

**FLORIDA HOUSING FINANCE CORPORATION**  
**Board Meeting**  
September 19, 2014  
Consent Items



# LEGAL

## Consent

### I. LEGAL

#### A. In Re: Salt Creek Apartments, Ltd. - FHFC Case No. 2014-073VW

<b>Development Name: (“Development”):</b>	<b>Salt Creek Apartments</b>
<b>Developer/Principal: (“Developer”):</b>	<b>Boley Center for Behavior Health, Inc.</b>
<b>Number of Units: 18</b>	<b>Location: Pinellas County</b>
<b>Type: Garden Apartments</b>	<b>Set Aside: 55% @ 50% AMI; 45% @ 60% AMI; 50 years</b>
<b>Demographics: Family</b>	<b>SAIL: \$245,583.00</b>
<b>MMRB: N/A</b>	<b>Housing Credits: N/A</b>

#### 1. Background

- a) During the 1996-1997 SAIL Xa Cycle, Florida Housing awarded an allocation of \$245,583.00 in SAIL funds to Salt Creek Apartments, Ltd., (“Petitioner”) to provide funds for the construction of Salt Creek Apartments, (“Development”) located in Pinellas County, Florida. The Development provides housing for those individuals with Special Needs, which includes those who have experienced homelessness. The SAIL loan closed on March 1, 1999, and matured on September 1, 2014.
- b) Currently, Petitioner and Florida Housing are in negotiations regarding the Petitioner’s request to forgive all deferred interest regarding the SAIL loan and to re-amortize the outstanding balance of the SAIL loan over a term of 25 years at an interest rate of 0%. This interest rate reflects the current rule that governs developments that house Very Low-Income and Special Needs individuals. Since the SAIL loan closed, the statutory interest rate has been reduced from 9% to a range of 0-3%.
- c) On August 26, 2014, Florida Housing received an Amended Petition for Waiver/Variance of Rule 67-48.010, Florida Administrative Code, (“Petition”) from Petitioner<sup>1</sup>. A copy of the Petition is attached as [Exhibit A](#).

#### 2. Present Situation

- a) Rule 67-48.010(7), F.A.C., states:

(7) If, in its application, the Applicant agrees to a Very Low-Income set-aside for a term longer than that required by law, the deferred SAIL interest due pursuant to this Rule Chapter, shall be forgiven in an amount equal to the amount of interest due pursuant to Rule 67-48.010, multiplied by .05 multiplied by the number of years, not to exceed 15, that such set-aside for Very Low-Income persons or households was extended beyond that required by law.

---

<sup>1</sup> Petitioner previously filed a petition seeking similar relief, but cited to a rule that had been repealed prior to the loan closing. That petition was withdrawn.

## LEGAL

### *Consent*

b) Petitioner requests a variance of the rule in order to obtain forgiveness of all outstanding SAIL interest.

c) On August 27, 2014, the Notice of Petition was published in the Florida Administrative Register. To date, Florida Housing has not received any comments concerning the Petition.

d) Section 120.542(2), Florida Statutes provides in pertinent part:

Variations and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.

e) Recognizing the unique financial circumstances faced by Special Needs developments, the granting of this request for waiver will serve the purpose of the underlying statute in that it will enhance the financial viability of the Development and thus ensure the continued availability of affordable housing to those with Special Needs including those who have experienced homelessness, currently being provided by the Development. Denial of the Petition would result in substantial hardship to the Petitioner in that the Development could not continue to operate as a Special Needs development without relief from the original repayment terms of the SAIL loan and the limitation on interest forgiveness as set forth in Rule 67-48.010.

### 3. **Recommendation**

Staff recommends the Board grant the Petitioner's request for variance from Rule 67-48.010(7), Florida Administrative Code, to forgive all deferred SAIL interest due on the loan at its maturity date of September 1, 2014, with the waiver conditioned upon and subject to the renegotiation of the SAIL loan on terms satisfactory to Florida Housing and its counsel.

**LEGAL**

*Consent*

**B. In Re: Palm Breeze Partners, Ltd., FHFC Case No. 2014-072VW**

<b>Development Name: (“Development”):</b>	<b>Palm Coast Landing Senior Living</b>
<b>Developer/Principal: (“Developer”):</b>	<b>Atlantic Housing Partners, LLLP</b>
<b>Number of Units: 61</b>	<b>Location: Flagler County</b>
<b>Type: Mid-Rise w/ elevator</b>	<b>Set Aside: 85% @ 60% AMI 10% @ 35% AMI</b>
<b>Demographics: Elderly non-ALF</b>	<b>Allocated Amount: \$811,430 HC</b>

**1. Background**

- a) Under Request for Applications (RFA) 2013-001, Florida Housing awarded an allocation of Low Income Housing Tax Credits to Palm Breeze Partners, Ltd. to finance the Development described above. The Palm Breeze Application indicated that the Development Type was to be “Mid-Rise with elevator, 5-6 stories and concrete construction.”
- b) On July 23, 2014, Florida Housing received a Petitioner for Waiver from Florida Administrative Code Rule 67-48.004” (“Petition”), from Palm Breeze Partners, Ltd. (“Petitioner”). A copy of the Petition is attached as [Exhibit B](#).
- c) Rule 67-48.004(3), Florida Administrative Code, states in pertinent part:

Notwithstanding any other provision of these Rules, there are certain items that must be included in the Application and cannot be revised, corrected or supplemented after the Application Deadline. Failure to submit these items in the Application at the time of the Application Deadline shall result in rejection of the Application without opportunity to submit additional information. Any attempts to make changes to these items will not be accepted. Those items are as follows:

\*\*\*

- (g) Development Type;
- d) Petitioner requests a waiver of the above Rule to permit a change in Development Type, from “Mid-Rise with Elevator (a building comprised of 5-6 stories) with concrete construction” to “Mid-Rise with Elevator (a building comprised of 4 stories) with wood construction.”
- e) On July 25, 2014, the Notice of Petition was published in the Florida Administrative Weekly.
- f) To date, Florida Housing has received one comment supporting the Petition, this correspondence is attached hereto as [Exhibit C](#).

## LEGAL

### *Consent*

#### 2. **Present Situation**

Petitioner seeks this change in Development Type as a result of changes to the status of the Development Site to a Difficult to Develop Area (DDA) as recognized by HUD. HUD designates areas as DDA based on the high cost of construction, land and utilities compared to the median gross income for the area. To facilitate and encourage the development of affordable housing in these areas, the DDA designation allows a project to increase the eligible basis by 130%. At the time of Application for this RFA, Petitioner's Development Site was not designated as a DDA, but has since been added to the DDA list by HUD.

- a) HUD's designation of the site as a DDA evidences the substantial hardship Petitioner would experience without the granting of this waiver, which would reduce overall project costs with resulting decrease in general contractor fees and developer fees. Granting this waiver would also lower the Development's leveraging calculation per set-aside unit.
- b) Under these specific circumstances, the granting of this waiver would serve the underlying purpose of the statute by reducing the costs of the Development and would provide the Applicant with no unfair advantage over its competitors in the Application process.
- c) Section 120.542(2), Florida Statutes provides in pertinent part:

Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness.

#### 3. **Recommendation**

Staff recommends the Board grant the Petitioner's request for a waiver of Rule 67-48.004(3), Florida Administrative Code, to permit the requested change in Development Type, conditioned upon Petitioner meeting the revised requirements regarding Total Development Cost during Credit Underwriting.

