Miami-Dade County Housing and Community Development
FY 2026 Draft Surtax, SHIP, HOME RFA - Questions and Comments to Draft Release
Issuance Date: June 30, 2026

Questions and Answers

Question 1: Please provide an example of written approval by the Florida Housing Finance Corporation that is needed for income averaging. Page 35 states written approval by the Florida Housing Finance Corporation is needed for income averaging. Is this approval required to be submitted as part of the Surtax Package?

Answer 1: If Applicants elect income averaging, then the following requirements must be met. Applicants must submit Form 8 – Applicant Income Averaging Acknowledgement and Certification document with their organization's ZoomGrants application.

The RFA has been revised on page 36 to reflect the following:

> "Income Averaging Requirements:
>
> 22. Income Averaging: Applicants must choose if they will pursue income averaging. If the applicant elects income averaging, HCD will assess applications subject to the following criteria:
>
>   a) The FHFC Total Set-Aside Breakdown Chart if committing to the Average Income Test submitted by the Applicant to FHFC.
>
>   b) If the underwriting report has already completed, the report must be updated to reflect the new AMI.
>
> 23. HCD refers to FHFC income averaging policies and guidance in reference to Applications received under this RFA."

Question 2: The RFA requires the Applicant (Developer, Developer Principal, or Sponsor) to provide audited or certified financial statements demonstrating organizational and financial capacity.

Our proposed Applicant entity is a single-purpose entity established for this development and, as such, has limited operating history, assets, and financial activity independent of its sponsors and affiliated development entities.

Could the Department please clarify whether this threshold requirement may be satisfied through the submission of audited or certified financial statements of:

- The Applicant's sponsor(s) or developer principal(s);
- Affiliated entities within the sponsor's/developer's corporate group that demonstrate the financial capacity and experience supporting the proposed development; and/or
- Other evidence of organizational and financial capacity customarily used in affordable housing transactions (such as guarantor financial statements, parent company financial

statements, schedules of owned assets, net worth certifications, development experience summaries, or similar documentation)?

Our intent is to demonstrate the financial strength, liquidity, net worth, and development capacity available to support the project, while recognizing that the Applicant itself is a newly formed SPE created solely for this development.

Answer 2: Single asset entity applicants may provide audited financial statements for the parent/developer.

Refer to Section B – Definitions – Page 8, Audited Financial Statements: Financial statements that have been prepared as audited financial statements in accordance with Generally Accepted Accounting Principles (GAAP) by an independent third-party certified public accountant (CPA). Single asset entity applicants may provide audited financial statements for the parent/developer. Audited financial statements are to be accompanied by a signed letter from the independent third-party CPA attesting to the examination and verification of the Applicant's financial reports.

Refer to Section B – Definitions – Page 9 - Certified Financial Statements: Financial statements to include four core components, balance sheet, income statement (Profit & Loss), statement of cash flows, and notes to the financial statements that have been certified by an independent third party certified public accountant (CPA) and provides assurance from a CPA that the information is materially correct. Single asset entity applicants may provide audited financial statements for the parent/developer company. The act of "certification" means these statements have been examined by an independent third party, specifically a CPA. This independent examination is essential for lending credibility to management's assertions. Certified financial statements are to be accompanied by a signed letter from the CPA and a formal report or opinion on the statements' fairness and adherence to the chosen accounting framework.

Refer to Section C – Minimum Threshold Requirements – Page 20, Number 2. Organizational and Financial Capacity – Organizations must demonstrate that they are fiscally sound and have the skills and experience required to achieve the proposed activity. Applicant (Developer, Developer Principal, or Sponsor) must provide Audited Financial Statements or a Certified Financial Statement, certified by an independent 3rd party auditor, which cannot be performed by an affiliate or staff member. The time frame for which the information remains proprietary is limited per the language in F.S. 119.071(1)b(2). This is a minimum threshold requirement. Single asset entity applicants may provide audited financial statements for the parent/developer.

Question 3: Infrastructure: If a project has recently gone through the zoning process and been approved, are separate infrastructure verification forms or letters still required for water and sewer connections, roadway access, and electric service since those were reviewed during the zoning review?

Answer 3: Yes, verification forms are required for all utilities.

Question 4: Internet and Cable: On page 63 of the Final Draft RFA, Item #23 includes Internet and Cable under Evidence of Infrastructure Availability. But it's not included in the Ability to Proceed scoring question 1.D: "Is there appropriate infrastructure or access to infrastructure for this project? (i.e., water and sewer connections, roadway access, and electric service)" Is documentation of availability of Internet and Cable required from the Service Provider? Or will it just be covered in the Bonus Points for Developments that Provide Free Internet and Cable Service from the Applicant?

Answer 4: Verification forms are required for electricity, water, sewer, and roads. Internet and Cable has now been removed from #23 on the Application Checklist (page 63). For bonus points, Form 20-WiFi Cable and Internet Form is required.

Question 5: Number of Applications: On page 40 of the Final Draft RFA, SECTION F, Submission Guidelines, “Developers are limited to a maximum of two (2) Applications for the entire RFA.” Rather than a limitation on the number of applications that can be submitted, can the limitation be just on the number of funding award recommendations or the number of applications within each category (Countywide, RAD, Elderly, etc.)? A developer may have more than 2 projects ready in different funding categories. It’s in the County’s best interest to be sure it gets the best applications in each category. Blocking projects from a particular category runs contrary to the County’s interest.

Answer 5: No. Developers may only submit a total of two applications in response to this RFA.

Question 6: Elderly Units: Can the County consider eliminating the 250-unit maximum for Elderly projects? While this is consistent with FHFC’s Elderly RFA, Miami-Dade County has a far greater need for elderly affordable housing than most other parts of the State. There are elderly communities across the state, although not necessarily funded by FHFC, that are larger than 250 units and are thriving.

