

**REQUEST FOR APPLICATIONS 2017-102**

**RFA 2017-102 - HOUSING CREDIT AND SAIL FINANCING TO PROVIDE AFFORDABLE  
MULTIFAMILY RENTAL HOUSING THAT IS A PART OF LOCAL  
REVITALIZATION INITIATIVES**

**Issued By:**

**FLORIDA HOUSING FINANCE CORPORATION**

**Issued: February 22, 2017**

**Due: March 23, 2017**

## **SECTION ONE INTRODUCTION**

Florida Housing Finance Corporation (the Corporation) is authorized by section 420.507(48), F.S., to use up to 5 percent of its annual allocation of low-income housing tax credits (Housing Credits) in a competitive solicitation to finance high-priority affordable housing developments, as determined by the Corporation. Under this Request for Applications (RFA), the Corporation expects to offer an estimated \$2,455,000 of Housing Credits for Family or Elderly Developments, as well as \$2 million of State Apartment Incentive Loan (SAIL) funding as gap financing, for affordable, multifamily rental housing that is part of a broader neighborhood or local community revitalization effort. The SAIL funding offered in this RFA is available only to Family Developments. The Corporation is seeking applications for new construction, redevelopment or rehabilitation of Family or Elderly (non-Assisted Living Facility) properties in areas where a Local Government is implementing a planned initiative in partnership with private and other public stakeholders to invest funding and other resources to rejuvenate the area. This RFA includes an incentive for Applicants to commit to provide mixed-income units.

The Corporation is soliciting applications from qualified Applicants that commit to provide housing in accordance with the terms and conditions of this RFA, inclusive of Exhibits A, B, C, and D, Rule Chapters 67-48 and 67-60, F.A.C., applicable laws and regulations, and the Corporation's generally applicable construction and financial standards.

## **SECTION TWO DEFINITIONS**

For purposes of this document, capitalized terms within this RFA shall have the meaning as set forth below, in Rule Chapters 67-48 and 67-60, F.A.C., or in applicable federal regulations.

“Regulated Mortgage Lender”

(a) A state or federally chartered entity authorized to transact business in this state that regularly engages in the business of making mortgage loans secured by real property in this state, whose mortgage lending activities subject it to the jurisdiction of the State of Florida Office of Financial Regulation, the Board of Governors of the Federal Reserve, Office of the Comptroller of the Currency, the National Credit Union Administration, or the Federal Deposit Insurance Corporation; (b) A Fannie Mae-approved lender whose name appears on the Fannie Mae list of Delegated Underwriting and Servicing (DUS®) Lenders (list available by clicking [here](#)); (c) A HUD-approved lender whose name appears on the U.S. Department of Housing and Urban Development (HUD) list of Multifamily Accelerated Processing (MAP) Approved Lenders (list available by clicking [here](#)); (d) A RD-approved lender whose name appears on the U.S. Department of Agriculture, Rural Development (RD), list of Section 538 Guaranteed Rural Rental Housing approved lenders (list available by clicking [here](#)); or (e) A Freddie Mac-approved multifamily lender whose name appears on Freddie Mac's lists of Program Plus (Florida region) lenders, Targeted Affordable Housing lenders or Seniors Housing lenders, Targeted

Affordable Housing lenders or Seniors Housing lenders (lists available by clicking [here](#)); or (f) a mortgage lender that is a certified Community Development Financial Institution (CDFI) in the State of Florida that has been awarded funding from the CDFI Fund in a cumulative amount of at least \$5,000,000, exclusive of New Market Tax Credit (NMTC) awards, whose name and CDFI awards can be confirmed on the CDFI Fund's web site (Qualified CDFI)(list available by clicking [here](#)), and the affiliate(s) of such Qualified CDFI. As used herein, the affiliate(s) of a Qualified CDFI means the parent, subsidiary or successor of the Qualified CDFI, or an entity that shares common ownership or management with the Qualified CDFI. If the lender is an affiliate of the Qualified CDFI, the funding letter(s) being considered by the Corporation must include the name of the Qualified CDFI and a statement that the lender is an affiliate of the Qualified CDFI.

### **SECTION THREE PROCEDURES AND PROVISIONS**

#### **A. Submission Requirements.**

A complete Application for this RFA consists of the Application and Development Cost Pro Forma (Exhibit A of the RFA), the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16) and the Applicant Certification and Acknowledgement form and other applicable verification forms (Exhibit B of the RFA), as well as all other applicable documentation to be provided by the Applicant, as outlined in Section Four of the RFA. The Application, Development Cost Pro Forma, Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16), Applicant Certification and Acknowledgement form, and all other applicable verification forms can be found at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/> (also available by clicking [here](#)).

1. The Application Deadline is **11:00 a.m., Eastern Time, on March 23, 2017**. To meet the submission requirements, prior to the Application Deadline the Applicant must do all of the following for its Application:
  - a. The Applicant must download and complete the following documents:
    - (1) The Application;
    - (2) The Development Cost Pro Forma; and
    - (3) The Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16) (“Principals Disclosure Form”). A Principals Disclosure Form that was approved during the Advance Review Process, which is described in Section Four A.3.d. of the RFA, may be used to satisfy this requirement provided the form was approved for the type of funding being requested (i.e., Housing Credits or Non-Housing Credits).

The download process may take several minutes. Applicants should save these three (3) documents with a file name that is unique to the specific Application.

- b. Next, when the Applicant is ready to submit the completed Application, Development Cost Pro Forma and the Principals Disclosure Form (the “Complete Online Submission Package”) to the Corporation, the Applicant must go to the webpage <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/> (also available by clicking [here](#)) and click the link to login and upload the Complete Online Submission Package consisting of these three (3) documents. To upload the Complete Online Submission Package, a username and password must be entered. If the Applicant has not previously created a username and password, the Applicant will need to create one prior to the upload process.
- c. After successfully logging in, the Applicant must click “Upload Application.” The Applicant must also enter the Development Name, click “Browse” to locate the completed Application, Development Cost Pro Forma and Principals Disclosure Form that were saved on the Applicant’s computer, and then click “Upload Selected File.” If the Applicant received an approved Principals Disclosure Form through the Advance Review Process, the approved form is what should be uploaded with the Application and Development Cost Pro Forma. The selected Application will then be listed as an Uploaded Application (consisting of the three (3) documents comprising the Complete Online Submission Package) and its assigned Response Number will be visible in the first column.
- d. Next, to view and print the Uploaded Application (consisting of the Complete Online Submission Package), the Applicant must click “Print Application for Submission to Florida Housing.” The assigned Response Number will be reflected on each page of the printed Uploaded Application. The Applicant must submit four (4) printed copies of the Uploaded Application to the Corporation, as outlined in item e. below.

Note: If the Applicant clicks “Delete” prior to the Application Deadline, the Application will no longer be considered an Uploaded Application and the Applicant will be required to upload the Complete Online Submission Package again in order for these documents to be considered an Uploaded Application. This will generate a new Response Number.

- e. The Applicant must provide to the Corporation by the Application Deadline sealed package(s) containing four (4) printed copies of the final Uploaded Application with all applicable attachments, as outlined in Section Four, with each copy housed in a separate 3-ring-binder with numbered divider tabs for each attachment. The final assigned Response Number should be reflected on each page of the printed Application, Development Cost Pro Forma and Principals Disclosure Form.
  - (1) One (1) printed copy of the complete Uploaded Application with all applicable attachments must be labeled “Original Hard Copy” and must include the following items:
    - (a) The required non-refundable \$3,000 Application fee, payable to Florida Housing Finance Corporation (check or money order only); and
    - (b) The Applicant Certification and Acknowledgement form with an original signature (blue ink preferred).

- (2) The remaining three (3) printed copies of the complete Uploaded Application with all applicable attachments should be labeled “Copy.”
- f. The Applicant should label the outside of each shipping box with the applicable RFA number. The Corporation will not consider faxed or e-mailed Applications.
2. After 11:00 a.m., Eastern Time, on the Application Deadline, each Application for which hard copies are received by the Application Deadline will be assigned an Application number. In addition, these Applications will be assigned a lottery number by having the Corporation’s internal auditors run the total number of Applications received through a random number generator program.

The printed copies of the complete Application must be addressed to:

Ken Reecy  
Director of Multifamily Programs  
Florida Housing Finance Corporation  
227 N. Bronough Street, Suite 5000  
Tallahassee, FL 32301

If any of the printed copies of Exhibit A (the Application), the Development Cost Pro Forma, and/or the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16) are not identical to the complete Uploaded Application, the Uploaded Application will be utilized for scoring purposes.

Applicants should review subsection 67-48.023(1), F.A.C., and, if applicable, subsection 67-48.009(5), F.A.C., to determine eligibility to apply for the Housing Credits and SAIL offered in this RFA.

Pursuant to subsection 67-60.004(2), F.A.C., any Applicant may request withdrawal of its Application from a competitive solicitation by filing a written notice of withdrawal with the Corporation Clerk. For purposes of the funding selection process, the Corporation shall not accept any Application withdrawal request that is submitted between 5:00 p.m., Eastern Time, on the last business day before the date the scoring committee meets to make its recommendations until after the Board has taken action on the scoring committee’s recommendations, and such Application shall be included in the funding selection process as if no withdrawal request had been submitted. Any funding or allocation that becomes available after such withdrawal is accepted shall be treated as returned funds and disposed of according to Section Four B.6. of the RFA.

B. This RFA does not commit the Corporation to award any funding to any Applicant or to pay any costs incurred in the preparation or delivery of an Application.

C. Florida Housing reserves the right to:

1. Waive Minor Irregularities; and
2. Accept or reject any or all Applications received as a result of this RFA.

D. Any interested party may submit any inquiry regarding this RFA in writing to the Director of Multifamily Programs via e-mail at [RFA\\_2017-102\\_Questions@floridahousing.org](mailto:RFA_2017-102_Questions@floridahousing.org) . All inquiries are due

by 5:00 p.m., Eastern Time, on March 2, 2017. Phone calls or written inquiries other than at the above e-mail address will not be accepted. The Corporation expects to respond to all inquiries by 5:00 p.m., Eastern Time, on March 6, 2017 and will post a copy of all inquiries received, and their answers, on the Corporation's Website at:

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/>. The Corporation will also send a copy of those inquiries and answers in writing to any interested party that requests a copy. The Corporation will determine the method of sending its answers, which may include regular United States mail, overnight delivery, fax, e-mail, or any combination of the above. No other means of communication, whether oral or written, shall be construed as an official response or statement from the Corporation.

E. Any person who wishes to protest the specifications of this RFA must file a protest in compliance with Section 120.57(3), Fla. Stat., and Rule Chapter 28-110, 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.

F. By submitting this Application, each Applicant agrees to the terms and conditions outlined in the RFA. By inclusion of Exhibit A, the Development Cost Pro Forma, and the Principals Disclosure Form of the RFA, along with all applicable attachments thereto, including the applicable certification forms set out in Exhibit B of the RFA, each Applicant certifies that:

1. Public Records. Any material submitted in response to this RFA is a public record pursuant to Chapter 119, Fla. Stat. Per Section 119.071(1)(b)2., the sealed Applications received by the Corporation are exempt from disclosure until such time as the Board provides notice of an intended decision or until 30 Calendar Days after the opening of the sealed Applications, whichever is earlier.

2. Noninterference. At no time during the review and evaluation process, commencing with the Application Deadline and continuing until the Board renders a final decision on the RFA, may Applicants or their representatives contact Board members or Corporation staff, except Corporation legal staff, concerning their own or any other Applicant's Application. If an Applicant or its representative does contact a Board or staff member in violation of this section, the Board shall, upon a determination that such contact was made in an attempt to influence the selection process, disqualify the Application.

3. Requirements. Proposed Developments funded under this RFA will be subject to the requirements of the RFA, the Application requirements outlined in Rule Chapter 67-60, F.A.C., the credit underwriting and program requirements for Housing Credits and, if applicable, SAIL, as outlined in Rule Chapter 67-48, F.A.C., and the Compliance requirements of Rule Chapter 67-53, F.A.C.

G. The Corporation expects to select one (1) or more Applications to award the funding contemplated by this RFA. Any such Applications will be selected through the Corporation's review of each Application, considering the factors identified in this RFA.

#### **SECTION FOUR INFORMATION TO BE PROVIDED IN APPLICATION**

The Applicant must provide a completed Application, Development Cost Pro Forma, and the Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16), along with all applicable attachments thereto, including the applicable certification forms set out in Exhibit B of the RFA, which includes the following information.

**A. Exhibit A Items:**

**1. Submission Requirement:**

The Applicant must include a signed Applicant Certification and Acknowledgement form as **Attachment 1** to Exhibit A to indicate the Applicant's certification and acknowledgement of the provisions and requirements of the RFA. The form included with the copy of the Application labeled "Original Hard Copy" must reflect an original signature (blue ink is preferred). The Applicant Certification and Acknowledgement form is provided in Exhibit B of this RFA and on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: If the Applicant provides any version of the Applicant Certification and Acknowledgement form other than the version included in this RFA, the form will not be considered.

**2. Demographic Commitment:**

The Applicant must select one (1) of the following Demographic Commitments:

- a. Family – Development will serve the general population
- b. Elderly – Development will serve the Elderly. Additional requirements for the Elderly Demographic Commitment are outlined in Item 1 of Exhibit C of the RFA. Note: Assisted Living Facilities are not eligible for funding under this RFA.

**3. Applicant Information:**

- a. The Applicant must state the name of the Applicant.
- b. The Applicant must be a legally formed entity [i.e., limited partnership, limited liability company, etc.] qualified to do business in the state of Florida as of the Application Deadline. The Applicant must include, as **Attachment 2** to Exhibit A, evidence from the Florida Department of State, Division of Corporations, that the Applicant satisfies the foregoing requirements; such evidence may be in the form of a certificate of status or other reasonably reliable information or documentation issued, published or made available by the Florida Department of State, Division of Corporations.
- c. An Applicant that indicates at question 3.c. of Exhibit A that it is applying as a Non-Profit will only be considered to be a Non-Profit, for purposes of this RFA, if the Applicant meets the definition of Non-Profit as set out in Rule Chapter 67-48, F.A.C., completes the questions at question 3.c. of Exhibit A, and provides the following information for each Non-Profit entity as **Attachment 3** to Exhibit A.
  - (1) The IRS determination letter;
  - (2) A description/explanation of how the Non-Profit entity is substantially and materially participating in the management and operation of the Development (i.e., the role of the Non-Profit);

- (3) The names and addresses of the members of the governing board of the Non-Profit entity; and
- (4) The articles of incorporation demonstrating that one of the purposes of the Non-Profit entity is to foster low income housing.

Any Applicant that applies as a Non-Profit but is not considered to be a Non-Profit will still be eligible to be considered for funding as a for profit entity.

d. Principals for the Applicant and for each Developer.

The Application must include a properly completed Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16) (“Principals Disclosure Form”) that was uploaded as outlined in Section Three above. The Principals Disclosure Form must identify the Principals of the Applicant and Developer(s) as of the Application Deadline and must include, for each applicable organizational structure, ONLY the types of Principals required by subsection 67-48.002(93), F.A.C. A Principals Disclosure form that includes, for any organizational structure, any type of entity that is not specifically included in the Rule definition of Principals, will not be accepted by the Corporation to meet the Mandatory requirement to provide the Principals of the Applicant and Developer(s) Disclosure Form.

To assist Applicants in meeting the Mandatory requirement to provide the Principals Disclosure Form, the Corporation offers a Continuous Advance Review Process which is outlined at

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/> (also available by clicking [here](#)). This website also includes samples which may assist the Applicant in completing the required Principals Disclosure Form. A Principals Disclosure Form that was reviewed and approved by the Corporation during the Principals Advance Review Process can be included in the Applicant’s RFA submission, provided it was approved for the type of funding being requested (i.e., Housing Credits or Non-Housing Credits).

e. Contact Person.

Enter the requested information for the Contact Person. At a minimum, the Applicant must provide the name and e-mail address of the Contact Person.

**4. Developer and Management Company Information:**

a. General Developer Information:

- (1) The Applicant must state the name of each Developer, including all co-Developers.
- (2) Each Developer entity identified at question 4.a.(1) of Exhibit A (that is not a natural person) must be a legally formed entity qualified to do business in the state of Florida as of the Application Deadline. For each stated Developer entity that is not a natural person, provide, as **Attachment 4** to Exhibit A, evidence from the Florida Department of State, Division of Corporations, that the Developer satisfies the foregoing requirements; such evidence may be in the form of a certificate of status or other reasonably reliable



information or documentation issued, published or made available by the Florida Department of State, Division of Corporations.

(3) Experienced Developer(s)

The Applicant must demonstrate that at least one natural person Principal of the Developer entity, or if more than one Developer entity, at least one natural person Principal of at least one of the Developer entities, meets the General Development Experience requirements in (a) and (b) below.

(a) General Development Experience:

A natural person Principal of each experienced Developer entity must have, since January 1, 1997, completed at least three (3) affordable rental housing developments, at least one (1) of which was a Housing Credit development completed since January 1, 2007. At least one (1) of the three (3) completed developments must consist of a total number of units no less than 50 percent of the total number of units in the proposed Development. For purposes of this provision, completed for each of the three (3) developments means (i) that the temporary or final certificate of occupancy has been issued for at least one (1) unit in one of the residential apartment buildings within the development, or (ii) that at least one (1) IRS Form 8609 has been issued for one of the residential apartment buildings within the development. As used in this section, an affordable rental housing development, including a Housing Credit development that contains multiple buildings is a single development regardless of the number of buildings within the development for which an IRS Form 8609 has been issued.

If the experience of a natural person Principal for a Developer entity listed in this Application was acquired from a previous affordable housing Developer entity, the natural person Principal must have also been a Principal of that previous Developer entity as the term Principal was defined by the Corporation at that time.

(b) Prior General Development Experience Chart:

The Applicant must provide, as **Attachment 4** to Exhibit A, a prior experience chart for each natural person Principal intending to meet the minimum general development experience reflecting the required information for the three (3) completed affordable rental housing developments, one (1) of which must be a Housing Credit development.

Each prior experience chart must include the following information:

Prior General Development Experience Chart				
Name of natural person Principal with the Required Experience: _____				
Name of Developer Entity (for the proposed Development) for which the above individual is a Principal: _____				
Name of Development	Location (City & State)	Affordable Housing Program that Provided Financing (e.g., Housing Credits, Tax-Exempt Bonds, HOME, SAIL, etc.)	Total Number of Units	Year Completed

b. General Management Company Information:

The Applicant must identify the Management Company at question 4.b.(1) of Exhibit A and provide, as **Attachment 5** to Exhibit A, a prior experience chart for the Management Company or a principal of Management Company demonstrating experience in the management of at least two (2) affordable rental housing properties (i.e., properties funded through an affordable housing program such as Housing Credits, Tax-Exempt Bonds, Home, SAIL, etc.), at least one (1) of which consists of a total number of units no less than 50 percent of the total number of units in the proposed Development, for at least two (2) years each.

The prior experience chart must include the following information:

Prior General Management Experience Chart				
Name of Management Company or a Principal of the Management Company with the Required Experience: _____				
Name of Development	Location (City & State)	Currently Managing or Formerly Managed	Length of Time (Number of Years)	Total Number of Units

c. Developer and/or Management Company Experience with Local Revitalization Initiatives  
**(Maximum 15 Points):**

In addition to the general experience required at a. and b. above, the Applicant may receive points by describing the Developer’s and/or Management Company’s experience developing affordable rental housing that was aligned with or an expressly stated part of a local revitalization plan. If the experience of a natural person Principal for a Developer entity listed in this Application was acquired from a previous affordable housing Developer entity, the natural person Principal must have also been a Principal of that previous Developer entity as the term Principal was defined by the Corporation at that time. The Applicant should describe: (i) the Developer’s experience and role in working with Local Governments and other revitalization partners throughout the development process to respond to community needs and objectives in the completion of these developments; and (ii) the Developer’s and/or Management Company’s experience and approach in the day-to-day management of these developments to ensure that they are an integral part of sustaining the changes being brought to the area being revitalized. In the management description, explain any Developer and/or Management Company experience with management of mixed-income developments, and how it plans to apply its experience over the long term to attract and retain households with market rate incomes, while maintaining compliance with the Housing Credit Program and, if applicable, the SAIL Program.

The Applicant’s description is limited to no more than three (3) typed pages within the text box at question 4.c. of Exhibit A. Note: Although the online Application system allows for more than three (3) pages, any portion of the description that is beyond three (3) pages will not be considered.

**5. General Development Information:**

Unless stated otherwise, all information requested in the RFA pertains to the proposed Development.

- a. The Applicant must state the name of the proposed Development.
- b. Location of Development site:
  - (1) The Applicant must indicate the county in which the proposed Development will be located.

Large, Medium and Small County Categories

Large	Medium		Small	
Broward	Alachua	Manatee	Baker	Holmes
Duval	Bay	Marion	Bradford	Jackson
Hillsborough	Brevard	Martin	Calhoun	Jefferson
Miami-Dade	Charlotte	Okaloosa	Columbia	Liberty
Orange	Citrus	Osceola	De Soto	Madison
Palm Beach	Clay	Pasco	Dixie	Monroe
Pinellas	Collier	Polk	Flagler	Nassau
	Escambia	St. Johns	Franklin	Okeechobee
	Flagler	St. Lucie	Gadsden	Putnam
	Hernando	Santa Rosa	Gilchrist	Suwannee
	Highlands	Sarasota	Glades	Taylor
	Indian River	Seminole	Gulf	Union
	Lake	Sumter	Hamilton	Wakulla
	Lee	Volusia	Hardee	Walton
	Leon		Hendry	Washington
			Lafayette	
			Levy	

- (2) The Applicant must provide the Address of the Development Site.

Indicate the address number, street name, and name of city and/or the street name, closest designated intersection, and either name of city or unincorporated area of county. If the proposed Development consists of Scattered Sites as outlined in (3) below, the Applicant must provide the Address for each Scattered Sites.

- (3) The Applicant must indicate if the proposed Development consists of Scattered Sites.

If the proposed Development meets the definition of Scattered Sites:

- (a) For Developments located in all Counties except Monroe County, a part of the boundary of each Scattered Site must be located within ½ mile of the Scattered Site with the most units. For Developments located in Monroe County, a part of the boundary of each Scattered Site must be located within 20 miles of the Scattered Site with the most units;
- (b) Site control must be demonstrated in the Application for all of the Scattered Sites, as outlined in Section Four A.8. of the RFA;
- (c) During the credit underwriting process, the Applicant must demonstrate that the Development meets the requirements of this RFA and Section 42 of the IRC; and

(d) All Scattered Sites must be located in the same county.

(4) Latitude and Longitude Coordinates:

(a) All Applicants must identify, at question 5.b.(4)(a) of Exhibit A, a Development Location Point stated in decimal degrees, truncated to the fifth decimal point\*, for the proposed Development site. If the proposed Development consists of Scattered Sites, the Development Location Point must be on the site with the most units, as required for a Scattered Site Development, and the Applicant must provide the requested information in (4)(b) below.

(b) If the proposed Development consists of Scattered Sites, the Applicant must provide, for each Scattered Site, the latitude and longitude coordinates of one point located anywhere on the Scattered Site at question 5.b.(4)(b) of Exhibit A. The coordinates must be stated in decimal degrees and truncated to the fifth decimal point\*.

\*For example, 30.4439369, -84.2842679 truncated to the fifth decimal point should be represented as 30.44393, -84.28426.

The latitude and longitude coordinates for the Development Location Point and any Scattered Sites will be plotted by the Corporation, using Street Atlas USA 2015, published by DeLorme, to (i) verify that the stated coordinates are located within the county identified by the Applicant at question 5.b.(1) of Exhibit A; and (ii) determine whether the proposed Development qualifies as an LDA Development as outlined in Section Four A.6.c. of the RFA.

c. Development Category / Rental Assistance (RA) Level / Concrete Construction:

(1) Development Category:

At question 5.c.(1) of Exhibit A, the Applicant must indicate the applicable Development Category that best describes the proposed Development:

- New Construction (where 50% or more of the units are new construction)
- Rehabilitation (where less than 50% of the units are new construction) \*
- Acquisition and Rehabilitation (acquisition and less than 50% of the units are new construction) \*

\*The Development Categories of Rehabilitation and Acquisition and Rehabilitation shall include Substantial Rehabilitation.

(a) To qualify for the Development Category of Rehabilitation or Acquisition and Rehabilitation the Applicant must indicate, at question 5.c.(2)(a) of Exhibit A, the estimated qualified basis in Rehabilitation expenses per set aside unit within one 24-month period for the building(s) being rehabilitated. This amount must be at least \$25,000 per set-aside unit, as outlined in Rule 67-48.0075, F.A.C.; and

(b) In order for Applications to be classified as an RA Level other than RA Level 6, the Applicant must provide, as **Attachment 6** to Exhibit A, a letter from a designated administrator of a federal program that provides long-term rental assistance. The rental assistance provided must be tied to the proposed Development and its units and be for a minimum of 20 years from the date the Development's units are placed in service.\* The letter must include the following information and be dated within 12 months of the Application Deadline:

- Name of the proposed Development;
- Address of the proposed Development;
- Total number of units that will receive PBRA, ACC, and/or other form of long-term rental assistance if the proposed Development is funded;
- The federal program associated with the rental assistance; and
- A statement that the committed rental assistance will be reserved and available for use by the proposed Development by the time the units are placed in service and committed for a minimum of 20 years upon the units being placed in service.\*

\* This may be subject to congressional appropriation and continuation of the rental assistance program. For developments documenting the commitment of RD rental assistance, the minimum 20-year commitment term from the date the Development's units are placed in service is not applicable.

If the referenced letter is not provided, or if it is provided but it does not meet the criteria outlined above, the proposed Development will automatically be deemed to be RA Level 6.

If the proposed Development consists of acquisition and rehabilitation, with or without new construction (where the applicable new construction is for the building of units which will total less than 50 percent of the proposed Development's total unit count), but the Applicant is not requesting Corporation funding related to the acquisition, the Applicant should select Rehabilitation as the Development Category. However, the acquisition costs and sources must still be reflected on the Development Cost pro forma.

## (2) Rental Assistance (RA) Level Classification:

Part of the criteria for a proposed Development that qualifies as a Limited Development Area (LDA) Development to be eligible to be considered for funding is based on meeting a minimum RA Level, as outlined at Section Four A.6.c. of the RFA.

The total number of units that will receive rental assistance (i.e., PBRA and/or ACC), as stated in the letter provided as Attachment 6 (as outlined in (1)(b) above), will be considered to be the proposed Development's RA units and will be the basis of the Applicant's RA Level Classification. The Corporation will divide the RA units stated in the applicable letter by the total units stated by the Applicant at question 5.e. of Exhibit A, resulting in a Percentage of Total Units that are RA units. Using the Rental Assistance Level Classification Chart below, the Corporation will determine the RA Level associated with both the Percentage of Total Units and the RA units. The best rating of these two (2) levels will be assigned as the Application's RA Level Classification.

