



# FHFC Board of Directors' Meeting Minutes October 27, 2023

## **BOARD MEMBERS PRESENT:**

Mario Facella, Chair  
Ryan Benson, Vice Chair  
Larry Cretul  
Sandra Einhorn  
David Hall  
Meredith Ivey  
Ron Lieberman  
Dev Motwani

## **BOARD MEMBERS ABSENT:**

Olivia Hoblit

## **CORPORATION STAFF PRESENTING:**

Marisa Button  
Ethan Katz  
Melissa Levy  
David Westcott  
Angie Sellers  
Chris Hirst

## **OTHERS PRESENTING:**

Michael J. Glazer, Ausley McMullen  
Maureen E. Luna, The Pantry of Broward

## **CALL TO ORDER AND ROLL CALL**

The meeting was called to order at 8:30am by Chair Facella.

Roll call was taken by Quin Coxetter, followed by a brief reading of both the Sunshine Notice and Public Comment Notice, respectively.

## **PUBLIC COMMENT**

No public comment was offered.

## **MINUTES**

**Approval of the September 8, 2023, Board of Directors Meeting Minutes.** Chair Facella asked for a motion to approve the minutes from the September 8, 2023, Board Meeting.

A motion to approve the minutes was made by Mr. Hall with a second from Ms. Einhorn. The motion passed unanimously.

## **CONSENT AGENDA**

Chair Facella asked Ms. Sellers if there were any items requested to be pulled from the Consent agenda. Ms. Sellers confirmed that no items were asked to be pulled from consideration; however, the Board received an updated copy of Legal Item H that corrected errors in the original version.

Chair Facella asked for a motion to accept the Consent agenda.

A motion to accept the Consent agenda was made by Vice-Chair Benson with a second from Mr. Cretul. Chair Facella recused himself from Special Assets Item A regarding Teal Pointe Apartments, which involved Lewis Swezy, who he identified as a client.

The motion passed unanimously, with Chair Facella recusing.

### **LIVE LOCAL UPDATE**

Ms. Button provided an update to the Board on the Live Local Act. Notably:

- Many of the deals participating in the Viability Loan Program are moving toward closing by the end of the year.
- The traditional SAIL funding approved via RFA 2023-205 will result in over 2,000 units of affordable housing being built.
- The Florida Department of Revenue opened the Live Local Tax Credit Contribution Program on October 2, 2023. As of October 6, \$51.5 million in tax credit allocations have been reserved through this program. Florida Housing is currently awaiting contributions and continue to update the Board via various tracking mechanisms.
- The Multifamily Middle Market Certification Program, a component of the “missing middle” tax exemption within the Live Local Program. The portal for this program opened on October 2, 2023, and 41 registrants had enrolled in the portal by October 27.
- Hometown Heroes is fully committed, and staff are monitoring appropriate times to open the reservation portal to accept additional reservations.
- Innovative Multifamily Development Opportunities - \$150 million in SAIL funding will be put towards this resource and staff is working to schedule a final workshop for the upcoming RFA.
- The Florida Housing Coalition is working with local governments, non-profits, and other stakeholders to determine technical assistance needs, in an effort to help implement the Live Local Act.

### **ACTION ITEMS**

#### **Legal**

- A. Archway Princeton Oaks, LLC vs. Florida Housing Finance Corporation, ECG Town Oaks, LP, and Cardinal Pointe, LLC. FHFC Case No. 2023-047BP; DOAH Case No. 23-2528BID;  
CORE Oak Park, LLLP vs. Florida Housing Finance Corporation, and Hermosa NFTM 41, II, LTD FHFC Case No. 2023-048BP; DOAH Case No. 23-2527BID; and  
Amaryllis Park Place III, LLC vs. Florida Housing Finance Corporation, Blue Ian, LLC, and MHP Sarasota I, LTD FHFC Case No. 2023-050BP; DOAH Case No. 23-2526BID.**

Mr. Katz provided a summary of these cases and recommended that the Board adopt the Findings of Fact, Conclusions of Law, and recommendation of the Recommended Order as its own, and issue a Final Order consistent with those actions in this matter.