Answer 6: The RFA shall remain aligned with the FHFC application standards under this RFA. The 250-unit maximum for Elderly projects remains in effect.

Question 7: Comments and Questions: Can the County provide an additional opportunity for questions or comments after the RFA is opened? Currently, the opportunity closes prior to the issuance of the final RFA. There needs to be one in case there are any issues or questions with the Application or any final revisions to the RFA once it’s released.

Answer 7: **Yes.** Comments and questions pertaining to the FINAL RFA will be accepted from June 30, 2026 through July 7, 2026.

Question 8: The draft RFA appears to require a neighborhood-level market and affordability analysis as part of the application submission for purposes of the Neighborhood AMI bonus. It also references the Applicant's submitted market study, as-built appraisal, and/or other available data sources. Please confirm if the market study or neighborhood-level market and affordability analysis must be submitted with the application and must be prepared by a certified general appraiser with an MAI designation?

Answer 8: To be considered for the Neighborhood AMI bonus point, applicants must submit either an as-built appraisal conducted by certified real estate appraiser, a market study, or alternative data sources to support the application of bonus points. Miami-Dade County RER will conduct an analysis to determine if points may be awarded.

Question 9: HOME Subsidy: Are these HOME funds subject to BABA?

Answer 9: Yes. All HOME funds are subject to BABA.

Question 10: Please confirm we can utilize Florida Housing forms for 29, 30 and 31.

Form 29. Verification of Site Plan Approval for Multifamily Developments Form
Form 30. Architect Certification Form
Form 31. General Contractor or Qualifying Agent of General Contractor Certification Form

Answer 10: Yes. These are all FHFC forms.

Question 11: Is Form 6 the same as Form 30?

Form 6. Architect and Engineer Certification
Form 30. Architect Certification Form

Answer 11: No. The two forms are different. Please complete both.

Comments and Responses

Comment 1: We appreciate Miami-Dade County's continued commitment to addressing the affordable housing crisis and understand the intent behind the proposed policy limiting Surtax awards for developments receiving 9% Low-Income Housing Tax Credit (LIHTC) allocations.

However, we respectfully request that Rainbow Village – Phase III remain eligible for Surtax funding. Rainbow Village – Phase III received a 9% LIHTC award under FHFC RFA 2025-212 before this policy was proposed, and the development team has advanced the project and incurred substantial predevelopment costs based on the funding programs and eligibility requirements that existed at the time.

Rainbow Village – Phase III is anticipated to deliver approximately 400 affordable housing units as part of a larger community revitalization effort. A development of this scale requires multiple financing sources and cannot be supported by tax credit equity alone. Eliminating Surtax eligibility after the project has secured its tax credit award would create a significant financing gap and could reduce or delay the delivery of critically needed affordable housing.

Accordingly, we respectfully request that Rainbow Village – Phase III be grandfathered and remain eligible to apply for Surtax funding. Given that the project received its FHFC award prior to the proposed policy change, excluding it from consideration would be inequitable and would undermine a transformative development that advances the County's affordable housing and neighborhood revitalization goals.

Response 1: Effective October 28, 2025, HCD formerly announced to affordable housing developers that Surtax/SHIP applications for proposed projects financed with 9% Low Income Housing Tax Credits (LIHTC) would no longer be accepted. Under this 2026 Surtax/SHIP/HOME RFA, HCD is not accepting applications for proposed projects financed with 9% LIHTC funds.

Comment 2: We respectfully object to Scoring Criterion #3 as currently proposed because it rewards development patterns that concentrate unrestricted or market-rate units within projects financed with Documentary Stamp Surtax funds. This approach is contrary to both the letter and spirit of the Documentary Stamp Surtax law set forth in Section 201, Florida Statutes.

The Documentary Stamp Surtax was established to generate revenues for the production and preservation of affordable housing for low-income and moderate-income households. Miami-Dade County itself recognizes that the Surtax Program was implemented to "produce and preserve affordable housing for low-income and moderate-income families."

The statute does not establish Surtax as a tool to subsidize market-rate housing. Rather, it authorizes the use of Surtax revenues to address housing needs of low- and moderate-income households through the creation and preservation of affordable housing opportunities. Consistent with that purpose, the County's own program materials emphasize affordability outcomes and the production of affordable units.

By awarding scoring advantages to projects that contain higher concentrations of unrestricted or market-rate units, the proposed criterion effectively shifts limited public resources away from developments that maximize affordable housing production. Two projects requesting the same amount of Surtax funding could produce dramatically different affordable housing outcomes, yet the proposed scoring framework may favor the project with fewer affordable units and a greater market-rate component.

This result is inconsistent with the fundamental purpose of the Surtax Program. Public funds generated specifically for affordable housing should prioritize the greatest affordable housing benefit per public dollar invested. A scoring methodology that rewards larger proportions of unrestricted units risks reducing the number of affordable units produced countywide and undermines the statutory objective of serving low- and moderate-income households.

Mixed-income developments can play an important role in promoting economic integration and financial feasibility. However, the presence of market-rate units should not be rewarded where it comes at the expense of affordable unit production or where it results in scarce Surtax resources subsidizing developments with substantial unrestricted housing components.

To remain consistent with Section 201, Florida Statutes, and the historic purpose of the Surtax Program, scoring should emphasize:

- The number of affordable units produced or preserved;
- The depth of affordability achieved;
- The duration of affordability restrictions;
- The efficient use of public subsidy; and
- The extent to which the project serves low-income and moderate-income households.

Any criterion that provides a competitive advantage based primarily on the inclusion or concentration of unrestricted or market-rate units should be reconsidered, as it risks diverting the program from its core mission of maximizing affordable housing opportunities for the residents the Surtax was created to serve. Every market-rate unit in a Surtax-assisted project consumes land, density, infrastructure capacity, and public subsidy leverage that could otherwise support an affordable unit. Therefore, the County should not award additional points for a characteristic that inherently reduces the percentage of units serving the population targeted by the statute.

