

FLORIDA HOUSING FINANCE CORPORATION
Board Meeting
February 1, 2019
Consent Items



HOUSING CREDITS

Consent

I. HOUSING CREDITS

A. Request Approval of Developer Principal Change and Approval of RFA Waiver for the IRS Form 8821 Requirement for all Non-Profit Partner Board Members and Officers for Father Marquess-Barry Apartments (RFA 2018-102/2018-320C)

Development Name: Father Marquess-Barry Apartments	Location: Miami-Dade County
Applicant/Borrower: HTG Rainbow, LLC	Set-Asides: 10% @ 28% AMI and 80% @ 60% AMI
Developers/Principals: HTG Rainbow Developer, LLC/Matthew Rieger	Demographic/Number of Units: Elderly Non-ALF/60
Requested Amounts: \$955,000.00 Housing Credits (HC)	Development Category/Type: New Construction/Garden

1. Background/Present Situation

- a) HTG Rainbow, LLC (“Applicant”) applied for and was awarded funding from Request for Applications (RFA) 2018-102 for Housing Credit Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives. The funds are being utilized to finance the construction of a 60-unit Elderly Non-ALF development in Miami-Dade County. On September 19, 2018, staff issued an invitation to the Applicant to enter credit underwriting, and subsequently executed a Carryover Allocation Agreement on December 17, 2018.
- b) As part of the initial due diligence, and as required in the RFA, the IRS Tax Information Authorization Form 8821 is collected for all Financial Beneficiaries and Natural Person Principals disclosed on the Principals of the Applicant and Developer Disclosure Form.
- c) On January 4, 2019, Florida Housing received a letter from the Applicant requesting an RFA waiver from the requirement that all natural person principals disclosed on the Principals of the Applicant and Developer Disclosure Form provide an IRS Form 8821. The letter is provided as [Exhibit A](#). The Applicant purports the board members/officers of the non-profit entity (Rainbow Housing Corporation), will not receive any financial benefit from the Development and therefore, should not be required to submit IRS Form 8821.
- d) Within the above-mentioned letter, the Applicant also requested approval of the replacement of one of the board members of the non-profit entity, Rainbow Housing Corporation, within both the Applicant and Developer organizational structures. Specifically, the Applicant requests that Santa Cravatt be accepted as a replacement Director for Laura Joseph, who has resigned. The original and proposed organizational charts are provided as [Exhibit B](#).
- e) Per the RFA, the Principals of each Developer identified in the Application, including all Co-Developers, may be changed only by written request of an Applicant to Corporation Staff and approval of the Board after the Applicant has been invited to enter credit underwriting.

HOUSING CREDITS

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- f) In the original Application, the Principal with the required Developer experience was Matthew Rieger, who will remain as a Principal.
- g) Staff has reviewed this request and finds that the development meets all other requirements of the RFA.

2. Recommendation

- a) Approve the proposed RFA waiver, exempting the non-profit board members/officers from having to submit the IRS Form 8821, provided each board member/officer submit an Affidavit certifying that they have not, nor will they receive any direct or indirect financial benefit from the Development in any way. Approve the proposed Developer Principal Change.

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B. Request Approval of Applicant Entity Structure Change for Lake Point Plaza Apartments (RFA 2016-116/2017-182C)

Development Name: Lake Point Plaza Apartments	Location: Miami-Dade County
Applicant/Borrower: W 76 Street, LLC	Set-Asides: 20% @ 30% AMI and 80% @ 60% AMI
Developers/Principals: RS Development Corp./ Lewis V. Swezy	Demographic/Number of Units: Elderly Non-ALF/76
Requested Amounts: \$731,735.00 Housing Credits (HC)	Development Category/Type: Preservation/Garden

1. Background/Present Situation

- a) W 76 Street, LLC (“Applicant”) applied for and was awarded funding from Request for Applications (RFA) 2016-116 for Housing Credit Financing For the Preservation of Existing Affordable Multifamily Housing Developments. The funds are being utilized to finance the preservation of a 76-unit Elderly Non-ALF development in Miami-Dade County. On June 19, 2017, staff issued an invitation to the Applicant to enter credit underwriting and subsequently executed a Carryover Allocation Agreement on September 26, 2017.
- b) The Board previously approved a change in the Applicant’s ownership structure on May 4, 2018 wherein Lake Point Special Member LLC was added as a 0.51% Special Member of the Applicant.
- c) On December 21, 2018, Florida Housing received a request from the Applicant to add members to Lake Point Special Member LLC. The letter is provided as [Exhibit C](#). Regarding the structure of the Principal, the Applicant proposes to reduce Paul Bilton (100% Member) to a 25% member and also add Jenny C. Guzman (25% Member), Elizabeth Roque (25% Member), and Olimpio D. Paredes (25% Member). The original and proposed organizational charts are provided as [Exhibit D](#).
- d) Per the RFA, any material change in ownership structure of the named Applicant will require Board approval prior to change.
- e) Staff has reviewed this request and finds that the development meets all of the requirements of RFA 2016-116.

2. Recommendation

- a) Approve the request for a change in the Applicant entity structure.

HOME RENTAL

Consent

II. HOME RENTAL

A. Request Approval of Additional Subordinate Debt for Centerra (2017 Series E / 2016-104H / 2016-539C)

Development Name: Centerra (“Development”)	Location: Miami-Dade County
Developer: Centerra Associates, Ltd, Cornerstone Group Partners, LLC (“Developers”)	Set-Aside: 40% @ 60% AMI (MMRB) 10% @ 50% AMI (HOME) 41% @ 60% AMI (HOME) 94% @ 60% AMI (HC) 54 HOME Assisted Units
Type: New Construction/Townhomes	MMRB: \$15,700,000 HOME: \$5,304,000 HC: \$1,040,848
Total Number of Units: 104	Demographics: Family

1. Background/Present Situation

- a) The Developers applied for funding under Request for Applications (“RFA”) 2015-110, seeking an allocation of HOME Program funds for the Financing of Affordable Multifamily Housing Developments with HOME Funding to be used in Conjunction with Florida Housing-Issued Multifamily Mortgage Revenue Bonds Financing and Non-Competitive Housing Credits.
- b) As required in RFA 2015-110, the Applicant submitted a Non-Competitive Application package requesting MMRB in the amount of \$14,000,000 and Housing Credits in the amount of \$916,369. The Applicant has subsequently increased the MMRB request amount to \$15,700,000.
- c) On December 11, 2015, the Board approved the selection of six (6) Applications, including Centerra for funding.
- d) The Developers requested an extension of the closing date, up to 12 months, which was approved by the Board on December 16, 2016. The MMRB and HOME loan closed on December 15, 2017.
- e) On January 7, 2019, the Developer notified the Corporation ([Exhibit A](#)) that the Development had been awarded a Miami-Dade County 2018 HOME Loan in the amount of \$70,332. Rule Chapter 67-48.020(13), F.A.C. states the “Applicant shall not alter any terms or conditions of any mortgage superior or inferior to the HOME mortgage without prior approval of the Corporation’s Board of Directors and Rule Chapter 67-21.008(13), F.A.C. states “The Borrower shall not sell, transfer, or otherwise assign any of its interest in the Development without the prior written consent of the Corporation.”

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- f) On January 16, 2019, staff received a credit underwriting letter with a positive recommendation for the funding of the Miami-Dade County HOME loan in the financing of Centerra ([Exhibit B](#)). Staff has reviewed this report and finds that the Development meets all of the requirements of Rule Chapter 67-48, F.A.C., Rule Chapter 67-21.008, F.A.C., and the loan documents.

2. **Recommendation**

- a) Approve the credit underwriting letter recommendation and direct staff and Counsel to review the Miami-Dade County HOME closing documents, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, Trustee, and appropriate Florida Housing staff.

HOME RENTAL

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B. Request Approval of a Change in the General Contractor of Towns of Okeechobee, Phase II (2017-265H)

Development Name: Towns of Okeechobee, Phase II (“Development”)	Location: Okeechobee County
Developer: MFK/REVA Development, LLC (“Developer”)	Set-Aside: 20% @ 50% AMI 80% @ 60% AMI 21 HOME Units
Type: New Construction/Townhouses	HOME: \$3,600,000
Total Number of Units: 22	Demographics: Rural

1. Background/Present Situation

- a) The Applicant applied for funding under Request for Applications (“RFA”) 2017-105, seeking an allocation of HOME Financing to be Used for Rental Developments in Rural Areas. On June 16, 2017, the Board approved the selection of three (3) Applications, including Towns of Okeechobee, Phase II, for funding and invitation to credit underwriting.
- b) On August 30, 2017, the Corporation issued a preliminary commitment letter. In accordance with Rule 67-48 and the RFA, the Developer had an August 30, 2018 deadline to complete the credit underwriting report and close the loan.
- c) On July 11, 2018, staff received a final credit underwriting report recommending a HOME loan in the amount of \$3,600,000. On July 6, 2018, staff also received correspondence from the Developer requesting an extension to the loan closing deadline from August 30, 2018 to August 30, 2019 as permitted by the RFA. On July 27, 2018, the Board approved the credit underwriting report and the extension of the loan closing until August 30, 2019.
- d) On January 16, 2019 staff received a request ([Exhibit C](#)) to change the general contractor listed in the credit underwriting report of July 11, 2018, RAK General Contractors, Inc. (“Original G/C”) to Seminole Design-Build (“New G/C”). The Original G/C went through a recent restructuring and the new principals were unable to obtain a payment and performance bond necessary for loan closing. The Developer put out new bids and were able to obtain a New G/C that has the financial capacity to bond out the development.
- e) On January 17, 2019, staff received a credit underwriting letter recommending the change in general contractors ([Exhibit D](#)). Staff has reviewed this letter and finds that the Development meets all of the requirements of Rule Chapter 67-48, F.A.C.

2. Recommendation

- a) Approve the final credit underwriting letter with the recommended change in the general contractor and direct staff to proceed with loan closing activities subject to further approvals and verifications by the Credit Underwriter, Special Counsel and the appropriate Florida Housing Staff.

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III. LEGAL

A. In Re: St Elizabeth Garden Apartments, Ltd. - FHFC Case No. 2018-081VW

Development Name: (“Development”):	St. Elizabeth Gardens
Developer/Principal: (“Developer”):	Atlantic-Pacific Liz Wong
Number of Units: 153 (currently)	Location: Broward County
Type: Mid-rise 4 stories	Set Asides: 20% at 30% AMI 80% at 60% AMI
Demographics: Elderly	9% HC: \$1,124,111

1. Background

- a) Petitioner was selected to receive 9% Housing Credit Financing for Preservation of Existing Affordable Multifamily Housing Developments under RFA 2016-116 to assist in the acquisition and preservation of a development serving low-income elderly households in Pompano Beach, Florida. On December 27, 2018, Florida Housing received an Amended Petition for Waiver of Rules 67-48.004(3)(i) and (j), F.A.C., to change the total set-aside percentage. A copy of the Petition is attached as [Exhibit A](#).

