	0.5	0
4	S=>SE	Exterior	Concrete Block - Int Insul	Main	7	9	8	9		87.0 ft²		0	0.5	0
5	W=>SW	Exterior	Concrete Block - Int Insul	Main	7	30	4	9		273.0 ft²		0	0.5	0
6	N=>NW	Neighbor	Concrete Block - Int Insul	Main	7	40	8	9		366.0 ft²		0	0.5	0
7	E=>NE	Neighbor	Concrete Block - Int Insul	Main	7	36	0	9		324.0 ft²		0	0.3	0

DOORS

#	Ornt	Door Type	Space	Storms	U-Value	Width Ft	Width In	Height Ft	Height In	Area
1	S=>SE	Insulated	Main	None	.4	3		7		21 ft²

WINDOWS

#	Ornt	Wall ID	Frame	Panes	NFRC	U-Factor	SHGC	Storm	Area	Overhang Depth	Overhang Separation	Interior Shade	Screening
1	S=>SE	1	Vinyl	Double (Tinted)	Yes	0.31	0.2	N	19.0 ft²	2 ft 6 in	2 ft 0 in	Drapes/blinds	None
2	S=>SE	3	Vinyl	Double (Tinted)	Yes	0.31	0.2	N	19.0 ft²	5 ft 8 in	2 ft 0 in	Drapes/blinds	None
3	S=>SE	4	Vinyl	Double (Tinted)	Yes	0.31	0.2	N	19.0 ft²	2 ft 6 in	2 ft 0 in	Drapes/blinds	None
4	W=>SW	5	Vinyl	Double (Clear)	Yes	0.31	0.2	N	38.1 ft²	2 ft 6 in	2 ft 0 in	Drapes/blinds	None

INFILTRATION

#	Scope	Method	SLA	CFM 50	ELA	EqLA	ACH	ACH 50	Space(s)
1	Wholehouse	Best Guess	.0003	987.6	54.22	101.96	.3128	5.246	All

MASS

Mass Type	Area	Thickness	Furniture Fraction	Space
No Added Mass	0 ft²	0 ft	0.3	Main

Building Input Summary Report

HEATING SYSTEM

#	System Type	Subtype	Efficiency	Capacity	-------Geothermal HeatPump-------- Entry	Power	Volt.	Curr	Ducts	Block
1	Electric Heat Pump	None	HSPF:8.2	17.7 kBtu/hr		0	0	0	sys#1	1

COOLING SYSTEM

#	System Type	Subtype	Efficiency	Capacity	Air Flow	SHR	Ducts	Block
1	Central Unit	Split	SEER:14.5	17.7 kBtu/hr	600 cfm	0.75	sys#1	1

HOT WATER SYSTEM

#	System Type	SubType	Location	EF	Cap	Use	SetPnt	Credits
1	Electric	None	Main	0.92	80 gal	60 gal	120 deg	Solar System

SOLAR HOT WATER

Collector Type	Collector Tilt	Azimuth	Surface Area	Loss Coef.	Absorp. Prod.	Trans Corr.	Tank Volume	Tank U-Value	Tank Surf Area	Heat Exch Eff	PV Pumped	Pump Energy
Flat Plate (Closed Loop)	22.6	180	8.92 m²	11.63 W/m²	0.75	0.96	181.7 L	0.700 W/m²/C	2.32 m²	0.88	No	30 W

DUCTS

DUCT #	Supply Location	Supply R-Value	Supply Area	Return Location	Return Area	Return Number	Leakage Type	Air Handler	CFM 25 TOT	CFM25 OUT	QN	RLF	HVAC # Heat	HVAC # Cool
1	Main	6	251 ft²	Main	62.75 ft²	3	Proposed Qn	Main	--- cfm	--- cfm	0.04	0.60	1	1

TEMPERATURES

Programable Thermostat: Y Ceiling Fans: N

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Cooling	[ ]	[ ]	[ ]	[ ]	[ ]	[X]	[X]	[X]	[X]	[ ]	[ ]	[ ]
Heating	[X]	[X]	[X]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[X]	[X]
Venting	[ ]	[ ]	[X]	[X]	[ ]	[ ]	[ ]	[ ]	[ ]	[X]	[X]	[ ]

