

# DPKY DEVELOPMENT COMPANY, LLC

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FLORIDA HOUSING  
FINANCE CORPORATION

March 24, 2015

Kate A. Flemming  
Legal Analyst/Corporation Clerk  
Florida Housing Finance Corporation  
227 North Bronough Street, Suite 5000  
Tallahassee, Florida 32301-1329

## NOTICE OF INTENT TO PROTEST

RE: RFA 2014-114  
Notice of Intent to Protest by Clearlake Village, L.P.

Dear Ms. Flemming:

On behalf of CLEARLAKE VILLAGE, L.P., Applicant number 2015-070C, we hereby give notice of our intent to protest the Award Notice and the scoring, ranking, and eligibility determinations for RFA 2014-114 posted by Florida Housing on Friday, March 20, 2015, at 9:43 a.m. These determinations are contained on the attached documents posted at that time, consisting of a listing of eligible and ineligible applications, review committee recommendations, and a summary of scoring issues identifying Clearlake Village.

Sincerely,



David Psimer, Manager of FL Mark I, LLC, Managing General Partner of  
Applicant Clearlake Village, L.P.

RFA 2014-114 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	HC Funding Amount	County Award Tally	Total Points	SAIL Unfunded Preference	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Eligible Applications (in Application number order)														
2015-026C	Encore Park	Escambia	M	Christopher A. Albani	ITX Development, LLC	1,399,900.00	0	23	Y	Y	Y	B	Y	25
2015-027C	Palatka Commons	Escambia	M	Renee Sandell	The Paces Foundation, Inc.	1,510,000.00	0	23	Y	Y	Y	A	Y	80
2015-028C	Village Point Apartments	Hernando	M	Jay P Brock	Atlantic Housing Partners, L.L.P.;	1,510,000.00	0	23	Y	Y	Y	A	Y	54
2015-029C	The Verandas of Punta Gorda II	Charlotte	M	Paula M Rhodes	Norstar Development USA, LP; Punta Gorda Developers, LLC	1,025,668.00	0	23	Y	Y	Y	A	Y	27
2015-030C	Suga Redevelopment	Manatee	M	Joseph Chambers	SUGA I DEVELOPER, LLC; HACB DEVELOPMENT, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	82
2015-031C	Visa Point Apartments	Hernando	M	Jay P Brock	Atlantic Housing Partners, L.L.P.;	1,510,000.00	0	23	Y	Y	Y	A	Y	56
2015-032C	Zephyr Senior Housing	Pasco	M	Hana K Eskra	Gorman & Company, Inc.;	1,510,000.00	0	23	Y	Y	Y	A	Y	29
2015-033C	Bella Oaks Apartments	Volusia	M	Jay P Brock	Atlantic Housing Partners, L.L.L.P.;	1,510,000.00	0	23	Y	Y	Y	A	Y	3
2015-035C	Bradley Terrace	Manatee	M	Brianne E Heffner	Southport Development, Inc., a Washington corporation doing business in Fla.;	1,375,000.00	0	23	Y	Y	Y	A	Y	32
2015-036C	Auburndale Place	Polk	M	Brianne E Heffner	Southport Development, Inc., a Washington corporation doing business in Fla.;	625,000.00	0	23	Y	Y	Y	B	Y	5
2015-037C	Venetian Walk II	Sarasota	M	Paula M Rhodes	Norstar Development USA, LP; Venetian Walk Developers, LLC	925,000.00	0	23	Y	Y	Y	A	Y	60
2015-038C	Woodland Manor	Polk	M	Matthew Rieger	HTG Woodland Manor Developer, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	34
2015-039C	Freedom Gardens	Hernando	M	Matthew Rieger	HTG Freedom Developer, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	7
2015-040C	River Terrace	Citrus	M	Matthew Rieger	HTG River Terrace Developer, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	63
2015-041C	Brookhaven Place	Polk	M	Brianne E Heffner	Southport Development, Inc., a Washington corporation doing business in Fla.;	1,100,000.00	0	23	Y	Y	Y	A	Y	36
2015-043C	Grove Manor	Polk	M	Paula M. Rhodes	Norstar Development USA, LP; LWHA Development, LLC	1,414,437.00	0	23	Y	Y	Y	A	Y	65
2015-044C	Madison Oaks	Pasco	M	Timothy M. Morgan	JIC Florida Development, LLC; South Odessa Development, LLC	1,254,942.00	0	23	Y	Y	Y	A	Y	39

