

**Universal Application Instructions**  
**Multifamily Mortgage Revenue Bonds (MMRB) Program**  
**State Apartment Incentive Loan (SAIL) Program**  
**HOME Investment Partnerships (HOME) Rental Program**  
**Housing Credit (HC) Program**

Applicants are encouraged to review Rule Chapters 67-21 and/or 67-48, F.A.C., and the following Instructions before completing and submitting the Universal Application. Unless otherwise provided in these Instructions and the Application, capitalized terms are as defined in the rule chapters. Program requirements do not necessarily meet all non-Corporation funding or allocation requirements. Applicants are responsible for ensuring that their developments meet all applicable laws and regulations.

**GENERAL INSTRUCTIONS**

The following instructions must be followed by Applicants in preparing, assembling, and submitting the Application:

Applications may be submitted online at [www.floridahousing.org](http://www.floridahousing.org). Regardless of whether an Applicant chooses to submit an Application online, all Applicants must submit:

- one printed version of the completed Application, including applicable exhibits and the Applicant Certification and Acknowledgement exhibit with an original signature. The Applicant must label this printed version of the Application as the “Original Hard Copy”;
- Three photocopies of the “Original Hard Copy”;
- MMRB Applicants that anticipate participating in HUD Risk Sharing must submit one additional photocopy of the “Original Hard Copy”.

The Applicant must ensure that the online Application (if applicable), the “Original Hard Copy” and the photocopies of the Application are all identical. The Corporation will first consider the Application submitted online (if applicable). If for any reason all or part of the information in the online Application is inaccessible, the Corporation will consider the “Original Hard Copy” of the Application. The Corporation will only consider the exhibits submitted as part of the “Original Hard Copy”. Notwithstanding the foregoing, if the Corporation determines that issues substantially and adversely impact the actual or perceived efficiency, reliability, or accuracy of the online Application process, then the Corporation will consider only the “Original Hard Copy” of an Application, of a group of Applications, or of all Applications.

The Corporation will reject any competitive Application submittal and no action will be taken to score the Application if:

- the “Original Hard Copy” of the Application fails to contain the Applicant Certification and Acknowledgement exhibit with an original signature and all other applicable exhibits; or

- less than one “Original Hard Copy” and three photocopies of the completed Application, including applicable exhibits, are submitted; or
- the Application fee and (for MMRB Applications) the TEFRA fee is not Received by the Application Deadline.

The Application labeled “Original Hard Copy” and the photocopies must be bound in separate three-ring binders with a clear plastic front pocket with numbered index tabs for each exhibit. Open plastic sleeve tabs will NOT be acceptable. It is important that each Application be legible and in proper order to ensure accurate scoring by the Corporation. Each page and applicable exhibit of the Application must be accurately completed, and Applicants must provide all requested information. Failure to provide the requested information and documentation shall result in failure to meet threshold for threshold items and/or failure to achieve maximum points for point items.

Applications with Local Government-issued Tax-Exempt Bond financing applying for non-competitive HC: Submit one original Application labeled “Original Hard Copy” and only one photocopy of the “Original Hard Copy” containing all completed information in the Application using the Corporation’s online Application.

Applications must be received by the Corporation and clocked in by 5:00 p.m., Eastern Time, on the Application Deadline. No Applications will be Received at the Corporation’s offices via facsimile or other electronic transmissions, except for on-line submission. The Application fee, plus the TEFRA fee for MMRB Applications, must be paid by check or money order, payable to Florida Housing Finance Corporation and submitted with the completed “Original Hard Copy” of the Application.

Do not retype, scan, image, or alter any page or exhibit in the Application Package. This will cause the Application to be rejected. Additional information that is placed on the face of a page or exhibit that does not obscure the printed words is NOT considered an alteration of the page or exhibit. However, the additional information cannot change the meaning or intent of the page or exhibit. Additional information should be presented in an asterisk or footnote format or presented as an explanatory addendum to the page or exhibit.

All information contained in an Application is subject to independent review, analysis and verification by the Corporation or its agents.

**IMPORTANT:** Periodically throughout the Application, scoring and appeals process, all Applicants should check the Corporation’s Website for updated information concerning the Universal Application cycle. The Website address is [www.floridahousing.org](http://www.floridahousing.org).

## **SPECIFIC INSTRUCTIONS**

### **Part I. Applicant Certification and Acknowledgement**

Applicant must provide behind a tab labeled “**Exhibit 1**” a properly executed Applicant

Certification and Acknowledgement Form. Applications without original signatures on the Application Certification and Acknowledgement Form contained in the Application labeled “Original Hard Copy” will fail to meet threshold and will be rejected automatically. Signatures in blue ink are preferred.

## **Part II. Applicant and Development Team**

### **A. Applicant**

1. Select the program(s) applied for in this Application.

In accordance with Rule Chapters 67-21 and 67-48, F.A.C., only one Application may be submitted for each subject property.

The Application may be submitted for only ONE of the following:

- Corporation-issued MMRB and non-competitive HC
- Corporation-issued MMRB, SAIL and non-competitive HC
- SAIL and Competitive HC only if the Applicant selected and qualified for (i) the Farmworker/Commercial Fishing Worker Demographic at Part III.D. of the Application, (ii) the Florida Keys Area Designation at Part V.A. of the Application, (iii) the Homeless Designation at Part V.A. of the Application and has requested a SAIL amount equal to at least 10% of the Development’s Total Development Cost, or (iv) the proposed Development will be located in a county with an area median income (AMI) of \$43,200 or less \*
- Competitive HC only
- SAIL only
- HOME only
- non-competitive HC with Local Government-issued Tax-Exempt Bonds

\* The Corporation deems that only the following counties have an AMI of \$43,200 or less: Calhoun, Citrus, Columbia, DeSoto, Dixie, Franklin, Gilchrist, Glades, Gulf, Hamilton, Hardee, Hendry, Holmes, Jackson, Lafayette, Levy, Liberty, Madison, Marion, Okeechobee, Putnam, Suwannee, Taylor, Union and Washington.

For purposes of the Universal Application Cycle, Corporation-issued HOME funding cannot be combined with any other Corporation financing or allocation from a current or previous funding cycle, excluding PLP funds. For purposes of these instructions, Local Government-issued Tax-Exempt Bonds will be deemed to be Corporation funds.

A proposed Development that was successful in receiving SAIL funding for the first time in the 2005 Universal Cycle may receive additional SAIL funding for

the same Development, as outlined in the End-of-the-Line SAIL section of the 2006 Universal Application Instructions. End-of-the-Line SAIL funding requests submitted without the applicable fee will not be considered.

SAIL Applicants that have Local Government-issued Tax-Exempt Bonds as a funding source and wish to obtain non-competitive HC must submit a separate Application for the non-competitive HC. The separate Application must be submitted in accordance with the Qualified Allocation Plan and is not subject to the Application Deadline, but is subject to the Application requirements of paragraph 67-48.027(2)(m), F.A.C.

2. Enter requested information for Applicant.

If the Federal Employer Identification Number has not yet been obtained, provide a copy of the completed, submitted application for that number behind a tab labeled “**Exhibit 2**”.

a. Applicant must be a legally formed entity [i.e., limited partnership, corporation, limited liability company, etc.] qualified to do business in the state of Florida as of the Application Deadline. Except for public housing authorities, Applicant must include behind a tab labeled “**Exhibit 3**” a copy of the valid Certificate of Good Standing from the Florida Secretary of State and a copy of the documentation that created the Applicant (such as the partnership or joint venture agreement, or Certificate of Limited Partnership and the Affidavit of Initial Capital Contribution). If a general partnership or joint venture, provide a sworn statement under penalty of perjury that the agreement is a true and correct copy of the documentation that created the Applicant.

(1) If applying for HC, the Applicant must be a limited partnership (including a limited liability limited partnership) or a limited liability company. The Applicant entity shall be the recipient of the Housing Credits and cannot be changed until after a Final Housing Credit Allocation has been issued. Replacement of the Applicant or a material change (33.3% or more of the Applicant, a General Partner of the Applicant, or a member of the Applicant) in the ownership structure of the named Applicant prior to this time shall result in disqualification from receiving an allocation and shall be deemed a material misrepresentation. Changes to the limited partner of a limited partnership will not result in disqualification.

(2) If applying for MMRB, SAIL or HOME, the Applicant entity shall be the borrowing entity and cannot be changed until after loan closing. Replacement of the Applicant or a material change (33.3% or more of the Applicant, a General Partner of the Applicant, or a member of the Applicant) in the ownership

structure of the named Applicant prior to this time shall result in disqualification from receiving funding and shall be deemed a material misrepresentation. Changes after loan closing require Board approval.

- b. If the Applicant applies as a Non-Profit entity it must remain a Non-Profit entity. The Non-Profit entity understands and acknowledges 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 and the Housing Credit Extended Use Period. If the Applicant is applying as a Non-Profit entity, failure to include the attorney opinion letter behind a tab labeled **"Exhibit 4"** and the IRS determination letter behind a tab labeled **"Exhibit 5"** will result in disqualification as a Non-Profit entity and rejection of the Application.

If the Applicant applies as a Non-Profit entity, describe the role of the Non-Profit entity in the Development and how the Non-Profit entity is substantially and materially participating in the management and operation of the Development. In the event the percentage distribution of Developer's fee and/or annual net profits to the Non-Profit entity is/are different from the ownership percentage, provide an explanation for such difference and how the Non-Profit entity is substantially and materially participating in the management and operation of the Development. Provide the description/explanation of the role of the Non-Profit entity behind a tab labeled **"Exhibit 6"**. Provide the names and addresses of the governing board of the Non-Profit entity behind a tab labeled **"Exhibit 7"**. Provide the articles of incorporation demonstrating that one of the purposes of the Non-Profit entity is to foster low income housing behind a tab labeled **"Exhibit 8"**.

If the Applicant is applying as a 100% Non-Profit as defined in Paragraph B.5.d. of the Ranking and Selection Criteria section of the Universal Application Instructions and consists of more than one non-profit entity, it must provide the information requested for Exhibits 4 through 8 for the non-profit entity that has at least a 51% ownership interest in the general partner or, if applicable, the managing member, and for the remaining non-profit entity or entities it must provide the information requested for Exhibits 4, 5, and 8. The information should be supplied behind its applicable Exhibit tab. Failure to provide the required information will disqualify the Non-Profit Applicant from being considered a 100% Non-Profit.

3. General and Limited Partner(s), Officers, Directors and Shareholders for the Applicant and each Developer.

- a. For a Limited Partnership, provide a list, as of Application Deadline, of the following: the limited partner(s), and the officers, directors, members and shareholders of the general partner(s), including, for the Applicant only, the percentage of ownership interest for each. Provide this information behind a tab labeled **“Exhibit 9”**. This list must include warrant holders and/or option holders of the proposed Development.
  - b. For a Limited Liability Company, provide a list, as of Application Deadline, of the following: the member(s), and the officers, directors, members and shareholders of majority-in-interest or elected managing member(s), including, for the Applicant only, the percentage of ownership interest for each. Provide this information behind a tab labeled **“Exhibit 9”**. This list must include warrant holders and/or option holders of the proposed Development.
  - c. For all other entities, provide a list, as of Application Deadline, of the following: the officers and directors, including, for the Applicant only, the percentage of ownership interest for each. Provide this information behind a tab labeled **“Exhibit 9”**.
4. Enter requested information for Contact Person.
  5. If applying for HOME, in order to be eligible to apply under the HOME Community Housing Development Organization (CHDO) set-aside, provide behind a tab labeled **"Exhibit 10"**, a letter from the Florida Housing Finance Corporation HOME Program, dated not prior to 12 months preceding the Application Deadline, which designates the Applicant as a CHDO. The service area of the CHDO must include the area in which the proposed Development site is to be located. If the Applicant wishes to apply as a CHDO, but has not yet been so designated, it may apply for CHDO status by providing a properly completed FHFC CHDO checklist along with all appropriate exhibits behind a tab labeled **“Exhibit 10”**. The CHDO checklist is incorporated by reference and available on the Corporation’s Website. All required information for designation of the Applicant as a CHDO must be provided not later than the deadline provided for submission of additional documentation, revised pages, and other such information the Applicant deems appropriate as provided in Rule 67-48.004, F.A.C.

If the Applicant applies as a CHDO but does not provide the appropriate documentation evidencing its status as a CHDO in accordance with HUD requirements and this Application, the subject Application will not qualify to compete in the CHDO set-aside but may compete with other non-CHDO Applications.

**B. Development Team**

The past performance record of the development team, which consists of Developer, Management Agent, General Contractor, Architect/Engineer, Attorney, Accountant, and,

if the proposed Development is an Assisted Living Facility (ALF), the Service Provider, e.g., failure to place-in-service a development or project which received a Housing Credit Allocation; failure to comply with previously executed loan documents; failure to comply with program rules; failure to comply with Section 42; and/or failure to comply with a Land Use Restriction Agreement or an Extended Use Agreement, will be verified during credit underwriting. Development teams with an unsatisfactory past performance record may receive a negative recommendation from the Credit Underwriter.

1. Developer or principal of Developer (Threshold)

The identity of the Developer(s) listed in this Application may not change until the construction or Rehabilitation/Substantial Rehabilitation of the Development is complete, unless approved by the Board.

- a. Provide name of each Developer, including all co-Developers.
- b. Certification - Provide a completed Developer or Principal of Developer Certification Form behind a tab labeled **“Exhibit 11”** for each Developer with experience. Also behind a tab labeled **“Exhibit 11”**, provide the name, Address, telephone and facsimile numbers, e-mail address, if available, and the relationship of the co-Developer to the Applicant for any co-Developer that does not have the required experience.
- c. Prior Experience Chart – Each experienced Developer or principal of Developer must demonstrate experience in the completion; i.e., the certificate of occupancy has been issued for at least one building, of at least two affordable rental housing developments, at least one of which consists of a total number of units no less than 50 percent of the total number of units in the proposed Development, by providing a prior experience chart behind a tab labeled **“Exhibit 11”**. If providing experience acquired from a previous affordable housing Developer entity, the person signing the Developer or Principal of Developer Certification Form must have been a principal, officer, director, or Financial Beneficiary of that Developer entity. The Developer experience chart must include the following information:

Name of Developer or principal of Developer: _____			
Name of Development	Location (City & State)	Affordable Housing Program that Provided Financing	Total Number of Units

2. Management Agent or principal of Management Agent (Threshold)

- a. Certification - Provide the completed Management Agent or Principal of Management Agent Certification Form behind a tab labeled **“Exhibit 12”**.
- b. Prior Experience Chart – The Management Agent or principal of Management Agent must demonstrate experience in the management of at least two affordable rental housing properties, at least one 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 years each

by providing a prior experience chart behind a tab labeled **“Exhibit 12”**. The chart must include the following information:

Name of Management Agent or principal of Management Agent: _____				
Name of Development	Location (City & State)	Currently Managing or Formerly Managed	Length of Time (Years and Months)	Total Number of Units

3. General Contractor or qualifying agent of General Contractor (Threshold)

- a. Provide the completed General Contractor or Qualifying Agent of General Contractor Certification Form behind a tab labeled **“Exhibit 13”**.
- b. Prior Experience Chart – The General Contractor or qualifying agent of General Contractor must demonstrate experience in the construction of at least two completed housing developments of similar development category and development type, at least one of which consists of a total number of units no less than 50 percent of the total number of units in the proposed Development, by providing a prior experience chart behind a tab labeled **“Exhibit 13”**. The chart must include the following information:

Name of General Contractor or qualifying agent of General Contractor: _____				
Name of Development	Location (City & State)	Development Category (New Construction or Rehabilitation/ Substantial Rehabilitation)	Development Type: garden, townhouses, high-rise, duplex/quad., mid-rise w/elevator, single family, SRO, or other (specify type)	Total Number of Units

4. Architect or Engineer (Threshold)

Provide the completed Architect or Engineer Certification Form behind a tab labeled **“Exhibit 14”**.

5. Attorney (Threshold)

Provide the completed Attorney Certification Form for MMRB, HOME or SAIL behind a tab labeled **“Exhibit 15”** and/or the completed Attorney Certification Form for HC behind a tab labeled **“Exhibit 16”**.

6. Accountant (Threshold)

Provide the completed Accountant Certification Form behind a tab labeled **“Exhibit 17”**.

7. Service Provider or principal of Service Provider (Threshold for Assisted Living Facility Developments; not required for non-Assisted Living Facility Developments)

- a. Certification - Provide the completed Service Provider or Principal of Service Provider Certification Form behind a tab labeled **“Exhibit 18”**. The Service Provider must be the entity which provides all services related to personal care, meals, health, social, leisure and other special services available to the residents.



- b. Prior Experience Chart – The Service Provider or principal of Service Provider must demonstrate experience in the provision of at least two Assisted Living Facilities, at least one 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 years each by providing a prior experience chart behind a tab labeled **“Exhibit 18”**. The chart must include the following information:

Name of Service Provider or principal of Service Provider: _____			
Name of Development	Location (City & State)	Length of Time (Years and Months)	Total Number of Units

8. Guarantor(s) Information (Threshold for MMRB Applications; not required for HOME, SAIL or HC Applications)

Provide a chart behind a tab labeled **“Exhibit 19”** that includes the following information for all proposed guarantors:

Name of Guarantor	Complete Mailing Address	Telephone Number (including area code)	Fax Number (including area code)
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### Part III. Development

#### A. General Development Information

1. Provide the name of the Development.
2.
  - a. Provide the Address of the Development Site.
  - b. If the Development will consist of Scattered Sites, for each of the sites, provide the Address, total number of units, and a latitude and longitude coordinate, determined in degrees, minutes and seconds truncated after one decimal place, located anywhere on the site. For the site where the Tie-Breaker Measurement Point is located, only provide the Address and total number of units. This information should be provided behind a tab labeled **Exhibit 20”**.

SAIL, MMRB & HC Applications – To be eligible to apply as a Development with Scattered Sites, a part of the boundary of each parcel must be located within 1/2 mile of the Tie-Breaker Measurement Point.

- c. If the location of the proposed Development is in an urban in-fill area, in order for it to qualify as an Urban In-Fill Development for purposes of this Application, the Applicant must provide the properly completed and executed Local Government Verification of Qualification as Urban In-Fill Development form behind a tab labeled **“Exhibit 21”**.

- d. Indicate the county in which the proposed Development will be located.

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

A county designated with “(E)” is a HOME entitlement area.

\* See Part III.A.2.d.(2) below

- (1) Indicate whether the proposed Development is located in the Florida Keys Area.
- (2) HOME Applicants: Indicate whether the proposed Development is located in Leon County or Alachua County. If “Yes”, complete the applicable questions and provide, behind a tab labeled **"Exhibit 22"**, a letter from the applicable county's Director of Planning or Zoning or the chief appointed official or staff responsible for determination of planning or zoning issues verifying that the Development site is outside of the incorporated boundaries of the applicable city. If the appropriate letter is not provided, the proposed Development will be deemed to be located in an entitlement area.
- e. Provide the requested information relative to the local jurisdiction of the proposed Development.
- f. If applying for HC, Applicant must complete questions (1) through (4). If not applying for HC, Applicant may skip questions (1) through (4).
- (1) The following pertains to the Universal Application process only. The United States Department of Housing and Urban Development provides regulatory guidance on the effective date of DDA/QCT

lists for the purpose of determining whether a Development qualifies for an increase in eligible basis in accordance with Section 42(d)(5)(C), IRC.

- (a) In order to be classified as a Development located in a Difficult Development Area (DDA) for purposes of the current Funding Cycle, the proposed Development must be located in a DDA as determined by the United States Department of Housing and Urban Development (HUD) as of the Application Deadline or the date that signifies the end of the cure period outlined in Rule 67-48.004, F.A.C.
- (b) In order to be classified as a Development located in a Qualified Census Tract (QCT) for purposes of the current Funding Cycle, the proposed Development must be located in one of the QCTs based on the current census, as determined by the United States Department of Housing and Urban Development (HUD) as of the Application Deadline or the date that signifies the end of the cure period outlined in Rule 67-48.004, F.A.C. If applicable, provide a copy of a letter from the local planning office or census bureau verifying the Development's location in the referenced QCT behind a tab labeled "**Exhibit 23**".
- (c) Applicants requesting non-competitive HC only that answered "Yes" to question (a) above must submit a letter from the Development's bond-issuing agency certifying the date the bond application was deemed complete. A "complete application" means that no more than de minimis clarification of the application is required for the agency to make a decision about the issuance of bonds requested in the application. In addition, the certification letter must state the date the bonds were issued.

(2) – (4) The responses to these questions must be in accordance with Section 42, IRC, as amended.

3. Development Category -

- a. Applicants must select one Development Category:

If funding is received from more than one Corporation program, the Applicant will be required to comply with the most restrictive program requirements. If the proposed Development consists of acquisition and Rehabilitation/Substantial Rehabilitation, but in this Application the Applicant is only requesting Corporation funding for the

Rehabilitation/Substantial Rehabilitation work, the Applicant should select Rehabilitation/Substantial Rehabilitation as the Development Category. However, the acquisition costs and sources must still be reflected on the Development Cost pro forma.

- b. Indicate whether each residential building will consist of 5 or more dwelling units.
4. Applicants must select the one Development Type that best describes the proposed Development. For mixed-type Developments, indicate the type that will comprise 50% or more of the units in the Development. Applications requesting funding from MMRB, SAIL or MMRB and SAIL must be for a proposed Development consisting of 5 or more dwelling units in each residential building.
    - Garden Apartments
    - Townhouses
    - High Rise (a building comprised of 7 or more stories)
    - Single Family Rental
    - Duplexes / Quadraplexes
    - Mid-Rise with Elevator (a building comprised of 4 stories)
    - Mid-Rise with Elevator (a building comprised of 5 or 6 stories)
    - Single Room Occupancy (SRO)
    - Other – Specify the type in the addenda
  5. State the number of buildings with dwelling units.
  6. State the total number of units in the proposed Development. Note: Corporation-issued MMRB Developments with a Development Category of “new construction” may not exceed 400 total units and HOME Developments with a Development Category of “new construction” may not exceed 100 total units.
  7. Complete the Unit Mix chart. All units in the Development must be listed, including all manager/employee units. Number of baths per unit must indicate ½ baths, if applicable. If additional space is required, enter the information on the addenda located at the end of the Application.
  8. Provide the following information:
    - a. Indicate whether the proposed Development is currently being underwritten or has been underwritten previously by any Credit Underwriter under contract with Florida Housing Finance Corporation. If so, identify the name of the Credit Underwriter.
    - b. Indicate whether this Development involves the Rehabilitation or Substantial Rehabilitation of buildings which have received, within fourteen years of the

Application Deadline, a Corporation funding commitment (excluding PLP) or a Preliminary Allocation/Determination for other construction work.

