

BEFORE THE STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

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TWIN LAKES III, Ltd.,

Petitioner,

vs.

FLORIDA HOUSING
FINANCE CORPORATION,

Respondent.

FHFC Case No. 2019-108BP

RFA No. 2019-102

App. No. 2020-048DB

FLORIDA HOUSING
FINANCE CORPORATION

FORMAL WRITTEN PROTEST AND PETITION FOR ADMINISTRATIVE HEARING

Petitioner, Twin Lakes III, Ltd., (the "Petitioner" or "Twin Lakes"), pursuant to sections 120.57(1) and (3), Florida Statutes ("F.S.") and Rules 28-110 and 67-60, Florida Administrative Code ("FAC") hereby files this Formal Written Protest and Petition (the "Petition") regarding the scoring decisions of the Respondent, Florida Housing Finance Corporation ("Florida Housing") to award funding to responsive Applicants pursuant to *RFA 2019-102- Community Development Block Grant-Disaster Recovery to be used in Conjunction with Tax-Exempt MMRB and Non-Competitive Housing Credits in Counties Deemed Hurricane Recovery Priorities*. (hereinafter the "RFA")

Introduction

1. This Petition is filed pursuant to sections 120.57(1) and (3), Florida Statutes, Rules 28-110 and 67-60, Florida Administrative Code.

Parties

2. Petitioner is a Florida limited company in the business of providing affordable housing. Petitioner's address is 3225 Aviation Avenue, 6th Floor, Coconut Grove, Florida 33133. Petitioner's address, telephone number and email address are those of its undersigned counsel for

purposes of this proceeding.

3. The affected agency is Florida Housing Finance Corporation. Florida Housing's address is 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Notice

4. On July 30, 2019, Florida Housing issued the RFA. The RFA was modified four (4) times, on August 14th, August 27th, September 6th and September 16, 2019.

5. Applications in response to the RFA were due on or before September 24, 2019.

6. Florida Housing received approximately 44 applications in response to the RFA.

7. In its application submitted in response to the RFA, Petitioner requested an allocation of \$8,000,000 in Development Funding; \$702,984 in Non-Competitive Housing Credits; and \$8,300,000 in Corporation-issued Multifamily Mortgage Revenue Bonds (MMRB) for its proposed eighty-six (86) unit affordable housing development in Polk County, Florida. Petitioner's Application was assigned lottery number 36 by Florida Housing. Petitioner's application satisfied the required elements of the RFA and is eligible for a funding award.

8. Petitioner's received notice of the preliminary Board-adopted RFA scoring and eligibility determinations, and funding selections, through electronic posting of two spreadsheets on Friday, December 13, 2019, 9:19 a.m. A copy of the scoring and eligibility determinations posted on the Corporation's website is attached hereto as Exhibit "A;" and the Board-adopted funding selections spreadsheet is attached as Exhibit "B." Petitioner was deemed eligible for funding but was not among those recommended for funding.

9. On Wednesday, December 18, 2019 prior to 9:00 a.m., Petitioner timely submitted its Notice of Intent to Protest Florida Housing's intended decisions. A time-stamped copy of that Notice of Intent is attached hereto as Exhibit "C".

10. This Petition is timely filed in accordance with the provisions of section 120. 57(3) (b), Florida Statutes, and rules 28-110.004 and 67-60.009, Fla. Admin. Code.

Background

11. Florida Housing is a public corporation created by section 420.504, Florida Statutes, to administer the governmental function of financing or refinancing affordable housing and related facilities in Florida. Florida Housing’s statutory authority and mandates are set forth in Part V of Chapter 420, Florida Statutes. See, Sections 420.501-420.55, Fla. Stat.

12. Chapter 67-60, Fla. Admin. Code, which establishes “the procedures by which the Corporation shall administer the competitive solicitation processes to implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S. See rule, 67-60.001(2), Florida Admin. Code.

RFA 2019-102

13. Through the RFA process Florida Housing anticipated awarding up to an estimated CDBG-DR funding amount of at least \$98,000,000, including,

- \$10,000,000 in Land Acquisition Funding available to HUD-Designated Most Impacted and Distressed (HUD-Designated MIDs)
- At least an estimated \$88,000,000 in Development Funding available to both HUD-Designated MIDs and State Designated MIDs to proposed Developments that are located in Medium Counties. (RFA at p. 2)

After issuance of the RFA on July 30, 2019, Florida Housing issued four addenda to the RFA. In addition, on or about October 31, 2019, Florida Housing sent an e-mail – NOT an addendum – advising persons on Florida Housing’s “listserv” that the amount of Development Funding under this RFA was now estimated to be only \$66 million, not \$88 million. This e-mail notification was sent over five weeks after the applications were submitted in response to this RFA.

14. Review Committee members independently evaluate and score their assigned

portions of the submitted applications based on various mandatory and scored items. The maximum point total that an applicant can receive is 5 points. (RFA at p. 60) Failure to meet all eligibility items results in an application being deemed ineligible. (RFA at p. 58)

15. The RFA has a Funding Goal to fund two Priority 1 Applications that requested and are eligible for Land Acquisition Program Funding. (RFA at p. 61)

16. The RFA provides that all eligible Priority I Applications will be ranked by sorting the Applications as follows, followed by Priority II Applications, then by Priority III Applications: Applications will be ranked by the following Sorting Order,

- (a) First, by the points achieved;
- (b) Next, by the Resiliency Preference outlined in Section Four, A.4.d, with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- (c) Next, by the Federal Funding Experience Preference outlined in Section Four, A.3.b.(4), with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- (d) Next, by the Proximity Funding Preference outlined in Section Four, A.5.d., with Applications that qualify for the preference listed above Applications that do not qualify for the preference;
- (e) Next, by the Application's Leveraging Level which is outlined in Item 3 of Exhibit C of the RFA (with Applications that have a lower Leveraging Level listed above Applications with a higher Leveraging Level);
- (f) By the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in item 4 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
- (g) Finally, by lottery number, with Applications that have a lower lottery number listed above Applications with a higher lottery number.

RFA at p. 60-61.

17. The RFA mandates the Funding Selection Order (hereinafter “Selection Process”), as follows:

a. Selection Process for Priority I Applications

All Priority I Applications will be sorted into ranked order. The first two Applications selected for funding will be the highest ranking eligible Priority I Applications that requested and are eligible for Land Acquisition Program Funding, subject to the County Award Tally and Funding Test. The Corporation will continue to select the highest ranking eligible unfunded Priority I Applications, which can include Applications that request Development Funding those, subject to the County Award Tally and Funding Test.

If funding remains and no Priority I Applications can meet the Funding Test, then the selection process will continue as described in b. below. Any remaining Land Acquisition Program Funding will be distributed as approved by the Board. The Land Acquisition Program Funding will not be used to fund Priority II or III Applications.

b. Selection Process for Priority II and III Applications

The highest ranked eligible unfunded Priority II Application(s) will be selected for funding, subject to the County Award Tally and Funding Test.

If Development Funding remains, and no Priority II Applications can be fully funded, then the Process will be repeated with the highest-ranking Priority III Applications; however, no more than 20 percent of the Development Funding will be awarded to Priority III Applications.

If Development Funding remains and no eligible unfunded Applications can be fully funded, then no further Applications will be selected for funding and the remaining funding will be distributed as approved by the Board.

RFA at p. 62-63. No Priority III applications were submitted in response to the RFA.

18. The selection process was carried out by the members of the Review Committee at a public meeting held on November 13, 2019.

19. The following applications were selected for funding by Review Committee members,

- 2020-026DB - Saratoga Crossings III, Ltd. (Broward County)
- 2020-040DB - Sierra Bay Partners, Ltd. (Miami-Dade County)
- 2020- 018DB - Pine Island Cape, LLC (Lee County)
- 2020-055DB - Parramore Oaks Phase II, LLC (Orange County)
- 2020-054DB - WRDG T4, LP (Hillsborough County)
- 2020-046DB - MHP Bembridge, LLC (Collier County)
- 2020-019DB - Tigertown GM, Ltd. (Polk County)
- 2020-033DB - Blue McNeil One, LLC (St. Lucie County)
- 2020- 023D - Brownsville Village V, Ltd. (Miami-Dade County)
- 2020-39D - Solaris Apartments Ltd. (Broward County)
- 2020-053D - East Pointe Phase Two, LLC (Lee County)
- 2020-041D - Metro Grande III Associates, Ltd. (Miami-Dade)

20. Twin Lakes III, Ltd., Application 2020-048DB in Polk County, was deemed eligible but was not selected for funding. The scoring committee erroneously determined that the following applications were eligible, satisfied all preferences, and recommended them for funding: Pine Island Cape, LLC, Application No. 2020-018DB; MHP Bembridge, LLC, Application No. 2020-046DB; East Pointe Phase Two, LLC, Application No. 2020-053D; and Solaris Apartments Ltd., Application No. 2020-039D. If any one of the afore-mentioned applicants were deemed ineligible or otherwise not selected for funding, then Twin Lakes would have been selected for funding.

Pine Island Cape, LLC, APPLICATION NO. 2020-018DB

Prior Development Experience Chart

21. Applicants must demonstrate General Development Experience and may also qualify for the Federal Funding Experience Preference if they complete and include a “Prior Experience Chart.” The requirements for the Prior Experience Chart are set out on pages 14 through 16 of the RFA, and include identifying a Principal with experience and giving the name of the Developer Entity “for the proposed Development” for which that individual is a Principal.

22. Pine Island submitted its *Prior General Development Experience Chart* (“Experience Chart”) which provided in part,

Name of Principal, which must be a national person, with the required experience: MARCUS D. GOODMAN

Name of Developer Entity (for the proposed Development) for which the above individual is/was a Principal: THE HOUSING AUTHORITY OF THE CITY OF FORT MYERS.

A copy of *Prior General Development Experience Chart* from the Pine Island Application is attached hereto as Exhibit “D.”

