

BEFORE THE FLORIDA HOUSING FINANCE CORPORATION

ST. ANDREW TOWERS I, LTD.

Petitioner,

FHFC Case No. 2018-028AP

vs.

FHFC RFA No. 2017-114

FLORIDA HOUSING FINANCE CORPORATION,

FHFC App. No. 2018-069C

Respondent.

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FLORIDA HOUSING
FINANCE CORPORATION

**FORMAL WRITTEN PROTEST AND
PETITION FOR FORMAL ADMINISTRATIVE HEARING**

Petitioner St. Andrew Towers I, Ltd. (“St. Andrew” or “Petitioner”) files this Formal Written Protest and Petition for Administrative Hearing (“Petition”) pursuant to section 120.57(3), Florida Statutes, and rules 67-60.009 and 28-110.004, Florida Administrative Code. This Petition challenges the intended decision of Respondent Florida Housing Finance Corporation (“Florida Housing”) to award funding to Applicant No. 2018-072C, SP Tower LLC (Pembroke Tower Apartments) and Applicant No. 2018-070C, The Palms of Deerfield Apartments, LLLP (The Palms of Deerfield Apartments) in connection with Request for Applications 2017-114, Housing Credit Financing for the Preservation of Existing Affordable Multifamily Housing Developments (the “RFA”).

I. Parties

1. Petitioner is a legally formed, Non-Profit entity qualified to do business in Florida that applied for funding pursuant to the RFA. Petitioner, assigned Application No. 2018-069C, sought funding in connection with the acquisition and preservation of a 219-unit, high-rise apartment complex called St. Andrew Tower I that is intended to serve the elderly demographic in Broward County, Florida. For purposes of this proceeding, Petitioner’s address, telephone number,

and email address are those of its undersigned counsel.

2. Florida Housing is the agency affected by this Petition. Florida Housing's address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301. Florida Housing's file number for Petitioner's application is 2018-069C.

II. Notice

3. Petitioner received notice of Florida Housing's intended decision to award funding pursuant to the RFA on March 16, 2018, when Florida Housing's Board of Directors approved the recommendation of its Review Committee, which previously had recommended certain Applicants for funding. A copy of the notice posted on the Florida Housing website concerning the Board's action is attached as **Exhibit A**. Petitioner was not among those recommended for funding.

4. Petitioner timely filed a Notice of Intent to Protest on March 21, 2018. A copy of that notice is attached as **Exhibit B**.

III. Background

5. Florida Housing is a public corporation created by section 420.504, Florida Statutes, to administer the governmental function of awarding various types of funding for affordable housing in Florida. RFA 2017-114 proposed to award \$6,655,500 of Housing Credits to qualified applicants that commit to preserve existing affordable multifamily housing developments for the demographic categories of Families, the Elderly, and Persons with a Disability. Florida Housing is designated as the housing credit agency for the State of Florida within the meaning of Section 42(h)(7)(A) of the Internal Revenue Code. § 420.5099, Fla. Stat. Housing Credits (also known as tax credits) are a dollar-for-dollar offset to federal income tax liability. Developers who receive an allocation of housing credits receive the awarded amount

every year for ten years. The developer usually sells the housing credits to a syndicator that in turn sells them to investors seeking shelter from federal income taxes.

6. Florida Housing has the responsibility and authority to establish procedures for allocating and distributing various types of funding for affordable housing. In accordance with that authority, Florida Housing has adopted chapter 67-60, Florida Administrative Code, which governs the competitive solicitation process for several programs. Other administrative rule chapters relevant to Florida Housing's selection process in connection with this RFA are chapter 67-48, which governs competitive affordable multifamily rental housing programs; and chapter 67-53, governing compliance procedures. Applicants for funding pursuant to RFA 2017-114 are required to comply with provisions of the RFA and each of the administrative rule chapters referenced in this paragraph. *See* RFA, p. 5 (§ Three F.3).

7. The RFA was issued on October 20, 2017, and amended on November 7 and November 29, 2017. It establishes a process of selecting Applicants for an allocation of Housing Credits. RFA, pp. 56-62 (§ 5). First, Applicants are required to meet certain mandatory submission requirements. RFA, pp. 56-57 Those Applications that do not meet these requirements are deemed ineligible for funding. The RFA sets forth goals for funding of one qualified Non-Profit Applicant, one RD 515 Development located in Medium or Small County and one Non-RD 515 Development with the Family Demographic Commitment. RFA, p. 59.¹ Applicants are awarded points based on a variety of criteria, including proximity to transit services and community services such as a public school, medical facility, grocery store, or

¹ RD 515 Developments are those subject to the U.S. Department of Agriculture's Rural Development Program.

pharmacy. RFA, pp. 18-22. All large county Applications must achieve a minimum number of transit service points and achieve a minimum number of total proximity points to be eligible for funding. RFA, p. 19. Applicants that achieve a higher number of total proximity points may also qualify for the Proximity Funding Preference. In order to receive the Proximity Funding Preference, Applicants in large counties must achieve at least 12.5 proximity points. In order to be eligible for funding at all, Applicants in large counties must achieve at least 10.5 total proximity points. *Id.*

8. Because many Applicants achieve the maximum number of points and meet the mandatory eligibility requirements, the RFA sets forth a series of tie-breakers to determine which Applications will be awarded funding:

- (a) **By the Application's eligibility for the Proximity Funding Preference (which is outlined in Section Four A.5.e of the RFA) with the Applications that qualify for the preference listed above the Applications that do not qualify for the preference;**
- (b) By the Age of Development Preference (with preference give to Applications that demonstrate within the Development Category Qualification Letter provided as Attachment 6 that the proposed Development was originally built in the year 1986 or earlier);
- (c) By RA Level 1, 2 or 3 Preference (with preference given to Applications that achieve an RA Level Classification of RA Level 1, 2 or 3, as outlined in Section Four A.4.b.(3) of the RFA;
- (d) By the Application's eligibility for the Concrete Construction Funding Preference, as outlined at Section Four A.4.d. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
- (e) By the Application's eligibility for the Per Unit Construction Funding Preference which s outlined in Section Four A.10.d. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
- (f) By the Application's Leveraging Classification which is outlined in Item

3 of Exhibit C of the RFA (with Applications that receive the Classification of A listed above Applications that receive the Classification of B);

- (g) By the Application's RA Level (with preference given to Applications with the lowest RA Level Classification so that the RA Level 1 Applications receive the most preference and RA Level 6 Applications receive the least preference);
- (h) By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
- (i) By lottery number, resulting in the lowest lottery number receiving preference.

RFA, p. 60 (emphasis supplied).

9. The RFA also provides that Applications will only be selected for funding if there is enough funding available to fully fund the Eligible Housing Credit Request Amount. *Id.* This is known as the "Funding Test." The RFA also imposes a County Award Tally, which establishes a procedure to ensure that funding is not concentrated in any one county.

RFA, pp. 60-61.

10. The RFA outlines a Funding Selection Process that is designed to achieve Florida Housing's stated goals for this RFA, as well as to fund other eligible Applications, to the extent funding is available. RFA, pp. 61-62.

11. Florida Housing received eight Applications in response to the RFA, all of which were found to be eligible for funding. **Exhibit C**, 2017-114 – All Applications Chart. Among the eligible Applications was Petitioner's St. Andrew Tower I, to be located in Broward County. *Id.*

12. Florida Housing's Review Committee for the RFA met on February 22, 2018.

Its recommendations were approved by the Florida Housing Board on March 21, 2018. *See Exhibit A.*

13. Among the Applications selected for funding is Pembroke Tower Apartments (“Pembroke Tower”), a proposed 126-unit apartment complex for the elderly in Broward County. Pembroke Tower was selected as one of the Non RD 515 Development Applications with the Elderly or Persons with a Disability Demographic. As more fully described below, Pembroke is ineligible for funding because it should not have received four points for a Public Bus Transfer Stop. If Pembroke is properly deemed to be ineligible for funding, St. Andrew would be eligible for funding in the category of Non RD 515 Development Applications with the Elderly or Persons with a Disability Demographic.

14. Another Application selected for funding was The Palms of Deerfield Apartments (“Palms of Deerfield”), which proposes to rehabilitate a 100-unit apartment complex to serve the elderly in Broward County. Palms of Deerfield was selected to meet Florida Housing’s goal of funding a Non-Profit Applicant. As more fully described below, Palms of Deerfield is not eligible for funding because its Development Location Point is not located on the address of development site identified in the Application, which violates the RFA’s mandatory requirements. Moreover, even if deemed eligible for funding (which it should not be), Palms of Deerfield is not entitled to the Proximity Funding Preference because it cannot achieve at least 12.5 proximity points. As discussed below, the latitude and longitude coordinates for Palms of Deerfield’s Development Location Point do not correspond to the address of the Development Site provided in the Application. When the distance from the identified Development Location Point and eligible community services is properly calculated (as required by the RFA), Palms of Deerfield is entitled to only 10.5 proximity points. Because

Palms of Deerfield cannot achieve the Proximity Funding Preference, it should not have been preliminarily selected for funding, based on the tie-breakers identified in the RFA. If Palms of Deerfield is properly deemed to be ineligible for funding or ineligible for the Proximity Funding Preference, St. Andrew would be eligible for funding in the category of Non RD 515 Development Applications with the Elderly or Persons with a Disability Demographic.

IV. Substantial Interests Affected

15. Petitioner's substantial interests are affected because if either Pembroke Tower or Palms of Deerfield is determined to be ineligible for funding, St. Andrew would be selected for funding based on the Application Sorting Order and Funding Selection Process described on pages 60-62 of the RFA.

Pembroke Tower

16. Pembroke Tower stated that a "Public Bus Transfer Stop" was located 1.25 miles from the Development Location Point on the Pembroke Tower site. *See* Pembroke Tower Application, p. 6. The RFA, on page 76, defines "Public Bus Transfer Stop" as follows:

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

Additionally, it must have been in existence and available for use by the general public as of the Application Deadline.

(Emphasis supplied).

17. The coordinates provided by Pembroke Tower (latitude of 26.042472 and longitude

of -80.232650) for its transit stop correspond to a Broward County transit stop identified as “Davie R Ext/NW 72 A,” ID #0145, located on the northbound or east side of Davie Road Extension, approximately 112 feet northeast of the centerline of the intersection of Davie Road Extension and NW 72nd Avenue. *See Composite Exhibit D*, Surveyor’s Affidavit from Kenneth C. Jackson, accompanying photograph of the sign for this bus stop, and route information published on the website of Broward County Transit. Only two bus routes stop at this location, as the route information in the exhibit makes clear: Routes BCT09 North and BCT12 West. A separate and distinct bus stop is located on the southwest side of the intersection of Davie Road Extension and NW 72nd Avenue (ID #3784). It is only served by BCT12 East. *Id.*

18. The bus stop identified by Pembroke Tower in its Application does not meet the definition of a Public Bus Transfer Stop because it does not provide access to at least three routes of public transportation via buses. No other bus stops are in the immediate area that would qualify as a Public Bus Transfer Stop, so any argument that Pembroke Tower made a typographical error in identifying its Public Bus Transfer Stop would be misplaced.