Please adjust the RFP accordingly.

Response 2: The RFA has been updated, as follows. Strike out information will be excluded in the final RFA.

3	**Mixed Income Development**		**12 points**
	Ratio of Low-Moderate to Market Rate Rental Units Provided		
	~~Greater than or equal to 80% Workforce (without FHFC funding)~~ Greater than or equal to 80% Unrestricted and 20% Affordable		12 points
	50% Unrestricted and 50% Workforce/Affordable		8 points
	~~80% unrestricted and 20% Workforce/Affordable~~ 20% Unrestricted and 80% Affordable		6 points
	100% Affordable (0%-80% AMI) with FHFC funding		4 points
	Does not qualify		0 points

Comment 3: As a follow-up to attending the Miami-Dade Developer Roundtable and the Draft Release presentation for the FY 2026 Surtax, SHIP, and HOME Request for Applications (RFA), I would like to offer the following observations and recommendations regarding the proposed scoring criteria and program structure. These suggestions are intended to further align the RFA with Miami-Dade County's long-term affordable housing objectives while also encouraging greater participation from experienced developers capable of delivering high-quality housing at scale.

1. Incentivize Long-Term Affordability Through Additional Scoring for 99-Year Land Use Restriction Agreements (LURAs)

The current scoring framework does not appear to provide a meaningful incentive for developers willing to extend affordability beyond the standard compliance periods.

Given the County's ongoing housing affordability challenges and the policy objectives established under the Live Local Act, I recommend the inclusion of a dedicated bonus category awarding a minimum ten (10) points to developments that voluntarily commit to a 99-year Land Use Restriction Agreement (LURA).

Projects electing to provide affordability protections for nearly a century create significant long-term public value, preserve affordable housing inventory for future generations, and reduce the need for future public subsidy to replace expiring affordable units. Providing meaningful scoring recognition for these commitments would encourage developers to pursue deeper and longer-lasting affordability while advancing the County's strategic housing goals.

2. Clarify the Treatment of FHFC and Housing Finance Authority Financing in the Mixed-Income Scoring Category

Under the "Countywide - Multifamily Rental New Construction & Redevelopment" scoring sheet, Section 3 ("Mixed Income Development"), the category currently allocates up to twelve (12) points based on the ratio of workforce, affordable, and unrestricted units.

Based on the language presented, our team initially interpreted the scoring criteria to award maximum points to developments containing a significant workforce housing component without Florida Housing Finance Corporation (FHFC) funding. However, subsequent discussions suggested that projects utilizing Housing Finance Authority (HFA) bond financing may be treated similarly to FHFC-financed developments, thereby reducing the points available under this category.

We respectfully request clarification on whether HFA-issued bond financing is intended to be considered equivalent to FHFC funding for purposes of this scoring criterion. While FHFC and HFA programs may share certain affordability requirements, they are separate financing vehicles with distinct underwriting structures, allocation processes, and risk profiles.

If the County's intent is to encourage mixed-income developments that incorporate workforce housing while leveraging alternative financing structures, projects utilizing HFA bond financing should not automatically be grouped with developments receiving FHFC competitive subsidies. Clarifying this distinction would provide greater transparency to applicants and ensure that developments delivering a meaningful workforce housing component are evaluated consistently with the stated objectives of the scoring category.

Response 3: HCD may consider your comment to incentivize long-term affordability through additional scoring for 99-Year Land Use Restriction Agreements (LURAs) for future RFAs.

The FHFC reference was specific to competitive applications. HCD has updated the RFA Mixed-Income Scoring category, as follows. Strike out information will be excluded in the final RFA.

3	**Mixed Income Development**		**12 points**
	Ratio of Low-Moderate to Market Rate Rental Units Provided		
	~~Greater than or equal to 80% Workforce (without FHFC funding)~~ Greater than or equal to 80% Unrestricted and 20% Affordable		12 points
	50% Unrestricted and 50% Workforce/Affordable		8 points
	~~80% unrestricted and 20% Workforce/Affordable~~ 20% Unrestricted and 80% Affordable		6 points
	100% Affordable (0%-80% AMI) with FHFC funding		4 points
	Does not qualify		0 points

Comment 4: With respect to Section 3 – Mixed Income Development (Ratio of Low-Moderate to Market Rate Rental Units Provided) of the Scoring Sheet, could the Department please clarify which scoring categories are currently applicable?

The table includes criteria that appear in red text and/or are struck through, making it unclear whether those categories remain valid scoring options or have been removed from consideration. Specifically, it is not clear whether the following categories are active:

- Greater than or equal to 80% Workforce (without FHFC funding)
- Greater than or equal to 80% Unrestricted and 20% Affordable
- 20% Unrestricted and 80% Affordable

In addition, based on the point allocations shown, it appears that the highest score (12 points) would be awarded to a development consisting of at least 80% unrestricted/market-rate units and only 20% affordable units. Please confirm whether this interpretation is correct and whether the Department intended for that unit mix to receive the maximum score under this section.

For avoidance of doubt, please identify which specific unit-mix categories are eligible for scoring and the corresponding point values that will be applied to each.

Response 4: The RFA has been updated, as follows. Strike out information will be excluded in the final RFA.

3	Mixed Income Development		12 points
	Ratio of Low-Moderate to Market Rate Rental Units Provided		
	~~Greater than or equal to 80% Workforce (without FHFC funding)~~ Greater than or equal to 80% Unrestricted and 20% Affordable		12 points
	50% Unrestricted and 50% Workforce/Affordable		8 points
	~~80% unrestricted and 20% Workforce/Affordable~~ 20% Unrestricted and 80% Affordable		6 points
	100% Affordable (0%-80% AMI) with FHFC funding		4 points
	Does not qualify		0 points

Comment 5: A timeline was provided showing applications due at the beginning of August, with awards made in March. If it's assumed that standard closing occurs 60 days later, that makes the entire timeline approximately 10 months, give or take. It was clarified that construction could not commence prior to closing on the Surtax funds.