Chair Facella asked for a motion to accept staff’s recommendation.

A motion was made by Mr. Hall with a second from Ms. Einhorn. The motion passed unanimously.

## Multifamily Programs- Allocations

### A. RFA 2023-201 Housing Credit Financing For Affordable Housing Developments Located In Small and Medium Counties.

Ms. Levy provided a brief summary of events associated with this RFA and presented the following staff recommendation to the Board:

- Approve the Committee's recommendations to adopt the scoring results of the 71 Applications and authorize the tentative selection of 11 Applications for funding.
- If no notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., staff will proceed to issue an invitation to enter credit underwriting to the Applications set out on the Exhibit B.
- If a notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., then at the completion of all litigation for those Applicants impacted by litigation, staff will present all Recommended Orders for Board approval prior to issuing invitations to enter credit underwriting to those Applicants in the resulting funding range. For those Applications in the funding range but not impacted by litigation, staff will issue invitations to underwriting as outlined in rule 67-48.0072(1), F.A.C.
- There is \$6,810 in HC funding remaining. As provided in Section Five, B. of the RFA, any remaining funding will be distributed as approved by the Board. Staff will come back to the Board with a recommendation on the use of the remaining funding at a later date.

A motion to approve staff's recommendations was made by Mr. Lieberman with a second from Vice-Chair Benson. The motion passed unanimously.<sup>1</sup>

### B. RFA 2023-202 Housing Credit Financing For Affordable Housing Developments Located In Broward, Duval, Hillsborough, Orange, Palm Beach, And Pinellas Counties.

Ms. Levy provided a brief summary of events associated with this RFA and presented the following staff recommendation to the Board:

- Approve the Committee's recommendations to adopt the scoring results of the 30 Applications and authorize the tentative selection of 8 Applications for funding.
- If no notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., staff will proceed to issue an invitation to enter credit underwriting to the Applications set out on Exhibit D.
- If a notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., then at the completion of all litigation, staff will present all Recommended Orders for Board approval prior to issuing invitations to enter credit underwriting to those Applicants in the funding range. For those Applications in the funding range but not impacted by litigation, staff will issue invitations to underwriting as outlined in rule 67-48.0072(1), F.A.C.
- There is \$2,180,850 in housing credit funding remaining. As provided in Section Five, B. of the RFA, any remaining funding will be distributed as approved by the Board. Staff will come back to the Board with a recommendation on the use of the remaining funding at a later date.

A motion to approve staff's recommendation was made by Mr. Lieberman with a second from Ms. Einhorn. Chair Facella recused himself from voting on this item. The motion passed unanimously, with Chair Facella recusing.

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<sup>1</sup> Chair Facella initially voted in favor of this item, but later recused himself.

**C. RFA 2023-203 Housing Credit Financing For Affordable Housing Developments Located In Miami-Dade County.**

Ms. Levy provided a brief summary of events associated with this RFA and presented the following staff recommendation to the Board:

- Approve the Committee’s recommendations to adopt the scoring results of the 49 Applications and authorize the tentative selection of 3 Applications for funding.
- If no notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., staff will proceed to issue an invitation to enter credit underwriting to the Applications set out on Exhibit F.
- If a notice of protest or formal written protest is filed in accordance with Section 120.57(3), Fla. Stat., et. al., then at the completion of all litigation, staff will present all Recommended Orders for Board approval prior to issuing invitations to enter credit underwriting to those Applicants in the funding range. For those Applications in the funding range but not impacted by litigation, staff will issue invitations to underwriting as outlined in rule 67-48.0072(1), F.A.C.

A motion to approve staff’s recommendation was made by Mr. Hall with a second from Ms. Einhorn. Chair Facella recused himself from voting on this item. The motion passed unanimously, with Chair Facella recusing.