2. Present Situation

- a) Rule 67-48.004(3), Fla. Admin. Code, provides in relevant part:

(3) For the SAIL, HOME and Housing Credit Programs, notwithstanding any other provision of these rules, the following items as identified by the Applicant in the Application must be maintained and cannot be changed by the Applicant after the applicable submission, unless provided otherwise below:

(i) Total number of units; notwithstanding the foregoing, the total number of units may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation. With regard to said approval, the Corporation shall consider the facts and circumstances, inclusive of each Applicant’s request, in evaluating whether the changes made are prejudicial to the Development or to the market to be served by the Development, as well as review of 24 CFR Part 92 to ensure continued compliance with the HOME Program;

(j) For the SAIL and HC Programs, the Total Set-Aside Percentage as stated in the last row of the total set-aside breakdown chart for the program(s) applied for in the Set-Aside Commitment section of the Application. For the HOME Program, the total number of HOME-Assisted Units committed to in the Set-Aside Commitment section of the Application. Notwithstanding the foregoing, the Total Set-Aside Percentage, or total number of HOME-Assisted Units, as applicable, may be increased after the Applicant has been invited to enter credit

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underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation. With regard to said approval, the Corporation shall consider the facts and circumstances, inclusive of each Applicant's request, in evaluating whether the changes made are prejudicial to the Development or to the market to be served by the Development, as well as review of 24 CFR Part 92 to ensure continued compliance for the HOME Program.

- b) In October, 2017, the Board granted a previous request from Petitioner on the same issue, permitting Petitioner to add two market rate units (total 153 units) to the Development and approving the corresponding reduction in Total Set Aside percentage (from 100% to 98.7%). Petitioner now seeks a second waiver from Rules 67-48.004(3)(i) and (j) to add two more market rate units (total 155) and to reduce the Total Set-Aside Percentage from 98.7% to 97.4%. This would have the effect of allowing the development of two additional units and for these units to be rented at market rate. Without this waiver, these two additional units would also have to be limited to low-income tenants, and so Petitioner requests this change to permit current tenants to remain who receive assistance through HUD programs, but who otherwise may exceed the 60% AMI limit. Petitioner proposes to convert and divide existing larger units to create the new market rate units. Due to the presence of over-income units, Petitioner may not be eligible to use the Average Income Test in this instance, but perhaps will be eligible for this relief in the future.
- c) On November 19, 2018, Notice of the Petition was published in the Florida Administrative Register in Volume 44, Number 225. To date, Florida Housing has received no comments concerning the Petition.
- d) Section 120. 542(2), Florida Statutes provides in pertinent part:

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.
- e) Granting the requested waiver would not have any impact on other participants in funding programs administered by Florida Housing, nor would it have a detrimental impact on Florida Housing. Petitioner has demonstrated that it would suffer a substantial hardship if the waiver is not granted. Petitioner has also demonstrated that the purpose of the underlying statute, which is to "encourage development of low-income housing in the state" (§420.5099, Fla. Stat.), would still be achieved if the waiver is granted.

3. **Recommendation**

- a) Staff recommends the Board **GRANT** Petitioner's request for a waiver of Rules 67-48.004(3)(i) and (j), Fla. Admin. Code, so that Petitioner will be able to reduce its Total Set-Aside Percentage from 98.7% to 97.4% and add two additional units at market rate.

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B. In Re: Ovation Housing, LLLP - FHFC Case No. 2019-001VW (2016-517C)

Development Name: (“Development”):	Citrus Square Apartments
Developer/Principal: (“Developer”):	Orlando Housing Authority / Vivian Bryant
Number of Units: 87	Location: Orange County
Type: Garden Apartments	Set Asides: 100% @ 60% AMI
Demographics: Family	Funding: 4%HC \$352,763

1. Background

- a) Ovation Housing, LLLP (“Petitioner”) successfully applied for an award of non-competitive housing credits to assist in financing the rehabilitation of a development known as Citrus Square Apartments (the “Development”).
- b) On January 4, 2019, Florida Housing received a Petition for Waiver of Rule 67-21.003(8)(J), F.A.C. and Rule 67-21.027, F.A.C. from Petitioner. A copy of the Petition is attached as [Exhibit B](#). On January 11, 2019, Florida Housing received an Amended Petition for Waiver of Rule 67-21.003(8)(J), F.A.C., a copy of which is attached as [Exhibit C](#).

2. Present Situation

- a) Petitioner requests waiver Rule 67-21.003(8)(J), Fla. Admin. Code, which provides as follows:

(8) Notwithstanding any other provision of these rules, there are certain items that must be included in the Application and cannot be revised, corrected or supplemented after the Application is deemed complete. Those items are as follows:

- (j) The Total Set-Aside Percentage as stated in the last row of the total set-aside breakdown chart for the program(s) applied for in the Set-Aside Commitment section of the Application; notwithstanding the foregoing, the Total Set-Aside Percentage may be increased after the Applicant has been invited to enter Credit Underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation. With regard to said approval, the Corporation shall consider the facts and circumstances, inclusive of each Applicant’s request, in evaluating whether the changes made are prejudicial to the Development or to the market to be served by the Development;
- b) The Amended Petition does not include a request for waiver of Rule 67-21.027, Fla. Admin. Code.

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- a) Petitioner requests waiver of the above Rule to permit it to decrease the Total Set-Aside Percentage from 100% to 85%. In support of its request, Petitioner asserts that in the Set-Aside Commitment section of its Application, Petitioner committed to set aside 100% of the residential units at or below 60% of Area Median Income (“AMI”) level. However, in the Addenda section of the Application, Petitioner noted that 82% of the residential units were at or below 60% AMI, but Petitioner anticipated that the Development would reach 100% through attrition based on the history of attrition for the Development. The Petitioner asserts that turnover has slowed significantly, and the Development did not reach 100% as expected.
- b) Petitioner, separate from this petition, has submitted a request to Florida Housing staff to change their minimum set-aside commitment from 40% at 60% AMI to the Average Income Test, which if granted, will allow the Petitioner to include some tenants at 80% AMI. In Resolution 2018-036A, the Board temporarily delegated authority to designated staff to consider requests to utilize income averaging. Petitioner’s request is currently under review by staff and First Housing and will include among other items an updated market study and update to the credit underwriting report.
- c) Petitioner further asserts that all 87 residential units receive assistance under the U.S. Department of Housing and Urban Development (“HUD”) Rental Assistance Demonstration (“RAD”) program. According to Petitioner, under the RAD program, new tenants must have incomes at or below 80% AMI at the time of admission, but current tenants on-site at the time of conversion to the RAD program have the right to remain at the Development regardless of income eligibility. Currently 13 households exceed 80% AMI and are grandfathered in under the RAD program. Even under the Income Averaging requirements, Petitioner is unable to meet the 100% Total Set-Aside Percentage due to the grandfathered households, which exceed 80% AMI. Petitioner asserts that without a waiver of the above Rule, it cannot comply with the housing credit program’s requirements and also comply with HUD’s requirements.
- d) If Petitioner’s waiver is granted, Petitioner would be committed to set aside 85% of the residential unites (i.e. 74 units).
- e) On January 8, 2019, the Notice of Petition was published in the Florida Administrative Register in Volume 45, Number 05. To date, Florida Housing has received no comments concerning the Petition.
- f) Section 120.542(2), Florida Statutes provides in pertinent part:
- g) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.
- h) Granting the requested waiver does not impact other participants in funding programs administered by Florida Housing, nor does it detrimentally impact Florida Housing or the Development. Petitioner has demonstrated that strict application of the above Rule under these circumstances would constitute a substantial hardship and violate the principles of fairness. Petitioner has also demonstrated that the purpose of the underlying statute, which is to “encourage

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development of low-income housing in the state” (§420.5099, Fla. Stat.), would still be achieved if the waiver is granted.

3. Recommendation

- a) Staff recommends the Board GRANT Petitioner’s request to decrease the Total Set-Aside Percentage from 100% to 85%.

MULTIFAMILY BONDS

Consent

IV. MULTIFAMILY BONDS

A. Request Approval of the Withdrawal of Interest in Sole Member of the General Partner for Veranda Senior (2011 G-1 and G-2 / 2009-509C / 2009-227C/2010-052X)

Development Name: Veranda Senior	Location: Miami-Dade County
Applicant/Borrower: HTG Veranda Senior, Ltd.	Set Aside(s): 85% @ 60% AMI (MMRB) 20% @ 33% AMI (TCEP & 4% HC) 80% @ 60% AMI (TCEP & 4% HC)
Developer/Principal: HTG TC Development, L.L.C. / Randy Rieger and Simon Konover	Demographic/Number of units: Elderly / 99 units
Requested Amounts: \$7,990,000 Multifamily Mortgage Revenue Bond (MMRB) \$9,175,736 Tax Credit Exchange Program (TCEP) \$568,276 Non-Competitive Housing Credits (4% HC)	Development Category/Type: New Construction / Garden Apartments

1. Background/Present Situation

- a) Florida Housing originally financed the above referenced Development in 2011 with \$1,510,000 in tax exempt MMRB designated as 2011 Series G-1 and \$5,940,000 in tax exempt MMRB designated as 2011 Series G-2. In addition, TCEP funds in the amount of \$9,175,736 and \$568,276 in 4% HC were allocated to the Development.
- b) HTG Veranda Senior, Ltd. has requested Florida Housing's consent to the withdrawal of Konover South HTG, LLC as the co-member of the sole member of the general partner. The remaining co-member, RER Family Partnership, Ltd., would be the sole member of the general partner. In addition, the Borrower requested consent to release Simon Konover from all existing guaranties that remain outstanding. Seltzer Management Group, Inc. has reviewed these requests and provided a positive recommendation ([Exhibit A](#)).

2. Recommendation

- a) Approve the withdrawal of ownership interest and release of guaranties, subject to the conditions in the credit underwriting report and further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

B. Request Approval of the Transfer of Ownership for Coastline Cove fka Raceway Pointe (1999 Series J-1 and J-2 / 2000-519C)

Development Name: Coastline Cove fka Raceway Pointe fka Windy Pines	Location: Volusia County
Applicant/Borrower: Raceway Pointe Partners Ltd.	Set Aside(s): 50% @ 60% AMI (MMRB) 100% @ 60% AMI (4% HC)
Developer/Principal: Southern Affordable Services Inc. / Jay Brock	Demographic/Number of units: Family / 208 units
Requested Amounts: \$8,005,000 Multifamily Mortgage Revenue Bond (MMRB) \$688,479 Non-Competitive Housing Credits (4% HC)	Development Category/Type: New Construction / Garden Apartments

1. Background/Present Situation

- a) Florida Housing originally financed the above referenced Development in 1999 with \$7,275,000 in tax exempt MMRB designated as 1999 Series J-1 and \$730,000 in taxable MMRB designated as 1999 Series J-2. In addition, \$688,479 in Housing Credits was allocated to this Development. The bonds were subsequently redeemed in August, 2012. The Extended Low Income Housing Agreement (ELIHA) was terminated in February 2016 under a Qualified Contract.
- b) On March 14, 2014, the Board approved the Borrower's request to transfer ownership of the general partner from CED Capital Holdings X, Ltd. to SAS Raceway Pointe Managers, L.L.C.
- c) Raceway Pointe Partners Ltd. has requested Florida Housing's consent to the transfer of the Development to Tralee Affordable Housing Rays G, LLC, an affiliate of Tralee Capital Partners, LLC. Seltzer Management Group, Inc. has reviewed this request and provided a positive recommendation for the transfer, the assignment and assumption of the Land Use Restriction Agreement (LURA), and the subordination of the LURA to the new first mortgage lender ([Exhibit B](#)).

