

FLORIDA HOUSING FINANCE CORPORATION

Board Meeting

April 2, 2004

Consent Items



EHCL

Consent

I. EHCL

A. Request Credit Underwriting Approval for Cutler Meadows 2003-006E

DEVELOPMENT NAME (“Development”):	Cutler Meadows Apartments
DEVELOPER/PRINCIPAL (“Developer”):	Cutler Meadows, LLC Greater Miami Neighborhoods, Inc.
NUMBER OF UNITS:	150
LOCATION (County):	Miami-Dade County
TYPE:	Elderly
ALLOCATED AMOUNT:	\$200,000
ADDITIONAL COMMENTS:	

1. Background/Present Situation

- a) On August 1, 2003, the Board approved the final scores and ranking for the 2003 Elderly Housing Community Loan (“EHCL”) Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 13, 2003, staff issued a preliminary commitment letter and invitation to credit underwriting for an EHCL loan in an amount up to \$200,000 for the Development. This EHCL loan will be secured by a third mortgage on the property.
- c) On March 12, 2004, staff received a credit underwriting report with a positive recommendation for an EHCL loan in the amount of \$200,000 ([Exhibit A](#)).

2. Recommendation

That the Board approve the credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

EHCL

Consent

B. Request Credit Underwriting Approval for Cutler Glen 2003-005E

DEVELOPMENT NAME (“Development”):	Cutler Glen Apartments
DEVELOPER/PRINCIPAL (“Developer”):	Cutler Glen, LLC Greater Miami Neighborhoods, Inc.
NUMBER OF UNITS:	75
LOCATION (County):	Miami-Dade County
TYPE:	Elderly
ALLOCATED AMOUNT:	\$200,000
ADDITIONAL COMMENTS:	

1. Background/Present Situation

- a) On August 1, 2003, the Board approved the final scores and ranking for the 2003 Elderly Housing Community Loan (“EHCL”) Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 13, 2003, staff issued a preliminary commitment letter and invitation to credit underwriting for an EHCL loan in an amount up to \$200,000 for the development. This EHCL loan will be secured by a third mortgage on the property.
- c) On March 12, 2004, staff received a credit underwriting report with a positive recommendation for an EHCL loan in the amount of \$200,000 ([Exhibit B](#)).

2. Recommendation

That the Board approve the credit underwriting report and direct staff to proceed with issuance of a firm loan commitment and loan closing activities.

HOMEOWNERSHIP LOAN PROGRAM

Consent

II. HOMEOWNERSHIP LOAN PROGRAM

A. Request for Approval of the Analytical Review for Pompano Beach Scattered Sites Development / HAP03-306

Applicant Name (“Applicant”):	We Help Community Development Corporation
Development Name (“Development”):	Pompano Beach Scattered Sites Development
Developer/Principal (“Developer”):	We Help Community Development Corporation/ D.M. Walker
Number of Units: 12	Location: Pompano Beach, Broward County
Type: HAP Purchase Assistance Loan	Allocated Amount: \$360,000

1. Background

- a) The Applicant submitted an application on behalf of We Help Community Development Corporation during Round One of the 2003 Homeownership Loan Program Cycle.
- b) On December 16, 2003, Florida Housing issued an invitation into credit underwriting and a preliminary commitment letter to We Help Community Development Corporation for a HAP Purchase Assistance Loan in the amount of \$360,000 to assist in the construction of 12 homes in Broward County.

2. Present Situation

- a) The credit underwriter provided Staff with an Analytical Review outlining the parameters of the proposed development. The Analytical Review is attached as [Exhibit A](#).
- b) Staff has reviewed the report and concurs with the credit underwriter’s recommendation to reserve HAP funds in the amount of \$360,000 for a HAP Purchase Assistance Loan.

3. Recommendation

Staff recommends that the Board approve the Analytical Review and authorize staff to issue a firm commitment letter in the amount of \$360,000 to the Developer for a HAP Purchase Assistance Loan, subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOMEOWNERSHIP LOAN PROGRAM

Consent

B. Request for Approval of the Final Credit Underwriting Report for Lehigh Oaks II / HH03-005

Applicant Name (“Applicant”):	Lehigh Oaks II, LLC
Development Name (“Development”):	Lehigh Oaks II Subdivision
Developer/Principal (“Developer”):	Lehigh Oaks II, LLC / Bowen Arnold
Number of Units: 22	Location: Lee County
Type: HOME Construction Loan	Allocated Amount: \$766,000

1. Background

- a) The Applicant submitted an application on behalf of Lehigh Oaks II during Round One of the 2003 Homeownership Loan Program Cycle for a HOME Construction Loan.
- b) On September 19, 2003 Florida Housing issued an invitation into credit underwriting and a preliminary commitment letter to Lehigh Oaks II, LLC for a HOME Construction Loan in the amount of \$766,000 to assist in the construction of 22 homes in Lee County.

2. Present Situation

- a) The credit underwriter provided Staff with a Final Credit Underwriting Report outlining the parameters of the proposed development. The Credit Underwriting Report is attached as [Exhibit B](#).
- b) Staff has reviewed the report and concurs with the credit underwriter’s recommendation to reserve HOME funds in the amount of \$766,000 for a HOME Construction Loan.