23. Pine Island Cape, LLC (“Pine Island”) identified two developer entities in its Application: Catalyst Pine Island Housing Developer, LLC and LCHA Developer, LLC. According to the Principal Disclosure Form for Pine Island Cape, LCHA Developer, LLC, is wholly owned by the Lee County Housing Authority, the sole member of the LLC.

24. Pine Island identified The Housing Authority of the City of Fort Myers as the Developer Entity “for the proposed Development” in the Experience Chart. Pine Island was deemed to have satisfied the Developer Experience requirement and to qualify for the Federal Funding Experience Preference by the Review Committee.

25. The Housing Authority of the City of Fort Myers is not one of the two developer

entities of Pine Island nor is it identified as a Developer on the *Principal Disclosures For the two Developers* form. Pine Island did not follow the instruction to disclose in the Experience Chart the “Name of the Developer Entity (for the proposed Development) for which the named individual is a Principal.” (emphasis added)

26. Pine Island should not have been deemed to satisfy the Developer Experience requirement or received the Federal Funding Experience Preference.

MHP BEMBRIDGE, LLC, APPLICATION NO. 2020-046DB

Community Services

27. The RFA provides that applicants, “... may earn proximity points based on the distance between the Development Location Point¹ and the Bus or Rail Transit Service and the Community Services...” selected by the Applicant. Specifically, the directions regarding Community Services provide as follows,

(3) Community Services (Maximum 4 Points for each service, **up to 3 services**)

Applicants may provide the location information and distances for three of the following four Community Services on which to base the Application’s Community Services Score. The Community Service Scoring Charts, which reflect the methodology for calculating the points awarded based on the distances, are outlined in Exhibit C.

RFA at 24 (emphasis added). The Eligible Community Services that may be selected by the Applicant, include,

(a) Grocery Store

¹ Development Location Point is defined as a single point selected by the Applicant on the proposed Development site that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. For a Development which consists of Scattered Sites, this means a single point on the site with the most units that is located within 100 feet of a residential building existing or to be constructed as part of the proposed Development. Rule 67-48.002 (39), F.A.C.

- (b) Public School
- (c) Medical Facility
- (d) Pharmacy

28. To receive proximity points for either Transit Services or points for any community service, applicants must provide latitude and longitude coordinates for that service, stated in decimal degrees, and the distance between the Development Location point and the coordinates for the service. The distances between the Development Location Point and the latitude and longitude coordinates for each service will be the basis of awarding proximity points. (RFA at 24) Generally, the shorter the distance between the Community Service and the Development Location Point the higher number of Proximity Points Awarded for Eligible Service. (RFA at 93, 94)

29. MHP Bembridge provided information for four Community Services as opposed to the three Community Services that the RFA allowed. An excerpt of the MHP Bembridge Application showing the identified Community Services and Transit Services is attached hereto as Exhibit “E.” MHP Bembridge’s Community Services Chart was filled out as follows,

<u>Service</u>	<u>Service Information</u>	<u>Latitude</u>	<u>Longitude</u>	<u>Distance</u>
Grocery Store	Aldi Grocery Store	26.153697	-81.720527	0.61
Medical Facility	EPN Urgent Care	26.138333	-81.735278	1.16
Pharmacy	CVS	26.138050	-81.718839	0.49
Public School	Calusa Park	26.145338	-81.715605	0.16

Because Bembridge erroneously claimed more than three community services for purposes of proximity points, it should have been deemed ineligible. Alternatively, Bembridge should receive no Community Service proximity points because it violated the RFA’s limit on the number of Community Services it could claim.

30. Further, in scoring the Bembridge application, Florida Housing awarded points based on the three Community Services which yielded the highest scores to the applicant. Based on the distance listed, the points that the above identified Community Services were potentially worth were 3.0 points for Aldi Grocery Store; 2.0 points for EPN Urgent Care; 3.5 points for CVS Pharmacy; and 4.0 points for Calusa Park school.

31. Florida Housing considered the following Community Services for MHP Bembridge scoring purposes, Public Schools (4.0 points), Grocery Store (3.0 points) and Pharmacy (3.5 points) for scoring purposes. This resulted in Florida Housing awarding Bembridge 10.5 proximity points for Community Services. Had Florida Housing considered the first three Community Services as listed by the Applicant for scoring purposes – Grocery Store (3.0 points), Medical Facility (2.0 points) and Pharmacy (3.5 points) – Bembridge would have only achieved 8.5 points for Community Services. This is not a sufficient proximity score to receive the proximity preference, if the scoring of Transit Services is also corrected as described below.

32. By selecting and scoring the three services that yielded Bembridge the highest score, Florida Housing amended the Bembridge application to make it comply with the limit of three community services. And, rather than just a blind, random elimination of one of the four claimed services, or scoring the first three selected and then “cutting off” the fourth, impermissible selection (a Public School), Florida Housing was an active participant in making the Bembridge application score high enough to compete.

Transit Service Points

33. The Applicant chose two Public Bus Stops in support of its Transit Service Points, one allegedly 0.66 miles away and the other 0.63 miles away. The 0.66 mile-away stop is located on westbound Radio Road and Berkshire Pine Drive (“the Westbound stop”), and the 0.63 mile-

away stop is located on eastbound Radio Road at Santa Clara Drive (the “Eastbound stop”). Florida Housing awarded Bembridge 1.0 Transit Service Points.

34. As provided within the RFA, the relevant definitions and instructions for Public Bus Stops are as follows:

(a) Public Bus Stop (Maximum 6 Points)

Up to three Public Bus Stops may be selected with a maximum of 2 points awarded for each one. Each Public Bus Stop must meet the definition of Public Bus Stop as defined in Exhibit B, using at least one unique bus route. Up to two of the selected Public Bus Stops may be Sister Stops that serve the same route, as defined in Exhibit B.

RFA at 23. Public Bus Stop is defined as follows:

A fixed location at which passengers may access one or two routes of public transportation via buses. The Public Bus Stop must serve at least one bus route with scheduled stops at least hourly during the times of 7am to 9am and also during the times of 4pm to 6pm Monday through Friday, excluding holidays, on a year-round basis. Bus routes must be established or approved by a Local Government department that manages public transportation. Buses that travel between states will not be considered.

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

RFA at 81. Sister Stop is defined as follows:

Sister Stop is defined as two bus stops that (i) individually, each meet the definition of Public Bus Stop, (ii) are separated by a street or intersection from each other, (iii) are within 0.2 miles of each other, (iv) serve at least one of the same bus routes, (v) and the buses travel in different directions.

RFA at 83.

35. The Westbound stop serves only routes 15 and 16 of the Collier County transit system. The Eastbound stop also serves only routes 15 and 16. Based upon route maps published at the Collier Area Transit website, it does not appear that either Route 15 or Route 16 stops at

least hourly at either the “Westbound stop” or the “Eastbound stop” during the FHFC-designated morning times or afternoon times.

36. Further, neither the Westbound stop nor the Eastbound stop serves a “unique bus route,” which presumably means a route not served by the other claimed stop or stops. Since Bembridge’s two claimed stops do not meet the definition of Public Bus Stop, they could also not be considered “Sister Stops.” As a result, Bembridge should have received no Transit Service points.

37. With zero Transit Service points, and zero or 8.5 Community Service points as described above, Bembridge would not have qualified for the Proximity Funding Preference, and would not have been selected for funding.

EAST POINTE PLACE PHASE II, APPLICATION NO. 2020-053D

Proximity Points and Preference

38. For its Community Services for proximity point purposes, East Pointe II claimed a Grocery Store located 1.71 miles from its site, a Public School 0.89 miles away, and a Medical Facility 0.18 miles away. An excerpt of the East Pointe II application showing the identified Community Services and Transit Services is attached hereto as Exhibit “F.” East Pointe II was awarded 1.0 points for its Grocery Store, 3.0 points for its Public School, and 4.0 points for its Medical Facility. East Pointe II should not have received any Medical Facility points.

39. Pursuant to the RFA, Medical Facility is defined as:

A medically licensed facility that (i) employs or has under contractual obligation at least one physician licensed under Chapter 458 or 459, F.S. available to treat patients by walk-in or by appointment; and (ii) provides general medical treatment to any physically sick or injured person. Facilities that specialize in treating specific classes of medical conditions or specific classes of patients, including emergency rooms affiliated with specialty or Class II hospitals and clinics affiliated with specialty or Class II hospitals,

will not be accepted.

RFA at 79.

40. Within the application, East Pointe II identified its chosen Medical Facility as Lee Memorial Health System with the address of 3511 Dr. Martin Luther King Blvd., Fort Myers, Florida 33916, at a claimed distance of 0.18 miles from East Pointe II's DLP. The Medical Facility at this address, however, is Lee Community Healthcare, which operates the following six (6) locations, under these parameters,

- Lehigh Acres (adults, pediatrics and Ob/Gyn)
- **Dunbar (adults only)**
- North Fort Myers (adults only)
- Cape Coral (adults only)
- East Fort Myers (Ob/Gyn)
- South Fort Myers (Ob/Gyn)

Attached hereto as Exhibit "G" is the *About Lee Community Healthcare* from their website.²

41. The chosen Medical Facility, Lee County Community Healthcare, does not meet the definition of Medical Facility because it only serves adults and therefore only treats a specific group of patients. Even though all applications in this RFA are designated "workforce" housing, the fact that Florida Housing allows Public Schools to be claimed for proximity purposes means that Florida Housing anticipates the units may be occupied by families with children. Without the 4.0 proximity points for a Medical Facility, East Pointe II would have received only 4.0 proximity points for Community Services.

² On the Lee Community Health website, it indicates that primary healthcare for adults is provided for at all locations and *for children (only at Lehigh Acres)*. Moreover, that pediatric care, including well-child services (*only at Lehigh Acres*)

42. For its Transit Services, East Pointe II provided coordinates for three Public Bus Stops, at claimed distances of 0.15 miles (Stop 1), 0.33 miles (Stop 2), and 0.32 miles (Stop 3). Florida Housing's Review Committee awarded East Pointe II 5.5 Transit Service proximity points.