2. Recommendation

- a) Approve the transfer of ownership interest and the assignment, assumption, and subordination of the LURA, subject to the conditions in the credit underwriting report and further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

C. Request Approval of the Change in the General Contractor and Loan Closing Extension for Emerald Villas Phase Two (2016-367BS)

Development Name: Emerald Villas Phase Two	Location: Orange County
Applicant/Borrower: Emerald Villas Phase Two, LLC	Set Aside(s): 10% @ 40% AMI (MMRB, SAIL, ELI, and 4% HC) 90% @ 60% AMI (MMRB, SAIL and 4% HC)
Developer/Principal: Emerald Villas Phase Two Developer, LLC / Alberto Milo, Jr.	Demographic/Number of units: Elderly / 96
Requested Amounts: \$10,000,000 Multifamily Mortgage Revenue Bonds (MMRB) \$4,950,000 State Apartment Incentive Loan (SAIL) \$426,200 Extremely Low Income (ELI) \$727,167 Housing Credits (4% HC)	Development Category/Type: New Construction / Garden Apartments

1. Background/Present Situation

- a) On September 19, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-109 for SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 9, 2016, the Board approved the final scores and recommendations for RFA 2016-109, and directed staff to proceed with all necessary credit underwriting activities.
- c) On March 24, 2017, the Board approved the Final Order(s) allowing staff to proceed with invitations to credit underwriting and preliminary awards.
- d) On March 31, 2017, staff issued an invitation to enter credit underwriting to the Applicant.
- e) On September 14, 2018 the Board approved the final credit underwriting report containing a positive recommendation for MMRB, SAIL, and ELI Funding.
- f) Emerald Villas Phase Two, LLC requests Florida Housing’s consent to change the general contractor from Fortune Urban Construction, LLC to Sauer Incorporated. Due to this being a single project in Orange County for the developer, it is more efficient to utilize an unaffiliated third-party contractor that currently has a presence in the Orange County market than their related party contractor. First Housing Development Corporation has reviewed this request and provided a positive recommendation ([Exhibit C](#)).

MULTIFAMILY BONDS

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- g) On January 2, 2019, staff received a request from the Applicant to extend the March 13, 2019 SAIL loan closing deadline to June 11, 2019 ([Exhibit D](#)). The Applicant is submitting the request in an abundance of caution in case they cannot meet the current March closing deadline and to allow additional time to obtain Board approval and complete the general contractor change. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. **Recommendation**

- a) Approve the change in the general contractor and the request to extend the loan closing deadline from March 13, 2019 to June 11, 2019, subject to payment of the required non-refundable extension fee of one percent of the SAIL loan amount, pursuant to the requirements of the RFA, and direct staff to proceed with the closing activities, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

D. Request Approval to Exceed 20% Subcontractor Limitation for Redland Crossings (2018 Series J /2017-163BS)

Development Name: Redland Crossings	Location: Miami-Dade County
Applicant/Borrower: Redland Crossings, LLC	Set Aside(s): 5% @ 28% AMI (MMRB, Workforce SAIL, and 4% HC) 40% @ 60% AMI (MMRB, Workforce SAIL, and 4% HC) 55% @ 80% AMI (Workforce SAIL)
Developer/Principal: RS Development Corp. / Lewis V. Swezy	Demographic/Number of units: Family / 134
Requested Amounts: \$14,500,000 Multifamily Mortgage Revenue Bonds (MMRB) \$7,488,000 State Apartment Incentive Loan (Workforce SAIL) \$476,841 Housing Credits (4% HC)	Development Category/Type: New Construction / Garden Apartments

1. Background/Present Situation

- a) On October 21, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-112 for SAIL Financing for the Construction of Workforce Housing in Miami-Dade County and Monroe County. On April 24, 2017, staff issued an invitation to enter credit underwriting to the Applicant.
- b) On December 5, 2018, Florida Housing financed the above referenced Development with \$14,500,000 in tax exempt MMRB designated as 2018 Series J-1 and J-2. In addition, \$476,841 in 4% Housing Credits was allocated to the Development.
- c) On December 21, 2018, the Borrower submitted a request for Florida Housing’s consent to allow one subcontractor to exceed the 20% limitation in Rule Chapters 67-21 and 67-48 due to increased costs in steel and labor cost.
- d) Rule Chapters 67-48.0072(17)(f) and 67-21.014(2)(r)(6) and 67-21.026(13)(e) (“Rule”) require that not more than 20 percent of the construction cost is subcontracted to any one entity, with the exception of a subcontractor contracted to deliver the building shell of a building of at least five (5) stories which may not have more than 31 percent of the construction cost in a subcontract, unless otherwise approved by the Board for a specific Development. Staff received a recommendation letter from the credit underwriter recommending approval to allow a single subcontractor entity to work in excess of 20% of total construction cost ([Exhibit E](#)).

2. Recommendation

- a) Approval to permit a single subcontractor entity to work in excess of 20% of the total construction cost.

MULTIFAMILY BONDS

Consent

E. Request Approval to Increase the Permanent Bond Amount for The Palms at Town Center (2018-059BS)

Development Name: The Palms at Town Center	Location: Flagler County
Applicant/Borrower: HTG Palms, LLC	Set Aside(s): 40% @ 60% AMI (MMRB) 36% @ 30% AMI (SAIL & 4% HC) 9% @ 60% AMI (SAIL & 4% HC) 55% @ 80% AMI (Workforce SAIL & 4% HC)
Developer/Principal: HTG Palms Developer, LLC / Matthew Rieger	Demographic/Number of units: Family / 88
Requested Amounts: \$9,000,000 Multifamily Mortgage Revenue Bonds (MMRB) \$8,500,000 State Apartment Incentive Loan (Workforce SAIL) \$675,997 Housing Credits (4% HC)	Development Category/Type: New Construction / Garden Apartments

1. Background/Present Situation

- a) On August 22, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-107 for SAIL Financing for the Construction of Workforce Housing.
- b) On March 21, 2018, staff issued an invitation to enter credit underwriting to the Applicant.
- c) On December 14, 2018, the Board approved the final credit underwriting report containing a positive recommendation for MMRB in the amount of \$9,000,000 and SAIL in the amount of \$8,500,000.
- d) On January 16, 2019, the Borrower requested Florida Housing’s consent to increase the permanent bond amount from \$2,750,000 to \$3,000,000. This request will reduce the pay down of the bonds at conversion to permanent financing by \$250,000. Interest rates have decreased since underwriting allowing the Development to support an increase in the permanent first mortgage. First Housing Development Corporation has reviewed this request and provided a positive recommendation ([Exhibit F](#)).

2. Recommendation

- a) Approve the credit underwriting update letter and direct staff to proceed with the closing activities, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

F. Request Approval of Credit Underwriting Report for Suncrest Court (2016-378BS)

Development Name: Suncrest Court	Location: Broward County
Applicant/Borrower: Suncrest Court Redevelopment, LLC	Set Aside(s): 10% @ 30% AMI (MMRB, SAIL, ELI and 4% HC) 90% @ 60% AMI (MMRB, SAIL, ELI and 4% HC)
Developer/Principal: HEF Development, LLC / Tam English	Demographic/Number of units: Family / 116
Requested Amounts: \$16,000,000 Multifamily Mortgage Revenue Bonds (MMRB) \$6,500,000 State Apartment Incentive Loan (SAIL) \$600,000 Extremely Low Income (ELI) \$1,306,766 Housing Credits (4% HC)	Development Category/Type: New Construction / Garden Apartments

1. Background/Present Situation

- a) On September 19, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-109 for SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 9, 2016, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On March 24, 2017, the Board approved staff to issue Administrative Complaints and Orders of Ineligibility against Pinnacle Housing Group, LLC (PHG), PHG Builders, LLC, and several Principals of PHG. The Administrative Complaint was issued by the Corporation’s Counsel on May 1, 2017. Subsequently, the Board approved a Settlement Agreement with PHG on September 8, 2017.
- d) On July 28, 2017, the Board approved the request of a waiver of the RFA to allow for (i) a change in the Principals of the Applicant, (ii) a change in one of the two Developer entities listed in the Application, and (iii) a change in the Management Company listed in the Application to remove Pinnacle Housing Group (PHG) and its principals to allow this Development to move forward with its allocation.
- e) On August 7, 2017, staff issued a preliminary commitment and invitation to enter credit underwriting to the Applicant. The Board approved two firm loan commitment issuance deadline extension requests extending the deadline from May 8, 2018 to December 7, 2019.

MULTIFAMILY BONDS

Consent

- f) On December 14, 2018, the Board approved a change to the Applicant entity to amend the name of the non-profit entity to Housing Enterprises of Florida, Inc. and a change to the Developer entity to amend the name of the developer to HEF Development LLC.
- g) Staff received a final credit underwriting report with a positive recommendation for MMRB, SAIL, and ELI Funding ([Exhibit G](#)). Staff has reviewed this report and finds that the development meets all of the requirements of the RFA.

2. **Recommendation**

- a) Approve the final credit underwriting report and direct staff to proceed with the closing activities, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

G. Request Approval of the Method of Sale Recommendation from Florida Housing's Independent Registered Municipal Advisor and Assignment of a Recommended Professional

1. Background

- a) Pursuant to staff's request for approval to issue bonds to finance the construction of the proposed Development referenced below, the final credit underwriting report is being presented to the Board for approval simultaneously with this request to assign the appropriate professional for the transaction and approval of the recommended method of sale. A brief description of the Development is detailed below, along with staff's recommendation.
- b) Pursuant to Rule 67-21.0045, F.A.C., staff has requested a review of the proposed financing structure by the Independent Registered Municipal Advisor (IRMA) in order to make a recommendation to the Board for the method of bond sale for the development. Caine Mitter and Associates Incorporated has prepared an analysis and recommendation for the method of bond sale for the Development. The recommendation letter is attached as [Exhibit H](#).

2. Present Situation

- a) Florida Housing staff, the Credit Underwriter, and the IRMA have reviewed the financial structure for the proposed Development.

3. Recommendation

- a) Approve the assignment of the recommended professional and the Independent Registered Municipal Advisor's recommendation for the method of bond sale, as shown in the chart below, for the proposed Development.