9. Indicate the status of the new construction or Rehabilitation/Substantial Rehabilitation work. SAIL and HOME Applicants refer to the applicable sections of Rule Chapter 67-48, F.A.C., with regard to Development eligibility in the event that construction has started or that the Development has been completed. HC Applicants should note that, in accordance with Section 42(h), IRC, a Development cannot be allocated housing credits from the state's allocation authority if it was placed-in service prior to the year in which it receives its allocation.

If the Development is occupied, it must be in compliance with program rules at SAIL or HOME loan closing, or for HC, upon completion of Rehabilitation, or for MMRB, prior to closing on the bonds.

If the Development is complete and the certificates of occupancy were issued on more than one date, provide a listing of the issue-date for each building behind a tab labeled "**Exhibit 24**".

10. MMRB, SAIL and/or Competitive HC Applicants only:

Proximity tie-breaker points may be awarded to an Application for the proximity of its Development's Tie-Breaker Measurement Point to:

- eligible services; and
- Development Address or latitude and longitude coordinates identified on the 2006 FHFC Development Proximity List (the List) serving the same demographic group as the proposed Development. The List, effective 10-14-05, is incorporated by reference and is available on the Corporation's Website under the 2006 Universal Application link labeled Related Information and Links.

- a. Surveyor Certification

To be eligible for proximity tie-breaker points other than those automatically awarded based on paragraph b. below, the Applicant must submit a properly completed Surveyor Certification form, provided behind a tab labeled "**Exhibit 25**," which includes the Tie-Breaker Measurement Point and services information requested below:

- (1) Tie-Breaker Measurement Point:

To determine proximity, the Applicant must first identify a Tie-Breaker Measurement Point on the proposed Development site and provide the latitude and longitude coordinates determined in

degrees, minutes and seconds truncated after one decimal place. If the seconds are not stated to one decimal place, the Applicant will not be eligible to receive any proximity tie-breaker points.

(2) Proximity to services (Maximum 3.75 proximity tie-breaker points):

Applications will be awarded proximity tie-breaker points based on:

- the Demographic Commitment selected and qualified for by the Applicant at Part III.D. of the Application, and
- the size of the County (Large, Medium or Small) where the proposed Development will be located, and
- the proximity of the proposed Development's Tie-Breaker Measurement Point to eligible services.

The eligible services are:

- (a) Grocery Store - For purposes of proximity tie-breaker points, a Grocery Store means a retail establishment, open to the public, regardless of a requirement of a membership fee, consisting of 4,500 square feet or more of air conditioned space available to the public, which as its major retail function sells groceries, including foodstuffs, fresh and packaged meats, produce and dairy products, which are intended for consumption off-premises, and household supplies, such as Publix Super Markets, Winn Dixie Stores, Super Wal-Mart Stores, etc. "Grocery Store" does not include any retail establishment which sells groceries in addition to its major retail function, such as the sale of gasoline, drugs, or sundries, where the sale of groceries is not a major retail function, based on allocated space or on gross sales, such as Eckerd Drug Stores, Walgreen Drug Stores, Dollar General Stores, Family Dollar Stores, etc.
- (b) Public School - For purposes of proximity tie-breaker points, a Public School means a public elementary, middle, junior and/or high school, where the principle admission criterion is the geographic proximity to the school, including a charter school, except for a charter school that is not generally available to appropriately aged children in the radius area. This service may not be selected if the Applicant selected and qualified for the Elderly Demographic Commitment in this Application.

- (c) Medical Facility - For purposes of proximity tie-breaker points, a Medical Facility means a hospital, state or county health clinic or walk-in clinic (that does not require a prior appointment) that provides general medical treatment or general surgical services at least five days per week to any physically sick or injured person. This service can be selected only if the Applicant selected and qualified for the Elderly Demographic Commitment in this Application or if the proposed Development will be located in a Small or Medium County.
- (d) Pharmacy - For purposes of proximity tie-breaker points, a Pharmacy means a community pharmacy operating under a valid permit issued pursuant to s. 465.018, F.S., and open to the general public at least five days per week without the requirement of a membership fee. This service can only be selected if the proposed Development will be located in a Small or Medium County.
- (e) Public Bus Stop or Metro-Rail Stop - Public Bus Stop or Metro Rail Stop means a fixed location provided by a public transportation entity at which passengers may access regularly scheduled public transportation on a year-round basis.

To be considered for proximity tie-breaker points in this Application, the Grocery Store, Public School, Medical Facility, Pharmacy and Public Bus Stop or Metro-Rail Stop, as defined in items (a) through (e) above, must be in existence and available for use by the general public as of the Application Deadline.

Applicants may select eligible services as follows:

- Applicants that have not selected the Elderly Demographic Commitment at Part III.D. and are proposing a Development in a Large County may only select Grocery Store, Public School, and Bus Stop or Metro-Rail Stop;
- Applicants that have selected and qualified for the Elderly Demographic Commitment at Part III.D. and are proposing a Development in a Large County may only select Grocery Store, Medical Facility, and Bus Stop or Metro-Rail Stop;
- Applicants that have not selected the Elderly Demographic Commitment at Part III.D. and are proposing a Development in a Small or Medium County may only

select Grocery Store, Public School, and only one of the following: (i) Medical Facility, (ii) Pharmacy, or (iii) Bus Stop or Metro-Rail Stop. Since only one of these three services may be selected, if more than one of items (i), (ii) and/or (iii) is selected in the Application, the Application will receive zero points for these services.

- Applicants that have selected and qualified for the Elderly Demographic Commitment at Part III.D. and are proposing a Development in a Small or Medium County may only select Grocery Store, Medical Facility, and either (i) Pharmacy or (ii) Bus Stop or Metro-Rail Stop. Since only one of these two services may be selected, if both items (i) and (ii) are selected in the Application, the Application will receive zero points for these services.
- Applicants with proposed Developments in Small or Medium counties may select and receive points for the same service location for both Grocery Store and Pharmacy, provided that the Grocery Store features an eligible Pharmacy.

To be considered for proximity tie-breaker points, the Applicant must indicate at Part III.A.10.b. of the Application which services it is seeking proximity tie-breaker points for. In addition, the following information for each of the closest eligible services that the Applicant is seeking proximity tie-breaker points for must be reflected on the Surveyor Certification form. Any service listed on the Surveyor Certification form that is not indicated at Part III.A.10.b. will not be considered for proximity tie-breaker points.

- name of the Grocery Store, Public School, Medical Facility and/or Pharmacy; and
- Address of the Grocery Store, Public School, Medical Facility and/or Pharmacy; and
- the latitude and longitude coordinates of the Grocery Store, Public School, Medical Facility; Pharmacy, and/or Public Bus Stop or Metro-Rail Stop.

The latitude and longitude coordinates for a Grocery Store, Public School, Medical Facility and Pharmacy must represent a point that is on the doorway threshold of an exterior entrance that provides direct public access to the building where the service is located. The coordinates must be stated in degrees, minutes and seconds



truncated after one decimal place. If the seconds for a service are not stated to one decimal place, the Applicant will not be eligible for proximity tie-breaker points for that service.

If there is no exterior public entrance to the Grocery Store, Public School, Medical Facility or Pharmacy, then a point should be used that is at the exterior entrance doorway threshold that is the closest walking distance to the doorway threshold of the interior public entrance to the service. For example, for a Pharmacy located within an enclosed shopping mall structure that does not have a direct public exterior entrance, the latitude and longitude coordinates at the doorway threshold of the exterior public entrance to the enclosed shopping mall that provide the shortest walking distance to the doorway threshold of the interior entrance to the Pharmacy would be used.

Applicants may use the same latitude and longitude coordinates for both Grocery Store and Pharmacy only if the Pharmacy is housed within the confines of the Grocery Store.

Applicants are encouraged not to list the information for an eligible service on the Surveyor Certification form if the service is not close enough to the proposed Development's Tie-Breaker Measurement Point to warrant proximity tie-breaker points.

Additionally, for each latitude and longitude coordinate provided for a service housed within a building, the Applicant must provide a sketch depicting the location of the exterior public entrance used for the latitude and longitude coordinates for each service. The sketch does not have to be to scale, but must identify the service and provide enough information so that one can easily determine the point where the latitude and longitude coordinates were derived in relationship to the building housing the service. In addition to the location of the exterior public entrance used for the latitude and longitude point, suggested items for the sketch are: magnetic north, the name of the service the sketch is being presented for, the exterior walls of the building housing the service, and all exterior public entrances to the building housing the service. For each service, provide a separate sketch no larger than 8-1/2" x 11" inches, behind a tab labeled "**Exhibit 25.**" Failure to provide a sketch for an eligible service will result in zero proximity tie-breaker points for that service.

The Corporation will utilize Street Atlas USA 2006, published by DeLorme, using the method described below, to determine the proximity of an eligible service to the proposed Development's Tie-Breaker Measurement Point.

Proximity tie-breaker points for Grocery Store, Public School, Medical Center and Pharmacy services will be awarded as follows:

Proximity of Proposed Development's Tie-Breaker Measurement to eligible Service(s) Stated on Surveyor Certification form	Proximity Tie-Breaker Points Awarded for Each Eligible Service
if greater than 0 and less than or equal to 1.0 mile	1.25
if greater than 1.0 and less than or equal to 2.0 miles	1
if greater than 2.0 and less than or equal to 3.0 miles	.75
if greater than 3.0 and less than or equal to 4.0 miles	.5
if greater than 4.0 and less than or equal to 5.0 miles	.25
if greater than 5.0 miles	0

Proximity tie-breaker points for Public Bus Stop or Metro-Rail Stop will be awarded as follows:

Proximity of Proposed Development to a Public Bus Stop or Metro-Rail Stop Stated on Surveyor Certification form	Proximity Tie-Breaker Points Awarded
if greater than 0 and less than or equal to 0.2 mile	1.25
if greater than 0.2 and less than or equal to 0.3 mile	1
if greater than 0.3 and less than or equal to 0.4 mile	.75
if greater than 0.4 and less than or equal to 0.5 mile	.5
if greater than 0.5 and less than or equal to 0.6 mile	.25
if greater than 0.6 mile	0

An Applicant that wishes to notify the Corporation, through a NOPSE or NOAD, of inaccurate latitude and longitude coordinates provided by another Applicant for a service must at a minimum provide a certification from a Florida licensed surveyor, not related to any party of the Applicant submitting the NOPSE or NOAD, which states: (i) the name of the Development in question; (ii) that the provided latitude and longitude coordinates for a specified service do not represent a point that is on the doorway threshold of an exterior entrance that provides direct public access to the service or in the event there is no exterior direct public entrance to the service, the latitude and longitude coordinates do not represent a point on the doorway threshold of the public exterior entrance that is the closest walking distance to the doorway threshold of the interior public entrance to the service, (iii) the number of feet it is from the provided latitude and longitude coordinates for the service to the doorway threshold of the nearest exterior direct public entrance to the service or in the event there is no exterior direct public entrance, the doorway threshold of the public exterior entrance that is the closest walking distance to the doorway threshold of the interior public entrance to the service, and (iv) the latitude and longitude coordinates of the doorway thresholds of all

exterior direct public entrances to the service, or in the event there is no exterior direct public entrance to the service, the latitude and longitude coordinates of the doorway threshold of the exterior public entrance that is closest walking distance to the interior public entrance to the service. The latitude and longitude coordinates should be stated in degrees, minutes and seconds truncated after one decimal place. If the seconds are not stated to one decimal place, the Corporation will utilize “0” for the missing decimal. The surveyor’s certification must be signed and dated by the surveyor under oath and must be a document separate from the Exhibit 25 Surveyor Certification form. Also, the surveyor must provide a sketch, which does not have to be to scale, showing: the exterior walls of the building sheltering the service, the latitude and longitude coordinates provided in the surveyor’s certification and the public entrances they represent, and identifying the location of the alleged inaccurate latitude and longitude coordinates for the service provided in the Application or in an Applicant’s cure.

- b. Proximity to the closest Development Address or latitude and longitude coordinates identified on the List. (Maximum 3.75 proximity tie-breaker points):
  - (1) The following Applications will automatically receive 3.75 proximity tie-breaker points for this section of the Universal Application:
    - (a) An Application that proposes a Development in a Large County and the location of the proposed Development qualifies as an Urban In-Fill Development at Part III.A.2.c.
    - (b) An Application that selected and qualified at Part V.A. for the Designation of Front Porch Florida Community or HOPE VI.
    - (c) An Application that selected and qualified at Part III.D. for the Homeless Demographic Commitment.
    - (d) An Application that selected and qualified at Part III.D. for the Farmworker/Commercial Fishing Worker Demographic Commitment.
    - (e) An Application that selected and qualified for the Rehabilitation/Substantial Rehabilitation or Acquisition and Rehabilitation/Substantial Rehabilitation Development Category at Part III.A.3. and involves the

Rehabilitation/Substantial Rehabilitation of an existing, occupied residential rental property in operation as of the Application Deadline.

If the Application meets one of the above criteria for automatic proximity tie-breaker points, the Applicant should then check the appropriate stated criteria in the Application. If the Application does not qualify for automatic proximity tie-breaker points, the Applicant should indicate it does not meet the criteria and check the applicable box in the Application.

- (2) If the Application is not eligible for automatic 3.75 proximity tie-breaker points, in order to determine whether the proposed Development's Tie-Breaker Measurement Point meets the criteria for a distance of within 1.25 miles, 2.5 miles or 5 miles of a Development on the List serving the same demographic group, the Applicant, using Street Atlas USA 2006, should follow these steps:
  - (a) Select the "Advanced" search button on the "Find" tab, to the right of the "Advanced" button select "Latitude/Longitude" from the drop down menu under "Find:", check the "MapTags" box, enter the latitude and longitude coordinates for the proposed Development's Tie-Breaker Measurement Point in the appropriate blanks to the right and then click the "Search" button. A "MapTag" with the entered coordinates will then appear in the appropriate location.
  - (b) For each Development on the List that serves the same demographic group as the proposed Development which is in proximity to the proposed Development's Tie-Breaker Measurement Point, repeat the steps stated above to display MapTags for the Development(s). If a Development on the List does not have latitude and longitude coordinates displayed for its location, select "Street Address" from the drop down menu under "Find:", enter the applicable Address, and then select search to display the MapTag for the Address. The Corporation will use a Development's latitude and longitude coordinates if stated on the List, not the Address stated on the List, to determine proximity for awarding proximity tie-breaker points. A Development's Address, though, will be used if there are no latitude and longitude coordinates provided for the Development on the List. For those Developments on the List that have more than one Address or more than one set of latitude and longitude coordinates, the Corporation will use the

coordinates or if applicable, the Address that represents the closest location to the proposed Development's Tie-Breaker Measurement Point as the location of the Development from the List for the purposes of awarding proximity tie-breaker points

- (c) Select the "Draw" tab, under "Tools" select the circle or, if there is no circle, click and hold the left mouse button and this will provide several shape options, one of which is a circle, to the right select "None" as the fill color for the circle and choose a color such as black for the outline. Enter the latitude and longitude coordinates for the proposed Development's Tie-Breaker Measurement Point in the space provided, and then enter, as appropriate, 1.25, 2.5 or 5 miles for the radius. Upon selecting the "Apply" button, the software will draw a circle, with the radius entered, around the Tie-Breaker Measurement Point.
- (d) If the tip of any of the MapTags entered for the Developments on the List are within the drawn circle or, when the map is zoomed in as far as possible, if the tip of any of the entered MapTags appears to the naked eye to be on the drawn line of the circle, the Applicant can conclude that the Tie-Breaker Measurement Point is within whatever the distance entered for the radius of the circle of a Development from the List. The tip of a MapTag is the point of the MapTag that denotes the actual location of what the MapTag represents.

An Applicant may disregard any Development on the List if the Developments have the same Financial Beneficiaries and if the Developments are contiguous or are divided by a street or easement, or are divided by a prior phase of the Development.

Proximity tie-breaker points for the proximity of a Development's Tie-Breaker Measurement Point to Developments on the List that have the same demographic group will be awarded according to the following chart:

\* For purposes of the following table, Set-Aside Location A is described in Part III.E. of these instructions.

Proximity of Proposed Development within Set-Aside Location A*, except for SAIL only Applicants, to Developments on the List which serve the same demographic group	OR	Proximity of Proposed Development within Set-Aside Location A for SAIL only Applicants, and for All Other Proposed Developments, to Developments on the List which consist of 31 units or more and serve the same demographic group	OR	Proximity of Proposed Development within Set-Aside Location A for SAIL only Applicants, and for All Other Proposed Developments, to Developments on the List which consist of 30 units or less and serve the same demographic group	Proximity Tie-Breaker Points
Greater than 0 and less than or equal to 1.0 mile		Greater than 0 and less than or equal to 0.5 mile		Greater than 0 and less than or equal to 0.25 mile	0
Greater than 1.0 and less than or equal to 2.0 mile		Greater than 0.5 and less than or equal to 1.0 mile		Greater than 0.25 and less than or equal to 0.5 mile	.75
Greater than 2.0 and less than or equal to 3.0 miles		Greater than 1.0 and less than or equal to 1.5 miles		Greater than .50 and less than or equal to 0.75 miles	1.5
Greater than 3.0 and less than or equal to 4.0 miles		Greater than 1.5 and less than or equal to 2.0 miles		Greater than 0.75 and less than or equal to 1.0 miles	2.25
Greater than 4.0 and less than or equal to 5.0 miles		Greater than 2.0 and less than or equal to 2.5 miles		Greater than 1.0 and less than or equal to 1.25 miles	3.0
Greater than 5.0 miles		Greater than 2.5 miles		Greater than 1.25 miles	3.75

An Application will be awarded proximity tie-breaker points based on its proposed Development’s Tie-Breaker Measurement Point proximity to the latitude and longitude coordinates of the Developments on the List that serve the same demographic group and to the Addresses of those Developments on the List that do not have latitude and longitude coordinates stated and serve the same demographic group. The latitude and longitude coordinates stated on the List, or in the absence of latitude and longitude coordinates, the Addresses stated, will be used unless evidence is provided of an inaccuracy during the scoring process. If, for a Development on the List, an Applicant concludes that the Corporation provided latitude and longitude coordinates for a Development are not on the Development site, or if latitude and longitude coordinates are not stated, upon entering the Development’s Address into Street Atlas USA 2006 that the software fails to correctly identify a location that is on the Development site, the Applicant may provide evidence of the inaccuracy behind a tab labeled “**Exhibit 25**” of the Universal Application or within a NOPSE or within a NOAD, as applicable, for consideration by the Corporation. At a minimum, the evidence must contain an additional certification from a Florida licensed surveyor, not related to any party of the Applicant or to an Applicant submitting a NOPSE or NOAD, which states: (i) the name of the Development in question; (ii) that the Corporation provided latitude and longitude coordinates for the

Development are not on the Development site or that the Street Atlas USA 2006 software fails to correctly identify a location that is on the Development site upon entering the Development's Address, and (iii) the site's correct latitude and longitude coordinates (determined in degrees, minutes and seconds truncated after one decimal place) for the respective site. If the seconds are not stated to one decimal place, the Corporation will utilize "0" for the missing decimal. The surveyor's additional certification must be signed and dated by the surveyor under oath and must be a document separate from the Exhibit 25 Surveyor Certification form.

c. Scoring:

The Corporation will use Street Atlas USA 2006 to determine the proximity of a proposed Development's Tie-Breaker Measurement Point to eligible services and to Developments on the List that serve the same demographic group and thus, to determine the amount of proximity tie-breaker points that should be awarded. Using Street Atlas USA 2006 and a Street Atlas USA 2006 file that has MapTags for each Development on the List, the following steps will be taken to determine proximity:

- (1) Using the "Advanced" search button on the "Find" tab, "Latitude/Longitude" will be selected from the drop down "Find" menu and the "MapTags" box will be checked. The latitude and longitude coordinates for the proposed Development's Tie-Breaker Measurement Point will be entered into the appropriate blanks. Upon clicking the "Search" button (or hitting the "Enter" key) a "MapTag" with the entered coordinates will appear in the appropriate location.
- (2) The above method will be repeated for each eligible service to display a MapTag representing the location of each service's latitude and longitude coordinates.
- (3) Using the "Circles" tool on the "Draw" tab, circles will be drawn at various radii from the Tie-Breaker Measurement Point to determine if an entered MapTag is within a specified distance of the Tie-Breaker Measurement Point. If the tip of a MapTag is within a drawn circle, or when the map is zoomed in as far as possible, the tip of the MapTag appears to the naked eye to be on the drawn line of a circle, the Corporation will conclude that what the MapTag represents, service or Development, is within whatever the radius distance is for the circle of the Tie-Breaker Measurement Point. The tip of a MapTag is the point of the

MapTag that denotes the actual location of what the MapTag represents.

## **B. Construction Features and Amenities**

All required features and amenities, as well as all optional features and amenities selected by the Applicant, will be included in the Land Use Restriction Agreement(s) and/or Extended Use Agreement and must be maintained in order for the Development to remain in compliance unless the Board approves a change. The quality of the features and amenities required for all Developments and selected by the Applicant in this Application are subject to approval of the Board of Directors.

1. Required Features and Amenities for All Developments. In addition to meeting all building code, Fair Housing Act, and Americans with Disabilities Act requirements for MMRB, SAIL, HOME and HC Applications, and the HQS Guidelines and Section 504 of the Rehabilitation Act of 1973 for HOME Applications, all units for the type of Development indicated must have the itemized features and amenities.

Indicate whether Applicant commits to provide all required features and amenities for the proposed Development. Applicant must select “Yes” to be considered for participation in any program.

2. Optional Features and Amenities (Maximum 30 Points)

Except for HOME Applicants, to be eligible for points all items selected must be located on the Development site. In addition, if the proposed Development will consist of Scattered Sites, to be eligible for points, the Applicant must commit to locate each selected feature and amenity that is not unit-specific on each of the Scattered Sites, or no more than 1/16 mile from the Tie-Breaker Measurement Point stated on the Surveyor Certification Form, or a combination of both.

Selecting these items commits the Applicant to provide them, unless the Board approves a change. Points will be awarded as indicated for each item up to the maximum allowed for each particular section, as indicated below.

The point value for each feature and amenity selected by the Applicant in the Optional Features and Amenities section of the Application will be doubled if the proposed Development:

- consists of 50 or fewer total units, and/or
- qualified for the Farmworker/Commercial Fishing Worker or Homeless (SRO or Non-SRO) Demographic Commitment at Part III.D.