**D. Request for Approval to issue a Request for Applications (RFA) for Community Development Block Grant-Disaster Recovery (CDBG-DR) financing for affordable Developments located in Hurricane Ian impacted areas.**

Mr. Westcott provided a brief summary of events associated with this RFA and presented the following staff recommendation to the Board:

- Authorize staff to continue to work with FL Commerce on the Workforce Affordable Housing Construction Programs for Hurricane Ian, to enter into a subrecipient agreement with FL Commerce to administer the new CDBG-DR funding for Hurricane Ian, and to issue Requests for Applications to fund rental developments in the Hurricane Ian designated areas.

A motion to approve staff’s recommendation was made by Ms. Ivey with a second from Mr. Lieberman.

Discussion:

Ms. Ivey shared that Florida Commerce is expecting to an approval from HUD regarding the Hurricane Ian State Action Plan by November 13, 2023, and emphasized that housing is a top priority within the Action Plan and that this is one of the priority programs.

Mr. Westcott shared that, while Florida Commerce is working through the process to enter into an agreement with HUD, Florida Housing will be workshopping and promoting this RFA.

Vice-Chair Benson and Ms. Einhorn thanked Ms. Ivey for all the hard work that her Department has been providing.

The motion passed unanimously.

**Professional Services Selection (PSS)**

**A. Request for Qualifications (RFQ) 2023-07, for Investment Manager Services**

Ms. Sellers provided a brief summary of events associated with this RFQ and presented the following staff recommendation to the Board:

- The review committee recommends that the Board reject all bids. Staff plans to revise and re-issue the solicitation to provide clarification on several submission requirements.

- In an effort to ensure continuity of services during the rebidding process, staff also recommends that the Board approve an extension of the current Investment Manager contracts for a period of six months, as permitted by s. 287.057(13), Fla. Stat.  
A motion to approve staff's recommendation was made by Vice-Chair Benson with a second from Mr. Lieberman.

Discussion:

Ms. Sellers explained that there were inconsistencies within the responses that made the proposals difficult to compare against one another and provided several examples. She also explained that it's staff's hope that by clarifying these items within the RFQ, they will receive better, more consistent responses. In response to Vice-Chair Benson's question, she confirmed that the extension of current contracts for these services would only be for a period of six months.

The motion passed unanimously.

**Fiscal**

**A. Allocation of Available Funds**

Ms. Sellers provided the following recommendations:

- Staff recommends that the Board allocate funds listed above to the following activities:
  - Hometown Heroes \$36,000,000
  - Disaster Recovery \$53,300,000
- Staff further recommends that any funding allocated to Disaster Recovery be "up to" the specific amount referenced, that funds initially be allocated to Hurricane Ian RFAs, and that funds not used for Hurricane Ian be available to be paired with other Disaster Recovery RFAs.
- Accepting these recommendations would result in \$23,000,000 in program income remaining unallocated, and provides the Board with the ability to review needs for allocation again after appropriation amounts from the 2024 legislative session are known to determine needs for use or continue earning investment income and allocate at a later date.

A motion to approve staff's recommendation was made by Mr. Hall with a second from Vice-Chair Benson. The motion passed unanimously.

**AUDIT COMMITTEE UPDATE**

Vice-Chair Benson advised that the Audit Committee met the day prior for a presentation of a procurement audit and to review the 2023 risk assessment. He expressed appreciation for staff's efforts.

**OTHER BUSINESS**

**A. Case# 230629-01**

Chair Facella explained that at the September 8, 2023, Board Meeting, the Board considered the Inspector General's report in response to a written complaint against Florida Housing's Executive Director. By a vote of 7-2 the Board voted to accept the report; however no action was taken on the recommendations at that meeting. The matter was put on the Action agenda to bring the investigation to its conclusion. Chair Facella explained that Executive Director DiNapoli had submitted his resignation the previous day, and noted that the Corporation retained Mr. Michael Glazer with Ausley McMullen to advise the Board as to their options under the law.