# MULTIFAMILY BONDS

## Consent

### II. MULTIFAMILY BONDS

#### A. Request Approval of Additional Subordination Debt for Captiva Cove II Apartments

<b>Development Name: Captiva Cove II Apartments</b>	<b>Location: Broward County</b>
<b>Development Owner: Captiva Cove II Associates, Ltd.</b>	<b>Set-Asides: 85% @ 60% AMI MMRB 100% @ 60% AMI Housing Credits 20% @ 50% AMI HOME 80% @ 60% AMI HOME</b>
<b>Funding Source: Multi-Family Mortgage Revenue Bonds (MMRB), 4% Housing Tax Credits (Housing Credits), and HOME Investment Partnerships Program (HOME)</b>	<b>Amount: \$8,500,000 MMRB \$2,800,000 HOME \$535,900 Housing Credits</b>
<b>Number of Units: 88</b>	<b>Type: Family</b>

#### 1. Background

- a) On November 22, 2013, Florida Housing issued RFA 2013-010 Financing of Affordable Multifamily Housing Developments with HOME Funding to be used in Conjunction with Florida Housing-Issued Multifamily Mortgage Revenue Bond Financing and Non-Competitive Housing Credits. The Review Committee met on January 22, 2014 to give their scores and submit a recommendation to the Board. Captiva Cove II was among the Developments recommended for this funding. The Board approved the recommendation on January 31, 2014.
- b) The Applicant also submitted an Application (“Application”) on behalf of the proposed Development using the Non-Competitive Application package requesting Multi-Family Mortgage Revenue Bonds in the amount of \$7,700,000 and non-competitive Housing Credits in the amount of \$478,877 in order to construct the Development.
- c) The final Credit Underwriting Report dated June 3, 2014 and prepared by Seltzer Management Group, Inc. was approved June 13, 2014 by the Board.

#### 2. Present Situation

On July 21, 2014, Captiva Cove II Associates, Ltd. requested Florida Housing’s consent to update the Credit Underwriting Report to reflect additional subsidy in the amount of \$186,886 from The City of Pompano Beach. Seltzer Management Group, Inc. has reviewed this request and provided a recommendation ([Exhibit A](#)).

#### 3. Recommendation

That the Board approve the additional subordinate debt, subject to the conditions in the credit underwriting report update letter, with further approval by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

# MULTIFAMILY BONDS

## *Consent*

### B. Request Approval of the Subordination of the MMRB LURA for Andrews Place I (2003 Series M and 2003-511C)

<b>Development Name: Andrews Place I</b>	<b>Location: Bay County</b>
<b>Developer/Principal (“Applicant”): Andrews Place, LLC</b>	<b>Set-Asides: 85% @ 60% AMI MMRB 100% @ 60% AMI Housing Credits</b>
<b>Funding Source: Multi-Family Mortgage Revenue Bonds (MMRB), Guarantee Program (Guarantee Program), HUD-Risk, and 4% Housing Tax Credits (Housing Credits)</b>	<b>Amount: \$9,660,000 MMRB \$616,406 Housing Credits</b>
<b>Number of Units: 200</b>	<b>Type: Family</b>

#### 1. **Background**

Florida Housing financed the construction of the above referenced Development in 2003 with \$9,660,000 in tax exempt bonds designated as 2003 Series M. In addition, \$616,406 in tax credits was allocated to this Development. The Development is HUD risk sharing with Florida Housing’s Guarantee Program (“Guarantee Program”).

#### 2. **Present Situation**

The Borrower requests consent from the Board to subordinate the LURA and EUA to the new first mortgage loan. The Borrower intends to obtain a HUD insured 223(f) program first mortgage loan, the proceeds of which will be used to satisfy the existing first mortgage, redeeming the underlying bonds and effectively terminating the mortgage loan guaranty issued by the Guarantee Program and its associated financial risk to FHFC.

#### 3. **Recommendation**

That the Board approve the subordination of the LURA and EUA subject to approval by Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

# MULTIFAMILY BONDS

## *Consent*

### C. Request Approval of the Method of Bond Sale Recommendation from Florida Housing's Independent Registered Municipal Advisor

#### 1. Background/Present Situation

- a) The Credit Underwriter provided a Final Credit Underwriting Report for the proposed Development below. The Board approved the recommendation of the Credit Underwriter and the appropriate Florida Housing staff on June 13, 2014.
- b) Pursuant to Rule 67-21.0045, F.A.C., staff requested a review of the proposed bond structure by the then Senior Financial Advisor (Tibor Partners, Inc.) in order to make a recommendation to the Board for the method of bond sale for the development. Tibor's letter dated May 23, 2014 included a recommendation for a Private Placement.
- c) Subsequent to that recommendation, the borrower asked that we consider a change in the method of sale under the expectation that a better interest rate might be obtained. Accordingly, staff engaged new Independent Registered Municipal Advisor (George K. Baum & Company) to prepare an analysis and recommendation for the method of bond sale for the Development. The recommendation letter for a Public Negotiated Sale is attached as [Exhibit B](#).

<b>Development Name</b>	<b>Location of Development</b>	<b>Number of Units</b>	<b>Method of Bond Sale</b>
Dade Oaks Apartments	Pasco County	69	Public Negotiated Sale

#### 2. Recommendation

That the Board approve the recommendation of the Independent Registered Municipal Advisor for the method of bond sale for the above Development.



## MULTIFAMILY BONDS

### *Consent*

#### D. Request Approval to Extend Maturity Date for Woodlands Apartments

<b>Development Name: Woodlands</b>	<b>Location: Orange County</b>
<b>Development Owner: Phoenix Realty Special Account – U, L.P.</b>	<b>Set-Asides: 20% @ 80% AMI MMRB 80% @ 150% AMI MMRB</b>
<b>Funding Source: Multi-Family Housing Revenue Bonds (MMRB)</b>	<b>Amount: \$20,000,000 Tax Exempt Bonds</b>
<b>Number of Units: 526</b>	<b>Type: Rental/Family (MMRB)</b>

#### 1. Background

Florida Housing financed the construction of the above referenced Development in 1985 with \$20,000,000 tax exempt bonds designated as 1985 Series SS which was part of a larger financing in the amount of \$63,135,000 that included funding for a total of seven different properties to the original developer, Laurel Orlando Corp. In 1995 the Woodlands bonds were refunded out of the larger pool and in 1998 the development was sold to the current owner, Phoenix Realty Special Account – U, L.P.

#### 2. Present Situation

A letter was received from Henderson Global Investors (North America), Inc. on behalf of its client (Phoenix Realty Special Account - U, L.P.) requesting an extension of the maturity date of the bonds for an additional five years to December 1, 2022. FHFC Counsel determined that a credit underwriting recommendation was not required for this type of request. Accordingly, an internal underwriting review was completed ([Exhibit C](#)) which included a historical analysis of the annual operating statements from 2011 – 2013 (and 7/31/14 YTD), as well as a 10 year pro forma analysis of the property's projected debt service coverage ratio.

#### 3. Recommendation

That the Board approve the extension of the maturity date, subject to the conditions in the internal underwriting review with further approval by Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

**E. Request Approval of the Subordination of the Land Use Restriction Agreement (LURA) and Extended Use Agreement (EUA) for Hampton Court - Mangonia Park**

<b>Development Name: Hampton Court - Mangonia Park</b>	<b>Location: West Palm Beach County</b>
<b>Development Owner: Hampton Court Partners, Ltd.</b>	<b>Set-Asides: 50% @ 60% AMI MMRB 100% @ 60% AMI Housing Credits</b>
<b>Funding Source: Multi-Family Mortgage Revenue Bonds (MMRB) and 4% Housing Tax Credits (Housing Credits)</b>	<b>Amount: \$15,300,000 MMRB \$741,280 Housing Credits</b>
<b>Number of Units: 288</b>	<b>Type: Family</b>

**1. Background**

Florida Housing financed the construction of the above referenced Development on July 21, 1999 with \$12,700,000 in tax exempt MMRB designated as 1999 Series D-1 and \$2,150,000 in taxable MMRB designated as 1999 Series D-2. On August 27, 1999 the mortgage was amended to increase the mortgage an additional \$450,000, which was designated as 1999 Series D-3, for a total of \$15,300,000. In addition, \$741,280 in Housing Credits was allocated to this Development.