One of the General Section scoring criteria is being permit ready. To that point, it's given such importance that having a full permit is valued at 10 points. Very few items in either the General Section or the Bonus Points section carry the same weight. We understand why this is valued so highly as it shows a readiness to proceed that is hard to demonstrate in any other way. However, the ten-month timeline for Surtax closing doesn't correlate. If someone has a permit, or a permit-ready letter, indicating they are ready to proceed, it's difficult to then ask them to wait to close and proceed for ten months (assuming that there are no other delays). For groups without deep pockets that have utilized acquisition loans or pre-development loans to get to permit ready, they are then accruing interest, which decreases the value of the Surtax loan requested. For example, if you combine the two and assume payment of $25K in interest per month, that's $250K (minimum). It's not a small number, particularly given today's interest rates.

There's an argument to be made that if the developer is able to close on all other sources of financing and begin construction, then the project must not need Surtax. The counter to that argument is that perhaps those other sources are temporary and need to be taken out. For example, if an organization obtains a bridge loan or uses its own resources to fund the project—knowing those resources are intended for other projects and are only loaned temporarily—why can't Surtax replace those funds? Those funds were intended as a temporary fix, based on a risk assessment of the likelihood of obtaining other funding sources after construction commencement. They were not intended as permanent financing sources, and leaving them as such hinders the developer's ability to proceed with other equally-worth projects. If the concern is the developer would use funds to pay off deferred fees, that can be reviewed on a case-by-case basis during underwriting and the minimum deferred developer fee rule stays in place regardless.

There was a discussion yesterday about risk versus reward as it pertains to developer fees, but there's another similar discussion point. If a developer is risking everything they have because they truly believe in a project and want to see it get out of the ground as fast it can to provide critical workforce housing, then as long as they have submitted the Surtax application prior to closing on the remaining financing, the Surtax should be permitted to take out other temporary funding sources. It's a win-win as the developer has been allowed to proceed without accruing additional costs, and the County is getting the units online without waiting for construction to begin 10 months after the application deadline. In addition, there are points given for having firm commitments outside of the funding request. It's difficult (sometimes impossible) to obtain those commitments and then ask those resources (for example, HUD or private equity financing) to wait nearly a year to close. Their yield calculations, or loan sizing, is based on the current market. Not the market a year from now.

Having said all that, the ask is the following - make the line in the sand the application deadline, not the closing of the financing. If a developer has submitted an application and closes and begins construction after that deadline, and they are awarded Surtax a few months later, allow the Surtax to be used to pay off temporary funding sources. Make the policy more reflective of the importance given, by the department, to shovel-ready applications.

Response 5: The timeline provided is the best-case scenario available given the multiple processes that must be adhered to from the application submission deadline to Board of County Commissioners approval. Any allocation of Surtax must be confirmed by an independent Credit Underwriter.

Comment 6: Recommend aligning stabilization requirement with financing source.

Pg 16 states the project should reach 95% occupancy for three consecutive months to be considered stabilized. Permanent loan sources have their own criteria that dictates how the deal will be structured financially. Selecting 95% occupancy will strain projects attempting to convert from construction to permanent loan sources when permanent sources are often requiring as high as 90% occupancy for three consecutive months already.

Response 6: The RFA Project Stabilization definition will be amended to coincide with the Florida Housing Finance Corporation's (FHFC) RFA 2026-203, Page 19, definition for Stabilized.

Stabilized development means (i) that the development is Completed and (ii) that the development has reached and operated at an occupancy rate of 85% or more for at least three months.

Comment 7: Recommend removal of B11 Elderly Set-Aside Unit Fixture in the non-elderly buildings Pg 14 of the Scoresheets gives bonus points to developments with a self-imposed set-aside of elderly units.

What compliance tool would be used to enforce this self-imposed restriction?

Response 7: Applicants seeking bonus points for B11 Elderly Set-Aside Unit Features are required to submit an Elderly Features Commitment certification form with their application within ZoomGrants.

The compliance tool that will be utilized to enforce the certifications will be the Miami-Dade County executed contract agreement and rental regulatory agreement.

Comment 8: The score sheet currently treats FHFC awards separately from Subsection B. Projects receiving FHFC financing should be weighted the same as "other Government Subsidy", since they are all taxpayer funds and should be scored in Subsection B.

Self-sourced financing from a developer materially reduces the County's risk and demonstrates a developer's commitment to co-invest along with the County. This financial commitment should be weighted higher, particularly when the developer is matching the County subsidy on a 1: 1 basis.

The proposed scoring system currently allows a developer to provide a 50% match, assuming a full $5 million request, to receive only two points less than a developer providing a higher dollar for dollar match; therefore, not providing sufficient incentives for developers to invest more into their projects.

Related Urban respectfully suggests that the self-sourced financing/developer cash scoring be revised to better align developer financial commitments with points received as follows:

$5,000,000 - or more - 20 points
$4,000,000 - $4,999,999 - 16 points
$3,000,000 - $3,999,999 - 12 points
$2,000,000 - $2,999,999 - 8 points
$1,000,000 - $1,999,999 - 4 points
Less than $1,000,000 or no evidence - 0 points

Response 8: Points assessed for Self-Sourced financing has been adjusted to create a better spread, as summarized below.