Thermostat Schedule: HERS 2006 Reference

Schedule Type		Hours 1	2	3	4	5	6	7	8	9	10	11	12
Cooling (WD)	AM	78	78	78	78	78	78	78	78	80	80	80	80
	PM	80	80	78	78	78	78	78	78	78	78	78	78
Cooling (WEH)	AM	78	78	78	78	78	78	78	78	78	78	78	78
	PM	78	78	78	78	78	78	78	78	78	78	78	78
Heating (WD)	AM	66	66	66	66	66	68	68	68	68	68	68	68
	PM	68	68	68	68	68	68	68	68	68	68	66	66
Heating (WEH)	AM	66	66	66	66	66	68	68	68	68	68	68	68
	PM	68	68	68	68	68	68	68	68	68	68	66	66

Building Input Summary Report

APPLIANCES & LIGHTING

Appliance Schedule: HERS 2006 Reference Schedule Type		Hours 1	2	3	4	5	6	7	8	9	10	11	12
Ceiling Fans (Summer)	AM	0.65	0.65	0.65	0.65	0.65	0.65	0.65	0.33	0.33	0.33	0.33	0.33
% Released: 100	PM	0.33	0.33	0.33	0.33	0.33	1	0.9	0.9	0.9	0.9	0.9	0.65
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									
Clothes Washer	AM	0.105	0.081	0.046	0.046	0.081	0.128	0.256	0.57	0.849	1	0.977	0.872
% Released: 60	PM	0.779	0.698	0.605	0.57	0.581	0.57	0.57	0.57	0.57	0.488	0.43	0.198
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									
Dishwasher	AM	0.139	0.05	0.028	0.024	0.029	0.09	0.169	0.303	0.541	0.594	0.502	0.443
% Released: 60	PM	0.377	0.396	0.335	0.323	0.344	0.448	0.791	1	0.8	0.597	0.383	0.281
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									
Dryer	AM	0.2	0.1	0.05	0.05	0.05	0.075	0.2	0.375	0.5	0.8	0.95	1
% Released: 10	PM	0.875	0.85	0.8	0.625	0.625	0.6	0.575	0.55	0.625	0.7	0.65	0.375
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									
Lighting	AM	0.16	0.15	0.16	0.18	0.23	0.45	0.4	0.26	0.19	0.16	0.12	0.11
% Released: 90	PM	0.16	0.17	0.25	0.27	0.34	0.55	0.55	0.88	1	0.86	0.51	0.28
Annual Use: 1459 kWh/Yr				Peak Value: 476 Watts									
Miscellaneous	AM	0.48	0.47	0.47	0.47	0.47	0.47	0.64	0.71	0.67	0.61	0.55	0.53
% Released: 90	PM	0.52	0.5	0.5	0.5	0.59	0.73	0.79	0.99	1	0.96	0.77	0.55
Annual Use: 1919 kWh/Yr				Peak Value: 352 Watts									
Pool Pump	AM	0	0	0	0	0	0	0	0	0	1	1	1
% Released: 0	PM	1	1	1	1	0	0	0	0	0	0	0	0
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									
Range	AM	0.057	0.057	0.057	0.057	0.057	0.114	0.171	0.286	0.343	0.343	0.343	0.4
% Released: 100	PM	0.457	0.343	0.286	0.4	0.571	1	0.857	0.429	0.286	0.229	0.171	0.114
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									
Refrigeration	AM	0.85	0.78	0.75	0.73	0.73	0.73	0.75	0.75	0.8	0.8	0.8	0.8
% Released: 100	PM	0.88	0.85	0.85	0.83	0.88	0.95	1	0.98	0.95	0.93	0.9	0.85
Annual Use: 775 kWh/Yr				Peak Value: 106 Watts									
Well Pump	AM	0.05	0.05	0.05	0.05	0.05	0.05	0.1	0.1	0.1	0.1	0.1	0.1
% Released: 0	PM	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
Annual Use: 0 kWh/Yr				Peak Value: 0 Watts									

REFRIGERATORS

ID	Type	Screen	Location	Quantity	Vol	FrZ. Vol	Make	Model	Schedule	kWhPerYr
1	Refrigerat	Default New	2nd Floor	1	25.6	5			HERS201	691