<b>Rental Assistance Level Classification Chart</b>			
<b>Rental Assistance Level</b>	<b>Percentage of Total Units that will receive Rental Assistance</b>		<b>Number of Units that will receive Rental Assistance</b>
Level 1	All units receive rental assistance (with the exception of up to 2 units)	or	At least 100 units and greater than 50% of the total units
Level 2	Greater than 90.00%	or	Greater than 90 units but less than 100 units and greater than 50% of the total units
Level 3	Greater than 75.00%, equal to or less than 90.00%	or	Greater than 75 units but less than 90 units and greater than 50% of the total units
Level 4	Greater than 50.00%, equal to or less than 75.00%	or	N/A
Level 5	Greater than 10.00%, equal to or less than 50.00%		N/A
Level 6*	10.00% or less of the total units receive rental assistance		N/A

\*Applications will be classified RA Level 6 if 10.00% or less of the total units receive rental assistance or if the Applicant fails to meet the criteria outlined above.

(3) Development Category Funding Preference:

- (a) Applicants that selected the Development Category of Rehabilitation or Acquisition and Rehabilitation at question 5.c.(1) of Exhibit A must indicate at question 5.c.(2)(b) of Exhibit A whether the proposed Development meets the definition of Preservation as defined in Rule Chapter 67-48.002(92), F.A.C.

Applications that reflect an answer of “No” at question 5.c.(2)(b) of Exhibit A will be eligible to be considered for the Development Category Funding Preference outlined in Section Four B of the RFA.

- (b) Applicants that selected the Development Category of New Construction at question 5.c.(1) of Exhibit A will automatically be eligible to be considered for the Development Category Funding Preference.

(4) Concrete Construction:

For purposes of this RFA, in order for a proposed Development to be considered to be concrete construction, the proposed Development must meet the following specifications: (i) new construction buildings must have the following poured concrete or concrete masonry elements or load bearing masonry elements, as verified by a capital needs assessment: all exterior walls and structural elements, not to include roofs; and structural elements at and under the ground floor, as well as the ground floor itself; (ii) existing buildings proposed for rehabilitation must have, as of Application Deadline, the elements outlined in (i) above and the rehabilitation work must include these elements; or (iii) new construction buildings with the Mid-Rise Development Type (4, 5 or 6 story, as selected by the Applicant at question 5.d. of Exhibit A) that utilize a concrete podium structure under the rental living units. These qualifying criteria specifically exclude face brick or brick veneer from qualifying as concrete construction for purposes of this RFA without the benefit of the qualifying material in (i) being utilized in the manner prescribed in (i).

Indicate whether the proposed Development meets the requirements to be considered to

be concrete construction. For purposes of this RFA, the Corporation will only consider an Application to be concrete construction if the answer to question 5.c.(3) of Exhibit A is “Yes.”

- d. State the Development Type for the proposed Development. For purposes of determining the number of stories, each floor in the building should be counted regardless of whether it will consist of retail, parking or residential. For mixed-type Developments, indicate the type that will comprise the majority of the units in the Development.
- Garden Apartments (a building comprised of 1, 2 or 3 stories, with or without an elevator)
  - Townhouses
  - Duplexes
  - Quadraplexes
  - Mid-Rise, 4-stories (a building comprised of 4 stories and each residential building must have at least one elevator)
  - Mid-Rise, 5 or 6-stories (a building comprised of 5 or 6 stories and each residential building must have at least one elevator)\*
  - High Rise (a building comprised of 7 or more stories and each residential building must have at least one elevator)

\* For purposes of the HC Leveraging Classification described in Item 6.b.(3)(b) of Exhibit C, if the Applicant selects the Development Category of New Construction and the Development Type of Mid-Rise, 5 or 6-stories, the Applicant must indicate, at question 5.d. of Exhibit A, whether at least 90% of the proposed Development’s total units will be contained in the Mid-Rise building(s). If “No”, or if the question is not answered, the HC Leveraging Classification described in Item 6.b.(3)(b) of Exhibit C will not be applied to the Application.

- e. Number of Units in Proposed Development:

- (1) The Applicant must state the total number of units.

Note: The proposed Development must consist of a minimum of 30 total units and, if the Elderly Demographic Commitment is selected at question 2.b. of Exhibit A, the proposed Development cannot exceed the maximum total number of units outlined in Item 1 of Exhibit C of the RFA.

- (2) The Applicant must indicate whether the proposed Development consists of (a) 100% new construction units, (b) 100% rehabilitation units, or (c) a combination of new construction units and rehabilitation units and state the quantity of each type.
- (3) The Applicant must indicate the occupancy status of any existing units at question 5.e.(3) of Exhibit A.

Developments that are tentatively funded will be required to provide to the Credit Underwriter a plan for relocation of existing tenants, as outlined in Item 2.b.(6) of the Applicant Certification and Acknowledgement form. The plan shall provide information regarding the relocation site; accommodations relevant to the needs of the residents and

length of time residents will be displaced; moving and storage of the contents of a resident's dwelling unit; as well as the approach to inform and prepare the residents for the rehabilitation activities.

- (4) The Applicant must complete the following unit mix chart at question 5.e.(4) of Exhibit A, listing the total number of bedrooms per unit, the total number of bathrooms per unit (including half-baths, if applicable), the total number of units per bedroom type, and the number of units that are ELI Set-Aside units. All units in the proposed Development must be listed, including all manager/employee units and all market rate units, if applicable.

If additional space is required, enter the information in the Addenda located at the end of Exhibit A. Note: the ELI Set-Aside units must be distributed across the unit mix on a pro-rate basis.

The Applicant should refer to Item 1 of Exhibit C for Elderly Development requirements.

f. Ability to Proceed:

The Applicant must demonstrate the following Ability to Proceed elements for the entire Development site, as of Application Deadline, as outlined below. The Florida Housing Ability to Proceed Verification forms (Form Rev. 08-16) are provided in Exhibit B of this RFA and on the Corporation's Website

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: If the Applicant provides any prior version of the Florida Housing Ability to Proceed Verification form(s), the form(s) will not be considered.

- (1) Status of Site Plan/Plat Approval. The Applicant must demonstrate the status of the site plan approval or plat approval, as applicable, as of the Application Deadline, for the entire Development site, by providing, as **Attachment 7** to Exhibit A, the applicable properly completed and executed verification form:
- (a) The Florida Housing Finance Corporation Local Government Verification of Status of Site Plan Approval for Multifamily Developments form (Form Rev. 08-16); or
  - (b) The Florida Housing Finance Corporation Local Government Verification of Status of Plat Approval for Residential Rental Developments form (Form Rev. 08-16).
- (2) Appropriate Zoning. The Applicant must demonstrate that as of the Application Deadline the entire proposed Development site is appropriately zoned and consistent with local land use regulations regarding density and intended use or that the proposed Development site is legally non-conforming by providing, as **Attachment 8** to Exhibit A, the applicable properly completed and executed verification form:
- (a) The Florida Housing Finance Corporation Local Government Verification that Development is Consistent with Zoning and Land Use Regulations form (Form Rev. 08-16); or



- (b) The Florida Housing Finance Corporation Local Government Verification that Permits are Not Required for this Development form (Form Rev. 08-16).

Note: With regard to the terms “Rate of Growth Ordinance (ROGO)” and “Building Permit Allocation System (BPAS),” as used by different jurisdictions within the Florida Keys Area of Critical State Concern, for purposes of the verification forms outlined in (a) and (b) above, all references on these forms to “Rate of Growth Ordinance (ROGO)” shall be considered by the Corporation to have the same meaning as “Building Permit Allocation System (BPAS).”

- (3) Availability of Electricity. The Applicant must demonstrate that as of the Application Deadline electricity is available to the entire proposed Development site by providing as **Attachment 9** to Exhibit A:
  - (a) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Electricity form (Form Rev. 08-16); or
  - (b) A letter from the electricity service provider that is Development-specific and dated within 12 months of the Application Deadline. The letter may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.
- (4) Availability of Water. The Applicant must demonstrate that as of the Application Deadline water is available to the entire proposed Development site by providing as **Attachment 10** to Exhibit A:
  - (a) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Water form (Form Rev. 08-16); or
  - (b) A letter from the water service provider that is Development-specific and dated within 12 months of the Application Deadline. The letter may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.
- (5) Availability of Sewer. The Applicant must demonstrate that as of the Application Deadline sewer capacity, package treatment or septic tank service is available to the entire proposed Development site by providing as **Attachment 11** to Exhibit A:
  - (a) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank form (Form Rev. 08-16) or
  - (b) A letter from the waste treatment service provider that is Development-specific and dated within 12 months of the Application Deadline. The letter may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.

- (6) Availability of Roads. The Applicant must demonstrate that, for the entire proposed Development site, as of the Application Deadline paved roads either (i) exist and will provide access to the proposed Development site or (ii) will be constructed as part of the proposed Development by providing as **Attachment 12** to Exhibit A:
- (a) The properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Roads form (Form Rev. 08-16); or
  - (b) A letter from the Local Government that is Development-specific and dated within 12 months of the Application Deadline. The letter may not be signed by the Applicant, by any related parties of the Applicant, by any Principals or Financial Beneficiaries of the Applicant, or by any local elected officials.

**6. Set-Aside Commitments:**

The Application must meet the set-aside requirements of Section 42 of the IRC, as well as the Corporation's set-aside requirements that go beyond those required by Section 42 of the IRC. The set-asides must be reflected on the Total Set-Aside Breakdown Chart at question 6.b. of Exhibit A, as outlined below:

a. Minimum Set-Aside per Section 42 of the IRC:

The Applicant must select one (1) of the following minimum set-aside commitments:

- 20% of the units at 50% or less of the Area Median Income (AMI)
- 40% of the units at 60% or less of the AMI

Note: Choosing the 20 percent at 50 percent AMI or less minimum set-aside will restrict ALL set-aside units at 50 percent or less of the AMI. Applicants may choose the 40 percent at 60 percent AMI or less minimum set-aside without committing to set aside any of the units at the 60 percent AMI level. For example, an Applicant may commit to set aside 40 percent at 50 percent AMI and this would also be considered 40 percent at 60 percent AMI or less.

b. Total Set-Aside Commitments per Corporation Requirements:

The Applicant must commit to set aside a total of at least 70 percent of the Development's total units at 60 percent AMI or less.

c. Limited Development Area (LDA):

(1) A proposed Development will be designated as an LDA Development if:

- (a) It is located in a County or an area of a County that has been designated by the Corporation as an LDA area, and
- (b) The Applicant selected the applicable Demographic Commitment (Elderly or Family) that is associated with the LDA area in the chart below.

**LDA Chart**

<b>County</b>	<b>Demographic Category</b>	<b>Location Description</b>
Alachua	Family	Beginning at the intersection of CR 241/NW 143 <sup>rd</sup> Street and SR 232/NW69 <sup>th</sup> Ave/Millhopper Road, follow SR 232/NW69 <sup>th</sup> Ave/Millhopper Road east to NW 97 <sup>th</sup> Street. Follow NW 97 <sup>th</sup> Street south to NW 97 <sup>th</sup> Blvd. Follow NW 97 <sup>th</sup> Blvd northeast to SR 232/NW 63 <sup>rd</sup> Blvd/Millhopper Road/NW 53 <sup>rd</sup> Avenue. Follow SR 232/NW 63 <sup>rd</sup> Blvd/Millhopper Road/NW 53 <sup>rd</sup> Avenue east to NW 52 <sup>nd</sup> Terrace. Follow NW 52 <sup>nd</sup> Terrace north to NW 73 <sup>rd</sup> Avenue. Follow NW 73 <sup>rd</sup> Avenue east to NW 43 Street. Follow NE 43 Street north to US 441. Follow US 441 south to N SR 121. Follow N SR 121 north to NW CR 231. Follow NW CR 231 north to NE 142 <sup>nd</sup> Avenue/NE 156 <sup>th</sup> Avenue. Follow NE 142 <sup>nd</sup> Avenue/NE 156 <sup>th</sup> Avenue east to CR 225. Follow CR 225 south to NE 77 Avenue/NE 56 Terrence. Follow NE 77 Avenue/NE 56 Terrence east to SR 24/ NE Waldo Road. Follow SR 24/NE Waldo Road Northeast to US 301/ N Main Street. Follow US 301/N Main Street south to SR 26. Follow SR 26 west to CR 234 / CR 2082. Follow CR 234/ CR 2082 south to US 441. Follow US 441 northwest to SE Wacahoota Road. Follow SE Wacahoota Road north to SR121/Williston Road. Follow SR121/Williston Road south to CR 346. Follow CR 346 west to US 41/US 27/SR 45. Follow US 41/US 27/SR 45 northwest to 202nd Street/CR 13. Follow 202nd Street/CR 13 north to NW 46 <sup>th</sup> Avenue. Follow NW 46 <sup>th</sup> Avenue east to 170 <sup>th</sup> St. Follow NW 170 <sup>th</sup> Street south to NW 32 <sup>nd</sup> Avenue. Follow NW 32 <sup>nd</sup> Avenue east to CR 241/NW 143 <sup>rd</sup> Street. Follow 241/NW 143 <sup>rd</sup> Street north to intersection with SR 232/NW69 <sup>th</sup> Ave/Millhopper Road.
Columbia	Family and Elderly	Entire County
DeSoto	Family and Elderly	Entire County
Duval	Family and Elderly	Beginning at the intersection of US-1/US-17/SR 5/N Main Street and the northern county line, follow US-1/US-17/SR 5/N Main Street south to US 23/SR 15/W State Street/Kings Road. Follow US 23/SR 15/W State Street/Kings Road north to the county line.
Hamilton	Family and Elderly	Entire County
Hardee	Family and Elderly	Entire County
Highlands	Family and Elderly	Beginning at the northwest corner of the county, follow the northern portion of the county line east, then south to US 98/SR 700/SR 66. Follow US 98/SR 700/SR 66 west to the county line. Follow the county line north to the northwest corner of the county.
Lake	Family and Elderly	Beginning at the northwest corner of the county, follow the northern portion of the county line east to CR 452/CR 44. Follow CR 452/CR 44 southeast to SR 19/CR 44/S Central Avenue/N Bay Street. Follow SR 19/CR 44/S Central Avenue/N Bay Street south to Citrus Avenue/Lakeshore Drive/Lake Eustis Drive. Follow Citrus Avenue/Lakeshore Drive/Lake Eustis Drive southwest to US 441/SR 19/E Burleigh Blvd. Follow US 441/SR 19/E Burleigh Blvd south to SR 19/Duncan Drive. Follow SR 19/Duncan Drive south to CR 48/CR 470. Follow CR 48/CR 470 northwest to the county line. Follow the county line north to the northwest corner.

Leon	Family and Elderly	Entire County except the following area which is not considered an LDA area and is exempted from all LDA restrictions and conditions: Beginning at the intersection of N. Macomb Street/Railroad Avenue/Wahnish Way/Fleetwood Way and US 90/SR10/W Tennessee Street, follow Macomb Street/Railroad Avenue/Wahnish Way/Fleetwood Way south to FAMU Way/Oakland Avenue/Drew Street. Follow FAMU Way/Oakland Avenue/Drew Street northeast to Myers Park Drive. Follow Myers Park Drive northwest to Suwannee Street. Follow Suwannee Street north to E. Lafayette Street. Follow E. Lafayette Street west to Franklin Blvd. Follow Franklin Blvd north to US 90/SR10/W Tennessee Street. Follow US 90/SR10/W Tennessee Street west to SR 146/N Meridian Street. Follow SR 146/N Meridian Street north to McDaniel Street. Follow McDaniel Street west to Gadsden Street. Follow Gadsden Street north to E. 7 <sup>th</sup> Avenue. Follow E. 7 <sup>th</sup> Avenue west to US 27/Monroe Street. Follow US 27/Monroe Street north to SR 158/W Tharpe Street. Follow SR 158/W. Tharpe Street west to High Road. Follow High Road south to US 90/SR10/W Tennessee Street. Follow US 90/SR10/W Tennessee Street east to N. Macomb Street/Railroad Avenue/Wahnish Way/Fleetwood Way.
Levy	Family and Elderly	Entire County
Santa Rosa	Family	Beginning at the intersection of CR 184A/Berryhill Road and CR 197A/Woodbine Road, follow CR 184A/Berryhill Road east to SR 89/Dogwood Drive. Follow SR 89/Dogwood Drive south to US 90/Caroline Street. Follow US 90/Caroline Street northeast to CR 89/Ward Basin Road. Follow CR 89/Ward Basin Road south to I-10. Follow I-10 southwest to Blackwater Bay. Follow Blackwater Bay south as it merges with East Bay and Pensacola Bay. Follow Pensacola Bay to the county line. Follow the County line north to US 90/Highway 90. Follow US 90/Highway 90 north to CR 197A/Woodbine Road. Follow CR 197A/Woodbine Road north to CR 184A/Berryhill Road.

- (2) For an LDA Development to be deemed eligible to be considered for funding under this RFA, it must meet all of the following LDA Development Conditions. An LDA Development that does not meet all of the following LDA Development Conditions will be ineligible to be considered for funding. The Conditions are:
- (a) The Applicant demonstrated its commitment to set aside at least 30 percent of the total units as ELI Set-Aside units on the Total Set-Aside Breakdown Chart at question 6.b. of Exhibit A;
  - (b) The proposed Development is classified as RA Level 1 or RA Level 2;
  - (c) The Percentage of Total Units that will have Rental Assistance is greater than 75 percent; and
  - (d) The proposed Development consists of a total of 250 units or less. Note: the total number of units is further restricted by the Elderly Demographic provisions (outlined in Item 1 of Exhibit C of the RFA) if the Applicant selected the Elderly Demographic Commitment at question 2.b. of Exhibit A.
- (3) If the proposed Development is located in a county where only a portion(s) of the county is included on the LDA Chart and the proposed Development's Demographic Commitment is one of the applicable Demographic Categories on the LDA Chart, the

Corporation will verify whether the Development Location Point (as stated at question 5.b.(4) of Exhibit A) is within the boundaries of the area designated as an LDA in order to determine eligibility to be considered for funding. To make such determination, Street Atlas USA 2015, published by DeLorme, will be used. If Street Atlas USA 2015 does not recognize the Development Location Point, then the proposed Development will be deemed to be an LDA Development and must meet all of the applicable LDA Development Conditions outlined in (2) above to be eligible to be considered for funding.

d. ELI Set-Aside Commitments:

For purposes of the following, the requirement to set aside units for ELI Households refers to the ELI AMI level for the county where the proposed Development is located. The ELI County Chart is set out below.

ELI County Chart					
County	ELI Set-Aside AMI level	County	ELI Set-Aside AMI level	County	ELI Set-Aside AMI level
Alachua	35%	Hamilton	45%	Nassau	33%
Baker	35%	Hardee	50%	Okaloosa	33%
Bay	40%	Hendry	50%	Okeechobee	50%
Bradford	45%	Hernando	40%	Orange	40%
Brevard	40%	Highlands	50%	Osceola	40%
Broward	30%	Hillsborough	40%	Palm Beach	33%
Calhoun	50%	Holmes	45%	Pasco	40%
Charlotte	40%	Indian River	40%	Pinellas	40%
Citrus	45%	Jackson	45%	Polk	40%
Clay	33%	Jefferson	33%	Putnam	50%
Collier	33%	Lafayette	40%	St. Johns	33%
Columbia	45%	Lake	40%	St. Lucie	40%
De Soto	50%	Lee	40%	Santa Rosa	40%
Dixie	50%	Leon	33%	Sarasota	35%
Duval	33%	Levy	50%	Seminole	40%
Escambia	40%	Liberty	40%	Sumter	40%
Flagler	40%	Madison	50%	Suwannee	50%
Franklin	45%	Manatee	35%	Taylor	50%
Gadsden	33%	Marion	45%	Union	40%
Gilchrist	35%	Martin	40%	Volusia	45%
Glades	50%	Miami-Dade	30%	Wakulla	35%
Gulf	50%	Monroe	25%	Walton	40%
				Washington	50%

(1) Required Minimum ELI Set-Aside Commitments:

- (a) If the proposed Development does not qualify as an LDA Development as outlined in Item c. above, the Applicant must set aside at least 10 percent of the total units as ELI Set-Aside units; or
- (b) If the proposed Development qualifies as an LDA Development and meets all of the conditions outlined in Item c. above, the Applicant must set aside at least 30 percent of the total units as ELI Set-Aside units.

Note: For purposes of this provision, the requirement to set aside units for ELI Households refers to the 2017 ELI Area Median Income (AMI) level for the county where the proposed Development is located. As of the issue date for this RFA, the fiscal year 2017 Multifamily Tax Subsidy Income Limits have not been issued by HUD, the

ELI Set-Aside units committed to by the Applicant in its Application will be required to be set aside at the 2017 ELI AMI level. The Corporation will notify the Applicants selected for funding of the actual 2017 ELI AMI level at the time the preliminary commitment is issued.

(2) Required ELI Units for Persons with a Disabling Condition:

With the exception of Developments financed with HUD Section 811, all Developments must commit to set-aside a portion of ELI Set-Aside units as Link Units for Persons with a Disabling Condition. The required percentage is provided in (a) and (b) below and is based on whether the Development is an LDA Development or a Non-LDA Development.

- (a) If the proposed Development does not qualify as an LDA Development, the Applicant must set aside 50 percent of the ELI Set-Aside units for Persons with a Disabling Condition; or
- (b) If the proposed Development qualifies as an LDA Development, as outlined in (c. above), the Applicant must set aside 30 percent of the ELI Set-Aside units for Persons with a Disabling Condition.

The Persons with a Disabling Condition must be referred by a Corporation-designated Special Needs Household Referral Agency in accordance with the Corporation's Link Strategy. The current list of designated Special Needs Household Referral Agencies for each county is published on the Corporation's Website at <http://apps.floridahousing.org/StandAlone/SpecialNeeds/ContentPage.aspx?PAGE=Link%20Initiative%20Page> (also accessible by clicking [here](#)). The Applicant must execute a Link Memorandum of Understanding (MOU) with at least one of the Special Needs Household Referral Agencies serving the Development's county. The deadline for the Corporation's approval of the fully executed Link MOU will be stated in the invitation to enter credit underwriting. Additional requirements for the Link Units for Persons with a Disabling Condition are described in Exhibit D of the RFA.

The Applicant must take the above ELI and Persons with a Disabling Condition set-aside commitments into account during any pre-leasing and leasing activities.

e. Total Set-Aside Breakdown Chart:

- (1) The Total Set-Aside Breakdown Chart must reflect all income set-aside commitments (required set-asides and additional set-asides, including all required ELI set-asides) and the required total set-aside percentage at or below 60 percent of the AMI (as further outlined below).

The Applicant must complete the Total Set-Aside Breakdown Chart at question 6.b. of Exhibit A. The Applicant must indicate on the chart the percentage of residential units,

stated in whole numbers, to be set aside at each selected AMI level. Applicants will be expected to keep the unit mix consistent across each committed AMI level.

(2) Market-Rate Units Points (**5 Points**):

(a) Proposed Developments Located in a Large County:

Points will be awarded if the Applicant commits to reserve market-rate units by reflecting on the Total Set-Aside Breakdown Chart (at question 6.b. of Exhibit A) a Total Set-Aside Percentage of (i) at least 70 percent but no higher than 80 percent for Family Demographic Developments or (ii) at least 70 percent but no higher than 90 percent for Elderly Demographic Developments. If the Applicant is awarded points, the Total Set-Aside Percentage at or below 60 percent AMI cannot be increased above 80 percent or 90 percent, as applicable.

(b) Proposed Developments Located in a Medium or Small County:

Points will be awarded if the Applicant commits to reserve market-rate units by reflecting on the Total Set-Aside Breakdown Chart (at question 6.b. of Exhibit A) a Total Set-Aside Percentage of at least 70 percent but no higher than 90 percent, regardless of Demographic. If the Applicant is awarded points, the Total Set-Aside Percentage at or below 60 percent AMI cannot be increased above 90 percent.

Note: If the calculation of the total set aside units based on the Total Set-Aside Percentage results in less than a whole unit, the Total Set-Aside Breakdown Chart will automatically round to a whole unit.

f. Compliance Period for all Developments funded through this RFA:

All Applicants are required to set aside the units for a minimum length of 50 years, as further outlined in Item 3.m. of the Applicant Certification and Acknowledgement form. The compliance period includes the units set aside for Persons with a Disabling Condition and for ELI Households.

**7. Construction Features and Resident Programs:**

a. Construction Features:

The following construction features commitments apply to all units in the proposed Development and are in addition to the required construction features outlined in Item 3 of Exhibit C of the RFA.

- (1) If the Applicant selected the Development Category of Rehabilitation or Acquisition and Rehabilitation (at question 5.c.(1) of Exhibit A), additional Green Building Features must be provided. It is a Mandatory requirement that the Applicant select enough features at question 7.a.(1) of Exhibit A so that the total point value of the features selected equals at least 10. Failure of the Applicant to select at least 10 points worth of the features at question 7.a.(1) of Exhibit A will result in the Application failing to meet this Mandatory requirement.

The features which may be selected are as follows:

- Programmable thermostat in each unit (2 points)
- Humidistat in each unit (2 points)
- Water Sense certified dual flush toilets in all bathrooms (2 points)
- Light colored concrete pavement instead of or on top of asphalt to reduce the heat-island effect (2 points)
- Energy Star certified roof coating (2 points) \*
- Energy Star certified roofing materials (metal, shingles, thermoplastic polyolefin (TPO), or tiles) (3 points) \*
- Eco-friendly cabinets – formaldehyde free and material must be certified by the Forest Stewardship Council or a certification program endorsed by the Programme for the Endorsement of Forest Certification (3 points)
- Eco-Friendly flooring for entire unit – Carpet and Rug Institute Green Label certified carpet and pad, bamboo, cork, 80% recycled content tile, and/or natural linoleum (3 points)
- High Efficiency HVAC with SEER of at least 16 (2 points) \*\*
- Energy efficient windows in each unit (3 points):
  - For all Development Types except Mid-Rise and High Rise: Energy Star certified rating for all windows in each unit;
  - For Development Types of Mid-Rise and High Rise:
    - U-Factor of 0.50 or less and a SHHGC of 0.25 or less where the fenestration is fixed; and
    - U-Factor of 0.65 or less and a SHHGC of 0.25 or less where the fenestration is operable (i.e., the window opens)
- Florida Yards and Neighborhoods certification on all landscaping (2 points)
- Install daylight sensors, timers or motion detectors on all outdoor lighting attached to buildings (2 points)

\*Applicant may choose only one option related to Energy Star certified roofing.

\*\*Applicants who choose high efficiency HVACs must meet the standards listed here, which exceed the minimum Green Building Features required of all Developments in Exhibit C.

- (2) If the Applicant selected the Development Category of New Construction (at question 5.c.(1) of Exhibit A), the Applicant must indicate its commitment to achieve one of the following Green Building Certification programs: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); or ICC 700 National Green Building Standard (NGBS). Selection of the program will be accomplished during the credit underwriting process, as outlined in Item 2.b.(8) of the Applicant Certification and Acknowledgement form. Failure of the Applicant to select “Yes” at question 7.a.(2) of Exhibit A will result in the Application failing to meet this Mandatory requirement.

b. Resident Programs:



The following resident programs apply to all residents in the proposed Development, based on the Demographic selected at question 2 of Exhibit A.