$5,000,000 - or more - 15 points
$4,000,000 - $4,999,999 - 12 points
$3,000,000 - $3,999,999 - 9 points
$2,000,000 - $2,999,999 - 6 points
$1,000,000 - $1,999,999 - 3 points
Less than $1,000,000 or no evidence - 0 points

Comment 9: On page 23 it states: "Elderly Units: To obtain points, proposed elderly development projects cannot exceed 250 units…." Given the great need for senior affordable housing in Miami-Dade County as noted by HCD in its statement in the opening of public housing units on October 8, 2024, that "…our most vulnerable populations—families, seniors, and persons with disabilities…."; and underscored by the South Florida Regional Planning Council's finding that the average income of seniors in the County is less than $15,000/yr while it would take an annual income of $75,600 to pay the median rent in the County which is $2,100; why is there a cap of 250 units if indeed a project with more than 250 units can demonstrate that it is viable? If a HCD believes that a cap is necessary, I would recommend that a range be provide of between 300 and 500 units. However, I think the better policy would be to remove the cap entirely.

Response 9: Under this RFA, HCD is aligning with FHFC minimum and maximum units for the Elderly Development category.

Comment 10: Page 40: I would recommend that "per category" be added at the end of the first bullet under "Application Entity and Developer Requirements".

Response 10: That addition has been made to the RFA.

Comment 11: Page 40: The second bullet under the "Application entity and Developer Requirements" limits developers to two applications for the entire RFA. Given the need for affordable housing in Miami-Dade County, if a developer can demonstrate that it is projects can meet or exceed requirements of the RFA, the 2-application limitation is counterproductive. If greater emphasis is needed to provide proof of project readiness regarding financing a construction are needed to ensure that projects that are most “ready” are selected, then these criteria need to be emphasized accordingly.

Response 11: The RFA remains the same due to limited funding.

Comment 12: Page 36: The section on parking needs to be revised. Note: Parking that is NOT financed with LIHTC is eligible to be fee based for tenants of the associated units that are financed by LIHTC. To force projects that receive HCD assistance to use LIHTC as a subsidy for parking may increase the cost of the project, and runs counter to TOD incentives that this section does recognize as valid. The language of this section taken together is confusing.

The second paragraph under section 25 is of particular concern. It appears to indicate that if a project has parking that is not subsidized by LIHTC and is built according to code and applicable zoning requirements which may include affordable housing waivers for parking, the cost advantages are negated since HCD assisted units “may not incur fees to park.” This seems to encourage lower-income families to hold on to their cars versus supporting understanding the benefits of family economics and the community regarding reduction of our carbon footprint, which a big part of the various waiver to normal parking requirements that the County and municipalities have adopted.

I strongly recommend that Section 25 at the very least, be re-worded for clarity. The redraft should be done with a recognition of how parking policy needs to be constructed with a clear understanding of LIHTC usage in the development of parking structures.

Response 12: HCD has revised the RFA on page 36:

- Removed - “Regardless of financing, HCD considers the cost of parking as part of the “eligible basis” as is relates to the use of this Surtax/SHIP/HOME gap financing and how it is utilized for the assisted units.”
- Removed – “LIHTC regulations”

Comment 13: Page 58: This Affidavit should identify the exemptions that are provided for in Implementing Order 8-8. The exemptions should follow the phrase “…guidelines as set forth in the Code.”

Note: Affordable housing projects that must follow certain described “green” standards as a condition of federal or state assistance, are exempted from Implementing Order 8-8.

Response 13: Applicants claiming an exemption to the Sustainability Building (Energy & Green Certification Affidavit may complete Form 4B exemptions to Green Building.

Comment 14: Developer Caps: We respectfully request that Miami-Dade County HCD reconsider the proposed developer award limitations prior to finalizing the RFA. The draft RFA limits each developer to a maximum of two application awards and a maximum allocation of $10 million per developer for the entire funding cycle. While we understand the County's interest in distributing opportunity broadly, we respectfully submit that award caps tied to developer identity, rather than project merit, risk undermining the integrity of a competitive process. A cap structure of this kind does not necessarily screen out weak applications; it sometimes screens out strong ones. The County may find itself in the position of awarding funds to a less competitive project solely because a stronger sponsor has reached its limit. That outcome serves neither the program nor the residents it is intended to benefit.

At a minimum, applications on HCD or other government entities' sites should be excluded from the award cap. Where the County has identified a site and selected the developer via a competitive process, the County itself has determined that the project advances a public purpose. Applying a developer award cap to such projects would effectively allow the cap to override the County's own redevelopment decisions.. Excluding County-owned sites from the cap would preserve the County's flexibility to pursue its own development priorities. Further, the merit of these developments, in particular their ability to effectively leverage resources, outweighs any potential value in distributing opportunities across sponsors.

Should the County wish to retain some form of limitation of applications, we would encourage consideration of alternatives that preserve merit-based competition such as:

- Raise the minimum point threshold
- Include a ranked waiting list for a period of time so that meritorious developments that are able to proceed may replace applicants that are unable to proceed.

Response 14: There is no change being made at this time.

Comments 15A-N: Scoring Criteria

- **Comment 15A:** Ability to Proceed: The draft RFA treats site control as a threshold requirement but scores zoning, water, sewer, electric, roads, and cable as point items. HCD has described Surtax funding as "last dollars in" gap financing that closes once a project is otherwise ready to proceed. With that intent in mind, a developer applying should already have these predevelopment items in hand. Treating all ability to proceed items as threshold requirements is consistent with HCD's goals and would strengthen the competitive pool by ensuring all applicants are equally positioned to move forward.

  Response 15A: The RFA remains the same.

- **Comment 15B**: Permit Documents (New Construction): A permit ready letter with approved construction plans and a master permit should be equal in points since they reflect the same state of project readiness. They have both cleared the same technical and regulatory reviews.

  Response 15B: The RFA remains the same.