**2. Present Situation**

The Owner is refinancing the first mortgage with a HUD 223(f) FHA insured loan with Hunt Mortgage Group. In a letter dated August 28, 2014, Hampton Court Partners, Ltd. has requested Florida Housing's consent to subordinate the existing Land Use Restriction Agreement (LURA) and Extended Use Agreement (EUA) to the new first mortgage lender ([Exhibit D](#)).

**3. Recommendation**

That the Board approve the subordination of the LURA and EUA, with further approval by Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

**F. Request Approval of the Transfer of Ownership Interest and the Assignment and Assumption of the Land Use Restriction Agreement (LURA) and Extended Use Agreement (EUA) for Fountains of Indian River II**

<b>Development Name: Fountains of Indian River II</b>	<b>Location: Indian River County</b>
<b>Development Owner: Lindsey Gardens II, Ltd.</b>	<b>Set-Asides: 80% @ 60% AMI MMRB 100% @ 60% AMI Housing Credits</b>
<b>Funding Source: Multi-Family Mortgage Revenue Bonds (MMRB) and 4% Housing Tax Credits (Housing Credits)</b>	<b>Amount: \$2,885,000 MMRB \$233,090 Housing Credits</b>
<b>Number of Units: 72</b>	<b>Type: Family</b>

**1. Background**

Florida Housing financed the construction of the above referenced Development in 2002 with \$2,800,000 in tax exempt MMRB designated as 2002 Series I-1 and \$85,000 in taxable MMRB designated as 2002 Series I-2. In addition, \$233,090 in Housing Credits was allocated to this Development.

**2. Present Situation**

In a letter dated August 4, 2014 Lindsey Gardens II, Ltd. has requested Florida Housing's consent to transfer the ownership interest of Columbia Housing SLP, Corporation to Vero Beach Leased Housing Associates II, LLC ([Exhibit E](#)). Vero Beach Leased Housing Associates LP II, LLC will acquire the entire investor limited partner interest in the Partnership currently owned by Columbia Housing/PNC Institutional Fund XVII Limited Partnership. Seltzer Management Group, Inc. has reviewed this request and provided a recommendation ([Exhibit F](#)).

**3. Recommendation**

That the Board approve the transfer of ownership and the assignment and assumption of the LURA and EUA, subject to the conditions in the credit underwriting report, with further approval by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

**G. Request Approval of the Subordination and Amendment of the Land Use Restriction Agreement (LURA) and Extended Use Agreement (EUA) for Addison Place**

<b>Development Name: Addison Place</b>	<b>Location: Okaloosa County</b>
<b>Development Owner: Addison Place, LLC</b>	<b>Set-Asides: 85% @ 60% AMI MMRB 100% @ 60% AMI Housing Credits</b>
<b>Funding Source: Multi-Family Mortgage Revenue Bonds (MMRB) and 4% Housing Tax Credits (Housing Credits)</b>	<b>Amount: \$7,830,000 MMRB \$380,682 Housing Credits</b>
<b>Number of Units: 160</b>	<b>Type: Family</b>

**1. Background**

Florida Housing financed the construction of the above referenced Development in 2004 with \$6,260,000 in tax exempt MMRB designated as 2004 Series C-1 and \$1,570,000 in taxable MMRB designated as 2004 Series C-2. In addition, \$380,682 in Housing Credits was allocated to this Development.

**2. Present Situation**

The Owner is refinancing the first mortgage with Greystone Funding Corporation, a DUS lender for Fannie Mae. In a letter dated September 2, 2014, Addison Place, LLC has requested Florida Housing's consent to subordinate and amend the existing Land Use Restriction Agreement (LURA) and Extended Use Agreement (EUA) to the new first mortgage lender ([Exhibit G](#)).

**3. Recommendation**

That the Board approve the subordination and amendment of the LURA and EUA, with further approval by Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

## MULTIFAMILY BONDS

### *Consent*

#### H. Request Approval of the Method of Bond (Note) Sale Recommendation from Florida Housing's Independent Registered Municipal Advisor

##### 1. Background/Present Situation

- a) The Credit Underwriter provided a Final Credit Underwriting Report for the proposed Development below. The Board approved the recommendation of the Credit Underwriter and the appropriate Florida Housing staff on June 13, 2014.
- b) Pursuant to Rule 67-21.0045, F.A.C., staff requested a review of the proposed financing structure by the then Senior Financial Advisor (Tibor Partners, Inc.) in order to make a recommendation to the Board for the method of note execution and delivery for the development. Tibor's letter dated May 23, 2014 included a recommendation for a Negotiated Sale.
- c) However, due to the fact that this transaction has always been represented as a tax-exempt Mortgage Revenue Note, a Note Placement is the more appropriate method of funding. Accordingly, staff engaged new Independent Registered Municipal Advisor (George K. Baum & Company) to prepare an analysis and recommendation for the method of note execution and delivery for the Development. The recommendation letter for a Note Placement is attached as [Exhibit H](#).

<b>Development Name</b>	<b>Location of Development</b>	<b>Number of Units</b>	<b>Method of Bond Sale</b>
Captiva Cove II	Broward County	88	Note Placement

##### 2. Recommendation

That the Board approve the recommendation of the Independent Registered Municipal Advisor for the method of note execution and delivery for the above Development.

## MULTIFAMILY PROGRAMS

### *Consent*

### III. MULTIFAMILY PROGRAMS

#### A. Request Approval of Credit Underwriting Report for Clusters 11 (2014-336G)

<b>Development Name:</b>	<b>Clusters 11</b>
<b>Applicant/Principal:</b>	<b>Broward County Community Development, Inc.® d/b/a Broward Housing Solutions®</b>
<b>Location :</b>	<b>Broward County</b>
<b>Demographic:</b>	<b>Homeless</b>
<b>Number of Units/Type:</b>	<b>Two-unit Duplex</b>
<b>Set-Aside:</b>	<b>50% @ 33% AMI &amp; 50% @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$78,459</b>

#### 1. Background/Present Situation

- a) On January 8, 2014, Florida Housing Finance Corporation issued a request for applications (RFA) 2014-101 for financing to build permanent supportive housing for homeless persons and families. The funding must be used to purchase and renovate existing houses or to construct or purchase and renovate small specialty housing of 15 units or less.
- b) On March 14, 2014, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On April 7, 2014, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Broward County Community Development, Inc.® d/b/a Broward Housing Solutions®.
- d) On August 28, 2014, staff received a positive recommendation for a reduced grant in the amount of \$75,568 ([Exhibit A](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2014-101.

#### 2. Recommendation

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

## MULTIFAMILY PROGRAMS

### *Consent*

#### B. Request Approval of Credit Underwriting Report for 3636 Park Apartments (2014-334G)

<b>Development Name:</b>	<b>3636 Park Apartments</b>
<b>Applicant/Principal:</b>	<b>Boley Centers, Inc.</b>
<b>Location :</b>	<b>Pinellas County</b>
<b>Demographic:</b>	<b>Homeless</b>
<b>Number of Units/Type:</b>	<b>8 Garden Apartments</b>
<b>Set-Aside:</b>	<b>50% @ 40% AMI &amp; 50% @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$1,099,750.00 Grant &amp; \$140,000.00 ELI</b>

#### 1. Background/Present Situation

- a) On January 8, 2014, Florida Housing Finance Corporation issued a request for applications (RFA) 2014-101 for financing to build permanent supportive housing for homeless persons and families. The funding must be used to purchase and renovate existing houses or to construct or purchase and renovate small specialty housing of 15 units or less.
- b) On March 14, 2014, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On April 7, 2014, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Boley Centers, Inc.
- d) On August 29, 2014, staff received a positive recommendation for a grant in the amount of \$1,099,750.00 and ELI funding in the amount \$140,000.00 ([Exhibit B](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2014-101.