Applications that reflect the Rehabilitation/Substantial Rehabilitation or Acquisition and Rehabilitation/Substantial Rehabilitation Development Category at Part III.A.3. will automatically receive 2 points for Energy Conservation



Features and may achieve a maximum of 9 points by selecting items totaling at least 7 points.

The maximum available points for the Optional Features and Amenities section is as listed below:

- a. For New Construction Developments (maximum 9 points)
- b. For Rehabilitation/Substantial Rehabilitation Developments (maximum 9 points)
- c. For All Developments Except SRO (maximum 12 points)
- d. For SRO Developments (maximum 12 points)
- e. Energy Conservation Features for All Developments (maximum 9 points)

### **C. Ability to Proceed**

#### **1. Status of Site Plan Approval or Plat Approval (Threshold)**

To achieve threshold, Applicant must provide the applicable Local Government verification form behind a tab labeled **“Exhibit 26”**. Site plan approval or plat approval, as applicable, must be demonstrated for all sites if the proposed Development consists of Scattered Sites. Site plan approval or plat approval may be verified by Corporation Staff during the scoring process.

##### **a. Site Plan Approval for Multifamily Developments**

- (1) If the final site plan has been approved, the verification form reflecting an approval date must be provided behind a tab labeled **“Exhibit 26”**.
- (2) If the jurisdiction provides either preliminary or conceptual site plan approval and the preliminary or conceptual site plan has been approved, the verification form reflecting an approval date must be provided behind a tab labeled **“Exhibit 26”**.
- (3) If the jurisdiction provides neither preliminary nor conceptual site plan approval, nor any other similar process prior to issuing final site plan approval, the verification form reflecting a review date must be provided behind a tab labeled **“Exhibit 26”**.
- (4) If the Development is rehabilitation without any new construction and does not require additional site plan approval or similar process, the verification form reflecting this must be provided behind a tab labeled **“Exhibit 26”**.

##### **b. Plat Approval for Single-Family Rental Developments**

- (1) If the final plat has been approved, the verification form reflecting an approval date must be provided behind a tab labeled **“Exhibit 26”**.
- (2) If the preliminary or conceptual plat has been approved, the verification form reflecting an approval date must be provided behind a tab labeled **“Exhibit 26”**.
- (3) If the Development is rehabilitation without any new construction and does not require additional plat approval, the verification form reflecting this must be provided behind a tab labeled **“Exhibit 26”**.

2. Evidence of Site Control (Threshold)

Applicant must demonstrate site control by providing the documentation required in Section a., b. or c., as indicated below. The required documentation, including any attachments or exhibits referenced in any document, must be attached to that document regardless of whether that attachment or exhibit has been provided as an attachment or exhibit to another document or whether the information is provided elsewhere in the Application or has been previously provided. Such documentation, including any attachments or exhibits, must be provided behind a tab labeled **“Exhibit 27”**. Site control must be demonstrated for all sites if the proposed Development consists of Scattered Sites. A legal description of the Development site must be provided behind a tab labeled **“Exhibit 27”**.

- a. Provide a Qualified Contract - For purposes of the Universal Application, a qualified contract is one that has a term that does not expire before the last expected closing date of September 30, 2006 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 not earlier than September 30, 2006; provides 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 a fully executed assignment of the qualified contract which assigns all of the buyer's rights, title and interests in the qualified contract to the Applicant, is provided. If the owner of the subject property is not a party to the qualified 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 contain every exhibit and attachment referenced therein, and must contain the following elements of a qualified contract: (i) have a term that does not expire before the last expected closing date of September 30, 2006 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 not earlier than September 30, 2006, and (ii) provide that the buyer’s remedy for default on the part of the seller includes or is specific

performance.

OR

- b. Provide a 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.

OR

- c. Provide a Lease - The lease must have an unexpired term of at least 50 years from the Application Deadline and the lessee must be the Applicant. The lease may be contingent only upon receipt of MMRB, SAIL, HOME and/or HC funding.

3. Evidence of Infrastructure Availability (Threshold)

Verification of the availability of each type of infrastructure on or before the Application Deadline must be provided. Infrastructure is considered available if there are no impediments to obtaining service other than the conditions expressed in the Verification of Availability of Infrastructure forms as provided in this Application Package. Should any variance or local hearing be required, or if there is a moratorium pertaining to any of the utilities or roads for this Development, the infrastructure is not available. Evidence of availability of each type of infrastructure must be provided for all sites if the proposed Development consists of Scattered Sites.

Applicant may submit the properly completed and executed Verification of Availability of Infrastructure Forms included within the Application Package or submit a letter from the entity providing the service (electricity, water, and wastewater) or Local Government (roads) verifying availability of the infrastructure for the proposed Development. Each Verification of Availability of Infrastructure Form or letter confirming infrastructure availability must demonstrate availability on or before the Application Deadline. Letters must be Development-specific and dated within 12 months of the Application Deadline. The verifications may not be signed by the Applicant, by any related parties of the Applicant, or by any Principals or Financial Beneficiaries of the Applicant.

Evidence of availability of electricity must be provided behind a tab labeled “**Exhibit 28**”. Evidence of availability of water must be provided behind a tab labeled “**Exhibit 29**”. Evidence of availability of sewer, package treatment or septic tank must be provided behind a tab labeled “**Exhibit 30**”. Evidence of availability of roads must be provided behind a tab labeled “**Exhibit 31**”.

4. Evidence of Appropriate Zoning (Threshold)

To demonstrate that, on or before the date that signifies the end of the cure period outlined in Rules 67-21.003 and 67-48.004, F.A.C., the 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, the Applicant must provide the appropriate verification form behind a tab labeled **“Exhibit 32”**. Evidence of appropriate zoning must be demonstrated for all property locations if the proposed Development has Scattered Sites.

If the proposed Development is in the Florida Keys Area, proper execution of the Local Government Verification That Development Is Consistent with Zoning and Land Use Regulations Form or the Local Government Verification That Permits Are Not Required For This Development Form will constitute the Local Government’s certification that the Applicant has obtained the necessary Rate of Growth Ordinance (ROGO) allocations from the Local Government.

5. Environmental Site Assessment (Threshold)

- a. Applicant must demonstrate that a Phase I Environmental Site Assessment (ESA) has been performed. The firm performing the ESA must certify that the review was performed in accordance with either ASTM Practice #E-1527-00 or ASTM Practice #E-1527-05. The properly completed and executed Verification of Environmental Safety – Phase I Site Assessment Form must be provided behind a tab labeled **“Exhibit 33”**.
- b. If the Phase I ESA disclosed potential problems on the proposed site and required or recommended a Phase II ESA, the firm that performed the Phase II ESA, even if it is the same firm that performed the Phase I ESA, must certify that the Phase II ESA has been performed in accordance with ASTM Practice #E-1527-00. The properly completed and executed Verification of Environmental Safety – Phase II Site Assessment Form must be provided behind a tab labeled **“Exhibit 34”**.

If the proposed Development consists of Scattered Sites, the Applicant must provide the appropriate evidence that a Phase I ESA and, if applicable, a Phase II ESA, has been performed for all of the sites.

Note: If the Phase I ESA and/or the Phase II ESA disclosed environmental problems requiring remediation, a plan, including time frame and cost, for the remediation is required. By answering the applicable questions and executing the Phase I and/or Phase II verification(s), the environmental provider is certifying that such plan has been prepared. In addition, by executing the Applicant Certification and Acknowledgement Form, the Applicant certifies that the plan has been prepared and the costs associated

with such remediation have been included in the Development Cost Pro Forma submitted in this Application.

**D. Demographic Commitment (Threshold)**

Selection of the Elderly, Farmworker/Commercial Fishing Worker, or Homeless Demographic Commitment will be included in the Land Use Restriction Agreement(s) and/or Extended Use Agreement and must be maintained in order for the Development to remain in compliance, unless the Board approves a change.

In order to compete in the SAIL Elderly, SAIL Farmworker/Commercial Fishing Worker or SAIL Homeless Special Set-Asides (see Designation at Part V.) or to be selected to fulfill a HC goal, the Applicant must have also selected and qualified for the applicable Demographic Commitment in this section.

All Applicants must select one of the following Demographic Commitments. If an Applicant selects more than one commitment, fails to select a commitment, or fails to qualify for the selected commitment, the Application will be rejected.

1. Elderly

Indicate whether the proposed Development will be an Assisted Living Facility (ALF).

In order for a proposed Development to be classified as Elderly (ALF or non-ALF), the Development must meet the following requirements:

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

(1) Non-ALF Developments –

- (a) New Construction (Applicant selected New Construction Category at Part III.A.3.) in all counties except Miami-Dade County and Broward County is limited to 160 total units;
- (b) Rehabilitation/Substantial Rehabilitation, with or without Acquisition (Applicant selected the applicable Development Category at Part III.A.3.), that does not constitute an existing, occupied elderly housing facility that is operating as an elderly housing facility as set forth in the Federal Fair Housing Act as of the Application Deadline in all counties except Miami-Dade County and Broward County is limited to 160 total units;

- (c) New Construction (as described in (a) above) or Rehabilitation/Substantial Rehabilitation with or without Acquisition (as described in (b) above) Developments located in Miami-Dade County and Broward County that are requesting MMRB only, MMRB and SAIL, or SAIL only in this Application may consist of up to 250 total units;
- (d) New Construction (as described in (a) above) or Rehabilitation/Substantial Rehabilitation with or without Acquisition (as described in (b) above) Developments located in Miami-Dade County and Broward County that are requesting HC only or HC and SAIL in this Application may consist of up to 200 total units;
- (e) There is no total unit limitation for the Rehabilitation/Substantial Rehabilitation with or without Acquisition (Applicant selected the applicable Development Category at Part III.A.3.) of an existing, occupied elderly housing facility that is operating as an elderly housing facility as set forth in the Federal Fair Housing Act as of the Application Deadline.

(2) ALF Developments cannot consist of more than 100 total units; and

- b. Applicant understands, acknowledges and agrees that it will comply with the Federal Fair Housing Act requirements and rent at least 80% of the total units to residents that qualify as Elderly pursuant to that Act. Further, Applicant understands, acknowledges and agrees that all such units are subject to the income restrictions committed to in the Set-Aside Commitment section of this Application; and
- c. For a non-ALF Development, at least 50% of the total units must be comprised of one-bedroom units and no more than 15% of the total units can be larger than 2 bedroom units. For an ALF Development, at least 90% of the total units must be comprised of units no larger than one-bedroom and the sharing of a unit by two or more unaffiliated residents cannot be a condition of occupancy; and
- d. Applicant must provide a market analysis, dated within 9 months of the Application Deadline, that demonstrates a local need for the low-income Elderly housing that is the subject of this Application (non-ALF or ALF). The market analysis must be provided behind a tab labeled “**Exhibit 35**”; and

- e. 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; and
- f. The Applicant must provide the following features in the specified percentages of all units in new construction (NC) and Rehabilitation/ Substantial Rehabilitation (SR) Developments.

The requirement to provide the following features is in addition to the features committed to by the Applicant in the Construction Features and Amenities section of this Application.

FEATURE	NC	SR
Roll-In Showers * 1/3 of the 15% NC requirement or 1/2 of the 10% SR requirement may be met with walk-in type shower stalls with permanently affixed seat.	15%	10%
* NOTE: This requirement may be waived in SR Developments if installation is determined to be not feasible as documented by a registered architect.		
Thermostat placed at 48" maximum height	100%	100%
Tight-napped Berber-type carpet	100%	100%
36" entrances on all exterior doors	100%	100%
All wall electrical outlets placed between 18" and 48" above the floor	100%	100%
Scald control valves on all bathtub and shower faucets	100%	100%
Peephole at 4' 10" on all exterior doors	100%	100%
Toggle type switches for each light and each fan throughout the unit	100%	100%
Adjustable shelving in master bedroom closets	100%	100%
Lever-action handles on all doors in units and public areas	100%	100%
Horizontal grab bars around shower per ANSI requirements	100%	100%
Horizontal grab bars around toilet per ANSI requirements	100%	100%

## 2. Farmworker or Commercial Fishing Worker

In order for a proposed Development to be classified as Farmworker or Commercial Fishing Worker, the Development must meet the following requirements:

- a. Development cannot have more than 80 total units; and

- b. Applicant must commit to rent not less than 40% of the total units to Farmworker or Commercial Fishing Worker Households; and
  - c. Applicant must provide a market analysis, dated within 9 months of the Application Deadline, that demonstrates a local need for such housing. The market analysis must be provided behind a tab labeled **“Exhibit 35”**.
3. Homeless

In order for a proposed Development to be classified as Homeless, the Development must meet the following requirements:

- a. SRO Developments must commit to rent not less than 50% of the total units to Homeless Households and must have selected the SRO Construction Features and Amenities in this Application;
- or
- Non-SRO Developments must commit to rent not less than 50% of the total units for Homeless Households; and
- b. Applicant must provide the properly completed and executed Verification of Inclusion in Local Homeless Assistance Continuum of Care Plan by Lead Agency Form behind a tab labeled **“Exhibit 35”**.

If no Local Homeless Assistance Continuum of Care Plan exists for the Catchment Area in which the proposed Development is located, a needs analysis demonstrating the local need for such housing must be provided behind a tab labeled **“Exhibit 35”**.

Note: The telephone number for the State Office on Homelessness is (850) 922-4691.

- 4. Family – Development will serve the general population.

**E. Set-Aside Commitments**

All set-aside commitments will be included in the Land Use Restriction Agreement(s) and/or Extended Use Agreement, and must be maintained in order for the Development to remain in compliance, unless the Board approves a change.

- 1. Commitments for MMRB, SAIL and HC Applications:

If there is an inconsistency between the minimum set-aside section and the information stated on the total set-aside breakdown chart in this Application, the



percentage(s) stated on the total set-aside breakdown chart will be considered the Applicant's set-aside commitment.

a. MMRB, SAIL and/or HC Minimum Set-Aside (Threshold)

All Applicants must select a minimum set-aside for each program applied for.

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

Pursuant to Rule 67-48, F.A.C., the SAIL minimum set-aside requirement shall be:

- 20% of the units set-aside at 50% of area median income;
- or
- 40% of the units set-aside at 60% of area median income only if the Development received an allocation of Housing Credits or is “scheduled” to be assisted with Housing Credits;
- or
- 100% of the units set-aside below 120% of area median income only if the Development will be located in the Florida Keys Area.

For purposes of meeting threshold requirements of this Application only, “scheduled” shall mean:

The Application is one for both SAIL and HC; or

The Applicant includes evidence within its Application that the Development has a firm commitment to purchase the Housing Credits, as determined by the Corporation after scoring the Financing portion of this Application.

SAIL Applicants that are not “scheduled” to be assisted with federal Housing Credits must select the “20% at 50%” minimum set-aside or, if applicable, the 100% below 120% minimum set-aside to meet threshold requirements or the Application will be automatically rejected.

Applicants will not be given an opportunity during credit underwriting to change the SAIL Minimum Set-Aside Requirement to “20% at 50%” or, if applicable, “100% below 120%” to meet threshold requirements.

MMRB Applicants may select either 20% of the units at 50% AMI or lower or 40% of the units at 60% AMI or lower.

All Applicants Note: The deep rent skewing option is permitted for HC Developments only.

b. Set-Aside Commitment

(1) Set-Aside Location A (Threshold)

Applicants with a Development located in Set-Aside Location A with a Demographic Commitment of Family at Part III.D. must meet one of the following requirements:

- (a) Applicants requesting Competitive HC must commit to set aside 100% of the Development’s residential units at 50% AMI or less; or
- (b) MMRB Applicants and SAIL Applicants must commit to set aside at least 50% of the Development’s residential units at 50% AMI or less.

If any part of a Development’s site is located within the boundaries of an area designated as Set-Aside Location A, then the Development will be deemed to be located in Set-Aside Location A.

Applications for which the Applicant selected and qualified for the Front Porch Florida Community Designation at Part V.A. of the Application are excluded from the Set-Aside Location A requirements.

Using the following table, indicate whether the Development is located in Set-Aside Location A.

**Set-Aside Location A**

<b>County</b>	<b>Location Description</b>
Alachua	From the intersection of Northwest 98 <sup>th</sup> Street and Northwest 39 <sup>th</sup> Avenue/State Road 222, follow Northwest 98 <sup>th</sup> Street south to State Road 26/West Newberry Road. Follow Newberry Road east to 91 <sup>st</sup> Street. Follow 91 <sup>st</sup> Street south to Southwest 24 <sup>th</sup> Avenue and follow Southwest 24 <sup>th</sup> Avenue east to Southwest 20 <sup>th</sup> Avenue. Follow Southwest 20 <sup>th</sup> Avenue east to Interstate 75. Follow Interstate 75 south to State Road 331/Southwest Williston Road. Follow Williston Road northeast to Southeast 4 <sup>th</sup> Street and follow 4 <sup>th</sup> Street southeast to Southeast 21 <sup>st</sup> Avenue. Follow 21 <sup>st</sup> Avenue east to Southeast 15 <sup>th</sup> Street. Follow 15 <sup>th</sup> Street south to Southeast 41 <sup>st</sup> Avenue and follow 41 <sup>st</sup> Avenue east to Southeast 35 <sup>th</sup> Street. Follow 35 <sup>th</sup> Street north to State Road 20/Southeast Hawthorne Road. Follow Hawthorne Road southeast to Southeast 43 <sup>rd</sup> Street and follow 43 <sup>rd</sup> Street north to State Road 26/East University Avenue. Follow East University Avenue east to State Road 26/Northeast 55 <sup>th</sup> Boulevard and follow 55 <sup>th</sup> Boulevard northeast to Northeast 27 <sup>th</sup> Avenue. Follow 27 <sup>th</sup> Avenue west to State Road 222/Northeast 39 <sup>th</sup> Boulevard. Follow 39 <sup>th</sup> Boulevard northwest to State Road 24/Northeast Waldo Road and follow Waldo Road northeast to County Road 232/53 <sup>rd</sup> Avenue. Follow 53 <sup>rd</sup> Avenue west to Northwest 43 <sup>rd</sup> Street and follow 43 <sup>rd</sup> Street south to Northwest 39 <sup>th</sup> Avenue/State Road 222.
Clay	From northeastern corner of county, follow the county line west to State Road 21/Blanding Boulevard. Follow State Road 21 south to State Road 224/Kingsely Avenue east to the county line. Follow the eastern county line north to the northeastern corner.
Duval	From northern intersection of I-95 and I-295, follow I-295 southwest to I-10. Follow I-10 west to the western Ortega River/McGirts Creek. Follow the Ortega River/McGirts Creek south to the county line and follow the county line east to I-295. Follow I-295 east to I-95 and follow I-95 north to State Road 202/J Turner Butler Boulevard. Follow State Road 202 east to State Road 9A. Follow State Road 9A north to I-295.
Leon	Starting at the intersection of US 319 and State Road 154/Bannerman Road, follow Bannerman Road northwest to State Road 155/Meridian Road. Follow Meridian Road northwest to Orchard Pond Road and Orchard Pond Road west to State Road 157/Old Bainbridge Road. Follow Old Bainbridge Road south to Capital Circle. Follow Capital Circle south to I-10 and follow I-10 east to Mission Road. Follow Mission Road south to Appleyard Drive. Follow Appleyard Drive south to Jackson Bluff Road and follow Jackson Bluff Road east to Chipley Street. Follow Chipley Street south to Plant Street and follow Plant Street east to Eisenhower Street. Follow Eisenhower Street south to Orange Avenue. Follow Orange Avenue east to State Road 371/Lake Bradford Road. Follow Lake Bradford Road southwest to Capital Circle/State Road 263 and follow State Road 263 east to Capital Circle/US 319. Follow US 319 east to Tram Road and follow Tram Road/Rose Road east to WW Kelly Road and follow WW Kelly Road north to Chaires Crossroads/State Road 154. Follow State Road 154 north then west to Bradfordville Road. Follow Bradfordville Road north then west to US 319 and follow US 319 south to Bannerman Road.
Levy	Entire County
Pasco	Entire County

(2) Total Set-Aside Breakdown (8 Points)

An Applicant's set-aside commitment at Part III.E.1.b.(2) of the Application must be consistent at each AMI level below the 60% AMI level for all programs applied for. For example, an Applicant that is applying for Corporation-issued bonds, non-competitive HC and SAIL, must, when making a commitment below the 60% AMI level, commit to the same percentage of residential units at the same AMI levels for all three programs. In the event an Applicant fails to commit to the same percentage of residential units at the same AMI levels below the 60% AMI level for all programs applied for, the Application will be rejected.

Commitments to set aside residential units made by those Applicants that receive funding will become the minimum set-aside requirements for any other Corporation funds, to include non-competitive HC, that the Applicant may receive in the future for the same Development.

The total set-aside for MMRB, within the MMRB column, should not exceed 85%. In the event an MMRB Applicant selects a total set-aside percentage which is higher than 85% in the MMRB column, the highest set-aside percentage will be adjusted to bring the total set-aside percentage down to 85%.

(a) Extremely Low Income (ELI) Set-Aside Commitment (5 Points)

Points will be awarded for a commitment to set aside units beyond the minimum set-aside, with the following exceptions:

- Applications for Developments that will be funded with Local Government-issued Tax-Exempt Bonds that are only requesting non-competitive HC will automatically receive 5 points; and
- Applications for Developments which are requesting MMRB with or without SAIL or SAIL with Local Government-issued Tax-Exempt Bonds will automatically receive 5 points.

To be eligible for 5 points, all other Applicants must commit to set-aside at least 15% of the residential units at or below the AMI level for the county where the development is located, based on the following ELI County

Chart. The ELI set-aside should be entered on the applicable total set-aside breakdown chart (see Item (2)(c) below).

