

November 3, 2014

By Email (Ashley.Black@floridahousing.org) and Overnight Delivery

Ashley Black, Clerk
Florida Housing Finance Corporation
227 North Bronough Street
Suite 5000
Tallahassee, Florida 32301

**Re: RFA 2014-111 SAIL Financing of Affordable Multifamily Housing
Developments to be used in Conjunction with Tax-Exempt Bond Financing
and Non-Competitive Housing Credits –
Application 2014-414S (“Application”) – Landings Port Richey Senior
Housing Limited Partnership (“Applicant”)
Notice of Protest and Intent to Petition for Hearing Involving Disputed
Material Facts**

Dear Ms. Black:

On behalf of our clients the above-identified Applicant and its indirect controlling owner, National Church Residences, this letter is formal notice of their protest of, and intent to request a formal administrative hearing in accordance with Section 120.57, Florida Statutes, concerning, the decision of the Florida Housing Finance Corporation (FHFC) Board of Directors at its meeting on October 30, 2014, to deny the Applicant’s Application for funding as an “Elderly Transformative Preservation” facility under FHFC’s SAIL Program. As now known to us and our clients, the Board’s decision is reflected and announced in the “2014-111 SAIL RFA – Review Committee Recommendations” dated and posted October 30, 2014, with legends or notes including, “On October 31, 2014, the Board of Directors . . . approved the Review Committee’s motion and staff recommendation to select the above Applications for funding . . .” Our clients’ Application was not among those so selected.

This notice of protest is given and delivered in compliance with FHFC rule 67-60.009, subsection (2) of which purports to prescribe procedures by which “[a]pplicants not selected for funding . . . may protest the results of the competitive solicitation process,” and in accordance with (i) applicable provisions of the Administrative Procedure Act, including without limitation subsection 120.57(3)(b), F.S., (ii) Ch. 28-110, F.A.C., and (iii) the legend or note on FHFC’s Oct. 30 posting inviting “[a]ny unsuccessful Applicant [to] file a notice of protest and a formal written protest” pursuant to those cited provisions.

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Our clients expressly reserve all rights and remedies they have under applicable law to challenge denial of the Application in any available forum. Please be assured, however, that this letter is not meant to discourage any opportunity to discuss with FHFC a consensual resolution of this matter. Please direct written communications about this matter to the undersigned and copy my partner Orlando Cabrera, Esq. Our email addresses are: gary.timin@squirepb.com and orlando.cabrera@squirepb.com.

Thanks in advance for your prompt attention. Kindly acknowledge your timely receipt of this letter by email. Also, we see that the Sept. 29, 2014, notice of the Oct. 30 meeting states that anyone desiring to "appeal" any Board decision at that meeting is "responsible for the recording of the proceedings, and . . . may need to ensure that a verbatim record of the proceeding be made." Please let us know what record or recording was made and how a transcript can be obtained expeditiously. FHFC's General Counsel is copied as a courtesy.

Sincerely,

Squire Patton Boggs (US) LLP



Gary P. Timin

cc: Wellington Meffert, General Counsel, FHFC (by email)
Orlando J. Cabrera, Esq.
Thomas F. Kibbey, Esq.
Joe Hall, Director of Development Finance and Acquisitions,
National Church Residences