#### 2. Recommendation

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

## MULTIFAMILY PROGRAMS

### *Consent*

#### C. Request Approval of Credit Underwriting Report for Home at J Street (2014-167G)

<b>Development Name:</b>	<b>Home at J Street</b>
<b>Applicant/Principal:</b>	<b>Gulfstream Goodwill Industries, Inc.</b>
<b>Location :</b>	<b>Palm Beach County</b>
<b>Demographic:</b>	<b>Homeless</b>
<b>Number of Units/Type:</b>	<b>15/Garden, Duplex, Single Family</b>
<b>Set-Aside:</b>	<b>50% @ 30% AMI &amp; 50% @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$1,728,000.00 Grant; \$230,400.00 ELI</b>

#### 1. Background/Present Situation

- a) On October 11, 2013, Florida Housing Finance Corporation issued a request for applications (RFA) 2013-006 for financing to build permanent supportive housing for homeless persons and families. The funding must be used to purchase and renovate existing houses or to construct or purchase and renovate small specialty housing of 15 units or less.
- b) On December 13, 2013, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On December 19, 2013, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Pinellas Affordable Living, Inc.
- d) On September 3, 2014, staff received a positive recommendation for a grant in the amount of \$1,728,000.00 and ELI funding in the amount of \$230,400.00 ([Exhibit C](#)). Due to time constraints involved with the purchase of a foreclosed property, receipt of a fully executed Purchase and Sale Contract with the Bank is a condition to closing. Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2013-006.

#### 2. Recommendation

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



## MULTIFAMILY PROGRAMS

### *Consent*

#### D. Request Approval of Loan Closing Extension for Loveland Village (2014-134GS)

<b>Development Name:</b>	<b>Loveland Village</b>
<b>Applicant/Principal:</b>	<b>Loveland Center, Inc.</b>
<b>Location :</b>	<b>Sarasota County</b>
<b>Demographic:</b>	<b>Persons With Developmental Disabilities</b>
<b>Number of Units/Type:</b>	<b>42 units/Garden Style</b>
<b>Set-Aside:</b>	<b>25% @ 35% AMI &amp; 55% @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$3,000,000.00 Grant, \$940,000.00 SAIL Loan &amp; \$835,000 ELI Loan</b>

#### 1. Background/Present Situation

- a) On October 11, 2013, Florida Housing Finance Corporation issued a request for proposals (RFA) 2013-004 for financing to build larger permanent supportive housing properties for persons with developmental disabilities.
- b) On December 13, 2013, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On December 19, 2013, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to Loveland Center, Inc. Per RFA 2013-004, the funding must close by September 30, 2014.
- d) On September 4, 2014, staff received a letter from the Applicant requesting a loan closing deadline extension from September 30, 2014 to December 30, 2014 to allow additional time to complete the credit underwriting process ([Exhibit E](#)). Per RFA 2013-004, Applicants may request one loan closing extension of up to 3 months. Staff has reviewed the request and finds that the development meets all of the requirements of RFA 2013-004.

#### 2. Recommendation

Approve an extension of the loan closing deadline from September 30, 2014 to December 30, 2014.

MULTIFAMILY PROGRAMS

Consent

E. Request Approval of Loan Closing Extension for The Arc Village (2014-133CGS)

<b>Development Name:</b>	<b>The Arc Village</b>
<b>Applicant/Principal:</b>	<b>The Arc Jacksonville Village, Ltd.</b>
<b>Location:</b>	<b>Duval County</b>
<b>Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Number of Units/Type:</b>	<b>97 Duplex/Triplex</b>
<b>Set-Aside:</b>	<b>25% @ 33% AMI &amp; 75% @ 60% AMI</b>
<b>Allocated Amounts:</b>	<b>\$1,100,000 – 9% Housing Credit \$1,500,000 – Grant \$1,230,000 – SAIL Loan \$1,790,000 – ELI Loan</b>

1. Background/Present Situation

- a) On October 11, 2013, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2013-004 for financing to build larger permanent supportive housing properties for persons with developmental disabilities.
- b) On December 13, 2013, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On December 19, 2013, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to The Arc Jacksonville Village, Ltd. Per RFA 2013-004, the funding must close by September 30, 2014.
- d) On July 25, 2014, staff received a letter from the Applicant requesting a loan closing deadline extension from September 30, 2014 to December 31, 2014 to allow additional time to complete negotiations with the investor and to complete underwriting ([Exhibit F](#)). Per RFA 2013-004, Applicants may request one loan closing extension of up to 3 months. Staff has reviewed the request and finds that the development meets all of the requirements of RFA 2013-004.

2. Recommendation

Approve an extension to the loan closing deadline from September 30, 2014 to December 31, 2014.

## MULTIFAMILY PROGRAMS

### *Consent*

F. Request Approval of Loan Closing Extension for The Villages at Noah's Landing (2014-138CGS)

<b>Development Name:</b>	<b>The Villages at Noah's Landing</b>
<b>Applicant/Principal:</b>	<b>The Villages at Noah's Landing, LLC</b>
<b>Location:</b>	<b>Polk County</b>
<b>Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Number of Units/Type:</b>	<b>52 Townhouse/Duplex/Triplex/Quadraplex</b>
<b>Set-Aside:</b>	<b>25% @ 40% AMI &amp; 75% @ 60% AMI</b>
<b>Allocated Amounts:</b>	<b>\$1,100,000 – 9% Housing Credit \$1,500,000 – Grant \$1,320,000 – SAIL Loan \$1,000,000 – ELI Loan</b>

1. **Background/Present Situation**

- a) On October 11, 2013, Florida Housing Finance Corporation issued a Request for Applications (RFA) 2013-004 for financing to build larger permanent supportive housing properties for persons with developmental disabilities.
- b) On December 13, 2013, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On December 19, 2013, staff issued a preliminary commitment letter and an invitation to enter credit underwriting to The Villages at Noah's Landing, LLC. Per RFA 2013-004, the funding must close by September 30, 2014.
- d) On July 22, 2014, staff received a letter from the Applicant requesting a loan closing deadline extension from September 30, 2014 to December 31, 2014 to allow additional time to complete negotiations with the investor and to complete underwriting ([Exhibit G](#)). Per RFA 2013-004, Applicants may request one loan closing extension of up to 3 months. Staff has reviewed the request and finds that the development meets all of the requirements of RFA 2013-004.

2. **Recommendation**

Approve an extension to the loan closing deadline from September 30, 2014 to December 31, 2014.

## MULTIFAMILY PROGRAMS

### *Consent*

#### G. Request Approval of Credit Underwriting Report for Hardy House (2014-147G)

<b>Development Name:</b>	<b>Hardy House</b>
<b>Applicant/Principal:</b>	<b>The Arc of Bradford County, Inc.</b>
<b>Location :</b>	<b>Bradford County</b>
<b>Type/Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Set-Aside:</b>	<b>2 residents @ 45% AMI; 4 residents @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$324,940</b>

#### 1. Background/Present Situation

- a) On October 11, 2013, Florida Housing issued RFA 2013-005 Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities. The funding must be used for new construction or renovation of existing housing Units, including Community Residential Homes.
- b) On December 13, 2013, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On January 10, 2014, staff issued an invitation to enter credit underwriting to The Arc of Bradford County, Inc.
- d) On September 2, 2014, staff received a positive recommendation recommending a grant amount of \$324,940 ([Exhibit H](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2013-005.

#### 2. Recommendation

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

## MULTIFAMILY PROGRAMS

### *Consent*

#### H. Request Approval of Credit Underwriting Report for California Avenue CRH Renovation (2014-154G)

<b>Development Name:</b>	<b>California Avenue CRH Renovation</b>
<b>Applicant/Principal:</b>	<b>The Arc of Martin County, Inc.</b>
<b>Location :</b>	<b>Martin County</b>
<b>Type/Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Set-Aside:</b>	<b>2 residents @ 25% AMI; 4 residents @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$72,000</b>

#### 1. Background/Present Situation

- a) On October 11, 2013, Florida Housing issued RFA 2013-005 Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities. The funding must be used for new construction or renovation of existing housing Units, including Community Residential Homes.
- b) On December 13, 2013, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On January 10, 2014, staff issued an invitation to enter credit underwriting to The Arc of Martin County, Inc.
- d) On August 21, 2014, staff received a positive recommendation recommending a grant amount of \$72,000 ([Exhibit I](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2013-005.