3. Recommendation

Staff recommends that the Board approve the Final Credit Underwriting Report and authorize staff to issue a firm commitment letter in the amount of \$766,000 to the Developer for a HOME Construction Loan subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOMEOWNERSHIP LOAN PROGRAM

Consent

C. Request for Approval of the Credit Underwriting Report for Hancock Place / HAP02-308

Applicant Name (“Applicant”):	St. Johns Housing Partnership, Inc.
Development Name (“Development”):	Hancock Place
Developer/Principal (“Developer”):	St. Johns Housing Partnership, Inc./ William Lazar
Number of Units: 32	Location: St. Augustine, St. Johns County
Type: HAP Construction Loan	Allocated Amount: \$840,000

1. Background

- a) The Applicant submitted an application on behalf of St. John’s Housing Partnership, Inc. during Round One of the 2002 Homeownership Loan Program Cycle.
- b) On November 4, 2002 Florida Housing issued an invitation into credit underwriting and a preliminary commitment letter to St. Johns Housing Partnership, Inc. for a HAP Construction Loan in the amount of \$840,000 to assist in the construction of 32 homes in St. Johns County.
- c) The Developer was granted two (2) extensions for submitting information to the credit underwriter to complete their financial analysis. The Developer encountered a couple of issues regarding relocation of a retention pond which prompted a reconfiguration of the development layout. Additionally, the Developer needed time to secure their pre-development financing.

2. Present Situation

- a) The credit underwriter provided staff with a Final Credit Underwriting Report outlining the parameters of the proposed development. The Credit Underwriting Report is attached as [Exhibit C](#).
- b) Staff has reviewed the report and concurs with the credit underwriter’s recommendation to reserve HAP funds in the amount of \$840,000 for a HAP Construction Loan.

3. Recommendation

Staff recommends that the Board approve the Final Credit Underwriting Report and authorize staff to issue a firm commitment letter in the amount of \$840,000 to the Developer for a HAP Construction Loan, subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOMEOWNERSHIP LOAN PROGRAM

Consent

D. Request for Approval of the Analytical Review for Duval County Scattered Sites II / HH03-016

Applicant Name (“Applicant”):	Habitat Resources of Duval County, Inc.
Development Name (“Development”):	Duval County Scattered Sites II
Developer/Principal (“Developer”):	Habitat Resources of Duval County, Inc. / Ms. Toni Randall
Number of Units: 50	Location: Jacksonville, Duval County
Type: HOME Purchase Assistance Loan	Allocated Amount: \$857,500

1. Background

- a) The Applicant submitted an application on behalf of Duval County Scattered Sites II during Round One of the 2003 Homeownership Loan Program Cycle for a HOME Purchase Assistance Loan.
- b) On February 2, 2003 Florida Housing issued an invitation into credit underwriting and a preliminary commitment letter to Habitat Resources of Duval County, Inc. for a HOME Purchase Assistance Loan in the amount of \$857,500 to assist in the construction of 50 homes in Duval County.

2. Present Situation

- a) The credit underwriter provided staff with an Analytical Review outlining the parameters of the proposed development. The Analytical Review is attached as [Exhibit D](#).
- b) Staff has reviewed the report and concurs with the credit underwriter’s recommendation to reserve HOME funds in the amount of \$857,500 for a HOME Purchase Assistance Loan.

3. Recommendation

Staff recommends that the Board approve the Analytical Review and authorize staff to issue a firm commitment letter in the amount of \$857,500 to the Developer for a HOME Purchase Assistance Loan subject to further approvals by the credit underwriter, counsel, and the appropriate corporation staff.

HOUSING CREDITS

Consent

III. HOUSING CREDITS

A. Request from the Applicant of the Santa Clara Apartments II to modify a feature it selected in its Application

DEVELOPMENT NAME (“Development”):	Santa Clara Apartments II
DEVELOPER/PRINCIPAL (“Developer”):	Carlisle Group
NUMBER OF UNITS:	204
LOCATION (“County”):	Miami Dade County
TYPE:	New Construction
SET ASIDE:	13% @ 30% AMI & 87% @ 60% AMI
ALLOCATED AMOUNT:	\$2,210,000.00
ADDITIONAL COMMENTS: Urban In-Fill	

1. Background/Present Situation

- a) Santa Clara Apartments II is a Competitive Housing Credit, New Construction Development providing 204 set-aside units in Miami Dade County. Florida Housing issued the Development a preliminary allocation of \$2,210,000 in Housing Credits in December of 2003.
- b) Florida Housing received a request on March 3, 2004 from the Applicant requesting it be allowed to substitute its commitment to provide “Emergency Call Service in all units” with two commitments, of equal total point value, to provide a “Playground/tot lot” and a “Picnic area”, [Exhibit A](#). The Applicant was unsure, at the time of application, whether the site would be of sufficient size to accommodate a playground and picnic area so they chose another feature. The Applicant, in finding that the site can accommodate the playground and picnic area, feels that these proposed features would better serve the tenants. A cost opinion from Consultec ([Exhibit B](#)) states that the costs to be incurred by the proposed changes are within industry standards and are higher than the cost of the original feature selected in the Application. A positive opinion from the credit underwriter (Seltzer Management Group) of the impact the proposed changes would have on the development is included at [Exhibit C](#).

2. Recommendation

Staff recommends that the Board approve the aforementioned request.

LEGAL

Consent

IV. LEGAL

A. In Re: Creation of Chapter 67-1 Florida Administrative Code

1. Background

Rule Chapters 67- 21, 67-25, 67-32, 67-36, 67-37, 67-38, 67-39, 67-43, 67-45, 67-48, 67-49 and 67-50, Florida Administrative Code, contain rules that define terms used in governing the various programs administered by Florida Housing.

2. Present Situation

Florida Housing's rules are contained in the various rule chapters. Each rule chapter contains rules that define terms used in the rule chapter. These defined terms are duplicative, and in some instances are confusing and/or conflict with definitions found in other rule chapters. Reconciling these rule chapter definitions will increase the efficiency and effectiveness of enforcement of the various programs.

3. Recommendation

- a) That the Board authorize staff to begin the process of amending the rule chapters and implement these changes.

