

ENFORCEMENT ACTION AGAINST	§	BEFORE THE
RISE RESIDENTIAL CONSTRUCTION	§	TEXAS DEPARTMENT OF HOUSING
RIVERSIDE, LLC, MELISSA FISHER,	§	AND COMMUNITY AFFAIRS

FINAL ORDER OF DEBARMENT

General Remarks and official action taken:

On this 4th day of September, 2025, the Governing Board (Board) of the Texas Department of Housing and Community Affairs (TDHCA or Department) considered the matter of whether enforcement action should be taken against Rise Residential Construction Riverside, LLC and Melissa Fisher (collectively, Respondents), for submitting an altered third-party inspection report to the Department on October 10, 2024, a violation of 10 TAC §2.401(a)(5).

This Final Order is executed pursuant to the authority granted in Texas Government Code section 2306.0504, which requires the Board to adopt a policy providing for the debarment of a person from participation in Department programs because of a person's past failure to comply with conditions imposed by the Department in the administration of its programs. A policy was adopted by the Board and is set forth at 10 TAC §2.401.

Upon recommendation of the Executive Director, the Board makes the following findings of fact and conclusions of law and enters this Order:

FINDINGS OF FACT

Jurisdiction:

1. In 2020, TX Riverside Seniors, LP was issued 4% bonds to build and operate Riverside Heights Senior Living a/k/a Legacy Riverside Senior Living Community (HTC #20613 / Bond #20613B / CMTS 5659) (the Property).
2. Rise Residential Construction Riverside, LLC is the general contractor for the construction of the Property. It is controlled by its manager, Melissa Fisher. Both are considered to be a Responsible Party, as defined by 10 TAC §2.102.
3. Entities eligible for debarment by the Department include Responsible Parties, Consultants, and Vendors, under 10 TAC §2.401(a)
4. Respondents are subject to the regulatory authority of TDHCA and, for purposes of this debarment recommendation, Rise Residential Construction Riverside, LLC and Melissa Fisher are considered Responsible Parties.

Violations Subject To Debarment:

1. Respondents submitted an altered third-party inspection report to the Department on October 10, 2024, as part of a quarterly Construction Status Report (CSR) for the Property. Quarterly CSRs are required under 10 TAC §10.401(b)(5), and must include a third-party construction inspection report. The altered third-party inspection report includes documents electronically signed by Melissa Fisher of Rise Residential Construction Riverside, LLC on October 9, 2024, and was submitted to the Department by Bill Fisher of Sonoma Housing Advisors, LLC on behalf of Melissa Fisher at 5:18pm on October 10, 2024. The altered third-party inspection report was also submitted by Melissa Fisher via FTP server upload to the Department at 7:44pm on October 10, 2024. A blackline of the edits is at Exhibit 1.

CONCLUSIONS OF LAW

1. The Department has jurisdiction over this matter pursuant to Tex. Gov't Code §2306.0504 and 10 TAC §2.401.
2. Respondents are Responsible Parties as defined by 10 TAC §2.102.
3. Respondents violated 10 TAC §2.401(a)(5) by intentionally or negligently providing material misrepresentations with regard to documentation submitted to the Department.
4. Pursuant to Tex. Gov't. Code §2306.0504(b), the Department may debar a person from participation in a Department program on the basis of the person's past failure to comply with any condition imposed by the department in the administration of its programs.

Based upon the foregoing findings of fact and conclusions of law, and an assessment of material factors including those set forth in 10 TAC §2.401(j) to be considered for a recommended period of debarment, as applied specifically to the facts and circumstances present in this case, the Board of the TDHCA orders the following:

IT IS HEREBY ORDERED that Respondents are barred from future participation in any capacity for all programs administered by the Department for a **term ending March 4, 2026**. This debarment does not prohibit Respondents from participating in any existing engagements funded through the Department where funds have already been awarded or allocated, nor does it affect any responsibilities or duties thereunder. Supplemental funding applications that would ordinarily be considered by the Department may still be considered by the Board during the debarment term on a case-by-case basis for existing engagements. Any other type of pending or future funding, financing, or assistance application may not be considered during the debarment term.

IT IS FURTHER ORDERED that the terms of this Final Order shall be published on the TDHCA website.

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Approved by the Governing Board of TDHCA on September 4th, 2025.

By: _____

Name: Leo Vasquez

Title: Chair of the Board of TDHCA

By: _____

Name: _____

Title: _____

THE STATE OF TEXAS §

§

COUNTY OF TRAVIS §

Before me, the undersigned notary public, on this 4th day of September, 2025, personally appeared Leo Vasquez, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

Notary Public, State of Texas

THE STATE OF TEXAS §

§

COUNTY OF TRAVIS §

Before me, the undersigned notary public, on this 4th day of September, 2025, personally appeared _____, proved to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

(Seal)

Notary Public, State of Texas