Development Name	Location of Development	Number of Units	Method of Bond Sale	Recommended Professional	Exhibit
Suncrest Court	Broward County	116	Negotiated Private Placement	RBC Capital Markets, LLC	Exhibit H

MULTIFAMILY PROGRAMS

Consent

V. MULTIFAMILY PROGRAMS

A. Request Approval of Credit Underwriting Report for Miami Road Group Home (RFA 2017-106/2018-010G)

Development Name: Miami Road Group Home	Location: Orange County
Applicant/Borrower: Central Florida Group Homes, L.L.C./Sharon Gossman	Set-Asides: 33.3% @ 40% AMI and 66.7% @ 60% AMI
Developers/Principals: N/A	Demographic/Number of Units: Persons with Developmental Disabilities/6 Residents
Requested Amounts: \$126,000 Grant Funding	Development Category/Type: Renovation/Community Residential Home

1. Background/Present Situation

- a) On August 2, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-106 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On October 27, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On November 6, 2017, staff issued a Letter of Preliminary Award and subsequently, on December 28, 2017, staff issued an invitation to enter credit underwriting to Central Florida Group Homes, L.L.C.
- d) On August 10, 2018, staff granted both a credit underwriting extension and a closing extension to allow additional time for the applicant to get multiple quotes from third party vendors for the renovations.
- e) On December 3, 2018, staff granted an additional extension for the credit underwriting extension and closing deadlines to allow additional time for the Applicant to implement necessary design and construction alterations to ensure ADA compliance.
- f) On January 14, 2019, staff received a positive recommendation for a grant amount of \$126,000 to be allocated to the Development ([Exhibit A](#)).

2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm commitment and closing activities.

MULTIFAMILY PROGRAMS

Consent

B. Request Approval of Credit Underwriting Report for Winter Park Group Home (RFA 2017-106/2018-006G)

Development Name: Winter Park Group Home	Location: Seminole County
Applicant/Borrower: Central Florida Group Homes, L.L.C./Sharon Gossman	Set-Asides: 33.3% @ 40% AMI and 66.7% @ 60% AMI
Developers/Principals: N/A	Demographic/Number of Units: Persons with Developmental Disabilities/6 Residents
Requested Amounts: \$126,000 Grant Funding	Development Category/Type: Renovation/Community Residential Home

1. Background/Present Situation

- a) On August 2, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-106 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On October 27, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On November 6, 2017, staff issued a Letter of Preliminary Award and subsequently, on December 28, 2017, staff issued an invitation to enter credit underwriting to Central Florida Group Homes, L.L.C.
- d) On August 10, 2018, staff granted both a credit underwriting extension and a closing extension to allow additional time for the applicant to get multiple quotes from third party vendors for the renovations.
- e) On December 3, 2018, staff granted an additional extension for the credit underwriting extension and closing deadlines to allow additional time for the Applicant to implement necessary design and construction alterations to ensure ADA compliance.
- f) On January 14, 2019, staff received a positive recommendation for a grant amount of \$126,000 to be allocated to the Development ([Exhibit B](#)).

2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm commitment and closing activities.

MULTIFAMILY PROGRAMS

Consent

C. Request Approval of Credit Underwriting Report for Key Pine (RFA 2016-107/2016-415G)

Development Name: Key Pine	Location: Marion County
Applicant/Borrower: Citrus County Association for Retarded Citizens, Inc./Melissa Walker	Set-Asides: 33.3% @ 45% AMI and 66.7% @ 60% AMI
Developers/Principals: N/A	Demographic/Number of Units: Persons with Developmental Disabilities/6 Residents
Requested Amounts: \$417,000 Grant Funding	Development Category/Type: New Construction/CRH

1. Background/Present Situation

- a) On October 26, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-107 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On February 3, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On February 14, 2017, staff issued a Letter of Preliminary Award and subsequently, on May 4, 2017, staff issued an invitation to enter credit underwriting to Citrus County Association for Retarded Citizens, Inc.
- d) Several extensions have been approved by staff to extend both the credit underwriting and closing deadlines. Early on in the process, the Applicant experienced delays in floor plans as they worked to design a new floor plan that would increase the size of the home. They also encountered delays related to contractor pricing and needed additional time to finalize their Plan & Cost Review.
- e) On January 3, 2019, staff received a positive recommendation for a grant amount of \$417,000 to be allocated to the Development ([Exhibit C](#)).

2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm commitment and closing activities.

MULTIFAMILY PROGRAMS

Consent

D. Request Approval of Developer Organizational Change for SabalPlace (RFA 2018-103/2018-346CS)

Development Name: SabalPlace	Location: Hillsborough County
Applicant/Borrower: Blue Broadway 2, LLC	Set-Asides: 15% @ 40% AMI and 85% @ 60% AMI
Developers/Principals: Blue Sky Communities LLC; Metropolitan Ministries Developer, LLC/Shawn Wilson	Demographic/Number of Units: Homeless/112
Requested Amounts: SAIL: \$4,214,000 ELI: \$285,500 9% HC: \$2,110,000	Development Category/Type: New Construction/Mid-Rise, 4 Stories

1. Background/Present Situation

- a) Blue Broadway 2, LLC (“Applicant”) applied for and was awarded funding from Request for Applications (RFA) 2018-103 for Housing Credit and SAIL Financing for the Development of Housing for Homeless Persons. The funds are being utilized to finance the construction of a 112-unit Homeless development in Hillsborough County. On June 27, 2018, staff issued an invitation to the Applicant to enter credit underwriting and subsequently executed a Carryover Allocation Agreement on December 10, 2018.
- b) On December 18, 2018, Florida Housing received a request for a change in the ownership structure of Blue Sky Communities, LLC, one of the Co-Developers. The letter is provided as [Exhibit D](#). Blue SP2 Developer, LLC would be added as a Special Purpose Entity above Blue Sky Communities, LLC, the current Co-Developer. The remaining organizational structure would remain the same. The original and proposed organizational charts are provided as [Exhibit E](#).
- c) Per the RFA, the Principals of each Developer identified in the Application, including all Co-Developers, may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Applicant has been invited to credit underwriting.
- d) In the original Application, the Principal with the required Developer experience was Shawn Wilson, who remains as a Principal of the proposed entity, Blue SP2 Developer, LLC.
- e) Staff has reviewed this request and finds that the development meets all of the requirements of RFA 2018-103.

2. Recommendation

- a) Approve the change in Developer organizational structure.

MULTIFAMILY PROGRAMS

Consent

E. Request Approval to Exceed the 20% Subcontractor Limitation for Hickory Knoll (2016 Series I/2016-185BS/2016-506C)

Development Name: Hickory Knoll	Location: Marion County
Applicant/Borrower: SP HK Apartments LLC	Set Aside(s): 97% @ 60% AMI
Developer/Principal: Southport Development, Inc./J. David Page	Demographic/Number of units: Family/96 Units
Requested Amounts: SAIL: \$3,150,000 ELI: \$304,800 MMRB: \$7,000,000 4% HC: \$482,642	Development Category/Type: Rehabilitation/Garden

1. Background/Present Situation

- a) SP HK Apartments LLC (“Applicant”) applied for and was awarded funding from Request for Applications (RFA) 2015-112 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits. The funds are being utilized to finance the rehabilitation of a 96-unit Family development in Marion County. On May 17, 2016, staff issued an invitation to the Applicant to enter credit underwriting.
- b) The Applicant is seeking Florida Housing Finance Corporation's ("Florida Housing") Board of Directors ("Board") approval to allow one subcontractor to exceed the 20% limitation in Rules 67-21.014(2)(r)6, F.A.C., 67-21.026(13)(e), F.A.C., and 67-48.0072(17)(f), F.A.C. See [Exhibit F](#) for Applicant's request.
- c) Pursuant to Rules 67-21.026(13)(e), F.A.C., the General Contractor must meet the following conditions:

Ensure that not more than 20 percent of the construction cost is subcontracted to any one entity, with the exception of a subcontractor contracted to deliver the building shell of a building of at least five (5) stories which may not have more than 31 percent of the construction cost in a subcontract, *unless otherwise approved by the Board for a specific Development*. With regard to said approval, the Board shall consider the facts and circumstances of each Applicant's request, inclusive of construction costs and the General Contractor's fees. (Emphasis Added)
- d) At the request of Florida Housing staff, First Housing reviewed the Applicant's request, Rule Chapters 67-48 and 67-21, explanation letters, subcontract agreements, and bids received. After review and analysis, First Housing, in conjunction with the Construction Consultant, On Solid Ground, LLC, found the proposed cost to be appropriate for the proposed scope of work. First Housing recommends that Florida Housing approve the General Contractor's use of a subcontractor which will provide work at a cost which exceeds 20% of the total construction cost for the Development. See [Exhibit G](#) for First Housing's recommendation.

MULTIFAMILY PROGRAMS

Consent

- e) Since this information was discovered by FHFC during review of the General Contractor's Cost Certification, after the construction work had already been completed, staff proposes the following penalty be imposed: no General Contractor Fee or Developer Fee will be allowed on the subcontract amounts that surpass maximum subcontract amount allowed under Rules 67-21.014(2)(r)6, F.A.C., 67-21.026(13)(e), F.A.C., and 67-48.0072(17)(f), F.A.C. If the General Contractor Fee on this amount has already been paid to the General Contractor, it will be paid out of the Developer's Profit and reflected as a subset of the Developer Fee on the Developer's Final Cost Certification.

2. **Recommendation**

- a) Approve the request to exceed the 20% subcontractor limitation under the condition that the penalty outlined above be incurred.

MULTIFAMILY PROGRAMS

Consent

F. Request Approval of Extension to Closing for Marlberry CRH Renovations (RFA 2016-107/2016-412G)

Development Name: Marlberry CRH Renovations	Location: Martin County
Applicant/Borrower: ARC of Martin County, Inc./Keith W. Muniz	Set-Asides: 33% @ 40% AMI and 67% @ 60% AMI
Developers/Principals: N/A	Demographic/Number of Units: Persons with Developmental Disabilities/6 Residents
Requested Amounts: \$173,000 Grant Funding	Development Category/Type: Renovation/Community Residential Home

1. Background/Present Situation

- a) On October 26, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-107 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On February 3, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On February 14, 2017, staff issued a Letter of Preliminary Award and subsequently, on March 16, 2017, staff issued an invitation to enter credit underwriting to ARC of Martin County, Inc.
- d) On August 24, 2018, staff received a positive recommendation for a grant amount of \$173,000 to be allocated to the Development. Subsequently, on September 14, 2018, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm commitment and closing activities. Staff issued a firm commitment for Grant funding for \$173,000 on September 17, 2018.
- e) Pursuant to RFA 2016-107, grant funding must close within twelve (12) months of the date of the invitation to enter credit underwriting. Applicants may extend the closing up to twelve (12) months with staff approval. Staff approved a final extension to March 16, 2019 on January 3, 2019. If the grant has not closed by the end of the extension period, the funds are to be de-obligated.
- f) On January 7, 2019, staff received a letter requesting a six (6) week extension of time to close due to delays experienced as a result of Hurricane Matthew in 2016, Hurricane Irma in 2017, and the death of their general contractor in 2018, which forced them to find a new general contractor ([Exhibit H](#)). Because of these delays, the applicant only recently received the signed and sealed architectural drawings, which will be submitted to the county for permitting. This additional extension request is made in an abundance of caution, to allow enough time for the county to issue the permits. Because this extension is beyond the closing deadline outlined in the RFA, staff recommends the Board approve the six (6) week extension in lieu of de-obligation of funds.