LEGAL

Consent

B. In Re: Repeal of Rule Chapters in Florida Administrative Code

1. Background

Rule Chapters 675, 67-8, 67-11, 67-12, 67-13,67-14, 67-19, 67-28, 67-34, 67-36, 67-40, 67-41 and 67-42, Florida Administrative Code, contain rules for procedures that at one time governed various programs administered by Florida Housing.

2. Present Situation

Florida Housing's programs are contained in the various rule chapters. The above rule chapters are redundant and obsolete and are no longer used. In some instances, these rule chapters have been superceded by other rule chapters and are confusing and/or conflict with one another. Repealing these rule chapters will increase the efficiency and effectiveness of enforcement of the various programs.

3. Recommendation

Staff recommends that the Board authorize staff to begin the process to repeal these rule chapters.

MULTIFAMILY BONDS

Consent

V. MULTIFAMILY BONDS

- A. Request Approval of the Final Credit Underwriting Report for \$19,745,000 in tax-exempt bonds in order to finance the development known as Sonoma Bay Apartments (“Development”), 320 Units, located in Riviera Beach, Palm Beach County, Florida

DEVELOPMENT NAME (“Development”):	Sonoma Bay
DEVELOPER/PRINCIPAL (“Developer”):	Cornerstone Group Development, LLC/ Jorge Lopez, Stuart Meyers, Leon Wolfe, & Mara Mades
NUMBER OF UNITS:	320
LOCATION (County):	Palm Beach
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	25% @ 50%, 60% @ 60% (MMRB) 100% @ 60% (HC)
ALLOCATED AMOUNT:	\$21,170,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS: New Issue	

1. Background

- a) Sonoma Bay Associates, Ltd. (“Applicant”) submitted an application (“Application”) on behalf of the proposed Development during the 2003 Application Cycle. Applicant applied for tax-exempt bonds in the amount of \$21,170,000 in order to construct the Development.
- b) At the October 9, 2003 Board meeting, the Board approved an Acknowledgement Resolution for the issuance of tax-exempt bonds in an amount not to exceed \$21,170,000 for construction of the Development.

2. Present Situation

- a) While the current Program Rule does not prohibit changes or modifications of the proposed Development during credit underwriting, the Board has directed staff to advise it of any such changes.
- b) The syndicator (“Wachovia”) and the Applicant have renegotiated the equity commitment letter to increase the syndication rate from \$.815 to \$.86. Equity installments, however, will not begin until after construction completion. Wachovia will provide a bridge loan during construction in the amount of \$8,786,088 instead of the original amount of \$8,590,022. This loan will close prior to or simultaneous with the bond loan closing, and total bridge loan funds will be disbursed in pro-rata draws during construction. This change does not negatively affect the development.
- c) The total overall cost of the development is approximately 1% higher than indicated in the Application. The changes are due to a reduction in hard costs, offset by a higher estimate of capitalized interest, budgeting for hard cost contingencies (versus a letter of credit), replacement reserves, bridge loan interest, and an increase in developer’s fees. These changes do not materially affect the development.

MULTIFAMILY BONDS

Consent

- d) It is not anticipated that the proposed SAIL Program loan will be approved and/or funded by closing of the bond loan. Therefore, the resulting shortfall will be covered by additional deferral of developer's fees, deferral of contractor's fee, and/or developer's equity, if necessary.
- e) In order to meet the debt service coverage for both loans, the bond loan has been reduced from the original request of \$21,170,000 to \$19,745,000. This shortfall will be covered by additional tax credit equity, and additional deferral of developer's fees.
- f) A Final Credit Underwriting Report dated March 18, 2004, is attached as [Exhibit A](#).

3. Recommendation

That the Board approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated March 18, 2004 recommending that \$19,745,000 in bonds be issued for the purpose of constructing the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

- B. Request approval of the Supplemental Letter to the Final Credit Underwriting Report for \$7,900,000 in Tax-Exempt Bonds and \$3,560,000 in Taxable Bonds, in order to finance the development known as Lake Shore Apartments (“Development”), 192 units, located in West Palm Beach, Palm Beach County, Florida. Approval of the Supplemental Letter is requested by both the MMRB and SAIL Programs**

DEVELOPMENT NAME (“Development”):	Lakeshore Apartments
DEVELOPER/PRINCIPAL (“Developer”):	Lakeshore Apartments, LLC, TRG GP LLC, The Richman Group Development Corporation, Richard Richman, The Richman Group of Florida, Inc.
NUMBER OF UNITS:	192
LOCATION (County):	Palm Beach
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	7% @ 30%, 78% @ 60% (MMRB) & 7% @ 30%, 93% @ 60% (SAIL) & 100% @ 60% (HC)
ALLOCATED AMOUNT:	\$7,900,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS:	Change in Financing Structure

1. Background

- a) At the October 9, 2003 Board Meeting, the Board authorized the adoption of an Acknowledgement Resolution in the amount not to exceed \$7,900,000 in tax-exempt bonds and SAIL funds in the amount of \$2,000,000 to construct the Development.
- b) At the February 27, 2004 Board Meeting, the Board approved a Final Credit Underwriting Report dated February 13, 2004 which recommended the issuance of \$7,900,000 in tax-exempt bonds, \$3,560,000 in taxable bonds and SAIL funds in the amount of \$2,000,000, for a 33 year term (36 month construction/stabilization period and a 30 year permanent period).

