

**From:** maxtwosocks [mailto:maxtwosocks@bellsouth.net]

**Sent:** Wednesday, November 12, 2014 9:15 PM

**To:** Ken Reecy; Gayle White; Elaine Roberts; Paola Roman; sberman@carrfour.org

**Subject:** Fw: Fwd: Today's Discussion

Dear Mr. Reecy;

I wanted to make a public comment regarding the attached email I received from Ms. Gayle White regarding the most recent ruling as it pertains to the "**Ability to Proceed**". Prior to this most recent email we were of the opinion that applicants had up to 21 days from the time of invitation to demonstrate the ability to proceed. As I understand it, historically, this time was permitted because it gave applicants the necessary time in the run up to submitting their applications to insure that they could secure all the necessary approvals for infrastructure; this included roads, sewer, water, power, zoning etc.. While I certainly appreciate FHFC's desire to have capable applicants to choose from that have the ability to proceed, changing this guideline at this late date in the process just prior to the release of the final version of the RFA creates an undue burden on applicants who are diligently working toward meeting these criteria. Our House in Dania in conjunction with Carrfour have submitted a rezoning application to the City of Dania Beach for a portion of the property that is being used for development so it will have greater development potential. We have been told by the planning department that the request is well within the development guidelines for the City of Dania Beach's overall development plans and it is possible that it could be approved by early February to meet the application deadline. However, if further reviews become necessary the extra time under the previous timeline for **Ability to Proceed** which calls for 21 days from time of invitation to underwriting would be needed in order to complete the rezoning process.

***We respectfully request that you reconsider this recent departure from your previous ruling and allow for applicants to have 21 days from the time of invitation to underwriting to demonstrate their ability to proceed. Thank you in advance for your time and consideration.***

***Sincerely yours;***

***David Optekar, L.C.S.W.***

***Pres.***

***Our House in Dania Inc.***

On Wednesday, November 12, 2014 10:21 AM, Gayle White <[Gayle.White@floridahousing.org](mailto:Gayle.White@floridahousing.org)> wrote:

Mr. Optekar,

At the time I responded to your inquiry, the ability to proceed items in the draft Geographic LIHTC RFAs were not required to be in place until 21 days after the Applicant was invited to enter credit underwriting. However, as part of the Corporations overall efforts to encourage the submission of quality Applications that are ready to proceed, the Corporation has decided to require that the following ability to proceed elements be demonstrated as of Application Deadline as had been done in the past: status of site plan approval, evidence that the site is properly zoned, and that electricity, water, sewer, and roads are available. The Applicant will continue to have until 21 days after the invitation to enter credit underwriting to demonstrate the required environmental site assessment (Phase I, and if applicable Phase II).



**Gayle White** | Multifamily Programs

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*Florida has a broad and inclusive public records law. This e-mail and any responses to it should be considered a matter of public record.*

**From:** maxtwosocks [<mailto:maxtwosocks@bellsouth.net>]

**Sent:** Monday, November 10, 2014 8:37 PM

**To:** Gayle White

**Cc:** Paola Roman; [sberman@carrfour.org](mailto:sberman@carrfour.org); Ken Reecy; Elaine Roberts

**Subject:** Fw: Fwd: Today's Discussion

Hello Gayle,

I was wondering if you could clarify a question for me. When we last asked about about ability to proceed you indicated that everything did not have to be in place until 21 days after invitation to underwriting. Today I was informed that now all aspects of ability to proceed need to be in place at the time of application.

I would like to advocate for the first interpretation in which an applicant would have until 21 days after being invited into underwriting to have in place all necessary aspects to proceed. Can you please clarify this for me and share my comments with Gayle.

Sincerely,  
David Optekar,  
Our House in Dania, Inc.