43. East Pointe II's "Stop 1" does not meet the definition of Public Bus Stop. Specifically, Stop 1 is served by Route 10. Route 10 does not stop at Stop 1 at least hourly between 7 a.m. and 9 a.m. According to route maps published on the Lee County transit system ("Lee Tran") website, Stop 1 is served by Route 10 in the Southbound direction. The only transit of Route 10 past Stop 1 between the hours of 7 a.m. and 9 a.m. is a single time, some time between 8:05 a.m. and 8:15 a.m.

44. At most, then East Pointe II would only be entitled to 3.0 Transit Service Points, based on the other two stops claimed by East Pointe II that are between 0.3 and 0.4 miles away. (In fact, East Pointe II may not even qualify for 3.0 points, which Petitioner reserves the right to argue if necessary.)

45. Without its Medical Facility points and with only 3.0 Transit Service points, East Pointe II's total Proximity Score would only be 7.0 points. While East Pointe II would still be an eligible applicant with only 7.0 Proximity Points, it would not be entitled to the Proximity Point preference, and would not have been selected for funding.

Financial Arrearage Requirement

46. RFA 2019-102 includes a Financial Arrearage Requirement that provides as follows:

An Application will be deemed ineligible for funding if, as of close of business the day before the Committee meets to make a recommendation to the Board, there remains any financial obligations for which an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer is in arrears to the Corporation or any agent or assignee of the

Corporation as reflected on the most recently published Past Due Report posted to the Corporation's Website under the link Property Owners & Managers/Past Due Reports (also accessible by clicking here), but not more recently than five business days prior to the date the Committee meets to make a recommendation to the Board.

47. The applicable *Florida Housing Finance Corporation Past Due Report*, dated October 18, 2019, identifies the Housing Authority of City of Fort Myers for an October 1, 2019 late interest payment for a HOME loan. The Board Members and Executive Director of the Housing Authority of the City of Fort Myers are also the Board and Executive Director of the Southwest Florida Affordable Housing Choice Foundation, Inc. ("Southwest"). Southwest is a Member of East Pointe Phase Two Manager, LLC, which is the Manager and Non-Investor Member of the Applicant Entity for East Pointe II.

48. If the Housing Authority of Fort Myers was still on FHFC's arrears list as of the day before the November 13, 2019 review committee meeting for this RFA, then East Pointe II should be deemed ineligible because its Principals were also Principals of an entity that was in arrears.

SOLARIS APARTMENTS, APPLICATION NO. 2020-039D

49. The proposed development of Solaris Apartments, Ltd., was identified as consisting of Scattered Sites³ with 78 units. The RFA requires the applicant to demonstrate Ability to Proceed elements "for the entire proposed Development site, including all Scattered Sites, if applicable..." RFA at 36. The applicant submitted the required *Verification of Availability of Infrastructure*

³ Scattered Site is defined as follows, as applied to a single Development, means a Development site that, when taken as a whole, is comprised of real property that is not contiguous (each such non-contiguous site within a Scattered Site Development, is considered to be a "Scattered Site"). For purposes of this definition "contiguous" means touching at a point or along a boundary. Real property is contiguous if the only intervening real property interest is an easement, provided the easement is not a roadway or street. All of the Scattered Sites must be located in the same county. Rule 67-48.002 (105), F.A.C.

*Forms for Water, Sewer and Zoning for the site upon which the Development Location Point was to be located and then also for the second or scattered site.*⁴

50. Each of the required forms contain the following language,

Number of Units in the Development: _____

This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

51. Solaris included in its Application two water availability forms at Attachment 10 (Exhibit H to this Petition), and two sewer availability forms at Attachment 11 (Exhibit I to this Petition). On one of the Attachment 10 forms and one of the Attachment 11 forms, the “Number of Units in the Development” identified was 4. The RFA instructions require that the form identify at least the number of units applied for. The forms should be rejected as non-compliant, and the Application should be rejected as ineligible for failure to accurately identify the number of units in the development on the water and sewer availability verification forms.

Substantial Interests Affected

52. Petitioner is substantially affected by the evaluation and scoring of the responses to the RFA. The results of the scoring have affected Petitioners ability to obtain funding through the RFA. Consequently, Petitioners have standing to initiate and participate in this and related proceedings.

53. Petitioner is entitled to a Formal Administrative Hearing pursuant to Sections 120.57(1) and 120.57(3), Florida statutes, to resolve the issues set forth in this Petition.

⁴ The Verification Forms at issue at the entry for *Development Location*, all contained language which provided as follows,

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). The location of all Scattered Sites, if applicable, must also be included.

Disputed Issues of Material Fact and Law

54. Disputed issues of material fact and law exist and entitle Petitioners to a Formal Administrative Hearing pursuant to Section 120.57(1), Florida Statutes. The disputed issues of material fact and law include, but are not limited to, the following:

- a. Whether the Pine Island Cape application adequately demonstrated General Development Experience and Federal Funding Experience as required in the RFA.
- b. Whether a determination that Pine Island Cape does satisfy the General Development Experience and Federal Funding Experience would be contrary to the Terms of the RFA in a manner which is arbitrary, capricious, and contrary to competition.
- c. Whether the Principal Disclosure Form for Pine Island Cape was incomplete because it did not identify a manager for one of the Co-Developers, LCHA Developer, LLC.
- d. Whether a determination that Pine Island Cape fully disclosed all required Principals of one of the Co-Developers, LCHA Developer, LLC, would be contrary to FHFC's rules and the terms of the RFA, in a manner which is arbitrary, capricious, and contrary to competition.
- e. Whether the Application of MHP Bembridge violated the terms of the RFA by identifying four Community Services instead of the three allowed by the RFA, and should either be rejected as ineligible or should receive zero Community Service proximity points.
- f. Whether FHFC's scoring of Bembridge's Community Services, and

particularly in scoring the three Community Services that accorded Bembridge the highest Community Services score possible, violated the terms of the RFA in a manner which was contrary to competition, arbitrary, and capricious.

- g. Whether the Bembridge application demonstrated entitlement to 1.0 Transit Service Points, or even entitlement to any Transit Service Points at all.
- h. Whether a determination that Bembridge was entitled to any Transit Service Points would be contrary to the terms of the RFA in a manner which is arbitrary, capricious, and contrary to competition.
- i. Whether the Medical Facility claimed in the East Pointe Place II application satisfies the RFA's requirement of providing general medical treatment to "any physically sick or injured person."
- j. Whether a determination that the Medical Facility claimed in the East Pointe Place II application satisfies the RFA's requirements for a Medical Facility would be contrary to the RFA in a manner which is arbitrary, capricious, and contrary to competition.
- k. Whether East Pointe II is entitled to 5.5 Proximity Points for its Transit Services.
- l. Whether East Pointe II is entitled to receive the Proximity Funding Preference.
- m. Whether the East Pointe Place II application included Principals of the Applicant entity who are also Principals of an entity that was in arrears to Florida Housing as of the time set out in the Financial Arrearage

Requirement of the RFA.

- n. Whether a determination that the East Pointe Place II application was not in violation of the Financial Arrearage Requirement of the RFA would be arbitrary, capricious, and contrary to competition.
- o. Whether the Solaris Apartment's application contained water and sewer verification forms that were properly and accurately completed.
- p. Whether a determination that the Solaris application contained properly and accurately completed water and sewer verification forms was in violation of the RFA in a manner which was arbitrary, capricious, and contrary to competition.

Statutes and Rules Entitling Relief

55. Petitioner is entitled to relief pursuant to Section 120.569 and 120.57, Florida Statutes, Chapters 28-106, 28-110, and 67-60, Florida Administrative Code.

Concise Statement of Ultimate Fact and Law, Including the Specific Facts Warranting Reversal of the Agency's Intended Award

56. Petitioner participated in the RFA process to compete for an award of Housing Credit funds based upon the delineated scoring and ranking criteria in the RFA. The ultimate facts relevant to this Petitioner are:

- a. The Pine Island Cape application failed to disclose all required Principals of one of the Co-Developers and must be deemed ineligible.
- b. The Pine Island Cape application failed to demonstrate Prior General Development Experience and prior Federal Funding Experience and must be deemed ineligible.
- c. The MHP Bembridge application violated the RFA's instructions regarding

identification of Community Services by identifying more than the maximum number allowed.

- d. Florida Housing acted contrary to the terms of the RFA and anti-competitively when it selected which of Bembridge's Community Services to score so as to maximize Bembridge's score.
- e. The MHP Bembridge application was not entitled to any Transit Service points because its claimed Public Bus Stops are not served by a route at least hourly between 7 a.m. and 9 a.m. and between 4 p.m. and 6 p.m.
- f. The East Pointe Place II application is not entitled to any proximity points for a Medical Facility because its claimed Medical Facility does not satisfy the RFA's requirements.
- g. The East Pointe II application is not entitled 5.5 Transit Service points, and is not entitled to the Proximity Funding Preference.
- h. The East Pointe Place II application should be deemed ineligible if it is determined that any of its Principals are Principals of an entity that was in financial arrears to Florida Housing.
- i. The Solaris Apartment's application should be deemed ineligible because it included water and sewer availability forms that did not accurately state the number of units proposed for the Solaris development.
- j. Twin Lakes III is entitled to selection for funding in this RFA.

57. Unless the eligibility determinations, scores and rankings are corrected, and the preliminary allocation revised, Petitioner will be excluded from funding, contrary to the provisions of the RFA and Florida Housings governing statutes and rules.

58. A correct application of the eligibility, scoring and ranking criteria will result in funding for the Petitioner.

Right to Amend the Petition

59. Petitioner reserves the right to amend this Petition if additional disputed issues of material fact are identified during the discovery process in this case.