2. Present Situation

Lakeshore Apartments, LLC, (“Applicant”) in a letter, dated March 12, 2004 ([Exhibit B](#)) requested that the taxable bonds be changed to a second position Fannie Mae DUS taxable loan (“Loan”). The Applicant also requests that the Loan, since it is at a higher rate of interest, amortize faster than the tax-exempt bonds. After the Loan is paid in full, the entire principal amount would then be applied to the tax-exempt bonds for the remainder of the permanent period (resulting in an overall 30 year amortization for the tax-exempt bonds). This change also results in the SAIL Loan being moved from a second mortgage to a third mortgage position as permitted by Rule 67-48 F.A.C.

MULTIFAMILY BONDS

Consent

3. **Recommendation**

That the Board approve the recommendation of the Credit Underwriter outlined in the Supplemental Letter to the Final Credit Underwriting Report dated March 17, 2004 ([Exhibit C](#)) to finance the construction of the Development for both the MMRB and SAIL programs, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

C. **Request Approval to Amend Trust Indenture for Pinnacle Grove Apartments, 2003 Series A, \$8,350,000 Tax-Exempt Bonds, 234 Units, Indian River County, Florida**

DEVELOPMENT NAME (“Development”):	Pinnacle Grove Apartments
DEVELOPER/PRINCIPAL (“Developer”):	Pinnacle Housing Group, PHG-Grove, Inc. Louis Wolfson III, Michael D. Wohl, David O. Deutch, Mitchell M. Friedman
NUMBER OF UNITS:	234
LOCATION (County):	Indian River
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	80% @ 60% (MMRB) & 100% @ 60% (HC) 20% @ 50%, 80% at 60% (Home)
ALLOCATED AMOUNT:	\$8,350,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS: Amendment to Trust Indenture	

1. **Background**

- a) The Board approved the issuance of tax-exempt bonds in an amount not to exceed amount of \$8,350,000 for the construction of Pinnacle Grove Apartments. The Bonds were issued on January 10, 2003.
- b) The Bonds are credit enhanced by Fannie Mae which is backed during the construction period with a GMAC Commercial Mortgage Corporation letter of credit. The Development is also financed with a HOME loan from Florida Housing, the debt service on which is paid annually.

2. **Present Situation**

- a) The Borrower recently discovered that although the capitalized interest account was sized to provide for payment of interest for both the Corporation’s first mortgage loan and the HOME loan, the Indenture does not permit the Trustee to pay interest on the HOME Loan from the capitalized interest account.
- b) Florida Housing has received a letter from the Borrower attached as [Exhibit D](#), requesting that the Trust Indenture be amended to permit the Trustee to pay interest on the HOME Loan from the capitalized interest account.

3. **Recommendation**

Approve the request to amend the Trust Indenture, subject to review by Bond Counsel, Special Counsel, the Credit Underwriter, and the appropriate Florida Housing Staff.

MULTIFAMILY BONDS

Consent

- D. **Request Approval to amend the Land Use Restriction Agreement (“LURA”) for Cypress Trace Apartments (“Development”), 1998 Series G in the amount of \$16,970,000 Tax-Exempt Bonds, 348 Units, located in Hillsborough County, Florida**

DEVELOPMENT NAME (“Development”):	Cypress Trace Apartments
DEVELOPER/PRINCIPAL (“Developer”):	Cornerstone Group Development, LLC/ Jorge Lopez, Stuart Meyers, Leon Wolfe, & Mara Mades
NUMBER OF UNITS:	348
LOCATION (County):	Hillsborough
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	5% @ 50%, 50% @ 60% (MMRB) 100% @ 60% (HC)
ALLOCATED AMOUNT:	\$16,970,000 Tax-Exempt Bonds
ADDITIONAL COMMENTS: LURA Amendment	

1. **Background**

In 1998, Florida Housing Finance Corporation (“FHFC”) financed the construction of the Development with \$16,970,000 in Tax-Exempt Bonds, designated as 1998 Series G.

2. **Present Situation**

a) The Developer submitted a request dated March 16, 2004 ([Exhibit E](#)) asking that the LURA be amended to reflect the correct square footage for each unit size. The original unit sizes for the one bedroom and three bedroom units include square footage for a patio/balcony, in addition to heated and cooled living space. The two bedroom units contain more square footage than originally required by the LURA. The LURA will reflect the following changes:

- (1) One bedroom 658 to 611
- (2) Two bedroom 772 to 907
- (3) Three bedroom 1041 to 1000

b) The Credit Underwriter submitted a letter dated March 17, 2004 ([Exhibit F](#)) concurring with this change.

3. **Recommendation**

That the Board approve the LURA amendment for the Development subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

E. Assignment of Bond Underwriters and Structuring Agents

1. Background

- a) Pursuant to staff's requests for approval to issue bonds to finance the construction of the proposed Development referenced below, a Final Credit Underwriting Report is being presented to the Board for approval simultaneous with this request to assign the appropriate professional to this transaction. A brief description of the Development is detailed below along with the Staff's recommendation for the assignment.
- b) Additionally, the Corporation's Senior Financial Advisor has prepared a method of bond sale letter. Staff has reviewed the method of sale letter and Board approval is requested at the current meeting.

2. Present Situation

- a) The Credit Underwriters, the Senior Financial Advisor and Florida Housing Staff have reviewed the financing structure for the proposed Development.
- b) The Senior Financial Advisor's recommendation for the method of bond sale is being presented to the Board at the current meeting during the Multifamily Bond Program Update of items on the agenda.

3. Recommendation

That the Board approve the assignment of the recommended professional as shown in the chart for the proposed Development.

Development Name	Development Location	Number of Units	Method of Bond Sale	Recommended Professional
Sonoma Bay	Palm Beach County	320	Competitive	Stern Brothers & Co.
The Arlington	Duval	288	Negotiated	RBC Dain Rausher, Inc.