The first recommendation was to determine which actions would be appropriate with respect to each of the issues contained within the report that relate specifically to the Executive Director. Chair Facella recommended a motion to close the investigation without further action upon Mr. DiNapoli in light of his resignation.

A motion to approve Chair Facella's recommendation was made by Mr. Lieberman with a second from Mr. Cretul. The motion passed unanimously.

The remaining recommendations were at the corporate level and included suggestions that Florida Housing review all policies to ensure they are up-to-date and comply with all current laws and rules; follow all policies and procedures when hiring new employees; consider adopting additional background checks for executive leadership; and if it is determined that additional background checks are required, a recommendation that current executive leadership be subject to those requirements.

Vice-Chair Benson made a motion for the purposes of having a discussion.

Discussion:

Vice-Chair Benson expressed concerns about the Board establishing a precedent of voting on policy matters. Mr. Glazer explained that the Board may consider a motion to not vote on these recommendations from the Inspector General's report.

Vice-Chair Benson rescinded his original motion and proceeded to make a motion to accept the Inspector General's report, inclusive of the comments related to the Corporation, and action taken will be directed to staff to implement policy corrections. A second to that motion was made by Ms. Einhorn.

Discussion:

Ms. Ivey expressed that it would be her preference to not take any further actions and have an opportunity to review any potential policy recommendations.

Vice-Chair Benson rescinded his motion and no further action was taken on the corporate-level recommendations.

Chair Facella requested a motion to conclude Inspector General Report #230629-01.

Mr. Hall made this motion, with a second from Ms. Ivey. The motion passed unanimously.

**B. Actions to be Taken Until a New Executive Director is Appointed**

Chair Facella suggested a motion to provide Ms. Sellers all authority allowed by law to perform all functions necessary or appropriate for the Corporation. These functions would be in addition to, and is not intended to limit, the authority she already has as Chief Financial Officer.

The motion was made by Mr. Lieberman and a second was provided by Mr. Hall for the purposes of discussion.

Discussion:

Mr. Glazer clarified that Ms. Seller's previous authorization for these functions expired upon conclusion of Case #230629-01, and that this motion would grant her authority until such time a permanent Executive Director is selected.

The motion passed unanimously.

**PUBLIC COMMENT**

Maureen Luna, CEO of The Pantry of Broward, thanked the Board for accepting the recommendation relating to The Pantry's most recent application.

**ADJOURNMENT**

The meeting was adjourned at 9:34 a.m.



# FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Facella, Mario</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Florida Housing Finance Corporation</b>
MAILING ADDRESS <b>227 N. Bronough St., Ste. 5000</b>	NAME OF STATE AGENCY 
CITY <b>Tallahassee</b>	COUNTY <b>Leon</b>
DATE ON WHICH VOTE OCCURRED <b>10/27/2023</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

### ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

\* \* \* \* \*

### APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.



DISCLOSURE OF STATE OFFICER'S INTEREST

I, Mario Facella, hereby disclose that on October 27, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, TD Bank, NA.
- inured to the special gain or loss of my relative, \_\_\_\_\_
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approval of transfer of ownership and assumption of the HOME loan for Teal Pointe Apartments (93HD-014/931-097)

The owner of this development, Lewis Swezy, is affiliated with TD Bank, N.A. as a client. *MS*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11/9/2023

Date Filed

*MS*  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FLORIDA HOUSING FINANCE CORPORATION  
NOTICE OF CONFLICT OF INTEREST

WHEREAS, Section 420.512(1), Florida Statutes, provides:

If any member, officer, or employee of the corporation shall have an interest, either direct or indirect, in any contract to which the corporation is, or is to be, a party or in any sponsor or in any lending institution requesting a loan from, or offering to sell mortgage loans or obligations to, the corporation, such interest shall be disclosed to the corporation in writing and shall be set forth in the minutes of the corporation. The member, officer, or employee having such interest shall not participate in any action by the corporation with respect to the contract, sponsor, or lending institution.