CLOTHES WASHERS

ID	Type	Screen	Location	Capacity	Make	Model	Schedule	LoadsPerYr
1	1 2nd Flo	Default New	2nd Floor	2.847			HERS201	(invalid)

CLOTHES DRYERS

ID	Type	Screen	Location	Capacity	Fuel Type	Make	Model	Schedule	LoadsPerYr
1	Dryer	Default New	2nd Floor	2.847	Electricity			HERS201	330.3936

Building Input Summary Report

DISHWASHERS

ID	Type	Screen	Location	Capacity	Vintage	Make	Model	Schedule	kWhPerYr
1	Dishwash	Default New	2nd Floor	12	2004 or N			HERS201	372

RANGE OVEN

ID	Type	Screen	Location	Type	Fueltype	Make	Model	Cooktop	Oven
1	RangeOv	Default New	2nd Floor	CooktopOven C	Electric			Electric fl	Not Conv

HARD WIRED LIGHTING

ID	Type	Screen	Location	Total#	Qualify#	Comp Fl	All Other FL	txtBulbtype	Schedule	Watts per bulb
1	Hard-Wir	By Count - Qualif	Exterior	1	1	0	2	Incandes	HERS201	60
2	Hard-Wir	By Count - Qualif	Main	21	21	0	2	Incandes	HERS201	60

MISC ELECTRICAL LOADS

ID	Type	Screen	Item	Quantity	Catagory	Operating	Location	Schedule	Off Standby
1	Misc Elec	Simple Default		1		1	Main	HERS201	1

WORST CASE ROTATION - RATING
BUILDING ENERGY SUMMARY

HACFM - Pinnacle
3303 Dale Street
Fort Myers, FL, 33916-
Registration #:

Title: 3303 Dale Street 3BR - 1860sqft SEER 16
User

TMY City: FL_SOUTHWEST_FLO
Elec Util: EnergyGauge Default
Gas Util: EnergyGauge Default
Run Date: 04/05/2014 05:26:54

	---- Cooling ----			---- Heating ----				HERS	
Rotation	Energy Use	Fan Energy	Cost	Energy Use	Fan/Pump	Cost	Total Energy	Index	e-Ratio
0	1449 kWh	299 kWh	$205	132 kWh	5 kWh	$16	6.433 MBtu	43.75	
45	1462 kWh	303 kWh	$207	154 kWh	6 kWh	$19	6.570 MBtu	44.16	
90	1447 kWh	300 kWh	$205	167 kWh	7 kWh	$21	6.557 MBtu	44.12	
135	1386 kWh	287 kWh	$196	189 kWh	8 kWh	$23	6.382 MBtu	43.57	
180	1348 kWh	278 kWh	$191	196 kWh	8 kWh	$24	6.246 MBtu	43.15	
225	1416 kWh	292 kWh	$200	187 kWh	7 kWh	$23	6.492 MBtu	43.91	
270	1486 kWh	307 kWh	$210	145 kWh	6 kWh	$18	6.635 MBtu	44.37	
315	1489 kWh	308 kWh	$211	126 kWh	5 kWh	$16	6.580 MBtu	44.21	

These results represent the most recent analysis when worst case was checked. For ratings where default appliance values were not used, the energy values will represent the building used for the HERS Score and not the entered building. Select Reports|Annual Simulation to view energy use from the current building.

WORST CASE ROTATION - RATING
BUILDING ENERGY SUMMARY

HACFM - Pinnacle
3303 Dale Street
Fort Myers, FL, 33916-
Registration #:

Title: 3303 Dale Street 3BR - 1860sqft BOP spec
User

TMY City: FL_SOUTHWEST_FLO
Elec Util: EnergyGauge Default
Gas Util: EnergyGauge Default
Run Date: 04/05/2014 05:42:54

	---- Cooling ----			---- Heating ----				HERS	
Rotation	Energy Use	Fan Energy	Cost	Energy Use	Fan/Pump	Cost	Total Energy	Index	e-Ratio
0	1705 kWh	321 kWh	$238	51 kWh	6 kWh	$7	7.109 MBtu	45.86	
45	1719 kWh	324 kWh	$239	56 kWh	7 kWh	$8	7.188 MBtu	46.10	
90	1700 kWh	321 kWh	$237	60 kWh	7 kWh	$8	7.127 MBtu	45.91	
135	1621 kWh	305 kWh	$226	66 kWh	8 kWh	$9	6.825 MBtu	44.98	
180	1573 kWh	295 kWh	$219	68 kWh	8 kWh	$9	6.635 MBtu	44.40	
225	1651 kWh	310 kWh	$229	66 kWh	8 kWh	$9	6.945 MBtu	45.35	
270	1739 kWh	327 kWh	$242	55 kWh	7 kWh	$7	7.263 MBtu	46.33	
315	1746 kWh	328 kWh	$243	50 kWh	6 kWh	$7	7.269 MBtu	46.35	

