

**STATE OF FLORIDA  
FLORIDA HOUSING FINANCE CORPORATION**

In Re: CEC TIMBER TRACE, LLC,

FHFC Case No. : 2007-031VW

**ORDER CLOSING FILE**

THIS CAUSE came on for consideration and final action before the Board of Directors of Florida Housing Finance Corporation on September 21, 2007, to consider CEC TIMBER TRACE, LLC's voluntary dismissal of its Petition for Waiver or Variance from Rules 67-21.006(2), 67-48.002(96), 67-48.004(1)(2)(9) and Universal Application Part III.A, (the "Petition"). The Board of Directors of Florida Housing Finance Corporation being fully advised, it is, therefore,

**ORDERED** that:

1. CEC TIMBER TRACE, LLC's Petition is hereby DISMISSED.
2. The file of Florida Housing Finance Corporation in the above-captioned matter is hereby closed.

DONE and ORDERED this 21st day of September, 2007.



Florida Housing Finance Corporation

By:

*[Signature]*  
Chairperson

FILED WITH THE CLERK OF THE FLORIDA  
HOUSING FINANCE CORPORATION

*[Signature]* /DATE. 9-21-07

**Copies furnished to:**

Copies to:

Wellington H. Meffert II  
General Counsel  
Florida Housing Finance Corporation  
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Vicki Robinson  
Deputy Development Officer  
Florida Housing Finance Corporation  
337 North Bronough Street, Suite 5000  
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Michael P. Donaldson  
Carlton Fields  
PO Drawer 190  
Tallahassee, FL 32302-0190

Joint Administrative Procedures Committee  
Attention: Ms. Yvonne Wood  
120 Holland Building  
Tallahassee, Florida 32399-1300

**BEFORE THE STATE OF FLORIDA  
FLORIDA HOUSING FINANCE CORPORATION**

CEC Timber Trace, LLC,

Petitioner,

FHFC No. 2007-031VW  
Application No. 2007-101BS

vs.

FLORIDA HOUSING FINANCE  
CORPORATION,

Respondent.

\_\_\_\_\_ /

**NOTICE OF VOLUNTARY DISMISSAL**

Petitioner, CEC TIMBER TRACE, LLC ("CEC"), hereby files this Notice and in support thereof provides as follows:

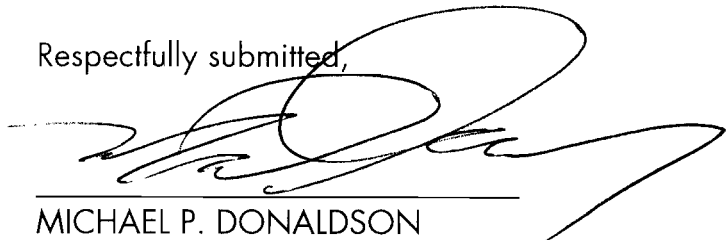
1. On August 3, 2007, CEC filed with the Florida Housing Finance Corporation ("Florida Housing") its Petition for Waiver or Variance from Rules 67-21.006(2), 67-48.002(96), 67-48.004(1)(2)(9) and Universal Application Part III.A. ("Petition").
2. In essence, the Petition requested a waiver or variance from Florida Housing's interpretation of the 5-unit per building rule as more specifically described in the Petition.
3. Also on August 3, 2007, CEC filed a corresponding Petition for Review which challenged Florida Housing's decision to reject CEC's 2007 Universal Cycle application because of the alleged failure to comply with the same 5-unit per building rule.

4. On August 22, 2007, an informal hearing was conducted and on September 5, 2007, the assigned Hearing Officer entered a Recommended Order which found that CEC had indeed met the 5-unit per building rule and had accordingly met the threshold requirements of the Universal Application.

5. The Recommended Order will be considered by the Florida Housing Board of Directors on September 21, 2007, and to the extent that it is accepted by the Board, further consideration of the Petition requesting a variance or waiver will not be necessary.

6. To the extent that the Board accepts the findings of fact and conclusions of law in the Recommended Order, CEC will withdraw its Petition for Waiver. In the event that the Board does not accept the Recommended Order, CEC reserves the right to have the Petition for Variance considered by the Board.

Respectfully submitted,



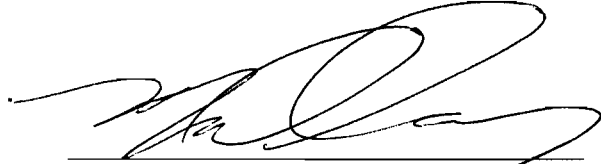
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MICHAEL P. DONALDSON  
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Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been furnished by facsimile to the Agency Clerk, 2548 Blairstone Pines Drive, Tallahassee, FL 32301, and Matthew A. Sirmans, Esq., Florida Housing Finance Corporation, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, this 14<sup>th</sup> day of September, 2007.

A handwritten signature in black ink, appearing to read "Michael P. Donaldson", written over a horizontal line.

MICHAEL P. DONALDSON