RFA 2014-114 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	HC Funding Amount	County Award Total	Total Points	...SAIL Unfunded Preference	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2015-046C	Grand Palms	Manatee	M	Timothy M. Morgan	JIC Florida Development, LLC;	1,276,742.00	0	23	Y	Y	Y	A	Y	67
2015-047C	Abbington Commons	Bay	M	William J Rea	Rea Ventures Group, LLC;	1,092,732.00	0	23	Y	Y	Y	A	Y	41
2015-048C	Center Square Senior Development	Volusia	M	Kimberly K. Murphy	Royal American Development, Inc.; Green Mills Holdings, LLC	1,342,703.00	0	23	Y	Y	Y	A	Y	14
2015-049C	Gallery Apartments	Manatee	M	Shawn Wilson	Blue Sky Communities, LLC;	1,437,000.00	0	23	Y	Y	Y	A	Y	70
2015-050C	Venetian Isles	Pasco	M	Kim Murphy	Royal American Development, Inc.; Green Mills Holdings, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	43
2015-051C	Colonial Pines	Lake	M	Thomas F Flynn	Flynn Development Corporation;	273,882.00	0	23	Y	N	Y	A	Y	17
2015-052C	St. Johns River Apartments	Putnam	S	Thomas F. Flynn	Flynn Development Corporation;	382,745.00	0	23	Y	N	Y	A	Y	72
2015-053C	73 Ocean	Monroe	S	Shane P. Sarver	Tri-Star Affordable Development, LLC;	1,469,217.00	0	23	Y	Y	Y	B	Y	45
2015-054C	Orange Avenue Phase I	Sarasota	M	William O. Russell, III	The Michaels Development Company, LP; SH Affordable Development, LLC	1,416,738.00	0	23	Y	Y	Y	B	Y	39
2015-055C	Waterford Crossing	Volusia	M	Timothy M. Morgan	JIC Florida Development LLC;	1,163,797.00	0	23	Y	Y	Y	A	Y	74
2015-056C	Nine Mile Commons	Escambia	M	Renee Sandell	The Paces Foundation, Inc.;	1,155,000.00	0	23	Y	Y	Y	A	Y	48
2015-058C	Plum Gardens	Polk	M	Oscar A. Sol	Plum Gardens Dev, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	50
2015-060C	Woodland Lake Apartments	Pasco	M	Donald W Paxton	Beneficial Development 15 LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	23
2015-061C	The Art House	Leon	M	Joseph Chambers	Gardner Capital Development Florida, LLC;	1,160,000.00	0	23	Y	Y	Y	A	Y	79
2015-062C	Monroe Place Senior Apartment Homes	Seminole	M	Todd M. Wind	Picrme Affordable Development, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	52
2015-063C	City Park at Merritt Street	Seminole	M	Todd M. Wind	Picrme Affordable Development, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	26
2015-064C	Booker Gardens Apartments	Brevard	M	Rhett J. Holmes	Integrity Development Partners, LLC; SCG Development Partners, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	81
2015-066C	Aida Palms	Polk	M	Oscar A. Sol	Aida Palms Dev, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	28
2015-067C	The San Juan	Oceola	M	Kim Murphy	Royal American Development, Inc.;	1,510,000.00	0	23	Y	Y	Y	A	Y	2
2015-069C	West Park Place	Escambia	M	Donald W Paxton	Beneficial Development 15 LLC;	1,510,000.00	0	23	Y	Y	Y	B	Y	30