WHEREAS, Mario Facella is a member of the Corporation and is concerned about a possible conflict of interest with regard to the Corporation's consideration of the matter(s) described herein, and has elected to file this Notice of Conflict of Interest, and has elected to refrain from participation in any action on the matter described below at the meeting on [date] at [city], Florida.

**MATTER BEING CONSIDERED:**

AGENDA - ITEM No. 93 HD-014 / 931-097

**NATURE OF CONCERN:**

THE PROJECT NAMED ABOVE IS

The owner of the development, Lewis Swezy, is affiliated with TD Bank, N.A. as a current client.



[name]

DATE

Mario Facella

11/9/2023

THIS FORM WILL BE FILED WITH THE MINUTES WHERE THE CONFLICT AROSE.



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LAST NAME—FIRST NAME—MIDDLE NAME <b>Facella, Mario</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Florida Housing Finance Corporation</b>
MAILING ADDRESS <b>227 N. Bronough St., Ste 5000</b>	NAME OF STATE AGENCY
CITY COUNTY <b>Tallahassee Leon</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED <b>10/27/2023</b>	

## WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

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For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

\* \* \* \* \*

### APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

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DISCLOSURE OF STATE OFFICER'S INTEREST

Mario Facella, hereby disclose that on October 27, 2023 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, TD Bank, N.A. ;
- inured to the special gain or loss of my relative, \_\_\_\_\_ ;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approve the review committee's recommendations for award of RFA 2023-203, Housing Credit Financing for Affordable Housing Developments Located in Miami-Dade County.

TD Bank, N.A., ~~may have an interest in the awarded applicants.~~ has one or more of listed applicants as current clients *MF*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11/9/2023

Date Filed

Signature



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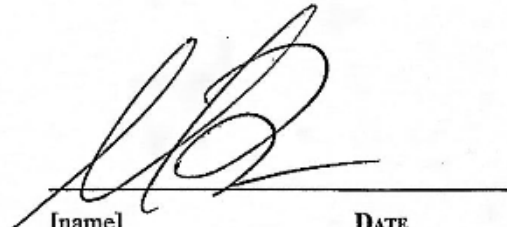
WHEREAS, Mario Facella is a member of the Corporation and is concerned about a possible conflict of interest with regard to the Corporation's consideration of the matter(s) described herein, and has elected to file this Notice of Conflict of Interest, and has elected to refrain from participation in any action on the matter described below at the meeting on [date] at [city], Florida.

MATTER BEING CONSIDERED:

AGENDA - ITEM No. RFA 2023-203

NATURE OF CONCERN: TD Bank, N.A. has one or more applicants as current clients.

THE PROJECT NAMED ABOVE IS

  
[name] DATE  
Mario Facella 11/9/2023

THIS FORM WILL BE FILED WITH THE MINUTES WHERE THE CONFLICT AROSE.

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MAILING ADDRESS <b>227 N. Bronough St., Ste. 5000</b>	NAME OF STATE AGENCY 
CITY COUNTY <b>Tallahassee Leon</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE
DATE ON WHICH VOTE OCCURRED <b>10/27/2023</b>	

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### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

#### ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

\* \* \* \* \*

#### APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

#### IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF STATE OFFICER'S INTEREST

Mano Facella, hereby disclose that on October 27, 2023:

- (a) A measure came or will come before my agency which (check one or more)
  - inured to my special private gain or loss;
  - inured to the special gain or loss of my business associate, TD BANK, N.A.;
  - inured to the special gain or loss of my relative, \_\_\_\_\_, by \_\_\_\_\_;
  - inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
  - inured to the special gain or loss of \_\_\_\_\_, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approve the review committee's recommendations for award of RFA 2023-202, Housing Credit Financing for Affordable Housing Developments Located in Broward, Duval, Hillsborough, Orange, Palm Beach and Pinellas Counties.