#### 2. Recommendation

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

## MULTIFAMILY PROGRAMS

### *Consent*

#### I. Request Approval of Credit Underwriting Report for Goodson Home (2014-389G)

<b>Development Name:</b>	<b>The Goodson Home</b>
<b>Applicant/Principal:</b>	<b>The Arc Sunrise of Central Florida</b>
<b>Location :</b>	<b>Lake County</b>
<b>Type/Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Set-Aside:</b>	<b>2 residents @ 40% AMI; 2 residents @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$224,469</b>

#### 1. Background/Present Situation

- a) On February 28, 2014, Florida Housing issued RFA 2014-105 Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities. The funding must be used for new construction or renovation of existing housing Units, including Community Residential Homes.
- b) On April 25, 2014, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 2, 2014, staff issued an invitation to enter credit underwriting to The Arc Sunrise of Central Florida.
- d) On August 29, 2014, staff received a positive recommendation for a grant amount of \$224,469 be allocated to the Development ([Exhibit J](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2014-105.

#### 2. Recommendation

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

MULTIFAMILY PROGRAMS

Consent

J. Request Approval of Credit Underwriting Report for Glen Springs Home (2014-386G)

<b>Development Name:</b>	<b>The Glen Springs Home at The Arc of Alachua County</b>
<b>Applicant/Principal:</b>	<b>The Arc of Alachua County, Inc.</b>
<b>Location :</b>	<b>Alachua County</b>
<b>Type/Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Set-Aside:</b>	<b>2 residents @ 35% AMI; 4 residents @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$324,990</b>

1. **Background/Present Situation**

- a) On February 28, 2014, Florida Housing issued RFA 2014-105 Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities. The funding must be used for new construction or renovation of existing housing Units, including Community Residential Homes.
- b) On April 25, 2014, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 2, 2014, staff issued an invitation to enter credit underwriting to The Arc of Alachua County, Inc.
- d) On August 28, 2014, staff received a positive recommendation for a grant amount of \$324,990 be allocated to the Development ([Exhibit K](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2014-105.

2. **Recommendation**

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

## MULTIFAMILY PROGRAMS

### *Consent*

#### K. Request Approval of Credit Underwriting Report for Carole Road Home (2014-383G)

<b>Development Name:</b>	<b>Carole Road Home</b>
<b>Applicant/Principal:</b>	<b>The Arc of Putnam County, Inc.</b>
<b>Location :</b>	<b>Putnam County</b>
<b>Type/Demographic:</b>	<b>Persons with Developmental Disabilities</b>
<b>Set-Aside:</b>	<b>2 residents @ 45% AMI; 4 residents @ 60% AMI</b>
<b>Allocated Amount:</b>	<b>\$150,000</b>

#### 1. Background/Present Situation

- a) On February 28, 2014, Florida Housing issued RFA 2014-105 Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities. The funding must be used for new construction or renovation of existing housing Units, including Community Residential Homes.
- b) On April 25, 2014, the Board approved the final scores and recommendations and directed staff to proceed with all necessary credit underwriting activities.
- c) On May 2, 2014, staff issued an invitation to enter credit underwriting to The Arc of Putnam County, Inc.
- d) On September 2, 2014, staff received a positive recommendation for a grant amount of \$150,000 be allocated to the Development ([Exhibit L](#)). Staff has reviewed this report and finds that the development meets all of the requirements of RFA 2014-105.

#### 2. Recommendation

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



**PREDEVELOPMENT LOAN PROGRAM (PLP)**

*Consent*

**IV. PREDEVELOPMENT LOAN PROGRAM (PLP)**

**A. Request Approval of PLP Loan for REVA Development Corporation, a not-for-profit entity, for Boulevard Art Lofts (2014-002P-09)**

<b>DEVELOPMENT NAME (“Development”):</b>	<b>Boulevard Art Lofts</b>
<b>APPLICANT/DEVELOPER (“Developer”):</b>	<b>MFK/REVA Development, LLC</b>
<b>CO-DEVELOPER:</b>	<b>N/A</b>
<b>NUMBER OF UNITS:</b>	<b>45</b>
<b>LOCATION (“County”):</b>	<b>Broward County</b>
<b>TYPE:</b>	<b>Family</b>
<b>MINIMUM SET ASIDE:</b>	<b>50% @80% AMI, 50% @120% AMI</b>
<b>PLP LOAN AMOUNT:</b>	<b>\$670,000</b>

**1. Background**

- a) On March 14, 2014, Florida Housing received a PLP Application from the Developer for the Pompano Terrace Artisan Village. The development has since been renamed Boulevard Art Lofts.
- b) On April 7, 2014, Florida Housing issued an Invitation to Participate in the PLP to the Developer.

**2. Present Situation**

The Technical Assistance Provider (TAP) has submitted a Development Plan and recommended a loan amount of \$670,000 for PLP eligible activities ([Exhibit A](#)). Of this loan amount, \$170,000 is being requested for costs for the acquisition of the development property and will be subject to review and a positive recommendation from an assigned credit underwriter. Staff has reviewed the Development Plan and determined that all budget items are PLP eligible.

**3. Recommendation**

Approve the PLP Loan in the amount of \$670,000 to MFK/REVA Development Corporation for Boulevard Art Lofts, as recommended by the TAP, and allow staff to issue a Commitment Letter and commence with loan closing on the \$500,000 in non-site acquisition funds.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Consent*

#### V. PROFESSIONAL SERVICES SELECTION (PSS)

##### A. Request Approval of Response to the Request for Qualifications 2013-01 for Housing Counseling Agencies to Provide Services for the Foreclosure Counseling Program

###### 1. Background

- a) On February 1, 2013, the Board approved a staff recommendation to issue a Request for Qualifications (RFQ) for Housing Counseling Agencies (HCAs) for the implementation of the Foreclosure Counseling Program (FCP) funded through the National Mortgage Settlement.
- b) To date, the Board has approved 59 HCAs to provide services through the FCP.

###### 2. Present Situation

- a) The RFQ allowed for HCAs to respond beyond the original submission date so that Florida Housing can maximize the number of qualified agencies to provide adequate foreclosure counseling coverage across the state. One (1) additional HCA, the Center for Independent Living in Central Florida, Inc., has applied to participate in the FCP.
- b) On August 19, 2014, the proposal was reviewed by the RFQ review committee and recommended for approval pending the submission of required documentation. At this time, all documents have been submitted and reviewed.

###### 3. Recommendation

Approve the Center for Independent Living in Central Florida, Inc., as recommended for approval by the RFQ review committee on August 19, 2014.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Consent*

#### **B. Contract #2010-09-02-001 – Renewal for Guaranteed Investment Contract (GIC) Broker Services**

##### **1. Background**

- a) At the October 2010 meeting, the Board of Directors of Florida Housing authorized staff to enter into contract negotiations with BLX Group, LLC to provide Guaranteed Investment Contract Broker Services.
- b) The initial three (3) year term of this contract began on December 16, 2010. Contingent upon the Guaranteed Investment Contract Broker satisfactorily performing its obligations under the contract as determined by Florida Housing, the contracts may be renewed twice. Each renewal shall be for an additional one year period. There is one (1) optional renewal term remaining.

##### **2. Present Situation**

Florida Housing staff supports a renewal to extend the term of the contracts for the final one (1) year period.

##### **3. Recommendation**

Staff believes that it is in the best interests of Florida Housing to continue to retain BLX Group, LLC as a Guaranteed Investment Contract Broker pursuant to the existing contract and recommends the Board direct staff to proceed with the final one (1) year renewal option.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Consent*

#### C. Single Source Procurement for a Hardest Hit Fund (HHF) Program Manager

##### 1. Background

Starting in September 2010, Florida Housing has entered into an annual single source contract with RCL Consulting and Management, Inc. for Lainey Lowery, its President to act as a Program Manager for the HHF Program. Ms. Lowery's experience and knowledge in this field cannot be readily obtained through the competitive solicitation process, and has greatly assisted both the implementation and the continued management of the Program.