RFA 2014-114 - All Applications

Application Number	Name of Development	County	County Site	Name of Contact Person	Name of Developers	HC Funding Amount	County Award Tally	Total Points	SKILL Unfunded Preference	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2015-071C	Center Point Senior Apartments	Volusia	M	Donald W Paxton	Beneficial Development 15 LLC;	1,505,442.00	0	23	Y	Y	Y	A	Y	59
2015-072C	Summerset Senior Apartments	Pasco	M	Donald W Paxton	Beneficial Development 15 LLC;	1,499,969.00	0	23	Y	Y	Y	A	Y	33
2015-073C	Clearlake Isles	Brevard	M	Kiro Murphy	RAD-DPP Developer, LLC;	1,475,000.00	0	23	Y	Y	Y	A	Y	6
2015-074C	Dockside Residences at Henderson Creek	Collier	M	Steven C. Kirk	Rural Neighborhoods, Incorporated;	800,000.00	0	23	Y	Y	Y	A	Y	62
2015-075C	Westbury Commons	Osceola	M	Jonathan L Wolf	Westbury Commons Developer, Inc.;	1,510,000.00	0	23	Y	Y	Y	A	Y	35
2015-076C	Carler Crossing	Osceola	M	Stephen A. Frick	TVC Development, Inc.;	934,539.00	0	23	Y	Y	Y	A	Y	8
2015-077C	East Pointe Place, Phase II	Lee	M	David O. Deutch	Pinnacle Housing Group, LLC; Southwest Florida Affordable Housing Choice Foundation, Inc.	1,180,000.00	0	23	Y	Y	Y	A	Y	64
2015-078C	The Springs Commons	Walton	S	Renee Sandell	The Paces Foundation, Inc.;	1,070,000.00	1	23	Y	Y	Y	A	Y	37
2015-079C	Springs Manor	Walton	S	Renee Sandell	The Paces Foundation, Inc.;	1,070,000.00	1	23	Y	Y	Y	A	Y	11
2015-080C	Casanas Village at Frenchtown Square	Leon	M	David O. Deutch	Pinnacle Housing Group, LLC; Big Bend Community Development Corporation	1,510,000.00	0	23	Y	Y	Y	A	Y	66
2015-081C	Fort King Colony Senior Apartments	Pasco	M	William T. Fabbrì	The Richman Group of Florida, Inc.;	1,510,000.00	0	23	Y	Y	Y	A	Y	40
2015-082C	Bradford Villas	Volusia	M	Jonathan L Wolf	Bradford Villas Developer, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	13
2015-083C	Pendelton Commons	Lake	M	Jonathan L Wolf	Pendelton Commons Developer, Inc.;	1,165,000.00	0	23	Y	Y	Y	A	Y	68
2015-084C	Crestfield Manor	Hernando	M	Jonathan L Wolf	Crestfield Manor Developer, LLC;	1,300,000.00	0	23	Y	Y	Y	A	Y	42
2015-085C	Harriette Bay	Brevard	M	David O. Deutch	Pinnacle Housing Group, LLC; CHA Developer, LLC	1,455,000.00	0	23	Y	Y	Y	A	Y	15
2015-086C*	Madison Crossing II	Osceola	M	Stacy Banach T. Banach	American Residential Development, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	71
2015-087C	Warley Park	Lake	M	Jonathan L Wolf	Warley Park Developer, LLC;	1,510,000.00	0	23	Y	Y	Y	A	Y	44
2015-088C	Denton Cove	Franklin	S	Jonathan L Wolf	Denton Cove Developer, Inc.;	939,370.00	0	23	Y	Y	Y	A	Y	18
2015-089C	Arbours at Vero Beach	Indian River	M	Sam T. Johnston	Arbour Valley Development, LLC;	1,442,308.00	0	23	Y	Y	Y	A	Y	73
2015-090C	Bromley Square	Seminole	M	Jonathan L Wolf	Bromley Square Developer, LLC;	1,165,000.00	0	23	Y	Y	Y	A	Y	47

RFA 2014-114 - All Applications

Application Number	Name of Development	County	County Site	Name of Contact Person	Name of Developers	HC Funding Amount	County Award Tally	Total Points	SAL Unfunded Preference	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
2015-091C	Kenwood Place	Leon	M	Jonathan L Wolf	Kenwood Place Developer, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	20
2015-093C	Sunrise Heights	St. Lucie	M	Paula M. Rhodes	Norstar Development USA, LP/ PPHA Development, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	49
2015-094C	The Pines	Volusia	M	Clifton E Phillips	Roundstone Development, LLC	1,466,178.00	0	23	Y	Y	Y	A	Y	22
2015-095C	Gateway Manor	Gulf	S	Renee Sandell	The Paces Foundation, Inc.	786,156.00	0	23	Y	Y	Y	A	Y	78
2015-096C	Maitson Ridge	Citrus	M	Bowen A. Arnold	Bass Development, LLC	1,300,000.00	0	23	Y	Y	Y	A	Y	53
2015-097C	Jacob Heights	Santa Rosa	M	Stephen A. Frick	TVC Development, Inc.	1,018,488.00	0	23	Y	Y	Y	A	Y	61
2015-098C	Arbours at Live Oak	Leon	M	Sam T. Johnston	Arbour Valley Development, LLC	1,437,675.00	0	23	Y	Y	Y	A	Y	24
2015-099C	Nathan Ridge	Clay	M	Stephen A. Frick	TVC Development, Inc.	1,117,986.00	0	23	Y	Y	Y	A	Y	31
2015-100C	Nova Oaks	Volusia	M	Timothy M. Morgan	J/C Florida Development, LLC, South Odessa Development, LLC	1,016,417.00	0	23	Y	Y	Y	A	Y	46
2015-101C	Park at Wellington Apartments	Pasco	M	Matthew Rieger	HTG Wellington Family Developer, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	9
2015-102C	Park at Wellington Senior Apartments	Pasco	M	Matthew Rieger	HTG Wellington Elderly Developer, LLC	1,510,000.00	0	23	Y	Y	Y	A	Y	38
2015-106C	Villages at Halifax II	Volusia	M	Todd M. Wind	Picorne Affordable Development, LLC	1,259,100.00	0	23	Y	Y	Y	A	Y	1