MULTIFAMILY PROGRAMS

Consent

2. **Recommendation**

- a) Staff recommends that the Board approve the six (6) week extension from the current March 16, 2019 deadline to April 26, 2019.

MULTIFAMILY PROGRAMS

Consent

G. Request Approval of Extension to Closing for Honey Hill CRH Renovations (RFA 2016-107/2016-417G)

Development Name: Honey Hill CRH Renovations	Location: Martin County
Applicant/Borrower: ARC of Martin County, Inc./Keith W. Muniz	Set-Asides: 33% @ 40% AMI and 67% @ 60% AMI
Developers/Principals: N/A	Demographic/Number of Units: Persons with Developmental Disabilities/6 Residents
Requested Amounts: \$178,000 Grant Funding	Development Category/Type: Renovation/Community Residential Home

1. Background/Present Situation

- a) On October 26, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-107 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On February 3, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On February 14, 2017, staff issued a Letter of Preliminary Award and subsequently, on March 17, 2017, staff issued an invitation to enter credit underwriting to ARC of Martin County, Inc.
- d) On August 29, 2018, staff received a positive recommendation for a grant amount of \$178,000 to be allocated to the Development. Subsequently, on September 14, 2018, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm commitment and closing activities. Staff issued a firm commitment for Grant funding for \$178,000 on September 17, 2018.
- e) Pursuant to RFA 2016-107, grant funding must close within twelve (12) months of the date of the invitation to enter credit underwriting. Applicants may extend the closing up to twelve (12) months with staff approval. Staff approved a final extension to March 17, 2019 on January 3, 2019. If the grant has not closed by the end of the extension period, the funds are to be de-obligated.
- f) On January 7, 2019, staff received a letter requesting a six (6) week extension of time to close due to delays experienced as a result of Hurricane Matthew in 2016, Hurricane Irma in 2017, and the death of their general contractor in 2018, which forced them to find a new general contractor ([Exhibit I](#)). Because of these delays, the applicant only recently received the signed and sealed architectural drawings, which will be submitted to the county for permitting. This additional extension request is made in an abundance of caution, to allow enough time for the county to issue the permits. Because this extension is beyond the closing deadline outlined in the RFA, staff recommends the Board approve the six (6) week extension in lieu of de-obligation of funds.

MULTIFAMILY PROGRAMS

Consent

2. **Recommendation**

- a) Staff recommends that the Board approve the six (6) week extension from the current March 16, 2019 deadline to April 26, 2019.

MULTIFAMILY PROGRAMS

Consent

H. Request Approval of Credit Underwriting Report for Attain's 2017 Community Residential Home #1 (2017-273G)

Development Name: Attain's 2017 Community Residential Home #1	Location: Orange County
Applicant/Borrower: Crystal Lakes Supportive Environments, Inc. d/b/a Attain, Inc./Craig Cook	Set Aside(s): 33.3% @ 40% and 66.7% @ 60% AMI
Developer/Principal: N/A	Demographic/Number of Residents: Persons with Developmental Disabilities / 6 Residents
Requested Amounts: \$417,000 Grant Funding	Development Category/Type: Acquisition/Rehabilitation/CRH

1. Background/Present Situation

- a) On April 4, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-101 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On June 16, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On June 27, 2017, staff issued a Letter of Preliminary Award and subsequently, on November 2, 2017, staff issued an invitation to enter credit underwriting to Crystal Lakes Supportive Environments, Inc.
- d) On August 13, 2018, staff granted both a credit underwriting extension and a closing extension to allow additional time for the Applicant to complete outstanding items and an additional extension was approved by staff on November 15, 2018.
- e) On January 14, 2019, staff received a positive recommendation for a grant amount of \$417,000 to be allocated to the Development ([Exhibit J](#)).

2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm commitment and closing activities.

MULTIFAMILY PROGRAMS

Consent

I. Request Approval of Credit Underwriting Report for Attain's 2017 Community Residential Home #2 (2017-274G)

Development Name: Attain's 2017 Community Residential Home #2	Location: Orange County
Applicant/Borrower: Crystal Lakes Supportive Environments, Inc. d/b/a Attain, Inc./Craig Cook	Set Aside(s): 33.3% @ 40% and 66.7% @ 60% AMI
Developer/Principal: N/A	Demographic/Number of Residents: Persons with Developmental Disabilities / 6 Residents
Requested Amounts: \$417,000 Grant Funding	Development Category/Type: Acquisition/Rehabilitation/CRH

1. Background/Present Situation

- a) On April 4, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-101 for Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.
- b) On June 16, 2017, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On June 27, 2017, staff issued a Letter of Preliminary Award and subsequently, on November 2, 2017, staff issued an invitation to enter credit underwriting to Crystal Lakes Supportive Environments, Inc.
- d) On August 15, 2018, staff granted both a credit underwriting extension and a closing extension to allow additional time for the Applicant to complete outstanding items and an additional extension was approved by staff on November 15, 2018.
- e) On January 14, 2019, staff received a positive recommendation for a grant amount of \$417,000 to be allocated to the Development ([Exhibit K](#)).

2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm commitment and closing activities.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

VI. PREDEVELOPMENT LOAN PROGRAM (PLP)

A. Request Approval of PLP Loan for Baker Manor Solutions, LP, a not-for-profit entity, for Baker Manor Apartments (2018-007P-09)

DEVELOPMENT NAME (“Development”):	Baker Manor Apartments
APPLICANT/DEVELOPER (“Developer”):	Baker Manor Solutions, LP
CO-DEVELOPER:	Affordable Housing Solutions for Florida, Inc.
NUMBER OF UNITS:	50
LOCATION (“County”):	Baker County
TYPE:	Family
MINIMUM SET ASIDE:	20% @ 50% AMI
PLP LOAN AMOUNT:	\$305,700
ADDITIONAL COMMENTS:	

1. Background

- a) To access PLP funding and upon receipt of an organization’s basic information to Florida Housing, the organization is invited to participate in the program. Florida Housing staff then assigns a technical assistance provider from a pool of providers under contract with Florida Housing to assist the applicant to create a development plan and budget, which is brought to the Board as part of a request for approval of a PLP loan.
- b) On November 14, 2018, the Developer submitted a PLP application for Baker Manor Apartments.
- c) On November 15, 2018, Florida Housing issued an Invitation to Participate in the PLP to the Developer.

2. Present Situation

- a) On January 9, 2019, staff received a development plan and a letter ([Exhibit A](#)) from our technical assistance provider (TAP) recommending approval of the PLP Loan in the amount of \$305,700. The PLP loan will be secured with a separate parcel of land owned by the applicant as permitted in Rule 67-38.0026 (2).
- b) Staff has reviewed the Development Plan and determined that all budget items are PLP eligible.

3. Recommendation

- a) Approve the PLP Loan in the amount of \$305,700 to Baker Manor Solutions, LP for Baker Manor Apartments and allow staff to commence with the loan closing process.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

VII. STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

A. Request Approval of Firm Loan Commitment Issuance Extension for Brisas del Rio Apartments (2018-030BS)

Development Name: Brisas del Rio Apartments	Location: Miami-Dade County
Applicant/Borrower: Brisas del Rio Apartments, LLC	Set-Aside(s): 10% @ 28% AMI, 90% @ 60% AMI, 3.6% @ 22% AMI (NHTF)
Developer/Principal: Brisas del Rio Apartments Developer, LLC / Alberto Milo, Jr.	Demographic/Number of Units: Elderly (Non-ALF)/167
Requested Amounts: MMRB \$19,000,000, SAIL \$4,346,770 ELI \$600,000, NHTF \$1,257,475.06 Annual 4% HC \$1,353,247	Development Category/Type: New Construction/High Rise

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits. National Housing Trust Funds (NHTF) were also awarded to the proposed Developments selected for funding.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 4, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 4, 2018, giving them a firm loan commitment issuance deadline of February 4, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On December 13, 2018, staff received a request from the Applicant to extend the February 4, 2019 firm loan commitment issuance deadline to August 4, 2019 ([Exhibit A](#)), which will allow additional time to finalize construction drawings and obtain the necessary development approvals required to secure a firm loan commitment by June 2019 and complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 4, 2019 to August 4, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

B. Request Approval of Firm Loan Commitment Issuance Extension for The Waves (2018-039S)

Development Name: The Waves	Location: Duval County
Applicant/Borrower: The Waves of Jacksonville, Ltd.	Set-Aside(s): 10% @ 33% AMI, 90% @ 60% AMI, 4.7% @ 22% AMI (NHTF)
Developer/Principal: Jax Urban Initiatives Development, LLC / John D Rood	Demographic/Number of Units: Family/127
Requested Amounts: SAIL \$7,000,000 ELI \$600,000, NHTF \$1,075,037.10 Annual 4% HC \$1,092,660	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits. National Housing Trust Funds (NHTF) were also awarded to the proposed Developments selected for funding.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 9, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 9, 2018, giving them a firm loan commitment issuance deadline of February 11, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On July 27, 2018, Florida Housing Board of Directors approved an RFA waiver, exempting the non-profit board members/officers from having to submit the IRS Form 8821, provided each board member/officer submit an Affidavit certifying that they have not, nor will they receive any direct or indirect financial benefit from the Development in any way.
- e) On December 21, 2018, staff received a request from the Applicant to extend the February 11, 2019 firm loan commitment issuance deadline to August 11, 2019 ([Exhibit B](#)), which will allow additional time to finalize the RAD Conversion process as well as the construction plan approval. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 11, 2019 to August 11, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

C. Request Approval of Firm Loan Commitment Issuance Extension for Citadelle Village (2018-033BS)

Development Name: Citadelle Village	Location: Miami-Dade County
Applicant/Borrower: Citadelle Village, LLC	Set-Aside(s): 10% @ 28% AMI, 90% @ 60% AMI
Developer/Principal: Stone Soup Development, Inc./ Douglas R Mayer, Little Haiti Housing Association, Inc./ Samuel Diller	Demographic/Number of Units: Family/96
Requested Amounts: MMRB \$12,050,000, SAIL \$3,600,000 ELI \$600,000, Annual 4% HC \$754,301	Development Category/Type: New Construction/High Rise

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 4, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 4, 2018, giving them a firm loan commitment issuance deadline of February 4, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On July 27, 2018, Florida Housing Board of Directors approved an RFA waiver, exempting the non-profit board members/officers from having to submit the IRS Form 8821, provided each board member/officer submit an Affidavit certifying that they have not, nor will they receive any direct or indirect financial benefit from the Development in any way.
- e) On January 4, 2019, staff received a request from the Applicant to extend the February 4, 2019 firm loan commitment issuance deadline to August 4, 2019 ([Exhibit C](#)). Rising constructions costs created a gap in funding projections. An extension of the firm loan commitment issuance deadline will allow additional time to close the funding gap and complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 4, 2019 to August 4, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