##### 2. Present Situation

- a) On September 21, 2014, the term for Florida Housing's current contract with RCL Consulting and Management, Inc., will expire.
- b) Florida Housing has a continuing need for a HHF Program Manager to assist and advise Florida Housing with managing the Hardest Hit Fund program.
- c) Florida Housing has published the information required by R. 67-49.0031(2), FAC, and has received no response from any other vendor.

##### 3. Recommendation

Staff believes that it is in the best interests of Florida Housing to proceed with a new contract for these services. Staff requests authorization to enter into a one-year single source contract with RCL Consulting and Management, Inc., for Lainie Lowery, its President to continue to providing Program Manager services for the Hardest Hit Fund.

## PROFESSIONAL SERVICES SELECTION (PSS)

### *Consent*

#### D. Contract Renewals – Management Services

##### 1. Background

- a) At its December 2010 meeting, the Board of Directors of Florida Housing authorized staff to enter into contract negotiations with selected respondents of RFP 2010-06 to provide management company services in conjunction with various Florida Housing loan programs on an as needed basis as it may become necessary for Florida Housing to foreclose on a multifamily housing development for which Florida Housing has made a loan.
- b) The following contract is nearing completion on an initial three (3) year term:

<b>Contract Number</b>	<b>Vendor</b>	<b>Initial Term Expiration Date</b>
2010-13-02-003	Wilson Management Company	9/28/2014

- c) The following contracts have completed an initial three (3) year term and a one (1) year optional renewal term is nearing completion:

<b>Contract Number</b>	<b>Vendor</b>	<b>Initial Term Expiration Date</b>	<b>First Renewal Term Expiration Date</b>
2010-06-02-001	Services Taylor-Made, Inc.	10/15/2013	10/15/2014
2010-06-02-002	Stephenson & Moore, Inc.	10/19/2013	10/19/2014
2010-13-02-002	WRH Realty	3/25/2014	3/24/2015
2010-13-02-004	Royal American	12/23/2013	12/23/2014

##### 2. Present Situation

- a) Florida Housing continues to utilize these vendors for management services.
- b) Florida Housing staff supports a renewal to extend the term of the contracts for the first renewal of contract 2010-13-02-003 and a second and final one (1) year period for the other agreements listed above.

##### 3. Recommendation

Staff believes that it is in the best interests of Florida Housing to continue to retain these management services companies and recommends that the Board direct staff to proceed with the contracts' renewals.

## SPECIAL ASSETS

### *Consent*

#### VI. SPECIAL ASSETS

- A. Request Approval of Transfer of General Partner Interest in Dixie Court Associates, Ltd., a Florida Limited Partnership, for Dixie Court Apartments (RFP2006-04-03 Wilma GO Zone SAIL/2006-003C/2005-037C)

<b>Development Name: Dixie Court Apartments (“Development”)</b>	<b>Location: Broward County</b>
<b>Developer/Principal: Carlisle Development Group (“Developer”)/ Dixie Court Associates, Ltd. (“Borrower”)</b>	<b>Set-Aside: SAIL &amp; HC: 20% @ 30%, 80% @ 60% AMI LURA 50 years; EUA 50 years</b>
<b>Number of Units: 122</b>	<b>Allocated Amount: SAIL \$1,025,000; HC \$1,251,220</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

1. **Background**

During the 2006 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a State Apartment Incentive Loan (“SAIL”) in the amount of \$1,025,000 to Dixie Court Associates, Ltd., a Florida limited partnership (“Borrower”), for the development of a 122-unit property in Broward County, Florida. The loan was closed on December 3, 2007, and will mature on December 1, 2024. The Development also received a 2006 allocation of low-income housing tax credits of \$1,251,220.

2. **Present Situation**

- a) The Borrower requests approval to transfer the managing general partner (“GP”) interest of TCG Dixie Court, LLC, and the non-managing co-GP interest of Dixie Court GP, Inc. to HEF-Dixie Court I, Inc. HEF-Dixie Court I, Inc. will become the sole GP of the Development.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit A](#)).

3. **Recommendation**

Staff recommends that the Board approve the transfer of the general partner interests subject to the conditions provided in the credit underwriting report and direct staff to proceed with loan document modification activities as needed.

## SPECIAL ASSETS

### *Consent*

**B. Request Approval of Transfer of General Partner Interest in Dixie Court II, Ltd., a Florida Limited Partnership, for Dixie Court II Apartments (MR2008D/RRLP2006-357HR/2007-525C)**

<b>Development Name: Dixie Court II Apartments (“Development”)</b>	<b>Location: Broward County</b>
<b>Developer/Principal: Carlisle Development Group/Dixie Court II, Ltd. (“Developer”)</b>	<b>Set-Aside: MMRB 85% @ 60%; RRLP 21% @ 30%, 79% @ 60%; HC 100% @ 60% MMRB 30 years; RRLP 50 years; HC 30 years</b>
<b>Number of Units: 32</b>	<b>Allocated Amount: MMRB \$4,750,000; RRLP \$5,436,305; HC \$260,000</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

**1. Background**

During the 2006 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a loan from the Rental Recovery Loan Program (“RRLP”) in the amount of \$5,346,305 to Dixie Court II, Ltd., a Florida limited partnership (“Borrower”), for the development of a 32-unit property in Broward County, Florida. The loan was closed February 21, 2008, and will mature on February 21, 2058. The Development also received a 2006 allocation of low-income housing tax credits of \$260,000. The Borrower was also awarded \$4,750,000 in Florida Housing Multifamily Mortgage Revenue Bonds that were redeemed in April 2009.

**2. Present Situation**

- a) The Borrower requests approval to transfer the managing general partner (“GP”) interest of CDG Dixie Court II, LLC, and the non-managing co-GP interest of Dixie Court GP, Inc. to HEF-Dixie Court II, Inc. HEF-Dixie Court II, Inc. will become the sole GP of the Development.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit B](#)).

**3. Recommendation**

Staff recommends that the Board approve the transfer of the general partner interests subject to the conditions provided in the credit underwriting report and direct staff to proceed with loan document modification activities as needed.

## SPECIAL ASSETS

### *Consent*

- C. **Request Approval of Transfer of General Partner Interest in Dixie Court III, Ltd., a Florida Limited Partnership, for Dixie Court III Apartments (2007 Supplemental Loan/2008-299C/2008-001C/2007-123C)**

<b>Development Name: Dixie Court III Apartments (“Development”)</b>	<b>Location: Broward County</b>
<b>Developer/Principal: Carlisle Development Group (“Developer”)/ Dixie Court III, Ltd. (“Borrower”)</b>	<b>Set-Aside: Supplemental: 10% @ 30%; HC: 20% @ 30%, 80% @ 60% AMI Supplemental: 15 years; HC: 50 years</b>
<b>Number of Units: 100</b>	<b>Allocated Amount: Supplemental \$850,000; HC \$1,672,290</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

1. **Background**

During the 2007 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a Supplemental Loan in the amount of \$850,000 to Dixie Court III, Ltd., a Florida limited partnership (“Borrower”), for the development of a 100-unit property in Broward County, Florida. The loan was closed on December 31, 2008, and will mature on December 31, 2023. The Development also received a 2008 allocation of low-income housing tax credits of \$1,672,290.

2. **Present Situation**

- a) The Borrower requests approval to transfer the managing general partner (“GP”) interest of CDG Dixie Court III, LLC, and the non-managing co-GP interest of Dixie Court GP, Inc. to HEF-Dixie Court III, Inc. HEF-Dixie Court III, Inc. will become the sole GP of the Development.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit C](#)).

3. **Recommendation**

Staff recommends that the Board approve the transfer of the general partner interests subject to the conditions provided in the credit underwriting report and direct staff to proceed with loan document modification activities as needed.



