

**STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION**

PINNACLE PLAZA LTD.,

Petitioner,

v.

**DOAH CASE NO.: 06-2032
FHFC CASE NO.: 2006-020UC**

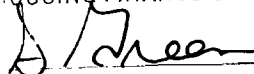
FLORIDA HOUSING FINANCE CORPORATION,

Respondent.

FINAL ORDER

This cause came before the Board of Directors of the Florida Housing Finance Corporation (“Board”) for consideration and final agency action on December 15, 2006. On or before February 1, 2006, Petitioner, Pinnacle Plaza, Ltd., (“Petitioner”) submitted its 2006 Universal Cycle Application (“Application”) to Florida Housing Finance Corporation (“Florida Housing”) to compete for equity financing from the Low Income Housing Tax Credit Program. Petitioner timely filed its “Petition Requesting Informal Hearing and Grant of the Relief Requested” pursuant to Sections 120.569 and 120.57(2), Florida Statutes, (the “Petition”) challenging Florida Housing’s scoring on a part of the Application. After reviewing the Petition, Florida Housing determined that material disputes of fact existed and on June 12, 2006, forwarded the Petition to the Division of Administrative Hearings (DOAH) for proceedings under Section 120.57(1), Florida Statutes. A formal administrative hearing was held in this case in Tallahassee, Florida, before an Administrative Law Judge (ALJ) of the Division of Administrative Hearings (DOAH), on September 29, 2006. Petitioner and Respondent timely filed Proposed Recommended Orders.

FILED WITH THE CLERK OF THE FLORIDA
HOUSING FINANCE CORPORATION



/DATE. 12-18-06

After consideration of the evidence, arguments, testimony presented at hearing, and the Proposed Recommended Orders, the ALJ issued a Recommended Order. A true and correct copy of the Recommended Order is attached hereto as "Exhibit A." The ALJ recommended Florida Housing enter a Final Order dismissing the Petition.

RULING ON THE RECOMMENDED ORDER

The findings and conclusions of the Recommended Order are supported by competent substantial evidence.

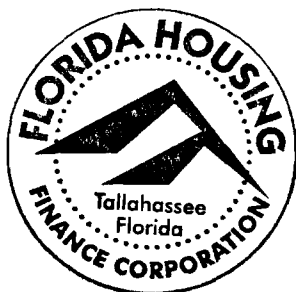
ORDER

In accordance with the foregoing, it is hereby **ORDERED**:

1. The findings of fact of the Recommended Order are adopted as Florida Housing's findings of fact and incorporated by reference as though fully set forth in this Order.
2. The conclusions of law of the Recommended Order are adopted as Florida Housing's conclusions of law and incorporated by reference as though fully set forth in this Order.
3. Accordingly, the Board finds that Florida Housing correctly determined that Petitioner was not entitled to receive 1.25 "tie-breaker" points for proximity to a grocery store, and that the Petition should be dismissed.

IT IS HEREBY ORDERED that the Petition is hereby DISMISSED.

DONE and ORDERED this 15th day of DECEMBER, 2006.



FLORIDA HOUSING FINANCE CORPORATION

By: 
Chairperson

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