MULTIFAMILY BONDS

Consent

F. Request Approval of the Method of Sale Recommendation from Florida Housing's Senior Financial Advisor

1. Background/Present Situation

- a) The Credit Underwriter has provided a Final Credit Underwriting Report for the proposed Development below. Florida Housing seeks Board approval pursuant to the recommendation of the Credit Underwriter and the appropriate Florida Housing staff.
- b) Pursuant to Rule 67-21.0045, F.A.C., Staff has requested a review of the proposed bond structure by the Senior Financial Advisor in order to make a recommendation to the Board for the method of bond sale.
- c) WLJ Capital has prepared an analysis and recommendation for the method of bond sale for the Development. The recommendation letter is attached as [Exhibit G](#).

Development Name	Development Location	Number of Units	Method of Bond Sale
Sonoma Bay	Palm Beach County	320	Competitive
The Arlington	Duval	288	Negotiated

2. Recommendation

- a) That the Board approves the recommendation of the Senior Financial Advisor for the method of bond sale for the above Development.

MULTIFAMILY BONDS

Consent

- G. **Request Approval of the Final Credit Underwriting Report for \$11,340,000 of Tax-Exempt Bonds and \$235,000 of Taxable Bonds in order to finance the acquisition and rehabilitation of The Arlington (“Development”), 288 Units, located in Jacksonville, Duval County, Florida**

DEVELOPMENT NAME (“Development”):	The Arlington
DEVELOPER/PRINCIPAL (“Developer”):	Brencor, Inc. / Robert A. Crowder
NUMBER OF UNITS:	288
LOCATION (County):	Jacksonville, Duval
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	85% @ 60% MMRB 100% @ 60% HC
ALLOCATED AMOUNT:	\$11,340,000 of Tax-Exempt Bonds \$235,000 of Taxable Bonds
ADDITIONAL COMMENTS:	

1. **Background**

- a) The Arlington, LP (“Applicant”) submitted an application (“Application”) on behalf of the proposed Development during the 2003 Supplemental MMRB Application Cycle. Applicant applied for tax-exempt bonds in the amount of \$11,340,000 to finance the acquisition and rehabilitation of the Development.
- b) At the December 12, 2003 Board meeting, the Board approved an Acknowledgement Resolution for the issuance of tax-exempt bonds in an amount not to exceed \$11,340,000 to finance the acquisition and rehabilitation the Development.

2. **Present Situation**

- a) While the current Program Rule does not prohibit changes or modifications of the proposed Development during credit underwriting, the Board has directed staff to advise it of any such changes. Accordingly, the Applicant committed to provide heat pumps with a minimum HSPF of 7.4 instead of electric resistance (1 point), and Air Conditioning with SEER rating of 12 or better (2 points). Applicant now proposes to replace these items with solar screens on all west and east facing windows (1 point) and ceiling fans in all bedrooms and living areas (2 points). In addition, the total development cost listed in the Application was \$15,518,692. The cost has increased by \$674,285 to \$16,192,977. Hard costs have increased due to an increase in the hard cost contingency, soft costs have decreased to allow for actual costs as well as an increase in the financial costs and developer fee.
- b) A Final Credit Underwriting Report dated March 22, 2004, is attached as [Exhibit H](#).

MULTIFAMILY BONDS

Consent

3. **Recommendation**

Approve the recommendation of the Credit Underwriter outlined in the Final Credit Underwriting Report dated March 22, 2004, recommending that \$11,340,000 of Tax-Exempt Bonds and \$235,000 of Taxable Bonds be issued for the purpose of financing the acquisition and rehabilitation the Development, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

MULTIFAMILY BONDS

Consent

- H. **Request Approval of the Supplemental Credit Underwriting Memorandum for Pineview Villas Apartments (“Development”), a 2001 Bond Application in the amount of \$7,500,000 Tax-Exempt Bonds and \$2,000,000 in Taxable Bonds, consisting of 200 Units, located in Leon County, Florida**

DEVELOPMENT NAME (“Development”):	PINEVIEW VILLAS APARTMENTS
DEVELOPER/PRINCIPAL (“Developer”):	JBM Properties, LLC
NUMBER OF UNITS:	200
LOCATION (“County”):	Leon County
TYPE (Rental, Homeownership):	Rental
SET ASIDE:	20% @ 50% MMRB 100% @ 60% LIHTC
ALLOCATED AMOUNT:	\$7,500,000 of Tax-Exempt Bonds
ADDITIONAL COMMENTS: Acquisition/Rehab	

1. **Background**

Pineview Villas, L.P. (“Applicant”) submitted an application (“Application”) on behalf of the proposed Development during the 2001 Application Cycle. The Applicant applied for tax-exempt bonds in the amount of \$7,500,000 and \$2,000,000 in taxable bonds in order to acquire and rehabilitate the Development. The Final Credit Underwriting Report (“CUR”) for the Development, dated July 18, 2003 was approved by the Board at the August 2003 Board Meeting. The Board approved to extend the closing deadline until May 31, 2004 at its last meeting.

2. **Present Situation**

- a) The Credit Underwriter has issued a Memorandum addressing three issues raised by the Development’s architect regarding items committed to in the Application. The issues are as follows:
- (1) The Applicant committed to convert ten units to comply with current ADA and Fair Housing Standards. Four units will be converted to meet this standard. However, six two-bedroom units cannot be fully converted due to load bearing walls within the existing structure. The architect has indicated that these units will comply with current ADA standards with the exception of a non-conforming four foot hallway versus the required five foot hallway. Without significant structural changes throughout the existing building, this requirement cannot be met. The Applicant has requested a waiver from the strict compliance with the commitment made in the Application.
 - (2) Three different measurement standards were used in reporting the unit sizes between the plans, the credit underwriting report, and the methodology utilized by HUD in approving the FHA enhancement. This is a rehabilitation to an existing structure and there has never been any change in the unit sizes proposed. The requested change reflects the utilization of the same standard utilized by HUD.