**SPECIAL ASSETS**

*Consent*

**D. Request Approval of Transfer of General Partner Interest in Northwest Properties I, Ltd., a Florida Limited Partnership, for Northwest Gardens I Apartments fka Alan Apartments (2009-057X/2008-203C)**

<b>Development Name: Northwest Gardens I Apartments (“Development”)</b>	<b>Location: Broward County</b>
<b>Developer/Principal: Carlisle Development Group (“Developer”)/ Northwest Properties I, Ltd. (“Borrower”)</b>	<b>Set-Aside: TCEP: 40% @ 60% AMI TCEP: 15 years</b>
<b>Number of Units: 143</b>	<b>Allocated Amount: TCEP \$18,232,500</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

**1. Background**

During the 2009 funding cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a Tax Credit Exchange Program (“TCEP”) loan in the amount of \$18,232,500 to Northwest Properties I, Ltd., a Florida limited partnership (“Borrower”), for the development of a 143-unit property in Broward County, Florida. The loan was closed on June 3, 2010. The 2008 allocation of low-income housing tax credits were returned.

**2. Present Situation**

- a) The Borrower requests approval to transfer the managing general partner (“GP”) interest of CDG Northwest Properties I, LLC to HEF-Alan, Inc., the current co-GP. HEF-Alan, Inc. will become the sole GP of the Development.
- b) Florida Housing received a positive recommendation from the credit underwriter ([Exhibit D](#)).

**3. Recommendation**

Staff recommends that the Board approve the transfer of the managing general partner interest subject to the conditions provided in the credit underwriting report and direct staff to proceed with loan document modification activities as needed.

## SPECIAL ASSETS

### *Consent*

**E. Request Approval to Refinance the First Mortgage for Rose Harbor, LP, a Florida Limited Partnership, for Gardens at Rose Harbor Apartments (MR2003J/2002-121BS/ 2002-549C)**

<b>Development Name: Gardens at Rose Harbor Apartments (“Development”)</b>	<b>Location: Hillsborough County</b>
<b>Developer/Principal: Gatehouse Group (“Developer”)/Rose Harbor, LP (“Borrower”)</b>	<b>Set-Aside: MMRB 5% @40%, 80% @60%; SAIL &amp; HC 5% @40%, 95% @60% AMI LURA: 50 years; EUA: 50 years</b>
<b>Number of Units: 160</b>	<b>Allocated Amount: MMRB \$5,740,000; SAIL \$2,000,000; HC \$366,744</b>
<b>Demographics: Elderly</b>	<b>Servicer: Seltzer Management Group</b>

**1. Background**

- a) During the 2003 funding cycle, Florida Housing Finance Corporation (“FHFC”) issued tax-exempt bonds in the original amount of \$5,740,000 to fund a first mortgage loan to Rose Harbor, LP, a Florida limited partnership (“Borrower”), for the development of a 160-unit apartment complex in Hillsborough County, Florida. The Multifamily Revenue Bonds (“MMRB”) loan closed on April 1, 2003, and will mature on May 1, 2036.
- b) The Borrower received a State Apartment Incentive Loan (“SAIL”) in the amount of \$2,000,000. The loan closed on April 15, 2003, and will mature on May 15, 2036. The Development also received a 2002 allocation of low-income housing tax credits of \$366,744.

**2. Present Situation**

- a) The Borrower requests consent from the Board to refinance the existing first mortgage loan. The Borrower intends to obtain a first mortgage loan from AmeriSphere Multifamily Finance, LLC, a Fannie Mae DUS Lender, the proceeds of which will be used to satisfy the existing first mortgage, redeeming the underlying bonds.
- b) The Borrower also requests that the SAIL loan, the SAIL and MMRB Land Use Restriction Agreements (“LURAs”) and the Low Income Housing Tax Credit Extended Use Agreement (“EUA”), be subordinated to the new first mortgage. As necessary to facilitate the refinance, MMRB loan documents may need to be modified and extended.
- c) Staff received a credit underwriting report ([Exhibit E](#)) with a positive recommendation to approve the new financing, subordination of the SAIL loan, the SAIL and MMRB LURAs and the HC EUA, to the new first mortgage, and modification and extension of MMRB loan documents as necessary.

## SPECIAL ASSETS

### *Consent*

#### 3. **Recommendation**

Approve the refinancing of the first mortgage loan, subordination of the SAIL loan, the SAIL and MMRB LURAs and the HC EUA, to the new first mortgage, modification and extension of MMRB loan documents as necessary, and modification of any other loan documents required to effectuate the refinancing subject to the conditions outlined in the credit underwriter's report and subject to further approvals and verifications by the credit underwriter, counsel and appropriate Florida Housing staff and direct staff to proceed with loan document modification activities.

## SPECIAL ASSETS

### *Consent*

#### F. Request Approval of Refinance for Metro Place I, Ltd., a Florida Limited Partnership, for Metro Place I (Demonstration Loan/97L-049)

<b>Development Name: Metro Place I (“Development”)</b>	<b>Location: Orange County</b>
<b>Developer/Principal: Banyan (“Developer”); Metro Place I, Ltd. (“Borrower”)</b>	<b>Set-Aside: HC 15% @ 35% AMI, 85% @ 60% AMI; EUA: 50 years; LURA: 50 years</b>
<b>Number of Units: 288</b>	<b>Allocated Amount: Demo - \$3,000,000; HC - \$1,950,000</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

#### 1. Background

During 1997 funding cycle, Florida Housing awarded a \$3,000,000 Demonstration loan (“Demo”) to Metro Place I, Ltd., a Florida limited partnership (“Borrower”), for the construction of a 10,000 square foot community center located within the 288-unit development in Orange County. The loan was closed on May 21, 1999, and will mature on May 31, 2019. The Development also received a 1997 allocation of low-income housing tax credits of \$1,950,000.

#### 2. Present Situation

- a) The Borrower requests consent from the Board to refinance the existing first mortgage loan. The Borrower intends to obtain a first mortgage loan from Wells Fargo Bank, National Association, the proceeds of which will be used to satisfy the existing first mortgage from Massachusetts Life Insurance Company and to pay a portion of the Demo Loan principal balance.
- b) The Borrower also requests that the Demo loan documents, the Low Income Housing Tax Credit Extended Use Agreement (“EUA”), and the Demo Land Use Restriction Agreements (“LURA”) be subordinated to the new first mortgage.
- c) Staff received a credit underwriting report ([Exhibit F](#)) providing a positive recommendation for the new financing, and subordination of the Demo loan documents, the HC EUA, and the Demo LURA to the new first mortgage.

#### 3. Recommendation

Approve the refinancing of the first mortgage loan, and subordination of the Demo loan documents, the HC EUA, and the Demo LURA to the new first mortgage, and modification of any other loan documents required to effectuate the refinancing subject to the conditions outlined in the credit underwriter’s report and subject to further approvals and verifications by the credit underwriter, counsel and appropriate Florida Housing staff and direct staff to proceed with loan document modification activities.

## SPECIAL ASSETS

### *Consent*

**G. Request Approval of Refinance for Metro Place II, Ltd., a Florida Limited Partnership, for Metro Place II (1998-051S/1998-505C)**

<b>Development Name: Metro Place II (“Development”)</b>	<b>Location: Orange County</b>
<b>Developer/Principal: Banyan (“Developer”); Metro Place II, Ltd. (“Borrower”)</b>	<b>Set-Aside: SAIL &amp; HC 90% @ 60% AMI; LURA &amp; EUA: 50 years</b>
<b>Number of Units: 224</b>	<b>Allocated Amount: SAIL - \$2,500,000; HC - \$653,290</b>
<b>Demographics: Family</b>	<b>Servicer: Seltzer Management Group</b>

**1. Background**

During the 1997/1998 State Apartment Incentive Loan (“SAIL”) Cycle X(b), Florida Housing awarded a \$2,500,000 construction/permanent loan to Metro Place II, Ltd., a Florida limited partnership (“Borrower”), for the construction of a 224-unit development in Orange County. The SAIL loan closed on March 22, 1999, and will mature on April 30, 2031. The Development also received a 1998 allocation of low-income housing tax credits of \$653,290.