TD Bank, N.A., may have an interest in the awarded applicants, as one or more applicants are current clients of the Bank. *MF*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11/9/2023

Date Filed

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**FLORIDA HOUSING FINANCE CORPORATION  
NOTICE OF CONFLICT OF INTEREST**

**WHEREAS**, Section 420.512(1), Florida Statutes, provides:

If any member, officer, or employee of the corporation shall have an interest, either direct or indirect, in any contract to which the corporation is, or is to be, a party or in any sponsor or in any lending institution requesting a loan from, or offering to sell mortgage loans or obligations to, the corporation, such interest shall be disclosed to the corporation in writing and shall be set forth in the minutes of the corporation. The member, officer, or employee having such interest shall not participate in any action by the corporation with respect to the contract, sponsor, or lending institution.

**WHEREAS**, \_\_\_\_\_ is a member of the Corporation and is concerned about a possible conflict of interest with regard to the Corporation's consideration of the matter(s) described herein, and has elected to file this Notice of Conflict of Interest, and has elected to refrain from participation in any action on the matter described below at the meeting on [date] at [city], Florida.

**MATTER BEING CONSIDERED:**

AGENDA - ITEM No.

RFA 2023-202

**NATURE OF CONCERN:**

One or more applicants are current clients of the Bank

THE PROJECT NAMED ABOVE IS



[name]

DATE

Maria Facella

11/9/2023

**THIS FORM WILL BE FILED WITH THE MINUTES WHERE THE CONFLICT AROSE.**

# FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>Facella, Mano</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Florida Housing Finance Corporation</b>
MAILING ADDRESS <b>227 N. Bronough St., Ste. 5000</b>	NAME OF STATE AGENCY 
CITY <b>Tallahassee</b>	COUNTY <b>Leon</b>
DATE ON WHICH VOTE OCCURRED <b>10/27/2023</b>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE

## WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

### ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

\* \* \* \* \*

### APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

**IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:**

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.



DISCLOSURE OF STATE OFFICER'S INTEREST

I, Manio Facella, hereby disclose that on October 27, 2023:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, TD Bank, N.A.;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approve the review committee's recommendations for award of RFA 2023-201, Housing Credit Financing for Affordable Housing Developments Located in Small and Medium Counties.

T.D Bank, N.A., may have an interest in the awarded applicants, as one or more may be current clients of the Bank. *MF*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11/9/2023

Date Filed

*[Handwritten Signature]*  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FLORIDA HOUSING FINANCE CORPORATION  
NOTICE OF CONFLICT OF INTEREST

WHEREAS, Section 420.512(1), Florida Statutes, provides:

If any member, officer, or employee of the corporation shall have an interest, either direct or indirect, in any contract to which the corporation is, or is to be, a party or in any sponsor or in any lending institution requesting a loan from, or offering to sell mortgage loans or obligations to, the corporation, such interest shall be disclosed to the corporation in writing and shall be set forth in the minutes of the corporation. The member, officer, or employee having such interest shall not participate in any action by the corporation with respect to the contract, sponsor, or lending institution.

WHEREAS, Mario Facella is a member of the Corporation and is concerned about a possible conflict of interest with regard to the Corporation's consideration of the matter(s) described herein, and has elected to file this Notice of Conflict of Interest, and has elected to refrain from participation in any action on the matter described below at the meeting on [date] at [city], Florida.

**MATTER BEING CONSIDERED:**

AGENDA - ITEM No. RFA 2023-201

**NATURE OF CONCERN:**

One or more applicants may be current clients of the bank

THE PROJECT NAMED ABOVE IS

  
[name] DATE 11/9/2023  
Mario Facella

THIS FORM WILL BE FILED WITH THE MINUTES WHERE THE CONFLICT AROSE.