These results represent the most recent analysis when worst case was checked. For ratings where default appliance values were not used, the energy values will represent the building used for the HERS Score and not the entered building. Select Reports|Annual Simulation to view energy use from the current building.

HERS 2013 Summary Report

Pinnacle-HACFM
3101 Dale Street
Fort Myers, FL, 33-916
Registration #:

Title: 3301 Dale Street 3BR BOP Spec
User

TMY City: FL_SOUTHWEST_F
Elec Util: EnergyGauge Default
Gas Util: EnergyGauge Default
Run Date: 04/05/2014 06:16:25

Energy Uses	Rated Home	Reference Home	e-Ratio
Heating	0.11 MBtu	0.59 MBtu	0.19
Cooling	6.37 MBtu	12.27 MBtu	0.52
Hot Water	0.36 MBtu	8.87 MBtu	0.04
Lighting	2.21 MBtu	5.53 MBtu	0.40
Refrigerator	1.89 MBtu	2.36 MBtu	0.80
Dishwasher	0.48 MBtu	0.58 MBtu	0.82
Ceiling Fans	2.22 MBtu	2.22 MBtu	1.00
Clotheswasher	0.13 MBtu	0.24 MBtu	0.55
Dryer	2.11 MBtu	3.31 MBtu	0.64
Range	1.53 MBtu	1.53 MBtu	1.00
Television	2.12 MBtu	2.12 MBtu	1.00
Miscellaneous	3.90 MBtu	3.90 MBtu	1.00
Total	23.42 MBtu	43.52 MBtu	0.54

Building Loads	Rated Home	Reference Home	e-Ratio
Heating	0.24 MBtu*	1.25 MBtu	0.19
Cooling	15.98 MBtu*	30.77 MBtu	0.52
Hot Water	0.30 MBtu*	7.51 MBtu	0.04
Lighting	2.21 MBtu	5.53 MBtu	0.40
Refrigerator	1.89 MBtu	2.36 MBtu	0.80
Dishwasher	0.48 MBtu	0.58 MBtu	0.82
Ceiling Fans	2.22 MBtu	2.22 MBtu	1.00
Clotheswasher	0.13 MBtu	0.24 MBtu	0.55
Dryer	2.11 MBtu	3.31 MBtu	0.64
Range	1.53 MBtu	1.53 MBtu	1.00
Television	2.12 MBtu	2.12 MBtu	1.00
Miscellaneous	3.90 MBtu	3.90 MBtu	1.00
Total	33.10 MBtu	61.32 MBtu	0.54

* normalized modified loads

On-site energy production

System Type	None
Gross Production	0.00 MBtu
Fuel Consumption	0.00 MBtu
Net Production	0.00 MBtu
PEfrac	100.00 %

SHUTTS & BOWEN LLP

Founded 1910

GARY J. COHEN
Member Florida Bar
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E-MAIL ADDRESS:
gcohen@shutts-law.com

May 30, 2014

VIA FEDERAL EXPRESS NO. 7701 3473 9911
Ms. Ashley Black, Corporation Clerk
Florida Housing Finance Corporation
227 North Bronough Street
Suite 5000
Tallahassee, FL 32301

VIA FEDERAL EXPRESS NO. 7701 3506 0476
Joint Administrative Procedures Committee
Attn: Joint Admin. Procedures Committee Clerk
680 Pepper Building, Room 680
111 W. Madison Street
Tallahassee, FL 32399-1400

Re: PC Redevelopment Partners, LLC

Ladies and Gentlemen:

Enclosed please find a Petition for Waiver for PC Redevelopment Partners, LLC. Thank you for your attention to this matter.

Sincerely,

Gary J. Cohen

GJC/mar
Enclosure

MIADOCS 9287559 1