D. Request Approval of Firm Loan Commitment Issuance Extension for Providence Reserve Seniors (2018-032BS)

Development Name: Providence Reserve Seniors	Location: Polk County
Applicant/Borrower: BDG Providence Reserve Seniors, LP	Set-Aside(s): 10% @ 45% AMI (MMRB & SAIL), 70% @ 60% AMI (MMRB), 90% @ 60% AMI (SAIL), 100% @ 60% AMI (HC) 2.2% @ 22% AMI (NHTF)
Developer/Principal: Judd Roth Real Estate Development, Inc./Judd K Roth, BDG Providence Reserve Seniors Developer, LLC/Alex Kiss	Demographic/Number of Units: Elderly (Non-ALF)/139
Requested Amounts: MMRB \$10,000,000 SAIL \$6,000,000 ELI \$429,800 NHTF \$438,340.87 Annual 4% HC \$792,906	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits. National Housing Trust Funds (NHTF) were also awarded to the proposed Developments selected for funding.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 9, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 14, 2018, giving them a firm loan commitment issuance deadline of February 14, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On December 14, 2018, staff received a request from the Applicant to extend the February 14, 2019 firm loan commitment issuance deadline to August 14, 2019 ([Exhibit D](#)). The Applicant has experienced significant hardships in obtaining viable equity commitments after the recent federal tax bill and the downward pressure it created in the tax credit equity market. Additionally, the increase in construction materials and labor costs combined with higher bond interest rates have made the development more difficult to underwrite. The extension will allow additional time to complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 14, 2019 to August 14, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

E. Request Approval of Firm Loan Commitment Issuance Extension for Hibiscus Apartments (2018-035BS)

Development Name: Hibiscus Apartments	Location: Lee County
Applicant/Borrower: BDG Hibiscus Apartments, LP	Set-Aside(s): 10% @ 40% AMI, 90% @ 60% AMI
Developer/Principal: Judd Roth Real Estate Development, Inc / Judd K Roth, BDG Hibiscus Apartments Developer, LLC / Alex Kiss	Demographic/Number of Units: Family/96
Requested Amounts: MMRB \$9,400,000, SAIL \$5,125,000 ELI \$510,800, NHTF \$0 Annual 4% HC \$689,594	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 9, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 14, 2018, giving them a firm loan commitment issuance deadline of February 14, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On September 14, 2018, the Board approved an RFA waiver that removed the NHTF funding award and units in exchange for two additional ELI units.
- e) On December 14, 2018, staff received a request from the Applicant to extend the February 14, 2019 firm loan commitment issuance deadline to August 14, 2019 ([Exhibit E](#)). The Applicant has experienced significant hardships in obtaining viable equity commitments after the recent federal tax bill and the downward pressure it created in the tax credit equity market. Additionally, the increase in construction materials and labor costs combined with higher bond interest rates have made the development more difficult to underwrite. The extension will allow additional time to complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 14, 2019 to August 14, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

F. Request Approval of Firm Loan Commitment Issuance Extension for Pembroke Tower Apartments (2018-040BS)

Development Name: Pembroke Tower Apartments	Location: Broward County
Applicant/Borrower: SP Tower, LLC	Set-Aside(s): 10% @ 28% AMI, 90% @ 60% AMI
Developer/Principal: Southport Development Inc. dba Southport Development Services, Inc. / J. David Page	Demographic/Number of Units: Elderly (Non-ALF)/100
Requested Amounts: MMRB \$11,000,000, SAIL \$3,200,000 ELI \$600,000 Annual 4% HC \$650,000	Development Category/Type: Acquisition and Rehabilitation/Mid-Rise

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on April 30, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 1, 2018, giving them a firm loan commitment issuance deadline of February 1, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On January 3, 2019, staff received a request from the Applicant to extend the February 1, 2019 firm loan commitment issuance deadline to August 1, 2019 ([Exhibit F](#)), which will allow additional time to complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 1, 2019 to August 1, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

G. Request Approval of Credit Underwriting Report for Woodland Park Phase I (2016-008CS/2017-299CS/2018-363CS/2018-335V)

Development Name: Woodland Park Phase I	Location: Alachua County
Applicant/Borrower: Woodland Park Redevelopment I, LLC	Set-Aside(s): 30% @ 33% AMI & 70% @ 60% AMI
Developer/Principal: Pinnacle Housing Group, LLC and GHA Development, LLC / David O. Deutch	Demographic/Number of Units: Family/96
Requested Amounts: SAIL \$3,840,000, 9% HC \$1,155,000 Viability Loan \$1,250,000	Development Category/Type: Redevelopment/Garden Apartments

1. Background/Present Situation

- a) On September 3, 2015, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2015-106 for Housing Credit and SAIL Financing for Affordable Housing Developments Located in Medium and Small Counties. On May 6, 2016, the Board approved the Final Order(s) allowing staff to proceed with all necessary credit underwriting activities, and staff issued a preliminary commitment letter and an invitation to enter credit underwriting to the Applicant with a loan closing deadline of May 6, 2017. The Applicant submitted a loan closing extension request to be considered at the May 5, 2017 Board meeting. However, due to unexpected circumstances, the initial extension request was pulled. Subsequently, on September 8, 2017, the Board approved the Applicant’s request to extend the loan closing deadline from May 6, 2017 to May 6, 2018.
- b) On March 29, 2018, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2018-109 for Development Viability Loan Funding (Viability Loan) for Developments experiencing a reduction in equity funding for their Active Award, recognizing a funding need based on changes in market pricing which have been exacerbated by increased construction costs due to hurricane impact and construction market changes. On May 4, 2018, the Board approved the final scores and recommendations for RFA 2018-109, and directed staff to proceed with all necessary credit underwriting activities. Staff issued a notice of preliminary award to the Applicant on June 6, 2018. The Board also approved a Rule Waiver for an additional loan closing deadline extension from May 6, 2018 to November 6, 2018.
- c) On July 27, 2018, the Board approved a Rule Waiver of Chapters 67-48.0072(28)(e) and 67-48.0075(3) Fla. Admin. Code (2014) to exclude demolition and relocation costs from the Total Development Cost.
- d) On November 2, 2018, the Board approved a Rule Waiver to extend the loan closing deadline from November 8, 2018 to May 1, 2019.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

- e) On January 17, 2019, staff received a final credit underwriting report with a positive recommendation for funding ([Exhibit G](#)). Staff has reviewed this report and finds that it meets all the requirements of RFA 2015-106 and RFA 2018-109.

2. Recommendation

- a) Approve the final credit underwriting report and direct staff to proceed with issuance of a firm commitment and closing activities.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

H. Request Approval of Applicant Entity Change for Arbor Village (2017-255CSN)

Development Name: Arbor Village	Location: Sarasota County
Applicant/Borrower: Blue CASL, LLC	Set-Aside(s): 10% @ 35% (SAIL/ELI), 90% @ 60% (SAIL/HC), 10% @ 20% (NHTF)
Developer/Principal: CASL Developer, LLC; Blue Sky Communities III, LLC, Shawn Wilson	Demographic/Number of Units: Homeless / Persons with Disabling Condition / 80
Requested Amounts: SAIL \$3,500,000, NHTF \$1,386,571.60 Annual 9% HC \$1,510,000	Development Category/Type: New Construction / Mid-Rise, 4-stories

1. Background/Present Situation

- a) On March 22, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-103 for Housing Credit and SAIL Financing to Develop Housing in Medium and Large Counties for Homeless Households and Persons with a Disabling Condition. National Housing Trust Fund (NHTF) funding was also awarded to Developments selected for funding. On June 16, 2017, the Board approved the final scores and recommendations, and directed staff to proceed with all necessary credit underwriting activities. Staff issued an invitation to enter credit underwriting at risk to the Applicant on October 9, 2017, and the Applicant accepted on October 10, 2017. On December 8, 2017, the Board approved the Final Order allowing staff to proceed with invitations to credit underwriting and preliminary awards.
- b) On May 4, 2018, the Board approved the RFA waiver request to make a change to the Applicant Entity, (Blue CASL, LLC) and for both Co-Developers (CASL Developer, LLC and Blue Sky Communities III, LLC). The Applicant Entity changes for the nonprofit Board of Director members of Community Assisted and Supported Living, Inc. were due to normal procedural changes and the individual directors and officers and have no direct ownership in the Development. The Co-Developer, CASL Developer, LLC, had the same changes as the Applicant Entity. The Co-Developer, Blue Sky Communities III, LLC, changed the name and structure to Blue AV Developer, LLC.
- c) On June 15, 2018, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm commitment and closing activities. The firm commitment was issued on June 18, 2018, and the loan closing occurred on September 12, 2018.
- d) On December 13, 2018, staff received a request from the Applicant to make a change to the Applicant Entity, Blue CASL, LLC (Exhibit H). The Manager/Member of the Applicant Entity is Blue Sarasota, LLC, is requesting changes to the ownership percentages of the Manager/Member. The requested changes to the ownership percentages of the Manager/Member are less than 33.3% of total ownership and therefore are non-material changes. Per the RFA, after loan closing, any borrowing entity change (material or non-material) will require Board approval prior to the change. The original and proposed ownership percentages are provided in the Applicant’s request letter ([Exhibit H](#)).

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. **Recommendation**

- a) Approve the request to change the Applicant Entity as described above.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

I. Request Approval of Firm Loan Commitment Issuance Extension for Osprey Pointe (2018-050BS)

Development Name: Osprey Pointe	Location: Pasco County
Applicant/Borrower: HTG Osprey Pointe, LLC	Set-Aside(s): 10% @ 40% AMI & 90% @ 60% AMI (SAIL), 100% @ 60% AMI (MMRB & HC)
Developer/Principal: HTG Osprey Pointe Developer, LLC / Matthew Rieger	Demographic/Number of Units: Family/110
Requested Amounts: SAIL \$6,000,000, ELI \$556,900 MMRB \$14,100,000, Annual 4% HC \$860,191	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 10, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 14, 2018, giving them a firm loan commitment issuance deadline of February 14, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On January 4, 2019, staff received a request from the Applicant to extend the February 14, 2019 firm loan commitment issuance deadline to August 14, 2019 ([Exhibit I](#)), which will allow additional time to work through several financial challenges that have held up the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 14, 2019 to August 14, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

J. Request Approval of Firm Loan Commitment Issuance Extension for Parrish Oaks (2018-041BS)

Development Name: Parrish Oaks	Location: Manatee County
Applicant/Borrower: SP Oaks LLC	Set-Aside(s): 10% @ 33% AMI & 90% @ 60% AMI (SAIL), 100% @ 60% AMI (MMRB & HC), 2.5% @ 22% AMI (NHTF)
Developer/Principal: Southport Development Services, Inc. / J. David Page	Demographic/Number of Units: Family/120
Requested Amounts: SAIL \$6,000,000, ELI \$600,000 MMRB 12,500,000, NHTF, \$545,783.36, Annual 4% HC \$760,000	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be Used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits. National Housing Trust Fund (NHTF) funding was also awarded to the proposed Developments selected for funding.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 9, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 14, 2018, giving them a firm loan commitment issuance deadline of February 14, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On January 2, 2019, staff received a request from the Applicant to extend the February 14, 2019 firm loan commitment issuance deadline to August 14, 2019 ([Exhibit J](#)), which will allow additional time to obtain receipt of required third party reports that are holding up the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 14, 2019 to August 14, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