ELI County Chart			
County	At least 15% of the units must be set aside at or below this AMI level	County	At least 15% of the units must be set aside at or below this AMI level
Alachua	33%	Lee	35%
Baker	35%	Leon	35%
Bay	40%	Levy	45%
Bradford	40%	Liberty	45%
Brevard	35%	Madison	45%
Broward	30%	Manatee	35%
Calhoun	45%	Marion	45%
Charlotte	40%	Martin	35%
Citrus	45%	Miami-Dade	33%
Clay	35%	Monroe	30%
Collier	30%	Nassau	35%
Columbia	45%	Okaloosa	35%
De Soto	45%	Okeechobee	45%
Dixie	45%	Orange	35%
Duval	35%	Osceola	35%
Escambia	35%	Palm Beach	30%
Flagler	40%	Pasco	35%
Franklin	45%	Pinellas	35%
Gadsden	35%	Polk	40%
Gilchrist	45%	Putnam	45%
Glades	45%	St. Johns	35%
Gulf	45%	St. Lucie	35%
Hamilton	45%	Santa Rosa	35%
Hardee	45%	Sarasota	35%
Hendry	45%	Seminole	35%
Hernando	35%	Sumter	40%
Highlands	40%	Suwannee	45%
Hillsborough	35%	Taylor	45%
Holmes	45%	Union	40%
Indian River	35%	Volusia	40%
Jackson	45%	Wakulla	35%
Jefferson	40%	Walton	40%
Lafayette	45%	Washington	45%
Lake	35%		

(b) Total Set-Aside Commitment (3 Points)

Applicants, except those requesting funding for ALF Developments, will receive 3 points for a commitment to set aside at least 70% of the Development’s units at 60% AMI or less. Applicants requesting funding for ALF Developments will receive 3 points for a commitment to set aside at least 50% of the Development’s units at 60% AMI

or less.

The total set-aside should be entered on the applicable total set-aside breakdown chart (see Item (2)(c) below).

(c) Total Set-Aside Breakdown Chart

Complete each column of the applicable total set-aside breakdown chart at either section (a), (b), (c), (d) or (e). Applicant should indicate on the applicable total set-aside breakdown chart the percentage of residential units, stated in whole numbers, to be set aside at each selected AMI level. Where reasonably possible, Applicants will be required to keep the unit mix consistent to each AMI level committed to.

2. Commitment for HOME Applications:

a. Minimum HOME-Assisted Units (Threshold)

HOME Applicants must calculate the minimum number of set-aside units required by HUD and the minimum number of set-aside units as a percentage of the total units. If the Total Development Cost is revised, the smaller amount of Total Development Cost will be used for the purposes of calculating this set-aside and the applicable points will be awarded for setting aside units beyond the minimum required.

In the event of a discrepancy between the amounts entered by the Applicant at Part III.E.2.a.(1), (2) and/or (4) and those shown elsewhere within the Application, the HOME loan request amount stated at Part V.A.1. shall be deemed to be the requested amount, the Total Development Cost amount stated on the Development Cost Pro-Forma shall be deemed to be the Total Development Cost, and the total number of units stated at Part III.A.6. shall be deemed to be the total number of units for the Development.

b. Commitment to Set Aside Units Beyond the Minimum Required (Maximum 8 Points)

Calculate the percentage of additional HOME-Assisted (set-aside) Units beyond the minimum required that Applicant is committing to. Points will be awarded in accordance with the following chart:

<b>Percentage of Set-Aside Units Beyond the Minimum Required</b>	<b>Developments with 0-30 Total Units</b>	<b>Developments with 31 - 60 Total Units</b>	<b>Developments with 61 or More Total Units</b>
5.01-10%	6 Points	4 Points	2 Points
10.01-15%	8 Points	6 Points	4 Points
15.01-20%		8 Points	6 Points
20.01% or more			8 Points

c. Total Set-Aside Percentage

Calculate the total set-aside percentage.

d. Summary of HOME-Assisted Units

Low HOME Rent units must be equal to or greater than 20% of the total set-aside units committed to. All remaining set-aside units will be High HOME Rent units. Calculate the number of Low HOME and High HOME rent units. Round up the number of Low HOME Rent Units to the next whole unit. High and Low HOME Rent charts are incorporated by reference and are available on the Corporation's Website under the 2006 Universal Application link labeled Related Information and Links.

3. Affordability Period for MMRB, SAIL, HOME and HC Applications (Maximum 5 Points):

If the Applicant irrevocably commits to set aside units in the proposed Development for a total of 31 or more years, points will be awarded based on the following chart:

<b>Total Set-Aside Years</b>	<b>Points Awarded</b>
50 or more	5
45-49	4
40-44	3
35-39	2
31-34	1

Any HC Applicant that commits to set aside units beyond the HC minimum 30 years is also irrevocably committing to waive the option to convert after year fourteen (14).

**F. Resident Programs (Maximum 14 Points)**

Applicants may select resident programs from the Qualified Resident Programs for Non-Elderly and Non-Homeless Developments section, the Qualified Resident Programs for

Homeless Developments – SRO and Non-SRO section, or the Qualified Resident Programs for Elderly Developments section, up to a maximum of 6 points. Programs in the Qualified Resident Programs for All Applicants section may be selected, up to a maximum of 8 points.

All resident programs selected by the Applicant will be included in the Land Use Restriction Agreement(s) and/or Extended Use Agreement and must be maintained in order for the Development to remain in compliance unless the Board approves a change.

1. Qualified Resident Programs for Non-Elderly and Non-Homeless Developments (Maximum 6 Points)

To be eligible to select resident programs from this category, Applicant cannot have selected and qualified for the Elderly or Homeless Demographic Commitment at Part III.D.

a. Welfare to Work or Self-Sufficiency Type Programs. The Applicant commits to actively seek residents who are participating in or who have successfully completed the training provided by these types of programs. To receive point, Applicant must identify the program and the contact person. (1 point)

b. Homeownership Opportunity Program. MMRB, SAIL, HC and HOME Applicants may only select Item (1) below, with one exception. The exception is that HC Applicants that selected “Single Family Rental” as the Development Type at Part III.A.4. have the option of selecting either Item (1) or Item (2) below.

(1) Financial Assistance with Purchase of a Home. (2 points)  
Applicant commits to provide a financial incentive which includes the following provisions:

- The incentive must be applicable to the home selected by the resident and may not be restricted to or enhanced by the purchase of homes in which the Applicant, Developer, or other related party has an interest;
- the incentive must be not less than 5% of the rent for the resident’s unit during the resident’s entire occupancy (Note: Resident will receive the incentive for all months for which the resident is in compliance with the terms and conditions of the lease. Damages to the unit in excess of the security deposit will be deducted from the incentive.);
- the benefit must be in the form of a gift or grant and may not be a loan of any nature;
- the benefits of the incentive must accrue from the beginning of occupancy;



- the vesting period can be no longer than 2 years of continuous residency; and
- no fee, deposit or any other such charge can be levied against the resident as a condition of participation in this program.

OR

- (2) For HC Single Family Rental Developments (Application reflects the Single Family Rental Development Type at Part III.A.4.):

Financial Assistance with Purchase of a Unit in the Development. (1 point) Applicant must make this homeownership opportunity program available to all residents in compliance with their current lease, at no cost to the resident. The program must set-aside 10% of the resident's gross rent towards a down payment to assist the resident in the purchase of a unit in the Development. The resident may be suspended from the program during the period of a lease if the resident violates any provision of the lease. Upon renewal of the lease, the resident must be reinstated into the program for the period of that renewal, with suspension permitted under the same terms as discussed above.

- c. After School Program for Children - This program requires the Applicant or its Management Agent to provide supervised, structured, age-appropriate activities for children during the after school hours, Monday through Friday. Activities must be on-site and at no charge to the residents. (3 points)
  - d. First Time Homebuyer Seminars - Applicant or its Management Agent must arrange for and provide, at no cost to the resident, in conjunction with local realtors or lending institutions, semiannual on-site seminars for residents interested in becoming homeowners. (1 point)
  - e. Literacy Training - Applicant or its Management Agent 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. (2 points)
  - f. Job Training - Applicant or its Management Agent must provide, at no cost to the resident, regularly scheduled classes in keyboarding, computer literacy, secretarial skills or other useful job skills, which will be provided at least once each quarter. If the training is not provided on-site, transportation at no cost to the resident must be provided. (2 points)
2. Qualified Resident Programs for Homeless Developments - SRO and Non-SRO (Maximum 6 Points)

To be eligible to select resident programs from this category, Applicant must have selected and qualified for the Homeless Demographic Commitment at Part III.D.

Note: All Applicants selecting and qualifying for the Homeless Demographic Commitment in this Application will be required to provide a Case Management Program whereby the Applicant or its Management Agent must provide, at no cost to the resident, a Case Manager (at least one for every 25 residents) whose activities are aimed at assessing resident needs, planning services, linking the service system to a resident, coordinating the various system components, monitoring service delivery, and evaluating the effect of service delivery. Case Managers must possess at least a bachelor's degree in human services or a related field.

- a. The following resident programs are available for SRO Developments only (Applicant selected the SRO Development Type at Part III.A.4.):
  - (1) Staffed Kitchen/Cafeteria - Applicant or its Management Agent must provide, at no cost to the resident, an on-site staffed kitchen/cafeteria that provides at least one meal, 7 days per week. (3 points)
  - (2) Daily Activities – Applicant or its Management Agent must provide on-site supervised, structured activities, at no cost to the resident at least 5 days per week. (3 points)
- b. The following resident programs are available for Non-SRO Developments only:
  - (1) Homeownership Opportunity Program. MMRB, SAIL, HC and HOME Applicants may only select Item (a) below, with one exception. The exception is that HC Applicants that selected “Single Family Rental” as the Development Type at Part III.A.4. have the option of selecting either Item (a) or Item (b) below.
    - (a) Financial Assistance with Purchase of a Home. (2 points)  
Applicant commits to provide a financial incentive which includes the following provisions:
      - The incentive must be applicable to the home selected by the resident and may not be restricted to or enhanced by the purchase of homes in which the Applicant, Developer, or other related party has an interest;
      - the incentive must be not less than 5% of the rent for the resident's unit during the resident's entire occupancy (Note: Resident will receive the incentive for all months for which the resident is in compliance

with the terms and conditions of the lease. Damages to the unit in excess of the security deposit will be deducted from the incentive.);

- the benefit must be in the form of a gift or grant and may not be a loan of any nature;
- the benefits of the incentive must accrue from the beginning of occupancy;
- the vesting period can be no longer than 2 years of continuous residency; and
- no fee, deposit or any other such charge can be levied against the resident as a condition of participation in this program.

OR

- (b) For HC Single Family Rental Developments (Application reflects the Single Family Rental Development Type at Part III.A.4.):

Financial Assistance with Purchase of a Unit in the Development. (1 point) Applicant must make this homeownership opportunity program available to all residents in compliance with their current lease, at no cost to the resident. The program must set-aside 10% of the resident's gross rent towards a down payment to assist the resident in the purchase of a unit in the Development. The resident may be suspended from the program during the period of a lease if the resident violates any provision of the lease. Upon renewal of the lease, the resident must be reinstated into the program for the period of that renewal, with suspension permitted under the same terms as discussed above.

- (2) After School Program for Children - This program requires the Applicant or its Management Agent to provide supervised, structured, age-appropriate activities for children during the after school hours, Monday through Friday. Activities must be on-site and at no charge to the residents. (3 points)
- (3) First Time Homebuyer Seminars - Applicant or its Management Agent must arrange for and provide, at no cost to the resident, in conjunction with local realtors or lending institutions, semiannual on-site seminars for residents interested in becoming homeowners. (1 point)

- c. The following resident programs are available for both SRO and Non-SRO Developments:

- (1) Welfare to Work or Self-Sufficiency Type Programs - The Applicant commits to actively seek residents who are participating in or who have successfully completed the training provided by these types of programs. To receive point, Applicant must identify the program and the contact person. (1 point)
- (2) Literacy Training - Applicant or its Management Agent 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. (2 points)
- (3) Job Training - Applicant or its Management Agent must provide, at no cost to the resident, regularly scheduled classes in keyboarding, computer literacy, secretarial skills or other useful job skills, which will be provided at least once each quarter. If the training is not provided on-site, transportation at no cost to the resident must be provided. (2 points)

OR

3. Qualified Resident Programs for Elderly Developments (Maximum 6 Points)

To be eligible to select resident programs in this category, Applicant must have selected and qualified for the Elderly Demographic Commitment at Part III.D.

Note: All Applicants selecting and qualifying for the Elderly Demographic Commitment as an Assisted Living Facility at Part III.D. will be required to provide a Case Management Program whereby the Applicant, Case Manager, Management Agent, or its Service Provider must provide, at no cost to the resident, a Case Manager (at least one for every 25 residents) whose activities are aimed at assessing resident needs, planning services, linking the service system to a resident, coordinating the various system components, monitoring service delivery, and evaluating the effect of service delivery. Case Managers must possess at least a bachelor's degree in human services or a related field.

- a. Private Transportation – The Applicant or its Management Agent must make available a safe and serviceable vehicle that can transport residents to off-site locations for such things as medical appointments, public service facilities, and/or educational or social activities, at no cost to the resident. A nearby bus stop or access to programs such as “Dial-A-Ride” will not be acceptable for purposes of this program. (3 points)

- b. Daily Activities - Applicant or its Management Agent must provide on-site supervised, structured activities, at no cost to the resident, at least five days per week. (3 points)
- c. Assistance with Light Housekeeping, Grocery Shopping and/or Laundry - The Applicant or its Management Agent will 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. (1 point)
- d. Resident Assurance Check-In Program – 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. (2 points)
- e. Manager On-Call 24 Hours Per Day – Applicant must provide management personnel on the Development’s premises at all times who will be available and accessible to the residents 24 hours per day, seven days per week, at no cost to the resident. (2 points)

AND

- 4. Qualified Resident Programs for ALL Applicants (Maximum 8 Points)
  - a. Health Care – At least quarterly visits by health care professionals such as nurses, doctors, or other licensed care providers. At a minimum, the following services must be provided: health screening, flu shots, vision and hearing tests. Regularly scheduled is defined as not less often than once each quarter. On-site space must be provided. Service must be provided at no cost to the residents, with the exception that the residents may be charged for medications. (2 points)
  - b. Resident Activities - These specified activities are planned, arranged, provided and paid for by the Applicant or its Management Agent. These activities must be an integral part of the management plan. The Applicant must develop and execute a comprehensive plan of varied activities that brings the residents together and encourages community pride. The goal here is to foster a sense of community by bringing residents together on a regularly scheduled basis by providing activities such as holiday and special occasion parties, community picnics, newsletters, children’s special functions, etc. (2 points)
  - c. Health and Nutrition Classes – At least 8 hours per year, provided on site at no cost to the residents. (2 points)

- d. Financial Counseling - This service must be provided by the Applicant or its Management Agent, at no cost to the resident, and must include the following components: must be regularly scheduled at least once each quarter; must include tax preparation assistance by qualified professionals; must include educational workshops on such topics as “Learning to Budget”, “Handling Personal Finances”, “Predatory Lending”, or “Comparison Shopping for the Consumer”. (2 points)
- e. English as a Second Language – The Applicant or its Management Agent must make available, at no cost to the resident, literacy tutor(s) who will provide weekly English lessons to residents in private space on-site. (2 points)
- f. Resident Assistance Referral Program - The Applicant or its Management Agent will make available to residents information about services such as crisis intervention, individual and family needs assessment, problem solving and planning, appropriate information and referral to community resources and services based on need, monitoring of ongoing ability to retain self sufficiency, and advocacy to assist clients in securing needed resources. This service must be provided at no cost to the resident. (2 points)
- g. Swimming Lessons – The Applicant or its Management Agent must provide on-site swimming lessons for children or adults, at no cost to the resident, at least twice each year. (2 points)
- h. Life Safety Training – The Applicant or its Management Agent must provide courses such as fire safety, first aid (including CPR), etc., on-site, at least twice each year, at no cost to the resident. (2 points)
- i. Mentoring – Establish a partnership with a primary or secondary education institution to encourage mentoring, tutoring and/or financial support that will benefit the residents of the proposed affordable housing community. This service must be provided at no cost to the resident. (2 points)

Only Applicants requesting HOME funding must answer the questions in Part III. G, H and I below.

**G. HOME Uniform Relocation Act (Threshold)**

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) is government-wide legislation and compliance begins at the initiation of negotiation for federal assistance. Failure to provide all required Uniform Relocation Act information shall result in rejection of this Application.

1. Applicant must select "Yes" if any portion of the proposed Development will involve rehabilitation work, regardless of whether Rehabilitation/Substantial Rehabilitation or Acquisition and Rehabilitation/Substantial Rehabilitation was selected as the Development Category at Part III.A.3.
2. a. - e. Answer all questions as appropriate.  
f. Provide the following documentation in a separate notebook entitled "Relocation Documentation". Only one copy of this documentation is required.

(1) & (2) List of all occupied units and tenant income certifications – The income of persons and households who are currently occupying a unit that will receive HOME assistance must be provided to determine whether they are income eligible. For all occupied units, the Applicant must provide a summary list of all residents and income certifications for those residents in occupied units that will be HOME-Assisted Units. If the existing residents and/or Development is/are currently participating in a federally subsidized program (such as Project-based Section 8, Section 8 Existing or Section 8 Voucher Programs), the residents' current income certification forms required for that program may be used instead.

(3) Provide a brief description of how the Development will meet the HOME set-aside requirements. The description must indicate whether the existing residents are HOME eligible residents, or whether the residents will be evicted and replaced with income eligible residents in order to meet the set-aside requirements committed to in this Application.

(4) Cost of Relocation - Describe how the cost of relocation will be covered. Detail how the temporary and permanent relocation will be handled.

(5) General Information Notice - In accordance with the Uniform Relocation Act (URA), as part of 24 CFR Part 92, a Development applying for HOME funds must provide a notice to all tenants at time of Application, informing them of their rights under the URA in accordance with Chapter 2 of the HUD Handbook 1378. The Handbook is incorporated by reference and is available on the Corporation's Website under the 2006 Universal Application link labeled Related Information and Links. The proper manner of notice is provided in this Handbook. A copy of each General Information Notice must be provided to each tenant, not just tenants in HOME-Assisted Units. The Applicant must provide a copy of each General Information Notice for each occupied unit in the notebook labeled "Relocation Documentation". Each notice

must include proof of delivery by certified letter or by signed copy of the notice when hand delivered.

3. a. If the Applicant owns the Development site, provide a narrative describing the acquisition behind a tab labeled "**Exhibit 36**". This narrative must describe how, when, and from whom the property was acquired and whether or not the property was vacant when acquired.
- b. If the Applicant is a private company and is acquiring the property, the Applicant (buyer) must provide the seller with a notice that the buyer does not have the power of eminent domain to obtain the property and a determination of market value will estimate the value of the property. This must be done prior to execution of the contract or may be attached as an addendum to the contract. A copy of the required notice must be provided behind a tab labeled "**Exhibit 37**". A sample addendum is available on the Corporation's Website.
- c. If the Applicant is a public (government) Applicant, respond to all applicable remaining questions in this relocation section.
- d. If the buyer has the power of eminent domain, buyer must notify the seller in writing that it has such power and the determination of market value for the property is being waived. Provide a copy of the required notice behind a tab labeled "**Exhibit 38**". A sample notice is available on the Corporation's Website.
- e. If the Applicant is a public (government) Applicant and does not have the power of eminent domain, provide the following: (1) notice of interest, (2) determination of fair market value, (3) appraisal of the property, and (4) written offer of just compensation which includes a statement of just value, property description, and identification of buildings. Provide all required documentation behind a tab labeled "**Exhibit 38**".

#### **H. HOME Certification of Consistency With the Consolidated Plan (Threshold)**

Provide evidence behind a tab labeled "**Exhibit 39**" that the proposed Development is consistent with the applicable Consolidated Plan. Developments located in entitlement jurisdictions should request a certification of consistency letter from the appropriate authorities in that jurisdiction (typically, the community development staff). Developments located in non-entitlement jurisdictions (e.g. small non-entitlement cities or unincorporated areas of counties) should request a certification of consistency letter from the state. Failure to provide this certification will result in rejection of the Application. To request a certification of consistency letter from the state (or if you are not sure which Consolidated Plan applies to the location of your proposed HOME Development), please contact:



Judy Peacock (or her successor)  
Bureau of Community Development  
Division of Housing and Community Development  
Florida Department of Community Affairs  
850-922-1454

**I. HOME Other Federal Requirements (Threshold)**

1. Federal Labor Requirements - Owners of a building or buildings which consist of 12 or more HOME-Assisted Units which are to be constructed or rehabilitated by the same contractor under a single contract (including Scattered Site Developments) must comply with the Federal Labor Standards requirements as identified in 24 CFR Part 92 and Rule Chapter 67-48.

Federal Labor Standards require that all persons working on the site be paid an hourly rate not less than the minimum rate specified in the Wage Determination issued by HUD for each particular property. The owner will be required to submit to the Corporation, or its representative servicer, payroll reports and certifications to verify wage payments. Conformance with Labor Standards will be monitored during the construction/rehabilitation period in conjunction with the draw inspections by the consulting engineer/architect engaged by the underwriter/servicer.

If the Development contains 12 or more HOME Assisted Units to be rehabilitated or constructed under a single contract, the Corporation will require, prior to the start of construction, certification by the Applicant that it has been advised by the Corporation of its responsibilities and obligations regarding the federal labor and wage requirements and that it agrees to comply with the guidelines.

2. HUD Environmental Requirements – Applicant will be required to comply with the HUD environmental requirements as provided in 24 CFR Part 92 and 24 CFR Part 58.
3. Debarment and Suspension - Owners and contractors are prohibited from employing, awarding contracts, or funding any contractors or subcontractors that have been debarred, suspended, proposed for debarment or placed on ineligibility status by HUD. In addition, any owners who are debarred, suspended, proposed for debarment, or ineligible will be prohibited from participating in the HOME Program. Therefore, a certification must be executed by the contractor for compliance with debarment and suspension regulations. Provide the certification behind a tab labeled "**Exhibit 40**". This certification is incorporated by reference and is available on the Corporation's Website under the 2006 Universal Application link labeled Related Information and Links. Failure to provide this executed certification shall result in rejection of the Application.

4. Lead Based Paint - If the Development was built before 1978, Lead Based Paint Regulations may apply. See 24 CFR Part 35 for exemptions. To be eligible for HOME funding, the Applicant must certify that it understands the requirements of the current HUD lead based paint regulations as identified in 24 CFR Part 92 and Rule Chapter 67-48.

If the Applicant is purchasing the property and the Development was built before 1978, provide a copy of the executed Disclosure of Information on Lead Based Paint and Lead Based Paint Hazards Form, signed by both the buyer and the seller, behind a tab labeled "**Exhibit 41**". This form is incorporated by reference and is available on the Corporation's Website under the 2006 Universal Application link labeled Related Information and Links. Failure to provide a copy of the executed disclosure form, if applicable, shall result in rejection of the Application.