**2. Present Situation**

- a) The Borrower requests consent from the Board to refinance the existing first mortgage loan. The Borrower intends to obtain a first mortgage loan from Wells Fargo Bank, National Association, the proceeds of which will be used to satisfy the existing first mortgage from Orange County Housing Finance Authority.
- b) The Borrower also requests that the SAIL loan, the Low Income Housing Tax Credit Extended Use Agreement (“EUA”), and the SAIL Land Use Restriction Agreements (“LURA”) be subordinated to the new first mortgage.
- c) Staff received a credit underwriting report ([Exhibit G](#)) providing a positive recommendation for the new financing, and subordination of the SAIL loan, the HC EUA, and the SAIL LURA to the new first mortgage.

**3. Recommendation**

Approve the refinancing of the first mortgage loan, and subordination of the SAIL loan, the HC EUA, and the SAIL LURA to the new first mortgage, and modification of any other loan documents required to effectuate the refinancing subject to the conditions outlined in the credit underwriter’s report and subject to further approvals and verifications by the credit underwriter, counsel and appropriate Florida Housing staff and direct staff to proceed with loan document modification activities.

**SPECIAL ASSETS**

*Consent*

**H. Request Approval of Workout Proposal for Salt Creek Apartments, Ltd., a Florida Limited Partnership, for Salt Creek Apartments (98S-006/ 97L-024)**

<b>Development Name: Salt Creek Apartments (“Development”)</b>	<b>Location: Pinellas County</b>
<b>Developer/Principal: Boley Center for Behavioral Health Care, Inc. (“Developer”)/ Salt Creek Apartments, Ltd. (“Borrower”)</b>	<b>Set-Aside: SAIL 45% @ 60% , 55% @ 50%, AMI; HC 16% @ 35%, 84% @ 60% AMI; LURA 50 years; EUA 50 years</b>
<b>Number of Units: 18</b>	<b>Allocated Amount: SAIL \$245,583; HC \$125,221</b>
<b>Demographics: Family</b>	<b>Servicer: First Housing Development Corporation</b>

**1. Background**

During the 1997-1998 SAIL Xa Cycle, Florida Housing Finance Corporation (“Florida Housing”) awarded a State Apartment Incentive Loan (“SAIL”) in the amount of \$245,583.00 to Salt Creek Apartments, Ltd., a Florida limited partnership (“Borrower”), for the development of a 18-unit property in Pinellas County, Florida. The loan was closed on March 1, 1999, and matured on September 1, 2014. The Development also received a 1997 allocation of low-income housing tax credits of \$125,221.

**2. Present Situation**

- a) In a letter dated April 7, 2014, the Borrower requested that the terms of the SAIL loan be renegotiated. Staff subsequently entered into negotiations. The Borrower submitted a workout proposal requesting that Florida Housing forgive all deferred interest on the matured SAIL loan and renew the principal at 0% interest for 25 years, with monthly amortization of principal. Legal is presenting its recommendation for a Petition for Rule Waiver contemporaneously herewith to forgive all deferred interest on the SAIL loan. The Borrower has agreed to set aside 80% of the units in the Development for households that have experienced homelessness. The affordability period under the Land Use Restriction Agreement (“LURA”) will be extended to 50 years from the date of closing of the SAIL loan modification.
- b) Florida Housing staff have reviewed the Development’s operating and financial information, and have provided a positive recommendation for the renegotiated terms of the loan.

## SPECIAL ASSETS

### *Consent*

#### 3. **Recommendation**

Staff recommends that the Board approve the workout proposal to renegotiate the terms of the SAIL loan with a 0% interest rate for 25 years and with yearly amortization of principal, modification of the LURA to designate 80% of the units for households that have experienced homelessness, and extension of the LURA to 50 years from closing, subject to review and approval of the Petition for Rule Waiver to forgive all deferred SAIL interest on the matured loan, and direct staff to proceed with loan modification activities.

## SPECIAL ASSETS

### *Consent*

#### I. Request Approval of the Extension of the SAIL Loan for Mount Carmel Gardens, Inc., a Florida corporation for Mount Carmel Gardens (1997-002E/1997HR-014/2006-003E)

<b>Development Name: Mount Carmel Gardens (“Development”)</b>	<b>Location: Duval County</b>
<b>Developer/Principal: Mount Carmel Gardens, Inc. (“Developer”); (“Borrower”)</b>	<b>Set-Aside: HOME 5% @ 60% &amp; 95% @ 50% AMI; LURA 50 years;</b>
<b>Number of Units: 207</b>	<b>Allocated Amount: EHCL(1997) - \$197,199; HOME - \$1,637,673; EHCL (2006) - \$479,761</b>
<b>Demographics: Elderly</b>	<b>Servicer: AmeriNational</b>

#### 1. Background

During the 1997 Elderly Housing Community Loan (“EHCL”) cycle, Florida Housing awarded a \$197,199 loan to Mount Carmel Gardens, Inc., a Florida corporation (“Borrower”), for repairs to Mount Carmel Gardens (“Development”) a 207 unit Elderly development located in Duval County. The EHCL loan closed on June 23, 1998 and matured on August 21, 2013. The Development also received a 1997 HOME loan of \$1, 637,673 which matures March 1, 2040 and an additional 2006 EHCL loan of \$479,761 which matures August 14, 2022.

#### 2. Present Situation

The Borrower requests approval for an extension of the 1997 EHCL loan to August 21, 2015. The Borrower is applying for funding in upcoming RFAs being administered by Florida Housing. The Borrower needs the additional time to complete the refinancing of the Development. The Borrower has agreed to pay approximately \$8,173 on the loan balance at closing of the extension and \$1,000 per month during the term of the extension. The Borrower has also agreed to pay the FHFC loan extension fee.

#### 3. Recommendation

Approve the extension of the EHCL loan, to August 21, 2015, with the agreed upon payment terms of approximately \$8,173 paid at closing and \$1,000 per month during the term of the extension and direct staff to proceed with loan document modification activities as needed.



## SPECIAL ASSETS

### *Consent*

**J. Request Approval of Subordinate Financing of the SAIL Loan for Harding Village, Ltd., a Florida limited partnership, for Harding Village (2003-013CS)**

<b>Development Name: Harding Village (“Development”)</b>	<b>Location: Miami-Dade County</b>
<b>Developer/Principal: Carrfour Supportive Housing, Inc. (“Developer”); Harding Village, Ltd. (“Borrower”)</b>	<b>Set-Aside: SAIL &amp; HC 17% @ 30% &amp; 83% @ 60% AMI; LURA 50 years; EUA: 50 years</b>
<b>Number of Units: 92</b>	<b>Allocated Amount: SAIL - \$2,000,000; HC \$497,510</b>
<b>Demographics: Homeless</b>	<b>Servicer: First Housing</b>

**1. Background**

During the 2003 SAIL (“State Apartment Incentive Loan”) Cycle XV, Florida Housing awarded a \$2,000,000 construction/permanent loan to Harding Village, Ltd., a Florida limited partnership (“Borrower”), for the development of a 92-unit development in Miami-Dade County. The SAIL loan closed on May 8, 2005 and will mature on May 18, 2022. The Development also received a 2003 allocation of low-income housing tax credits of \$497,510.

**2. Present Situation**

The Borrower requests approval of subordinate financing for the Development. The Borrower has been awarded HOME funding from the City of Miami Beach in the amount of \$321,552 and Miami-Dade County in the amount of \$180,518. The funding will be used to make necessary repairs to the Development. The loans will be subordinate to the SAIL loan which is in first lien position. Florida Housing’s recommendation is conditioned upon receipt of a positive recommendation from the credit underwriter.

**3. Recommendation**

Staff recommends that the Board approve the subordinate financing conditioned upon the receipt of a positive recommendation from the credit underwriter and the conditions provided therein and subject to review by FHFC staff, counsel and credit underwriter and direct staff to proceed with loan document modification activities as needed.