K. Request Approval of Applicant Entity Change for Ambar Key Homes (2017-167BS)

Development Name: Ambar Key Homes	Location: Miami-Dade County
Applicant/Borrower: Ambar Key Homes, Ltd.	Set Aside(s): 5% @ 28% AMI & 40% @ 60% AMI (MMRB, SAIL, HC), 55% @ 80% AMI (SAIL Workforce)
Developer/Principal: Ambar3, LLC / John D. Rood	Demographic/Number of units: Family / 155
Requested Amounts: SAIL \$8,500,000. MMRB \$16,500,000, Annual 4% HC \$287,322	Development Category/Type: New Construction and Rehabilitation / Townhomes

1. Background/Present Situation

- a) On October 21, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-112 for SAIL Financing for the Construction of Workforce Housing in Miami-Dade County and Monroe County. On February 3, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- b) On April 24, 2017, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to the Applicant giving them a firm loan commitment issuance deadline of January 28, 2018. On December 8, 2017, the Board approved the request to extend the firm loan commitment issuance deadline from January 28, 2018 to July 28, 2018. On July 27, 2018, the Board approved the Rule waiver request to extend the firm loan commitment issuance deadline from July 28, 2018 to January 28, 2019. On September 14, 2018, the Board approved the final credit underwriting report and a firm loan commitment was issued. The loan closing occurred on December 12, 2018.
- c) On December 19, 2018, staff received a request from the Borrower to make a change to the Applicant Entity, Ambar Key Homes, Ltd. (Exhibit K). The General Partner (GP) of the Applicant, Ambar Key Homes GP, LLC, is requesting changes to the ownership percentages for estate planning purposes. The requested changes to the GP ownership percentages are less than 33.3% of total ownership and therefore are non-material changes. Per the RFA, after loan closing, any borrowing entity change (material or non-material) will require Board approval prior to the change. The original and proposed ownership percentages are provided in the Applicant’s request letter ([Exhibit K](#)). Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to change the Applicant Entity as described above.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

L. Request Approval of Applicant Entity Change for Ambar Key (2018-064BS)

Development Name: Ambar Key	Location: Miami-Dade County
Applicant/Borrower: Ambar Key, Ltd.	Set Aside(s): 5% @ 28% AMI & 40% @ 60% AMI (MMRB, SAIL, HC), 55% @ 80% AMI (SAIL Workforce)
Developer/Principal: Ambar3, LLC / John D Rood	Demographic/Number of units: Family / 94
Requested Amounts: SAIL \$8,465,000. MMRB \$11,000,000, Annual 4% HC \$282,616	Development Category/Type: New Construction / Townhomes

1. Background/Present Situation

- a) On August 22, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-107 for SAIL Financing for the Construction of Workforce Housing. On December 8, 2017, the Board approved the final scores and recommendations for RFA 2017-107, and directed staff to proceed with all necessary credit underwriting activities.
- b) On January 18, 2018, staff issued an at risk opportunity to enter credit underwriting to the Applicant, giving them a firm loan commitment issuance deadline of October 24, 2018. On September 14, 2018, the Board approved the final credit underwriting report and a firm loan commitment was issued. The loan closing occurred on December 12, 2018.
- c) On December 19, 2018, staff received a request from the Borrower to make a change to the Applicant Entity, Ambar Key, Ltd. (Exhibit L). The General Partner (GP) of the Applicant, Ambar Key GP, LLC, is requesting the changes to the ownership percentages of the GP for estate planning purposes. The requested changes to the GP ownership percentages are less than 33.3% of total ownership of the GP and therefore are non-material changes. Per the RFA, after loan closing, any borrowing entity change (material or non-material) will require Board approval prior to the change. The original and proposed ownership percentages are provided in the Applicant’s request letter ([Exhibit L](#)). Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to change the Applicant Entity as described above.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

M. Request Approval of Applicant Entity Change for The Quarry (2016-168CS/2018-339V)

Development Name: The Quarry	Location: Monroe County
Applicant/Borrower: Quarry Big Coppitt, Ltd.	Set-Aside(s): 5% @ 25%, 40% @ 60%, 55% @ 120% AMI
Developer/Principal: Ambar3, LLC / John D. Rood	Demographic/Number of Units: Family/96
Requested Amounts: SAIL \$3,000,000, Viability Loan \$2,250,000 Annual 9% HC \$898,985	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On October 21, 2016, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2016-112 for the SAIL Financing for the Construction of Workforce Housing in Miami-Dade County and Monroe County. On February 3, 2017, the Board approved the final scores and recommendations for the RFA 2016-112, and directed staff to proceed with all necessary credit underwriting activities.
- b) On April 24, 2017, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Quarry Big Coppitt, Ltd., giving them a firm loan commitment issuance deadline of January 28, 2018. On December 8, 2017, the Board approved a request to extend the firm loan commitment deadline from January 28, 2018 to July 28, 2018.
- c) On April 24, 2017, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Quarry Big Coppitt, Ltd., giving them a firm loan commitment issuance deadline of January 28, 2018. On December 8, 2017, the Board approved a request to extend the firm loan commitment deadline from January 28, 2018 to July 28, 2018.
- d) On March 29, 2018, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2018-109 for Development Viability Loan Funding (Viability Loan) for Developments experiencing a reduction in equity funding for their Active Award, recognizing a funding need based on changes in market pricing which have been exacerbated by increased construction costs due to hurricane impact and construction market changes. On May 4, 2018, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities. Staff issued a notice of preliminary award to the Applicant on May 25, 2018.
- e) On June 15, 2018, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm commitment and closing activities, and approved a Rule waiver to permit a single subcontractor entity to work in excess of 20% of total construction cost. The firm loan commitment was issued on June 18, 2018, and the loan closing occurred on July 20, 2018.
- f) On December 19, 2018, staff received a request from the Borrower to make a change to the Applicant Entity, Quarry Big Coppitt, Ltd. ([Exhibit M](#)). The General Partner (GP) of the Applicant, Quarry Partners GP, LLC, is requesting changes to the ownership percentages of the GP for estate planning purposes. The requested changes to the GP ownership percentages are less than 33.3% of total ownership of the GP and therefore are non-material changes. Per the RFA,

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

after loan closing, any borrowing entity change (material or non-material) will require Board approval prior to the change. The original and proposed ownership percentages are provided in the Applicant's request letter (Exhibit M). Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. **Recommendation**

- a) Approve the request to change the Applicant Entity as described above.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

N. Request Approval of Applicant Entity Change for The Quarry II (2018-065CS/2018-338V)

Development Name: The Quarry II	Location: Monroe County
Applicant/Borrower: Quarry Big Coppitt II, Ltd.	Set-Aside(s): 5% @ 25%, 40% @ 60%, 55% @ 140% AMI
Developer/Principal: Ambar3, LLC / John D. Rood	Demographic/Number of Units: Family/112
Requested Amounts: SAIL \$6,608,000, Viability Loan \$950,000 Annual 9% HC \$1,000,000	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 22, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) RFA 2017-107 for the SAIL Financing for the Construction of Workforce Housing. On December 8, 2017, the Board approved the final scores and recommendations for the RFA 2017-107, and directed staff to proceed with all necessary credit underwriting activities. On January 18, 2018, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Quarry Big Coppitt II, Ltd., giving them a firm loan commitment issuance deadline of October 24, 2018.

- b) On March 29, 2018, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2018-109 for Development Viability Loan Funding (Viability Loan) for Developments experiencing a reduction in equity funding for their Active Award, recognizing a funding need based on changes in market pricing which have been exacerbated by increased construction costs due to hurricane impact and construction market changes. On May 4, 2018, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities. Staff issued a notice of preliminary award to the Applicant on May 25, 2018.

- c) On June 15, 2018, the Board approved the final credit underwriting report and directed staff to proceed with issuance of a firm commitment and closing activities, and approved a Rule waiver to permit a single subcontractor entity to work in excess of 20% of total construction cost. The firm loan commitment was issued on June 18, 2018, and the loan closing occurred on July 20, 2018.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

- d) On December 19, 2018, staff received a request from the Borrower to make a change to the Applicant Entity, Quarry Big Coppitt II, Ltd. (Exhibit N). The General Partner (GP) of the Applicant Entity, Quarry Partners II GP, LLC, is requesting changes to the ownership percentages of the GP for estate planning purposes. The requested changes to the GP ownership percentages are less than 33.3% of total ownership of the GP and therefore are non-material changes. Per the RFA, after loan closing, any borrowing entity change (material or non-material) will require Board approval prior to the change. The original and proposed ownership percentages are provided in the Applicant's request letter ([Exhibit N](#)). Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. **Recommendation**

- a) Approve the request to change the Applicant Entity as described above.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

O. Request Approval of Firm Loan Commitment Issuance Extension for San Juan Village (2018-309S)

Development Name: San Juan Village	Location: Duval
Applicant/Borrower: R&R Loving Hands, Inc. dba Genesis Horizon	Set-Aside(s): 20% @ 33% AMI, 80% @ 60% AMI
Developer/Principal: Ability Housing, Inc./Shannon Nazworth	Demographic/Number of Units: PSN/22
Requested Amounts: SAIL \$4,510,000 ELI \$312,500	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On February 1, 2018, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2018-101 for SAIL Financing for Smaller Developments for Persons with Special Needs and Homeless Households.
- b) On May 4, 2018, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 16, 2018, staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 23, 2018, giving them a firm loan commitment issuance deadline of February 23, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On January 10, 2019, staff received a request from the Applicant to extend the February 23, 2019 firm loan commitment issuance deadline to August 23, 2019 ([Exhibit O](#)), which will allow additional time to obtain delayed third-party market study and appraisal reports and complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 23, 2019 to August 23, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

P. Request Approval of Firm Loan Commitment Issuance Extension for Evergreen Village (2018-308S)

Development Name: Evergreen Village	Location: Pinellas County
Applicant/Borrower: Pinellas Affordable Living, Inc.	Set-Aside(s): 20% at 40 AMI, 80% at 60% AMI
Developer/Principal: Pinellas Affordable Living, Inc./ Jack Humburg	Demographic/Number of Units: PSN/21
Requested Amounts: SAIL: \$4,305,000.00 ELI Gap Loan: \$235,300.00	Development Category/Type: New Construction/Duplexes

1. Background/Present Situation

- a) On February 1, 2018, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2018-101 for SAIL Financing for Smaller Developments for Persons with Special Needs and Homeless Households.
- b) On May 4, 2018, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 16, 2018, staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 21, 2018, giving them a firm loan commitment issuance deadline of February 21, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On December 6, 2018, staff received a request from the Applicant to extend the February 21, 2019 firm loan commitment issuance deadline to August 21, 2019 ([Exhibit P](#)), which will allow additional time to complete additional analysis required due to the Development receiving an award of project based vouchers. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 21, 2019 to August 21, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