MULTIFAMILY BONDS

Consent

- (3) The Applicant committed to providing a stocked pond with access for fishing. At the request of HUD, this lake has been fenced off from the existing property and removed from the collateral. The Applicant has committed to maintaining access to this lake for the tenants use. The Credit Underwriter states that this continues to meet the intent of the commitment contained in the Application.
- b) The Credit Underwriter states that these changes will have no adverse impact on the marketability and economic structure of the proposed Development. A Supplemental Credit Underwriting Memorandum dated March 22, 2004, is attached as [Exhibit I](#).

3. Recommendation

Approve the recommendation of the Credit Underwriter outlined in the Supplemental Credit Underwriting Memorandum dated March 22, 2004, subject to further approvals and verifications by the Credit Underwriter, Bond Counsel, Special Counsel, and the appropriate Florida Housing staff.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

VI. PREDEVELOPMENT LOAN PROGRAM (PLP)

A. Request approval of acquisition funds from PLP funds for Haven Single Family Homes (PLP 00-030)

DEVELOPMENT NAME (“Development”):	Haven Single Family Homes
DEVELOPER/PRINCIPAL (“Developer”):	Haven Economic Development, Inc.
NUMBER OF UNITS:	30
LOCATION (County):	Miami-Dade
TYPE:	Homeownership
SET ASIDE:	100% @ 80%
ALLOCATED AMOUNT:	\$500,000
ADDITIONAL COMMENTS: Of the \$500,000 loan amount, \$308,000 is being requested for property acquisition.	

1. Background/Present Situation

- a) On January 14, 2003 Florida Housing issued an invitation to participate in the PLP program to the Developer. The Development will consist of 30 Homeownership units.
- b) On November 3, 2003, the non acquisition portion of the loan was closed on and the Developer began to draw those funds for predevelopment activities including credit underwriting. The credit underwriter has completed the report ([Exhibit A](#)) and is recommending approval of the acquisition funds.

2. Recommendation

That the Board approve release of the acquisition funds from PLP funds to Haven Economic Development as recommended by the Credit Underwriter.

PREDEVELOPMENT LOAN PROGRAM (PLP)

Consent

B. Request approval of name Change on PLP Applicant from Florida Housing Corporation to McCurdy Senior Housing Corporation (PLP 00-036)

DEVELOPMENT NAME (“Development”):	McCurdy Complex Site
DEVELOPER/PRINCIPAL (“Developer”):	Florida Housing Corporation
NUMBER OF UNITS:	80
LOCATION (County):	Palm Beach
TYPE:	ALF
SET ASIDE:	60% @ 60% AMI
ALLOCATED AMOUNT:	\$500,000
ADDITIONAL COMMENTS: Florida Housing Corporation is a 501 (c) (3) corporation not affiliated with Florida Housing Finance Corporation	

1. Background/Present Situation

- a) On March 20, 2003, Florida Housing issued an invitation to participate in the PLP program to the Developer. The Development is located in Palm Beach County and will be an 80 unit elderly development.
- b) On December 12, 2003 the Board approved the loan to the Developer.
- c) The Developer has since formed a single asset entity specifically for the purpose of holding the Development as an asset. This intention was stated in their original application.
- d) The Developer has provided a letter of request ([Exhibit B](#)) along with articles of incorporation and a 501 (c) (3) determination letter establishing that the new entity is a not for profit and is eligible to conduct business in the State of Florida.

2. Recommendation

That the Board approve the change in Developer’s name from Florida Housing Corporation to McCurdy Senior Housing Corporation.

PROFESSIONAL SERVICES SELECTION (PSS)

Action

VII. PROFESSIONAL SERVICES SELECTION (PSS)

A. Withdrawal of Response for Request for Qualifications (RFQ) 2003/04 for Arbitrage Rebate Analyst Services

1. Background

At its December 12, 2003 meeting the Board authorized staff to enter into contract negotiations with MuniFinancial for arbitrage rebate services subject to receiving additional information.

2. Present Situation

- a) On January 30, 2004, during contract negotiations, a question arose concerning the personnel who were to perform the contractual services. Florida Housing staff communicated its concerns to Ms. Linda Dufresne, Principal Consultant, MuniFinancial, as to whether or not she was an employee of MuniFinancial, Inc. Pursuant to the RFQ 2003/04, Section Three, paragraph C., "All services under the Contract awarded are to be performed solely by the Contractor, unless subcontracted or assigned with the prior written approval and consent of Florida Housing." Ms. Dufresne was listed in MuniFinancial's proposal as Florida Housing's primary contact.
- b) On February 2, 2004, Florida Housing received a letter dated January 29, 2004 from Ms. Anne Pelej, Division Manager, MuniFinancial. In the letter Ms. Pelej indicated that Ms. Dufresne had resigned as an employee for MuniFinancial effective December 31, 2003, and that Ms. Dufresne would not be providing arbitrage rebate services to Florida Housing under the proposed new contract.
- c) On February 2, 2004, in a conversation with Ms. Pelej, she stated that 5 out of the 7 employees represented in MuniFinancial's proposal were actually employees of Dufresne & Associates. As such, neither Ms. Dufresne nor her employees could perform the requested services under MuniFinancial's proposal unless requested in writing and approved by Florida Housing. Moreover, MuniFinancial no longer has an office in Florida. During the course of the same conversation Ms. Pelej also represented that Linda Dufresne, CPA, was no longer under contract with MuniFinancial. These statements contradict the MuniFinancial's response to the RFQ in which Ms. Dufresne was identified as an employee of MuniFinancial.
- d) Based on this information and after consultation with Florida Housing's General Counsel, Florida Housing staff informed Ms. Pelej that direction from Florida Housing's Board of Directors would be sought before proceeding with contract negotiations with MuniFinancial.
- e) On February 17, 2004, Ms. Pelej requested to withdraw MuniFinancial's response to RFQ 2003/04.