WHEREFORE, pursuant to section 120.57(3), Florida Statutes, and rule 28-110.004, Florida Administrative Code, Petitioner's request the following relief:

- a) An opportunity to resolve this protest by mutual agreement within seven days of the filing of this Petition as provided by Section 120.57(3)(d)(1), Florida Statutes.
- b) If this protest cannot be resolved within seven days, that the matter be referred to the Division of Administrative Hearings for a formal hearing to be conducted before an Administrative Law Judge ("ALJ") pursuant to Section 120.57(1) and (3), Florida Statutes.
- c) The ALJ enter a Recommended Order determining that the application of is ineligible and award funding to the Petitioner as the next eligible applicant.
- d) That the Corporation adopt the Recommended Order of the ALJ.

FILED AND SERVED this 30th day of December, 2019.

/s/ M. Christopher Bryant

M. CHRISTOPHER BRYANT
Florida Bar No. 434450
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BRYANT & ATKINSON, P.A.
P.O. Box 1110
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and

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Tallahassee, Florida 32312
Telephone: (850) 345-8251
Primary: mdaughton@mmd-lawfirm.com

Attorneys for Petitioner Twin Lakes III, Ltd.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Formal Written Protest and Petition for Administrative Proceedings has been filed by e-mail with the Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 (CorporationClerk@floridahousing.org), and a copy via e-mail to the following this 30th day of December, 2019:

Hugh Brown, General Counsel
Betty Zachem, Assistant General Counsel
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
Hugh.brown@floridahousing.org
Betty.zachem@floridahousing.org

/s/ M. Christopher Bryant

ATTORNEY

Exhibits to Twin Lakes' Petition

- A. Spreadsheet of Board-Approved Scoring and Eligibility Determinations in RFA 2019-102, posted Friday, December 13, 2019 at 9:19 a.m.
- B. Spreadsheet of Board-Approved Funding Selections in RFA 2019-102, posted Friday, December 13, 2019 at 9:19 a.m.
- C. Twin Lakes' Notice of Protest letter, time-stamped in at 8:55 a.m. on Wednesday, December 18, 2019.
- D. Prior General Development Experience Chart from Pine Island Cape Application, Application No. 2020-018DB
- E. Excerpt of MHP Bembridge, Application No. 2020-046DB, showing Community Services and Transit Services for Proximity Point scoring
- F. Excerpt of East Pointe Place Phase II, Application No. 2020-053D, showing Community Services and Transit Services for Proximity Point scoring
- G. Printout from Lee Community Healthcare website
- H. Attachment 10 to Application of Solaris Apartments, Application No. 2020-039D, Water Availability
- I. Attachment 11 to Application of Solaris Apartments, Application No. 2020-039D, Sewer Availability

RFA 2019-102 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Units	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Eligible For Funding?	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Corporation Funding Per Set-Aside	Leveraging Levels	Florida Job Creation Preference	Lottery Number
Eligible Applications																		
2020-018DB	Civitas of Cape Coral	Lee	Michael Allan	Lee County Housing Authority	96	950,000.00	4,683,218.00	5,633,218.00	Y	1	5	Y	Y	Y	47,222.45	3	Y	2
2020-019DB	Parker Pointe	Polk	Oscar Sol	City of Lakeland	88		7,990,000.00	7,990,000.00	Y	1	5	Y	Y	Y	79,101.00	4	Y	35
2020-022DB	Quail Roost Transit Village II	Miami-Dade	Kenneth Naylor	Miami-Dade County	248		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	24,980.65	1	Y	37
2020-023D	Brownsville Transit Village V	Miami-Dade	Kenneth Naylor	Miami-Dade County	120		3,900,000.00	3,900,000.00	Y	1	5	Y	Y	Y	25,168.00	1	Y	6
2020-024D	Northside Transit Village III	Miami-Dade	Kenneth Naylor	Miami-Dade County	200		7,300,000.00	7,300,000.00	Y	1	5	Y	Y	Y	28,265.60	1	Y	18
2020-025D	Pondella Preserve	Lee	Darren Smith	Lee County Housing Authority	65	685,000.00	6,200,000.00	6,885,000.00	Y	1	5	Y	Y	Y	92,332.31	5	Y	11
2020-026DB	Saratoga Crossings III	Broward	Anne Castro	Dania Beach Housing Authority	75	2,399,990.00	3,100,000.00	5,499,990.00	Y	1	5	Y	Y	Y	28,567.62	1	Y	41
2020-027DB	Lofts at Cathedral	Duval	James R. Hoover		92		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	70,706.09	2	Y	26
2020-028DB	Meadows Redev I	Orange	Darren Smith	The Housing Authority of the City of Winter Park, Florida	80		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	96,800.00	5	Y	25
2020-030DB	Eagle Pointe	Osceola	Domingo Sanchez		76		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	92,631.58	3	Y	17
2020-031DB	Madison Crest	Volusia	Patrick E. Law		60		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	N	117,333.33	5	Y	44
2020-032DB	Shoreview Place	Miami-Dade	Matthew A. Rieger	Housing Authority of the City of Miami Beach	94		3,948,000.00	3,948,000.00	Y	1	5	Y	Y	Y	36,590.40	3	Y	33
2020-033D	Blue Sky Landing	Saint Lucie	Shawn Wilson	St. Lucie County	82		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	84,995.12	5	Y	15
2020-035DB	Courtside Apartments, Phase III	Miami-Dade	Matthew A. Rieger	Miami-Dade County	80		4,500,000.00	4,500,000.00	Y	1	5	Y	Y	Y	43,560.00	3	Y	22
2020-036DB	Pinewood Park	Brevard	Timothy M. Morgan		60		6,880,000.00	6,880,000.00	Y	2	5	Y	Y	Y	99,897.60	3	Y	34
2020-038DB	Bella Vista	Lee	Matthew A. Rieger	Lee County Housing Authority	96	1,450,000.00	8,000,000.00	9,450,000.00	Y	1	5	Y	Y	Y	73,333.33	4	Y	42

RFA 2019-102 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Units	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Eligible For Funding?	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Corporation Funding Per Set-Aside	Leveraging Levels	Florida Job Creation Preference	Lottery Number
2020-039D	Solaris Apartments	Broward	Mara M. Mades	Residential Options of Florida, Inc.	78	4,500,000.00	3,420,000.00	7,920,000.00	Y	1	5	Y	Y	Y	28,861.29	2	Y	40
2020-040DB	Sierra Bay	Miami-Dade	Mara S. Mades	Residential Options of Florida, Inc.	120	3,300,000.00	3,650,000.00	6,950,000.00	Y	1	5	Y	Y	Y	29,443.33	2	Y	13
2020-041D	Metro Grande III	Miami-Dade	Mara S. Mades	Miami-Dade County	84		3,175,000.00	3,175,000.00	Y	1	5	Y	Y	Y	29,270.48	2	Y	14
2020-042D	Platform 3750 at Frankie Shannon Rolle Center	Miami-Dade	Mara S. Mades	Miami-Dade County	77		4,000,000.00	4,000,000.00	Y	1	5	Y	Y	Y	40,228.57	3	Y	27
2020-043D	Grove Manor Phase I	Polk	Darren Smith	Lake Wales Housing Authority	80		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	96,800.00	5	Y	12
2020-044D	Hillcrest Reserve	Polk	Darren Smith	Winter Haven Housing Authority	80		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	96,800.00	5	Y	9
2020-045DB	Beacon Place	Miami-Dade	Matthew A. Rieger	The Housing Authority of the City of Homestead	180	4,320,000.00	6,925,500.00	11,245,500.00	Y	1	5	Y	Y	Y	31,284.79	2	Y	19
2020-046DB	Bembridge	Collier	Christopher Shear	Collier County	82		7,800,000.00	7,800,000.00	Y	1	5	Y	Y	Y	83,707.32	4	Y	29
2020-047DB	Ambar Walk	Miami-Dade	Elena M. Adames		136		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	56,941.18	1	Y	10
2020-048DB	Twin Lakes Estates - Phase III	Polk	Matthew A. Rieger	Housing Authority of the City of Lakeland, Florida	86		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	81,041.86	4	Y	36
2020-049DB*	Ambar Trail	Miami-Dade	Elena M. Adames		210		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	33,188.57	1	Y	30
2020-050DB	Ashley Park	Duval	Timothy M. Morgan		72		7,800,000.00	7,800,000.00	Y	2	5	Y	Y	Y	104,866.67	4	Y	16
2020-053D	East Pointe Place Phase II	Lee	Alberto Milo, Jr.	The Housing Authority of the City of Fort Myers	90		4,680,000.00	4,680,000.00	Y	1	5	Y	Y	Y	50,336.00	3	Y	38
2020-054DB	WRDG T4	Hillsborough	Leroy Moore	The Housing Authority of the City of Tampa, Florida	112		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	55,314.29	4	Y	5
2020-055DB	Parramore Oaks Phase Two	Orange	Paula McDonald Rhodes	Bright Community Trust, Inc.	91	154,611.18	5,545,388.82	5,700,000.00	Y	1	5	Y	Y	Y	53,089.48	3	Y	43
2020-056D	Brisas del Este Apartments	Miami-Dade	Albert Milo, Jr.	Miami-Dade County	150		5,000,000.00	5,000,000.00	Y	1	5	Y	Y	Y	25,813.33	1	Y	8
2020-057DB*	Modello II	Miami-Dade	Gary J. Gorman	Miami-Dade County	108		4,000,000.00	4,000,000.00	Y	1	5	Y	Y	Y	32,266.67	2	Y	21
2020-058D	Paseo del Rio	Miami-Dade	Alberto Milo, Jr.	Miami-Dade County	180		6,000,000.00	6,000,000.00	Y	1	5	Y	Y	Y	25,813.33	1	Y	31