19. Public Bus Transfer Stops are entitled to four proximity points for transit services if they are located more than 1.00 mile and less than or equal to 1.25 miles from the Applicant’s Development Location Point. RFA, p. 87. Pembroke Tower’s identified Public Bus Transfer Stop is in reality a Public Bus Stop, but it is too far away from the Development Location Point to be entitled to any points, even if Pembroke Tower had selected the proper transit service category. RFA, p. 86. Thus, Pembroke Tower is entitled to zero points for transit services.

20. Pembroke Tower claimed two points for a Grocery Store located 1.09 miles from its Development Location Point; four points for a Medical Facility located 0.09 miles away, and 3.5 points for a Pharmacy located 0.33 miles away. Thus, Pembroke Tower is entitled to 9.5

proximity points. The RFA requires that proposed developments in large counties such as Broward achieve at least 10.5 total proximity points in order to be eligible for funding, a requirement that Pembroke Tower cannot meet. RFA, p. 19. The RFA also requires that proposed developments such as Pembroke Tower achieve at least 2 transit service points. Pembroke Tower cannot meet this requirement, which is yet another reason it should be deemed ineligible for funding.

Palms of Deerfield

21. Palms of Deerfield identified a Development Location Point that is not located on the site that corresponds to the address identified in its Application. The address of the development site identified in the application is 425 NW 1st Terrace, Deerfield Beach, FL 33441. Palms of Deerfield Application, p. 4. This address is confirmed in site control documents included in Attachment 8 of the Palms of Deerfield Application. *See* Application, Attachment 8, p. 9 (Legal Description). The Development Location Point is identified in the Application as latitude 26.3234528, longitude -080.1223306. Application, p. 5. This identified Development Location Point is approximately 1.08 linear miles from the address of the development site identified in the Application. *See Exhibit E*, Affidavit of Kenneth C. Jackson, Florida Registered Surveyor.

22. Rule 67-48.002(33) defines “Development Location Point” as follows:

“Development Location 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 the site with the most units that is located with 100 feet of a residential building existing or to be constructed as part of the proposed Development.

(Emphasis supplied).²

² According to the Palms of Deerfield Application, the proposed development does not consist of scattered sites. Application, p. 4.

23. Applicants are required to identify both an address and a Development Location Point in their Applications. Both are mandatory requirements. RFA, p. 57 (§ Five A.1.); *see also* RFA, pp. 17-18. Failure to provide either the address of the development site or the Development Location Point will result in a determination that the Applicant is ineligible. RFA, p. 56. Moreover, the identified site for the proposed development cannot be changed after the Application is submitted (absent circumstances not present here). R. 67-48.004(3)(e), Fla. Admin. Code.

24. Either the development site address or the Development Location Point provided by Palms of Deerfield is obviously incorrect, as they are more than one mile apart. As previously noted, a Development Location Point must be within 100 feet of a residential building on the development site, or scheduled to be built on the site. R. 67-48.002(33), Fla. Admin. Code. That is not the case here. As a result of the discrepancy between the identified development site address and the Development Location Point, Palms of Deerfield must be found ineligible for failure to meet the RFA's mandatory eligibility requirements.

25. Even if the Palms of Deerfield is determined to be an eligible Applicant, a proper calculation of the distance between the Development Location Point and the community services identified in Palms of Deerfield's Application demonstrates that Palms of Deerfield is ineligible for the Proximity Funding Preference. The RFA states that an "Application may earn proximity points based on the distance between the Development Location Point and the Bus or Rail Transit Service . . . and the Community Services stated in Exhibit A." RFA, p. 18. Palms of Deerfield, however, apparently calculated the distance to its identified community services from the address of the development site, not the Development Location Point. *See Exhibit E*. The licensed surveyor calculated the distances from the identified Development Location Point to each service identified in Palms of Deerfield's Application. He determined that the distance to the rail station

was .45 miles (not 1.16 miles as stated in the Application); the distance to the grocery store was 1.14 miles (not .35 miles as stated in the Application); the distance to the medical facility was 2.14 miles (not 1.18 miles, as stated in the Application); and the distance to the pharmacy was 2.05 miles (not 1.02 miles, as stated in the Application). *Id.*

26. As a result of its miscalculations, Palms of Deerfield claimed 4.5 points for proximity to transit services, 3.5 points for proximity to a grocery store, 2 points for proximity to a medical facility, and 2 points for proximity to a pharmacy. *See* RFA, pp. 86-88 (scoring charts for proximity to transit and community services). Based on the surveyor's calculations from the Development Location Point, Palms of Deerfield is entitled to 5.5 points for proximity to transit services, 2 points for proximity to a grocery store, zero points for proximity to a medical facility, and zero points for proximity to a pharmacy. *Id.* Thus, Palms of Deerfield is entitled to 7.5 points for proximity to services, as well as 3 points for the PHA Proximity Point Boost,³ for a total of 10.5 proximity points. While 10.5 points meets the required minimum total number of proximity points required to be eligible for funding, it is short of the 12.5 points required to receive the Proximity Funding Preference. RFA, p. 19. As a result, Palms of Deerfield does not satisfy the first tie-breaker in the Application Sorting Order, and St. Andrew is eligible for funding before Palms at Deerfield.