- (1) If the Applicant selected the Family Demographic (at question 2.a. of Exhibit A), the Applicant must provide at least three (3) of the resident programs outlined below. It is a Mandatory requirement that the Applicant select at least three (3) of the resident programs at question 7.b.(1) of Exhibit A. Applicants who fail to select the required minimum number of resident programs will not meet this Mandatory requirement. The eligible resident programs which may be selected are as follows:
  - (a) After School Program for Children – This program requires the Applicant or its Management Company to provide supervised, structured, age-appropriate activities for children during after school hours, Monday through Friday. Activities must be on-site.
  - (b) Literacy Training – The Applicant or its Management Company must make available, at no cost to the resident, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Electronic media, if used, must be used in conjunction with live instruction. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.
  - (c) Employment Assistance Program – The Applicant or its Management Company must provide, at no cost to the resident, a minimum of quarterly scheduled Employment Assistance Program workshops/meetings offering employment counseling by a knowledgeable employment counselor. Such a program includes employability skills workshops providing instruction in the basic skills necessary for getting, keeping, and doing well in a job. The instruction must include, but not be limited to, the following:
    - Evaluation of current job skills;
    - Assistance in setting job goals;
    - Assistance in development of and regular review/update of individualized plan for each participating resident;
    - Resume assistance;
    - Interview preparation; and
    - Placement and follow-up services.

If the Development consists of Scattered Sites and the training is provided on site, it must be provided on the Scattered Site with the most units. If the training is not provided on-site, transportation at no cost to the resident must be provided. Electronic media, if used, must be used in conjunction with live instruction.

- (d) Family Support Coordinator – The Applicant must provide a Family Support Coordinator at no cost to the resident. The Family Support Coordinator shall assist residents in assessing needs and obtaining services, with the goal of promoting successful tenancies and helping residents achieve and maintain maximum independence and self-sufficiency. Responsibilities shall include linking residents with public and private resources in the community to provide needed assistance, develop and oversee on-site programs and activities based on the needs and interests

of residents, and support residents in organizing group activities to help build and maintain a strong community among the Development's residents and within the neighborhood, as well as address community issues. The duties of the Family Support Coordinator shall not be performed by property management staff. The Coordinator shall be on-site and available to residents at least 15 hours per week, within the hours of 9 a.m. and 8 p.m. The Coordinator may be an employee of the Development or, through an agreement, an employee of a third party agency or organization that provides these services.

- (e) Financial Management Program – The Applicant or its Management Company shall provide a series of classes to provide residents training in various aspects of personal financial management. Classes must be held at least quarterly, consisting of at least two (2) hours of training per quarter, and must be conducted by parties that are qualified to provide training regarding the respective topic area. If the Development consists of Scattered Sites, the Resident Program must be held on the Scattered Site with the most units. Residents residing at the other sites of a Scattered Site Development must be offered transportation, at no cost to them, to the classes. The topic areas must include, but not be limited to:
- Financial budgeting and bill-paying including training in the use of technologies and web-based applications;
  - Tax preparation including do's and don'ts, common tips, and how and where to file, including electronically;
  - Fraud prevention including how to prevent credit card and banking fraud, identity theft, computer hacking and avoiding common consumer scams;
  - Retirement planning & savings options including preparing a will and estate planning; and
  - Homebuyer education including how to prepare to buy a home, and how to access to first-time homebuyer programs in the County in which the development is located.

Different topic areas must be selected for each session, and no topic area may be repeated consecutively.

- (2) If the Applicant selected the Elderly Demographic (at question 2.b. of Exhibit A), the Applicant must provide at least three (3) of the resident programs outlined below. It is a Mandatory requirement that the Applicant select at least three (3) of the resident programs at question 7.b.(2) of Exhibit A. Applicants who fail to select the required minimum number of resident programs will not meet this Mandatory requirement. The eligible resident programs which may be selected are as follows:

- (a) Literacy Training – The Applicant or its Management Company must make available, at no cost to the resident, literacy tutor(s) who will provide weekly literacy lessons to residents in private space on-site. Training must be held between the hours of 8:00 a.m. and 7:00 p.m. and electronic media, if used, must be used in conjunction with live instruction. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.

- (b) Computer Training – The Applicant or its Management Company shall make available computer and internet training classes (basic and/or advanced level depending on the needs and requests of the residents). The training classes must be provided at least once a week, at no cost to the resident, in a dedicated space on site. Training must be held between the hours of 8:00 a.m. and 7:00 p.m. and electronic media, if used, must be used in conjunction with live instruction. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.
- (c) Daily Activities – The Applicant or its Management Company must provide on-site supervised, structured activities, at no cost to the resident, at least five days per week which must be offered between the hours of 8:00 a.m. and 7:00 p.m. If the Development consists of Scattered Sites, this resident program must be provided on the Scattered Site with the most units.
- (d) Assistance with Light Housekeeping, Grocery Shopping and/or Laundry – The Applicant or its Management Company must provide residents with a list of qualified service providers for (a) light housekeeping, and/or (b) grocery shopping, and/or (c) laundry and will coordinate, at no cost to the resident, the scheduling of services. The Developer or Management Company shall verify that the services referral information is accurate and up-to-date at least once every six (6) months.
- (e) Resident Assurance Check-In Program – The Applicant commits to provide and use an established system for checking in with each resident on a pre-determined basis not less than once per day, at no cost to the resident. Residents may opt out of this program with a written certification that they choose not to participate.

Note: The Elderly programs selected above are in addition to the required resident program outlined in Item 4.b. of Exhibit C.

## 8. Site Control:

The Applicant must demonstrate site control by providing, as **Attachment 13** to Exhibit A, the documentation required in Items a., b., and/or c., as indicated below. If the proposed Development consists of Scattered Sites, site control must be demonstrated for all of the Scattered Sites.

- a. Eligible Contract - For purposes of the RFA, an eligible contract is one that has a term that does not expire before September 30, 2017 or that contains extension options exercisable by the purchaser and conditioned solely upon payment of additional monies which, if exercised, would extend the term to a date that is not earlier than September 30, 2017; specifically states that the buyer's remedy for default on the part of the seller includes or is specific performance; and the buyer **MUST** be the Applicant unless an assignment of the eligible contract which assigns all of the buyer's rights, title and interests in the eligible contract to the Applicant, is provided. Any assignment must be signed by the assignor and the assignee. If the owner of the subject property is not a party to the eligible contract, all documents evidencing intermediate contracts, agreements, assignments, options, or conveyances of any kind between or among the owner, the Applicant, or other parties, must be provided and, if a contract, must contain the following elements of an eligible contract: (i) have a term that

- does not expire before September 30, 2017 or contain extension options exercisable by the purchaser and conditioned solely upon payment of additional monies which, if exercised, would extend the term to a date that is not earlier than September 30, 2017, and (ii) specifically state that the buyer's remedy for default on the part of the seller includes or is specific performance.
- b. Deed or Certificate of Title – The deed or certificate of title (in the event the property was acquired through foreclosure) must be recorded in the county in which the property is located and show the Applicant as the sole Grantee.
  - c. Lease - The lease must have an unexpired term of at least 50 years after the Application Deadline and the lessee must be the Applicant. If the owner of the subject property is not a party to the lease, all documents evidencing intermediate leases, subleases, assignments, or agreements of any kind between or among the owner, the lessor, or any sublessee, assignor, assignee, and the Applicant, or other parties, must be provided, and if a lease, must have an unexpired term of at least 50 years after the Application Deadline. Any assignment must be signed by the assignor and the assignee.

**9. Approach Toward Income and Credit Status of Intended Households with a Disabling Condition Applying for Tenancy (Maximum 12 points):**

While property management procedures must incorporate an eligibility process for residency that appropriately manages the viability of the property and safety of current residents, the Corporation expects Applicants to balance this with a process that is broad and welcoming to new residents, particularly for ELI Set-Aside units for Persons with a Disabling Condition pursuant to Section Four A.6.d.(2) of the RFA. As a result of these households' low incomes, special needs and usual lack of stability in the community, they often have issues that affect their ability to meet the income and credit requirements for tenancy in safe and decent rental housing. For points, the Applicant must describe specific application and tenant selection policies and procedures that will be used by the Applicant's property management to assist in determining an intended resident household's eligibility for tenancy. The described application and tenant selection approach for these prospective residents should demonstrate how the Applicant will address income, credit status and other barriers that adversely affect the intended household's ability to lease safe and decent rental housing.

The Applicant's description is limited to no more than three (3) typed pages within the text box at question 9 of Exhibit A. Note: Although the online Application system allows for more than three (3) pages, any portion of the description that is beyond three (3) pages will not be considered.

**10. How the Proposed Development Aligns with Local Revitalization Initiatives (Maximum 45 Points):**

To receive points under this section, the Applicant must describe Local Government initiatives or community redevelopment plans completed and adopted on or before January 1, 2016, by the appointed or elected body of the general Local Government with the authority to regulate the use of the subject site, or an instrumentality thereof (e.g., City, County, Community Redevelopment Agency). Such plan should describe strategies or initiatives to revitalize the neighborhood or broader community where the proposed Development is or will be located. The initiatives should

either target or include the proposed Development, or the proposed Development should clearly align with the initiative/plan. The Corporation is particularly interested in local initiatives such as neighborhood revitalization plans that have incorporated or specifically feature the proposed Development as part of the local plan. Such plans might include other residential development and should include business/commercial real estate development and revitalization; infrastructure improvements, including transit; the addition or enhancement of employment opportunities, or greater access to these; educational and recreational facilities/opportunities; health and community services; and other related activities undertaken, sponsored or encouraged by the unit of Local Government to improve the community. These plans might include or have a corollary schedule of public financial commitments to address some or all of the components of the plan and supplemental information detailing private investments/activities other than those of the Applicant related to implementation of the plan. Since the goal of such plans is to change fundamentally the character of the neighborhood or enhance the lives and amenities available to residents of the community, the Local Government may also be reporting on neighborhood outcomes that are the result of this revitalization.

To allow the Corporation to evaluate the local plan and its implementation and outcomes, as well as how well the proposed Development aligns with it, Applicants must provide a detailed description of the local adopted plan/initiative, including: (a) the name of the plan/initiative and a summary of the overarching vision and goals for the area; (b) a description of improvements across key facets of the plan; (c) the specific types and amounts of public investment in the area (summarized and may be in tabular form) that are part of the revitalization and the purposes of these investments (executed, committed and planned); (d) examples of actions taken by the Local Government to advance the plan, including activities that have or will lead to broader economic investment in the area; (e) outcomes reported by the Local Government, if any, that have changed the community and the lives of the residents in the community; and (f) the level of private sector involvement in plan implementation and how private investments are being leveraged for revitalization of the area. Using the Applicant's response, the Corporation will evaluate: (i) how well the adopted plan provides detailed strategies that, when taken together, are comprehensive in their approach to addressing revitalization of the geographic area in which the proposed Development is or will be located; (ii) how well the local initiative has brought the private sector other than the Applicant into implementation of revitalization efforts; (iii) the level of completed and planned financial commitments made by the Local Government to the broad revitalization effort; and (iv) how the proposed Development assists in implementing the community initiative, aligns with public investment in the surrounding community and is an integral part of the larger community redevelopment. The Applicant should state the location online where the plan/initiative document(s) may be found.

The Applicant's description is limited to no more than five (5) typed pages within the text box at question 10 of Exhibit A. Note: Although the online Application system allows for more than five (5) pages, any portion of the description that is beyond five (5) pages will not be considered.

#### **11. Access to Community-Based Services and Resources (Maximum 28 Points):**

Resident access to a general range of services and resources in the community is critical in the revitalization of neighborhoods or communities. Applicants may be awarded points for providing a description of the services and resources that are and will be accessible to residents who will be served in the proposed Development (Families and/or Elders). Describe access and physical

proximity to shopping for food, medicine, clothing and other household and personal items; childcare, youth and senior activities; education and training via public schools, universities, vocational and other schools; and recreation, parks and open spaces and cultural activities; and employment opportunities. The description should also include access to healthcare, supportive services and related resources that are easily accessible to the residents. Describe the public transportation options that will be available to residents of the proposed Development to ensure access to the described services and resources, and any partnerships the Applicant might have to assist residents with improved access. If the Applicant describes a service or resource that is not yet available, but will be in the future as part of a commitment by the Local Government or revitalization partners, specify when the new service/resource will be available. If the Development consists of Scattered Sites, the Applicant must describe how the Applicant will address access to community services for all residents on all of the Scattered Sites. In addition to the criteria outlined above, Applicant responses to these items will be evaluated based on the relevancy of this description to the demographic commitment provided at Section Four A.2. and the proposed Development's proximity to a variety of resources that will benefit the residents' health, safety, stability, education and employment capacities, and quality of life.

The Applicant's description is limited to no more than four (4) typed pages within the text box at question 11 of Exhibit A. Note: Although the online Application system allows for more than four (4) pages, any portion of the description that is beyond four (4) pages will not be considered.

## **12. Funding:**

### **a. Eligible Housing Credit Request Amount:**

The Applicant must state the amount of Housing Credits it is requesting.

The Eligible Housing Credit Request Amount will be the amount of Housing Credit Allocation the Applicant will tentatively be awarded should the Application be selected for funding. Such Eligible Housing Credit Request Amount will be based on the lesser of (i) the Applicant's Housing Credit Request Amount (as provided by the Applicant in question 12.a. of Exhibit A) and (ii) the County Category Maximum Housing Credit Request Limit (as outlined below). Any Housing Credit equity proposal provided as an attachment to the RFA must reflect the Eligible Housing Credit Request Amount, as further described in Item 12.e.(2)(a) below.

In order for the Applicant's Housing Credit Request Amount to be eligible to be greater than the limits indicated in Column A of the chart set out below, the proposed Development must qualify for the HUD High Cost Area (HCA) basis boost via at least one of the options outlined in Items (1)(a), (1)(b), (1)(c) or (2) below. If the Applicant intends to qualify for this higher Housing Credit Request Amount limit, it must complete the applicable questions at 12.a.(1) and 12.a.(2) of Exhibit A.

#### **(1) Maximum Housing Credit Request Amount:**

The Applicant must state the amount of Housing Credits it is requesting at question 12.a. of Exhibit A ("Applicant's Housing Credit Request Amount"). The Applicant's Competitive Housing Credit Request Amount cannot exceed the applicable County/County Category amount stated in the following chart:

	Column A	Column B
	County Category Maximum Housing Credit Request Limits	
County or County Category in which the Development is to be Located*	If Development is not located in a HUD-designated SADDA or HUD-designated non-Metropolitan DDA, or if the Application does not meet the RFA requirements to qualify as a QCT, or does not qualify as a subsequent phase of a Multiphase Development	HCA Bonus – If Development is located in a HUD-designated SADDA or HUD-designated non-Metropolitan DDA; and/or if the Application meets the RFA requirements to qualify as QCT, or qualifies as a subsequent phase of a Multiphase Development
Broward Miami-Dade	\$1,880,000	\$2,445,000
Hillsborough Orange Palm Beach	\$1,625,000	\$2,110,000
Duval Pinellas	\$1,276,000	\$1,660,000
Medium Counties	\$1,155,000	\$1,510,000
Small Counties	\$825,000	\$1,070,000

\* County Categories are described in Section Four A.5.b. of the RFA.

If the Applicant states an amount that is greater than the amount the Applicant is eligible to request relative to the above chart, the Corporation will reduce the amount down to the maximum amount the Applicant is eligible to request as provided in the chart above.

The amount resulting from the lesser of the Applicant’s Housing Credit Request Amount (as stated at question 12.a. of Exhibit A) and the adjustment described above, if any, will be deemed to be the Applicant’s Eligible Housing Credit Request Amount.

- (2) With regard to Housing Credits, HUD provides regulatory guidance on the effective date of Difficult Development Area (DDA) and Qualified Census Tract (QCT) lists for the purpose of determining whether a Development qualifies for an increase in eligible basis in accordance with Section 42(d)(5)(B) of the IRC.

A proposed Development will be eligible for the HUD HCA basis boost only for the building(s) located, as of Application Deadline, within a HUD-designated DDA. During credit underwriting and at the time of Final Cost Certification, if it is determined that there are buildings located outside of the applicable HUD-designated DDA, the Corporation reserves the right to reduce the Housing Credit Allocation if the eligible basis for the building(s) located in the applicable HUD-Designated DDA is not sufficient to support the request amount.

In order for the Development proposed in this Application to be eligible to be declared as the first phase of a multiphase Development (at question 12.a.(3)(a) of Exhibit A) and used as the basis for DDA/QCT status for subsequent future phases, at least one (1) building of this proposed Development must be located within a HUD-designated DDA or QCT (“declared DDA/QCT”).

- (a) HUD-designated Small Area DDA –

If located in a HUD-designated Small Area DDA, the Applicant must identify, at question 12.a.(1)(a) of Exhibit A, the Small Area DDA Zip Code Tabulation Area(s) (SADDA ZCTA). If the proposed Development consists of Scattered Sites, identify the SADDA ZCTA for each site.

Note: The assigned SADDA ZCTA number(s) is available at <https://www.huduser.gov/portal/Datasets/qct/DDA2017M.PDF> and <http://qct.huduser.gov/tables/saddatables.odt> and the applicable HUD mapping software is available at [https://www.huduser.gov/portal/sadda/sadda\\_qct.html](https://www.huduser.gov/portal/sadda/sadda_qct.html).

(b) HUD-designated Non-Metropolitan DDA:

If located in a HUD-designated Non-Metropolitan DDA, the Applicant should identify the county at question 12.a.(1)(b) of Exhibit A.

Note: The HUD-designated Non-Metropolitan DDAs are available at <https://www.huduser.gov/portal/Datasets/qct/DDA2017NM.PDF>

(c) QCT –

In order to be classified as a Development located in a QCT for purposes of this RFA, and qualify for the HCA Basis Boost, (i) the proposed Development must be located in one of the QCTs based on the current census, as determined by HUD as of the Application Deadline, (ii) the Applicant must indicate the QCT number at question \_\_\_\_\_ of Exhibit A; and (iii) the Applicant must provide a copy of a letter from the local planning office or census bureau verifying the Development’s location in the referenced QCT as **Attachment 14** to Exhibit A.

The assigned QCT numbers are available on the webpage <https://www.huduser.gov/portal/Datasets/qct/QCT2017M.PDF> (also available by clicking [here](#)).

(3) Multiphase Development –

HUD’s notice published in the October 17, 2016 edition of the Federal Register ([https://www.huduser.gov/portal/Datasets/QCT/QCTDDA2017\\_Notice.pdf](https://www.huduser.gov/portal/Datasets/QCT/QCTDDA2017_Notice.pdf)) governs the eligibility for a basis boost for the Development proposed in this RFA.

If the proposed Development is eligible for the multiphase status, indicate whether the proposed Development qualifies as a first phase or a subsequent phase, as outlined below:

(a) First Phase of a Multiphase Development:

If the proposed Development is the first phase of a multiphase Development, select question 12.a.(3)(a) of Exhibit A.

Subsequent phases will qualify for the basis boost if (i) at least one (1) building of the first phase is located within the declared HUD-designated DDA or HUD-designated QCT and (ii) at least one (1) building of each subsequent phase is located within the boundary of the declared HUD-



designated DDA or HUD-designated QCT which applied to the Development declared as the first phase by the first phase Applicant.

As outlined in Item 2.b.(9) of the Applicant Certification and Acknowledgement form, during the credit underwriting process the Applicant will be required to submit to the Corporation an opinion letter by a licensed attorney that the Development meets the definition of a “multiphase project” as defined in the Federal Register. The letter must also include: (iii) the name of the declared first phase Development and the Corporation-assigned Application number, (iv) the total number of phases and the projected Development name for each phase, (v) the total number of buildings in each phase, (vi) the expected completion date for each phase, and (vii) any other information as determined by the Corporation and stated in the invitation to enter credit underwriting.

or

(b) Subsequent Phase of a Multiphase Development:

For purposes of this RFA, a subsequent phase of a multiphase Development is one where the initial phase was appropriately identified as such in one of the following: (i) the 2011 Universal Application Cycle, (ii) a 2013 Housing Credit Request for Proposal or RFA, (iii) a 2014 Housing Credit RFA, (iv) a 2015 Housing Credit RFA, (v) a 2016 Housing Credit RFA, or (vi) a Non-Competitive Housing Credit Application (i.e., a Non-Competitive Housing Credit allocation awarded within the 730 day period following the date the competitive Bond application for Tax-Exempt Bonds (awarded through a Corporation competitive RFA process or a Non-Corporation Bond issuer’s competitive application process) was deemed complete by the Bond-issuing agency for which the Non-Competitive Housing Credit allocation was awarded, provided the 730 day period did not end prior to the submission deadline for the Corporation’s competitive RFA or a Non-Corporation Bond issuer’s competitive application). After the initial award, the Applicant must have submitted an Application for Housing Credits in immediately consecutive years, per the HUD requirements.

If the proposed Development qualifies as a subsequent phase of a multiphase Development, select question 12.a.(3)(b) of Exhibit A and answer the required questions. As outlined in Item 2.b.(9) of the Applicant Certification and Acknowledgement form, the proposed Development’s subsequent phase status will be confirmed during the credit underwriting process.

b. Eligible SAIL Request Amount:

SAIL funding offered in this RFA is available only to Applicant’s that select the Demographic commitment of Family at question 2.b. of Exhibit A.

The Eligible SAIL Request Amount will be the amount of SAIL funding the Applicant will tentatively be awarded should the Application be selected for funding. Such Eligible SAIL Request Amount will be based on the lesser of:

- \$2 million per Development, or
- 25 percent of Total Development Cost

If SAIL funding is requested in addition to the Housing Credits, the Applicant must state the amount of SAIL it is requesting at question 12.b. of Exhibit A.

In the event of a discrepancy between the amount shown in this section and that shown elsewhere within the Application, the amount shown in this section shall be deemed to be the Applicant's SAIL Request Amount.

If the Applicant's SAIL request amount exceeds the lesser of \$2 million or 25 percent of the Total Development Cost shown on the Development Cost Pro Forma (as adjusted during scoring, if applicable), the Corporation will reduce the Applicant's SAIL Request Amount down to the maximum allowable amount and that amount will be the Applicant's Eligible SAIL Request Amount.

The SAIL loan shall be non-amortizing and shall have an interest rate of 1 percent over the life of the loan. The terms and conditions of the SAIL loan are further outlined in Rule Chapter 67-48, F.A.C.

c. Other Funding:

(1) If the Development has received funding from the Predevelopment Loan Program (PLP), the Corporation file number and amount of funding must be listed. Note: PLP funding cannot be used as a source of financing on the Construction/Rehab Analysis or the Permanent Analysis.

(2) Qualifying Financial Assistance Funding Preference:

The total amount of permanent funding resources, in the form of cash loans, cash grants and/or cash on hand, from local, state or federal government sources will, for purposes of this provision, be considered to be "Qualifying Financial Assistance." In-kind donations or any other donation of property or assets or waiver of any fees, as well as any funding from the Corporation, will not be considered Qualifying Financial Assistance.

The Corporation will compare the total amount of such funding per unit set-aside at or below 60% AMI, as stated on the set-aside breakdown chart at question 6.b. of Exhibit A, relative to the other Applicants to this RFA. The Application that has the higher total amount of such funding per set-aside unit relative to the other Applications will be eligible for the funding preference, as outlined in Section Four B of the RFA.

The financing proposal documentation provided in accordance with Item d. and e. below will be reviewed for financing terms and must meet the requirements to be counted as a permanent funding source in order to be considered Qualifying Financial Assistance. Any Qualifying Financial Assistance included in the Development Cost Pro Forma must

be utilized for permanent funding as presented in the RFA if the Applicant is awarded funding under this RFA.

d. Development Cost Pro Forma:

All Applicants must complete the Development Cost Pro Forma listing the anticipated expenses or uses, the Detail/Explanation Sheet, if applicable, and the Construction or Rehab Analysis and Permanent Analysis listing the anticipated sources. The sources must equal or exceed the uses. During the scoring process, if a funding source is not considered and/or if the Applicant's HC Request Amount and/or SAIL Request Amount is adjusted downward, as outlined in a. and b. above, this may result in a funding shortfall. If the Applicant has a funding shortfall, it will be ineligible to be considered for funding.

The Development Cost Pro Forma must include all anticipated costs of the Development construction, rehabilitation and, if applicable, acquisition, including the Developer fee and General Contractor fee, as outlined below. Any amounts that are not an anticipated cost to the Development, such as waived or reimbursed fees or charges, cannot be included in the Development Cost Pro Forma. Note: deferred Developer fees are not considered "waived fees".

In addition, the Development Cost Pro Forma must include all anticipated sources of funding, including the amount of Qualifying Financial Assistance, as well as any Non-Corporation Funding as outlined in Item e. below.

(1) Developer Fee:

The maximum allowable Developer fee under this RFA shall be 16 percent of Development Cost. The maximum allowable Developer fee will be tested during the scoring of the Application by multiplying the Development Cost by 16 percent, rounded down to the nearest dollar.

The Corporation will allow up to 100 percent of the eligible Developer fee to be deferred and used as a source on the Development Cost Pro Forma without the requirement to show evidence of ability to fund.

(2) General Contractor Fee:

General Contractor fee shall be limited to 14 percent of actual construction cost. The maximum allowable General Contractor fee will be tested during the scoring of the Application by multiplying the actual construction cost by 14 percent, rounded down to the nearest dollar.

(3) Contingency Reserves:

For Application purposes, the maximum hard and soft cost contingencies allowed cannot exceed (i) 5 percent of hard and soft costs for the Development Category of New Construction or (ii) 15 percent of hard costs and 5 percent of soft costs for Development Categories of Rehabilitation and Acquisition/Rehabilitation, as further described in Rule Chapter 67-48, F.A.C. The determination of the contingency reserve is limited to the

maximum stated percentage of total actual construction costs (hard costs) and general development costs (soft costs), as applicable.

(4) Operating Deficit Reserves:

An operating deficit reserve is not to be included as part of Development Costs and cannot be used in determining the maximum Developer fee. Applicants may not enter any amounts pertaining to any type of reserve other than the contingency reserve mentioned above and, if applicable, any reserve permitted in the RFA and established as a subset of Developer fee, on the Development Cost Pro Forma as part of the Application process. A reserve, including an operating deficit reserve, if necessary as determined by an equity provider, first mortgage lender, and/or the Credit Underwriter engaged by the Corporation in its reasonable discretion, will be required and sized in credit underwriting. The inclusion of any reserve is not permitted in the Application (other than the permitted contingency reserve) which may include, but is not limited to, operating deficit reserve, debt service shortfalls, lease-up, rent-re-stabilization, working capital, lender or syndicator required reserve(s), and any pre-funded capital (replacement) reserves. If any reserve other than the permitted contingency reserve and the Developer fee subset, if applicable, can be identified and is included in the Development Cost Pro Forma, the Corporation will remove it during Application scoring.