RFA 2014-114 - All Applications

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	HC Funding Amount	County Award Tally	Total Points	SNIL Unfunded Preference	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
Ineligible Applications (in Application number order)														
2015-029C	Lufts on Lemon	Sarasota	M	William O Russell III	SMA-Affordable Development, LLC	1,422,858.00	0	23	Y	Y	Y		Y	51
2015-034C	Barton Towne Circle Apartments	Osceola	M	Jay P Brock	Atlantic Housing Partners, L.L.P.;	993,600.00	0	23	Y	Y	Y		Y	58
2015-042C	Orange Avenue Redevelopment Phase I	Leon	M	Milton Pratt	The Michael's Development Company, LP; Tallahassee Housing Professionals, LLC	1,510,000.00	0	23	Y	Y	Y		Y	10
2015-045C	Highland Grove Senior Apartments	Pasco	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	1,509,500.00	0	0						12
2015-057C	P Street Commons	Escambia	M	Renee Sandell	The Paces Foundation, Inc.;	1,347,133.00	0	23	Y	Y	Y		Y	21
2015-058C	Capital City Seniors	Leon	M	D'Anne - Hilsmer	Capital City Seniors Development, LLC;	1,479,739.00	0	23	Y	Y	Y		Y	77
2015-065C*	Sandhill Crossings	Polk	M	Joseph Chambers	Gardner Capital Development Florida, LLC;	1,155,000.00	0	23	Y	Y	Y		Y	55
2015-068C	Residences at Zephyrhills	Pasco	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	1,250,000.00	0	0						57
2015-070C	Clearlake Village	Brevard	M	Kerri J Young	DPKY Development Company, LLC;	1,418,185.00	0	23	Y	Y	Y		Y	4
2015-092C	Pine Hill Village	Pasco	M	Kerri J Young	DPKY Development Company, LLC;	1,122,350.00	0	23	Y	Y	Y		Y	75
2015-103C	Woodbridge Place Senior Apartments	Volusia	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	1,509,500.00	0	0						69
2015-104C	Osprey Landing Senior Apartments	Volusia	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	1,509,950.00	0	0						16
2015-105C	Residences at Fort King	Pasco	M	Brian J Parent	JPM Development LLC; Westbrook Housing Development LLC	1,250,000.00	0	0						76

\*The HC Request Amount and the Corporation Funding Per Set-Aside amount reflect the adjustments made during scoring.

On March 20, 2015, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion to adopt the scoring results above.

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

RFA 2014-114  
Review Committee Recommendations

Total HC Available for RFA	14,427,500.00
Total HC Allocated	14,332,928.00
Total HC Remaining	94,572.00

  

Small County Funding Available for RFA	1,513,170.00
HC Allocated to Small Counties	1,513,170.00
Total Small County Funding Remaining	-
Medium County Funding Available for RFA	12,914,730.00
HC Allocated to Medium Counties	12,819,758.00
Total Medium County Funding Remaining	94,972.00

Total HC Available for RFA	14,427,500.00
Total HC Allocated	14,332,928.00
Total HC Remaining	94,572.00

Application Number	Name of Development	County	County Size	Name of Contact Person	Name of Developers	HC Funding Amount	Total Points	SAIF Unfunded Preference	Development Category Funding Preference	Per Unit Construction Funding Preference	Leveraging Classification	Florida Job Creation Preference	Lottery Number
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Application selected to meet the Florida Keys Area Goal