V. Disputed Issues of Material Fact and Law

27. Disputed issues of material fact and law include, but may not be limited to:

a. Whether Pembroke Tower is eligible for four transit proximity points for a Public

³ *See* RFA, p. 19. This 3-point boost is available to Applicants identifying a development site with an existing Declaration of Trust between a Public Housing Authority ("PHA") and the U.S. Department of Housing and Urban Development ("HUD").

Bus Transfer Stop;

- b. Whether Pembroke Tower is eligible for any transit proximity points;
- c. Whether Pembroke Tower is eligible for the Proximity Funding Preference;
- d. Whether Pembroke Tower achieved the minimum number of transit points and total proximity points to be eligible for funding;
- e. Whether Florida Housing's preliminary selection of Pembroke Tower for funding is contrary to the agency's governing statutes, the agency's rules or policies, or the solicitation specifications;
- f. Whether Florida Housing's preliminary selection of Pembroke Tower for funding is clearly erroneous, contrary to competition, arbitrary, or capricious;
- g. Whether Palms of Deerfield is ineligible for funding because its Development Location Point does not correspond with the address of the development site identified in Palms of Deerfield's Application;
- h. Whether Palms of Deerfield is eligible for the Proximity Funding Preference;
- i. Whether Florida Housing's preliminary selection of Palms of Deerfield for funding is contrary to the agency's governing statutes, the agency's rules or policies, or the solicitation specifications; and
- j. Whether Florida Housing's preliminary selection of Palms of Deerfield for funding is clearly erroneous, contrary to competition, arbitrary, or capricious.

VI. Statement of Ultimate Facts and Law

28. Ultimate facts are that both Pembroke Tower and Palms of Deerfield should be deemed ineligible for funding and that Petitioner's Application should be selected for funding.

VII. Right to Amend

29. Petitioner specifically reserves the right to amend this Petition as additional information is developed through discovery or through the review of public records.

VII. Statutes and Rules That Entitle Petitioner to Relief

30. Statutes and rules entitling Petitioner to Relief are Part V of chapter 420, Florida Statutes; sections 120.569 and 120.57, Florida Statutes; and Chapters 67-48, 67-60, 28-106, and 28-110, Florida Administrative Code.

IX. Demand for Relief

31. Petitioner respectfully requests that:

a. Florida Housing schedule a meeting with Petitioner to discuss resolution of this protest within seven days, as required by section 120.57(3)(d)1., Florida Statutes;

b. Florida Housing refer this petition to the Division of Administrative Hearings for assignment of an Administrative Law Judge (“ALJ”);

c. The ALJ enter a Recommended Order determining that Florida Housing should find Pembroke Tower and Palms of Deerfield ineligible for an award of funding pursuant to RFA 2017-114 and that St. Andrew Tower I be awarded funding and invited into the credit underwriting process; and

d. That Florida Housing adopt the Recommended Order of the ALJ as a Final Order.

Respectfully submitted this 2nd day of April, 2018.



DONNA E. BLANTON
Florida Bar No. 948500
dblanton@radeylaw.com

Radey Law Firm
301 S. Bronough Street, Suite 200
Tallahassee, Florida 32301
Tel: 850-425-6654/ Fax: 850-425-6694
COUNSEL FOR ST. ANDREW TOWERS I, LTD.

CERTIFICATE OF SERVICE

I CERTIFY that the original of the foregoing Formal Written Protest and Petition for Formal Administrative Hearing has been filed by hand delivery with the Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, and a copy served via email to the following this 2nd day of April, 2018:

Hugh R. Brown, General Counsel
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
Hugh.Brown@floridahousing.org



Donna E. Blanton

RFA 2017-114 - Board Approved Preliminary Awards

Total HC Available for RFA	6,655,500.00
Total HC Allocated	6,186,058.00
Total HC Remaining	469,442.00

Application Number	Name of Development	County	County Size	Name of Authorized Principal Representative	Name of Developer	Demo.	HC Request Amount	NP? RD 515?	Total Points	Proximity Funding Preference	Age of Development Funding Preference	RA Level 1, 2, or 3 Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	RA Level	Lottery Number
Non-Profit Goal																
2018-070C	The Palms of Deerfield Apartments	Broward	L	Dr. Nadine Jarmon	Deerfield Beach Family Empowerment, Inc.; SHAG Development, LLC	E, Non-ALF	1,124,217.00	Y N	10	Y	Y	Y	Y	A	1	3
RD 515 Development in Medium or Small County Goal																
2018-073C	Colonial Pines Apartments	Lake	M	Thomas F Flynn	Flynn Development Corporation	F	214,841.00	N Y	10	Y	Y	Y	Y	A	1	6
Non-RD 515 Development Family Demographic Goal																
2018-075C	Cocoa Sunrise Terrace	Brevard	M	Herbert Hernandez	CHA Real Estate, Inc.; SHAG Development, LLC	F	1,510,000.00	Y N	10	Y	Y	Y	Y	A	1	4
Non RD 515 Development Applications with the Elderly or Persons with a Disability Demographic																
2018-074C	Hogan Creek	Duval	L	Joseph J Chambers	Jacksonville Redevelopment Partners, LLC; Jax Urban Initiatives Development, LLC	E, Non-ALF	1,660,000.00	N N	10	Y	Y	Y	Y	A	1	5
2018-072C	Pembroke Tower Apartments	Broward	L	Scott C Seckinger	Southport Development, Inc. a WA corporation doing business in FL as Southport Development Services, Inc.	E, Non-ALF	1,360,000.00	N N	10	Y	Y	Y	Y	A	1	1
RD 515 Elderly or RD 515 Family Application																
2018-068C	Southern Villas of Perry Apartments	Taylor	S	Martin H. Petersen	Hallmark Development Partners, LLC	F	317,000.00	N Y	10	Y	Y	Y	Y	A	1	8

On March 16, 2018, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.
 Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.