Developer fee and General Contractor fee must be disclosed. In the event the Developer fee and/or General Contractor fee are/is not disclosed on the Development Cost Pro Forma, the Corporation will assume that these fees will be the maximum allowable and will add the maximum amount(s) to Total Development Cost. If an Applicant lists a Developer fee, General Contractor fee, contingency reserve or operating deficit reserve that exceeds the stated Application limits, the Corporation will adjust it/them to the maximum allowable. As stated above, Applicants may not enter any amounts pertaining to operating deficit reserves. The Corporation will not consider any operating deficit reserves listed on the Pro Forma.

e. Non-Corporation Funding Proposals:

In order for funding, other than deferred Developer fee, to be counted as a source on the Construction/Rehab and/or Permanent Analysis, the Applicant must provide documentation of all financing proposals from both the construction and the permanent lender(s), equity proposals from the syndicator, and other sources of funding. The financing proposals must state whether they are for construction financing, permanent financing, or both, and all attachments and/or exhibits referenced in the proposal must be included. Insert documentation for each source as an attachment to Exhibit A beginning with **Attachment 15** to Exhibit A and continuing with sequentially numbered attachments for each additional funding source. Evidence for each funding source must be behind its own sequentially numbered attachment.

For purposes of the Application, neither of the following will be considered a source of financing: net operating income for a Rehabilitation Development nor capital contributions.

(1) Financing Proposal

Financing proposal documentation, regardless of whether the documentation is in the form of a commitment, proposal, term sheet, or letter of intent, must meet the following criteria. Evidence for each funding source must be behind its own numbered attachment.

(a) Each financing proposal shall contain:

- (i) Amount of the construction loan, if applicable;
- (ii) Amount of the permanent loan, if applicable;
- (iii) Specific reference to the Applicant as the borrower or direct recipient; and
- (iv) Signature of all parties, including acceptance by the Applicant.

Note: Although Local Government Contributions is not included in this RFA as a point item, eligible Local Government financial commitments (i.e., grants and loans) can be considered a source of financing without meeting the requirements of (i) through (iv) above if the Applicant provides the properly completed and executed Florida Housing Local Government Verification of Contribution – Grant Form (Form Rev. 08-16) and/or the Local Government Verification of Contribution – Loan Form (Form Rev. 08-1614) and such grant and/or loan is effective at least through December 31, 2017. The grant and loan forms (Form Rev. 08-16) are available on the Corporation Website at:

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). If the loan form is used, the space for entering the net present value of the loan is not applicable to this RFA and will not be considered.

(b) Financing that has closed:

(i) If the financing has closed in the Applicant's name, provide a letter from the lender acknowledging that the loan has closed. The letter must also include the following information:

- Amount of the construction loan, if applicable;
- Amount of the permanent loan, if applicable; and
- Specific reference to the Applicant as the borrower/direct recipient/mortgagee.

(ii) Except for HUD funding, if the financing involves an assumption of debt not currently in the Applicant's name, as evidence that the lender approves of the proposal of assumption, the Applicant must provide a letter from the lender, dated within six (6) months of the Application Deadline, that includes the following information:

- Specifically references the Applicant as the assuming party;
- If a permanent loan, states the amount to be assumed; and
- If a construction loan, states the maximum amount of funding capacity.

If the debt being assumed is provided by HUD, the Applicant must provide a letter from HUD, dated within six (6) months of the Application Deadline,

confirming the funding source. The letter must include the following information:

- Name of existing development;
  - Name of proposed Development;
  - Loan balance;
  - Acknowledgment that property is applying for Housing Credits; and
  - Applicable HUD program.
- (c) If the financing proposal is not from a Regulated Mortgage Lender in the business of making loans or a governmental entity, evidence of ability to fund must be provided. Evidence of ability to fund includes: (1) a copy of the lender's most current audited financial statements no more than 17 months old; or (2) if the loan has already been funded, a copy of the note and recorded mortgage. The age of all financial statements is as of the Application Deadline. In evaluating ability to fund, the Corporation will consider the entity's unrestricted current assets typically used in the normal course of business. Assets considered restricted include, but are not limited to, pension funds, rental security deposits, and sinking funds. Financing proposals from lenders who cannot demonstrate ability to fund will not count as a source of financing. Financial statements must be included in the Application. Note: This provision does not apply to deferred Developer fee.
- (d) If a financing proposal shows an amount less than the corresponding line item on the pro forma, only the financing proposal amount will be considered as a funding source. However, if a financing proposal shows an amount in excess of the corresponding line item on the pro forma, up to the total amount of the financing proposal amount may be utilized as a funding source, if needed.
- (e) The loan amount may be conditioned upon an appraisal or debt service coverage ratio or any other typical due diligence required during credit underwriting.
- (f) Financing proposals may be conditioned upon the Applicant receiving the funding from the Corporation for which it is applying.
- (g) If a financing proposal has a provision for holding back funds until certain conditions are met, the amount of the hold-back will not be counted as a source of construction financing unless it can be determined that the conditions for the release of the hold-back can be met prior to or simultaneous with the closing of the Development's permanent financing.
- (h) Grant funds are contributions to the Development, other than equity, which carry no repayment provision or interest rate. A commitment for grant funds will be considered a commitment for scoring purposes if the commitment is properly executed and, if applicable, evidence of ability to fund is provided.
- (2) Housing Credit Equity Proposal:

For the purpose of this RFA, to be counted as a source an equity proposal, regardless of whether the documentation is in the form of a commitment, proposal, term sheet or letter

of intent, must: (i) if syndicating/selling the Housing Credits, meet the requirements outlined in (a) below and include the information outlined in (b) below, or (ii) if not syndicating/selling the Housing Credits, meet the requirements outlined in (a) below and include the information outlined in (c) below:

(a) If the Eligible HC Request Amount is less than the anticipated amount of credit allocation stated in the equity proposal, the equity proposal will be considered a source of financing and, for scoring purposes, the maximum amount of HC equity to be permitted in the Development Cost Pro Forma will be adjusted downward from the amount stated in the equity proposal. This adjusted maximum HC equity will be calculated by taking the total amount of equity to be provided to the proposed Development as stated in the equity proposal letter, dividing it by the credit allocation stated in the equity proposal and multiplying that quotient by the Applicant's Eligible HC Request Amount. If the Eligible HC Request Amount is greater than the anticipated amount of credit allocation stated in the equity proposal, the equity proposal will be considered a source of financing and the maximum amount of HC equity to be permitted for scoring in the Development Cost Pro Forma will be the amount stated in the equity proposal.

(b) If syndicating/selling the Housing Credits:

(i) A Housing Credit equity proposal must also meet the following criteria:

- Be executed by all parties, including the Applicant;
- Include specific reference to the Applicant as the beneficiary of the equity proceeds;
- State the proposed amount of equity to be paid prior to construction completion;
- State the anticipated Eligible Housing Credit Request Amount;
- State the anticipated dollar amount of Housing Credit allocation to be purchased; and
- State the anticipated total amount of equity to be provided.

(ii) If the limited partnership agreement or limited liability company operating agreement has closed, the closed agreement must be provided. To be counted as a source of financing, the partnership agreement or operating agreement must meet the requirements of (i) above or the Applicant must submit separate documentation, signed by the equity provider, expressly stating any required criteria not provided in the agreement.

Note: Item 2.b.(2) of the Applicant Certification and Acknowledgement form outlines the requirement and deadline for the Applicant's confirmation that the documented equity amount to be paid prior to or simultaneous with the closing of construction financing is at least 15 percent of the total proposed equity to be provided (the 15 percent criteria).

(c) If not syndicating/selling the Housing Credits, the owner's commitment to provide equity must be provided.

(i) The commitment must include the following:

- The proposed amount of equity to be paid prior to construction completion;
- The anticipated Eligible Housing Credit Request Amount;
- The anticipated dollar amount of Housing Credit allocation to be purchased; and
- The anticipated total amount of equity to be provided.

(ii) Evidence of ability to fund must be provided as an Attachment to the Application.

Except for deferred Developer fee, the Application requires complete information on all sources of non-Corporation funding for the Development and the proposed uses of those funds. All loans, grants, donations, syndication proceeds, etc., should be detailed in the Application as outlined above. The total amount of monetary funds determined to be in funding proposals must equal or exceed uses.

f. Per Unit Construction Funding Preference:

(1) The following Applications will qualify for this funding preference, as outlined in Section Four B of the RFA:

- (a) Applications that select the Development Category of New Construction at question 5.c.(1) of Exhibit A; and
- (b) Applications that select the Development Category of Rehabilitation or Acquisition and Rehabilitation (at question 5.c.(1) of Exhibit A) that reflect an amount of at least \$32,500 per unit when the amount listed in the Total column of the Development Cost Pro Forma for the Development Cost line item A1.1 Actual Construction Cost is divided by the number of total units in the Development.

(2) The following Applications will not qualify for this funding preference:

Applications that select the Development Category of Rehabilitation or Acquisition and Rehabilitation (at question 5.c.(1) of Exhibit A) that reflect an amount less than \$32,500 per unit, when the amount listed in the Total column of the Development Cost Pro Forma for the Development Cost line item A1.1 Actual Construction Cost is divided by the number of total units in the Development.

Indicate whether the proposed development qualifies for this funding preference at question 12.f. of Exhibit A.

**Addenda:**

The Applicant may use the Addenda section of Exhibit A to provide any additional information or explanatory addendum for items in the Application except for Items 4.c., 9, 10 and 11 of Exhibit A. Please specify the particular Item to which the additional information or explanatory addendum applies.

**B. Funding Selection:**

1. Eligibility:



Only Applications that are eligible for funding will be considered for funding selection. Eligibility requirements include the following:

<b>Eligibility Requirements</b>
Submission Requirements met
Demographic Commitment
Name of Applicant
Evidence Applicant is a legally formed entity
Principals for the Applicant and Developer(s) Disclosure Form
Contact Person
Name of Each Developer
Evidence that each Developer entity is a legally formed entity
Prior General Development Experience Chart for Experienced natural person Principal of Developer
Name of Management Company
Prior General Management Company Experience Chart
Name of Proposed Development
County identified
Address of Development Site
Whether proposed Development consists of Scattered Sites
Development Location Point provided
Development Category
Estimated qualified basis in Rehabilitation Expenses per set-aside unit (if applicable)
Development Type
Total Number of Units
New construction units and/or rehabilitation units
Occupancy status of any existing units
Status of Site Plan/Plat Approval
Appropriate Zoning
Availability of Electricity
Availability of Water
Availability of Sewer
Availability of Roads
Minimum Set-Aside Selection
Total Set-Aside Breakdown Chart
Selection of Minimum Additional Green Building Features (if Rehabilitation or Acquisition/Rehabilitation Development Category)
Commitment to achieve Green Certification Program (if New Construction Development Category)
Selection of Minimum Resident Programs
Evidence of Site Control
Housing Credit Request Amount
Financing Information, including the Development Cost Pro Forma (listing expenses or uses) and Construction/Rehab. analysis and Permanent analysis (listing sources) – Sources must equal or exceed uses
Financial Arrearage Requirements
LDA Development Conditions (if applicable)
Total Development Cost Per Unit Limitation
Total Score of at least 60 Points

The following submission requirements must be met: (i) the Application must be submitted online by the Application Deadline, (ii) the required number of hard copies must be submitted by the Application Deadline, (iii) the Applicant’s hard copy submission must be contained in a sealed package, (iv) the required Application fee must be submitted as of the Application Deadline, (v) the Applicant Certification and Acknowledgement form, containing an original signature, must be included in the Application labeled “Original Hard Copy” as of the Application Deadline, and (vi) the proposed Development is not eligible for funding under this RFA because it meets the criteria outlined in subsection 67-48.023(1), F.A.C., and/or subsection 67-48.009(5), F.A.C., if applicable, and does not meet one of the stated exceptions.

An Application will be deemed ineligible to be considered for funding if, as of close of business the day before the Committee meets to make a recommendation to the Board, there are any financial obligations for which an Applicant or Developer or Principal, Affiliate or Financial Beneficiary of the Applicant or Developer is in arrears to the Corporation or any agent or assignee of the Corporation as reflected on the most recently published Past Due Report posted to the Corporation’s Website under the link Property Owners & Managers/Past Due Reports (also accessible by clicking [here](#)), but not more recently than five (5) business days prior to the date the Committee meets to make a recommendation to the Board.

Total Development Cost Per Unit Limitation is outlined in Item 5 of Exhibit C.

In order for an Application to be eligible to be considered for funding, the Application must achieve a total score of at least 60 points.

The following is a summary of the point items:

Point Items	Maximum Points
Developer and/or Management Company Experience with Local Revitalization Initiatives	15
Commitment to Reserve a Portion of Total Units as Market-Rate	5
Approach Toward Income and Credit Status of Intended Households with a Disabling Condition Applying for Tenancy	12
How the Proposed Development Aligns with Local Revitalization Initiatives	45
Access to Community-Based Services and Resources	28
Total Possible Points:	105

2. Funding Tests:

Applications requesting only Housing Credits will be selected for funding only if there is enough funding available to fully fund the Eligible Housing Credit Request Amount. Applications requesting both Housing Credits and SAIL will be selected for funding only if there is enough funding available to fully fund both the Eligible Housing Credit Request Amount and the Eligible SAIL Request Amount.

3. County’s Award Tally:

Throughout the Selection Process outlined in Item 5 below, as each Application is selected for tentative funding, the county where the proposed Development is located will have one (1) Application credited towards the County’s Award Tally. The Corporation will prioritize eligible unfunded Applications that meet the Funding Test(s) and are located in counties that have the lowest County Award Tally above other eligible unfunded Applications with a higher County Award Tally that also meet the Funding Test(s), even if the Applications with a higher County Award Tally are higher ranked. One (1) Application will automatically be credited towards the County Award Tally for Orange County.

4. Application Sorting Order:

All eligible Applications will be ranked by sorting the Applications from the highest scoring Application to the lowest scoring Application, with any scores that are tied separated as follows:

- a. First, by the Application's eligibility for the Per Unit Construction Funding Preference which is outlined in Section Four A.12.f. of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
  - b. Next, by the Application's eligibility for the Development Category Funding Preference which is outlined in Section Four A.5.c.(3) of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference);
  - c. Next, by the Application's HC Leveraging Classification, applying the applicable multipliers outlined in Item 6 of Exhibit C of the RFA (with Applications having the Classification of A listed above Applications having the Classification of B);
  - d. Next, by the Application's eligibility for the Qualifying Financial Assistance Funding Preference which is outlined in Section Four A.12.c.(2) of the RFA (with Applications with the higher amount listed above Applications with a lower amount);
  - e. Next, by the Application's eligibility for the Florida Job Creation Funding Preference which is outlined in Item 7 of Exhibit C of the RFA (with Applications that qualify for the preference listed above Applications that do not qualify for the preference); and
  - f. Finally, by lottery number, resulting in the lowest lottery number receiving preference.
5. Selection Process:

The first Application that will be selected for funding will be the highest ranking eligible Application, subject to the Funding Test(s). If funding remains, the highest ranking eligible unfunded Applications will be selected for funding, subject to the Funding Test(s) and the County Award Tally.

If funding remains and there are no eligible unfunded Applications that can meet the Funding Test(s), no further Applications will be considered for funding and any remaining funding will be distributed as approved by the Board.

6. Returned Allocation:

Funding that becomes available after the Board takes action on the Committee's recommendation(s), due to an Applicant withdrawing its Application, an Applicant declining its invitation to enter credit underwriting, or the Applicant's inability to satisfy a requirement outlined in this RFA and/or Rule Chapter 67-48, F.A.C., will be distributed as approved by the Board.

## **SECTION FIVE EVALUATION PROCESS**

Committee members shall independently evaluate and score their assigned portions of the submitted Applications, consulting with non-committee Corporation staff and legal counsel as necessary and appropriate.

The Committee shall conduct at least one public meeting during which the Committee members may discuss their evaluations, select Applicants to be considered for award, and make any adjustments deemed necessary to best serve the interests of the Corporation's mission. The Committee will list the Applications deemed eligible for funding in order from highest total score to lowest total score, applying the funding selection criteria outlined in Section Four B. above, and develop a recommendation or series of recommendations to the Board.

The Board may use the Applications, the Committee's scoring, any other information or recommendation provided by the Committee or staff, and any other information the Board deems relevant in its selection of Applicants to whom to award funding. Notwithstanding an award by the Board pursuant to this RFA, funding will be subject to a positive recommendation from the Credit Underwriter based on criteria outlined in the credit underwriting provisions in Rule Chapter 67-48, F.A.C.

## **SECTION SIX AWARD PROCESS**

The Corporation shall provide notice of its decision, or intended decision, for this RFA on the Corporation's Website the day of the applicable Board vote. After posting, an unsuccessful Applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., et. al. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., et. al. shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

After issuance by the Board of all final orders regarding this RFA, the Corporation shall offer all Applicants within the funding range an invitation to enter credit underwriting. The Corporation shall select the Credit Underwriter for each Development.

**Exhibit A to RFA 2017-102 – Housing Credit and SAIL Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives**

**1. Submission Requirement:**

The Applicant must include a signed Applicant Certification and Acknowledgement form as **Attachment 1** to Exhibit A, as outlined in Section Four A.1. of the RFA.

**2. Demographic Commitment:**

The Applicant must select one (1) Demographic Commitment:

- a. Family
- b. Elderly (Non-ALF only)

**3. Applicant Information:**

a. The Applicant must state the name of the Applicant:

[Click here to enter text.](#)

b. The Applicant must provide the required documentation to demonstrate that the Applicant is a legally formed entity qualified to do business in the state of Florida as of the Application Deadline as **Attachment 2**.

c. Is the Applicant applying as a Non-Profit organization?

Yes       No

If “Yes,” in order to be considered to be a Non-Profit entity for purposes of this RFA, the Applicant must meet the definition of Non-Profit as set out in Rule Chapter 67-48, F.A.C., answer the following questions, and provide the required information.

(1) Provide the following information for each Non-Profit entity as **Attachment 3**:

- (a) The IRS determination letter;
- (b) The description/explanation of the role of the Non-Profit entity;
- (c) The names and addresses of the members of the governing board of the Non-Profit entity;  
and
- (d) The articles of incorporation demonstrating that one of the purposes of the Non-Profit entity is to foster low-income housing.

(2) Answer the following questions:

- (a) Is the Applicant or one of its general partners or managing members incorporated as a Non-Profit entity pursuant to Chapter 617, Florida Statutes, or similar state statute if incorporated outside Florida?

Yes       No

If “No,” is the Applicant or one of its general partners or managing members a wholly-owned subsidiary of a Non-Profit entity formed pursuant to Chapter 617, Florida Statutes, or similar state statute if incorporated outside Florida?

Yes       No

(b) Is the Applicant or one of its general partners or managing members a 501(c)(3) or 501(c)(4) Non-Profit entity or is the Applicant or one of its general partners or managing members a wholly-owned subsidiary of a 501(c)(3) or 501(c)(4) Non-Profit entity?

Yes       No

(c) Does the Non-Profit entity have an ownership interest, either directly or indirectly, in the general partner or general partnership interest or in the managing member or the managing member’s interest in the Applicant?

Yes       No

If “Yes,” state the percentage owned in the general partnership or managing member interest: [Click here to enter text.](#) %

(d) Percentage of Developer’s fee that will go to the Non-Profit entity:

[Click here to enter text.](#) %

(e) Year Non-Profit entity was incorporated (yyyy): [Click here to enter text.](#)

(f) Is the Non-Profit entity affiliated with or controlled by a for-profit entity within the meaning of Section 42(h), Internal Revenue Code?

Yes       No

If “Yes,” state name of the for-profit entity:

[Click here to enter text.](#)

d. Principals for the Applicant and for each Developer:

The Application must include a properly completed Principals of the Applicant and Developer(s) Disclosure Form (Form Rev. 08-16). This information should be inserted in the hard copies of the Application following the Development Cost Pro Forma.

e. Contact Person for this Application:

First Name: [Click here to enter text.](#)

Middle Initial: [Click here to enter text.](#)

Last Name: [Click here to enter text.](#)

Street Address: [Click here to enter text.](#)

City: [Click here to enter text.](#)

State: [Click here to enter text.](#)

Zip: [Click here to enter text.](#)

Telephone: [Click here to enter text.](#)

Facsimile: [Click here to enter text.](#)  
Email Address: [Click here to enter text.](#)  
Relationship to Applicant: [Click here to enter text.](#)

#### 4. Developer and Management Company Information:

a. General Developer Information:

(1) The Applicant must state the name of each Developer (including all co-Developers):

[Click here to enter text.](#)

[Click here to enter text.](#)

[Click here to enter text.](#)

(2) For each Developer entity listed at question (1) above (that is not a natural person), the Applicant must provide, as **Attachment 4**, the required documentation demonstrating that the Developer is a legally formed entity qualified to do business in the state of Florida as of the Application Deadline.

(3) General Development Experience:

For each experienced Developer entity, the Applicant must provide, as **Attachment 4**, a prior experience chart for at least one (1) experienced natural person Principal of that entity. The prior experience chart for the natural person Principal must reflect the required information for the three (3) completed affordable rental housing developments, one (1) of which must be a Housing Credit development, as outlined in Section Four A.4.a. of the RFA.

b. General Management Company Information:

(1) The Applicant must state the name of the Management Company:

[Click here to enter text.](#)

(2) The Applicant must provide, as **Attachment 5**, a prior experience chart for the Management Company or a principal of the Management Company reflecting the required information as outlined in Section Four A.4.b. of the RFA.

c. Developer and/or Management Company Experience with Local Revitalization Initiatives:

Applicants may be awarded points for providing in the text box below a description(s) of the Developer's and/or Management Company's experience developing affordable rental housing that was aligned with or an expressly stated part of a local revitalization plan, as outlined at Section Four A.4.c. of the RFA.

The Applicant's description is limited to no more than three (3) typed pages within the text box below. Note: Although the online Application system allows for more than three (3) pages, any portion of the description that is beyond three (3) pages will not be considered.

[Click here to enter text.](#)

#### 5. General Development Information:

- a. The Applicant must state the name of the proposed Development:

[Click here to enter text.](#)

- b. Location of Development Site:

- (1) The Applicant must indicate the County: [Choose an item.](#)

- (2) Address of Development Site:

The Applicant must state (i) the address number, street name, and name of city and/or (ii) the street name, closest designated intersection, and either name of city or unincorporated area of county. If the proposed Development consists of Scattered Sites, the address of each of the Scattered Sites must be provided.

[Click here to enter text.](#)

- (3) Does the proposed Development meet the definition of Scattered Sites as outlined in Section Four A.5.b.(3) of the RFA?

Yes       No

- (4) Latitude and Longitude Coordinates:

- (a) The Applicant must identify a Development Location Point for the proposed Development site, as outlined in Section Four A.5.b.(4)(a) of the RFA.

\_\_\_\_\_

- (b) If the proposed Development consists of Scattered Sites, identify the latitude and longitude coordinate for each site, as outlined in Section Four A.5.b.(4)(b) of the RFA.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- c. Development Category / Rental Assistance (RA) Level / Concrete Construction:

- (1) All Applicants must indicate the applicable Development Category and provide the required information as **Attachment 6:** [Choose an item.](#)

Note: The Applicant should refer to Section Four A.5.c.(1) of the RFA before making a selection.

- (a) Applicants that selected the Development Category of Rehabilitation or Acquisition and Rehabilitation at question (1) above must indicate the estimated qualified basis in Rehabilitation expenses per set aside unit within one 24-month period for the buildings(s) being rehabilitated: \$[Click here to enter text.](#)



Note: The Applicant should refer to Section Four A.5.c.(1)(a) of the RFA before answering this question.

- (b) In order for an Application to be classified as an RA level other than RA level 6, the Applicant must provide the information outlined in Section Four A.5.c.(1)(b) of the RFA.
- (2) Rental Assistance (RA) level classification will be determined as outlined in Section Four A.5.c.(2) of the RFA.
- (3) If the Applicant selected the Development Category of Rehabilitation or Acquisition and Rehabilitation, does the proposed Development meet the definition of Preservation as defined in Rule Chapter 67-48.002(92), F.A.C.?
- Yes       No

Note: The Applicant should refer to Section Four A.5.c.(3) of the RFA before answering this question.

- (4) The Applicant should indicate whether the proposed Development meets the requirements to be considered to be concrete construction?
- Yes       No

Note: The Applicant should refer to Section Four A.5.c.(4) of the RFA before answering this question.

- d. The Applicant must select one (1) applicable Development Type: [Choose an item.](#)

If the Applicant selected the Development Category of New Construction and the Development Type of Mid-Rise, 5 or 6-stories, are at least 90% of the proposed Development's total units contained in the Mid-Rise building(s)?

Yes       No

Note: The Applicant should refer to Section Four A.5.d. of the RFA before making a selection.

- e. Number of Units in Proposed Development:

(1) The Applicant must state the total number of units: [Click here to enter text.](#)

(2) The Applicant must select the applicable item below:

- (a) Proposed Development consists of 100% new construction units
- (b) Proposed Development consists of 100% rehabilitation units
-

- (c) Proposed Development consists of a combination of new construction units and rehabilitation units. State the quantity of each type:

[Click here to enter text.](#) new construction units [Click here to enter text.](#) rehabilitation units

- (3) The Applicant must indicate which of the following applies with regard to the occupancy status of any existing units:
- (a) Existing units are currently occupied
  - (b) Existing units are not currently occupied
  - (c) There are no existing units

- (4) The Applicant must complete the following unit mix chart:

Number of Bedrooms per Unit	Number of Baths per Unit	Number of Units per Bedroom Type	Number of Units that are ELI Set-Aside Units
<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>
<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>
<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>
<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>
<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>
<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>	<a href="#">Enter Number</a>

Note: The Applicant should refer to Section Four A.5.e.(4) of the RFA before completing the Unit Mix chart.

f. Ability to Proceed:

As outlined in Section Four A.5.f. of the RFA, the Applicant must provide the following information to demonstrate Ability to Proceed for the entire proposed Development site:

- (1) Status of Site Plan Approval or Plat Approval. The Applicant must provide, as **Attachment 7**, the applicable properly completed and executed verification form: (a) Florida Housing Finance Corporation Local Government Verification of Status of Site Plan Approval for Multifamily Developments form (Form Rev. 08-16) or (b) Florida Housing Finance Corporation Local Government Verification of Status of Plat Approval for Residential Rental Developments form (Form Rev. 08-16).
- (2) Appropriate Zoning. The Applicant must provide, as **Attachment 8**, the applicable properly completed and executed verification form: (a) Florida Housing Finance Corporation Local Government Verification that Development is Consistent with Zoning and Land Use Regulations form (Form Rev. 08-16) or (b) Florida Housing Finance Corporation Local Government Verification that Permits are Not Required for this Development form (Form Rev. 08-16).
- (3) Availability of Electricity. The Applicant must provide, as **Attachment 9**, an acceptable letter from the service provider or the properly completed and executed Florida Housing

- Finance Corporation Verification of Availability of Infrastructure – Electricity form (Form Rev. 08-16).
- (4) Availability of Water. The Applicant must provide, as **Attachment 10**, an acceptable letter from the service provider or the properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Water form (Form Rev. 08-16).
  - (5) Availability of Sewer. The Applicant must provide, as **Attachment 11**, an acceptable letter from the service provider or the properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank form (Form Rev. 08-16).
  - (6) Availability of Roads. The Applicant must provide, as **Attachment 12**, an acceptable letter from the Local Government or the properly completed and executed Florida Housing Finance Corporation Verification of Availability of Infrastructure – Roads form (Form Rev. 08-16).