3. Recommendation

Staff recommends that the Board authorize staff to accept MuniFinancial's request to withdraw their response to RFQ 2003/04.

PROFESSIONAL SERVICES SELECTION (PSS)

Action

B. Guarantee Program Financial Advisor Contract

1. Background

- a) A contract was entered into on May 30, 2000 with TIBOR Partners, Inc. to provide Financial Advisor services for Florida Housing's Guarantee Program.
- b) The contract became effective June 4, 2001 and will end on June 3, 2004, unless extended pursuant to Paragraph 19 of the contract. The contract may be renewed on a yearly basis for a period of up to two (2) years after the initial contract or for a period no longer than the term of the original contract, whichever period is longer.

2. Present Situation

Staff believes that it would be in the best interests of Florida Housing to extend the contract for the term of the original contract.

3. Recommendation

Staff recommends that the Board authorize staff to extend the contract with TIBOR Partners, Inc. until June 4, 2007.

PROFESSIONAL SERVICES SELECTION (PSS)

Action

C. Special Counsel Contracts

1. Background

- a) In May 2002 Florida Housing entered into contracts for Special Counsel Services with the following firms:
 - (1) Adorno & Zeder, P.A. effective May 14, 2002
 - (2) Allen, Lang, Curotto & Peed, P.A. effective May 16, 2002
 - (3) Clyne & Self, P.A. effective May 21, 2002
 - (4) Nabors, Giblin & Nickerson, P.A. effective May 14, 2002
- b) The term of the contracts end one year from the effective dates with an option to renew, on a yearly basis, for a period of up to two (2) years after the expiration of the initial term. Renewals shall be contingent upon Special Counsel satisfactorily performing its obligations under the contract.
- c) At its May 2, 2003 meeting the Board authorized staff to proceed with the contract renewal process for each provider for one (1) year.

2. Present Situation

The term of the contracts expire in May 2004. The quality of service performed by these providers during the current term has been satisfactory. Staff supports the recommendation to extend the contracts.

3. Recommendation

Staff believes that it is in the best interests of Florida Housing to continue to retain our current Special Counsel providers pursuant to the existing contracts, and recommends that the Board authorize staff to proceed with the contract renewal process for each provider for one (1) year.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

VIII. STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

A. Request Approval of Credit Underwriting Report for Mystic Cove Apartments, Cycle XV, (2003-147S)

Development Name: Mystic Cove Apartments (“Development”)	Location: Seminole County
Developer/Principal: Sandspur Housing Partners, Ltd. (“Developer”)	Set-Aside: 17% @ 50% AMI and 83% @ 60% AMI
Number of Units: 184	Allocated Amount: \$1,500,000
Type: Garden Apartments	Housing Credits: \$3,877,615
Demographics: Family	
MMRB: \$10,140,000 Local	

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 16, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$1,500,000 for this 184-unit family development in Seminole County.
- c) On March 11, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$1,500,000 ([Exhibit A](#)). The SAIL loan will be secured by a second mortgage. In the application, the Developer committed to providing Air Conditioning with SEER rating of 11 or better worth one point. During underwriting, the Developer requested that Solar Screens on all West and East facing windows worth one point replace the Air Conditioning with SEER rating of 11 or better. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

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

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

B. Request Approval of Credit Underwriting Report for Morgan Creek Apartments aka Pebble Creek Apartments, Cycle XV, (2003-054S)

Development Name: Morgan Creek aka Pebble Creek (“Development”)	Location: Hillsborough County
Developer/Principal: The Richman Group of Florida Inc. (“Developer”)	Set-Aside: 20% @ 50% AMI and 80% @ 60% AMI
Number of Units: 336	Allocated Amount: \$2,000,000
Type: Garden Apartments	Housing Credits: \$6,514,624
Demographics: Family	
MMRB: \$15,160,000 Local	

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 16, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$2,000,000 for this 336-unit family development in Hillsborough County.
- c) On March 10, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$2,000,000 ([Exhibit B](#)). The SAIL loan will be secured by a third mortgage. In the application, the Developer committed to a Playground/Tot Lot worth two points and the After School Program for Children worth three points. During underwriting the Developer requested that a Car Care Area worth one point and a Laundry Facility worth one point replace the Playground/TotLot; and that Literacy Training worth two points and Welfare to Work Program worth one point replace the After School Program. The name of the Development was changed from Pebble Creek to Morgan Creek due to a requirement by the County. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

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

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

C. Request Approval of Credit Underwriting Report for Hunter’s Run I Apartments, Cycle XV, (2003-150S)

Development Name: Hunter’s Run I (“Development”)	Location: Hillsborough County
Developer/Principal: Sandspur Housing Partners, Ltd. (“Developer”)	Set-Aside: 17% @ 50% AMI and 83% @ 60% AMI
Number of Units: 216	Allocated Amount: \$2,000,000
Type: Garden Apartments	Housing Credits: \$4,927,965
Demographics: Family	
MMRB: \$9,685,000 Local	

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 16, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$2,000,000 for this 216-unit family development in Hillsborough County.
- c) On March 10, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$2,000,000 ([Exhibit C](#)). The SAIL loan will be secured by a second mortgage. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