PHONE (850) 425-6654 FAX (850) 425-6694 WEB WWW.RADEYLAW.COM
MAIL POST OFFICE BOX 10967 | TALLAHASSEE, FL 32302 OFFICE 301 SOUTH BRONOUGH ST. | STE. 200 | TALLAHASSEE, FL 32301

March 21, 2018

Via Hand Delivery

Corporation Clerk
Florida Housing Finance Corporation
227 North Bronough Street
Suite 5000
Tallahassee, Florida 32301

RECEIVED
18 MAR 21 AM 9:00
FLORIDA HOUSING
FINANCE CORPORATION

Re: Notice of Intent to Protest, RFA 2017-114 Proposed Funding Selections

Dear Corporation Clerk:

Pursuant to section 120.57(3), Florida Statutes, rule chapter 28-110, and rule 67-60.009, Florida Administrative Code, Applicant No. 2018-069C, St. Andrew Towers I, Ltd., files this Notice of Intent to Protest the proposed funding selections adopted by the Florida Housing Finance Corporation ("FHFC") Board of Directors on March 16, 2018, concerning Request for Applications ("RFA") 2017-114. A copy of the Board's preliminary awards, as posted on the FHFC website, is attached to this notice as **Exhibit A**. A copy of the scoring results approved by the Board of Directors, also posted on the FHFC website, is attached as **Exhibit B**. A formal written protest petition will be filed within 10 days of this notice, as required by law.

Sincerely,


Donna E. Blanton



RFA 2017-114 - Board Approved Preliminary Awards

Total HC Available for RFA	6,655,500.00
Total HC Allocated	6,186,058.00
Total HC Remaining	469,442.00

Application Number	Name of Development	County	County Size	Name of Authorized Principal Representative	Name of Developer	Dem.	HC Request Amount	NP?	RD 5157	Total Points	Proximity Funding Preference	Age of Development Funding Preference	RA Level 1, 2, or 3 Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	RA Level	Lottery Number	
Non-Profit Goal																		
2018-070C	The Palms of Deerfield Apartments	Broward	L	Dr. Nadine Jarmon	Deerfield Beach Family Empowerment, Inc.; SHAG Development, LLC	E, Non-ALF	1,124,217.00	Y	N	10	Y	Y	Y	Y	A	1	3	
RD 515 Development in Medium or Small County Goal																		
2018-073C	Colonial Pines Apartments	Lake	M	Thomas F Flynn	Flynn Development Corporation	F	214,841.00	N	Y	10	Y	Y	Y	Y	A	1	6	
Non-RD 515 Development Family Demographic Goal																		
2018-075C	Cocoa Sunrise Terrace	Steward	M	Herbert Hernandez	CHA Real Estate, Inc.; SHAG Development, LLC	F	1,510,000.00	Y	N	10	Y	Y	Y	Y	A	1	4	
Non RD 515 Development Applications with the Elderly or Persons with a Disability Demographic																		
2018-074C	Hogan Creek	Duval	L	Joseph J Chambers	Jacksonville Redevelopment Partners, LLC; Jax Urban Initiatives Development, LLC	E, Non-ALF	1,660,000.00	N	N	10	Y	Y	Y	Y	A	1	5	
2018-072C	Pembroke Tower Apartments	Broward	L	Scott C Seckinger	Southport Development, Inc. a WA corporation doing business in FL as Southport Development Services, Inc.	E, Non-ALF	1,360,000.00	N	N	10	Y	Y	Y	Y	A	1	1	
RD 515 Elderly or RD 515 Family Application																		
2018-068C	Southern Villas of Perry Apartments	Taylor	S	Martin H. Petersen	Hallmark Development Partners, LLC	F	317,000.00	N	Y	10	Y	Y	Y	Y	A	1	8	

On March 15, 2018, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.
 Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.