RFA 2019-102 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Units	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Eligible For Funding?	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Corporation Funding Per Set-Aside	Leveraging Levels	Florida Job Creation Preference	Lottery Number
Ineligible Applications																		
2020-017D	Berkeley Landing	Palm Beach	Jennie D. Lagmay	Bright Community Trust, Inc.	95	2,500,000.00	6,500,000.00	9,000,000.00	N	1	5	Y	Y	Y	66,231.58		Y	20
2020-020D	Thornton Place	Brevard	Jennie D. Lagmay	Bright Community Trust, Inc.	90	2,000,000.00	8,000,000.00	10,000,000.00	N	1	5	Y	Y	Y	86,044.44		Y	39
2020-021D	Parkview Commons	Duval	J. David Page		122		8,000,000.00	8,000,000.00	N	2	5	Y	Y	Y	59,378.36		Y	3
2020-034D	Berkshire Square	Orange	Jennie D. Lagmay	Hannibal Square Community Land Trust, Inc.	90	1,600,000.00	8,000,000.00	9,600,000.00	N	1	5	Y	Y	Y	86,044.44		Y	4
2020-037DB	Ambar Villas	Miami-Dade	Elena M. Adames		120		8,000,000.00	8,000,000.00	N	2	5	Y	Y	Y	64,533.33		Y	1
2020-052DB	Royal Park Apartments	Alachua	Scott Zimmerman		88		8,000,000.00	8,000,000.00	N	3	5	Y	Y	Y	79,200.00		Y	24
2020-059D	Liberty Square Phase Four	Miami-Dade	Alberto Milo, Jr.	Miami-Dade County	186		5,904,761.00	5,904,761.00	N	1	5	Y	Y	Y	25,813.33		Y	23
2020-060DB	Hibiscus Apartments Phase Two	Lee	Scott Zimmerman	Bright Community Trust, Inc.	96	1,200,000.00	5,800,000.00	7,000,000.00	N	1	5	Y	Y	Y	58,483.33		Y	7
Withdrawn Applications																		
2020-029D	Residences at Naranja Lakes	Miami-Dade	Robert G Hoskins	BHP Community Land Trust, Inc.	140	3,250,000.00	5,400,000.00	8,650,000.00	N		0				31,363.20			28
2020-051D	Carrington Park	Volusia	Timothy M. Morgan		72		7,800,000.00	7,800,000.00	N		0				104,866.67			32

*Florida Housing applied the Mid-Rise 4 story multiplier at the review committee meeting. This affected the Corporation Funding Per Set-Aside Amount.

On December 13, 2019, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee’s motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2019-102 Board Approved Preliminary Awards

Total Development Funding Available	66,000,000.00
Total Development Funding Allocated	63,943,606.82
Funding needed for Land Acquisition Requests	1,304,601.18
Total Development Funding Balance Remaining	751,792.00

Total Land Acquisition Program Funding Available	10,000,000.00
Total Land Acquisition Program Funding Allocated	11,304,601.18
Land Acquisition Request funded through Dev. Funding	(1,304,601.18)
Total Land Acquisition Program Funding Remaining	-

Total CDBG-DR Funding Available	76,000,000.00
Total CDBG-DR Funding Allocated	75,248,208.00
Total CDBG-DR Funding Remaining	751,792.00

All Applications

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Funding Test Met	County Award Tally	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Preference	Leveraging Levels	Florida Job Creation Preference	Lottery Number
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Goal to fund two Priority 1 Applications that requested and are eligible for Land Acquisition Program Funding

2020-026DB	Saratoga Crossings III	Broward	Anne Castro	Dania Beach Housing Authority	2,399,990.00	3,100,000.00	5,499,990.00	Y	1	1	5	Y	Y	Y	1	Y	41
2020-040DB	Sierra Bay	Miami-Dade	Mara S. Mades	Residential Options of Florida, Inc.	3,300,000.00	3,650,000.00	6,950,000.00	Y	1	1	5	Y	Y	Y	2	Y	13

Remaining Priority 1 Applications

2020-018DB	Civitas of Cape Coral	Lee	Michael Allan	Lee County Housing Authority	950,000.00	4,683,218.00	5,633,218.00	Y	1	1	5	Y	Y	Y	3	Y	2
2020-055DB	Parramore Oaks Phase Two	Orange	Paula McDonald Rhodes	Bright Community Trust, Inc.	154,611.18	5,545,388.82	5,700,000.00	Y	1	1	5	Y	Y	Y	3	Y	43
2020-054DB	WRDG T4	Hillsborough	Leroy Moore	The Housing Authority of the City of Tampa, Florida		8,000,000.00	8,000,000.00	Y	1	1	5	Y	Y	Y	4	Y	5
2020-046DB	Bembridge	Collier	Christopher Shear	Collier County		7,800,000.00	7,800,000.00	Y	1	1	5	Y	Y	Y	4	Y	29
2020-019DB	Parker Pointe	Polk	Oscar Sol	City of Lakeland		7,990,000.00	7,990,000.00	Y	1	1	5	Y	Y	Y	4	Y	35
2020-033D	Blue Sky Landing	Saint Lucie	Shawn Wilson	St. Lucie County		8,000,000.00	8,000,000.00	Y	1	1	5	Y	Y	Y	5	Y	15
2020-023D	Brownsville Transit Village V	Miami-Dade	Kenneth Naylor	Miami-Dade County		3,900,000.00	3,900,000.00	Y	2	1	5	Y	Y	Y	1	Y	6
2020-039D	Solaris Apartments	Broward	Mara M. Mades	Residential Options of Florida, Inc.	4,500,000.00	3,420,000.00	7,920,000.00	Y	2	1	5	Y	Y	Y	2	Y	40
2020-053D	East Pointe Place Phase II	Lee	Alberto Milo, Jr.	The Housing Authority of the City of Fort Myers		4,680,000.00	4,680,000.00	Y	2	1	5	Y	Y	Y	3	Y	38
2020-041D	Metro Grande III	Miami-Dade	Mara S. Mades	Miami-Dade County		3,175,000.00	3,175,000.00	Y	3	1	5	Y	Y	Y	2	Y	14

On December 13, 2019, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.



OERTEL,
FERNANDEZ,
BRYANT &
ATKINSON, P.A.

MAILING ADDRESS: POST OFFICE BOX 1110, TALLAHASSEE, FLORIDA 32302-1110

OFFICES: 2060 ORBITA WAY | TALLAHASSEE, FLORIDA 32303
PHONE: 850-521-0700 | FAX: 850-521-0720 | WWW.OHFC.COM

ATTORNEYS
TIMOTHY E. ATKINSON
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ANGELA FARFORD
SEBASTIAN J. FERNANDEZ
KENNETH G. OHJEL
TIMOTHY J. PERRY

OF COUNSEL:
C. ANTHONY CLEVELAND

December 18, 2019

Via E-mail

Corporation Clerk
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301-1329
CorporationClerk@floridahousing.org

RECEIVED
19 DEC 18 AM 8:55
FLORIDA HOUSING FINANCE CORPORATION

Re: RFA 2019-102 Community Development Block Grant-Disaster Recovery (CDBG-DR) to be Used in Conjunction with Tax-Exempt MMRB and Non-Competitive Housing Credits in Counties Deemed Hurricane Recovery Priorities

Notice of Protest by Twin Lakes III, Ltd.
Applicant for Application No. 2020-048DB, Twin Lakes Estates Phase III

Dear Corporation Clerk:

Pursuant to Section 120.57(3) Fla. Stat., and Rules 67-60.009(2) and 28-110.003, Fla. Admin. Code, Twin Lakes III, Ltd. ("Twin Lakes III"), Applicant for Application No. 2020-048DB, Twin Lakes Estates – Phase III, in RFA 2019-102, hereby gives notice of its intent to protest the determinations contained on the attached spreadsheets reflecting proposed awards of funding (Attachment A) and proposed scoring, eligibility, and ineligibility determinations (Attachment B) in RFA 2019-102, as approved by the Corporation's Board of Directors on Friday, December 13, 2019. These spreadsheets were posted on the Corporation's website on Friday, December 13, 2019, at 9:19 a.m.; this Notice of Protest is being filed within 72 hours of such posting (excluding Saturdays and Sundays).

Twin Lakes III will file its formal written protest within the time required by Section 120.57(3), Fla. Stat.

Sincerely,

M. Christopher Bryant
Counsel for Twin Lakes III, Ltd.
Applicant for Application No. 2020-048DB
Twin Lakes Estates – Phase III

cc: Hugh Brown, General Counsel (by e-mail only - Hugh.Brown@floridahousing.org)

RFA 2019-102 Board Approved Preliminary Awards

Total Development Funding Available	66,000,000.00
Total Development Funding Allocated	63,943,606.82
Funding needed for Land Acquisition Requests	1,304,601.18
Total Development Funding Balance Remaining	751,792.00

Total Land Acquisition Program Funding Available	10,000,000.00
Total Land Acquisition Program Funding Allocated	11,304,601.18
Land Acquisition Request funded through Dev. Funding	(1,304,601.18)
Total Land Acquisition Program Funding Remaining	-

Total CDBG-DR Funding Available	76,000,000.00
Total CDBG-DR Funding Allocated	75,248,208.00
Total CDBG-DR Funding Remaining	751,792.00

All Applications

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Funding Test Met	County Award Tally	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Leveraging Levels	Florida Job Creation Preference	Lottery Number
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Goal to fund two Priority 1 Applications that requested and are eligible for Land Acquisition Program Funding

2020-0260B	Saratoga Crossings III	Broward	Anne Castro	Dania Beach Housing Authority	2,399,990.00	3,100,000.00	5,499,990.00	Y	1	1	5	Y	Y	Y	1	Y	41
2020-0400B	Sierra Bay	Miami-Dade	Mara S. Mades	Residential Options of Florida, Inc.	3,300,000.00	3,650,000.00	6,950,000.00	Y	1	1	5	Y	Y	Y	2	Y	13

