

**Texas Department of Housing and Community Affairs Governing Board  
Board Meeting Minutes Summary  
September 5, 2024**

On Thursday, the fifth day of September 2024, at 10:00 a.m., the regular meeting of the Governing Board (Board) of the Texas Department of Housing and Community Affairs (“TDHCA” or “the Department”) was held in Room 1.110 at the University of Texas at Austin’s Thompson Conference Center, 2405 Robert Dedmon Drive, Austin, Texas 78712.

The following members, constituting a quorum, were present and voting:

- Leo Vasquez, III, Chair
- Kenny Marchant, Vice Chair
- Cindy Conroy (Note: Member Conroy exited the meeting at 1:45 p.m., before the vote on Item 23. Accordingly, any “unanimous” vote following Item 22 would be a 5-0 vote)
- Anna Maria Farias
- Holland Harper
- Ajay Thomas

Mr. Vasquez served as Chair, and James “Beau” Eccles, TDHCA General Counsel, served as Secretary.

- 1) The Board approved a resolution celebrating October 2024 as Energy Awareness Month in Texas.
- 2) The Board approved the Consent Agenda and Consent Agenda Report items (items 1-16) as presented.
- 3) Action Item 17 – Executive Director’s Report – was presented by Bobby Wilkinson, TDHCA Executive Director. The Board heard the report and took no further action.
- 4) Chairman Vasquez exercised his right to take up agenda items out of order as Cody Campbell, TDHCA Director of Multifamily Finance, presented Action Item 35 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Commons at St. Anthony’s. Following public comment (listed below), the Board by a 5-1 vote (Chair Vasquez voted nay) approved staff recommendation to grant the force majeure request.
  - The Honorable Four Price, Texas State Representative, House District 87, provided comments in support of staff recommendation
  - John Dallas, Chief of Staff, State Senator Kevin Sparks, provided comments in support of staff recommendation

- Dan DiFrancesco, Commonwealth Development and co-developer of Commons at St. Anthony's, provided comments in support of staff recommendation
- Kent Hance, KRS Housing and co-developer of Commons at St. Anthony's, provided comments in support of staff recommendation

5) The Board returned to the printed order of the agenda and took up Action Item 18 – Presentation, discussion and possible approval to hedge interest rate risk associated with mortgage loans to be acquired with the proceeds of Residential Mortgage Revenue Bonds Series 2024A and 2024B, and Residential Mortgage Revenue Bonds Series 2024C and 2024D. Scott Fletcher, TDHCA Director of Bond Finance, presented the item with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve the authorization to hedge potential payment and spread exposure relating to interest rate risk on originated mortgage loans as described in the item.

6) Action Item 19 – Presentation, discussion and possible action regarding a waiver of 10 TAC §11.101(b)(1)(A)(vii) of the Qualified Allocation Plan (QAP) relating to the percentage of efficiency and/or one bedroom units for Parmer North – was not heard as the applicant requested the item be pulled from the agenda.

7) Action Item 20 – Presentation, discussion, and possible action on an order proposing repeal of 10 TAC Chapter 10 Subchapter F, Compliance Monitoring Rule, and order proposing new 10 TAC Chapter 10 Subchapter F, Compliance Monitoring Rule, and directing its publication for public comment in the *Texas Register* – was presented by Wendy Quackenbush, TDHCA Director of Multifamily Compliance. The Board unanimously adopted staff recommendation in proposing the repeal of the existing rule and publishing for public comment of the new draft rule.

8) Action Item 21 – Presentation, discussion, and possible action authorizing the Department to submit an application for the U.S. Department of Housing and Urban Development's Foster Youth to Independence Initiative, and if successfully awarded to operate such program – was presented by Andre Adams, Manager, TDHCA Section 8 Program. The Board unanimously adopted staff recommendation to approve the partnership agreement with the Department of Family and Protective Services and submitting the FYI Initiative application to HUD.