- **Comment 15C:** Public Approval – Variances: The RFA states, "Applications seeking funding must have all variances and rezoning approved at the time of application to ensure feasibility that the proposed project can be developed as planned." While zoning should be a threshold requirement, variances (a term which isn't defined but arguably may include waivers and warrants in the City of Miami) are sometimes approved during the permitting process, not at the predevelopment stage the Public Approval section is otherwise designed to address.

Response 15C: The RFA remains the same.

- **Comment 15D:** Subsidy - County subsidy including Surtax, CDBG, HOME, GOB or other County resources and funding requested in current application on a per unit basis: The draft RFA awards points based on county funding requested on a per-unit basis. Please clarify on how "per unit" is defined in the scoring item.

  Calculating the per-unit subsidy across total units, including any unrestricted market-rate units, dilutes the figure and misrepresents the actual public subsidy being applied to the affordable component. It also raises a broader question: is it the County's intent to subsidize unrestricted market-rate units through this scoring methodology?

  Basing the calculation on restricted units ensures the scoring reflects the program's core purpose.

  Response 15D: The County will calculate using the affordable units only.

- **Comment 15E:** Mixed Income Development: Please clarify or define "Unrestricted".

  Please confirm an unrestricted unit would be precluded from seeking a Multifamily Middle Market Certification for New Constructed Project Ad Valorem Exemption. Units designated under this certification carry income and rent restrictions as a condition of the tax exemption, they are not truly unrestricted.

  If a developer designates units as "unrestricted" for purposes of RFA scoring but subsequently seeks Middle Market certification for those same units, those units will become restricted. Awarding points for unrestricted units in that scenario would misrepresent the project's income mix and inflate the developer's score based on units that will ultimately carry affordability obligations. For reference see: Multifamily Middle Market Certification.

  Response 15E: Under this RFA, Unrestricted means rents may be determined by the Developer/Owner/Operator and those units are not contractually bounded by the Rental Regulatory Agreement or other loan/grant agreements.

  The definition for Unrestricted has been added to the RFA.

- **Comment 15F:** Project Completion and Compliance Points: The draft RFA awards points for subsequent phases of a development but appears to require that those phases be contiguous to the previously initiated project. This requirement for them to be contiguous should be modified to exclude RAD redevelopments that were competitively awarded by the County.

  The contiguity requirement does not reflect the structure of large-scale public housing redevelopments. RAD redevelopments are often master-planned across several acres and may encompass multiple public housing sites that have been combined through a WOPR (Work Order for Professional Services) solicitation competitively awarded by Miami-Dade County. In these cases, individual phases of a single RAD redevelopment may not be physically contiguous, not because they are unrelated, but because the redevelopment was designed and awarded that way by the County itself.

A subsequent phase of a County-awarded RAD redevelopment should qualify for phase points regardless of whether it is contiguous to the prior phase.

Response 15F: The RFA has been revised to include the following language on page 25:

“Non-contiguous Redevelopment projects on the same footprint may be exempt and considered for bonus points under this scoring criteria.”

- **Comment 15G:** Non-County Subsidy from other Local Government, including but not limited to: CDBG, HOME, CRA/TIF, General Funds, GOB, and/or grants on a per unit basis.

  The current scoring structure awards 6 points for less than or equal to $25,000 per unit and 0 points for no evidence of non-county subsidy. This is inconsistent with the structure of the remaining tiers, which award fewer points as the per-unit subsidy increases. The scoring rewards projects that require less non-county subsidy yet penalizes projects with no non-county subsidy at all with a 6-point gap relative to the lowest tier. If the intent is to reward projects that are less dependent on other local subsidy, then having no other subsidy (resulting in "no evidence" of same) should score 6 points.

  Response 15G: When an applicant does not supply any documentation as a response to this scoring criteria, it is considered “no evidence” and the applicant does not receive any points.

- **Comment 15H:** Projects with Self-Sourcing/Developer Cash: The current draft language requires applicants to submit "all supporting financial statements" in connection with self-sourced funding commitments. We respectfully request that HCD limit the submission requirement to: (1) the executed HCD Self-Sourced form, and (2) third-party verification of financial capacity via a signed letter on letterhead from a financial institution or certified/audited financials confirming capacity equal to or greater than the committed amount.

  The remaining financial due diligence, including review of supporting financial statements, including any personal financing is more appropriately conducted during credit underwriting. Further, the financial capacity of the individual or entity should be equal to or greater than the amount committed for all self-sourcing applications submitted in this RFA.

  Also note, under the PHA/RAD scoring, the point item for having a $3,000,000-$4,999,999 Self Source/Developer Cash is missing.

  Response 15H: On page 26, the RFA has been revised to read as follows:
  “Applicants electing to use Self-Sourced/Developer cash commitments for financial backing must demonstrate their commitment of any personal financing to the proposed project through project stabilization. Commitments must be supported by evidence of available cash, secured equity or a line of credit.” The scoring matrix has been adjusted as well.

- **Comment 15I:** Elderly Set-Aside Unit Fixture: The County-wide scoring sheet includes a point item only available to developments with an elderly set-aside. Including this category in the county-wide scoring pool creates an inherent scoring advantage for elderly projects competing in that pool, effectively skewing competition against non-elderly projects who have no ability to earn those points regardless of project quality. This point category should be removed from the county-wide scoring sheet and applied exclusively within the elderly category.

Response 15I: The RFA will remain the same. Elderly projects are eligible to apply for this category.

- **Comment 15J:** Neighborhood AMI: The draft language allows applicants to combine many variables to determine whether units are adequately affordable within the neighborhood context: rent burden, neighborhood market rents, county AMIs, median income by census block group, and existing affordable/workforce housing inventory.