Remaining Priority 1 Applications

2020-0180B	Civitas of Cape Coral	Lee	Michael Allan	Lee County Housing Authority	950,000.00	4,683,218.00	5,633,218.00	Y	1	1	5	Y	Y	Y	3	Y	2
2020-0550B	Parramore Oaks Phase Two	Orange	Paula McDonald Rhodes	Bright Community Trust, Inc.	154,611.18	5,545,388.82	5,700,000.00	Y	1	1	5	Y	Y	Y	3	Y	43
2020-0540B	WRDG T4	Hillsborough	Leroy Moore	The Housing Authority of the City of Tampa, Florida		8,000,000.00	8,000,000.00	Y	1	1	5	Y	Y	Y	4	Y	5
2020-0460B	Bembridge	Collier	Christopher Shear	Collier County		7,800,000.00	7,800,000.00	Y	1	1	5	Y	Y	Y	4	Y	29
2020-0190B	Parker Pointe	Polk	Oscar Sol	City of Lakeland		7,990,000.00	7,990,000.00	Y	1	1	5	Y	Y	Y	4	Y	35
2020-0330	Blue Sky Landing	Saint Lucie	Shawn Wilson	St. Lucie County		8,000,000.00	8,000,000.00	Y	1	1	5	Y	Y	Y	5	Y	15
2020-0230	Brownsville Transit Village V	Miami-Dade	Kenneth Naylor	Miami-Dade County		3,900,000.00	3,900,000.00	Y	2	1	5	Y	Y	Y	1	Y	6
2020-0390	Solaris Apartments	Broward	Mara M. Mades	Residential Options of Florida, Inc.	4,500,000.00	3,420,000.00	7,920,000.00	Y	2	1	5	Y	Y	Y	2	Y	40
2020-0530	East Pointe Place Phase II	Lee	Alberto Milo, Jr.	The Housing Authority of the City of Fort Myers		4,680,000.00	4,680,000.00	Y	2	1	5	Y	Y	Y	3	Y	38
2020-0410	Metro Grande III	Miami-Dade	Mara S. Mades	Miami-Dade County		3,175,000.00	3,175,000.00	Y	3	1	5	Y	Y	Y	2	Y	14

On December 13, 2019, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

RFA 2019-102 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Units	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Eligible For Funding?	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Corporation Funding Per Set-Aside	Leveraging Levels	Florida Job Creation Preference	Lottery Number
Eligible Applications																		
2020-018DB	Civitas of Cape Coral	Lee	Michael Allan	Lee County Housing Authority	96	950,000.00	4,683,218.00	5,633,218.00	Y	1	5	Y	Y	Y	47,222.45	3	Y	2
2020-019DB	Parker Pointe	Polk	Oscar Sol	City of Lakeland	88		7,990,000.00	7,990,000.00	Y	1	5	Y	Y	Y	79,101.00	4	Y	35
2020-022DB	Quail Roost Transit Village II	Miami-Dade	Kenneth Naylor	Miami-Dade County	248		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	24,980.65	1	Y	37
2020-023D	Brownsville Transit Village V	Miami-Dade	Kenneth Naylor	Miami-Dade County	120		3,900,000.00	3,900,000.00	Y	1	5	Y	Y	Y	25,168.00	1	Y	6
2020-024D	Northside Transit Village III	Miami-Dade	Kenneth Naylor	Miami-Dade County	200		7,300,000.00	7,300,000.00	Y	1	5	Y	Y	Y	28,265.60	1	Y	18
2020-025D	Pondella Preserve	Lee	Darren Smith	Lee County Housing Authority	65	685,000.00	6,200,000.00	6,885,000.00	Y	1	5	Y	Y	Y	92,332.31	5	Y	11
2020-026DB	Saratoga Crossings III	Broward	Anne Castro	Dania Beach Housing Authority	75	2,399,990.00	3,100,000.00	5,499,990.00	Y	1	5	Y	Y	Y	28,567.62	1	Y	41
2020-027DB	Lofts at Cathedral	Duval	James R. Hoover		92		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	70,706.09	2	Y	26
2020-028DB	Meadows Redevel I	Orange	Darren Smith	The Housing Authority of the City of Winter Park, Florida	80		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	96,800.00	5	Y	25
2020-030DB	Eagle Pointe	Osceola	Domingo Sanchez		76		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	92,631.58	3	Y	17
2020-031DB	Madison Crest	Volusia	Patrick E. Law		60		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	N	117,333.33	5	Y	44
2020-032DB	Shoreview Place	Miami-Dade	Matthew A. Rieger	Housing Authority of the City of Miami Beach	94		3,948,000.00	3,948,000.00	Y	1	5	Y	Y	Y	36,590.40	3	Y	39
2020-033D	Blue Sky Landing	Saint Lucie	Shawn Wilson	St. Lucie County	82		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	84,995.12	5	Y	15
2020-035DB	Courtside Apartments, Phase III	Miami-Dade	Matthew A. Rieger	Miami-Dade County	80		4,500,000.00	4,500,000.00	Y	1	5	Y	Y	Y	43,560.00	3	Y	22
2020-036DB	Pinewood Park	Brevard	Timothy M. Morgan		60		6,880,000.00	6,880,000.00	Y	2	5	Y	Y	Y	99,897.60	3	Y	34
2020-038DB	Bella Vista	Lee	Matthew A. Rieger	Lee County Housing Authority	96	1,450,000.00	8,000,000.00	9,450,000.00	Y	1	5	Y	Y	Y	73,333.33	4	Y	42

Exhibit B

RFA 2019-102 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Units	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Eligible For Funding?	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Corporation Funding Per Set-Aside	Leveraging Levels	Florida Job Creation Preference	Lottery Number
2020-039D	Solaris Apartments	Broward	Mara M. Mades	Residential Options of Florida, Inc.	78	4,500,000.00	3,420,000.00	7,920,000.00	Y	1	5	Y	Y	Y	28,861.29	2	Y	40
2020-040DB	Sierra Bay	Miami-Dade	Mara S. Mades	Residential Options of Florida, Inc.	120	3,300,000.00	3,650,000.00	6,950,000.00	Y	1	5	Y	Y	Y	29,443.33	2	Y	13
2020-041D	Metro Grande III	Miami-Dade	Mara S. Mades	Miami-Dade County	84		3,175,000.00	3,175,000.00	Y	1	5	Y	Y	Y	29,270.48	2	Y	14
2020-042D	Platform 3750 at Frankie Shannon Rolle Center	Miami-Dade	Mara S. Mades	Miami-Dade County	77		4,000,000.00	4,000,000.00	Y	1	5	Y	Y	Y	40,228.57	3	Y	27
2020-043D	Grove Manor Phase I	Polk	Darren Smith	Lake Wales Housing Authority	80		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	96,800.00	5	Y	12
2020-044D	Hillcrest Reserve	Polk	Darren Smith	Winter Haven Housing Authority	80		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	96,800.00	5	Y	9
2020-045DB	Beacon Place	Miami-Dade	Matthew A. Rieger	The Housing Authority of the City of Homestead	180	4,320,000.00	6,925,500.00	11,245,500.00	Y	1	5	Y	Y	Y	31,284.79	2	Y	19
2020-046DB	Bembridge	Collier	Christopher Shear	Collier County	82		7,800,000.00	7,800,000.00	Y	1	5	Y	Y	Y	83,707.32	4	Y	29
2020-047DB	Ambar Walk	Miami-Dade	Elena M. Adames		136		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	56,941.18	1	Y	10
2020-048DB	Twin Lakes Estates Phase III	Polk	Matthew A. Rieger	Housing Authority of the City of Lakeland, Florida	86		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	81,041.86	4	Y	36
2020-049DB*	Ambar Trail	Miami-Dade	Elena M. Adames		210		8,000,000.00	8,000,000.00	Y	2	5	Y	Y	Y	33,188.57	1	Y	30
2020-050DB	Ashley Park	Duval	Timothy M. Morgan		72		7,800,000.00	7,800,000.00	Y	2	5	Y	Y	Y	104,866.67	4	Y	16
2020-053D	East Pointe Place Phase II	Lee	Alberto Milo, Jr.	The Housing Authority of the City of Fort Myers	90		4,680,000.00	4,680,000.00	Y	1	5	Y	Y	Y	50,336.00	3	Y	38
2020-054DB	WRDG T4	Hillsborough	Leroy Moore	The Housing Authority of the City of Tampa, Florida	112		8,000,000.00	8,000,000.00	Y	1	5	Y	Y	Y	55,314.29	4	Y	5
2020-055DB	Farramore Oaks Phase Two	Orange	Paula McDonald Rhodes	Bright Community Trust, Inc.	91	154,611.18	5,545,388.82	5,700,000.00	Y	1	5	Y	Y	Y	53,089.48	3	Y	43
2020-056D	Brisas del Este Apartments	Miami-Dade	Albert Milo, Jr.	Miami-Dade County	150		5,000,000.00	5,000,000.00	Y	1	5	Y	Y	Y	25,813.33	1	Y	8
2020-057DB*	Modello II	Miami-Dade	Gary J. Gorman	Miami-Dade County	108		4,000,000.00	4,000,000.00	Y	1	5	Y	Y	Y	32,266.67	2	Y	21
2020-058D	Paseo del Rio	Miami-Dade	Alberto Milo, Jr.	Miami-Dade County	180		6,000,000.00	6,000,000.00	Y	1	5	Y	Y	Y	25,813.33	1	Y	31