5. Match - 24 CFR § 92.220 requires the Corporation to match funds for each HOME dollar spent on a Development. For purposes of Match calculation of taxes, fees, or charges that are forgiven for future years, the value of the Match is the present discounted cash value, based on a rate equal to the 10-year Treasury note rate in effect as of the date the HOME-Rental Notice of Funding Availability (NOFA) is published in the Florida Administrative Weekly. This rate may be obtained from the Corporation prior to the Application Deadline.

For purposes of the Universal Application, Match contributions must be made from nonfederal resources and may be in the form of one or more of the following:

- a. Cash contributions from nonfederal sources.

To be recognized as a cash contribution, funds must be contributed permanently to the HOME Development. Therefore, to receive match credit for the full amount of a loan to a HOME Development, all repayment, interest, or other return on investment of the contribution must be deposited in the local account of the participating jurisdiction's HOME Investment Trust Fund to be used for eligible HOME activities in accordance with the requirements of 24 CFR § 92.220.

- b. Forbearance of fees - state and local taxes, charges or fees.

The value of state or local taxes, fees, or other charges that are normally imposed or charged by a state or local government on all transactions or developments in the conduct of its operations, which are waived, foregone, or deferred, may be counted as Match. The amount of any real estate taxes may be based on post-improvement property value.

c. Donated Real Property.

The value, before the HOME assistance is provided and minus any debt burden, lien, or other encumbrance, of donated land or other real property may be counted as Match, as provided below. The donation may be made by the participating jurisdiction, non-federal public entities, private entities, or individuals, with the exception of cash or other forms of contributions from applicants for or recipients of HOME assistance or contracts, or investors who own, are working on, or are proposing to apply for, assistance for a HOME-assisted project.

- (1) Donated property not acquired with Federal resources is a contribution in the amount of 100% of the value.
- (2) Donated property acquired with federal assistance may provide a partial contribution. The property must be acquired with federal assistance specifically for a HOME development. The property must be acquired with the federal assistance at demonstrably below the appraised value and must be acknowledged by the seller as a donation to affordable housing at the time of the acquisition with the federal assistance. The amount of the contribution is the difference between the acquisition price and the appraised value at the time of acquisition with the federal assistance.
- (3) Property must be appraised in conformance with established and generally recognized appraisal practice and procedures in common use by professional appraisers. Opinions of value must be based on the best available data properly analyzed and interpreted. The appraisal of land and structures must be performed by an independent, certified appraiser.

List the amount of each source of Match funding. For each source of Match funding listed, the Applicant must provide documentation consisting of a signed statement from the source detailing the type of contribution, the amount of the contribution, and how the amount of the contribution was calculated. If determination of the contribution amount is based on the present value calculation, include the actual present value calculation as described in 24 CFR § 92.220. Provide this information behind a tab labeled “**Exhibit 42**”. If additional space is required, enter the information on the addenda located at the end of the Application.

Match as a percentage of the HOME loan amount will be used as a tie-breaker as described further in the Ranking and Selection Criteria section of the Universal Application Instructions.

## Part IV. Local Government Support

### A. Contributions (Maximum 5 Points)

The following Applicants will automatically receive 5 points without any requirement to obtain a Local Government contribution:

- Applicants requesting MMRB in the current funding cycle.
- Applicants receiving Tax-Exempt Bonds issued by either the Corporation or a Local Government, excluding 501(c)(3) Bonds from either source.
- Applicants that reflect Rehabilitation/Substantial Rehabilitation or Acquisition and Rehabilitation / Substantial Rehabilitation at Part III.A.3. of the Application.
- Applicants that selected and qualified for the Homeless Demographic at Part III.D. of the Application.
- For the 2006 Universal Cycle, Applicants with proposed Developments located in the following counties: Brevard, Broward, Collier, Glades, Hendry, Indian River, Lee, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach, and St. Lucie.

To be eligible to receive 5 points, all other Applicants must obtain a Local Government contribution equal to or greater than the amounts listed on the County Contribution List and demonstrate such contribution by providing the properly completed and executed Local Government Verification of Contribution Form(s). To qualify for points, each Local Government Verification of Contribution Form must reflect the following dates:

- the effective date of the Local Government commitment and/or fee waiver (date must be on or before the Application Deadline); and
  - the term of the commitment and/or fee waiver (the commitment and/or fee waiver must be effective at least through December 31, 2006)
- (1) Provide the Local Government Verification of Contribution – Grant Form behind a tab labeled “**Exhibit 43**”;
  - (2) Provide the Local Government Verification of Contribution – Fee Waiver Form behind a tab labeled “**Exhibit 44**”;
  - (3) Provide the Local Government Verification of Contribution – Loan Form behind a tab labeled “**Exhibit 45**”; and/or
  - (4) Provide the Local Government Verification of Contribution – Fee Deferral Form behind a tab labeled “**Exhibit 46**”.

The payment stream for all present value calculations (if contribution consists of a loan or deferred fee) should be provided behind the applicable exhibit tab.

In order to be eligible for points for a Local Government contribution, the contribution must provide a tangible economic benefit that results in a quantifiable cost reduction and

must be given specifically because the Development will provide affordable housing. Local Government contributions that are not specifically made for the benefit of affordable housing but are instead of general benefit to the area in which the Development is located will NOT qualify as a contribution to the Development. Further, the fact that no impact fees or other such fees are levied by a local jurisdiction for ANY type of development DOES NOT constitute a "Local Government Contribution" to the proposed Development. Similarly, if such fees ARE levied by the local jurisdiction but the nature of the proposed Development exempts it (e.g., typically, a Rehabilitation Development is not subject to impact fees), for purposes of this form, no "Local Government Contribution" exists and no points will be awarded. State, federal, or Local Government funds initially obtained by or derived from a Local Government qualify as a Local Governmental contribution even though the funds are directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization, provided that they otherwise meet the requirements set forth in this Application, including those relating to the executed verification form. Local Government contributions that have not received final approval will not qualify as a Local Government contribution for purposes of this Application. HOPE VI funds may be used as a Local Government contribution.

The only Local Government contributions that will count for the purpose of scoring are:

- Monetary grants
- Loans with the exception of USDA RD funds
- A one-year or more deferral of a fee beyond the date that it is routinely due
- Waiver of fees

The contribution may not be included on the Development Cost Pro Forma nor may it be considered part of Development Cost for purposes of calculating HC basis or Developer's fee. The exception to the previous sentence is deferred Local Government fees, which may be shown on the Development Cost Pro Forma.

All loans and fee deferrals must be present valued to determine the value of these contributions.

- Calculate the net present value of the payments using the discount rate, the 10 year Treasury note in effect as of the date the HC Notice of Credit Availability (NOCA) is published in the Florida Administrative Weekly plus 285 basis points. This figure may be obtained from the Corporation prior to the Application Deadline.
- A loan with a forgiveness provision requiring approval of the Local Government will be treated as a loan, rather than as a grant, for scoring purposes. The "Loan" verification form should be used.
- Grants that are provided after 12 months from the placed-in-service date must be present valued using the Corporation's discount rate.

To calculate the value of a Local Government below market interest rate loan:

- Calculate the net present value of the payments due to the Local Government including any balloon payment of principal due on a non-amortizing or non-fully amortizing loan.
- Calculate the net present value of the loan payments using the discount rate, the 10 year Treasury note in effect as of the date the HC Notice of Credit Availability (NOCA) is published in the Florida Administrative Weekly plus 285 basis points. This figure may be obtained from the Corporation prior to the Application Deadline.
- Subtract the net present value of the loan payments from the original loan principal amount. The remaining number is the Local Government contribution.

Example: If the discount rate is assumed to be 9% and the Local Government will provide a fully amortizing \$1,000,000 loan at 3% for 15 years, the contribution is calculated as follows:

Calculate the monthly payment of the \$1,000,000 loan at 3% (\$6,905.82).

Calculate the net present value of the stream of \$6,905.82 monthly payments over 15 years (180 months) using a 9% discount rate (\$680,868.33).

Subtract the net present value amount from the original principal loan amount to arrive at the value of the contribution ( $\$1,000,000 - \$680,868.33 = \$319,131.67$  value).

Example: If the discount rate is assumed to be 9% and the Local Government will provide an interest only \$1,000,000.00 loan at 3% for 15 years, the contribution is calculated as follows:

Calculate the monthly payment of the \$1,000,000 loan at 3%. Multiply the \$1,000,000 by 3% and divide the result by 12. The answer is \$2,500. As such, the loan payments for the first 179 months are \$2,500. The 180<sup>th</sup> payment is the \$2,500 plus the balloon payment of \$1,000,000, which is \$1,002,500.

Calculate the net present value of the stream of the various monthly payments over 15 years (180 months) using a 9% discount rate (\$507,032.96).

Subtract the net present value amount from the original principal loan amount to arrive at the value of the contribution (\$1,000,000 - \$507,032.96 = \$492,967.04 value).

❖ **SCORING:**

Local Government contributions may be verified by Corporation Staff during the scoring and appeals process. The government contact person listed on the Verification of Local Government Contribution Form(s) may be contacted to verify the nature and the amount of the contribution. If the amount and type of contribution is verified to be less than that represented in the Application, the Applicant will receive points only for the lesser amount. If the amount and type of contribution cannot be verified, the Applicant will receive zero points for that contribution. In either case, the Applicant may also be subject to the consequences set forth in section 420.507(35), F.S., and Rule Chapter 67-48, F.A.C.

Scorers will use the Hewlett Packard 12C calculator or a similar Hewlett Packard calculator to calculate the present value of a loan in order to determine the amount of the Local Government contribution. Scorers, where applicable, will adjust the amount of the Local Government contribution up or down depending on the results of these calculations.

NOTE: Funds administered by the Local Government, including federal funds and SHIP funds, may be included in the contribution as long as the appropriate verification form and all required supporting documentation are included. For purposes of this form, USDA-RD funds will NOT count as a 'Local Government contribution'.

NOTE: For waiver of fees, attach a sheet behind the Local Government Verification of Contribution Form detailing how the amount of savings was calculated. For waivers of fees that are determined on a per unit basis, calculations should show the amount waived per unit for each waived fee. Failure to attach a sheet showing these calculations will result in the contribution not being considered.

NOTE: For loans and fee deferrals, attach a separate sheet behind the applicable Local Government Verification of Contribution Form showing the payment stream used to calculate the net present value of the contribution. For example, a sheet of paper that stated the following would be acceptable: "The net present value of the Manatee County \$500,000 loan was computed using a payment stream of \$2,000 for 60 months, \$3,000 for 60 months, and \$5,000 for 60 months." Failure to attach a sheet that provides this information will result in the contribution not being considered.

In order for an Application to achieve the maximum 5 points, the Applicant must provide evidence of a contribution whose dollar amount is equal to or greater than the amount listed on the County Contribution List for the county in which the proposed Development will be located. Those Applications that do not have the necessary contributions to achieve maximum points will be scored on a pro-rata basis.

Example: A Development is to be located in Sarasota County and has achieved a \$75,000 Local Government contribution. The County Contribution List states that a Development to be located in Sarasota County must obtain \$150,000 in contributions to achieve 5 points. Therefore, in this example, the Development would receive 2.5 points  $((\$75,000/\$150,000) \times 5)$ .

NOTE: Points will be rounded to two decimal places (3.345 rounded up to 3.35 and 3.3449 rounded down to 3.34).

❖ County Contribution List

County in Which the Development Is to be Located	Amount Required to Achieve Maximum Points	County in Which the Development Is to be Located	Amount Required to Achieve Maximum Points
Duval Hillsborough Orange Pinellas Polk	\$200,000	Columbia Flagler Highlands Nassau Putnam Sumter	\$40,000
Pasco Sarasota Seminole Volusia	\$150,000	Bradford De Soto Gadsden Hardee Jackson Levy Suwannee Walton	\$20,000
Alachua Escambia Lake Leon Manatee Marion	\$100,000	Baker Calhoun Dixie Franklin Gilchrist Gulf Hamilton	\$10,000
Bay Charlotte Citrus Clay Hernando Okaloosa Osceola St. Johns Santa Rosa	\$75,000	Holmes Jefferson Lafayette Liberty Madison Taylor Union Wakulla Washington	



**B. Incentives (Maximum 4 Points)**

Points will be awarded for the following Local Government planning efforts. To be eligible to receive points, the Applicant must submit the applicable Local Government Verification of Affordable Housing Incentives Form(s), properly completed and executed. Do not provide any attachments to the verification forms.

1. Provide the Local Government Verification of Affordable Housing Incentives – Expedited Permitting Process for Affordable Housing Form behind a tab labeled “**Exhibit 47**”. (1 point)
2. Provide the Local Government Verification of Affordable Housing Incentives – Contributions to Affordable Housing Properties or Developments Form behind a tab labeled “**Exhibit 48**”. (1 point)
3. Provide the Local Government Verification of Affordable Housing Incentives – Modification of Fee Requirements for Affordable Housing Properties or Developments Form behind the tab labeled “**Exhibit 49**”. (1 point)
4. Provide the Local Government Verification of Affordable Housing Incentives – Impact of Policies, Ordinances, Regulations, or Plan Provisions on Cost of Affordable Housing Properties or Developments Form behind the tab labeled “**Exhibit 50**”. (1 point)

**Part V. Financing (Threshold)**

**A. Funding**

1. Funding Request – The Applicant must state the amount of Corporation funding it is requesting in this Application. In the event of a discrepancy between the amount(s) shown in this section and that shown elsewhere within the Application, the amount(s) shown in this section shall be deemed to be the requested amount(s).

MMRB Applicants should round the requested Tax-Exempt Bond amount up to the nearest \$5,000. If the request amount is not rounded up to the nearest \$5,000, such rounding will be done by the Corporation during the scoring process.

Competitive HC request cannot exceed the applicable amount stated in the following chart:

Application's County Group* / Designation	County Group / Designation Request Limits	
	If Development is not located in a DDA or QCT	If Development is located in a DDA or QCT
LL and LM Counties	\$1,875,000	\$2,435,000
LS Counties	\$1,545,000	\$2,010,000
LVS Counties	\$1,215,000	\$1,580,000
ML Counties	\$1,100,000	\$1,435,000
MS Counties	\$935,000	\$1,215,000
Florida Keys Area		\$1,435,000
Small Counties	\$785,000	\$1,020,000
Front Porch Florida Community**	\$1,100,000	\$1,100,000

\* County Groups are described in the Ranking and Selection Criteria of the Universal Application Instructions

\*\* This is limited to Applicants that selected and qualified for the Front Porch Florida Community Designation in this Application, regardless of county group.

## 2. SAIL

SAIL request amount cannot exceed the lesser of the amount stated below for the County Group/Designation where the proposed Development will be located or 25% of Total Development Cost:

County Group* / Designation	Maximum Request Amount
Large Counties (LL, LM, LS, LVS)	\$4 Million
Medium Counties (ML, MS)	\$4 Million
Small Counties (SL, SM, SS)	\$4 Million
Elderly Designation	\$5 Million **

\* County Groups are described in the Ranking and Selection Criteria

\*\* This is limited to Applicants requesting SAIL only or SAIL and MMRB that selected and qualified for the Elderly Designation in this Application, regardless of county group.

Under certain circumstances, an Applicant may be eligible to request a SAIL loan in excess of 25% of Total Development Cost. Indicate whether the SAIL amount the Applicant is requesting is in excess of 25% of Total Development Cost. If the answer is “Yes”, the Applicant must indicate which of the eligibility requirements it has met that enables it to make such request and provide evidence of its eligibility behind a tab labeled “**Exhibit 51**”.

3. HOME

HOME request cannot exceed the applicable HOME Rental FHFC Subsidy Limits. The actual dollar amount of these limits is based on the number of bedrooms in each unit and the county in which the Development is located. HOME funds are not available for units that are not set-aside units. See the HOME Subsidy Limits chart provided at the Corporation’s Website under the 2006 Universal Application link labeled Related Information and Links.

HOME Applicants - Provide a chart behind a tab labeled “**Exhibit 52**” showing the calculation of the total maximum HOME subsidy the Applicant may request based on the Corporation limits. Failure to provide the chart shall result in rejection of the Application. The chart must include the following information concerning the HOME-Assisted (set-aside) Units. For example, if the proposed Development will consist of 25 total units, 20 of which are set-aside units, and will be located in Baker County, calculate the maximum allowed HOME funding request as follows:

Unit Size (0, 1, 2, 3, 4 Bedrooms)	Number of Set-Aside Units		Appropriate Dollar Limit (80%) based on unit size, total number of units in Development, and County in which it is located		HOME Subsidy Allowed
1	15	x	\$76,796	=	\$1,151,940
2	5	x	\$93,384	=	\$ 466,920
Total Maximum Home Subsidy Allowed				=	\$1,618,860

4. Designation – MMRB, SAIL and/or HC Applicants Only

The Applicant must select only one of the following designations. If the Applicant fails to select a designation, the Applicant will be deemed to have selected designation (i) below. If the Applicant makes a selection and fails to qualify for the selected designation, the Application will be rejected.

- a. Florida Keys Area (Competitive HC Only or Competitive HC/SAIL Applicants may make this selection)

To qualify to make this selection, the proposed Development must be located in the Florida Keys Area.

- b. Elderly (SAIL/MMRB/non-competitive HC or SAIL Only Applicants may make this selection)

To qualify to make this selection, the Applicant must have selected and qualified for the Elderly Demographic Commitment at Part III, Section D.1.

- c. Farmworker/Commercial Fishing Worker (SAIL Only Applicants may make this selection)

To qualify to make this selection, the Applicant must have selected and qualified for the Farmworker Demographic Commitment at Part III, Section D.2.

- d. Homeless (SAIL/MMRB/non-competitive HC, SAIL Only or SAIL/Competitive HC Applicants may make this selection)

To qualify to make this selection, the Applicant must have selected and qualified for the Homeless Demographic Commitment at Part III, Section D.3.

- e. HOPE VI (MMRB/non-competitive HC Only or MMRB/SAIL/non-competitive HC Applicants may make this selection)

To qualify to make this selection, the Applicant must provide a copy of the properly executed award letter from HUD, awarding the HOPE VI revitalization funds. The letter must state the amount of the HOPE VI revitalization award and the name of the Development, and must be provided behind a tab labeled “**Exhibit 53**”.

- f. Rural Development 515 (Competitive HC Only or Competitive HC/SAIL Applicants may make this selection)

- g. Rural Development 514/516 (Competitive HC Only or Competitive HC/SAIL Applicants may make this selection)

Applicant may select item f. or g. above if it is anticipated that the Development will be assisted with funds from the United States Department of Agriculture RD 515 or 514/516 Program. By making either selection, the Applicant chooses to compete within the Rural Development Special Set-Aside. Applicants within this Special Set-Aside must provide evidence of RD financing by October 1, 2006 or the reserved funds will be distributed outside the RD Special Set-Aside in accordance with the QAP. Applicants without an RD funding commitment at the time of Application Deadline must submit alternative financing commitment(s) to qualify during scoring. Such commitment(s) must be replaced during credit underwriting. Assumption of an existing Rural Development 515 or 514/516 Program loan will not qualify an HC Applicant to select the Rural Development Designation.

- h. Front Porch Florida Community (Competitive HC Only or Competitive HC/SAIL Applicants may make this selection)

To qualify to make this selection the Applicant must provide a properly completed and executed Verification of Front Porch Florida Community Form behind a tab labeled “**Exhibit 53**”.

Note: The telephone number for the Office of Urban Opportunity is (850) 487-9556.

For purposes of this Application, a proposed Development will be deemed by the Corporation to be located in a Front Porch Florida Community if the Applicant submits a properly completed and executed Verification of Front Porch Florida Community Form with its Original Hard Copy Application or in its cure, even in the event that the Governor’s Office of Urban Opportunity revokes or rescinds the Verification of Front Porch Florida Community Form after the Application Deadline.

- i. Applicant elects not to select one of the above designations
5. Other Corporation Funding – If applicable, Applicant must list any other Corporation funding, excluding credit enhancement from the Guarantee Fund, funding from the Predevelopment Loan Program (PLP), or an allocation of non-competitive HC, that will be used as a source of financing for this construction project. If Local Government-issued Tax-Exempt Bond proceeds will be used as a source of financing, the source and amount of such proceeds must also be listed.

**B. Finance Documents:**

All Applicants must complete the Development Cost Pro-Forma, the Detail/Explanation Sheet, if applicable, the Construction or Rehab Analysis, and the Permanent Analysis.

All Applicants must complete and attach the Commitment to Defer Developer Fee, if applicable, behind a tab labeled “**Exhibit 54**”. If the proposed Development will have more than one Developer and the Developers are committing to defer some or all of the Developer fee, each Developer must complete and provide a Commitment to Defer Developer Fee form.

❖ Development Cost Pro Forma

This section must include all anticipated costs of the Development construction, Rehabilitation and, if applicable, acquisition. Any amounts that are not an anticipated cost to the Development, such as waived fees or charges, should not be included in the Development Cost Pro Forma. Note: deferred Developer fees are not considered “waived fees”.

❖ Fee Disclosure

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 or General Contractor fee that exceeds the stated Application limits, the Corporation will adjust the fee to the maximum allowable.

❖ Developer Fees

Developer fee shall be limited to 16% of Development Cost. A Developer fee on the building acquisition cost shall be limited to 4% of the cost of the building exclusive of land. A total Developer fee of 18% of Development Cost shall be allowed if the proposed Development is qualified for Housing Credits pursuant to Rule 67-48.027, F.A.C., pertaining to Tax-Exempt Bond-Financed Developments.

If the proposed Development which is the subject of this Application consists of rehabilitation work and the Development received a funding commitment or a Preliminary Allocation/Determination from the Corporation since 1989 for construction work not proposed in this Application, the Developer fee shall be limited to 10% of Development Cost.

Note: The maximum allowable Developer fee will be tested by multiplying the Development Cost by the applicable percentage (16%, 18%, 10% or 4%). This calculation will be carried to 2 decimal places and may not be rounded.

**C. MMRB Applicants Only**

Indicate the Credit Enhancer's or Bond Purchaser's name and the term and expected rating. Provide the Credit Enhancer's Commitment or Bond Purchaser's Letter of Interest with a contact person's name, address and telephone number, credit underwriting standards and an outline of proposed terms behind a tab labeled "Exhibit 55". The stated amount of the Commitment or Letter of Interest shall not be less than the proposed principal amount of the Bonds (including any proposed Taxable Bonds). The Commitment/Letter of Interest does not have to be firm.

**D. Non-Corporation Funding Commitment(s)**

Provide documentation of all commitments from both the construction and the permanent lender(s), the syndicator or other sources of funding. The commitments must state whether they are for construction financing, permanent financing, or both. All conditions that are required to be met prior to funding must be included in the commitment letter(s). For a commitment letter to be considered as a firm commitment, all attachments must be included. Insert documentation for each source directly behind its own tab beginning

with a tab labeled “**Exhibit 56**” and continuing with sequentially numbered tabs for each exhibit.