**6. Set-Aside Commitments:**

- a. Minimum Set-Aside per Section 42 of the IRC:

The Applicant must select one (1) of the following:

- 20% of units at 50% Area Median Income (AMI) or lower
- 40% of units at 60% AMI or lower

- b. Total Set-Aside Breakdown Chart:

All Applicants must reflect on the Total Set-Aside Breakdown Chart below all income set-aside commitments (required set-asides and additional set-asides, including all required ELI set-asides, as well as the required total set-aside percentage at or below 60 percent AMI) by listing the percentage of residential units, stated in whole numbers, to be set aside at each selected AMI level.

To enter data, double click within the chart to open the Excel worksheet that is embedded within the Word document, enter the total number of units in the proposed Development and the applicable set-aside percentages and, when finished, click anywhere on the page outside the chart to exit the Excel worksheet and save the entries.

Note: If the calculation of the total set aside units based on the Total Set-Aside Percentage results in less than a whole unit, the Total Set-Aside Breakdown Chart will automatically round to a whole unit.

Total Number of Units*	0	
Total Set-Aside Breakdown Chart		# of Units
Percentage of Residential Units	AMI Level	& Type**
0%	At or Below 25%	0 SAU
0%	At or Below 28%	0 SAU
0%	At or Below 30%	0 SAU
0%	At or Below 33%	0 SAU
0%	At or Below 35%	0 SAU
0%	At or Below 40%	0 SAU
0%	At or Below 45%	0 SAU
0%	At or Below 50%	0 SAU
0%	At or Below 60%	0 SAU
0%	Market-Rate Units	0 MRU
0%	Total Set-Aside Percentage	

\*In the event of a discrepancy between the number stated here and the number stated at question 5.e.(1) above, the number stated at question 5.e.(1) above shall be deemed to be the total number of units for the proposed Development.

\*\*SAU=Set-Aside Units; MRU=Market-Rate Units

The Applicant will be eligible to receive Market-Rate Unit points, as outlined in Section Four A.6.e. of the RFA, if the above chart reflects a Total Set-Aside Percentage that is at least 70 percent but (i) is no higher than 80 percent if the proposed Family Demographic Development is located in a Large County, (ii) is no higher than 90 percent if the proposed Elderly Demographic Development is located in a Large County, or (iii) is no higher than 90 percent if the proposed Development, regardless of the Demographic, is located in a Medium or Small County.

## 7. Construction Features and Resident Programs:

### a. Construction Features:

As outlined in Section Four A.7.a. of the RFA:

(1) If the Applicant selected the Development Category of Rehabilitation or Acquisition and Rehabilitation at question 5.c.(1) above, the Applicant must select enough of the following additional Green Building Features so that the total point value of the features selected equals at least 10.

- Programmable thermostat in each unit (2 points)
- Humidistat in each unit (2 points)
- Water Sense certified dual flush toilets in all bathrooms (2 points)
- Light colored concrete pavement instead of or on top of asphalt to reduce the heat-island effect (2 points)
- Energy Star certified roof coating (2 points) \*

- Energy Star certified roofing materials (metal, shingles, thermoplastic polyolefin (TPO), or tiles) (3 points) \*
- Eco-friendly cabinets – formaldehyde free and material must be certified by the Forest Stewardship Council or a certification program endorsed by the Programme for the Endorsement of Forest Certification (3 points)
- Eco-Friendly flooring for entire unit – Carpet and Rug Institute Green Label certified carpet and pad, bamboo, cork, 80% recycled content tile, and/or natural linoleum (3 points)
- High Efficiency HVAC with SEER of at least 16 (2 points) \*\*
- Energy efficient windows in each unit (3 points) †
- Florida Yards and Neighborhoods certification on all landscaping (2 points)
- Install daylight sensors, timers or motion detectors on all outdoor lighting attached to buildings (2 points)

\*The Applicant may choose only one option related to Energy Star certified roofing.

\*\*Applicants who choose high efficiency HVACs must meet the standards listed here, which exceed the minimum Green Building Features required of all Developments in Exhibit C.

†See specific requirements per Development Type at Section Four A.7.a.(1) of the RFA.

or

- (2) If the Applicant selected the Development Category of New Construction at question 5.c.(1) above, the Applicant must indicate its commitment to achieve one of the following Green Building Certification programs: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); or ICC 700 National Green Building Standard (NGBS). Does the Applicant commit to achieve one of these programs?

Yes       No

b. Resident Programs:

- (1) If the Applicant selected the Family Demographic at question 2.a. above, the Applicant must select at least three (3) of the following resident programs (which are described at Section Four A.7.b.(1) of the RFA):

- After School Program for Children
- Literacy Training
- Employment Assistance Program
- Family Support Coordinator
- Financial Management Program

- (2) If the Applicant selected the Elderly Demographic at question 2.b. above, the Applicant must select at least three (3) of the following resident programs (which are described at Section Four A.7.b.(2) of the RFA):

- Literacy Training
- Computer Training
- Daily Activities
- Assistance with Light Housekeeping, Grocery Shopping and/or Laundry

Resident Assurance Check-In Program

**8. Site Control:**

The Applicant must demonstrate site control by providing the following documentation as **Attachment 13** as outlined at Section Four A.8. of the RFA:

- a. A fully executed eligible contract for purchase and sale for the subject property; and/or
- b. A recorded deed or recorded certificate of title; and/or
- c. A copy of the fully executed long-term lease.

**9. Approach Toward Income and Credit Status of Intended Households with a Disabling Condition Applying for Tenancy:**

Applicants may be awarded points for providing in the text box below a description(s) of specific application and tenant selection policies, procedures or approaches that will be used by the Applicant's property management to assist in determining the eligibility for tenancy of Persons with a Disabling Condition, as outlined in Section Four A.9. of the RFA.

The Applicant's description is limited to no more than three (3) typed pages within the text box below. Note: Although the online Application system allows for more than three (3) pages, any portion of the description that is beyond three (3) pages will not be considered.

[Click here to enter text.](#)

**10. How the Proposed Development Aligns with Local Revitalization Initiatives:**

Applicants may be awarded points for providing in the text box below a description(s) of any Local Government initiatives or community redevelopment plans which meet the requirements outlined at Section Four A.10. of the RFA.

The Applicant's description is limited to no more than five (5) typed pages within the text box below. Note: Although the online Application system allows for more than five (5) pages, any portion of the description that is beyond five (5) pages will not be considered.

[Click here to enter text.](#)

**11. Access to Community-Based Services and Resources:**

Applicants may be awarded points for providing in the text box below a description(s) of the general community-based services and resources that will be accessible to residents, as outlined in Section Four A.11. of the RFA.

The Applicant's description is limited to no more than four (4) typed pages within the text box below. Note: Although the online Application system allows for more than four (4) pages, any portion of the description that is beyond four (4) pages will not be considered.

[Click here to enter text.](#)

**12. Funding:**

a. State the Applicant's Housing Credit Request Amount (annual amount): \$ [Click here to enter text.](#)

(1) The Maximum Housing Credit Request Limits are outlined in Section Four A.12.a.(1) of the RFA.

(2) Difficult Development Area (DDA) / Qualified Census Tract (QCT):

(a) Are any buildings in the proposed Development located in a HUD-designated Small Area DDA, as defined in Section 42(d)(5)(B)(iii), IRC, as amended?

Yes  No

If "Yes," and if any part of the proposed Development is located in a SADDA ZCTA, enter the HUD-designated Small Area DDA ZCTA Number(s):

[Click here to enter text.](#)

(The Applicant should separate multiple DDA ZCTA Numbers by a comma. If additional space is required, enter the information on the Addenda located at the end of the Application.)

(b) Are any building in the proposed Development located in a HUD-designated Non-Metropolitan DDA?

If "Yes," and the proposed Development located in a HUD-designated non-metropolitan DDA, the Applicant should indicate the county: \_\_\_\_\_

(c) Is the proposed Development located in a QCT as defined in Section 42(d)(5)(B)(ii) of the IRC, as amended?

Yes  No

If "Yes," indicate the QCT Number: [Click here to enter text.](#) and provide a copy of a letter from the local planning office or census bureau which verifies that the proposed Development is located in the referenced QCT as **Attachment 14**.

(3) Multiphase Development:

If the proposed Development is a phase of a Multi-Phase Development as outlined in Section Four A.12.a.(3) of the RFA, in order to be considered a phase of a Multi-Phase Development, the Applicant must indicate which of the following qualifying conditions has been met:

(a) The proposed Development is the first phase of a multiphase Development eligible for the basis boost.

or

- (b) The proposed Development is a subsequent phase of a multiphase Development eligible for the basis boost. The Applicant must answer the following questions:
- (i) State the Corporation-assigned Application Number for the Development where the first phase was declared:  
\_\_\_\_\_
  - (ii) Will at least one (1) building of the subsequent phase be located within the boundary of the declared HUD-designated DDA or HUD-designated QCT which applied to the Development declared as the first phase by the first phase Applicant?  
  
 Yes     No

Note: The Applicant should refer to Section Four A.12.a.(3) of the RFA before answering the above questions.

- b. State the Applicant's SAIL Request Amount (if applicable):    \$ [Click here to enter text.](#)
- c. Other Funding:

If a PLP loan has been awarded for this Development, provide the following information:

Corporation File #	Amount of Funding
<a href="#">Click here to enter text.</a>	\$ <a href="#">Click here to enter text.</a>

- d. Development Cost Pro Forma:
- The Applicant must complete the Development Cost Pro Forma, the Detail/Explanation Sheet, if applicable, the Construction or Rehab Analysis, and the Permanent Analysis.
- e. Non-Corporation Funding Proposals:
- The Applicant must attach all funding proposals executed by the lender(s) or other source(s). Insert the documentation for each source as a separate attachment to Exhibit A beginning with **Attachment 15** and continuing with sequentially numbered attachments for each additional funding source.
- f. Per Unit Construction Funding Preference:
- Does the proposed Development qualify for the Per Unit Construction Funding Preference, as outlined at Section Four A.12.f. of the RFA?
- Yes     No

**Addenda**



The Applicant may use the space below to provide any additional information or explanatory addendum for items in the Application except for items described at questions 4.c., 9, 10 and 11 of Exhibit A. Please specify the particular Item to which the additional information or explanatory addendum applies.

[Click here to enter text.](#)

**Exhibit B to RFA 2017-102– Housing Credit and SAIL Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives**

With regard to the Ability to Proceed Forms and the Local Government Contribution Forms, outlined in 2 and 3 below, the Applicant may submit a form that was included in a previous RFA submission for the same proposed Development, provided that the form submitted for this RFA (i) is the correct version of the form as specified in this RFA (i.e., has the correct Form Rev. number on the form), (ii) other than the RFA reference number on the form, none of the information entered on the form and certified to by the signatory has changed in any way, and (iii) the requirements outlined in this RFA with regard to the applicable form are met. The previous RFA reference number should be crossed through and RFA 2017-102 inserted.

**1. Applicant Certification and Acknowledgement Form –**

As outlined in Section Three A., Section Four A.1., and Section Five of the RFA, the Applicant must provide in the copy of the Application labeled “Original Hard Copy,” an Applicant Certification and Acknowledgement form for RFA 2017-102 that contains an original signature (blue ink preferred). The Applicant Certification and Acknowledgement form is available at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: If the Applicant provides any prior version of the Applicant Certification form, the form will not be considered.

**2. Ability to Proceed Verification Forms –**

As outlined in Section Four A.5.f. of the RFA, the Applicant must provide the following Ability to Proceed documentation:

- a. The Florida Housing Finance Corporation Local Government Verification of Status of Site Plan Approval for Multifamily Developments form (Form Rev. 08-16) or the Florida Housing Finance Corporation Local Government Verification of Status of Plat Approval for Residential Rental Developments form (Form Rev. 08-16).
- b. The Florida Housing Finance Corporation Local Government Verification that Development is Consistent with Zoning and Land Use Regulations form (Form Rev. 08-16) or the Florida Housing Finance Corporation Local Government Verification that Permits are Not Required for this Development form (Form Rev. 08-16).
- c. The Florida Housing Finance Corporation Verification of Availability of Infrastructure – Electricity form (Form Rev. 08-16) or a letter from the provider that meets the requirements outlined in Section Four A.5.f. of the RFA.
- d. The Florida Housing Finance Corporation Verification of Availability of Infrastructure – Water form (Form Rev. 08-16) or a letter from the provider that meets the requirements outlined in Section Four A.5.f. of the RFA.
- e. The Florida Housing Finance Corporation Verification of Availability of Infrastructure – Sewer Capacity, Package Treatment, or Septic Tank form (Form Rev. 08-16) or a letter from the provider that meets the requirements outlined in Section Four A.5.f. of the RFA.

- f. The Florida Housing Finance Corporation Verification of Availability of Infrastructure – Roads form (Form Rev. 08-16) or a letter from the Local Government that meets the requirements outlined in Section Four A.5.f. of the RFA.

The Florida Housing Ability to Proceed Verification forms are available at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: If the Applicant provides any prior version of the Ability to Proceed form(s), the form(s) will not be considered.

### **3. Local Government Verification of Contribution Forms –**

As outlined in Section Four A.12.e.(1)(a) of the RFA, Applicants may demonstrate a Local Government funding source (i.e. grant and/or loan) by using the Local Government Verification of Contribution – Grant form (Rev. 08-16) and/or the Local Government Verification of Contribution – Loan form (Rev. 08-16). These Local Government Verification of Contribution forms are available at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: If the Applicant provides any prior version of these Local Government Verification form(s), the form(s) will not be considered.

**FLORIDA HOUSING FINANCE CORPORATION  
LOCAL GOVERNMENT VERIFICATION OF STATUS  
OF PLAT APPROVAL FOR RESIDENTIAL RENTAL DEVELOPMENTS**

FHFC Application Reference: \_\_\_\_\_  
Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_  
At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

Mark the applicable statement:

- 1.  The above-referenced Development is new construction or rehabilitation with new construction and the final plat was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.
- 2.  The above-referenced Development is new construction or rehabilitation with new construction and the preliminary or conceptual plat was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.
- 3.  The above-referenced Development is rehabilitation without any new construction and does not require additional plat approval.

**CERTIFICATION**

I certify that the City/County of \_\_\_\_\_ has vested in me the  
(Name of City or County)  
authority to verify status of plat approval as specified above and I further certify that the information above is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to plat approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the form will not be accepted.

(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
LOCAL GOVERNMENT VERIFICATION OF STATUS  
OF SITE PLAN APPROVAL FOR MULTIFAMILY DEVELOPMENTS**

FHFC Application Reference: \_\_\_\_\_  
Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_  
At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

Mark the applicable statement:

1.  The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process. The final site plan, in the applicable zoning designation, was approved on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by action of the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.
  
2.  The above-referenced Development is (a) new construction, or (b) rehabilitation with new construction, or (c) rehabilitation, without new construction, that requires additional site plan approval or similar process, and (i) this jurisdiction provides either preliminary site plan approval or conceptual site plan approval which has been issued, or (ii) site plan approval is required for the new construction work and/or the rehabilitation work; however, this jurisdiction provides neither preliminary site plan approval nor conceptual site plan approval, nor is any other similar process provided prior to issuing final site plan approval. Although there is no preliminary or conceptual site plan approval process and the final site plan approval has not yet been issued, the site plan, in the applicable zoning designation, has been reviewed.  
  
The necessary approval and/or review was performed on or before the submission deadline for the above referenced FHFC Request for Proposal/Application by the appropriate City/County legally authorized body; e.g. council, commission, board, department, division, etc., responsible for such approval process.
  
3.  The above-referenced Development, in the applicable zoning designation, is rehabilitation without any new construction and does not require additional site plan approval or similar process.

**CERTIFICATION**

I certify that the City/County of \_\_\_\_\_ has vested in me the authority to verify status of site plan  
(Name of City or County)  
Approval as specified above and I further certify that the information stated above is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to site plan approval, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If this certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.  
(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - ELECTRICITY**

FHFC Application Reference: \_\_\_\_\_

Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

1. Electricity is available to the proposed Development, subject to item 2 below.
2. To access such electric service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, and install or construct line extensions and other equipment in connection with the construction of the Development.

**CERTIFICATION**

I certify that the foregoing information is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Entity Providing Service

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Address (street address, city, state)

\_\_\_\_\_  
Print or Type Title

\_\_\_\_\_  
Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - WATER**

FHFC Application Reference: \_\_\_\_\_

Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

1. Potable water is available to the proposed Development, subject to item 2 below.
2. To access such water service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, and install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development.

**CERTIFICATION**

I certify that the foregoing information is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Entity Providing Service

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Address (street address, city, state)

\_\_\_\_\_  
Print or Type Title

\_\_\_\_\_  
Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - SEWER CAPACITY,  
PACKAGE TREATMENT, OR SEPTIC TANK**

FHFC Application Reference: \_\_\_\_\_

Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

1. Sewer Capacity or Package Treatment is available to the proposed Development; or
2. There are no known prohibitions to installing a Septic Tank system with adequate capacity for the proposed Development location or, if necessary, upgrading an existing Septic Tank system with adequate capacity for the proposed Development location.

To access such waste treatment service, the Applicant may be required to pay hook-up, installation and other customary fees, comply with other routine administrative procedures, and/or install or construct line extensions and other equipment, including but not limited to pumping stations, in connection with the construction of the Development.

**CERTIFICATION**

I certify that the foregoing information is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Entity Providing Service

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Address (street address, city, state)

\_\_\_\_\_  
Print or Type Title

\_\_\_\_\_  
Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)



**FLORIDA HOUSING FINANCE CORPORATION  
VERIFICATION OF AVAILABILITY OF INFRASTRUCTURE - ROADS**

FHFC Application Reference: \_\_\_\_\_  
Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_  
At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

1. Existing paved roads provide access to the proposed Development or paved roads will be constructed as part of the proposed Development;2. There are no impediments to the proposed Development using the roads other than payment of impact fees or providing curb cuts, turn lanes, signalization, or securing required final approvals and permits for the proposed Development; and
3. The execution of this verification is not a granting of traffic concurrency approval for the proposed Development.

**CERTIFICATION**

I certify that the foregoing information is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name of Entity Providing Service

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Address (street address, city, state)

\_\_\_\_\_  
Print or Type Title

\_\_\_\_\_  
Telephone Number (including area code)

This certification may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant. In addition, signatures from local elected officials are not acceptable. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
LOCAL GOVERNMENT VERIFICATION THAT DEVELOPMENT IS CONSISTENT WITH ZONING  
AND LAND USE REGULATIONS**

FHFC Application Reference: \_\_\_\_\_  
Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_  
(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

The undersigned service provider confirms that on or before the submission deadline for the above referenced FHFC Request for Proposal/Application:

- (1) The zoning designation for the above referenced Development location is \_\_\_\_\_; and
- (2) The proposed number of units and intended use are consistent with current land use regulations and the referenced zoning designation or, if the Development consists of rehabilitation, the intended use is allowed as a legally non-conforming use. To the best of my knowledge, there are no additional land use regulation hearings or approvals required to obtain the zoning classification or density described herein. Assuming compliance with the applicable land use regulations, there are no known conditions which would preclude construction or rehabilitation (as the case may be) of the referenced Development on the proposed site.

**CERTIFICATION**

I certify that the City/County of \_\_\_\_\_ has vested in me the authority to verify  
(Name of City/County)  
consistency with local land use regulations and the zoning designation specified above or, if the Development consists of rehabilitation, the intended use is allowed as a "legally non-conforming use" and I further certify that the foregoing information is true and correct. In addition, if the proposed Development site is in the Florida Keys Area as defined in Rule Chapter 67-48, F.A.C., I further certify that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO) allocations from the Local Government.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to comprehensive planning and zoning, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
LOCAL GOVERNMENT VERIFICATION THAT PERMITS ARE NOT REQUIRED  
FOR THIS DEVELOPMENT**

FHFC Application Reference: \_\_\_\_\_

Indicate the name of the application process under which the proposed Development is applying/has applied for funding from the Corporation such as the Request for Proposal/Application number and/or the name of the Request for Proposal/Application.

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_

At a minimum, provide the address number, street name and city and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county).

Building permits: If no building permits are required for the rehabilitation of the referenced Development site, complete the following certification:

**CERTIFICATION**

I certify that the foregoing information is true and correct and that the City/County of \_\_\_\_\_  
(Name of City / County)

has vested in me the authority to verify that the rehabilitation of the referenced Development site does not require the issuance of building permits. In addition, if the proposed Development site is in the Florida Keys Area as defined in Rule Chapter 67-48, F.A.C., I further certify that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO) allocations from the Local Government.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Title

This certification must be signed by the applicable City's or County's Director of Planning and Zoning, chief appointed official (staff) responsible for determination of issues related to comprehensive planning and zoning, City Manager, or County Manager/Administrator/Coordinator. Signatures from local elected officials are not acceptable, nor are other signatories. If the certification is applicable to this Development and it is inappropriately signed, the certification will not be accepted.

(Form Rev. 08-16)

**FLORIDA HOUSING FINANCE CORPORATION  
LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION – LOAN FORM**

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_  
(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Development Location Point is located.)

The City/County of \_\_\_\_\_, commits \$\_\_\_\_\_ (which may be used as an FHFC Non-Corporation Funding Proposal in an Application for FHFC funding if it meets the required criteria) in the form of a reduced interest rate loan to the Applicant for its use solely for assisting the proposed Development referenced above.

The net present value of the above-referenced loan, based on its payment stream, inclusive of a reduced interest rate and the designated discount rate (as stated in the applicable RFA) is: \$\_\_\_\_\_.

No consideration or promise of consideration has been given with respect to the loan. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. The commitment for this loan must be effective as of the Application Deadline for the applicable RFA, and is provided specifically with respect to the proposed Development.

**CERTIFICATION**

I certify that the foregoing information is true and correct and that this commitment is effective at least through the date required in the applicable RFA.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Title

This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager /Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. One of the authorized persons named above may sign this form for certification of state, federal or Local Government funds initially obtained by or derived from a Local Government that is directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization (CHDO). Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. To be considered for points, the amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

If the Application is not eligible for automatic points, this contribution will not be considered if the certification contains corrections or 'white-out' or if the certification is altered or retyped. The certification may be photocopied.

Please note: This form may be modified by Florida Housing Finance Corporation per Section 67-60.005, F.A.C.

**FLORIDA HOUSING FINANCE CORPORATION  
LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION – GRANT FORM**

Name of Development: \_\_\_\_\_

Development Location: \_\_\_\_\_

(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Development Location Point is located.)

The City/County of \_\_\_\_\_ commits \$\_\_\_\_\_ as a grant to the Applicant for its use solely for assisting the proposed Development referenced above. The City/County does not expect to be repaid or reimbursed by the Applicant, or any other entity, provided the funds are expended solely for the Development referenced above. No consideration or promise of consideration has been given with respect to the grant. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. The commitment for this grant must be effective as of the Application Deadline for the applicable RFA, and is provided specifically with respect to the proposed Development.

The source of the grant is: \_\_\_\_\_  
(e.g., SHIP, HOME, CDBG)

**CERTIFICATION**

I certify that the foregoing information is true and correct and that this commitment is effective at least through the date required in the applicable RFA.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Print or Type Title

This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager/Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. One of the authorized persons named above may sign this form for certification of state, federal or Local Government funds initially obtained by or derived from a Local Government that is directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization (CHDO). Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. To be considered for points, the amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

If the Application is not eligible for automatic points, this contribution will not be considered if the certification contains corrections or 'white-out' or if the certification is altered or retyped. The certification may be photocopied.

Please note: This form may be modified by Florida Housing Finance Corporation per Section 67-60.005, F.A.C.

### **Applicant Certification and Acknowledgement Form**

1. The Applicant certifies that the proposed Development can be completed and operating within the development schedule and budget submitted to the Corporation.
2. The Applicant acknowledges and certifies that the following information will be provided by the due date outlined below, or as otherwise outlined in the invitation to enter credit underwriting. Failure to provide the required information by the stated deadline shall result in the withdrawal of the invitation to enter credit underwriting:
  - a. Within 7 Calendar Days of the date of the invitation to enter credit underwriting:
    - (1) Name and address of the chief elected official of the local jurisdiction where the proposed Development is located;
    - (2) Notification of the Applicant's eligibility for acquisition credits per Section 42 of the IRC, if applicable; and
    - (3) Number of buildings with dwelling units in the proposed Development.
  - b. Within 21 Calendar Days of the date of the invitation to enter credit underwriting:
    - (1) Certification from a licensed environmental provider confirming that a Phase I environmental site assessment has been performed for the entire Development site, and, if applicable, a Phase II environmental site assessment has been or is being performed, as outlined in Item 9.b of Exhibit C of the RFA;
    - (2) Confirmation that the proposed equity amount to be paid prior to or simultaneous with the closing of construction financing is at least 15 percent of the total proposed equity to be provided (the 15 percent criteria), subject to the following:
      - (a) If syndicating/selling the Housing Credits, there are two exceptions to the preceding sentence. First, if there is a bridge loan proposal within the equity proposal that provides for bridge loan proceeds that equal at least 15 percent of the amount of total proposed equity to be provided to be made available prior to or simultaneous with closing of construction financing, the 15 percent criteria will be met. Second, if there is a separate bridge loan proposal from either the equity provider, any entity that is controlled directly or indirectly by the equity provider, or a subsidiary of the equity provider's parent holding company, and the proposal explicitly proposes an amount to be made available prior to or simultaneous with the closing of construction financing that equals at least 15 percent of the total proposed equity to be paid stated in the equity proposal, the 15 percent criteria is met. Bridge loan proposals that are not within the equity proposal, though, must meet the criteria previously stated for debt financing with the exception that evidence of ability to fund does not have to be provided. The Applicant may include the proposed amount of the bridge loan as equity proceeds on the Construction or Rehabilitation Analysis and on the Permanent Analysis (Note: this 15 percent criteria must be reflected in the limited partnership agreement or limited liability company operating agreement); or

### **Applicant Certification and Acknowledgement Form**

- (b) If not syndicating/selling the Housing Credits, proceeds from a bridge loan will not count toward meeting the 15 percent criteria;
- (3) Confirmation that all construction features committed to and proposed by the Applicant shall be located on the Development site;
- (4) Confirmation that, if the proposed Development meets the definition of Scattered Sites, all Scattered Sites requirements that were not required to be met in the Application will be met, including that all features and amenities committed to and proposed by the Applicant that are not unit-specific shall be located on each of the Scattered Sites, or no more than 1/16 mile from the Scattered Site with the most units, or a combination of both. If the Applicant indicates that the proposed Development does not consist of Scattered Sites, but it is determined during credit underwriting that the proposed Development does meet the definition of Scattered Sites, all of the Scattered Sites requirements must have been met as of Application Deadline and, if all Scattered Sites requirements were not in place as of the Application Deadline, the Applicant's funding award will be rescinded;
- (5) Notification of the percentage of ownership of the Principals of the Applicant. Upon the Applicant's acceptance of the invitation to enter credit underwriting, the Corporation will return the Principals of the Applicant and Developer(s) Disclosure Form that was part of the Applicant's Uploaded Application. The Applicant will be required to enter the applicable ownership percentages on the form and return the completed form to the Corporation;
- (6) If the Applicant indicates at question 5.e.(3)(a) of Exhibit A that there are existing occupied units, the Applicant must provide to the Credit Underwriter a plan for relocation of existing tenants, as outlined in Section Four A.5.e.(3) of the RFA;
- (7) Identity of the remaining members of the Development Team (i.e., inexperienced co-Developer(s), General Contractor, Architect, Attorney, and Accountant), as outlined in Item 9.a. of Exhibit C of the RFA. The team members so identified, and any future replacement thereof, must be acceptable to the Corporation and the Credit Underwriter;
- (8) If the Applicant selected the New Construction Development Category (at question 5.c.(1) of Exhibit A), the Applicant must advise the Corporation of the Green Building Certification program that it commits to achieve: Leadership in Energy and Environmental Design (LEED); Florida Green Building Coalition (FGBC); or ICC 700 National Green Building Standard (NGBS); and
- (9) If the Applicant indicated at question 12.a.(3) of Exhibit A that the proposed Development is a phase of a multiphase Development, the attorney opinion letter containing the required information outlined in Section Four A.12.a.(3) of the RFA must be provided to the Corporation by the deadline stated in the invitation to enter credit underwriting.