Exhibit B

RFA 2019-102 Board Approved Scoring Results

Application Number	Name of Development	County	Name of Authorized Principal Representative	Land Owner	Units	Land Acquisition Program Funding Request Amount	Development Funding Request Amount	Total CDBG-DR Request Amount (Land Acquisition plus Development Funding)	Eligible For Funding?	Priority level	Total Points	Resiliency Preference	Federal Funding Preference	Proximity Funding Preference	Corporation Funding Per Set-Aside	Leveraging Levels	Florida Job Creation Preference	Lottery Number
Ineligible Applications																		
2020-017D	Berkeley Landing	Palm Beach	Jennie D. Lagmay	Bright Community Trust, Inc.	95	2,500,000.00	6,500,000.00	9,000,000.00	N	1	5	Y	Y	Y	66,231.58		Y	20
2020-020D	Thornton Place	Brevard	Jennie D. Lagmay	Bright Community Trust, Inc.	90	2,000,000.00	8,000,000.00	10,000,000.00	N	1	5	Y	Y	Y	86,044.44		Y	39
2020-021D	Parkview Commons	Duval	J. David Page		122		8,000,000.00	8,000,000.00	N	2	5	Y	Y	Y	59,378.36		Y	3
2020-034D	Berkshire Square	Orange	Jennie D. Lagmay	Hannibal Square Community Land Trust, Inc.	90	1,600,000.00	8,000,000.00	9,600,000.00	N	1	5	Y	Y	Y	86,044.44		Y	4
2020-037DB	Ambar Villas	Miami-Dade	Elena M. Adames		120		8,000,000.00	8,000,000.00	N	2	5	Y	Y	Y	64,533.33		Y	1
2020-052DR	Royal Park Apartments	Alachua	Scott Zimmerman		88		8,000,000.00	8,000,000.00	N	3	5	Y	Y	Y	79,200.00		Y	24
2020-059D	Liberty Square Phase Four	Miami-Dade	Alberto Milb, Jr.	Miami-Dade County	186		5,904,761.00	5,904,761.00	N	1	5	Y	Y	Y	25,813.33		Y	23
2020-060DB	Hibiscus Apartments Phase Two	Lee	Scott Zimmerman	Bright Community Trust, Inc.	96	1,200,000.00	5,800,000.00	7,000,000.00	N	1	5	Y	Y	Y	58,483.33		Y	7
Withdrawn Applications																		
2020-029D	Residences at Naranja Lakes	Miami-Dade	Robert G Hoskins	BHP Community Land Trust, Inc.	140	3,250,000.00	5,400,000.00	8,650,000.00	N		0				31,363.20			28
2020-051D	Carrington Park	Volusia	Timothy M. Morgan		72		7,800,000.00	7,800,000.00	N		0				104,866.67			32

*Florida Housing applied the Mid-Rise 4 story multiplier at the review committee meeting. This affected the Corporation Funding Per Set-Aside Amount.

On December 13, 2019, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

Prior General Development Experience Chart

Name of Principal, which must be a national person, with the required experience: **MARCUS D. GOODSON**

Name of Developer Entity (for the proposed Development) for which the above individual is/was a Principal: **THE HOUSING AUTHORITY OF THE CITY OF FORT MYERS**

Name of Development	Location (City & State)	Affordable Housing Program that Provided Financing (e.g., Housing Credits, Tax-Exempt Bonds, HOME, SAIL, etc.)	Total Number of Units	Year Completed	Federal Programs such as Davis Bacon requirements and Environmental Review requirements applied? (Y/N)
Homes of Renaissance Preserve I	Fort Myers, Florida	Housing Credits, HOME (FHFC), Tax Credit Exchange Program (TCEP), Tax Credit Assistance Program (TCAP)	96	2009	Yes
Renaissance Preserve Senior	Fort Myers, Florida	Housing Credits, SAIL, HOPE VI, Supplemental Loan, Local Bonds	120	2009	Yes
Homes of Renaissance Preserve II	Fort Myers, Florida	Housing Credits, TCEP, HOPE VI	88	2011	Yes
Homes of Renaissance Preserve III	Fort Myers, Florida	Housing Credits	72	2011	No
Landings at East Pointe	Fort Myers, Florida	Housing Credits	126	2014	No
East Pointe Place	Fort Myers, Florida	Housing Credits	86	2014	No

Exhibit A as modified on 8-14-19, 8-27-19, and 9-6-19

- (2) If the proposed Development consists of Scattered Sites, for each Scattered Site that is in addition to the Development Location Point information provided in (1) above, identify the latitude and longitude coordinate, rounded to at least the sixth decimal place:

[Click here to enter text.](#)

e. Proximity

- (1) PHA Proximity Point Boost

Does the proposed Development qualify for the PHA Proximity Point Boost?

No

If "Yes", provide the required letter as **Attachment 6**.

- (2) Transit Services

Provide the location information and distance for one of the four Transit Services on which to base the Application's Transit Score below.

Service	Latitude	Longitude	Distance (rounded up to the nearest hundredth of a mile) *
Public Bus Stop 1	<u>26.154503</u>	<u>-81.716525</u>	<u>0.66</u>
Public Bus Stop 2	<u>26.154133</u>	<u>-81.717189</u>	<u>0.63</u>
Public Bus Stop 3	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
Public Bus Transfer Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
Public Bus Rapid Transit Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
SunRail Station, MetroRail Station, or TriRail Station	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>

*Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The

Exhibit A as modified on 8-14-19, 8-27-19, and 9-6-19

horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

(3) Community Services

Service	Service Information	Latitude	Longitude	Distance (rounded up to the nearest hundredth of a mile):*
Grocery Store	Aldi Grocery Store 4015 Santa Barbara Blvd. #6 Naples, FL 34104	26.153697	-81.720527	<u>0.61</u>
Medical Facility	EPN Urgent Care 6400 Davis Blvd. #103 Naples, FL 34104	26.138333	-81.735278	<u>1.16</u>
Pharmacy	CVS 7380 Davis Blvd. Naples, FL 34104	26.138050	-81.718839	<u>0.49</u>
Public School	Calusa Park Elementary School 4600 Santa Barbara Blvd. Naples, FL 34104	26.145338	-81.715605	<u>0.16</u>

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

6. Number of Building and Units

a. Total number of units in the proposed Development: 82

b. Set-Aside Commitments

(1) Select one (1) of the following minimum set-aside commitments:

Average Income Test

(2) Total Set-Aside Breakdown Chart

(a) Applicants committing to the minimum set-aside commitment of 20 percent of the total units at 50 percent of the Area Median Income or less or 40 percent of the total units at 60 percent of the Area Median Income or less must complete the following chart:

Exhibit A as modified on 8-14-19, 8-27-19, and 9-6-19

- (2) If the proposed Development consists of Scattered Sites, for each Scattered Site that is in addition to the Development Location Point information provided in (1) above, identify the latitude and longitude coordinate, rounded to at least the sixth decimal place:

[Click here to enter text.](#)

e. Proximity

- (1) PHA Proximity Point Boost

Does the proposed Development qualify for the PHA Proximity Point Boost?

No

If "Yes", provide the required letter as **Attachment 6**.

- (2) Transit Services

Provide the location information and distance for one of the four Transit Services on which to base the Application's Transit Score below.

Service	Latitude	Longitude	Distance (rounded up to the nearest hundredth of a mile) *
Public Bus Stop 1	<u>26.6438687</u>	<u>-81.8408553</u>	<u>0.15</u>
Public Bus Stop 2	<u>26.6483768</u>	<u>-81.8425890</u>	<u>0.33</u>
Public Bus Stop 3	<u>26.6482850</u>	<u>-81.8427966</u>	<u>0.32</u>
Public Bus Transfer Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
Public Bus Rapid Transit Stop	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>
SunRail Station, MetroRail Station, or TriRail Station	<u>Latitude Coordinates</u>	<u>Longitude Coordinates</u>	<u>Distance</u>

*Distance between the coordinates of the Development Location Point and the coordinates of the service. The method used to determine the latitude and longitude coordinates must conform to Rule 5J-17, F.A.C., formerly 61G17-6, F.A.C. All calculations shall be based on "WGS 84" and be grid distances. The

Exhibit A as modified on 8-14-19, 8-27-19, and 9-6-19

horizontal positions shall be collected to meet sub-meter accuracy (no autonomous hand-held GPS units shall be used).

(3) Community Services

Service	Service Information	Latitude	Longitude	Distance (rounded up to the nearest hundredth of a mile):*
Grocery Store	<u>Bravo Supermarket</u> 4031 Palm Beach Blvd. Ft. Myers, FL	<u>26.666228</u>	<u>-81.831850</u>	<u>1.71</u>
Medical Facility	<u>Lee Memorial Health System</u> 3511 Dr. Martin Luther King Jr. Blvd., Fort Myers, FL	<u>26.641364</u>	<u>-81.841900</u>	<u>0.18</u>
Pharmacy	<u>Service Name and Address</u>	<u>Latitude coordinates</u>	<u>Longitude coordinates</u>	<u>Distance</u>
Public School	<u>Dunbar High School</u> 3800 Edison Avenue, Fort Myers, FL	<u>26.633594</u>	<u>-81.834336</u>	<u>0.89</u>

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

6. Number of Building and Units

a. Total number of units in the proposed Development: 90

b. Set-Aside Commitments

(1) Select one (1) of the following minimum set-aside commitments:

Average Income Test

(2) Total Set-Aside Breakdown Chart

(a) Applicants committing to the minimum set-aside commitment of 20 percent of the total units at 50 percent of the Area Median Income or less or 40 percent of the total units at 60 percent of the Area Median Income or less must complete the following chart:

Total Set-Aside Breakdown Chart



[Giving \(http://www.leehealthfoundation.org/index.asp\)](http://www.leehealthfoundation.org/index.asp)

[MyChart \(https://mychart.leememorial.org/MyChart/\)](https://mychart.leememorial.org/MyChart/)

[Careers \(/jobs/index.asp\)](/jobs/index.asp)

[Billing \(/businessoffice/index.asp\)](/businessoffice/index.asp)

[News \(/publicaffairs/index.asp\)](/publicaffairs/index.asp)

[About Us \(/about/index.asp\)](/about/index.asp)

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Lee Community Healthcare



About Lee Community Healthcare

Lee Community Healthcare (LCH) is a community health center established in May of 2011 which received federally qualified health center look-alike (FQHC-LA) designation on February 26, 2015.