2015-053C	73 Ocean	Monroe	5	Shane P. Sarver	Tri-Star Affordable Development, LLC;	1,464,217.00	23	Y	Y	Y	B	Y	45
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Application selected to meet goal to fund a second small county Application in a county other than Monroe

2015-088C**	Denton Cove	Franklin	5	Jonathan L Wolf	Denton Cove Developer, Inc.;	48,953.00	23	Y	Y	Y	A	Y	38
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Other Medium County Applications selected

2015-106C	Villages at Halifax II	Volusia	M	Todd M. Wind	Piceme Affordable Development, LLC;	1,259,100.00	23	Y	Y	Y	A	Y	1
2015-067C	The San Juan	Osceola	M	Kim Murphy	Royal American Development, Inc.;	1,510,000.00	23	Y	Y	Y	A	Y	2
2015-073C	Clearlake Isles	Brevard	M	Kim Murphy	RAD-DPP Developer, LLC.;	1,475,000.00	23	Y	Y	Y	A	Y	6
2015-039C	Freedom Gardens	Hernando	M	Matthew Rieger	HTG Freedom Developer, LLC;	1,510,000.00	23	Y	Y	Y	A	Y	7
2015-101C	Park at Wellington Apartments	Pasco	M	Matthew Rieger	HTG Wellington Family Developer, LLC;	1,510,000.00	23	Y	Y	Y	A	Y	9
2015-091C	Kenwood Place	Leon	M	Jonathan L Wolf	Kenwood Place Developer, LLC;	1,510,000.00	23	Y	Y	Y	A	Y	20
2015-065C	City Park at Merritt Street	Seminole	M	Todd M. Wind	Piceme Affordable Development, LLC;	1,510,000.00	23	Y	Y	Y	A	Y	26
2015-029C	The Verandas of Punta Gorda II	Charlotte	M	Paula M Rhodes	Norstar Development USA, LP; Punta Gorda Developers, L.L.C.	1,025,658.00	23	Y	Y	Y	A	Y	27
2015-066C	Aida Palms	Polk	M	Oscar A. Sol	Aida Palms Dev, LLC;	1,510,000.00	23	Y	Y	Y	A	Y	28

\*\*2015-088C is entitled to a Binding Commitment of \$890,417.

On March 20, 2015, the Board of Directors of Florida Housing Finance Corporation approved the Review Committee's motion and staff recommendation to select the above Applications for funding and invite the Applicants to enter credit underwriting.

Any unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(9), Fla. Stat., Rule Chapter 28-110, F.A.C., and Rule 67-60.009, F.A.C. Failure to file a protest within the time prescribed in Section 120.57(9), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

**RFA 2014-114 Small/Med Geo**

App. Number	Development Name	Scoring Issue
2015-057C	P Street Commons	Neither of the documents provided as evidence of site control are in the name of the Applicant as required. Item 15(g) of the Purchase and Sale Agreement specifies that the Agreement must be executed by all parties on or before 9/22/14 or it "shall be considered rejected and null and void". The last signature date provided on the Agreement was 9/24/14, which falls outside of the specified time of acceptance.
2015-068C	Residences at Zephyrhills	While not a site control issue, in reviewing the evidence of site control submitted for this Application and Application 2015-105C, it appears that the Exhibit A to the 1/20/15 Purchase and Sale Agreement provided in this Application and Exhibit A to the 1/20/15 Agreement in Application 2015-105C reflect contiguous parcels. In addition, both Applications also have the same Demographic Commitment and one or more of the same financial beneficiaries. Per Rule 67.48.004(1) the Corporation will reject all such Applications except the Application with the highest (worst) lottery number. As such, Application 2015-068C is rejected.
2015-070C	Clearlake Village	Item 12 of the 8/20/14 Land Contract does not allow for an Assignment without written consent of the Seller, which was not provided.
2015-103C	Woodbridge Place Senior Apartments	The 12/17/14 Agreement is incomplete. Item (k) on page 7 references an Attachment B. However, no Attachment B was provided.
2015-104C	Osprey Landing Senior Apartments	The RFA requires a closing date at least through July 31, 2015. A closing date that occurs within this requirement of the RFA could not be determined from the documentation submitted as evidence of site control.