Any commitment subject to committee approval will not be considered a firm commitment.

For purposes of this Application, net operating income for a Rehabilitation Development will not be considered a source of financing.

❖ Firm Commitment

For the purpose of this Application, a firm commitment for debt financing must adhere to the following. Evidence for each firm commitment must be behind its own tab:

- A firm commitment shall contain:
  - terms
  - specific interest rate of the construction loan (a published variable index will be acceptable)
  - specific interest rate of the permanent loan (a published variable index will be acceptable)
  - signature of all parties, including acceptance by the Applicant  
Note: In order to be considered ‘firm’, Local Government financial commitments are not required to be signed by the Applicant if the Applicant provides the properly completed Local Government Verification of Contribution Form along with, where applicable, the required supporting documentation.
  - a statement that states the commitment does not expire before December 31, 2006, with the exception of Local Government-issued tax-exempt bonds.
- In order for a financing commitment to count as a permanent financing source, it must have a term of at least 10 years.
- If the financing has closed, a copy of the executed note or executed loan agreement, which contains the terms and interest rate, and a copy of the recorded mortgage, if applicable, must be included. If the proper documentation is provided, financing that has closed will count as a firm commitment, but in order for it to count as a permanent financing source, it must have a term of at least 10 years.
- No evidence of ability to fund Developer fee is required.
- If the commitment is not from a regulated Financial Institution 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. Commitments from lenders who cannot demonstrate ability to fund will not be considered firm and the commitment will not count as a source of financing. Financial statements may be included in the Application or submitted directly to the Corporation. If submitted directly to the Corporation, a copy of the Corporation's Letter of Receipt and Acceptance must accompany each Application which contains a commitment letter from the lender whose statements were submitted directly to the Corporation.

- Commitments with conflicting information may be determined not to be firm depending upon the nature of the inconsistency.
- If a loan commitment shows an amount less than the corresponding line item on the pro forma, the scorer will use the commitment amount. However, if a loan commitment shows an amount in excess of the corresponding line item on the pro forma, up to the total amount of the loan commitment amount may be utilized as a funding source, if needed.
- Commitments may be conditioned upon the Applicant receiving the funding from the Corporation for which it is applying.
- If a commitment 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.
- A commitment by a sophisticated investor to buy the bonds on an unrated basis will be considered a firm commitment to the extent evidence of bond allocation is provided in accordance with the terms and conditions listed below regarding bond financing.
- Grant funds are contributions to the Development, other than equity, which carry no repayment provision or interest rate. A firm commitment for grant funds will be considered a firm commitment for scoring purposes if the commitment is properly executed and, if applicable, evidence of ability to fund is provided.
- If the first mortgage financing is to come from non-Corporation-issued Multifamily Bonds, evidence of the following items must be included to receive a firm commitment:



1. Local Government Issuance of Bonds: Letter signed by the Chairperson of the local County Housing Finance Authority or Public Housing Authority, as applicable, which is Development-specific and includes the following:
  - a. affirmation that the tax-exempt allocation has been reserved;
  - b. affirmation that all approvals precedent to the funding of the bonds have been obtained;
  - c. affirmation that a commitment has been executed; and,
  - d. affirmation that appropriate fees have been paid.
  
2. Issuance on behalf of 501(c)(3) Organizations:
  - a. Opinion from Applicant's Bond Counsel which states the following:
    - (1) borrower is a tax-exempt entity pursuant to a determination letter from the IRS;
    - (2) the proposed Development is in compliance with the organization's chartered purpose; and,
    - (3) proceeds from the requested bond issue shall be used for the proposed Development.
  
  - b. Letter signed by the Chairperson of the local County Housing Finance Authority or Public Housing Authority, as applicable, which is Development-specific and includes the following:
    - (1) affirmation that all approvals precedent to the funding of the bonds have been obtained;
    - (2) affirmation that a commitment has been executed; and,
    - (3) affirmation that appropriate fees have been paid.

Note: Any commitment for financing containing a contingent FNMA or similar takeout provision will not be considered a firm commitment unless the agreement to purchase the loan executed by all parties is attached.

#### Syndication/HC Equity

- In order for a Housing Credit Syndication/Equity commitment to be scored firm it must:
  - Be executed by all parties, including the Applicant.
  - Be dated.
  - Include all terms and conditions of the commitment.
  - Specifically state the amount to be paid for each housing credit dollar being purchased.
  - State the capital pay-in schedule which must definitively state the amount of equity to be paid prior to or simultaneous with the closing of

construction financing, and the amount of equity to be paid prior to construction completion. It must expressly state the equity amount, even if the amount is zero, along with the words “paid prior to or simultaneous with the closing of construction financing”.

- State an equity amount to be paid prior to or simultaneous with the closing of construction financing that is at least 35% of the total equity to be provided (the 35% criteria). There are two exceptions to the preceding sentence. First, if there is a firm bridge loan commitment within the equity commitment that provides for bridge loan proceeds that equal at least 35% of the amount of total equity to be provided to be made available prior to or simultaneous with closing of construction financing, the 35% criteria will be met. Second, if there is a separate firm commitment for a bridge loan 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 commitment explicitly states an amount to be made available prior to or simultaneous with the closing of construction financing that equals at least 35% of the total equity to be paid stated in the equity commitment, the 35% criteria is met. Bridge loan commitments that are not within the equity commitment, though, must meet the criteria previously stated for firm debt financing with the exception that evidence of ability to fund does not have to be provided. The Applicant may include the amount of the bridge loan as equity proceeds on the Construction or Rehabilitation Analysis and on the Permanent Analysis.
  - State the anticipated amount of housing credit allocation.
  - State the percentage of the anticipated amount of housing credit allocation being purchased.
  - State the total amount of equity to be provided.
  - State that the commitment does not expire before December 31, 2006.
- Applicants using a syndicator must provide at least one signed statement from a general partner of the ownership entity of a completed development which confirms that the syndicator (purchaser of the credits) has performed its obligations under the partnership agreement and is not currently in default with that agreement. Failure to provide such statement(s) will cause an equity commitment not to be scored firm. Insert documentation behind the provided equity commitment.
- The percentage of credits being purchased must be equal to or less than the percentage of ownership interest held by the limited partner.
- Applicants may submit a closed limited partnership agreement and it will be counted as firm if it meets the following criteria. The partnership agreement must expressly state the amount of funds to be paid prior to completion of construction by the equity provider or the Applicant must submit separate documentation, signed by the equity provider, expressly stating the amount of funds paid or to be paid prior to completion of construction.

- If not syndicating/selling the housing credits, the owner’s commitment to provide equity must be included. The commitment must include the following:
  - the total amount of equity; and
  - the pay-in schedule stating the amounts to be paid prior to or simultaneously with the closing of construction financing and the amounts to be paid prior to the completion of construction; and
  - the anticipated Housing Credit Allocation.

Important! If not syndicating/selling the housing credits, evidence of ability to fund, as defined under Firm Commitment above, must be provided as an exhibit to the Application. Additionally, in order for the commitment to be scored firm, 35% of the total equity being provided must be paid prior to or simultaneously with the closing of the construction financing. Proceeds from a bridge loan will NOT count toward meeting this requirement.

- If the Development’s location loses its DDA/QCT designation in the period between the Application Deadline and the date that signifies a day that is one week before the end of the cure period, any equity commitment for the Development provided to the Corporation on or before the Application Deadline will not be firm and a new equity commitment will need to be provided as a cure.
- If the amount of Competitive Housing Credits requested is less than the anticipated amount of credit allocation stated in the equity/owner/syndication commitment, the commitment will not be considered a source of financing.

The Application requires complete information on all sources of Development funding, including any Developer contributions, and the proposed uses of those funds. All loans, grants, donations, syndication proceeds, etc., should be detailed in this Application.

## **THRESHOLD REQUIREMENTS**

Requirements to meet Threshold include:

1. None of the items described in Rule Chapters 67-21 and/or 67-48, F.A.C., has caused the rejection of the Application by the Corporation.
2. All applicable pages and exhibit forms of the Application must be completed.
3. Applicant must submit one “Original Hard Copy” Application labeled “Original” and three photocopies of the “Original Hard Copy” Application. MMRB Applicants that will participate in the HUD Risk Sharing Program must submit one additional photocopy of the “Original Hard Copy” Application.

4. The Application labeled “Original” must include the Applicant Certification and Acknowledgement Form with original signatures. Original signatures in blue ink are preferred.
5. The Application must be submitted by the Application Deadline and be accompanied by the correct Application fee and, if applicable, the TEFRA fee.
6. The Application cannot be submitted on exhibit forms or pages contained in the Application Package that are from a previous Application cycle or are drafts or that contain corrections or ‘white-out’ or have been scanned, imaged, retyped, or otherwise altered.
7. Applicant must demonstrate that it is a legally formed entity eligible to do business in the state of Florida at the Application Deadline.
8. If Applicant is a Non-Profit entity, the required documentation must be submitted.
9. Experience of the Development team must be demonstrated.
10. Ability to proceed must be demonstrated by submission of the required certifications or documentation, as the case may be, of site plan/plat approval, site control, infrastructure availability, zoning approval, and environmental site assessment. Infrastructure must be in place as of the Application Deadline and zoning must be in place as of the date that signifies the end of the cure period outlined in Rules 67-21.003 and 67-48.004, F.A.C.
11. Applicant must commit to applicable minimum set-aside required by program rules and federal regulations.
12. Applicant must select and qualify for one Demographic Commitment.
13. Financing documentation must reflect the following:
  - The total amount of monetary funds determined to be in commitments considered firm must equal or exceed uses; and
  - MMRB Applicants must provide the Credit Enhancer’s Commitment or Bond Purchaser’s Letter of Interest.
14. Request amount(s) may not exceed program limits. HOME Applicants must demonstrate that the request amount does not exceed the maximum allowable HUD Subsidy Limit set by the Corporation.
15. HOME Applicants must provide the following:
  - All documentation required by the Uniform Relocation Act, if applicable;
  - Evidence of certification of consistency with Consolidated Plan;

- Contractor Certification regarding debarment and suspension; and
  - Lead-based paint documentation, if applicable.
16. Applicants for non-competitive HC, by virtue of having received Local Government Tax-Exempt Mortgage Revenue Bonds, must achieve a total HC Application score equal to or greater than 45 points.
17. Other items specifically designated “Threshold” in the Universal Application Package.

## **RANKING AND SELECTION CRITERIA**

### **A. Applications for HOME:**

1. Each Application Received by the Application Deadline will be assigned an Application number.
2. Lottery Numbers

Each Application that is assigned an Application number will receive a lottery number at or prior to the issuance of final scores. Lottery numbers will be assigned by having the Corporation’s internal auditors run the total number of assigned Application numbers through a random number generator program.

3. Funding of Applications

All Applications will be scored and then ranked in order of their scores provided all threshold requirements have been met as identified in the Universal Application Threshold Requirements.

Funds will be allocated to qualified CHDO Applications in order of ranking, until 15% of the available funds have been allocated in accordance with Rule 67-48.014, F.A.C. The remaining funds will then be allocated to Applications for proposed Developments in order of ranking. CHDO Applications not chosen for funding under the CHDO set-aside may compete with all other Applications for non-CHDO designated funds.

4. Tie-breakers

Tie-breakers will be applied to Applications with tied scores in the order listed below, as necessary for making tentative funding selections. For the purpose of this tie breaker, “non-profit” is not as defined in Rule Chapter 67-48, F.A.C. An Applicant or Developer whose general partner is 100% non-profit is not considered 100% non-profit unless all partners are 100% non-profit. In addition,

for purposes of this provision, a limited liability company will not be considered a non-profit unless all of its members are 100% non-profit.

- a. Preference will be given to a proposed Development located in a Small County.
- b. Preference will be given to the Application from an Applicant that is 100% non-profit and 100% of the Developer fee will go to the non-profit entity.
- c. Preference will be given to an Application which will use the smaller percentage of HOME Rental funds compared to the Total Development Cost.
- d. Preference will be given to the Application from an Applicant that is 100% non-profit and has both a for-profit Developer and a non-profit Developer, where at least 50% of the Developer fee is to be paid to the non-profit Developer.
- e. Preference will be given to an Application with a larger percentage of additional Home-Assisted Units (rounded to two decimal places).
- f. Preference will be given to an Application providing a larger percentage of Match.
- g. Lottery – Preference will be given to the Application with the lowest lottery number.

5. HOME Program Provisions

A HOME Application will not be funded if there are not enough funds available to fund at least 60% of the Application's Home request amount. In the event that an Application is not funded for this reason, a lower ranked eligible Application will be considered for funding.

6. HOME funding available after final ranking due to Applicant's withdrawal or Application's failure to receive a favorable recommendation from the Credit Underwriter, whether CHDO or non-CHDO funding, will be allocated to the last Application funded if it received only a portion of the total HOME funding requested. Then the next highest ranking unfunded Application will be funded. If at any point during this time remaining funding is insufficient to provide 60% of the request amount of the highest ranked Application, the subject Application will not be funded and no lower ranked Application will be funded. Any remaining funds may be allocated in a Supplemental Application Cycle.

## **B. Applications for MMRB, SAIL and/or Competitive HC**

The following does not apply to non-competitive HC only Applications; however, non-competitive HC only Applicants must receive 45 points or more, which points will not include any tie-breaker points, to be eligible for an allocation of non-competitive HC.

1. Each Application Received by the Application Deadline will be assigned an Application number.
2. Lottery Numbers

Each Application that is assigned an Application number will receive a lottery number at or prior to the issuance of final scores. Lottery numbers will be assigned by having the Corporation's internal auditors run the total number of assigned Application numbers through a random number generator program. The Corporation's internal auditors will verify the accuracy of the procedures for assigning lottery numbers.

3. Group A and Group B Leveraging Classifications

Each Application Received on or before the Application Deadline, including any Application that is withdrawn by the Applicant after the Application Deadline but excluding any Application withdrawn prior to the Application Deadline, will be classified into one of two groups based on leveraging: Group A or Group B. Applications will be classified in Group A or Group B as follows:

- a. Applications for MMRB with non-competitive HC, MMRB with non-competitive HC and SAIL, and SAIL only that have Local Government-issued bonds will be classified as Group A.
- b. All other Applications will be placed on a separate list 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 on each list that has the highest amount of total Corporation funding per set-aside unit. 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 for the program(s) applied for 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. If an Application's funding request exceeds the maximum allowed, the Corporation will use the maximum funding request allowed when classifying the Applications into Groups A and B. Total Corporation funding will be determined by adding the following applicable funding sources, as stated in the Funding section of the Application:

- (1) SAIL request amount.

- (2) Competitive HC request amount or previous HC allocation amount. If the Development is not located in a DDA or QCT, the HC request amount will be multiplied by 7.5. If the Development is located in a DDA or QCT, the HC request amount will be multiplied by 7.5 and that product will be multiplied by .7692.
- (3) Other FHFC funding. For purposes of classifying Applications in Groups A and B, PLP funding will not be considered FHFC funds.

In addition, if the proposed Development meets all of the following requirements, the total funding request amount will be multiplied by .63:

- located in a Large County, and
- Applicant selected the High-Rise Development Design, and
- Applicant selected the New Construction Development Category, and
- the Applicant selected and qualified for the Front Porch Florida Community Designation, or selected and qualified as an Urban In-Fill Development.

or, if the proposed Development meets all of the following requirements, the total funding request amount will be multiplied by .785:

- located in a Large County, and
- Applicant selected the Mid-Rise with Elevator (a building comprised of 5 or 6 stories) Development Type and at least 90% of the total units are in these Mid-Rise building(s), and
- Applicant selected the New Construction Development Category, and
- the Applicant selected and qualified for Front Porch Florida Community Designation, or selected and qualified as an Urban In-Fill Development.

- c. The total number of Applications on the list will be multiplied by 80% and the resulting figure will be rounded up to the next whole number (the resulting figure after rounding will be referred to as the “80/20 Cut-Off”). A line will be drawn on the list below the Application whose place on the list is equal to the 80/20 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 this Application(s). The total Corporation funding per set-aside unit for the Application immediately above the line will then be multiplied by 1.10 (the resulting figure dollar amount will be referred to as the “Leveraging Cut-Off”). A new line will be drawn on the list below the Application whose Corporation funding request per set-aside unit amount is the closest figure on the list to the Leveraging Cut-Off without going over. If any Application(s) below the line has the same total Corporation funding request per set-aside unit amount as the Application immediately



above the line, the line will be moved to a place immediately below this Application(s). The group of Applications above the line will be classified as Group A and the group of Applications below the line will be classified as Group B.

- d. Group A and Group B classifications will be used for tie-breakers as more fully described below in the Tie-breakers section of these instructions.

4. Groups 1, 2 & 3 Total Score Classifications

Immediately following the Board's actions on informal appeals, eligible Applications will be classified in three groups based on the total score of each eligible Application: Group 1, Group 2 and Group 3. For purposes of this classification, eligible Application means an Application that satisfied all threshold requirements, regardless of the Application's total score, and has not withdrawn its Application. Group 1, Group 2 and Group 3 classifications will not be affected by any actions after this determination. Eligible Applications will be classified in Group 1, Group 2 or Group 3 as follows:

- a. Eligible Applications will be listed in descending order beginning with the Application that has the highest total score and ending with the Application that has the lowest total score. Total score means the amount of points awarded to the Application, excluding any tie-breaker points.
- b. The total number of eligible Applications will be multiplied by 75% and the resulting figure will be rounded up to the next whole number (such resulting figure after rounding is referred to as the "Total Score Cut-Off"). A line will be drawn below the Application whose place on the list is equal to the Total Score Cut-Off. If any Application(s) below the line has the same total score as the Application immediately above the line, the line will be moved to a place immediately below this Application(s). The group of Applications above the line will be classified as Group 1. Group 2 will consist of the eligible Applications with a total score equal to or greater than 60 but which are not included in Group 1. When the eligible Applications for Group 1 are determined, if Group 1 contains every eligible Application that achieved a total score equal to or greater than 60 points, then there will be no Group 2. Applications in Group 3 will consist of eligible Applications that are not included in Group 1 or Group 2.
- c. Unless otherwise provided in the Universal Application Instructions, when applying the SAUL Cycles for the Special Set-Asides and each Geographic Set-Aside and for implementation of the Competitive HC goals, Applications in Group 1 will be considered for funding first and if funds remain after funding all Group 1 Applications that can be funded, the Applications in Group 2 will be considered for funding. No Applications in Group 3 will be considered for funding except as provided in the Competitive HC Goals section of these instructions.

5. Tie-breakers

Tie-breakers will be applied to Applications with tied scores in the following order, as necessary for making tentative funding selections:

- a. Leveraging - An Application in Group A will receive preference over an Application in Group B.
- b. Proximity to services and to Developments on the FHFC Development Proximity List serving the same demographic group - Preference will be given to the Application with the highest tie-breaker score in the Proximity section of the Application.
- c. SAIL leveraging as a percentage of Development Cost – Except for proposed Developments requesting Competitive HC which are located in a county deemed by the Corporation to have an AMI of \$43,200 or less, in the event of a tie in the total score between two or more Applications requesting SAIL funds, the Application requesting the lower amount of SAIL funds as a percentage of Development Cost as shown on the Development Cost Pro Forma will receive preference. If an Applicant revises the Development Cost on the Development Cost Pro Forma as provided in Rule Chapter 67-48.004 or Rule Chapter 67-21.003, F.A.C., the Corporation will use the lesser of the original amount or the revised amount for purposes of this provision. An Application will be deemed to have the higher percentage of SAIL funds as a percentage of Development Cost if the Applicant failed to provide a Development Cost on the Development Cost Pro Forma submitted for preliminary scoring. This tie-breaker will not be applied when considering two or more tied Applications requesting SAIL funds if such tied Applications failed to provide a Development Cost on the Development Cost Pro Forma submitted for preliminary scoring.
- d. 100% Non-Profit tie-breaker - A 100% Non-Profit Applicant will be given preference over a Non-Profit Applicant that is not 100% Non-Profit regardless of SAUL. A 100% Non-Profit Applicant is an Applicant that meets the definition of a Non-Profit with the exception that 100% of the ownership interest in the general partner or, if applicable, the managing member, is held by one or more non-profit entities with one of the non-profit entities holding at least 51% of the ownership interest in the general partner or, if applicable, the managing member. This tie-breaker will only be applied in the following circumstance: A Non-Profit Applicant that is tied with one or more 100% Non-Profit Applicants with the exception it has the more advantageous lottery number is considered for tentative funding for the specific purpose of meeting the 12% Non-Profit goal and if selected for tentative funding, the 12% Non-Profit goal will be met. Once the circumstance to initiate this tie-breaker occurs, the tie-breaker will remain in effect until the 12% Non-Profit goal is met. Therefore, if a 100% Non-Profit Applicant is selected for tentative funding after applying

this tie-breaker and the 12% Non-Profit goal is still not met, the tie-breaker remains in effect. For example: Florida Housing has finished selecting Applications for tentative funding out of the Special Set-Asides and for meeting the HC goals with the exception that an additional \$1,000,000 must be tentatively allocated to Non-Profit Applicants in order to meet the 12% Non-Profit goal. The eligible Non-Profit Applicants that have not been selected for tentative funding are ranked regardless of their Geographic Set-Aside. The top three ranked Non-Profit Applicants are: Application A with a Development in a county that has not met its SAUL and that has: 66 points, a Leveraging Group classification of A, 7 tie-breaker points, a Non-Profit Applicant that is not 100% Non-Profit, a lottery number of 9 and a request amount of \$1,100,000; Application B with a Development in a county that has not met its SAUL and that has: 66 points, a Leveraging Group classification of A, 7 tie-breaker points, a Non-Profit Applicant that is 100% Non-Profit, a lottery number of 22 and a request amount of \$600,000; and Application C with a Development in a county that has met its SAUL once and that has: 66 points, a Leveraging Group classification of A, 7 tie-breaker points, a Non-Profit Applicant that is 100% Non-Profit, a lottery number of 76 and a request amount of \$1,000,000. Application A would trigger the 100% Non-Profit tie-breaker because if it was selected for tentative funding the \$1,000,000 needed to meet the 12% Non-Profit goal would be met. Given that the 100% Non-Profit tie-breaker has been triggered, Application B would be selected for tentative funding over Application A because its Applicant is 100% Non-Profit and Application A's Applicant is not. After selecting Application B for tentative funding the 100% Non-Profit tie-breaker remains in effect because the 12% Non-Profit goal has not been met for Application B received a tentative allocation of \$600,000, its request amount, leaving \$400,000 that needs to be tentatively allocated to Non-Profit Applicants in order to meet the 12% Non-Profit goal. As such, applying the 100% Non-Profit tie-breaker, Application C with a 100% Non-Profit Applicant is selected for tentative funding over Application A even though its proposed Development is in a county that has met SAUL once because SAUL does not apply when using the 100% Non-Profit tie-breaker. The 12% Non-Profit goal is now met and Application A will now have to compete for funding within its respective Geographic Set-Aside. While SAUL does not apply when using the 100% Non-Profit tie-breaker the number of set-aside units within a 100% Non-Profit Development selected for tentative funding are though credited to a county. Therefore, if the county in which a Development of a 100% Non-Profit selected for tentative funding after applying this tie-breaker is to be located has previously met SAUL, the Development's set-aside units will be credited towards meeting the county's SAUL a second time. For example: The county in which Application C will place its set-aside units will have met its SAUL once and will have Application C's set-aside units credited to the county for

meeting SAUL a second time when considering Applications for tentative funding within Application C's county Geographic Set-Aside.