If the Applicant indicated at question 12.a.(3)(b) of Exhibit A that the proposed Development is a subsequent phase of a multiphase Development and the Applicant's Housing Credit request is based on such contention and, during the credit underwriting process it is

### **Applicant Certification and Acknowledgement Form**

determined that the proposed Development does not meet the criteria for such distinction, the Applicant's Competitive Housing Credit award will be rescinded.

3. By submitting the Application, the Applicant acknowledges and certifies that:
  - a. The proposed Development will meet all state building codes, including the 2012 Florida Accessibility Code for Building Construction, adopted pursuant to Section 553.503, F.S., the Fair Housing Act as implemented by 24 CFR Part 100, including the Affirmative Fair Housing Marketing Plan, the Violence Against Women Reauthorization Act of 2013, Section 504 of the Rehabilitation Act of 1973 as outlined in Item 3 of Exhibit C of the RFA, and the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35, incorporating the most recent amendments, regulations and rules.
  - b. If the Elderly Demographic Commitment is selected, the proposed Development must meet all of the Elderly Demographic requirements as outlined in Items 1, 3, and 4 of Exhibit C of the RFA.
  - c. The name of the Applicant entity stated in the Application may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Carryover Allocation Agreement is in effect. In addition, as further outlined in Item 2 of Exhibit C of the RFA, (1) if the Applicant requests Housing Credits only, the Applicant entity shall be the recipient of the Housing Credits and may not change until after the Carryover Allocation Agreement is in effect, or (2) if the Applicant requests both Housing Credits and SAIL, the Applicant entity shall be the recipient of the Housing Credits and the borrowing entity for the SAIL funding and may not change until after the closing of the SAIL loan.
  - d. If the Applicant applies as a Non-Profit entity and meets the requirements outlined in Section Four A.3.c. of the RFA to be considered to be a Non-Profit for purposes of this RFA, it must remain a Non-Profit entity and the Non-Profit entity must (i) receive at least 25 percent of the Developer's fee; and (ii) understand that it is the Non-Profit entity's responsibility to contractually ensure that it substantially and materially participates in the management and operation of the Development throughout the Compliance Period.
  - e. The success of an Applicant in being selected for funding is not an indication that the Applicant will receive a positive recommendation from the Credit Underwriter or that the Development Team's experience, past performance or financial capacity is satisfactory. The past performance record, financial capacity, and any and all other matters relating to the Development Team, which consists of Developer, Management Company, General Contractor, Architect, Attorney, and Accountant, will be reviewed during credit underwriting. The Credit Underwriter may require additional information from any member of the Development Team including, without limitation, documentation on other past projects and financials. Development Teams with an unsatisfactory past performance record, inadequate financial capacity or any other unsatisfactory matters relating to their suitability may result in a negative recommendation from the Credit Underwriter.
  - f. The Principals of each Developer identified in the Application, including all co-Developers, may be changed only by written request of an Applicant to Corporation staff and approval of the Board after the Applicant has been invited to enter credit underwriting. In addition, any



### **Applicant Certification and Acknowledgement Form**

allowable replacement of an experienced natural person Principal of a Developer entity must meet the experience requirements that were met by the original natural person Principal.

- g. During credit underwriting, all funded Applications will be held to the number of RA units stated in the letter provided by the Applicant as Attachment 7 to Exhibit A. This requirement will apply throughout the entire Compliance Period, subject to Congressional appropriation and continuation of the rental assistance program.
- h. The total number of units stated in the Application may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation.
- i. The invitation to enter credit underwriting will be rescinded if it is determined that the proposed Development was placed in service prior to the year in which it received its Housing Credit allocation.
- j. The proposed Development will include (i) all construction features commitments made by the Applicant at question 7.a. of Exhibit A, and (ii) all required construction features, as outlined in Item 3 of Exhibit C of the RFA. The quality of the features committed to by the Applicant is subject to approval of the Board of Directors.
- k. The proposed Development will include (i) all resident programs commitments made by the Applicant at question 7.b. of Exhibit A, and (ii) the required resident program applicable to the Elderly Demographic, as outlined in Item 4 of Exhibit C of the RFA. The quality of the resident programs committed to by the Applicant is subject to approval of the Board of Directors.
- l. The proposed Development will include the required set-aside units (for ELI Households and Total Set-Aside Percentage). If the Applicant did not receive Market-Rate Units points in the Application, the Total Set-Aside Percentage stated in the Application may be increased after the Applicant has been invited to enter credit underwriting, subject to written request of an Applicant to Corporation staff and approval of the Corporation.
- m. The Applicant irrevocably commits to set aside units in the proposed Development for a total of 50 years. Note: in submitting its Application, the Applicant knowingly, voluntarily and irrevocably commits to waive, and does hereby waive, for the duration of the 50-year set aside period the option to convert to market, including any option or right to submit a request for a qualified contract, after year fourteen (14), and any other option, right or process available to the Applicant to terminate (or that would result in the termination of) the 50-year set aside period at any time prior to the expiration of its full term.
- n. The Applicant's commitments will be included in an Extended Use Agreement and, if applicable, a Land Use Restriction Agreement, and must be maintained in order for the Development to remain in compliance, unless the Board approves a change.

### **Applicant Certification and Acknowledgement Form**

- o. The applicable fees outlined in Item 8 of Exhibit C of the RFA will be due as outlined in this RFA, Rule Chapter 67-48, F.A.C., and/or as otherwise prescribed by the Corporation and/or the Credit Underwriter.
- p. The Applicant agrees and acknowledges that the Application will be subject to the Total Development Cost Per Unit Limitation, based on the construction type of the units as indicated by the Applicant in the RFA, during the scoring, credit underwriting, and final allocation process, as outlined in Item 5 of Exhibit C of the RFA.
- q. The Applicant agrees and acknowledges that the following information and documentation will be provided as outlined in Item 10 of Exhibit C of the RFA: Progress Report (Form Q/M Report); Final Cost Certification Application Package (Form FCCAP); and Financial Reporting Form SR-1.
- r. The Applicant agrees and acknowledges that it will conform to the requirements regarding adequate insurance, the use of replacement reserve funds, and financial statements provided for the Credit Underwriter's review, as outlined in Item 10 of Exhibit C of the RFA.
- s. The Preliminary Recommendation Letter (PRL) for this Development will be due to the Corporation no later than 12 weeks after the invitation to enter credit underwriting has been accepted, unless stated otherwise in the invitation. If the deadline cannot be met, the Applicant must request an extension by submitting a written request and payment of the applicable processing fee to the Corporation. Pursuant to paragraph 67-48.0072(21)(d), F.A.C., the Applicant is responsible for providing the Credit Underwriter with the information necessary to complete the PRL.
- t. As outlined in Section Four A.6.d.(2) of the RFA, all Applicants agree to and acknowledge the Link requirements stated in Exhibit D of the RFA.
- u. If the Applicant's Housing Credit request is based on the Applicant's contention that the proposed Development is a subsequent phase of a multiphase Development and, during the credit underwriting process, it is determined that the proposed Development does not meet the criteria for such distinction, the Applicant's Competitive Housing Credit award and any applicable SAIL award will be rescinded.
- v. In exchange for receiving funding from Florida Housing, Florida Housing reserves the authority to restrict the disposition of any funds remaining in any operating deficit reserve(s) after the term of the reserve's original purpose has terminated or is near termination. Authorized disposition uses are limited to payments towards any outstanding loan balances of the Development funded from Florida Housing, any outstanding Florida Housing fees, any unpaid costs incurred in the completion of the Development (i.e., deferred Developer fee), the Development's capital replacement reserve account (provided however, that any operating deficit reserve funds deposited to the replacement reserve account will not replace, negate, or otherwise be considered

an advance payment or pre-funding of the Applicant's obligation to periodically fund the replacement reserve account), the reimbursement of any loan(s) provided by a partner, member or guarantor as set forth in the Applicant's organizational agreement (i.e., operating or limited

*Page 6 of 7 pages*

### **Applicant Certification and Acknowledgement Form**

partnership agreement). The actual direction of the disposition is at the Applicant's discretion so long as it is an option permitted by Florida Housing. In no event shall the payment of amounts to the Applicant or the Developer from any operating deficit reserve established for the Development cause the Developer fee or General Contractor fee to exceed the applicable percentage limitations provided for in this RFA.

4. The Applicant acknowledges that any funding preliminarily secured by the Applicant is expressly conditioned upon any independent review, analysis and verification of all information contained in this Application that may be conducted by the Corporation, the successful completion of credit underwriting, and all necessary approvals by the Board of Directors, Corporation or other legal counsel, the Credit Underwriter, and Corporation Staff.
5. If preliminary funding is approved, the Applicant will promptly furnish such other supporting information, documents, and fees as may be requested or required. The Applicant understands and agrees that the Corporation is not responsible for actions taken by the undersigned in reliance on a preliminary commitment by the Corporation. The Applicant commits to actively seek tenants from public housing waiting lists and tenants who are participating in and/or have successfully completed the training provided by welfare to work or self-sufficiency type programs.
6. By Certificate of Occupancy, the Applicant commits to participate in the statewide housing locator system, as required by the Corporation.
7. The Applicant and all Financial Beneficiaries have read all applicable Corporation rules governing this RFA and have read the instructions for completing this RFA and will abide by the applicable Florida Statutes and the credit underwriting and program provisions outlined in Rule Chapter 67-48, F.A.C. The Applicant and all Financial Beneficiaries have read, understand and will comply with Section 42 of the Internal Revenue Code, as amended, and all related federal regulations.
8. In eliciting information from third parties required by and/or included in this Application, the Applicant has provided such parties information that accurately describes the Development as proposed in this Application. The Applicant has reviewed the third party information included in this Application and/or provided during the credit underwriting process and the information provided by any such party is based upon, and accurate with respect to, the Development as proposed in this Application.
9. The undersigned understands and agrees that in the event that the Applicant is invited into credit underwriting, the Applicant must submit IRS Form 8821 for all Financial Beneficiaries and natural person Principals disclosed on the Principals of the Applicant and Developer(s) Disclosure Form in order to obtain a recommendation for a Housing Credit Allocation.
10. The Applicant understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), F.S.

11. The undersigned is authorized to bind all Financial Beneficiaries to this certification and warranty of truthfulness and completeness of the Application.

*Page 7 of 7 pages*

### **Applicant Certification and Acknowledgement Form**

Under the penalties of perjury, I declare and certify that I have read the foregoing and that the information is true, correct and complete.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Name (typed or printed)

\_\_\_\_\_  
Title (typed or printed)

NOTE: The Applicant must provide this form as Attachment 1 to the RFA. The Applicant Certification and Acknowledgement form included in the Application labeled "Original Hard Copy" must contain an original signature (blue ink is preferred).

**Exhibit C to RFA 2017-102 – Housing Credit and SAIL Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives**

**1. Elderly Demographic Commitment Requirements:**

In order for a proposed Development to qualify for the Elderly Demographic, the Development must meet the following requirements:

a. The total number of units is limited as follows:

(1) New Construction (selected by the Applicant at question 5.c.(1) of Exhibit A of the RFA) is limited to the following total number of units:

- In all counties except Broward County and Miami-Dade County - 160 total units; and
- In Broward County and Miami-Dade County – 200 total units;

(2) Rehabilitation or Acquisition and Rehabilitation (selected by the Applicant at question 5.c.(1) of Exhibit A of the RFA), that does not constitute an existing, occupied housing facility that is operating as housing for older persons as set forth in the Federal Fair Housing Act as of the Application Deadline, is limited to the following total number of units:

- In all counties except Broward County and Miami-Dade County - 160 total units; and
- In Broward County and Miami-Dade County – 200 total units;

(3) There is no total unit limitation for the Rehabilitation or Acquisition and Rehabilitation (selected by the Applicant at question 5.c.(1) of Exhibit A of the RFA) of an existing, occupied housing facility that is operating as housing for older persons as set forth in the Federal Fair Housing Act as of the Application Deadline.

b. The Applicant understands, acknowledges and agrees that it will comply with the Federal Fair Housing Act requirements for housing for older persons and rent at least 80 percent of the total units, which may be any combination of set-aside units and market-rate units, to residents that qualify as older persons pursuant to that Act or as provided under any state or federal program that the Secretary of HUD determines is specifically designed and operated to assist elderly persons (as defined in the state or federal program).

c. If the Applicant selected the Development Category of Rehabilitation or Acquisition and Rehabilitation at question 5.c.(1) of Exhibit A of the RFA, at least 50 percent of the total units must be comprised of one-bedroom or less (i.e., one-bedroom units or efficiency/studio/zero bedroom units or a combination these types of units), and no more than 15 percent of the total units can be larger than 2 bedroom units.

If the Applicant selected the Development Category of New Construction at question 5.c.(1) of Exhibit A of the RFA, at least 50 percent of the total units must be comprised of one-bedroom units and no more than 15 percent of the total units can be larger than 2 bedroom units.

d. A minimum of one elevator per residential building must be provided for all new construction Developments that consist of more than one story if any of the Elderly set-aside units will be located on a floor higher than the first floor.

## **2. Applicant Requirements:**

For purposes of a. and b. below, a material change shall mean 33.3 percent or more of the Applicant, a general partner of the Applicant, or a non-investor member of the Applicant, and a non-material change shall mean less than 33.3 percent of the Applicant, a general partner of the Applicant, or a non-investor member of the Applicant.

### **a. For Applicants requesting Housing Credits only:**

The Applicant entity shall be the recipient of the Housing Credits and cannot be changed in any way (materially or non-materially) until after the Carryover Allocation Agreement is in effect. Once the Carryover Allocation Agreement has been executed by all parties, (i) replacement of the Applicant or a material change in the ownership structure of the named Applicant will require Board approval prior to the change, and (ii) any non-material change in the ownership structure of the named Applicant will require Corporation approval prior to the change. The Applicant entity may be changed without Board approval after a Final Housing Credit Allocation Agreement has been approved and the IRS Forms 8609 have been issued; however, the Corporation must still be notified in writing of the change. Changes to the Applicant entity prior to the execution of a Carryover Allocation Agreement or without Board approval or Corporation approval, as applicable, prior to the approval of the Final Housing Credit Allocation and issuance of the IRS Forms 8609 shall result in a disqualification from receiving funding and shall be deemed a material misrepresentation. Changes to the investor limited partner of an Applicant limited partnership or investor member of an Applicant limited liability company owning the syndicating interest therein is not considered a material or non-material change and will not result in disqualification. However, such change must be approved by Corporation staff.

### **b. For Applicants requesting both Housing Credits and SAIL:**

The Applicant entity shall be the recipient of the Housing Credits and the borrowing entity for the SAIL loan and cannot be changed in any way (materially or non-materially) until after the SAIL loan closing. After loan closing, any change (material or non-material) will require Board approval prior to the change. Changes to the Applicant entity prior to the loan closing or without Board approval after the loan closing shall result in disqualification from receiving funding and shall be deemed a material misrepresentation. Changes to the investor limited partner of an Applicant limited partnership or investor member of an Applicant limited liability company owning the syndicating interest therein is not considered a material or non-material change and will not result in disqualification. However, such change must be approved by Corporation staff.

## **3. Required Construction Features:**

The following required construction features are in addition to the Green Building Features selected by the Applicant (at question 7.a.(1) of Exhibit A) or the Applicant's commitment to achieve a Green Building Certification Program (at question 7.a.(2) of Exhibit A).

All rehabilitation units must include as many of the required Accessibility, General and Green Building features as are structurally and financially feasible within the scope of the rehabilitation work, utilizing a capital needs assessment and accessibility review ordered by the Credit Underwriter and performed by an independent third party(ies).

- a. All Applicants will be required to provide the following General Features and Accessibility, Universal Design and Visitability Features:

- (1) The following General Features must be provided for all proposed Developments:

- Termite prevention;
- Pest control;
- Window covering for each window and glass door inside each unit;
- Cable or satellite TV hook-up in each unit and, if the Development offers cable or satellite TV service to the residents, the price cannot exceed the market rate for service of similar quality available to the Development's residents from a primary provider of cable or satellite TV;
- Full-size range and oven in all units;
- At least two full bathrooms in all 3 bedroom or larger new construction units;
- Bathtub with shower in at least one bathroom in at least 90% of the new construction non-Elderly units; and
- Washer and dryer hook ups in each of the Development's units or an on-site laundry facility for resident use. If the proposed Development consists of an on-site laundry facility, there must be a minimum of one (1) Energy Star certified washer and one (1) dryer per every 15 units. To determine the required number of washers and dryers for the on-site laundry facility; divide the total number of the Developments' units by 15, and then round the equation's total up to the nearest whole number.

- (2) Accessibility, Universal Design and Visitability Features:

- (a) All units of the proposed Development must meet all federal requirements and state building code requirements, including the following:

- 2012 Florida Accessibility Code for Building Construction as adopted pursuant to Section 553.503, Florida Statutes;
- The Fair Housing Act as implemented by 24 CFR 100, including the Affirmative Fair Housing Marketing Plan\*;
- The Violence Against Women Reauthorization Act of 2013\*;
- Section 504 of the Rehabilitation Act of 1973\*; and
- Titles II and III of the Americans with Disabilities Act of 1990 as implemented by 28 CFR 35, incorporating the most recent amendments, regulations and rules\*.

All Housing Credit and SAIL Developments must comply with Section 504 of the Rehabilitation Act of 1973, as implemented by 24 CFR Part 8 ("Section 504 and its related regulations"). To the extent that a Development is not otherwise subject to Section 504 and its related regulations, the Development shall nevertheless comply with Section 504 and its related regulations as requirements of the Housing Credit and SAIL Programs to the same extent as if the Development were subject to Section 504 and its related regulations in all respects. To that end, for purposes of the Housing Credit and SAIL Programs, a Housing Credit Allocation and a SAIL loan shall be deemed "Federal financial assistance" within the meaning of that term as used in Section 504 and its related regulations for all Housing Credit and SAIL Developments.

\* This information is available on the Corporation's Website  
<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/OtherInformation/> or by clicking [here](#).

All units must meet accessibility standards of Section 504. Section 504 accessibility standards require a minimum of 5 percent of the total dwelling units, but not fewer than one unit, to be accessible for individuals with mobility impairments. An additional 2 percent of the total units, but not fewer than one unit, must be accessible for persons with hearing or vision impairments.

- (b) All new construction units that are located on an accessible route must have the features listed in (d) below.
- (c) All rehabilitation units that are located on an accessible route must include features listed in (d) below. The features in (d) must be incorporated to the maximum extent feasible within the scope of the rehabilitation work planned by the Applicant. The maximum extent feasible shall be determined by the scope of work, the capital needs assessment, the accessibility review, and the construction features that are affected by the rehabilitation work. Any major change affecting the features such as remodeling, renovation, rearrangement of structural parts or walls or full-height partitions requires compliance with accessibility requirements below. For the purposes of this RFA, normal maintenance, re-roofing, painting or wallpapering, or changes to mechanical and electrical systems are not considered alterations. Where an alteration affects a construction feature, accessibility is required to the maximum extent feasible.
- (d) Accessible Features:
  - Primary entrance door shall have a threshold with no more than a ½-inch rise;
  - All door handles on primary entrance door and interior doors must have lever handles;
  - Lever handles on all bathroom faucets and kitchen sink faucets;
  - Mid-point on light switches and thermostats shall not be more than 48 inches above finished floor level; and
  - Cabinet drawer handles and cabinet door handles in bathroom and kitchen shall be lever or D-pull type that operate easily using a single closed fist.

The capital needs assessment and accessibility review will serve as the basis for the accessibility features that are required for the scope of work for the project.

- b. All new construction units must include the following General Features and Green Building Features:

- (1) General Features in all Family Demographic Developments:

Provide reinforced walls for future installation of grab bars that meet or exceed 2010 ADA Standards for Accessible Design around each tub/shower unit in each dwelling unit. At the request of and at no charge to a resident household, the Development shall purchase and install grab bars around each tub/shower unit in the dwelling unit. The product specifications and installation must meet or exceed 2010 ADA Standards for Accessible Design. The Development shall inform a prospective resident that the Development, upon a resident household's request and at no charge to the household, will install grab bars around a dwelling unit's tub/shower unit, pursuant to the 2010 ADA Standards. At a minimum, the



Development shall inform each prospective lessee by including language in the Development's written materials listing and describing the unit's features, as well as including the language in each household's lease.

(2) Green Building Features in all Family and Elderly Demographic Developments:

- Low or No-VOC paint for all interior walls (Low-VOC means 50 grams per liter or less for flat; 150 grams per liter or less for non-flat paint);
- Low-flow water fixtures in bathrooms—WaterSense labeled products or the following specifications:
  - Faucets: 1.5 gallons/minute or less,
  - Showerheads: 2.0 gallons/minute or less;
    - Energy Star certified refrigerator;
    - Energy Star certified dishwasher;
- Energy Star certified ventilation fan in all bathrooms;
- Water heater minimum efficiency specifications:
  - Residential Electric:
    - $\leq 55$  gallons = .95 EF; or
    - $>55$  gallons = Energy Star certified; or
    - Tankless = .97 EF;
  - Residential Gas (storage or tankless/instantaneous): Energy Star certified,
  - Commercial Gas Water Heater: Energy Star certified;
- Energy Star certified ceiling fans with lighting fixtures in bedrooms; and
- Air Conditioning minimum efficiency specifications (choose in-unit or commercial)\*:
  - In-unit air conditioning: minimum 15 SEER; or
  - Packaged units are allowed in Zero Bedroom units and one-bedroom units: minimum 13.8 EER; or
  - Central chiller AC system—based on size:
    - 0-65 KBtuh: Energy Star certified; or
    - $>65$ -135 KBtuh: 11.9 EER; or
    - $>135$ -240 KBtuh: 12.3 EER; or
    - $>240$  KBtuh: 12.2 EER

\*Applicants who select higher efficiency HVAC as Green Building Features at question 7.a.(1) of Exhibit A must meet or exceed those standards, which exceed these minimum requirements.

c. All rehabilitation units must include the following General Features, Required Green Building Features and Additional Green Building Features:

(1) General Features in all Family Demographic Developments:

Provide reinforced walls for future installation of grab bars that meet or exceed 2010 ADA Standards for Accessible Design around each tub/shower unit in each dwelling unit. At the request of and at no charge to a resident household, the Development shall purchase and install grab bars around each tub/shower unit in the dwelling unit. The product specifications and installation must meet or exceed 2010 ADA Standards for Accessible Design. The Development shall inform a prospective resident that the Development, upon a resident household's request and at no charge to the household, will install grab bars around a dwelling unit's tub/shower unit, pursuant to the 2010 ADA Standards. At a minimum, the Development shall inform each prospective lessee by including language in the

Development's written materials listing and describing the unit's features, as well as including the language in each household's lease.

(2) Required Green Building Features in all Family and Elderly Demographic Developments:

- Low or No-VOC paint for all interior walls (Low-VOC means 50 grams per liter or less for flat; 150 grams per liter or less for non-flat paint);
- Low-flow water fixtures in bathrooms—WaterSense labeled products or the following specifications:
  - Faucets: 1.5 gallons/minute or less,
  - Showerheads: 2.0 gallons/minute or less;
- Energy Star certified refrigerator;
- Energy Star certified dishwasher;
- Energy Star certified ventilation fan in all bathrooms;
- Water heater minimum efficiency specifications:
  - Residential Electric:
    - $\leq 55$  gallons = .95 EF; or
    - $>55$  gallons = Energy Star certified; or
    - Tankless = .97 EF;
  - Residential Gas (storage or tankless/instantaneous): Energy Star certified,
  - Commercial Gas Water Heater: Energy Star certified;
- Energy Star certified ceiling fans with lighting fixtures in bedrooms;
- Air Conditioning (choose in-unit or commercial)\*:
  - In-unit air conditioning: minimum 15 SEER; or
  - Packaged units are allowed in Zero Bedroom units and one-bedroom units: minimum 13.8 EER; or
  - Central chiller AC system—based on size:
    - 0-65 KBtuh: Energy Star certified; or
    - $>65$ -135 KBtuh: 11.9 EER; or
    - $>135$ -240 KBtuh: 12.3 EER; or
    - $>240$  KBtuh: 12.2 EER
- Caulk, weather-strip, or otherwise seal all holes, gaps, cracks, penetrations, and electrical receptacles in building envelope; and
- Seal and insulate heating and cooling system ducts with mastic or metal backed tape.

\*Applicants who select higher efficiency HVAC as Green Building Features at question 7.a.(1) of Exhibit A must meet or exceed those standards, which exceed these minimum requirements.

d. In addition to the required features outlined in a. through c. above, all Applications with the Elderly Demographic must also provide the following in all units (new construction units and rehabilitation units):

- (1) At least 15 percent of the new construction units must have roll-in showers.
- (2) All of the new construction units must include the features listed in (4) below.
- (3) All of the rehabilitation units must include the features listed in (4) below. The features in (4) must be incorporated to the maximum extent feasible within the scope of the rehabilitation work planned by the Applicant. The maximum extent feasible shall be determined by the scope of work, the capital needs assessment, the accessibility review, and the construction features that are affected by the rehabilitation work. Any major change affecting the features

such as remodeling, renovation, rearrangement of structural parts or walls or full-height partitions requires compliance with accessibility requirements below. For the purposes of this RFA, normal maintenance, re-roofing, painting or wallpapering, or changes to mechanical and electrical systems are not considered alterations. Where an alteration affects a construction feature, accessibility is required to the maximum extent feasible.

(4) Accessible Features for Applications with the Elderly Demographic:

- Horizontal grab bars in place around each tub and/or shower, the installation of which meets or exceeds 2010 ADA Standards for Accessible Design, Section 609. In addition, the following standards for grab bars are required:
  - If a bathtub/shower combination with a permanent seat is provided, grab bars shall be installed to meet or exceed 2010 ADA Standards for Accessible Design, Section 607.4.1.
  - If a bathtub/shower combination without a permanent seat is provided, grab bars shall be installed to meet or exceed 2010 ADA Standards for Accessible Design, Section 607.4.2.
  - If a roll-in shower is provided, grab bars shall be installed to meet or exceed 2010 ADA Standards for Accessible Design, Section 608.3.2;
- Reinforced walls for future installation of horizontal grab bars in place around each toilet, the installation of which meets or exceeds 2010 ADA Standards for Accessible Design, Section 604.5.1 (Side Wall);
- Toilets that are 17 inches to 19 inches in height as measured from the finished floor to the top of the toilet seat;
- Roll-out shelving or drawers in all bottom bathroom vanity cabinets;
- Adjustable shelving in master bedroom closets (must be adjustable by resident); and
- In at least one of the kitchen's bottom or base cabinets, there shall be a large drawer that has full extension drawer slides.