9) Action Item 22 – Presentation, discussion, and possible action on State Fiscal Year 2024 and 2025 Veterans Transitional Housing Pilot Program Awards – was presented by Rosy Falcon, Manager, TDHCA Homeless Programs. The Board unanimously approved staff recommendation to make the award to Austin-Travis County MHMR and amend the existing awards to the American GI Forum and US Veterans Initiatives.

10) Action Item 23 – Presentation, discussion, and possible action on the proposed repeal of 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, proposed new 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and directing their publication for public comment in the *Texas Register* – was presented by Mr.

Campbell with additional information from Mr. Wilkinson and Mr. Eccles. Following public comment (listed below), the Board approved staff recommendation on the proposed repeal of the existing QAP and publishing the new draft QAP, as amended at the meeting, for public comment.

- Kathryn Saar, Texas Affiliation of Affordable Housing Providers (TAAHP), provided comments on the item
- Robbye Meyer, ARX Advantage and Rural Rental Housing Association of Texas (RRHATX), provided comments on the item
- Audrey Martin, Purple Martin Real Estate and TAAHP, provided comments on the item
- Tracey Fine, National Church Residences, provided comments on the item
- Todd Kercheval, RRHATX and the Texas Association of Local Housing Finance Agencies, provided comments on the item
- Justin Meyer, ARX Advantage and RRHATX, provided comments on the item
- Tim Smith, Hoke Development Services, provided comments on the item
- Joy Horak-Brown, New Hope Housing, provided comments on the item
- Donna Rickenbacker, MREC, provided comments on the item
- Carla Mancha, Housing Authority of the City of Brownsville, provided comments on the item
- Tanya Lavelle, Disability Rights Texas, provided comments on the item
- Erin Hahn, Texas Housers, provided comments on the item

11) Action Item 24 – Presentation, Discussion, and Possible Action regarding a workout for Heritage Heights at Abilene – was presented by Mr. Campbell. The Board unanimously adopted staff recommendation to approve the workout.

12) Action Item 25 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for the Victorian – was presented by Josh Goldberger, Manager, TDHCA 9% Competitive Housing Tax Credit Program. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Rick Deyoe, Realtex Development Corporation, provided comments in support of staff recommendation

13) Action Item 26 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Cabana Design District – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Zachary Krochtengel, Sycamore Strategies, provided comments in support of staff recommendation

14) Action Item 27 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Westwind of Amarillo – was presented by Mr. Goldberger. The Board unanimously adopted staff recommendation to approve the force majeure request.

15) Action Item 28 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Lalita Senior Living – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Daniel Hendren, Versa Development, provided comments in support of staff recommendation

16) Action Item 29 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Woodcrest Apartments – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Melissa Fisher, Rise Residential, provided comments in support of staff recommendation

17) Action Item 30 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Town East Trails – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Alan Naul, Javelin Group, provided comments in support of staff recommendation

18) Action Item 31 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Elsie Manor – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation, as amended at the meeting, to approve the force majeure request.

- Michael Ash, JES-DevCo, provided comments in support of staff recommendation

19) Action Item 32 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Maple Park – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Michael Ash, JES-DevCo, provided comments in support of staff recommendation

20) Action Item 33 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for FishPond at Victoria – was presented by Mr. Campbell. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- David Fournier, FishPond Development, provided comments in support of staff recommendation

21) Action Item 34 – Presentation, discussion, and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for FishPond at Walker – was presented by Mr. Campbell. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- David Fournier, FishPond Development, provided comments in support of staff recommendation

Except as noted otherwise, all materials presented to and reports made to the Board were approved, adopted, and accepted. These minutes constitute a summary of actions taken. The full transcript of the meeting, reflecting who made motions, offered seconds, etc., questions and responses, and details of comments, is retained by TDHCA as an official record of the meeting.

There being no further business to come before the Board, the meeting adjourned at 3:07 p.m. The next meeting is scheduled for Thursday, October 10, 2024.

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Secretary

Approved:

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Chair