RFA 2017-114 - Board Approved Scoring Results

Application Number	Name of Development	County	County Site	Name of Authorized Principal Representative	Name of Developer	Demo.	Total Units	HC Request Amount	Eligible For Funding?	RD NPI	Total Points	Proximity Funding Preference	Age of Development Funding Preference	RA Level 1, 2, or 3 Funding Preference	Concrete Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	RA Level	Florida Job Creation Preference	Lottery Number
2018-068C	Southwest Village of Perry Apartments	Taylor	S	Martin H. Peterson	Hallmark Development Partners, LLC	F	35	317,000.00	Y	N	10	Y	Y	Y	Y	Y	A	1	Y	8
2018-069C	St. Andrew Tower I	Broward	L	Kenneth Naylor	St. Andrew Towers I Development, LLC	E, Non-ALF	219	1,660,000.00	Y	Y	10	Y	Y	Y	Y	Y	A	1	Y	7
2018-070C	The Palms of Deerfield Apartments	Broward	L	Dr. Nadine Jarmon	Deerfield Beach Family Empowerment, Inc.; SHAG Development, LLC	E, Non-ALF	100	1,224,217.00	Y	Y	30	Y	Y	Y	Y	Y	A	1	Y	3
2018-071C	Cathedral Townhouse	Duval	L	Teresa K Berton	Cathedral Townhouse Redevelopment Associates LLC	E, Non-ALF	177	1,650,000.00	Y	Y	10	Y	Y	Y	Y	Y	B	1	Y	2
2018-072C	Pembroke Tower Apartments	Broward	L	Scott C Seckinger	Southport Development, Inc. a WA corporation doing business in FL as Southport Development Services, Inc.	E, Non-ALF	126	1,360,000.00	Y	N	30	Y	Y	Y	Y	Y	A	1	Y	1
2018-073C	Colonial Pines Apartments	Jake	M	Thomas F Flynn	Flynn Development Corporation	F	30	214,841.00	Y	N	10	Y	Y	Y	Y	Y	A	1	Y	6
2018-074C	Hogan Creek	Duval	L	Joseph J Chambers	Jacksonville Redevelopment Partners, LLC; Jax Urban Initiatives Development, LLC	E, Non-ALF	183	1,660,000.00	Y	N	10	Y	Y	Y	Y	Y	A	1	Y	5
2018-075C	Loosa Sunrise Terrace	Brevard	M	Herbert Hernandez	CHA Real Estate, Inc.; SHAG Development, LLC	F	183	1,510,000.00	Y	Y	10	Y	Y	Y	Y	Y	A	1	Y	4

On March 16, 2018, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adapt the scoring results above. Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.



RFA 2017-114 - All Applications

Application Number	Name of Development	County	County Size	Name of Authorized Principal Representative	Name of Developer	Demo.	Total Units	HC Request Amount	Eligible For Funding?	NP?	RD 515?	Total Points	Proximity Funding Preference	Age of Development Funding Preference	RA Level 1, 2, or 3 Funding Preference	Concrete Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	RA Level	Florida Job Creation Preference	Lottery Number
2018-068C	Southern Villas of Perry Apartments	Taylor	S	Martin H. Petersen	Hallmark Development Partners, LLC.	F	35	317,000.00	Y	N	Y	10	Y	Y	Y	Y	Y	A	1	Y	8
2018-069C	St. Andrew Tower 1	Broward	L	Kenneth Naylor	St. Andrew Towers 1 Development, LLC.	E, Non-ALF	219	1,660,000.00	Y	Y	N	10	Y	Y	Y	Y	Y	A	1	Y	7
2018-070C	The Palms of Deerfield Apartments	Broward	L	Dr. Nadine Jarmon	Deerfield Beach Family Empowerment, Inc.; SHAG Development, LLC	E, Non-ALF	100	1,124,217.00	Y	Y	N	10	Y	Y	Y	Y	Y	A	1	Y	3
2018-071C	Cathedral Townhouse	Duval	L	Teresa K Barton	Cathedral Townhouse Redevelopment Associates LLC.	E, Non-ALF	177	1,650,000.00	Y	Y	N	10	Y	Y	Y	Y	Y	B	1	Y	2
2018-072C	Pembroke Tower Apartments	Broward	L	Scott C Seckinger	Southport Development, Inc. a WA corporation doing business in FL as Southport Development Services, Inc.	E, Non-ALF	126	1,360,000.00	Y	N	N	10	Y	Y	Y	Y	Y	A	1	Y	1
2018-073C	Colonial Pines Apartments	Lake	M	Thomas F Flynn	Flynn Development Corporation.	F	30	214,841.00	Y	N	Y	10	Y	Y	Y	Y	Y	A	1	Y	6
2018-074C	Hogan Creek	Duval	L	Joseph J Chambers	Jacksonville Redevelopment Partners, LLC; Jax Urban Initiatives Development, LLC	E, Non-ALF	183	1,660,000.00	Y	N	N	10	Y	Y	Y	Y	Y	A	1	Y	5
2018-075C	Cocoa Sunrise Terrace	Brevard	M	Herbert Hernandez	CHA Real Estate, Inc.; SHAG Development, LLC	F	183	1,510,000.00	Y	Y	N	10	Y	Y	Y	Y	Y	A	1	Y	4



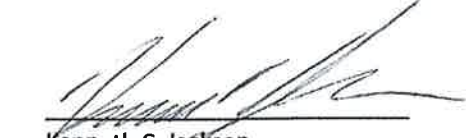
SURVEYOR'S AFFIDAVIT

STATE OF FLORIDA

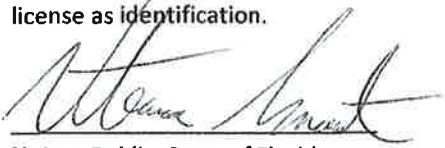
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Kenneth C. Jackson (the "Affiant") who upon being duly sworn, deposes and states as follows:

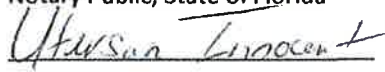
1. Affiant is a Professional Land Surveyor duly licensed and registered in the State of Florida under Registration No. 4549.
2. Affiant is familiar with the location of the transit service identified as a fixed coordinate with latitude of 26.042472 and longitude of -80.232650.
3. Affiant has determined that the only Broward County bus stop within a few feet of these coordinates is "Davie R Ext/NW 72 A" ID #0145, located on the northbound or east side of Davie Road Extension, approximately 112 feet northeast of the centerline of the intersection of Davie Road Extension and NW 72nd Ave. A photograph of the sign for this bus stop is included as Attachment A.
4. The method used to determine the latitude and longitude coordinates conforms to Rule 5J-17, F.A.C., Professional Surveyors and Mappers. Calculations are based on "WGS 84" and the horizontal positions have been collected to meet sub-meter accuracy (no autonomous hand-held GPS units were used).
5. Affiant makes this affidavit with full knowledge that it may be relied upon by Florida Housing Finance Corporation.


