

STATE OF FLORIDA
FLORIDA HOUSING FINANCE CORPORATION

FILED
10 DEC 13 PM 4:27
DIVISION OF
ADMINISTRATIVE
HEARINGS

MADISON RESERVE, LTD.
Petitioner,

FHFC CASE NO.: 2009-062UC
DOAH CASE NO.: 2010-0354

v.

FLORIDA HOUSING FINANCE
CORPORATION,
Respondent.

_____ /

FINAL ORDER

This cause came before the Board of Directors of the Florida Housing Finance Corporation for consideration and final agency action on December 10, 2010.

Madison Reserve, Ltd., (the "Petitioner") timely submitted its 2009 Universal Cycle Program Application (the "Application") to Respondent Florida Housing Finance Corporation ("Florida Housing") to compete for funding from the 2009 Universal Cycle Program. Subsequently, Petitioner timely filed its petition for an informal hearing, pursuant to Sections 120.569 and 120.57(2), Florida Statutes, challenging Florida Housing's scoring on parts of the Application. The matter was referred to the Division of Administrative Hearings, Case No. 10-0354.

FILED WITH THE CLERK OF THE FLORIDA
HOUSING FINANCE CORPORATION

Kella M. Harrell / DATE: 12/13/2010

A final hearing in this matter was held before Administrative Law Judge R. Bruce McKibben, on August 30, 2010, in Tampa, Florida.

After the formal hearing, Petitioner and Respondent entered into a Settlement Agreement. A true and correct copy of the Settlement Agreement is attached hereto as "Exhibit A." Pursuant to the Settlement Agreement, Petitioner and Respondent recommend that:

Florida Housing enter a Final Order awarding Petitioner an allocation of low income housing tax credits, and to provide for full settlement and discharge of all claims against Respondent which were made in the above captioned administrative proceeding, upon the terms and conditions set forth in the Settlement Agreement.

ORDER

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

1. The terms and conditions of the Settlement Agreement are hereby adopted as though fully set forth in this Order.

2. Petitioner's application is scored as having met all threshold requirements, is designated a Priority I application, and that its application meets or exceeds all applicable statutory and rule criteria for application scoring.


3. Florida Housing shall allocate Petitioner's requested HC allocation from the next available allocation as provided in Rule 67-48.005(7), F.A.C., in

accord with and subject to Florida Housing's credit underwriting standards and Rule Chapter 67-48, Florida Administrative Code.

DONE and ORDERED this 10th day of December, 2010.



FLORIDA HOUSING FINANCE CORPORATION

By: 
Chair

Copies to:

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NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE FLORIDA HOUSING FINANCE CORPORATION, 227 NORTH BRONOUGH STREET, SUITE 5000, TALLAHASSEE, FLORIDA 32301-1329, AND A SECOND COPY, ACCOMPANIED BY THE FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, 300 MARTIN LUTHER KING, JR., BLVD., TALLAHASSEE, FLORIDA 32399-1850, OR IN THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.