  We would recommend the County instead replace the neighborhood AMI comparison with a more simple market-rate rent test, consistent with the following language used by FHFC and modified based on HCD's proposed language: *The Developments must be able to demonstrate that the average market rental rate, based on unit mix and annualized rent concessions for comparable properties located in census block groups within 2 miles of the proposed development is at least 5 percentage points higher than the highest AMI set-aside identified on the set-aside chart. The market study must demonstrate that the submarket of the proposed Development has (i) an average physical occupancy rate of 92% or greater; and (ii) an average market rental rate, based on unit mix and annualized rent concessions, equal to at least 5 percentage points higher than the highest AMI set-aside on the set-aside chart.*

  If the County prefers to move forward with the language as proposed, we would request HCD provide a step-by-step example of how the data should be combined to determine appropriate rents.

  Response 15J: The RFA will remain the same. RER will be conducting a thorough analysis utilizing the methodology outlined and taking into account documentation supplied by the applicant to evaluate the neighborhood median household income as it relates to the HUD-established AMI limits. This does not preclude the applicant from using a defensible methodology.

- **Comment 15K:** PHA/RAD Threshold-CHAP requirement: The draft RFA establishes the following threshold requirements for a project to be considered a public housing or RAD development:
  a) *Project site must be an HCD-owned public housing site.*
  b) *Developers shall have site control provided by HCD.*
  c) *The proposed project must show that 100% of the existing ACC units on site will be replaced or substantially rehabilitated, or have already been replaced or substantially rehabilitated in a prior phase.*
  d) *Proposed public housing sites must have the appropriate HCD and/or HUD approval in the form of a Commitment to enter into a Housing Assistance Payment (CHAP), demolition and/or disposition application, or mixed-finance proposals with approved unit counts that include ACC and/or RAD units, as applicable.*

  If a project satisfies requirements (a) through (c) as follows: (a) the project site is an HCD-owned public housing site; (b) site control has been provided by HCD; and (c) 100% of the existing ACC units on site have already been replaced in a prior phase. Requirement

(d) calls for HCD and/or HUD approval in the form of a CHAP, demolition/disposition application, or mixed-finance proposal with approved ACC and/or RAD unit counts. However, because the ACC units have already been replaced as contemplated by requirement (c), the approvals described in (d) are no longer applicable, they are the preconditions to the replacement of units, not a continuing requirement once replacement has been completed. Requiring (d) where (c) has already been fulfilled would impose a redundant threshold that the RFA does not appear to intend.

We respectfully request that the County confirm that projects which have already completed ACC unit replacement pursuant to (c) are not required to separately satisfy (d), and suggest that the final RFA include clarifying language to that effect.

Further in the scoring, confirm that the other requirements described in 4.d) on page 37 will also meet the CHAP requirement in the PHA/RAD scoring criteria.

Response 15K: RFA Page 37 has been revised as follows:

4. Public Housing or Rental Assistance Demonstration (RAD) Developments - To be considered a public housing or RAD project for this RFA, the Developer shall meet the following threshold requirements:

a) Project site must be an HCD-owned public housing site.
b) Developers shall have site control provided by HCD.
c) The proposed project must show that 100% of the existing Annual Contributions Contract (ACC) units on site will be replaced or substantially rehabilitated or have been already replaced or substantially rehabilitated in a prior phase.
d) Proposed public housing sites must have the appropriate HCD and/or HUD approval in the form of a Commitment to enter into a Housing Assistance Payment (CHAP), demolition and/or disposition application, or mixed-finance proposals with approved unit counts that include ACC and/or RAD units, as applicable.

If all units have already been replaced in a prior phase as contemplated in C, then D is not applicable.

- **Comment 15L:** General Policy-Rescind/reduce awarded funds: Item 4 on page 33 identifies a "change of the unit AMI mix" as grounds for HCD to rescind or reduce an award. We respectfully flag that for RAD redevelopment, AMI mix changes should not automatically be treated as a material change warranting rescission or reduction.

  In RAD redevelopments, the final unit AMI mix is not solely within the developer's control. Existing residents have federally protected right-of-return rights under HUD requirements, and their actual incomes at the time of relocation and return, not the income assumptions made at application, determine the occupancy mix of the completed development. An AMI mix shift resulting from right-of-return compliance is a function of federal obligation, not developer deviation from the proposed project.

  We caution that applying this trigger without distinction to RAD redevelopments could penalize developers for outcomes driven by HUD policy, and request that HCD clarify that AMI mix changes arising from right-of-return obligations will not be considered a material change for purposes of this provision.

Response 15L: The Department has the authority to exercise its discretion as to when this policy is applicable. The RFA will remain the same.

- **Comment 15M:** Income Averaging Requirements: The criteria imposed under Item 22 on page 36 for income averaging elections appear to reflect early implementation caution from when the income averaging set-aside was first introduced. At that time, IRS guidance was limited and agency processes were still being developed. That is no longer the case. Income averaging is now a well-established LIHTC election with mature regulatory guidance, and FHFC has developed comprehensive income averaging policies to which HCD already defers under Item 23.

  We respectfully request that Item 22 be removed in its entirety, with HCD relying solely on FHFC's income averaging policies and guidance as stated in Item 23. This would align the RFA with current industry practice and eliminate unnecessary process barriers for applicants pursuing a now-commonplace LIHTC election.

  Response 15M:

  If Applicants elect income averaging, then the following requirements must be met. Applicants must submit Form 8 – Applicant Income Averaging Acknowledgement and Certification document with their organization's ZoomGrants application.

  The RFA has been revised on page 36 to reflect the following:

  > "Income Averaging Requirements:
  >
  > 22. Income Averaging: Applicants must choose if they will pursue income averaging. If the applicant elects income averaging, HCD will assess applications subject to the following criteria:
  >
  >   a) FHFC Total Set-Aside Breakdown Chart if committing to the Average Income Test submitted by the Applicant to FHFC.
  >   b) If the underwriting report has already completed, the report must be updated to reflect the new AMI.
  >
  > 23. HCD refers to FHFC income averaging policies and guidance in reference to Applications received under this RFA."