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

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

D. Request Approval of Credit Underwriting Report for Bonita Pointe Apartments, Cycle XV, (2003-049S)

Development Name: Bonita Pointe Apartments (“Development”)	Location: Miami-Dade County
Developer/Principal: Cornerstone Group, L.L.C. (“Developer”)	Set-Aside: 17% @ 50% AMI and 83% @ 60% AMI
Number of Units: 164	Allocated Amount: \$2,000,000
Type: Garden Apartments	Housing Credits: \$4,963,000
Demographics: Family	
MMRB: \$7,980,000 Local	

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 16, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$2,000,000 for this 164-unit family development in Miami-Dade County.
- c) On March 10, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$2,000,000 ([Exhibit D](#)). The SAIL loan will be secured by a second mortgage. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

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

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

E. Request Approval of Credit Underwriting Report for Deer Run Apartments, Cycle XV, (2003-044S)

Development Name: Deer Run Apartments (“Development”)	Location: Charlotte County
Developer/Principal: Cornerstone Development, L.L.C. (“Developer”)	Set-Aside: 11% @ 50% AMI and 89% @ 60% AMI
Number of Units: 256	Allocated Amount: \$1,500,000
Type: Garden Apartments	Housing Credits: \$5,132,000
Demographics: Family	
MMRB: \$11,100,000 Local	

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On December 17, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$1,500,000 for this 256-unit family development in Charlotte County.
- c) On March 8, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$1,500,000 ([Exhibit E](#)). The SAIL loan will be secured by a second mortgage. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

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

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

F. Request Approval of Credit Underwriting Report for Lee Vista Club Apartments, Cycle XV, (2003-072S)

Development Name: Lee Vista Club Apartments (“Development”)	Location: Orange County
Developer/Principal: Sandspur Housing Partners, Ltd. (“Developer”)	Set-Aside: 17% @ 50% AMI and 83% @ 60% AMI
Number of Units: 312	Allocated Amount: \$2,000,000
Type: Garden Apartments	Housing Credits: \$9,243,000
Demographics: Family	
MMRB: \$16,000,000 Local	

1. Background/Present Situation

- a) On October 9, 2003, the Board approved the final scores and ranking for the 2003 Universal Application Cycle and directed staff to proceed with all necessary credit underwriting activities.
- b) On October 16, 2003, staff issued a preliminary commitment letter and an invitation to credit underwriting for a SAIL loan in an amount up to \$2,000,000 for this 312-unit family development in Orange County.
- c) On March 10, 2004, staff received a credit underwriting report with a positive recommendation for a SAIL loan in the amount of \$2,000,000 ([Exhibit F](#)). The SAIL loan will be secured by a second mortgage. In the application, the Developer committed to a Hydronic (combo unit) HVAC worth two points. During underwriting, the borrower requested a Heat Pump with a minimum HSPF of 7.5 instead of electric resistance worth two points substitute for the Hydronic HVAC. Staff has reviewed this report and finds that the Development meets all of the requirements of SAIL Rule 67-48, F.A.C.

2. Recommendation

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

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

G. Request Approval to Amend the Land Use Restriction Agreement for Lanier Oaks Apartments, Cycle X (1998-049S)

Development Name: (“Development”)	Lanier Oaks
Developer Name: Florida Developers, Inc. (“Developer”)	Location: Gretna, Gadsden County
Developer Principal: North Florida Educational Development Corporation	Set-Aside: 100% @ 50%
Type: Townhouses	Allocated Amount: \$1,430,000
Demographic: Family: 10% Homeless	Housing Credits: N/A
Number of Units: 22	

1. Background/Present Situation

- a) On August 10, 1998, staff issued a preliminary commitment letter and invitation to credit underwriting for a SAIL second mortgage loan in an amount up to \$1,430,000 for this 22-unit development in Gadsden County.
- b) On October 29, 1999, the Board approved the final credit underwriting report for this Development and directed staff to proceed with issuance of a firm loan commitment and loan closing activities.
- c) On November 23, 1999, staff issued a firm commitment letter for a second mortgage loan in the amount of \$1,430,000. The loan closed on December 15, 1999 in accordance with Rule Chapter 67-48.
- d) On February 19, 2004, staff received a letter from the Developer ([Exhibit G](#)). The letter is requesting that Florida Housing amend the Land Use Restriction Agreement (LURA) to remove the requirement of garbage disposals in the units. This request is due to a court ordered moratorium imposed by the Florida Department of Environmental Protection that does not allow new connections to its water and waste water systems (Letter from City of Gretna, [Exhibit H](#)). The Developer was not awarded points for this item in its application.

2. Recommendation

Approve the developer’s request for the above referenced change and direct staff to amend the LURA.

STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL)

Consent

H. Request Approval to Amend the Land Use Restriction Agreement for Groves of Delray Apartments, Cycle V, (93S-012)

Development Name: Groves of Delray (“Development”)	Location: Palm Beach County
Developer/Principal: Florida Affordable Housing (“Developer”)	Set-Aside: 100% @ 60% AMI
Number of Units: 158	Allocated Amount: \$1,502,000
Type: Garden Apartments	Total Housing Credits Equity: \$3,844,657
Demographics: Elderly	
MMRB: N/A	

1. Background/Present Situation

- a) The Groves of Delray was funded with 1993 SAIL funds and the loan closed on May 3, 1994 with a second mortgage loan in the amount of \$1,502,000 for this 158-unit development in Palm Beach County.
- b) On February 3, 2004, staff received a letter from Auburn Management, Inc. indicating that an error was made during construction by failing to pre-wire all of the units for medical call button and alarm systems ([Exhibit I](#)). It was proposed that since monitoring is an optional fee, the Developer will commit to pre-wire units at the request of an individual resident in the required lease agreement signed by each resident.

2. Recommendation

Approve the request for the above referenced change and direct staff to amend the LURA.