- e. Lottery – Preference will be given to the Application with the lowest lottery number.

6. Set-Aside Unit Limitation (SAUL)

The county categories are grouped based on the 2003 Florida Statistical Abstract population figures, as follows:

Large	Medium	Small
LL = 2 million or more	ML = 250,001 – 500,000	SL = 50,001 – 100,000
LM = 1,500,001 -1,999,999	MS = 100,001 – 250,000	SM = 20,001 – 50,000
LS = 800,001 – 1,500,000		SS = up to 20,000
LVS = 500,001 – 800,000		

County Groups	County	Set-Aside Unit Limitation
LL	Miami-Dade	600
LM	Broward	500
LS	Duval	250
	Hillsborough	
	Orange	
	Palm Beach	
	Pinellas	
LVS	Polk	150
ML	Brevard	100
	Collier	
	Escambia	
	Lee	
	Manatee	
	Marion	
	Pasco	
	Sarasota	
	Seminole	
	Volusia	
MS	Alachua	100
	Bay	
	Charlotte	
	Citrus	
	Clay	
	Hernando	
	Indian River	
	Lake	
	Leon	
	Martin	
	Okaloosa	
	Osceola	
	St. Johns	
	St. Lucie	
	Santa Rosa	

County Groups	County	Set-Aside Unit Limitation
SL	Columbia	100
	Flagler	
	Highlands	
	Monroe	
	Nassau	
	Putnam	
	Sumter	
	Florida Keys Area	
SM	Baker	100
	Bradford	
	DeSoto	
	Gadsden	
	Hardee	
	Hendry	
	Jackson	
	Levy	
	Okeechobee	
	Suwannee	
	Wakulla	
	Walton	
	Washington	
SS	Calhoun	75
	Dixie	
	Franklin	
	Gilchrist	
	Glades	
	Gulf	
	Hamilton	
	Holmes	
	Jefferson	
	Lafayette	
	Liberty	
	Madison	
	Taylor	
	Union	

\* This SAUL will apply only to Applicants that selected and qualified for the Florida Keys Area in the Designation section, Part V.A.4. of the Application, and only when such Applications are being considered for funding from the Competitive HC Florida Keys Area Special Set-Aside.

- a. The above chart represents the SAUL for each county. When an Application is selected for tentative funding, the total number of set-aside units committed to in that Application will be credited toward meeting the SAUL for the county in which the proposed Development is located. 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 for the program(s) applied for 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 county's SAUL is met in the following circumstances:
  - (1) If the number of set-aside units credited toward the county's SAUL is zero at the time an Application for a Development located in that county is considered for tentative funding and the Applicant committed to a total number of set-aside units that equals or exceeds the county's SAUL, then when that Application is selected for tentative funding, the county's SAUL will be met; or
  - (2) If the number of set-aside units credited toward the county's SAUL is not zero at the time an Application for a Development located in that county is considered for tentative funding, but the SAUL has not been met, and the next Application to be considered for tentative funding committed to a total number of set-aside units that when added to the number of set-aside units already credited toward the county's SAUL would be equal to or greater than the SAUL but the total number of set-aside units credited would not exceed 150% of the SAUL, then when that Application is selected for tentative funding, the county's SAUL will be met; or
  - (3) If the number of set-aside units credited toward the county's SAUL is not zero at the time an Application for a Development located in that county is considered for tentative funding, but the SAUL has not been met, and the Applicant committed to a total number of set-aside units that when added to the number of set-aside units already credited toward the county's SAUL would exceed 150% of the SAUL, then the county's SAUL will be deemed to be met without that Application being selected for tentative funding.

Examples of SAUL being met when a county has a SAUL of 100 set-aside units:

- (a) The number of set-aside units credited toward the county's SAUL is zero, and an Application for a Development located in that county that committed to 200 set-aside units is selected for tentative funding.
  - (b) There are 60 set-aside units credited toward meeting the county's SAUL and an Application for a Development located in that county that committed to 80 set-aside units is selected for tentative funding.
  - (c) There are 60 set-aside units credited toward meeting the county's SAUL and an Application for a Development located in that county that committed to 100 set-aside units is the next Application considered for tentative funding. The county will be deemed to have met its SAUL without that Application being selected for tentative funding.
  - (d) There are 60 set-aside units credited toward meeting the county's SAUL and two Applications for Developments located in that county that committed to 100 set-aside units and 60 set-aside units, respectively, are the next two highest ranked Applications to be considered for tentative funding. In this event, the county will be deemed to have met its SAUL without either Application being selected for tentative funding.
- c. The SAUL process implementation will be governed by the following:
- (1) The number of set-aside units credited to a county will be carried forward from Special Set-Aside to Special Set-Aside.
  - (2) The number of times a county has met its SAUL will be carried forward from Special Set-Aside to Special Set-Aside.
  - (3) Unless otherwise provided in the Universal Application Instructions, no eligible Application in Group 2 will be considered for tentative funding within a set-aside until all eligible Applications in Group 1 within that set-aside that can be funded have been selected for tentative funding.
  - (4) Unless otherwise provided in the Universal Application Instructions, within a set-aside, priority will be given to eligible Group 1 Applications with proposed Developments in counties which have not met SAUL. Next, eligible Group 1 Applications with proposed Developments in counties which have met SAUL

once will be considered. This pattern will be repeated until all funds within the set-aside have been tentatively allocated. If funds remain within the set-aside after funding all eligible Group 1 Applications that can be funded then the same process will be followed with eligible Group 2 Applications until the set-aside's funds are exhausted or there are no more eligible Group 2 Applications within that Set-Aside that can be funded.

- (5) The number of set-aside units credited to a county will not be carried forward from Special Set-Aside to Geographic Set-Aside.
- (6) The number of times a county has met its SAUL will not be carried forward from Special Set-Aside to Geographic Set-Aside.
- (7) Once a county is credited with meeting its SAUL, the number of set-aside units credited to the county will be deemed to be zero for the purposes of crediting additional set-aside units to the county. For example: The SAUL for County A is 100. County A met its SAUL when credited with 150 set-aside units. Then Application One with 75 set-aside units to be constructed in County A is chosen for tentative funding. The number of set-aside units credited to County A will be 75 set-aside units, not the 150 set-aside units previously credited to County A plus 75 set-aside units. County A status would be that it had met its SAUL once and had 75 units credited towards meeting its second SAUL.
- (8) Set-aside units credited against the Florida Keys Area SAUL will also be credited against Monroe County's SAUL for the purposes of considering Applications for tentative funding within the Special Set-Asides.

SAUL process example: There are three eligible Applications in the Front Porch Florida Community Special Set-Aside ranked in the following order: Application One-110 set-aside units-County A-Group 1, Application Two-75 set-aside units-County B-Group 1, and Application Three-150 set-aside units-County C-Group 2. The SAULs and SAUL status resulting from tentatively funding Applications in the previously funded Special Set-Asides of the counties are: County A has a SAUL of 100 and has met its SAUL twice; County B has a SAUL of 100, has met its SAUL once and has 75 set-aside units credited towards meeting its SAUL as second time; and County C has a SAUL of 100 and has no units or SAULs credited. The selection of Applications would be conducted in the following manner subject to fund availability and other restrictions:

- i. Application One would be passed over because there are other eligible Group 1 Applications in the Set-Aside that have units in counties that met their SAUL fewer times than Application One.
- ii. Application Two would be considered for tentative funding because there are no other higher ranked eligible Group 1 Applications with units in a county that has met its SAUL an equal amount of times or less than Application Two. Also, County B's SAUL status would change from meeting SAUL once and having 75 set-aside units credited to it meeting SAUL twice and no units credited to it.
- iii. Application Three would not be considered for tentative funding because there is still an eligible Group 1 Application within the Set-Aside (Application One) that has not been considered for tentative funding.
- iv. Application One would then be considered for tentative funding because there are no other higher ranked eligible Group 1 Applications with units in a county that has met its SAUL an equal amount of times or less than Application One. Also, County A's SAUL status would change from meeting SAUL twice to it meeting SAUL a third time.
- v. Application Three would then be considered for tentative funding because there are no other higher ranked eligible Group 2 Applications with units in a county that has met its SAUL an equal amount of times or less than Application Three. Also, County C's SAUL status would change from not meeting its SAUL and having zero units credited to it meeting SAUL once.
- vi. The next Special Set-Aside for tentative funding is HOPE VI. The SAUL status at the beginning for County A would be that it has met its SAUL three times and has zero units credited toward it meeting its SAUL a fourth time, for County B it would be it has met its SAUL twice and has zero units credited toward meeting SAUL a third time, and for County C it has met its SAUL once with zero units credited toward meeting its SAUL a second time. All three counties though would have zero SAULs and zero units credited towards them at this time for purposes of selecting Applications within their respective Geographic Set-Aside.

## 7. Program Provisions and Application Selection Order

- a. Overall Program Provisions:



- (1) The Special Set-Asides are: Competitive HC Florida Keys Area Special Set-Aside, SAIL Homeless Special Set-Aside, SAIL Farmworker/Commercial Fishing Worker Special Set-Aside, SAIL Elderly Special Set-Aside, Competitive HC Front Porch Florida Community Special Set-Aside, Competitive HC RD Development Special Set-Aside, and MMRB HOPE VI Special Set-Aside.
- (2) The Geographic Set-Asides are: Large, Medium and Small County Categories as more fully described in the Notices of Funding Availability (NOFA) or Qualified Allocation Plan (QAP), as applicable for each program.
- (3) Unless otherwise provided in the applicable program rules and these instructions, any selection of an Application for tentative funding or allocation from a Special or Geographic Set-Aside or from implementation of a Competitive HC Goal is subject to the following: (a) availability of funds; (b) threshold and other eligibility requirements; (c) SAUL provisions; (d) Groups 1, 2, & 3 provisions; (e) tie-breaker provisions; and (f) overall and specific program provisions as set forth below.
- (4) During the ranking process, an Applicant that requested SAIL funds and also requested MMRB or Competitive HC will not be selected for tentative SAIL funding in a Special Set-Aside if the Application is not selected for tentative funding of the MMRB or Competitive HC in the same Special Set-Aside.
- (5) An Applicant that requested SAIL funds and also requested MMRB or Competitive HC will not be selected for tentative SAIL funding if the Application is not selected for tentative funding of the MMRB or Competitive HC as of the date the Board approves the final ranking. An Application that was qualified to request SAIL and requested SAIL funds and also requested MMRB or Competitive HC that is selected for tentative funding of MMRB or Competitive HC but is not selected for tentative funding of SAIL must, within 30 days of the date the Board approves the final ranking, submit documentation to the Corporation and, if assigned, their assigned credit underwriter, demonstrating that it is able to fill the SAIL funding gap. If such documentation is not timely submitted, the Application will be rejected and the MMRB funds will be applied to the MMRB ranked list and the Competitive HC will be deemed to be housing credits received on or after October 1, 2006, and applied in accordance with the QAP. The MMRB ranked list is the ranked order list of those MMRB Applications not selected for tentative funding as of the date the Board approves the final ranking and enters final orders. In a case where an

Application's firm funding commitment is conditioned upon the Applicant's receipt of specific Corporation funding and the Application is not successful in receiving both forms of funding; the Applicant must, within 30 days of the date the Board approves the final ranking, submit a new firm funding commitment reflecting the funding the Applicant was successful in receiving from the Corporation as well as the new funding secured to replace the funding that the Applicant was not successful in receiving from the Corporation. For example, if an Application for MMRB and SAIL or SAIL and Competitive HC has a firm funding commitment which is conditioned upon its receipt of the MMRB and SAIL or SAIL and Competitive HC, but the Application is successful in receiving only the MMRB or the Competitive HC, the Applicant will have 30 days from the date the Board approves the final ranking to submit a new firm funding commitment reflecting that SAIL is no longer a condition and a firm funding commitment to fill the financing gap resulting from not receiving the SAIL financing.

- (6) An Application is eligible to apply for SAIL and Competitive HC if competing in the Competitive HC Florida Keys Area Special Set-Aside or the SAIL Homeless Special Set-Aside and/or if the Development is located in a county that has an Area Median Income (AMI) of \$43,200 or less. SAIL Applications that are not selected for tentative funding in one of the SAIL Special Set-Asides are eligible to compete for funding in the Geographic Set-Asides, unless the SAIL Applicant also requested Competitive HC and the Development is located in a county with an AMI above \$43,200.
- (7) In order for an Applicant to compete for funding within a Special Set-Aside, it must have selected and qualified for the applicable designation. For example, an Applicant wishing to compete within the SAIL Elderly Special Set-Aside must select and qualify for the Elderly designation.

b. Competitive HC Provisions:

- (1) An Application for Competitive HC will not be selected for tentative funding if there are not enough housing credits available in the Front Porch Florida Community Special Set-Aside, RD Special Set-Aside or applicable Geographic Set-Aside to fund at least 60% of the Application's HC request amount. In the event that an Application is not selected for tentative funding for this reason, then no other lower ranked Application(s) within that Special or Geographic Set-Aside will be considered for tentative

funding even though there may be enough housing credits available to fund at least 60% of another Application's request amount. An exception to the above is that, in the event there is an insufficient amount of Housing Credits within a Geographic Set-Aside to fully fund an Application that would have been selected for tentative funding to meet the HC goal of funding a minimum of one Development in each of the 13 specified counties, as stated in paragraph 7.e.(5), if it were not for the lack of Housing Credits, the Application(s) will receive a Binding Commitment for 2007 Housing Credits in an amount approved by the Corporation without regard to Section 13 of the QAP.

Upon either selecting all eligible Competitive HC Applications within the Large County Geographic Set-Aside for tentative funding or upon determining that an eligible Competitive HC Application within the Large County Geographic Set-Aside cannot be tentatively funded because there are not enough housing credits remaining within the Large County Geographic Set-Aside to fund at least 60% of its request amount, then any housing credits not tentatively allocated within a Geographic Set-Aside will be distributed as follows:

- (a) To fund any Development that has been partially funded in the following order of Set-Asides: (i) Large County, (ii) Medium County, (iii) Small County, (iv) Front Porch Florida Community, and (v) RD Development, and then
- (b) If Housing Credits are still available, within each Geographic Set-Aside (Large, Medium and Small), the Corporation will determine the highest scoring, eligible Applications of those Applications proposing Developments in counties which have met SAUL the least number of times. Once those Applications are determined, the Corporation will select the highest scoring of these Applications for tentative funding. This process will be repeated as many times as necessary until all available Housing Credits are tentatively allocated. If the last remaining Allocation Authority after application of the foregoing is not sufficient to fully fund the next highest scoring, eligible Application, such Applicant shall be entitled to a Binding Commitment for the unfunded balance, without regard to the 40% Binding Commitment limitation stated in Section 13 of the 2006 QAP. Applications that are successful in receiving a partial allocation will receive a Binding Commitment for 2007

housing credits up to an amount approved by the Corporation.

- (2) The total amount of housing credits available for the Special and Geographic Set-Asides are set forth in the QAP.
- (3) Developments that have received an HC allocation are ineligible to apply for an additional HC allocation.

c. SAIL Provisions:

- (1) A SAIL Application will not be funded if there are not enough funds available in the applicable Special or Geographic Set-Aside to fund at least 60% of the Application's SAIL request amount. In the event that an Application is not funded for this reason, a lower ranked Application within the same Set-Aside will be considered for funding.
- (2) If there are SAIL Small County funds remaining after completing the selection of Applications for tentative funding within the Small County Geographic Set-Aside, these funds will be allocated to the Medium County SAIL Geographic Set-Aside and to the Large County SAIL Geographic Set-Aside on a pro rata basis based on the percentages allocated to these Geographic Categories as stated in the SAIL NOFA. If there are SAIL Medium County funds remaining after completing the selection of Applications for tentative funding within the Medium County Geographic Set-Aside, these funds will be allocated first to any Small County Application that had only a portion of its SAIL request amount tentatively funded with the highest ranked Application receiving funding first, then to the Large County Geographic Set-Aside. If there are SAIL Large County funds remaining after completing the selection of Applications for tentative funding within the Large County Geographic Set-Aside, these funds will be first allocated to any SAIL Small County Application that only had a part of its SAIL request amount tentatively funded with the highest ranked Application receiving funds first. Then, if funds remain, to any SAIL Medium County Application that only had a part of its SAIL request amount tentatively funded with the highest ranked Application receiving funds first. If there are still SAIL funds available, they will be allocated to the highest scoring, eligible SAIL Application regardless of set-asides and whether or not the available funding constitutes 60% of the Applicant's SAIL request amount. The SAUL procedure will not be applied. Once all eligible SAIL Applications that can be funded have been funded, any remaining SAIL funds will be pooled with any SAIL funds

that become available after final ranking and allocated in accordance with paragraph e.(7) below.

- (3) SAIL funds tentatively awarded to an Application will be deducted from the funds available within the Application's Demographic Commitment Category and also subtracted from the funds available within its Geographic Set-Aside.
- (4) The amount of SAIL funds available for an Application is dependent upon the funds available within its respective Geographic Category (Large, Medium or Small) and upon the funds available within its respective Demographic Commitment Category (Elderly, Farmworker/ Commercial Fishing Worker, Homeless or Family). There must be at least 60% of the Applicant's request amount available in both the Application's Geographic Category and its Demographic Commitment Category or the Application will not be funded. For example: An Application with a proposed Development in the Medium County Category which qualified for the Elderly Demographic Commitment Category requested \$1,000,000 in SAIL. In order for this Application to be tentatively selected for SAIL funding there must be at least \$600,000 (60% of \$1,000,000) available in the Medium County Category and \$600,000 available in the Elderly Demographic Commitment Category.

There is an exception to the above stated process. If during the process of selecting Applications for tentative SAIL funding within the Large County Geographic Set-Aside none of the remaining eligible Group 1 and/or Group 2 Applications requesting SAIL that have not been tentatively funded can have their request amounts funded because there are insufficient funds within their respective Demographic Commitment Categories to fund at least 60% of their request amount, all remaining SAIL funds in the Demographic Commitment Categories will be pooled and made available, subject to SAUL, to fund the highest ranking eligible Large County SAIL Applications, either partially funded Application or unfunded Application that pass the 60% test, regardless of Demographic Commitment Category. For example: Application A is the highest ranking Application within the Large County Geographic Set-Aside, has a Demographic Commitment of Elderly, has a SAIL request amount of \$1,000,000 and has a MMRB request amount of \$6,500,000. Initially it is not selected for tentative SAIL funding for there is only \$500,000 in SAIL Elderly funds available but it is selected for tentative MMRB funding. It has come to a point within the selection process where eligible Group 1 and/or Group 2 Applications requesting SAIL

cannot have their request amounts fully funded because there are insufficient funds within the individual Demographic Commitment Categories to fund at least 60% of each Application's SAIL request amount. Therefore, all remaining SAIL funds within the Demographic Commitment Categories are pooled together. In this example the pooled amount is \$1,200,000. Application A, the highest ranked unfunded/partially funded Application requesting SAIL that passes the 60% request test, would be selected for tentative funding. There is not a SAUL issue because Application A's set-aside units were already credited to the county in which its Development is to be located when it received its tentative MMRB funding. The remaining \$200,000 in SAIL, would then go to the highest ranked Group 1 or Group 2 Application whose SAIL request has not been fully funded and whose request amount allows it to pass the 60% test. If there is no such Application, the funds will be allocated in accordance with paragraph (2) above.

- (5) Applicants requesting End-of-the-Line SAIL may be selected for tentative funding only if SAIL funds remain after funding all eligible Group 1 or Group 2 Applications, regardless of Geographic Set-Aside, submitted in the 2006 Universal Application Cycle that can be funded. The Applicants requesting End-of-the-Line SAIL funding will be considered for tentative funding as follows:
  - (a) Each End-of-the-Line SAIL request will be assigned an identification number.
  - (b) Each End-of-the-Line SAIL request that is assigned an identification number will receive a lottery number at or prior to the issuance of final scores for the 2006 Universal Application Cycle. Lottery numbers will be assigned by having the Corporation's internal auditors run the total number of assigned End-of-the-Line SAIL identification numbers through a random number generator program. The SAIL End-of-the-Line lottery numbers will be separate from the lottery numbers assigned to the Applications submitted for the 2005 and 2006 Universal Application Cycles. The Corporation's internal auditors will verify the accuracy of the procedures for assigning lottery numbers.
  - (c) Ranking of the End-of-the-Line SAIL requests will be in the following order. The ranking order will be applied regardless of the proposed Development's 2005 Universal Application Set-Aside (Demographic and Geographic). SAUL will apply within the ranking of the End-of-the-Line

SAIL requests; however, the number of set-aside units credited to a county and the number of times a county has met its SAUL will not be carried forward from any previous ranking action taken.

