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Sent: Wednesday, July 14, 2021 10:40 AM
To: Marisa Button <Marisa.Button@floridahousing.org>
Subject: Public Comment regarding RFA 2021-201 and 2021-202

Re: Local Government Contribution (“LGC”) forms and other Local Government Area of Opportunity Goal (“LGAO”) comments.

Please consider the following:

1. **Recommendation:** Change the LGC forms to:

- a. Have an execution date, like the verification of availability forms.
Current situation: LGC forms (Rev. 07-2019) do not include a line to require an execution date. Therefore, there is no existing mechanism whereby FHFC can be certain that the municipality committed such funds for the current RFA cycle/year or that such commitment does not expire by June of 2022.
- b. Include language on the LGC form whereby the municipality acknowledges that:
 - i. Such commitment is valid for 1 year from execution by the municipality;
 - ii. If Applicant receives and accepts an invitation to credit underwriting from FHFC within 1 year from the date on the executed LGC form, the LGC commitment becomes binding to the Municipality; and
 - iii. If the Applicant does not receive and accept an invitation to credit underwriting from FHFC within that 1-year period, such form shall expire for the purpose of future FHFC applications.

Current situation: the only time periods referenced in the RFA (not on the actual LGC form) is for the LGC to be effective by a certain date (June 30, 2022 in the two referenced RFAs), but there is no existing mechanism in place for FHFC to make sure that the municipality committing such funds is aware of the requirement and the implications of that time restriction. Moreover, the RFA nor the LGC form are very clear as to what needs to happen by June 30, 2022 for the commitment to become binding.

- c. Have a clear selection whereby the municipality acknowledges whether such LGC form is being executed for the development to be considered their selected LGAO application in the upcoming cycle.

Current situation: municipalities still get mixed-up on the difference between the minimum LGC and the LGAO preference requirements, potentially resulting in the issuance of more than one LGC form for the LGAO preference, especially in instances where funds are being combined from City and County funds to support one application and achieve the threshold.

2. **Recommendation:** If FHFC considers revising the LGC form, maintaining the forms as non-RFA-specific does provide a benefit to the development. Some developments can be feasible as 9% LIHTC or 4% LIHTC/Bond with SAIL or other gap funding, in which cases such contributions remain a valuable source regardless of the type of financing obtained from FHFC.
Current situation: LGC forms do not refer to specific RFAs, which should not change.

3. **Recommendation:** Change the repeat LGAO preference requirements to add a new requirement that an application qualifying for the LGAO application that was previously submitted in 2020 or 2021 had to have been deemed eligible after Final Order of that respective prior RFA.
Current situation: The lack of an eligibility requirement in the 2021 RFA can reward an application that was originally deemed ineligible, creating an unfair advantage. This is same concept as the requirement for the prior LGAO 2020-2021 app to have been submitted as a Priority I app.

Thank you for the opportunity and consideration of these comments.

Respectfully,

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