The capital needs assessment and accessibility review will serve as the basis for the accessibility features that are required for the scope of work for the project.

- e. All Applications with the Development Category of Rehabilitation or Acquisition and Rehabilitation (at question 5.c.(1) of Exhibit A) must provide the additional Green Building Features committed to by the Applicant at question 7.a.(1) of Exhibit A.
- f. As outlined in Item 2.b.(8) of the Applicant Certification and Acknowledgement form, all Applicants that select the Development Category of New Construction (at question 5.c.(1) of Exhibit A) must select and achieve one of the following Green Building Certification programs (as committed to by the Applicant at question 7.a.(2) of Exhibit A):
  - Leadership in Energy and Environmental Design (LEED);
  - Florida Green Building Coalition (FGBC); or
  - ICC 700 National Green Building Standard (NGBS).

**4. Required Resident Programs:**

- a. All Applicants must provide the resident programs selected by the Applicant at question 7.b.(1) or 7.b.(2) of Exhibit A.
- b. Applicants that select the Elderly Demographic at question 2.b. of Exhibit A must also commit to provide the following additional resident program:

#### 24 Hour Support to Assist Residents In Handling Urgent Issues:

An important aging in place feature of the Elderly Demographic is the residents' access to management support 24 hours per day, 7 days a week to assist them to appropriately and efficiently handle urgent issues or incidents that may arise. These issues may include, but are not limited to, an apartment maintenance emergency, security or safety concern, or a health risk incident in their apartment or on the property. The management's assistance will include a 24/7 approach to receiving residents' requests for assistance that will include a formal written process to effectively assess and provide assistance for each request. This assistance may include staff:

- Visiting or coordinating a visit to a resident's apartment to address a urgent maintenance issue;
- Responding to a resident being locked out of their apartment;
- Contacting on-site security or the police to address a concern;
- Providing contact information to the resident and directing or making calls on a resident's behalf to appropriate community-based emergency services or related resources to address an urgent health risk incident;
- Calling the resident's informal emergency contact; or
- Addressing a resident's urgent concern about another resident.

The 24 hour support approach may include contracted services or technology to assist the management to meet this commitment if these methods adequately address the intent of this service.

The Development's owner and/or designated property management entity shall develop and implement policies and procedures for staff to immediately receive and handle a resident call and how staff shall assess and handle the call based on a resident's request and/or need. At a minimum, residents shall be informed, at move-in and via a written notice(s)/instructions provided to each resident and displayed in the Development's common or public areas, that staff are available to receive resident calls at all times. These notices shall also provide contact information and direction to first contact the community-based emergency services if they have health or safety risk concerns.

#### **5. Total Development Cost Per Unit Limitation:**

The Corporation shall limit the Total Development Cost (TDC) per unit for all Developments categorized by the construction type of the units as indicated by the Applicant in the RFA. The maximum amounts are provided on the TDC Per Unit Limitation chart set out below (the maximum TDC per unit exclusive of land costs and exclusive of any operating deficit reserves that are part of the permanent phase (i.e., non-construction) financing for the Development which have not been included within the Developer fee, applying any applicable TDC multiplier and/or TDC add-on) and will be tested during the scoring of the RFA, during the credit underwriting process, and during the final allocation process, as outlined below.

Proposed Developments who have a PHA as a Principal will have an applicable TDC Add-On of \$5,000 per unit. Proposed Developments in the Florida Keys Area (Monroe County) will have an applicable TDC multiplier of 65 percent when it is located north of Tavernier Creek and 50 percent when it is located south of Tavernier Creek.

These TDC Per Unit Base Limitation amounts are effective from the Application Deadline through Final Cost Certification.

**Total Development Cost Per Unit Base Limitations**

Measure	New Construction Units					Rehabilitation Units	
	Garden Wood*	Garden Concrete*	Mid-Rise-Wood*	Mid-Rise-Concrete*	High-Rise*	Garden*	Non-Garden*
Maximum TDC Per Unit Limitation** for all counties except Broward and Miami-Dade Counties	\$183,300	\$220,400	\$220,400	\$243,000	\$295,800	\$154,100	\$217,100
Maximum TDC Per Unit Limitation** for Broward and Miami-Dade Counties	\$192,300	\$231,200	\$231,200	\$254,800	\$310,200	\$161,600	\$227,700
Applicable TDC Multipliers (to be applied against the Development's TDC) and TDC Add-On (to be added to the Maximum TDC Per Unit Limitation)							
TDC Multiplier for Florida Keys Area (Monroe County) for all areas north of Plantation Key (i.e., north of Tavernier Creek)				65%			
TDC Multiplier for Florida Keys Area (Monroe County) for all areas on or south of Plantation Key (i.e., south of Tavernier Creek)				50%***			
TDC Add-On for Applicants that have a PHA as a Principal				\$5,000 of additional per unit costs will be added to the above Maximum TDC Per Unit Limitation			

\* Garden includes all Development Types other than Mid-Rise and High-Rise; Non-Garden includes Development Types of Mid-Rise with Elevator (4 stories, 5 stories, or 6 stories) and High-Rise (7 or more stories); Mid-Rise includes Development Types of Mid-Rise with Elevator (4 stories, 5 stories, or 6 stories); and High-Rise includes Development Type of High Rise (7 or more stories)

\*\* Exclusive of land costs and exclusive of any approved operating deficit reserves that are part of the permanent phase (i.e., non-construction) financing for the Development which have not been included within the Developer fee. When the term of operating deficit reserves (ODR) is mentioned in this TDC Per Unit Limitation section, the term shall refer to these particular operating deficit reserves. For purposes of land valuation, the Corporation uses the lesser of the appraised value, or the actual land cost. When land costs are referenced in this TDC Per Unit Limitation section, the reference shall be limited to the amount of the land cost approved by the Corporation to be provided in the final cost certification under the land owned cost line item. When the term of TDC Per Unit Base Limitation is mentioned below in the compliance determination sections, it is implied to be inclusive of any applicable escalation factor, TDC Multiplier, and/or TDC Add-On.

\*\*\*If the proposed Development consists of Scattered Sites, the 50% TDC Multiplier applies only if all of the sites are located south of Tavernier Creek.

- a. Any Application that has an amount that exceeds these limitations will not be eligible to be considered for funding.
- b. Any Applicant that has the Credit Underwriter present a credit underwriting report with an amount that exceeds these limitations by more than 5 percent, after taking into consideration an escalation factor for construction costs rising after the Application Deadline of either (i) 1.8 percent for any Development with the Development Category of New Construction, Redevelopment, or Acquisition and Redevelopment that is not located within Broward or Miami-Dade Counties (or 2.4 percent for any Development that is located within Broward or Miami-Dade Counties), or (ii) 1.4 percent for any Development with the Development Category of Rehabilitation or Acquisition and Rehabilitation that is not located within Broward or Miami-Dade Counties (or 1.8 percent for any Development that is located within Broward or Miami-Dade Counties), and incorporating any applicable TDC reduction and adjustments processes provided below will receive a negative recommendation by the Credit Underwriter.

Any Applicant that has the Credit Underwriter present a credit underwriting report with an amount that exceeds these limitations, after taking into consideration the applicable escalation

factor outlined above, will require staff to review the credit underwriting report for compliance to the TDC reduction and adjustment procedure provided below:

- (1) The Developer fee will be limited to the maximum allowable within the TDC Per Unit Base Limitation, in all instances. A Developer fee can be earned on qualifying TDC exclusive of land and operating deficit reserves up to the TDC Per Unit Base Limitation, but it cannot be earned on costs in excess of said limitation. If the Development costs exceed the amount allowed by the TDC Per Unit Base Limitation, then the maximum allowable Developer fee will be adjusted as outlined below. The maximum allowable Developer fee can be determined by multiplying the applicable TDC Per Unit Base Limitation with respect to the Development as provided in this RFA, by the number of total units in the Development. Second, divide this product by 1.16\* and then multiply the result by 16 percent\*. This will yield the maximum allowable Developer fee within the TDC Per Unit Base Limitation.

Prior to determining any necessary adjustment, if the Developer fee initially stated by the Applicant or Credit Underwriter is in excess of the maximum allowable Developer fee as provided in (1) above, the stated Developer fee will be reduced to said maximum allowable Developer fee, and the TDC will be equally reduced to incorporate the cost reduction.

- (2) Subsequent to reducing the stated Developer fee to the maximum allowable amount provided above, additional adjustments may be necessary if the TDC Per Unit Base Limitation remains exceeded. An adjustment to the maximum allowable Developer fee shall be determined by reducing the maximum allowable Developer fee, as determined in (1) above, dollar-for-dollar, for any costs in excess of the amount allowed by the TDC Per Unit Base Limitation, up to the lesser of (a) the actual amount of costs in excess of the amount allowed by the TDC Per Unit Base Limitation, (b) \$500,000, or (c) 25 percent of the maximum allowable Developer fee. If the stated Developer fee, inclusive of any necessary adjustments incorporated above, exceeds the maximum allowable Developer fee as adjusted herein, the stated Developer fee, inclusive of any necessary adjustments incorporated above shall be further adjusted to not exceed the new maximum allowable Developer fee, and the Development's TDC will be equally reduced to incorporate the cost reduction. If after following this Developer fee limitation process, the Development's TDC exclusive of land costs and operating deficit reserves is reduced to be within the amount allowed by the TDC Per Unit Base Limitation, then the Developer fee adjustment calculation is complete. If the Development's TDC exclusive of land costs and operating deficit reserves remains above the amount allowed by the TDC Per Unit Base Limitation, then there is an additional Developer fee adjustment, as outlined in (3) below.
- (3) An additional Developer fee adjustment will be initiated to further reduce the allowable Developer fee in the event the Development's TDC exclusive of land costs and operating deficit reserves (as adjusted above) exceeds the TDC Per Unit Base Limitation. The reduction will be determined by deriving a percentage amount that the Development's TDC exclusive of land costs and operating deficit reserves (as adjusted above) exceeds the TDC Per Unit Base Limitation, and multiplying this excess percentage by the amount of the adjusted Developer fee, resulting in a product that is the additional adjustment to the Developer fee. For instance, if the Development's adjusted TDC exclusive of land costs and operating deficit reserves exceeds the limitation by 4 percent, then the allowable Developer fee is further reduced by 4 percent. Once this step is complete, there is no further Developer fee adjustment or corresponding cost savings to be incorporated into the Development's TDC for this process.

It is at this point that the Development's adjusted TDC exclusive of land costs and operating deficit reserves are compared to the TDC Per Unit Base Limitation, and if the TDC Per Unit Base Limitation is exceeded by more than 5% (as presented in the opening paragraph of 5.b above), the credit underwriting report shall be presented with a negative recommendation by the Credit Underwriter.

As a note, if the Developer fee in the credit underwriting report is already at or below this allowable Developer fee, then there is no additional adjustment to be incorporated into the Developer fee. This also means there are no corresponding cost savings to reduce the Development's TDC since all TDC cost reductions stemming from this process are coming from reducing the Developer fee. If the Developer fee in the credit underwriting report needs to be reduced to incorporate any adjustment as provided above, then as the Developer fee is reduced, so is the Development's TDC in order to incorporate the reduced Developer fee cost.

For example:

An 85-unit Development located in Duval County with a Development Category of New Construction and a Development Type of Garden Concrete reports a TDC of \$19,940,000, inclusive of a stated Developer fee of \$2,750,000, but exclusive of land costs and all operating deficit reserves at time of credit underwriting, and also prior to any adjustment:

**Calculate TDC Limitation for the Development and Maximum Allowable Developer fee**

- 1.(a) TDC Per Unit Base Limitation, inclusive of any applicable escalation factor (1.8%), any applicable TDC Multiplier (100%), and any applicable TDC Add-On (\$0):  
 $(\$220,400 \text{ Per Unit} + \$0 \text{ TDC Add-On}) \times (1 + 1.8\%) / 100\% \text{ TDC Multiplier} = \$224,367 \text{ Per Unit.}$
- 1.(b) Determine TDC Limitation for the Development:  $\$224,367 \text{ Per Unit} \times 85 \text{ units} = \$19,071,212.$
- 1.(c) Implied maximum Development Cost per the limitation:  $\$19,071,212 \div 1.16 = \$16,440,700.$
- 1.(d) Determine maximum allowable Developer fee within the limitation (prior to any Developer fee adjustment):  $\$16,440,700 \times 16\% = \$2,630,512.$

**First Developer fee/TDC adjustment Calculation Methodology (If necessary)**

- 2.(a)(i) Is the stated Developer fee of \$2,750,000 greater than the maximum allowable of \$2,630,512?  $\$2,750,000 > \$2,630,512.$
- 2.(a)(ii) If the response to 2.(a)(i) is yes, then determine the excess:  $\$2,750,000 - \$2,630,512 = \$119,488$  (excess Developer fee and excess TDC).
- 2.(b) Reduce the stated Developer fee to the lesser of either the maximum allowable (\$2,630,512) or the stated fee (\$2,750,000) and reduce the stated TDC by an equal amount:  $\$2,750,000 - \$119,488 = \$2,630,512$ ;  $\$19,940,000 - \$119,488 = \$19,820,512.$

- 2.(c) If the response to 2.(a)(i) is no or once the adjustment of 2.(b) has been completed, then determine if the TDC remains in excess of the limitation and if so, the amount of the excess:  $\$19,820,512 - \$19,071,212 = \$749,300$ .
- 2.(d) Determine the lesser of either (i) \$500,000, (ii) 25 percent of the maximum allowable Developer fee ( $25\% \times \$2,630,512 = \$657,628$ ), or (iii) 100% of the excess TDC ( $\$749,300$ ):  $\$500,000 < \$657,628 < \$749,300$ .
- 2.(e) Apply the least amount of the three options in 2(d) above to determine the maximum allowable Developer fee, subject to this adjustment:  $\$2,630,512 - \$500,000 = \$2,130,512$ .
- 2.(f) TDC reduction due to Developer fee adjustment:  $\$19,820,512 - \$500,000 = \$19,320,512$ .

(As a note, this TDC is still greater than the TDC Per Unit Base Limitation and, therefore, an additional Developer fee adjustment will need to be calculated.)

**Second Developer fee/TDC adjustment Calculation Methodology (If necessary)**

- 3.(a) Determine the percentage the TDC without land costs and operating deficit reserves (as adjusted above for first adjustment) that exceeds the amount allowed by the TDC Per Unit Base Limitation: Amount of excess TDC =  $\$19,320,512 - \$19,071,212 = \$249,300$ ; Excess TDC as a percentage of TDC Limitation =  $\$249,300 \div \$19,071,212 = 1.31\%$ .
  - 3.(b) Determine the additional adjustment:  $1.31\% \times \$2,130,512 = \$27,851$ .
  - 3.(c) Determine the final maximum Developer fee, after adjustments, at time of credit underwriting:  $\$2,130,512 - \$27,851 = \$2,102,661$ .
  - 3.(d) Determine the final adjusted TDC at time of credit underwriting:  $\$19,320,512 - \$27,851 = \$19,292,661$ .
  - 3.(e) Verify the status of the 5% variance test:  $(\$19,292,661 - \$19,071,212) / \$19,071,212 = 1.16\%$ , which falls within the criteria of being less than or equal to 5% above of the amount allowed by the TDC Per Unit Base Limitation.
- c. Any Applicant that presents a Final Cost Certification Application Package (FCCAP) that has amounts that exceed the TDC Per Unit Base Limitation, subject to an escalation factor of either (i) 1.8 percent for any Development with the Development Category of New Construction, Redevelopment, or Acquisition and Redevelopment, that is not located within Broward or Miami-Dade Counties (or 2.4 percent for any Development that is located within Broward or Miami-Dade Counties), or (ii) 1.4 percent for any Development with the Development Category of Rehabilitation or Acquisition and Rehabilitation that is not located within Broward or Miami-Dade Counties (or 1.8% for any Development that is located within Broward or Miami-Dade Counties), will require staff to review the FCCAP for compliance to the procedure provided in (1), (2) and (3) below if the Development *did not* have its Developer fee adjusted at credit underwriting as provided in 5.b. above, either voluntarily or by the credit underwriter in order to get the Development's TDC exclusive of land and operating deficit reserves to be in compliance with the TDC Per Unit Base Limitation requirements.



- (1) The Developer fee will be limited to the maximum allowable within the TDC Per Unit Base Limitation, in all instances. A Developer fee can be earned on qualifying TDC exclusive of land costs and operating deficit reserves up to the TDC Per Unit Base Limitation, but it cannot be earned on costs in excess of said limitation. If the Development costs exceed the amount allowed by the TDC Per Unit Base Limitation, then the maximum allowable Developer fee will be adjusted as outlined below. The maximum allowable Developer fee can be determined by multiplying the applicable TDC Per Unit Base Limitation with respect to the Development as provided in this RFA, by the number of total units in the Development. Second, divide this product by 1.16\* and then multiply the result by 16 percent\*. This will yield the maximum allowable Developer fee within the TDC Per Unit Base Limitation.

Prior to determining any necessary adjustment, if the Developer fee initially stated by the FCCAP is in excess of the maximum allowable Developer fee as provided in c.(1) above, the Developer fee will be reduced to said maximum allowable Developer fee, and the Development's TDC will be equally reduced to incorporate the cost reduction.

- (2) Subsequent to reducing the Developer fee to the maximum allowable amount, additional adjustments may be necessary if the TDC Per Unit Base Limitation remains exceeded. An adjustment shall be determined by reducing the maximum allowable Developer fee as determined in c.(1) above, dollar-for-dollar, for any costs in excess of the amount allowed by the TDC Per Unit Base Limitation, up to the lesser of (a) the actual amount of costs in excess of the amount allowed by the TDC Per Unit Base Limitation, (b) \$250,000, or (c) 10 percent of the maximum allowable Developer fee. If the stated Developer fee, inclusive of any necessary adjustments incorporated above, exceeds the maximum allowable Developer fee as adjusted herein, the stated Developer fee, inclusive of any necessary adjustments incorporated above, shall be further adjusted to not exceed the new maximum allowable Developer fee, and the Development's TDC will be equally reduced to incorporate the cost reduction. If, after following this Developer fee limitation process, the Development's TDC exclusive of land costs and operating deficit reserves is reduced to be within the amount allowed by the TDC Per Unit Base Limitation, then the Developer fee adjustment calculation is complete. If the Development's TDC exclusive of land costs and operating deficit reserves remains above the amount allowed by the TDC Per Unit Base Limitation, then there is an additional Developer fee adjustment, as outlined in (3) below.
- (3) An additional Developer fee adjustment will be initiated to further reduce the allowable Developer fee in the event the Development's TDC exclusive of land costs and operating deficit reserves (as adjusted above) exceeds the TDC Per Unit Base Limitation. The reduction will be determined by deriving a percentage amount that the Development's TDC exclusive of land costs and operating deficit reserves (as adjusted above) exceeds the amount allowed by the TDC Per Unit Base Limitation, and multiplying this excess percentage by the amount of the adjusted Developer fee, resulting in a product that is the additional adjustment to the Developer fee. For instance, if the Development's adjusted TDC exclusive of land costs and operating deficit reserves exceeds the limitation, by 4 percent, then the allowable Developer fee is further reduced by 4 percent. Once this step is complete, there is no further Developer fee adjustment or corresponding cost savings to be incorporated into the Development's TDC as a result of this process.

If the Development *already had* its Developer fee adjusted at credit underwriting as provided in 5.b. above, either voluntarily or by the credit underwriter in order to get the Development's

TDC exclusive of land and operating deficit reserves to be in compliance with the TDC Per Unit Base Limitation requirements, but the Development's TDC without land and operating deficit reserves in the FCCAP *is now less than* the Development's TDC without land costs and operating deficit reserves provided in the credit underwriting report, then the Developer fee will be re-evaluated based on the procedure provided in 5.b. above, just as if it were going through the credit underwriting report process again.

If the Development *already had* its Developer fee adjusted at credit underwriting as provided in 5.b. above, either voluntarily or by the credit underwriter in order to get the Development's TDC exclusive of land and operating deficit reserves to be in compliance with the TDC Per Unit Base Limitation requirements, and the Development's TDC without land and operating deficit reserves in the FCCAP *exceeds* the Development's TDC without land costs and operating deficit reserves provided in the credit underwriting report, then the Developer fee will have an additional adjustment to be incorporated as provided in (4) below.

- (4) For those Developments that have already had its Developer fee adjusted at credit underwriting as provided in 5.b. above and whose TDC without land costs and operating deficit reserves in the FCCAP exceeds the Development's TDC without land costs and operating deficit reserves provided in the credit underwriting report, the allowable Developer fee will incorporate an additional adjustment. This additional Developer fee adjustment will be the lesser of (a) the difference between the amount of the Development's TDC exclusive of land costs and operating deficit reserves as reported in the FCCAP that is in excess of the Development's TDC exclusive of land costs and operating deficit reserves provided in the credit underwriting report, (b) \$250,000, or (c) 10 percent of the allowable Developer fee reported in the credit underwriting report. If the Developer fee in the FCCAP is already equal to or less than the allowable Developer fee as determined with the incorporation of this additional Developer fee adjustment, then neither the Developer fee nor the Development's TDC is further reduced.

For example:

Assuming the Development in the example provided in 5.b. above provides an FCCAP with the Development's TDC exclusive of land costs and operating deficit reserves of \$225,000 higher than the Development's TDC exclusive of land costs and operating deficit reserves provided in the credit underwriting report, but the Developer fee is the same as provided in the credit underwriting report of \$2,102,661. The additional Developer fee adjustment will be the lesser of (a) \$225,000 (the new excess costs), (b) \$250,000 (the maximum dollar limit of this additional Developer fee adjustment), or (c) \$210,266 (10% of the allowable Developer fee reported in the credit underwriting report).

Since option (c) is the least amount of the three options, the allowable Developer fee and the Development's TDC will both be lowered by \$210,266. The allowable Developer fee will be \$1,892,395 (the allowable Developer fee reported in the credit underwriting report of \$2,102,661, less the adjustment of \$210,266, comprised of a 5% ODR portion of \$0 and a 16% portion of \$1,892,395). The Development's TDC exclusive of land costs and operating deficit reserves in the FCCAP would be adjusted to \$19,307,395 (\$19,292,661 from the credit underwriting report plus \$225,000 of new additional costs less \$210,266 for the reduction in allowable Developer fee).

As a note, if the Developer fee in the FCCAP is already at or below this allowable Developer fee, then there is no additional adjustment to be incorporated into the Developer fee. This also means

there are no corresponding costs savings to reduce the Development's TDC since all TDC cost reductions stemming from this process are coming from reducing the Developer fee. If the Developer fee in the FCCAP needs to be reduced to incorporate any adjustments provided above, then as the Developer fee is reduced, so is the Development's TDC in order to incorporate the reduced Developer fee cost.

\* These figures represent the applicable Developer fee percentage for the Development (16%) and one plus the applicable Developer fee percentage for the Development (1+16%).

## 6. HC Leveraging Classification:

Each eligible Application's HC Leveraging Classification will be determined as follows:

### a. Calculating the Set-Aside Units:

The total number of set-aside units for each Application will be computed by multiplying the total number of units within the proposed Development by the highest Total Set-Aside Percentage the Applicant committed to as stated in the last row of the set-aside breakdown chart in the Set-Aside Commitment section of the Application. Results that are not a whole number will be rounded up to the next whole number.

### b. A/B Leveraging Classification:

All eligible Applications will be classified as either Group A or Group B based on the amount of total Corporation funding per set-aside unit, as outlined below. For purposes of this provision, total Corporation funding per set-aside unit includes only the Applicant's Eligible Housing Credit Request Amount.

- (1) Eligible Housing Credit Request Amount - If the Development is not located in a HUD designated HCA, the Eligible Housing Credit Request Amount will be multiplied by 9.5. If the Development is located in a HUD designated HCA, the Eligible Housing Credit Request Amount will be multiplied by 9.5 and that product will be divided by 1.3.
- (2) In addition, for proposed Developments located in Broward County, the total Corporation funding amount will be multiplied by 0.85.
- (3) The total Corporation funding amount may be further adjusted as outlined below. NOTE: If a proposed Development meets all of the requirements of both (a) and (c), the total Corporation funding amount will be multiplied by 0.65. If a proposed Development meets all of the requirements of both (b) and (c), the total Corporation funding amount will be multiplied by 0.785. If a proposed Development meets all of the requirements of both (c) and (d), the total Corporation funding amount will be multiplied by 0.692 (the result of both multipliers applied).
  - (a) If the proposed Development meets all of the following requirements, the total Corporation funding amount will be multiplied by 0.65:
    - Applicant selected the High-Rise Development Type, and
    - Applicant selected the Development Category of New Construction.

or

(b) If the proposed Development meets all of the following requirements, the total Corporation funding amount will be multiplied by 0.785:

- Applicant selected the Mid-Rise with Elevator (a building comprised of 5 or 6 stories) Development Type and at least 90 percent of the total units are in these Mid-Rise building(s), and
- Applicant selected the Development Category of New Construction.

or

(c) If the proposed Development meets all of the following requirements, the total Corporation funding amount will be multiplied by 0.865:

- Applicant selected the Development Category of New Construction, and
- The proposed Development met the requirements to be considered concrete construction.

or

(d) If the proposed Development is located in the Florida Keys Area, the total Corporation funding amount will be multiplied by 0.80.

- c. All eligible Applications will be listed in ascending order beginning with the Application that has the lowest amount of total Corporation funding per set-aside unit and ending with the Application that has the highest amount of total Corporation funding per set-aside unit.

The total number of Applications will be multiplied by 80 percent and the resulting figure will be rounded up to the next whole number (the resulting figure after rounding will be referred to as the “A/B Cut-Off”). A line will be drawn below the Application whose place on the list is equal to the A/B Cut-Off. If any Application(s) below the line has the same total Corporation funding request per set-aside unit as the Application immediately above the line, the line will be moved to a place immediately below that Application(s). Applications above the A/B Cut-Off will be classified as Group A and Applications below the A/B Cut-Off will be classified as Group B.

## **7. Florida Job Creation Funding Preference:**

Each Application will be measured to determine whether it qualifies for the Florida Job Creation Funding Preference. To determine eligibility for the preference, the Corporation will calculate the Application’s Florida Job Creation score, which will reflect the number of Florida jobs per \$1 million of implied eligible Housing Credit equity and, if applicable, SAIL funding. For Applicants with new construction units, Applications must earn a Florida Job Creation score equal to or greater than 11 to qualify for the Florida Job Creation Funding Preference in Section Four B of the RFA. For Applicants with rehabilitation units, Applications must earn a Florida Job Creation score equal to or greater than 5.5 to qualify for the Florida Job Creation Funding Preference in Section Four B of the RFA.

Determination of the Florida Job Creation score will be based on the following information:

- The number of new construction and/or rehabilitation units committed to by the Applicant (as stated by the Applicant at question 5.e. of Exhibit A of the RFA);

- The applicable Florida job creation rate for the type of units:
  - Rate of 3.811 Florida Jobs per Unit for proposed new construction units;
  - Rate of 1.916 Florida Jobs per Unit for proposed rehabilitation units;
- The Eligible Housing Credit Request Amount; and
- The Eligible SAIL Request Amount.