 Kenneth C. Jackson
 Florida Registration No. 4549

The foregoing instrument was sworn to, subscribed and acknowledged before me this 19th day of March, 2018, by Kenneth C. Jackson, who is personally known to me or who presented a Florida driver's license as identification.



Notary Public, State of Florida


 Print name

My Commission Expires: 03/27/2021



BROWARD
COUNTY
Transit



**BUS
STOP**

9	12	A white wheelchair icon on a blue square background.

ID # 0145



Search County Government

Broward County
▶ Broward County Transit



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MyRide.broward.org helps you know when the next three buses will arrive straight to your location! Search by bus stop ID (listed at each stop) or Route Number to find it on the map and get estimated arrival times based on the bus's location. View other routes in your bus stop by scrolling on the right and selecting the bus route. To plan a trip visit [Google Transit](#), [Download](#) or view [FAQ](#) and additional instructions at the [user guide page](#). Thank you for using MyRide Broward. For any additional customer service questions please call 954.357.8400, seven days a week.

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Icon Legend



Davie R Ext/NW 72 A



⚡ Stop and Intersection Results

⊖ [ID #0145] - DAVIE R EXT/NW 72 A

Filter routes...

| Route BCT09 North | Show on map

| Route BCT12 West | Show on map

⊕ [ID #3784] - DAVIE R EXT/NW 72 A

Route Results

Landmark Results



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BROWARD COUNTY Transit

PALM BEACH COUNTY
BROWARD COUNTY

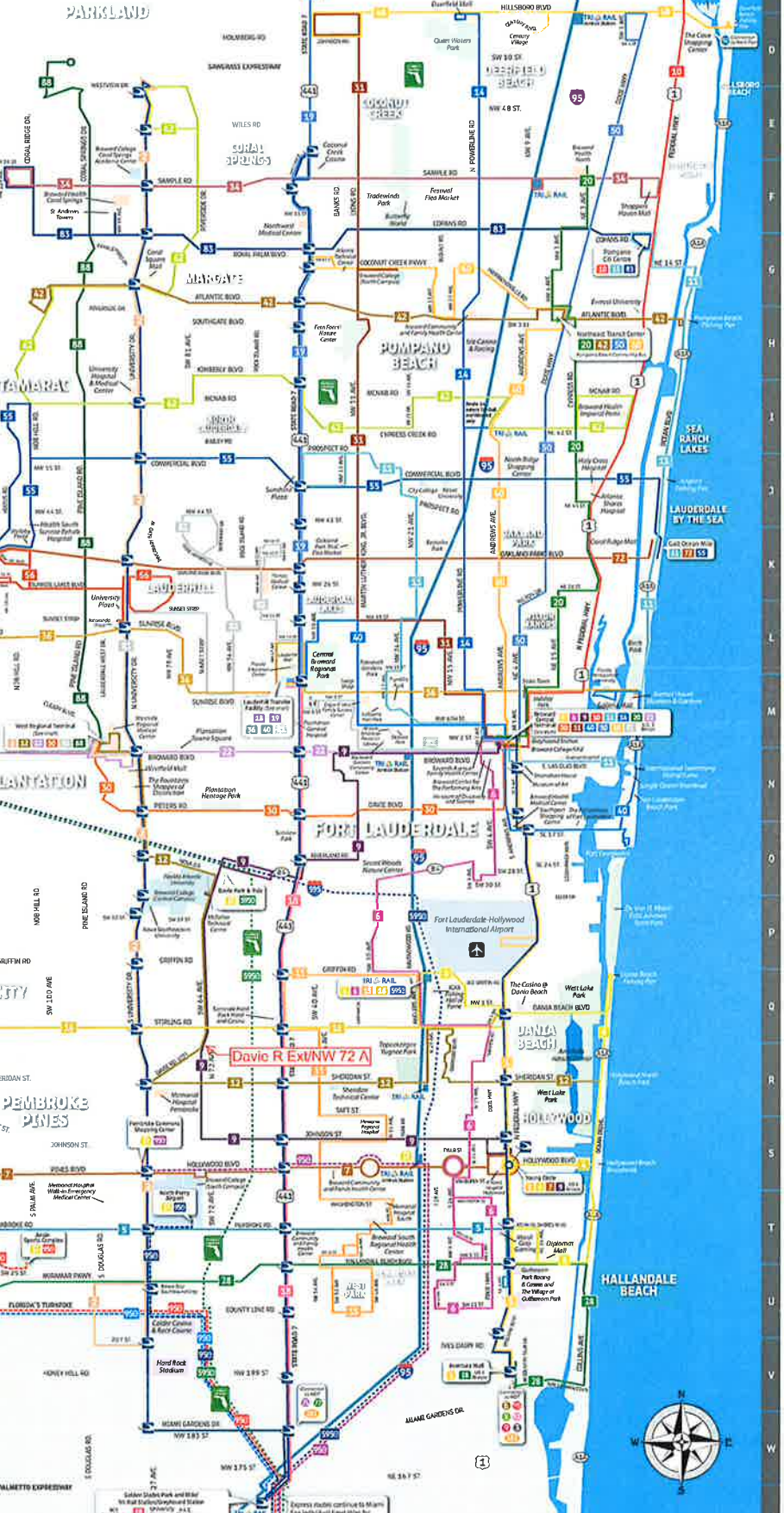
Downtown Fort Lauderdale

Broward Central Terminal
West Regional Terminal

Lauderhill Transfer Facility

Northeast Transit Center

- ### Legend
- Street
 - Interstate
 - State Road
 - Federal Highway
 - Florida's Turnpike
 - Bus Route
- ### Commuter Limited Stop Service
- Route 301: Fort Lauderdale to Miami (DCA Center)
 - Route 302: Fort Lauderdale to Miami (DCA Center)
 - Route 303: Fort Lauderdale to Miami (DCA Center)
 - Route 304: Fort Lauderdale to Miami (DCA Center)
 - Route 305: Fort Lauderdale to Miami (DCA Center)
 - Route 306: Fort Lauderdale to Miami (DCA Center)
 - Route 307: Fort Lauderdale to Miami (DCA Center)
 - Route 308: Fort Lauderdale to Miami (DCA Center)
 - Route 309: Fort Lauderdale to Miami (DCA Center)
 - Route 310: Fort Lauderdale to Miami (DCA Center)



BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS
JANUARY 2011

Solaris (Sunbus) and Sunstar (Sunbus) are the primary bus services.
Express routes continue to Miami. See individual timetables for more information.

SURVEYOR'S AFFIDAVIT

STATE OF FLORIDA

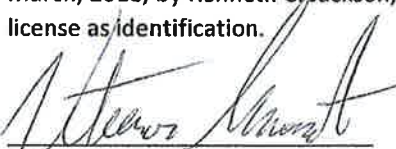
COUNTY OF BROWARD

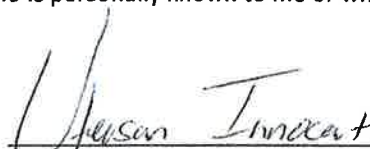
BEFORE ME, the undersigned authority, personally appeared Kenneth C. Jackson (the "Affiant") who upon being duly sworn, deposes and states as follows:

1. Affiant is a Professional Land Surveyor duly licensed and registered in the State of Florida under Registration No. 4549.
2. Affiant is familiar with the location of the Development Location Point identified as a fixed coordinate with a latitude of 26.3234528 and longitude of -080.1223306.