The End-of-the-Line SAIL requests will be ranked using the proposed Development's 2005 Final Ranking score and tie-breaker proximity points, as follows:

- 1) First the SAIL End-of-the-Line requests will be ranked in descending order beginning with the proposed Development's 2005 Universal Application with the highest total final ranking score and ending with the proposed Development's 2005 Universal Application with the lowest total final ranking score. Total score means the amount of points awarded to the proposed Development during the 2005 Universal Application Cycle, excluding any tie-breaker proximity points.
- 2) Next the following tie-breakers will be applied:
  - (i) The proposed Development's leveraging at the final ranking stage in the 2005 Universal Application Cycle, with Developments in Group A receiving preference over Developments in Group B.
  - (ii) The proposed Development's proximity points at the final ranking stage in the Proximity section of the 2005 Universal Application Cycle, with Developments with a higher number of tie-breaker proximity points receiving preference over Developments with a lower number tie-breaker proximity point.
  - (iii) The new lottery number assigned to the proposed Development's 2006 End-of-the-Line SAIL request, with a lower lottery number receiving preference over a higher lottery number.

d. MMRB Provisions:

- (1) Tentative allocations of MMRB will be awarded only if there is enough allocation to fully fund the Application funding request amount. In the event that an MMRB Application is not funded for this reason, then no other lower ranked MMRB Application(s) within the Set-Aside will be considered for tentative funding even though there may be enough MMRB allocation available to fully fund another Application funding request amount. Any allocation available after tentatively funding Applications when implementing final order(s) entered by the Board after the it approves the final ranking will be allocated in accordance with Rule Chapter 67-21, F.A.C., and will not be subject to SAUL.
- (2) The initial split of allocation between the Large, Medium and Small County Geographic Set-Asides as stated in the Notice of Funding Availability will be done with the funds available after the tentative funding in the Special Set-Asides.
- (3) If the amount of MMRB allocation remaining in any Geographic Set-Aside is not sufficient to fully fund the next eligible Application in that set-aside, then the remaining allocation in that set-aside will be applied to the MMRB ranked list and not to any other Geographic Set-Aside.

e. Application funding order

Eligible Applications will be considered for tentative funding in the following order:

- (1) Competitive HC Florida Keys Area Special Set-Aside: For the 2006 Cycle, the Corporation will first select Competitive HC Application(s) that selected and qualified for the Florida Keys Area Designation at Part V.A. Once the Florida Keys Area SAUL is met, any remaining eligible Competitive HC Application(s) that was not selected for tentative funding in the Competitive HC Florida Keys Area Special Set-Aside will compete in the Small County Geographic Set-Aside if the Application did not also request SAIL funds. Applications with requests for Competitive HC and SAIL that select and qualify for the Florida Keys Area Designation are not eligible to compete for funding within the Small County Geographic Set-Aside. An Applicant cannot compete within the Competitive HC Florida Keys Area Special Set-Aside if its proposed Development has received an HC allocation in a previous cycle.



(2) SAIL Special Set-Asides: The Corporation will then select Applications for tentative funding from the SAIL Special Set-Asides in the following order:

- SAIL Homeless Special Set-Aside
- SAIL Farmworker/Commercial Fishing Worker Special Set-Aside \*
- SAIL Elderly Special Set-Aside

\* (minus the portion of this set-aside's funding allocated through a separate request for proposals (RFP) process)

Only SAIL Applications that selected and qualified for the Homeless or Elderly Demographic Commitment at Part III.D. and also selected the Homeless or Elderly Designation at Part V.A. are eligible to compete in the respective SAIL Special Set-Asides. A SAIL Application that selected and qualified as a Farmworker/Commercial Fishing Worker Demographic Commitment at Part III.D. that also requests Competitive HC or MMRB will not compete for the SAIL funds within the SAIL Special Set-Aside, but will compete for both the SAIL and the HC or the SAIL and the MMRB in its respective Geographic Set-Aside only, provided a sufficient amount of SAIL Farmworker/Commercial Fishing Worker funds remain to fund at least 60% of the SAIL request amount.

(3) Competitive HC Special Set-Asides: Competitive HC Applications in the Front Porch Florida Community Special Set-Aside and the RD Development Special Set-Aside will be considered for tentative funding in the following order:

- Front Porch Florida Community Special Set-Aside, with Group 1 and Group 2 Applications for Developments located in the following counties: Brevard, Broward, Collier, Glades, Hendry, Indian River, Lee, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach, and St. Lucie, being funded (not necessarily in the above order) before Group 1 and Group 2 Applications for Developments located in counties other than the above-stated counties.
- RD Development Special Set-Aside, with Group 1 and Group 2 Applications that provide evidence that, as of Application Deadline, the Applicant has secured new funding from USDA-RD for the proposed Development being funded before Group 1 and Group 2 Applications that do not provide such evidence.

Only Applications that selected and qualified for the Front Porch Florida Community or RD Designation at Part V.A. may compete for funding within their respective HC Special Set-Aside. Front Porch Florida Community Developments which are selected for a tentative funding of housing credits will count towards meeting the Competitive HC Goal of funding two Urban In-Fill Developments. Eligible Front Porch Florida Community Development HC Application(s) and RD Development HC Applications that are not selected for a tentative housing credit allocation(s) within their respective Special Set-Asides will compete for funding in their

respective Geographic Set-Aside(s). An RD 514/516 Application that is moved into a Geographic Set-Aside will count as a Farmworker Development.

- (4) MMRB HOPE VI Special Set-Aside: MMRB Applications that selected and qualified at Part V.A. for the HOPE VI Designation are eligible to compete within this MMRB HOPE VI Special Set-Aside. An eligible Application(s) not funded in this Special Set-Aside will compete for funding within its Geographic Set-Aside.
- (5) Competitive HC Goals: The Housing Credit Program has a goal to allocate housing credits to a minimum of: two Farmworker/ Commercial Fishing Worker Development (in addition to any Developments funded in the Competitive HC RD Development Special Set-Aside), two Urban In-Fill Developments, one Elderly Development, which may be an Assisted Living Facility, one Development in each of the following counties: Brevard, Broward, Collier, Glades, Hendry, Indian River, Lee, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach, and St. Lucie, and 12% of its Allocation Authority per the Qualified Allocation Plan to Non-Profit Applicants. The HC goals may be achieved or partially achieved by the tentative allocation of housing credits to Competitive HC Applications during the selection of qualified Applications in the Special Set-Asides. Applicants that selected and qualified for the Elderly Demographic Commitment will be classified as Elderly Developments. Applicants that selected and qualified for the Farmworker/ Commercial Fishing Worker Demographic Commitment or Applicants that have moved into a Geographic Set-Aside from the RD Development Special Set-Aside and will be funded with RD 514/516 funds will be classified as Farmworker/Commercial Fishing Worker Developments. An Applicant must have selected and qualified either as an Urban In-Fill Development or for the Front Porch Florida Community designation in order for its Development to be classified as an

Urban In-Fill Development. An Application selected for tentative funding may satisfy more than one HC goal. For example, an Application selected for tentative funding within the Front Porch Florida Community Special-Set-Aside that selected and qualified for the Elderly Demographic Commitment would count towards meeting the Elderly HC goal as well as counting towards meeting the Urban In-Fill HC goal. If it is determined upon the distribution of housing credits to the Geographic Set-Asides that the goal was not achieved through the tentative allocation of housing credits to Applications within the Special Set-Asides, the Corporation will attempt to achieve the goal by selecting the highest scoring qualified Application(s), applying tie-breakers where necessary, regardless of Geographic Set-Aside, where part of the goal has not been met, for tentative allocation of credits subject to SAUL and fund availability\*, in the following order:

- Two Farmworker/Commercial Fishing Worker Developments
- Two Urban In-Fill Developments
- One Elderly Development
- One Development in each of the following counties (not necessarily in the following order): Brevard, Broward, Collier, Glades, Hendry, Indian River, Lee, Martin, Miami-Dade, Monroe, Okeechobee, Palm Beach, and St. Lucie
- Minimum 12% Non-Profit Applicants

The last Non-Profit Applicant selected to meet the 12% Non-Profit goal will tentatively receive a full allocation of Competitive HC even though the total Non-Profit tentative allocation may exceed 12%.

\* In the event that the only way to achieve a Competitive HC goal is to fund an Applicant that has a proposed Development in a county that has met its SAUL, that Application will be selected for tentative allocation of Competitive HC. The county of the Development, which was selected, will be deemed to have met its SAUL for the purposes of selecting future Applications for tentative funding and the Development's set-aside units will be credited towards meeting the county's SAUL a second time.

For example, County A is in the Medium County Geographic Set-Aside and has a SAUL of 100 set-aside units. There are two Non-Profit Applicants that are unfunded in County A, Application One with 120 set-aside units and Application Two, ranked below Application One, with 100 set-aside units. They are the only Group 1 Non-Profit Applicants within the Geographic Set-Asides.

The 12% Non-Profit goal has not been met. As such, Application One is selected for tentative funding and in doing so, County A meets its SAUL. After selecting Application One for tentative funding, the 12% Non-Profit goal is still not met. Even though Application Two is in a county that has met its SAUL, it is selected for tentative funding for there are no other Group 1, Non-Profit Applicants within any of the Geographic Set-Asides that can be selected to meet the 12% Non-Profit goal. The result of selecting Applications One and Two for tentative funding is that County A has met its SAUL twice. Therefore, no other Applications with proposed Developments in County A will be considered for tentative funding until all other counties within the Medium County Geographic Set- Aside, with enough eligible Applications that if selected for tentative funding would cause the counties to have met their SAUL at least twice, have met their SAUL twice.

If the 12% Non-Profit goal still has not been met and the only Non-Profit Applicants available to meet the 12% Non-Profit goal are located within a Geographic Set-Aside where there are not enough housing credits available for such Applicants, enough housing credits will be redistributed from the other Geographic Set-Asides on a pro-rata basis to tentatively fund those Non-Profit Applicants needed to meet the 12% Non-Profit goal. Non-Profit Applications classified in Group 3 will only be chosen to meet the 12% Non-Profit goal if there are no eligible Non-Profit Applications classified in Group 1 or Group 2 available to meet the goal. The amount of 2007 housing credits stated in Binding Commitments to Non-Profit Applicants will not count towards meeting the 12% Non-Profit goal. However, Binding Commitments issued to Non-Profit Applicants for 2006 Housing Credits will count toward meeting the 12% Non-Profit goal.

- (6) Small/Medium/Large Geographic Set-Asides:
  - (a) Applications, regardless of program(s) applied for by the Applicant, will be considered for tentative funding within each Geographic Set-Aside; i.e., Applications located in small counties (regardless of whether they are in SL, SM or SS on the SAUL chart) will be listed together in order of total score within the Small County Geographic Set-Aside.
  - (b) Applications in the Small County Geographic Set-Aside will be selected for tentative funding first, followed by those in the Medium County Geographic Set-Aside and then followed by those in the Large County Geographic Set-Aside.

- (7) Funds available after final ranking due to Applicant's withdrawal or the Applicant's failure to receive a favorable recommendation from the Credit Underwriter will be allocated as follows:
- (a) MMRB: Funds will be allocated in accordance with Rule 67-21.003, F.A.C. The SAUL procedure will not be applied.
  - (b) Competitive HC: Housing credits will be deemed to have been received by the Corporation on or after October 1, 2006 and will be allocated in accordance with the QAP. The SAUL procedure will not be applied.
  - (c) SAIL: Funds will be first allocated to those Applications that received a partial tentative SAIL allocation and have been determined not to have declined an invitation into credit underwriting. Funds will be distributed to such partially funded Applications in the following order: Applications from Small Counties, Applications from Medium Counties and then, Applications from Large Counties. If funds still remain, the funds will be offered to the highest ranked eligible SAIL Application regardless of set-asides and whether or not the available funding constitutes 60% of the Applicant's SAIL request amount. This process will be applied until the opening date of the next Application Period. The SAUL procedure will not be applied. If any funds remain after all eligible SAIL Applications have been funded, the Corporation may allocate those remaining funds in a supplemental cycle or as the Board deems appropriate.

### **END-OF-THE-LINE-SAIL**

A proposed Development that was successful in receiving SAIL funding for the first time in the 2005 Universal Application cycle may receive additional SAIL funding for the same Development. The combined total of the 2005 request amount and the 2006 End-of-the-Line SAIL request amount cannot exceed the maximum request amount for the county group/designation stated on the SAIL request amount chart at Part V.A.2. of the 2006 Universal Application Instructions. Applicants requesting End-of-the-Line SAIL funding must, by the Application Deadline for the 2006 Universal Application Cycle, submit to the Corporation the End-of-the-Line SAIL Request Form. Only one copy of the request form is required; however, to be considered for funding, the Applicant must properly complete and submit the request form, executed with an original signature, along with the applicable fee. Signatures in blue ink are preferred.

End-of-the-Line SAIL requests will be considered for funding as outlined in Section 7.c.(5) of the Ranking and Selection Criteria section of the 2006 Universal Application Instructions. The Applicant's eligibility to exceed the statutory limit of 25% of Total Development Cost will be reviewed during Credit Underwriting.

## **FEES**

The Corporation, Credit Underwriter or environmental provider shall collect via check or money order from the Borrower/Applicant the following fees and charges in conjunction with the MMRB, SAIL, HOME and HC Programs. Failure to pay any fee shall cause the firm loan commitment under any program to be terminated or shall constitute a default on the respective loan documents.

1. Application Package Fee:

Applicants may obtain the Universal Application Package as follows:

- a. The Application is available on the Corporation's Website without charge; or
- b. A copy of the Application Package can be purchased from the Corporation for a fee of \$50.00. Payment must be received by the Corporation prior to the issuance of an Application Package.

2. Application Fee:

- a. Applicants requesting SAIL, MMRB, and HC shall submit to the Corporation by the Application Deadline a non-refundable Application fee of:
  - (1) \$1,000 per Application, regardless of whether the Application is submitted online, if Applicant or Applicant's general partner applies and qualifies as a Non-Profit entity; or
  - (2) For all other Applicants:
    - (a) \$2,000 per Application for online submission; or
    - (b) \$4,000 per Application for Applications NOT submitted online
- b. Applicants requesting HOME shall submit to the Corporation by the Application Deadline a non-refundable Application fee of:
  - (1) \$100 per Application, regardless of whether the Application is submitted online, if Applicant or Applicant's general partner applies and qualifies as a Non-Profit entity; or

- (2) For all other Applicants:
  - (a) \$250 per Application for online submission; or
  - (b) \$500 per Application for Applications NOT submitted online.

c. Applicants requesting End-of-the-Line SAIL funding shall submit to the Corporation by the Application Deadline for the 2006 Universal Application Cycle a non-refundable fee of \$2,000.

3. TEFRA Fee:

Applicants requesting MMRB must submit to the Corporation by the Application Deadline a non-refundable TEFRA fee of \$500 per Application.

4. 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 and any addendum for services between Florida Housing Finance Corporation and the Credit Underwriter(s).

a. Initial fee:

- (1) SAIL .....\$10,694
- HC .....\$9,625
- MMRB.....\$11,497
- (2) SAIL and HC.....\$14,117 \*
- SAIL and MMRB.....\$14,920 \*
- (3) HOME \*\* .....\$10,694
- (4) MMRB Subsidy Layering Review
  - (a) If previously underwritten .....\$1,925
  - (b) If not previously underwritten .....\$3,316

b. Re-underwriting fee: \$139 per hour, not to exceed \$6,203 for SAIL, HOME\*\*, HC and MMRB

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, as well as any SAIL Development or HOME Development\*\* requiring further analysis by the Credit Underwriter pursuant to this rule chapter, 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.

\* The “multiple” program fee applies only if the programs are requested in the same Application.

\*\* Only HOME Applicants that do not apply and qualify as a Non-Profit entity under Rule 67-48.002 will be responsible for the fees set out in 4.a.(3) and 4.b.

above, as well as fees resulting from further analysis pursuant to this rule chapter.

5. 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 8% of the annual housing credit allocation amount stated in as applicable: the Preliminary Allocation, Binding Commitment, or Preliminary Allocation. The administrative fee shall be 5% of the stated annual housing credit allocation for Non-Profit Applicants. The administrative fee must be received by the Corporation within 7 Calendar Days of the date of the Preliminary Allocation, the Binding Commitment or the Preliminary Determination, whichever is applicable. In the event the Final Housing Credit Allocation amount exceeds the annual housing credit allocation amount stated in the Preliminary Determination, the Applicant is responsible for paying the applicable administrative fee on the excess amount before IRS Forms 8609 are issued for the Development.

6. 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% of the SAIL loan amount upon acceptance of the firm commitment. An extension fee of 0.5% of the SAIL loan amount will be charged if a request to extend the SAIL loan commitment is approved by the Board [see Rule 67-48.012 (6), F.A.C.]. All requests for extension must be submitted in writing to the program administrator and contain the specific reasons for the extension and the date needed by which to close the loan.

- a. 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.
- b. All Applicants shall remit the commitment fee payable to the Florida Housing Finance Corporation.

7. 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 for services between Florida Housing Finance Corporation and the Compliance Monitor(s).



- a. SAIL Only: Annual fee of \$1,578 + \$9.00 per set-aside unit, billed annually following loan closing
- b. HC:
  - (1) Pre-final allocation compliance monitoring fee of \$1,578 + \$9.00 per set-aside unit, collected within 7 days of the date of the Preliminary Housing Credit Allocation or Binding Commitment; and
  - (2) Annual Compliance monitoring fee - \$1,578 + \$9.00 per set-aside unit, for the full Housing Credit Extended Use Period collected at final allocation based on a quarterly payment stream discounted at a rate of 2.75%.

If during any year subsequent to the Final Housing Credit Allocation, there is a fee increase based on the Consumer Price Index, as stipulated in the current contract for services between Florida Housing Finance Corporation and the Compliance Monitor(s), the additional fee will be billed directly to the Development.

- c. SAIL with HC:

Additional program fee – annual fee of \$727, billed annually following the Final Housing Credit Allocation. This fee will be in addition to the HC fees set out in Item 7.b. above.

- d. MMRB (with or without HC): Annual fee of 4 basis points on the outstanding loan balance or a minimum of \$2,246, billed annually following loan closing.
- e. Follow-up Review - \$139 per hour

8. Financial 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 for services between Florida Housing Finance Corporation and the Financial Monitor(s).

An annual financial monitoring fee of 1.5 basis points on the unpaid principal balance of the SAIL loan, which fee shall never be less than \$1,605. A fee of \$536 for each subsequent program will be applicable.

9. Tax-exempt Mortgage Financing:

If Corporation tax-exempt mortgage financing is used for the first mortgage loan, the same fee schedule as described above shall be applied to both the first mortgage loan and the SAIL loan. Additional legal, cost of issuance, bond underwriting, credit

enhancement, liquidity facility and servicing fees associated with the financing shall also be paid by the Applicant.

10. Construction Inspection 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 for services between Florida Housing Finance Corporation and the Servicer(s).

On-site construction inspection - \$139 per hour, not to exceed \$1,391 per inspection for SAIL, HC and MMRB.

11. Additional MMRB Fees:

The following fees may not be 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 for services between Florida Housing Finance Corporation and the professionals involved as well as on the loan commitment signed by the Applicant and Florida Housing Finance Corporation.

Ongoing Fees – based on the amount of bonds outstanding as follows:

Under \$10,000,000	40 basis points
\$10,000,000 to \$14,999,999	37 basis points
\$15,000,000 to \$19,999,999	35 basis points
\$20,000,000 to \$24,999,999	33 basis points
\$25,000,000 and over	31 basis points

Ongoing fees include compliance monitoring fees, loan servicing fees, financial monitoring fees, trustee fees, arbitrage rebate fees and the issuer fee.

12. Additional HOME Fees:

HOME Applicants that do not apply and qualify as a Non-Profit entity will be charged fees for environmental review based on the current contract for services between Florida Housing Finance Corporation and the Environmental Provider(s).

13. Development Cost Pro Forma:

All of the 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 SAIL loan proceeds.

14. HC:

If, after the 14<sup>th</sup> year of the Compliance Period, the Applicant decides to submit a written request to the Corporation to find a person to acquire the Development, it must, according to Rule 67-48.031, F.A.C., submit the request utilizing the Qualified Contract Package and submit the nonrefundable Qualified Contract Package fee in the amount equal to one fourth of one percent of the qualified contract price

## **SUPPLEMENTAL MMRB APPLICATION CYCLE**

### **A. Application**

1. General Provisions

When authorized by the Corporation's Board of Directors, a Supplemental MMRB Application Cycle will be held. Applications for this supplemental cycle shall be submitted using the current Universal Application Package. The provisions of these instructions regarding the Supplemental MMRB Application Cycle shall take precedence over any inconsistent provisions in the Universal Application Package or Rule Chapters 67-21 and 67-48, F.A.C., for all Applications submitted during the Supplemental MMRB Application Cycle.

- a. The Application may be submitted for only Florida Housing-issued MMRB and non-competitive HC.

If an Applicant requests Corporation-issued MMRB and non-competitive HC in the supplemental cycle and intends to apply for SAIL funding in a future Universal Application Cycle, it must show the amount of SAIL funding that the Applicant intends to apply for in a future Universal Application Cycle in the pro-forma of its Supplemental MMRB Application and otherwise meet all of the requirements imposed by the SAIL Rule (Chapter 67-48, F.A.C.).

- b. Fees

Refer to the Fees section of the current Universal Application Instructions.

2. Proximity

Section III.A.10 (Proximity) will not be scored and does not have to be completed by the Applicant for the Supplemental MMRB Application Cycle.

### **B. Ranking and Selection Criteria**

1. General Provisions

Supplemental MMRB Applications will be received on a continuous basis during the Application Period.

At the time it directs staff to proceed with a Supplemental MMRB Application Cycle, the Board may also direct staff to set aside a certain amount of private activity bond allocation to serve one or more categories of Development.

All remaining allocation assigned by the Board for use by the MMRB Program will be made available to Applications which are not competing in a set-aside, subject to the provisions below. Eligible non-set-aside Applications will be funded on a first-come first-served basis out of the remaining available allocation.

All Applications will be scored by Corporation staff and Applicants will be given opportunities to cure any deficiencies identified by staff. The provisions of sections 67-21.003(4)–(9), F.A.C., will not govern the scoring of the Supplemental MMRB Applications.

An Application is considered filed with the Corporation when the electronic copy (if applicable), Original Hard Copy, three photocopies and the Application fee and TEFRA fee are received by the Corporation. However, Applications will not be considered eligible for first-come, first-served funding in either the set-aside or non-set-aside categories until the date that all identified deficiencies are cured.

To be eligible for funding in the Supplemental MMRB Application Cycle, Applications must achieve 66 points (the maximum score possible) and meet all threshold requirements.

Neither SAUL nor Geographic Set-Asides will apply to Supplemental MMRB Applications.

If there is private activity bond allocation remaining after all eligible Applications are funded, then this allocation will be applied to the Corporation's single-family bond program or otherwise used as directed by the Board.

## 2. Tie-breaker

The lottery tie-breaker will be applied to Applications with tied scores as necessary for making tentative funding selections. Preference will be given to the Application with the lowest lottery number.