Q. Request Approval of Firm Loan Commitment Issuance Extension for Ritz Reserve, Phase II (2018-311S)

Development Name: Ritz Reserve, Phase II	Location: Marion
Applicant/Borrower: Volunteers of America of Florida, Inc.	Set-Aside(s): 20% @ 45% AMI, 80% @ 60% AMI
Developer/Principal: Volunteers of America of Florida, Inc./ Janet M. Stringfellow	Demographic/Number of Units: PSN/27
Requested Amounts: SAIL \$3,649,553.67 ELI \$177,400.00	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On February 1, 2018, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2018-101 for SAIL Financing for Smaller Developments for Persons with Special Needs and Homeless Households.
- b) On May 4, 2018, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 16, 2018, staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 22, 2018, giving them a firm loan commitment issuance deadline of February 22, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On December 13, 2018, staff received a request from the Applicant to extend the February 22, 2019 firm loan commitment issuance deadline to August 22, 2019 ([Exhibit Q](#)), which will allow additional time to provide a permit ready set of architectural plans. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 22, 2019 to August 22, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

R. Request Approval of Firm Loan Commitment Issuance Extension for Springhill Apartments (2018-026S)

Development Name: Springhill Apartments (Currently known as Madison Heights Apartments)	Location: Madison
Applicant/Borrower: Springhill Apartments, LLC	Set-Aside(s): 10% @ 45% AMI, 90% @ 60% AMI
Developer/Principal: AMCS Development, LLC/James J. Kerr Jr.; SCG Development Partners, LLC	Demographic/Number of Units: Family/76
Requested Amounts: SAIL \$3,064,400 ELI \$251,600 Annual 4% HC \$318,769	Development Category/Type: A/R/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 10, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 10, 2018, giving them a firm loan commitment issuance deadline of February 10, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On January 4, 2019, staff received a request from the Applicant to extend the February 10, 2019 firm loan commitment issuance deadline to August 10, 2019 ([Exhibit R](#)), due to delays associated with the Applicant’s HUD loan application, the additional time is needed to complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 10, 2019 to August 10, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

S. Request Approval of Firm Loan Commitment Issuance Extension for Water’s Edge (2018-025BS)

Development Name: Water’s Edge Apartments	Location: Miami - Dade
Applicant/Borrower: Water’s Edge Associates, Ltd.	Set-Aside(s): 10% at 28% AMI, 90% at 60% AMI
Developer/Principal: Cornerstone Group Partners, LLC. / Jorge Lopez	Demographic/Number of Units: Family/128
Requested Amounts: MMRB \$13,500,000 SAIL: \$3,000,000 ELI Gap Loan: \$600,000 Annual 4% HC \$934,277	Development Category/Type: New Construction/Garden Apartments

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 4, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 4, 2018, giving them a firm loan commitment issuance deadline of February 4, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On December 13, 2018, staff received a request from the Applicant to extend the February 4, 2019 firm loan commitment issuance deadline to August 4, 2019 ([Exhibit S](#)), which will allow additional time to finalize the RAD conversion process with HUD. The Applicant also experienced delays in completing the Development’s construction plan because it is a scattered site development and the extra time is needed to complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 4, 2019 to August 4, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

T. Request Approval of Firm Loan Commitment Issuance Extension for Palmetto Pointe (2018-024S)

Development Name: Palmetto Pointe	Location: Pinellas
Applicant/Borrower: SP Pinellas I LLC	Set-Aside(s): 10% @ 40% AMI, 90% @ 60% AMI, 7.3% @ 22% AMI (NHTF)
Developer/Principal: Southport Development, Inc. a WA corporation doing business in FL as Southport Development Services, Inc./ J. David Page	Demographic/Number of Units: Family/82
Requested Amounts: SAIL \$5,400,000 ELI \$463,900 NHTF \$997,898.90 Annual 4% HC \$650,000	Development Category/Type: New Construction/Mid Rise, 4-stories

1. Background/Present Situation

- a) On August 31, 2017, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2017-108 for SAIL Financing of Affordable Multifamily Housing Developments to be used in Conjunction with Tax-Exempt Bond Financing and Non-Competitive Housing Credits. National Housing Trust Funds (NHTF) were also awarded to the proposed Developments selected for funding.
- b) On December 8, 2017, the Board approved the final scores and recommendations for the RFA, and directed staff to proceed with all necessary credit underwriting activities
- c) On May 4, 2018, the Board approved the Final Order resolving all pending litigation pertaining to the RFA, allowing staff to proceed with all necessary credit underwriting activities. Staff issued a preliminary commitment letter and invitation to enter credit underwriting to the Applicant on May 9, 2018, which states that the firm loan commitment must be issued within 9 months of the acceptance to enter credit underwriting. The acceptance was acknowledged on May 11, 2018, giving them a firm loan commitment issuance deadline of February 11, 2019. Applicants may request one (1) extension of up to 6 months to secure a firm loan commitment.
- d) On January 2, 2019, staff received a request from the Applicant to extend the February 11, 2019 firm loan commitment issuance deadline to August 11, 2019 ([Exhibit T](#)), due to delays associated with completing the construction contract with the general contractor. The final construction budget is now complete but the additional time is needed to complete the credit underwriting process. Staff has reviewed this request and finds that it meets all requirements of the RFA.

2. Recommendation

- a) Approve the request to extend the firm loan commitment issuance deadline from February 11, 2019 to August 11, 2019, subject to payment of the required non-refundable extension fee of one percent of the loan amount, pursuant to the requirements of the RFA.

SPECIAL ASSETS

Consent

VIII. SPECIAL ASSETS

A. Request Approval of Partial Release of Land for Smathers Phase Two, LLC, a Florida Limited Liability Company, for Smathers Phase Two (RFA 2014-103/2013-526C/2014-306S)

Development Name: Smathers Phase Two (“Development”)	Location: Miami-Dade County
Developer/Principal: Related Group (“Developer”); Smathers Phase Two, LLC (“Borrower”)	Set-Aside: 10% @ 33%, 90% @ 60% AMI; LURA: 30 years; EUA: 30 years
Number of Units: 133	Allocated Amount: SAIL \$1,138,150; ELI Gap \$975,000; HC \$906,418
Demographics: Elderly	Servicer: AmeriNat

1. Background

- a) During the 2014 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a State Apartment Incentive Loan (“SAIL”) in the original amount of \$1,138,150 and an Extremely Low-Income (“ELI”) Gap Loan in the amount of \$975,000 to Smathers Phase Two, LLC, a Florida limited liability company (“Borrower”), for the development of a 133-unit apartment complex in Miami-Dade County, Florida. The SAIL and ELI Gap loans both closed on May 19, 2015 and both mature on May 19, 2045. The Development also received a 2013 allocation of low-income housing tax credits (“HC”) of \$906,418.

2. Present Situation

- a) The Borrower requests approval of the Board to release approximately .44 acres of vacant land from the Development and to modify the legal description of the loan documents so that the vacant land along with acreage from an adjacent property can be developed into an affordable and workforce housing development.
- b) Staff received a credit underwriting report ([Exhibit A](#)) from AmeriNat with a positive recommendation for the partial release of land, and the modification of the legal description.

3. Recommendation

- a) Approve the partial release of land, and the modification of the legal description in the loan documents, subject to the conditions provided in the credit underwriter’s report, further approvals and verifications by the credit underwriter, counsel, and appropriate Florida Housing staff, and direct staff to proceed with loan document modification activities, as needed.

SPECIAL ASSETS

Consent

B. Request Approval of the Refinancing of the First Mortgage, and Renegotiation and Extension of the SAIL Loan for Laguna Pointe Associates, Ltd., a Florida Limited Partnership, for Laguna Pointe Apartments (2002-038S/2002-526C)

Development Name: Laguna Pointe Apartments (“Development”)	Location: Broward County
Developer/Principal: Cornerstone Group Development (“Developer”)/ Laguna Pointe Associates, Ltd. (“Borrower”)	Set-Aside: SAIL: 20% @ 50%, 80% @ 60% AMI; HC: 100% @ 60% AMI SAIL: 50 years; ELIHA: 50 years
Number of Units: 188	Allocated Amount: SAIL \$2,000,000; HC \$826,532
Demographics: Family	Servicer: First Housing Development Corporation

1. Background

- a) During the 2002 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a State Apartment Incentive Loan (“SAIL”) loan in the amount of \$2,000,000 to Laguna Pointe Associates, Ltd., a Florida limited partnership (“Borrower”), for the development of a 188-unit apartment complex in Broward County, Florida. The loan closed on November 8, 2004 and matures on June 1, 2044. The Development also received a 2002 allocation of low-income housing tax credits (“HC”) of \$826,532.

2. Present Situation

- a) The Borrower requests consent from the Board to refinance the existing first mortgage, and subordinate the SAIL loan, SAIL documents, and Extended Low-Income Housing Agreement (“ELIHA”) to the new first mortgage. The Borrower also requests consent for renegotiation and extension of the SAIL loan.
- b) Staff has received a credit underwriting report ([Exhibit B](#)) from Seltzer Management Group with a positive recommendation for approval of the refinancing of the first mortgage, renegotiation and extension of the SAIL loan and subordination of the SAIL loan, SAIL documents, and ELIHA to the new first mortgage.

3. Recommendation

- a) Approve the refinancing of the first mortgage loan, renegotiation and extension of the SAIL loan and LURA and subordination of the SAIL loan, SAIL documents, and ELIHA subject to the conditions provided in the credit underwriter’s report, further approvals and verifications by the credit underwriter, counsel, and appropriate Florida Housing staff, and direct staff to proceed with loan document modification activities, as needed.

SPECIAL ASSETS

Consent

C. Request Approval of the Extension of the SAIL Loan for Willow Creek Associates, Ltd., a Florida Limited Partnership, for Willow Creek Apartments (2000-018CS)

Development Name: Willow Creek (“Development”)	Location: Sarasota County
Developer/Principal: Carlisle Development Group/Alden Torch Financial (“Developer”); Willow Creek Associates, Ltd. (“Borrower”)	Set-Aside: SAIL & HC 15% @ 30% & 85% @ 60% AMI; LURA & EUA: 50 years
Number of Units: 120	Allocated Amount: SAIL \$1,225,000; HC \$495,000
Demographics: Elderly	Servicer: Seltzer Management Group

1. Background

- a) During the 2000 State Apartment Incentive Loan Program Cycle (“SAIL”), Florida Housing (“FHFC”) awarded a \$1,225,000 construction/permanent loan to Willow Creek Associates, Ltd., a Florida limited partnership (“Borrower”), for the development of a 120-unit development in Sarasota County. The SAIL loan closed on November 9, 2001, and originally matured on January 1, 2018. The Board previously approved an extension to January 1, 2019. The Development also received a 2000 allocation of low-income housing tax credits (“HC”) of \$495,000.

2. Present Situation

- a) The Borrower has requested approval to extend the SAIL loan, at its current terms, to July 1, 2019, to allow time for refinancing of the Development, which has been postponed due to the federal government shutdown. The Borrower has agreed to an additional six-month extension of the SAIL Land Use Restriction Agreement (“LURA”) term (adding six months to the current 51 years).

3. Recommendation

- a) Approve the extension of the SAIL loan, at its current terms, to July 1, 2019, extension of the LURA for an additional six months, and direct staff to proceed with loan document modification activities, as needed.