

**STATE OF FLORIDA  
FLORIDA HOUSING FINANCE CORPORATION**

MARIKA TOLZ,

Petitioner,

v.

FHFC CASE NO.: 2018-083HHF  
DOAH CASE NO.: 19-0165

FLORIDA HOUSING FINANCE  
CORPORATION,

Respondent.

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**FINAL ORDER**

This cause came before the Board of Directors of the Florida Housing Finance Corporation (the "Board") for consideration and final agency action on June 21, 2019. On or about November 8, 2018, Marika Tolz ("Petitioner") applied for financial assistance through the Hardest-Hit Fund Elderly Mortgage Assistance ("HHF ELMORE") program.

On December 5, 2018, Florida Housing denied Petitioner's application for the HHF ELMORE program because Petitioner had a disqualifying felony conviction. Petitioner timely filed a petition for reconsideration that was subsequently dismissed by Florida Housing on December 21, 2018, with leave to amend. Petitioner timely filed an amended petition and, on January 9, 2019, Florida Housing referred the matter to the Division of Administrative Hearings. A

FILED WITH THE CLERK OF THE FLORIDA  
HOUSING FINANCE CORPORATION

*Tom McNamee* / DATE: 6/24/19

formal administrative hearing took place on March 6, 2019 via video conference in Miami and Tallahassee, Florida before Administrative Law Judge Mary Li Creasy (the “ALJ”).

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 found that Petitioner failed to demonstrate by a preponderance of the evidence an entitlement to participate in the HHF ELMORE program and that Florida Housing properly denied Petitioner’s eligibility to participate. The ALJ recommended that Florida Housing enter a Final Order dismissing Petitioner’s amended petition. No exceptions were filed to the Recommended Order.

### **RULING ON THE RECOMMENDED ORDER**

1. The findings of fact set out in the Recommended Order are supported by competent substantial evidence.
2. The conclusions of law set out in the Recommended Order are supported by competent substantial evidence.
3. The Recommendation of the Recommended Order is reasonable and 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.

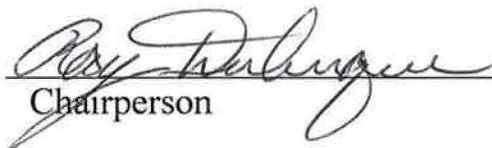
3. The Recommendation in the Recommended Order is adopted and incorporated by reference as though fully set forth in this Order.

**IT IS HEREBY ORDERED** that Petitioner's request for financial assistance as part of the HHF-ELMORE program is denied, and Petitioner's petition is dismissed.

**DONE and ORDERED** this 21<sup>st</sup> day of June, 2019.

FLORIDA HOUSING FINANCE  
CORPORATION



By:   
Chairperson

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, 2000 DRAYTON DRIVE, TALLAHASSEE, FLORIDA 32399-0950, 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.**