3. Affiant is familiar with the location of the development address identified as 425 NW 1st Terrace, Deerfield Beach, FL 33441.
4. Affiant has determined that the Development Location Point (26.3234528, -080.1223306) is approximately 1.08 linear miles away from the development address (425 NW 1st Terrace, Deerfield Beach, FL 33441; 26.323302, -80.1048823).
5. Affiant is familiar with the location of the transit and community services listed in Attachment A, which were provided in the Application to Florida Housing Finance Corporation. The affiant has reviewed the distance from the development location point to each of the services and certifies that the information provided in the Application is not correct. The Affiant's determination of the distances are provided in Attachment B.
6. The method used to determine the latitude and longitude coordinates conforms to Rule 5J-17, F.A.C., Professional Surveyors and Mappers. Calculations are based on "WGS 84" and the horizontal positions have been collected to meet sub-meter accuracy (no autonomous hand-held GPS units were used).
7. Affiant makes this affidavit with full knowledge that it may be relied upon by Florida Housing Finance Corporation.


 Kenneth C. Jackson
 Florida Registration No. 4549

The foregoing instrument was sworn to, subscribed and acknowledged before me this 19th day of March, 2018, by Kenneth C. Jackson, who is personally known to me or who presented a Florida driver's license as identification.


 Notary Public, State of Florida


 Print name

My Commission Expires: 08/31/2021



Attachment A: Location of services and distance to the Development Location Point as provided in application

Date Submitted: 2017-12-12 21:35:13.197 | Form Key: 4073

Public Bus Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
Public Bus Transfer Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
Public Bus Rapid Transit Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
SunRail Station, MetroRail Station, or TriRail Station	<u>26.3169472</u>	<u>-080.1223306</u>	<u>1.16 miles</u>

*Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

(3) Community Services

Service	Name and Address of Service	Latitude	Longitude	Distance (rounded up to the nearest hundredth of a mile)*
Grocery Store	<u>Bazaar International IGA, 202 W. Hillsboro Blvd., Deerfield Beach, FL 33441</u>	<u>26.3183194</u>	<u>-080.1048556</u>	<u>0.35 miles</u>
Medical Facility	<u>Holy Cross Urgent Care, 1799 S. Federal Highway, Boca Raton, FL 33432</u>	<u>26.3338528</u>	<u>-080.0899083</u>	<u>1.18 miles</u>
Pharmacy	<u>Walgreens, 1041 E. Hillsboro Blvd., Deerfield Beach, FL 33441</u>	<u>26.3178806</u>	<u>-080.0899278</u>	<u>1.02 miles</u>
Public School	<u>Address of Service</u>	<u>Latitude coordinates</u>	<u>Longitude coordinates</u>	<u>Distance</u>

*Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

Attachment B: Affiant's determination of distances

Service	Name of Service	Latitude	Longitude	Distance from Development Location Point (26.3234528, -080.1223306)
Rail Station	Deerfield Beach Tri-Rail Station	26.3169472	-080.1223306	0.45mi
Grocery Store	Bazaar International IGA	26.3183194	-080.1048556	1.14mi
Medical Facility	Holy Cross Urgent Care	26.3338528	-080.0899083	2.14mi
Pharmacy	Walgreens	26.3178806	-080.0899278	2.05mi