Lee Community Healthcare Locations include:

- ▶ Lehigh Acres (adults, pediatrics and Ob/Gyn) ***New Location Click here for directions**
- ▶ Dunbar (adults only) **Click here for directions**
- ▶ North Fort Myers (adults only) **Click here for directions**
- ▶ Cape Coral (adults only) **Click here for directions**
- ▶ East Fort Myers (Ob/Gyn) **Click here for directions**
- ▶ South Fort Myers (Ob/Gyn) **Click here for directions**



From its 45 physicians, advanced practitioners, midwives, nurses and support staff provide primary medical care to the medically uninsured and economically distressed residents of southwest Florida. In 2016, it was estimated that 250,008 Lee County residents were living in low-income households, 140,476 lacked some form of health insurance coverage, and 129,874 lacked access to primary health care services. In response to these acute community needs the team at Lee Community Healthcare saw 9,546 patients during 25,070 office visits in 2017.

Choosing Us Makes Sense Because...

The Right Care starts with a commitment by our care teams to focus on patients and what is best for them. It strives to develop a close provider-patient relationship through longer visits, and seeks to empower each patient to truly understand and take ownership in their own health.

The Right Place means placing offices in the heart of those communities where primary care services for the uninsured and medically under-served are lacking, and maintaining a proximity close to local emergency rooms wherever possible.

The Right Time involves providing extended hours during the workweek and on the weekend so that working families can more easily access the care they need. Emphasizing preventive patient care before a serious health issue arises means a healthier patient and a reduced likelihood of them having to go to the hospital.

Treatment & Services

Provided by Lee Community Healthcare directly:

- ▶ Primary medical care for adults (all locations) & children (only at Lehigh Acres)
- ▶ Diagnostic laboratory and radiological services
- ▶ Cancer and other disease screenings
- ▶ Immunizations (adults only)
- ▶ Screening for elevated blood levels, communicable diseases and cholesterol
- ▶ Behavioral health care
- ▶ Chronic disease management for diabetes, hypertension, asthma, chronic obstructive pulmonary disorder (COPD) and congestive heart failure
- ▶ Appropriate Enabling Services such as case management, referrals outreach, transportation assistance, interpreters and patient education Provided by other organizations, through a referral
- ▶ Pediatric care, including well-child services (only at Lehigh Acres)
- ▶ Obstetric and gynecological care, including prenatal and perinatal care
- ▶ Providing assistance to patients in obtaining discounted medications

Provided by Partner Providers by referral:

- ▶ Complex mental health and substance abuse services
- ▶ Emergency medical care



- ▶ Emergency and routine dental care

How Much Will I Pay?

Based on household size and family income Lee Community Healthcare patients can qualify for discounts on their care. For example, a mother or father with two children earning less than \$25,100 can be seen by an Lee Community Healthcare provider for as little as \$10.00.

We welcome all existing Medicaid and Medicare recipients as well as patients possessing private insurance. In addition, our highly trained staff routinely assists patients in evaluating their eligibility to purchase health insurance through the Affordable Care Act health insurance exchanges, and in signing up for Medicaid or Medicare benefits. No one is ever turned away because they lack the money to pay for their care.

Lee Community Healthcare Annual Report

(pdf/lch2017-annual-report.pdf)

Lee Community Healthcare

(pdf/lch2017-annual-report.pdf)

INSIDE THIS REPORT:
 Chairman's Message 2
 Board Chair's Message 3
 Health Center Highlights 3
 Key Staff 4
 Financial and Operational 5
 Meeting Dates 6

Lee Community HEALTHCARE

The Year of the Storm... Battered but Not Broken.

Contact Lee Community Healthcare

Call us today to find out more information about your treatment options, to schedule a consultation or to make an appointment.

📍 Lee Community Healthcare - Lehigh Acres

**New Location*

5705 Lee Boulevard
 Suite 1
 Lehigh Acres, FL 33971

Hours:

Mon - Fri : 8am - 5pm

Attachment 10

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - WATER**

Name of Development: Solaris Apartments

118 SE 7th St, Hallandale Beach

Development Location: _____

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). The location of all Scattered Sites, if applicable, must also be included.

Number of Units in the Development: 80

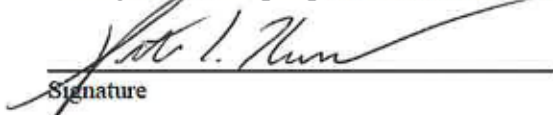
This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

The undersigned service provider confirms that, as of the date that this form was signed, the above referenced Development Location met the following:

1. Potable water is available to the proposed Development, subject to item 2 below.
2. To access such water service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, provide easements, and remove, relocate, install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development. Execution of this document does not guarantee that water service will be available to the Applicant in the future and does not provide the Applicant with any vested rights to receive water service. The availability of water services is subject to the approval of all applicable governmental agencies having jurisdiction over these matters.

CERTIFICATION

I certify that the foregoing information is true and correct.


Signature

Peter A. Kunen, P.E.
Print or Type Name

City Engineer
Print or Type Title

8/16/19
Date Signed

City of Hallandale Beach
Name of Entity Providing Service

630 N.W. 2nd Street
Address (street address, city, state)

Hallandale Beach, FL 33009

(954) 457-3042
Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If there are alterations made to this form that change the meaning of the form, the form will not be accepted.

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - WATER**

Name of Development: Solaris Apartments

SE 7th St., SE Corner of SE 7th St. and SE 2nd Ave., Hallandale Beach

Development Location: _____

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). The location of all Scattered Sites, if applicable, must also be included.

Number of Units in the Development: 4

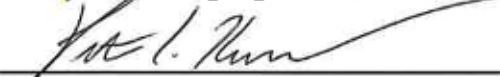
This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

The undersigned service provider confirms that, as of the date that this form was signed, the above referenced Development Location met the following:

1. Potable water is available to the proposed Development, subject to item 2 below.
2. To access such water service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, provide easements, and remove, relocate, install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development. Execution of this document does not guarantee that water service will be available to the Applicant in the future and does not provide the Applicant with any vested rights to receive water service. The availability of water services is subject to the approval of all applicable governmental agencies having jurisdiction over these matters.

CERTIFICATION

I certify that the foregoing information is true and correct.


Signature

Peter A. Kunen, P.E.
Print or Type Name

City Engineer
Print or Type Title

8/16/19
Date Signed

City of Hallandale Beach
Name of Entity Providing Service

630 N.W. 2nd Street
Address (street address, city, state)

Hallandale Beach, FL 33009

(954) 457-3042
Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If there are alterations made to this form that change the meaning of the form, the form will not be accepted.

Attachment 11

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE –
SEWER CAPACITY, PACKAGE TREATMENT, OR SEPTIC TANK**

Name of Development: Solaris Apartments
118 SE 7th St. Hallandale Beach

Development Location: _____
At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). The location of all Scattered Sites, if applicable, must also be included.

Number of Units in the Development: 80
This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

The undersigned service provider confirms that, as of the date that this form was signed, the above referenced Development Location met the following:

1. Sewer Capacity or Package Treatment is available to the proposed Development; or
2. There are no known prohibitions to installing a Septic Tank system with adequate capacity for the proposed Development location or, if necessary, upgrading an existing Septic Tank system with adequate capacity for the proposed Development location.

To access such waste treatment service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, provide easements, and/or remove, relocate, install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development. Execution of this document does not guarantee that waste treatment service will be available to the Applicant in the future and does not provide the Applicant with any vested rights to receive waste treatment service. The availability of waste treatment services is subject to the approval of all applicable governmental agencies having jurisdiction over these matters.

For projects located within Miami-Dade County, the Applicant is advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including the Consent Decree entered on April 9, 2014, in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

CERTIFICATION

I certify that the foregoing information is true and correct.


Signature

Peter A. Kunen, P.E.
Print or Type Name

City Engineer
Print or Type Title

8/16/19
Date Signed

City of Hallandale Beach
Name of Entity Providing Service

630 N.W. 2nd Street
Address (street address, city, state)

Hallandale Beach, FL 33009

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(Form Rev. 8-18)

**FLORIDA HOUSING FINANCE CORPORATION
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE –
SEWER CAPACITY, PACKAGE TREATMENT, OR SEPTIC TANK**

Name of Development: Solaris Apartments
SE 7th St., SE Corner of SE 7th St. and SE 2nd Ave., Hallandale Beach

Development Location: _____
At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). The location of all Scattered Sites, if applicable, must also be included.

Number of Units in the Development: 4
This number must be equal to or greater than the number of units stated by the Applicant in Exhibit A of the RFA.

The undersigned service provider confirms that, as of the date that this form was signed, the above referenced Development Location met the following:

1. Sewer Capacity or Package Treatment is available to the proposed Development; or
2. There are no known prohibitions to installing a Septic Tank system with adequate capacity for the proposed Development location or, if necessary, upgrading an existing Septic Tank system with adequate capacity for the proposed Development location.

To access such waste treatment service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, provide easements, and/or remove, relocate, install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development. Execution of this document does not guarantee that waste treatment service will be available to the Applicant in the future and does not provide the Applicant with any vested rights to receive waste treatment service. The availability of waste treatment services is subject to the approval of all applicable governmental agencies having jurisdiction over these matters.

For projects located within Miami-Dade County, the Applicant is advised that the right to connect the referenced property to the Department's sewer system is subject to the terms, covenants and conditions set forth in court orders, judgments, consent orders, consent decrees and the like entered into between the County and the United States, the State of Florida, and/or any other governmental entity, including the Consent Decree entered on April 9, 2014, in the United States of America, State of Florida and State of Florida Department of Environmental Protection v. Miami-Dade County, Case No. 1:12-cv-24400-FAM, as well as all other current, subsequent or future enforcement and regulatory actions and proceedings.

CERTIFICATION

I certify that the foregoing information is true and correct.


Signature

Peter A. Kunen, P.E.
Print or Type Name

City Engineer
Print or Type Title

8/16/19
Date Signed

City of Hallandale Beach
Name of Entity Providing Service

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(Form Rev 8.18)