- **Comment 15N:** Comment Application Checklist: We recommend that HCD reconcile the Application Checklist with the ZoomGrants required documents upload section. As currently drafted, the two are not consistent, several items required by the Checklist do not have a corresponding upload field in ZoomGrants, and ZoomGrants includes bonus point categories that do not appear in the Checklist.

  We also recommend that each scored item, both general and bonus, have its own individually numbered and labeled upload field in ZoomGrants. This reduces the risk of mislabeled or misplaced documents and ensures consistent scoring across applications.

Response 15N: The Application Checklist has been revised. The ZoomGrants platform will align sequentially with the Application Checklist and is now separated into individual sections representing each individual Development Category score sheet.

- **Comment 15O:** Further, please remove or clarify the following items on the Application Checklist.
    - #17 color photographs – this is no longer required for developer experience and ZoomGrants attachment section updated to align with the requirements.
    - #46 & #47 Green Building Certification and Exemptions to Green Building should be combined under Bonus Points for Efficient Building Costs on ZoomGrants
    - #49 Applicant Income Averaging Acknowledgement and Certification not in ZoomGrants.
    - #50 Elderly Affordable Housing Affidavit not in ZoomGrants.
    - #51 Self-Evaluated Score Sheet not in ZoomGrants.

Response 15O: The Application Checklist has been revised. The ZoomGrants platform for the 2026 Surtax/SHIP/HOME RFA is being finalized and has not been released to the public. The FINAL RFA will include an updated PDF of the ZoomGrants platform for this RFA.

Comment 16: Please provide copies of the following forms for review prior to releasing the RFA, especially the new ones.

Form 2. Environmental Review Request Form
Form 3. Partial Funding Certification and Acknowledgment Agreement
Form 4b. Exemptions to Green Building LEED Silver Certification Affidavit
Form 5. Responsible Contractor Affidavit
Form 6. Architect and Engineer Certification
Form 7. Self-Sourced Financing Commitment Verification Form
Form 8. Applicant Income Averaging Acknowledgement and Certification
Form 9. Pre-Application Form
Form 15. Developer Experience Form
Form 16. Set Aside of Disabled Households Form
Form 17. Set Aside of Units for ELI Households Form
Form 18. Efficient Building Costs Commitment Form
Form 19. Crime Prevention Measures Form
Form 20. WiFi Cable and Internet Form
Form 21. Maximum Application Fee Form
Form 22. Elderly Automatic Shut-Off Commitment Form
Form 23. Elderly Direct Services Commitment Form

Response 16: These items will be available to Applicants within the ZoomGrants library.

Comment 17: Section 5, “Set-Asides,” currently applies the same ELI scoring thresholds to all developments, regardless of whether the project receives dedicated subsidy to support the deeply restricted rents. Competitive FHFC developments receiving SAIL typically also receive ELI & NHTF subsidy intended to offset the reduced rental income associated with ELI & NHTF units, while noncompetitive 4% LIHTC developments generally do not receive the same subsidy and are therefore placed at a financial disadvantage under the current scoring structure. We respectfully recommend adding a separate Section 5(C) that provides noncompetitive or non-

FHFC applicants with an independent opportunity to earn points at a lower ELI set-aside threshold, such as four points for setting aside at least 5% of total units for ELI households and 10 points for setting aside at least 10% of total units. This would recognize the significant financial commitment made by projects providing ELI units without dedicated ELI subsidy while continuing to incentivize deeper income targeting.

Response 17: The RFA will remain the same.

Comment 18: The current revision of the LINK Unit section is inconsistent with FHFC's LINK requirements, as reflected in the attached language, and therefore has a greater impact on non-FHFC developments. Under the County provision, a project without an existing FHFC LINK commitment must voluntarily set aside 10% of all development units to receive two points. By comparison, FHFC generally requires non-self-sourced developments to designate 50% of their ELI set-aside units as LINK units. For a development with a 10% ELI set-aside, this results in LINK units equal to only 5% of the total development. Self-sourced developments may have an even lower effective LINK unit requirement. See attached excerpts from FHFC's 2025-205 SAIL RFA. As a result, the County's blanket 10% scoring requirement imposes a substantially greater obligation on non-FHFC developments for the same scoring benefit. We respectfully recommend allowing non-FHFC applicants to receive the two LINK Unit points by setting aside 5% of total units, which would more closely align the County's scoring criteria with the FHFC framework.

Response 18: The RFA will reflect more in line with the spirit of FHFC. This includes offering the 2 points to those offering 5% link units.

Comment 19: Lastly, Ability to Proceed Item 3, "Ratio of Low-Moderate to Market Rate Rental Units Provided," awards four points to a 100% affordable development only when the project receives FHFC funding but provides no equivalent scoring opportunity for a 100% affordable non-FHFC development. This distinction is not tied to the depth of affordability, number of affordable units produced, or public benefit delivered; it is based solely on the project's financing source. FHFC developments are already scored more favorably under Bonus Item B3, where a competitive FHFC development invited to credit underwriting may receive 10 points, while a noncompetitive 4% LIHTC development with an FHFC or HFA bond inducement receives only five points. Limiting the four points under Item 3 to FHFC-funded developments creates an additional and duplicative scoring advantage for the same financing structure. A 100% affordable development provides the same housing benefit to Miami-Dade County residents regardless of whether it is financed through competitive FHFC funding, noncompetitive bonds, private financing, or another viable structure. We respectfully recommend revising Item 3 to award four points to all 100% affordable developments serving households at or below 80% AMI, regardless of financing source.

Response: The RFA has been revised on page 23:

- "100% Affordable – Projects that provide housing for households whose income is at or below 80% AMI only. This includes and is not limited to FHFC financed projects."