The score for the Florida Rate of Job Creation per \$1 million of implied eligible Housing Credit equity and, if applicable, SAIL funding will be measured using one of the following calculations:

a. Developments consisting of only new construction units:

Number of new construction units x 3.811 Florida Jobs per Unit x 1,000,000 / (the Eligible Housing Credit Request Amount x 9.5 + the Eligible SAIL Request Amount) = Florida Jobs per \$1 million of implied eligible Housing Credit equity and SAIL funding.

For example:

Application A consists of 155 new construction units and has an Eligible Housing Credit Request Amount of \$2,100,000 and an Eligible SAIL Request Amount of \$1,500,000.

$$155 \times 3.811 \times 1,000,000 / (2,100,000 \times 9.5 + 1,500,000) = \text{Florida Job Creation score of } 27.54.$$

b. Developments consisting of only rehabilitation units:

Number of rehabilitation units x 1.916 Florida Jobs per Unit x 1,000,000 / (the Eligible Housing Credit Request Amount x 9.5 + the Eligible SAIL Request Amount) = Florida Jobs per \$1 million of implied Housing Credit equity and SAIL funding.

For example:

Application B consists of 155 rehabilitation units and has an Eligible Housing Credit Request Amount of \$1,060,000 and an Eligible SAIL Request Amount of \$750,000.

$$155 \times 1.916 \times 1,000,000 / (1,060,000 \times 9.5 + 750,000) = \text{Florida Job Creation score of } 27.45.$$

c. Developments consisting of both new construction units and rehabilitation units:

(Number of new construction units x 3.811 Florida Jobs per Unit + number of rehabilitation units x 1.916 Florida Jobs per Unit) x 1,000,000 / (the Eligible Housing Credit Request Amount x 9.5 + the Eligible SAIL Request Amount) = Florida Jobs per \$1 million of implied Housing Credit equity and SAIL funding.

For example:

Application C consists of 100 new construction units and 55 rehabilitation units and has an Eligible Housing Credit Request Amount of \$1,730,000 and an Eligible SAIL Request Amount of \$1,235,000.

$$[(100 \times 3.811) + (55 \times 1.916)] \times 1,000,000 / (1,730,000 \times 9.5 + 1,235,000) = \text{Florida Job Creation score of } 27.53.$$

To calculate the Florida Job Creation minimum score:

$$[(100 \times 11) + (55 \times 5.5)] / (100 + 55) = 9.04839$$

In above examples, all Applications will qualify for the Job Creation Funding Preference because each has a Florida Job Creation score that is at least the minimum required (11 for 7.a., 5.5 for 7.b., and 9.04839 for 7.c.)

**8. Fees:**

The Corporation and, if applicable, the Credit Underwriter shall collect via check or money order from the Applicant the following fees and charges in conjunction with this RFA. Failure to pay any fee shall cause the Housing Credit allocation and, if applicable, the SAIL funding awarded to be withdrawn as outlined in the Carryover Allocation Agreement and the credit underwriting and program requirements outlined in Rule Chapter 67-48, F.A.C.

a. Application Fee:

All Applicants requesting funding under this RFA shall submit to the Corporation as a part of the Application submission a non-refundable Application fee of \$3,000.

b. Credit Underwriting Fees:

The following fees are not the fees that will be charged, but are listed below for estimation purposes of completing your pro-forma in the Application. The actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and the Credit Underwriter(s) in effect at the time underwriting begins.

(1) Initial fee:

Programs	Primary Program Fee		Multiple Program Fee	Total
Housing Credits (HC) and SAIL	\$13,203 – SAIL	+	\$4,228 – HC	\$17,431
Housing Credits only	\$11,883 - HC		---	\$11,883

(2) Re-underwriting fee: \$173 per hour, not to exceed \$7,657

Any SAIL Development requiring further analysis by the Credit Underwriter pursuant to Rule Chapter 67-48, F.A.C., and this RFA will be subject to a fee based on an hourly rate determined pursuant to contract between the Corporation and the Credit Underwriter. All credit underwriting fees shall be paid by the Applicant prior to the performance of the analysis by the Credit Underwriter.

If a Housing Credit Development involves Scattered Sites of units within a single market area, a single credit underwriting fee shall be charged. Any Housing Credit Development requiring further analysis by the Credit Underwriter pursuant to Section 42(m)(2) of the IRC will be subject to an hourly fee of \$173.

(3) Extraordinary Services fee: \$173 per hour.

c. HC Administrative Fees:

With respect to the HC Program, each for-profit Applicant shall submit to the Corporation a non-refundable administrative fee in the amount of 9 percent of the annual Housing Credit Allocation amount stated in the Preliminary Allocation. The administrative fee shall be 5.5 percent of the stated annual Housing Credit Allocation for Non-Profit Applicants. The administrative fee must be received by the Corporation as stated in the Preliminary Allocation.

d. HC Compliance Monitoring Fees:

The following fees are not the fees that will be charged, but are listed below for estimation purposes of completing your pro-forma in the Application. The actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and the Compliance Monitor(s).

(1) HC Pre-Final Allocation Fee:

Pre-final allocation compliance monitoring fee comprised of a base fee of \$1,896 + an additional fee per set-aside unit of \$9.71, subject to a minimum of \$2,976, to be collected as stated in the Preliminary Housing Credit Allocation or Carryover Allocation Agreement.

(2) Annual Compliance Monitoring Fee –

HC - Primary Program Fee		If SAIL Funding is also Requested - Multiple Program Fee
The annual fee to be comprised of a base fee of \$161 per month + an additional fee per set-aside unit of \$9.87 per year, subject to a minimum of \$252 per month, and includes an automatic annual increase of 3 percent of the prior year's fee. Since fees for the full Housing Credit Extended Use Period will be collected at final allocation, the fee amount is discounted at a rate of 2 percent and based upon the payment stream from the Corporation to the monitoring agent.	+	\$899

(3) Follow-up Review/Extraordinary Services fee: \$173 per hour.

e. SAIL Commitment Fees:

With respect to the SAIL Program, each Applicant to which a firm commitment is granted shall submit to the Corporation a non-refundable commitment fee of 1 percent of the SAIL loan amount upon acceptance of the firm commitment.

(1) Non-Profit sponsors who provide a certification indicating that funds will not be available prior to closing shall be permitted to pay the commitment fee at closing.

(2) All Applicants shall remit the commitment fee payable to the Florida Housing Finance Corporation.

f. SAIL Loan Closing Extension Fees:

In the event the SAIL loan does not close within the timeframes prescribed, extension fees will be assessed.

The firm loan commitment(s) must be issued as set out in Rule Chapter 67-48.0072(21), F.A.C.

The loan(s) must close as set out in Rule Chapter 67-48.0072(26), F.A.C.

g. SAIL Loan Servicing Fees (for Applicants requesting Housing Credits and SAIL):

The following fees are not the fees that will be charged, but are listed below for estimation purposes of completing your pro-forma in the Application. The actual fees will be based on the current contract, including any addendum, for services between the Corporation and the Servicer(s).

(1) Construction Loan Servicing Fees:

The SAIL loan has a Construction Loan Servicing Fee to be paid as indicated. The following fees are listed for estimation purposes whereby the actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and Servicer(s).

- \$173 per hour for an in-house review of a draw request, up to a maximum of \$2,113 per draw.
- \$173 per hour for on-site inspection fees, up to a maximum of \$1,718 per draw.
- \$173 per hour for extraordinary services

(2) Permanent Loan Servicing Fees:

The SAIL loan has a Permanent Loan Servicing Fee to be paid annually. The following fee is listed for estimation purposes whereby the actual fees will be determined based on the current contract, including any addendum, for services between the Corporation and Servicer(s).

Annual fee of 25 bps on the unpaid principal balance of the loan or a minimum monthly fee of \$207 and a maximum monthly fee of \$823, and an hourly fee of \$173 for extraordinary services.

h. Construction Inspection Fees (for Applicants requesting Housing Credits only):

The following fees are not the fees that will be charged, but are listed below for estimation purposes of completing your pro-forma in the Application. The actual fees will be based on the current contract, including any addendum, for services between the Corporation and the Servicer(s).

On-site construction inspection - \$173 per hour, not to exceed \$1,718 per inspection.

i. Additional HC Fees:

- (1) If the Applicant requests permission to return its HC allocation and receive a new HC allocation and such request is approved, whether by the Executive Director in accordance with the QAP or as approved by the Board, the Applicant will be charged a nonrefundable processing fee of \$15,000 per request.



(2) HC Applicants shall be responsible for all processing fees related to the HC Program.

j. Additional SAIL Fees:

SAIL Applicants will be responsible for all fees associated with the Corporation's legal counsel related to the SAIL Program based on the current contract for services between the Corporation and the legal counsel.

k. Development Cost Pro Forma:

All fees set forth above with respect to the SAIL Program are part of Development Cost and can be included in the Development Cost Pro Forma and paid with loan proceeds.

l. Assumption/Renegotiation Fees:

For all loans where the Applicant is requesting a sale and/or transfer and assumption of the loan, the borrower or purchaser shall submit to the Corporation a non-refundable assumption fee of one-tenth of one percent of the loan amount.

For all loans where the Applicant is requesting a renegotiation of the loan, the borrower shall submit to the Corporation a non-refundable renegotiation fee of one-half of one percent of the loan amount.

For all loans where the Applicant is requesting an extension of the loan term, the borrower shall submit to the Corporation a non-refundable extension fee of one-tenth of one percent of the loan amount. If the extension is associated with a renegotiation of the loan, then only the renegotiation fee will be charged.

**9. Identity of Remaining Members of Development Team and Environmental Site Assessment:**

Within 21 Calendar Days of the date of the invitation to enter credit underwriting, the following information must be provided to the Corporation.

a. Identity of the Remaining Members of the Development Team:

For purposes of this provision, the Applicant must use the certification forms (Forms Rev. 01-14) which are available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: The use of any prior version of these forms will not be acceptable to meet this requirement.

- (1) Identify any inexperienced co-Developer(s) by providing the name, address, telephone and facsimile numbers, e-mail address, and the relationship of the co-Developer to the Applicant.
- (2) Identify the General Contractor by providing the completed and executed Florida Housing Finance Corporation General Contractor or Qualifying Agent of General Contractor Certification form.
- (3) Identify the Architect by providing the completed and executed Florida Housing Finance Corporation Architect Certification form.

- (4) Identify the Attorney by providing the completed and executed Florida Housing Finance Corporation Attorney Certification for Housing Credits form. If the Applicant requested SAIL funding in addition to the Housing Credits, the Florida Housing Finance Corporation Attorney Certification for MMRB, SAIL, HOME and/or Other Gap Loans form must also be provided.
- (5) Identify the Accountant by providing the completed and executed Florida Housing Finance Corporation certification of Accountant form.

b. Environmental Site Assessment:

The Applicant must provide to the Corporation the completed and executed Florida Housing Finance Corporation Verification of Environmental Safety Phase I Environmental Site Assessment form, and, if applicable, the completed and executed Florida Housing Finance Corporation Verification of environmental Safety Phase II Environmental Site Assessment form. Note: If a Phase II ESA is required, but has not been completed by the stated deadline, the Applicant must contact Corporation staff to request an extension for submission of the Phase II ESA form.

For purposes of this provision, the Applicant must use the Phase I and Phase II Environmental Assessment forms (Forms Rev. 11-14) which are available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)). Note: The use of any prior version of these forms will not be acceptable to meet this requirement.

**10. Additional Requirements:**

a. Progress Report - Form Q/M Report:

Each Competitive Housing Credit Development shall be required to complete and submit to the Corporation progress reports, pursuant to Rule 67-48.028, F.A.C., using Form Q/M Report, effective January 2007. The form is available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)).

b. Eligible Reserve for Replacement Items:

The replacement reserve funds required by subsection 67-48.0072(13), F.A.C., are not to be used by the Applicant for normal maintenance and repairs, but shall be used for structural building repairs, major building systems replacements and other items included on the Eligible Reserve for Replacement Items list, effective October 15, 2010. The list is available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/OtherInformation/> (also accessible by clicking [here](#)).

c. Final Cost Certification Application Package (Form FCCAP):

In accordance with Rule 67-48.023, F.A.C., the Final Cost Certification Application Package (Form FCCAP), Rev. August 2016, shall be used by an Applicant to itemize all expenses incurred in association with construction or Rehabilitation of a Housing Credit Development, including Developer's and General Contractor's fees as described in Rule 67-48.0072, F.A.C., and shall be submitted to the Corporation by the earlier of the following two (2) dates:

- (1) The date that is 75 Calendar Days after all the buildings in the Development have been placed in service, or
- (2) The date that is 30 Calendar Days before the end of the calendar year for which the Final Housing Credit Allocation is requested.

The Corporation may grant extensions for good cause upon written request.

The FCCAP shall be completed, executed and submitted to the Corporation in both hard copy format and electronic files of the Microsoft Excel spreadsheets for the HC Development Final Cost Certification (DFCC) and the General Contractor Cost Certification (GCCC) included in the form package, along with the executed Extended Use Agreement and appropriate recording fees, IRS Tax Information Authorization Form 8821 for all Financial Beneficiaries and natural person Principals disclosed on the Principals of the Applicant and Developer(s) disclosure Form, a copy of the syndication agreement disclosing the rate and all terms, the required certified public accountant opinion letter for both the DFCC and GCCC, an unqualified audit report prepared by an independent certified public accountant for both the DFCC and GCCC, photographs of the completed Development, the monitoring fee, and documentation of the placed-in-service date as specified in the Form FCCAP instructions. The Final Housing Credit Allocation will not be issued until such time as all required items are received and processed by the Corporation. Form FCCAP, Rev. August 2016, is available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/RelatedForms/> (also accessible by clicking [here](#)).

d. Financial Reporting Form SR-1:

- (1) For Applicants requesting Housing Credits only:

Pursuant to subsection 67-48.023(9), F.A.C., annually, within 151 Calendar Days following the Applicant's fiscal year end, the Applicant shall provide the Corporation with an audited financial statement and a fully completed and executed Financial Reporting Form SR-1, Rev. 05-14. The audited financial statement and a copy of the signed Form SR-1, with Parts 1, 2, and 5 completed, shall be submitted in both PDF format and in electronic form as a Microsoft Excel spreadsheet to the Corporation at the following web address: [financial.reporting@floridahousing.org](mailto:financial.reporting@floridahousing.org) .

- (2) For Applicants requesting both Housing Credits and SAIL:

Pursuant to paragraph 67-48.010(8)(a), F.A.C, by the date that is 151 Calendar Days after the Applicant's fiscal year end of each year of the SAIL loan term, the Applicant shall provide the Corporation's servicer with a certification detailing the information needed to determine the annual payment to be made. The Applicant shall complete and execute the annual reporting form, Financial Reporting Form SR-1, Rev. 05-14, and submit the form to the Corporation's servicer in both PDF format and in electronic form as a Microsoft Excel spreadsheet.

The Financial Reporting Form SR-1 is available on the Corporation's Website <http://www.floridahousing.org/PropertyOwnersAndManagers/Forms/> (also accessible by clicking [here](#)).

- e. Part IIIA, Sections 401 through 408 and 410, of Fannie Mae's Multifamily Selling and Servicing Guide:

The financial statements and information provided for review (pursuant to paragraph 67-48.0072(14)(b), F.A.C.) should be in satisfactory form (inclusive of the substitution of the Multifamily Underwriting Certificate referenced in Section 407 with a similar certification meeting the same criteria) and shall be reviewed in accordance with Part IIIA, Sections 401 through 408 and 410, of Fannie Mae's Multifamily Selling and Servicing Guide, in effect as of June 10, 2015, which is available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/OtherInformation/> (also accessible by clicking [here](#)).

When referring to the Multifamily Selling and Servicing Guide, any references to "Lender" means the "Corporation-assigned Credit Underwriter" and any references to "Fannie Mae" means "Florida Housing Finance Corporation."

- f. Florida Housing Finance Corporation (FHFC) Insurance Guide

Pursuant to subsection 67-48.010(13), F.A.C., the Corporation shall require adequate insurance to be maintained on the Development, as determined by the Corporation or the Corporation's servicer, sufficient to meet the standards established in the Florida Housing Finance Corporation (FHFC) Insurance Guide, as amended from time to time. The most recently published FHFC Insurance Guide is available on the Corporation's Website <http://www.floridahousing.org/PropertyOwnersAndManagers/InsuranceGuide/> (also accessible by clicking [here](#)).

- g. Federal Regulations

Pursuant to subsections 67-48.010(16) and 67-48.023(4), F.A.C., all Housing Credit and SAIL loans shall be in conformance with applicable federal and state statutes, including the Fair Housing Act as implemented by 24 CFR Part 100\*, Titles II and III of the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35\* All Housing Credit and SAIL Developments must comply with Section 504 of the Rehabilitation Act of 1973, as implemented by 24 CFR Part 8\* ("Section 504 and its related regulations") To the extent that a Development is not otherwise subject to Section 504 and its related regulations, the Development shall nevertheless comply with Section 504 and its related regulations as requirements of the Housing Credit and SAIL Programs to the same extent as if the Development were subject to Section 504 and its related regulations in all respects. To that end, for purposes of the Housing Credit and SAIL Programs, Housing Credit and SAIL funding shall be deemed "Federal financial assistance" within the meaning of that term as used in Section 504 and its related regulations for all Housing Credit and SAIL Developments.

\*These documents are available on the Corporation's Website <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2017-102/OtherInformation/> (also accessible by clicking [here](#)).

## **Exhibit D to RFA 2017-102 – Housing Credit and SAIL Financing to Provide Affordable Multifamily Rental Housing that is a Part of Local Revitalization Initiatives**

The Link to Permanent Housing Strategy (Link) enhances the ability of extremely low-income (ELI) households with special needs to access and retain affordable rental housing in their communities. The Corporation requires Developers to provide a specified percentage of a Development's ELI Set-Aside units for special needs households receiving community based supportive services who are referred by a designated supportive services agency in the community where the Development is located. All Link units must do the following:

### **I. Link Set-Aside Requirements**

With the exception of Developments financed with HUD Section 811 and Applicants that select the Elderly ALF Demographic Commitment at question 2.b.(1) of Exhibit A, for the entire Compliance Period as specified in both the regulatory agreement and as stated in the RFA, the Development shall set aside the required percentage of the ELI Set-Aside units as Link Units for Persons with a Disabling Condition. At least one member of each Link unit's household shall be referred by a Special Needs Household Referral Agency (Referral Agency) with which the owner executes a Link Memorandum of Understanding (MOU) approved by the Corporation.

### **II. Link Memorandum of Understanding (MOU)**

The Corporation has established and maintains a list of supportive service agencies or organizations serving each county, each of which is designated as a Referral Agency. The Referral Agency list is available on the Corporation's Website at <http://apps.floridahousing.org/StandAlone/SpecialNeeds/ContentPage.aspx?PAGE=Link%20Initiative%20Page> (also accessible by clicking [here](#)). These agencies are statewide, regional or local organizations that administer community-based supportive services to the populations served by Link.

The MOU is a formal agreement between the owner and a Referral Agency that specifies the intent of the Link Strategy and describes the roles and responsibilities of each party to the MOU. The MOU form to be executed shall be the version most recently provided on the Corporation's website at <http://apps.floridahousing.org/StandAlone/SpecialNeeds/ContentPage.aspx?PAGE=Link%20Initiative%20Page> (also accessible by clicking [here](#)).

- A. The owner shall execute an MOU with at least one designated Referral Agency serving the county and intended population where the Development will be located and rent units to households referred by the Referral Agency with which the MOU is executed.
- B. The deadline for receipt of the fully-executed MOU by the Corporation shall be established in the invitation to enter into credit underwriting, but shall be within nine (9) months from the date of the invitation to enter into credit underwriting but no later than the date the first building is placed in service. If the owner is unable to meet the deadline, an extension may be requested from the Corporation, and a non-refundable processing fee of \$5,000 shall be charged to the owner.
- C. Prior to execution of the MOU, but not later than 10 Calendar Days before the deadline by which the fully-executed MOU shall be received by the Corporation, the MOU form stipulated in the applicable RFA shall be completed and reviewed by the owner and Referral Agency, and then submitted by the owner to the Corporation for review and preliminary approval.

- D. The owner that has a Housing Assistance Payment Contract and/or an Annual Contributions Contract with HUD shall establish and obtain approval from HUD for an owner-adopted preference or limited preference specifically for individuals or families who are referred by a designated Referral Agency serving the county where the Development is located. HUD approval shall be demonstrated to the Corporation prior to the completion of the final credit underwriting report.
- E. Owners that have a Housing Assistance Payment Contract and/or an Annual Contributions Contract with HUD shall maintain a separate waiting list for referred applicants and prioritize these individuals for any available Link units. During and after lease-up, Referral Agency referrals must be moved in first, regardless of chronological order of the general waiting list, until all Link units are occupied with Referral Agency referrals.
- F. After review and preliminary approval of the MOU by the Corporation, and no later than the deadline established in the invitation to enter into credit underwriting, the owner shall provide one original fully-executed hard copy of the MOU to the Corporation. Once approved by the Corporation, the owner shall arrange for a copy of the approved MOU to be maintained on file at the site of the Development's records for compliance monitoring purposes.
- G. When the owner is noncompliant because no Referral Agency that serves the county where the Development is located is available to execute an MOU, the noncompliance shall be held in a correction period status until the earlier of (i) approval by the Corporation of an MOU executed with a new Referral Agency, or (ii) the passage of 45 Calendar Days following placement of a Referral Agency that serves the Development's county onto the Corporation's Referral Agency list.
- H. When a Referral Agency notifies the owner of its intent to terminate an MOU, the owner shall notify the Corporation of the MOU termination by email, at [Link@floridahousing.org](mailto:Link@floridahousing.org), within five (5) Calendar Days of receiving the notification from the Referral Agency. The owner shall then select another Referral Agency for the Development's county and obtain approval from the Corporation for the MOU executed with the new Referral Agency no later than 45 Calendar Days after receipt of notification from the prior Referral Agency of its intent to terminate the MOU.
- I. When an owner intends to terminate an MOU, the owner shall repeat the process outlined in all of the steps above to obtain approval from the Corporation for a new MOU executed with another Referral Agency before termination of the prior MOU may become effective.
- J. The Corporation may require the owner to terminate an MOU with a Referral Agency if that partnership is not effective in meeting the intent of the Link Set-Aside Requirement. The owner shall execute another MOU with a new Referral Agency before terminating the MOU. The owner shall follow the process outlined in all of the steps above to obtain approval from the Corporation.

### **III. Notification of the Availability of Units for Referral of Intended Link Households**

- A. The owner shall meet with the chosen Referral Agency to review the Link roles and responsibilities of each party, the household income limitation and other eligibility criteria for tenancy, household move-in expenses and on-going monthly rental payments. The meeting shall be held no less than 45 Calendar Days before the anticipated commencement of any activities

related to the leasing of any unit in the Development. The owner shall maintain documentation of the meeting with the Referral Agency and shall provide a copy for review by the Corporation upon its request.

- B. Leasing Activity (Lease-up and Pre-leasing): During leasing activities, the owner shall make all units available for the intended Link households referred by the Referral Agency, until the Development's Link Set-Aside Requirement has been met. If the Development has not met its Link Set-Aside Requirement by the passing of 30 Calendar Days after the last unit is actually available for occupancy, the owner may lease the units to any eligible household. To the extent that an ELI-unit requirement coincides with a Link Set-Aside Requirement, for a period not to exceed nine (9) months, a failure to meet the ELI-unit requirement shall not cause noncompliance during the lease-up or 30 Calendar Day hold period.
- C. Once the Development's leasing activity is completed, a vacant unit formerly occupied by a Link household shall be held open for intended households referred by the Referral Agency for a period of 30 Calendar Days starting from the date the vacated unit is suitable for occupancy and ready to lease. The owner shall notify the Referral Agency that a unit is available on or before the date that the vacated unit becomes suitable for occupancy and ready to lease, but no more than 30 Calendar Days before the unit is anticipated to be ready to lease. The vacated unit shall retain the Link classification until next occupied, at which time the classification of the new household shall be applied to the unit.
- D. When the Development is an Acquisition/Rehabilitation Development that is occupied at the earlier of the site acquisition or the date of the Carryover Allocation Agreement, all units (at any AMI set-aside level) that become available and are suitable for occupancy and ready to lease shall be prioritized for intended households referred by the Referral Agency until the Link requirement has been met.
- E. Communication between the owner and the Referral Agency's designated contact person related to activities in this section shall be conducted via email. Activities that must be conducted by email are as follows:
  - 1. Requests to develop MOU with Referral Agency;
  - 2. Draft reviews of MOUs between the parties;
  - 3. Final version of executed MOU;
  - 4. Current contact information for the contact staff designated by the owner and Referral Agency and listed in the MOU;
  - 5. Notifications of unit availability;
  - 6. Number of Calendar Days unit will be held open for referrals;
  - 7. Information about rental policies and eligibility criteria;
  - 8. Outcome of referrals;

9. Notifications of issues or concerns that may adversely affect the tenancy of the household;  
and
  10. Requests for termination of MOU.
- F. The owner shall maintain a Link communication tracking log that documents: (i) the unit number of each offered unit; (ii) the date each unit was suitable for occupancy; (iii) the date of the email notice to the Referral Agency that each unit was available for rent to a Link household, including the dates of required follow up; (iv) date of response from Referral Agency, (v) Referral Agency response, (vi) outcome of referral, and (vii) number of days the unit was held open.
  - G. If an owner notifies a Referral Agency that a unit is available and the Referral Agency does not respond, the owner shall contact the Referral Agency at least three (3) times, at intervals of no less than seven (7) Calendar Days, during the 30-day period after the initial notice of unit availability was sent to the Referral Agency. The owner shall document all notification activity on its Link communication tracking log.
  - H. The owner shall notify the Referral Agency regarding the outcome of each referral within one (1) business day after a determination is made regarding the household's eligibility to occupy the available unit.
  - I. If a referral does not result in occupancy by the referred household, the 30-day holding period shall continue to allow the Referral Agency the opportunity to refer another household. The owner shall follow up with the Referral Agency at intervals of no less than seven (7) Calendar Days during the remainder of the 30-day holding period. The owner shall document all notification activity on its Link communication tracking log.

#### **IV. Link Compliance Monitoring Documentation**

- A. The owner shall cause the following documentation to be maintained on file for compliance monitoring purposes. Such documents shall be made available for inspection by Corporation personnel or its monitoring agents at any reasonable time. The owner shall provide copies of such documents, either electronic or paper, to the Corporation within three (3) business days of any request by the Corporation for such copies.
  1. A copy of all active MOUs approved by the Corporation;
  2. A copy of all terminated MOUs. Terminated MOUs shall be retained for seven (7) years beyond the period of tenancy for any household referred under the particular MOU;
  3. A copy of any current correction period extensions granted by the Corporation; and
  4. Email communication with the Referral Agency demonstrating timely notification regarding the availability of units for the intended Link household, outcome of each referral, and, when an available unit was not rented to a Link household, the number of days the available unit was held open for intended Link household.



- B. The monthly Program Report submitted to the Corporation by the Development shall reflect the number of Link households residing in an ELI Set-Aside unit