

RISE RESIDENTIAL

June 11, 2024

Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
221 E. 11th St
Austin, TX 78701

**Re: TERMINATION OF 9% HOUSING TAX CREDIT APPLICATION
 24243 MISSION ROAD APARTMENTS (DEVELOPMENT)**

Dear Mr. Wilkinson,

Tx Mission Apartments, LP respectfully appeals the termination notice for application #24243 Mission Road Apartments, San Antonio. While we do understand that there are minor discrepancies in the application, we believe these discrepancies could be resolved with an administrative deficiency. Ultimately the discrepancies do not constitute any material change in the application in either scoring or change any of the underwriting primases. It is fundamentally the same application.

There are 3 main issues that have arisen from the termination notice.

Site Acreage Discrepancy:

The Site consists of 3 different parcels some of which are not platted and part of a bigger parcel of land. As noted in the title commitment. We are contracted for 5.56 acres and this is all bound by a boundary survey.

The Environmental Site Assessment (ESA) report submitted with our application inaccurately indicates an acreage of 4.55 acres. This discrepancy arose because our service provider inadvertently included only one of the three parcels in the report generation process. The ESA encompassed a much larger area than the reported 4.55 acres and includes the full site acreage of 5.56 acres, as indicated in our site control documentation and architectural drawings. Our same service provider provided the correct acreage in the market study that was commissioned. We believe this is merely an administrative deficiency that was an honest mistake during the export of the report. Our service provider has encountered issues like this in the past from his software, but he has been able to successfully address similar issues through the administrative deficiency process. We have included the ESA with the correct acreage and a letter from the service provider explaining that this was just a problem with the export of the report.

The architectural drawings have acreage of 5.66. This has been updated to show 5.56 acres.

Contradictory and Incorrect Information:

The contradictory information was a result of mixing up some of the files from our other application in San Antonio (Culebra Apartments #24244). The information does not affect the scoring integrity of the Application or change the application materially for underwriting.

1. Incorrect coordinates
 - a. The incorrect coordinates were mistakenly mixed up with our other application in San Antonio. While this is an error in the application phase, the correct coordinates were

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provided in our pre-application. We have also included the pre-application tie breaker information with the correct coordinates. Furthermore, the PMA map includes the correct coordinates.

2. Inconsistent Tie-Breaker Information:
 - a. The Tie-Breaker Information tab contained data from another project due to a file mix-up during the application process. The correct tie-breaker information has been provided in the pre-application. More importantly, this error does not affect other applications in the region, as the corrected distance, which was known at pre-application, is still lower than the next application in line.
3. Qualified Census Tract (QCT) Status
 - a. The QCT status primarily affects our eligibility for the 30% basis boost. Although the specific resolution for the basis boost off a QCT was not included, we have provided backup information and elected for the basis boost through both Opportunity Index points and being in an Opportunity Zone. While there may be inconsistent information about the QCT status, it is not material as we still qualify for the 30% basis boost, which does not alter the application's integrity.

Architectural Plans

The architectural plans were missing information and had incorrect information on them. The architectural package that was submitted was a placeholder while we were compiling the application. We received the full package, but it was accidentally omitted. The site plan, building location, amenities, unit mix and unit sizes were all included and did not change from the placeholder to the final package that was accidentally omitted. We have included architectural plans that should meet all the issues that were noted.

We do understand that the number of deficiencies are quite high but we truly believe that they are all administrative in nature. We kindly ask for your consideration in understanding that the application score or underwriting primases are not affected by these issues.

Sincerely,

Melissa Fisher
RISE Residential

Cc: Bill Fisher
Wallace Reed

GIBCO ENVIRONMENTAL, LLC

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June 14, 2024

Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
221 E. 11th St Austin, TX 78701

Re: Clarification for Phase I Environmental Site Assessment (ESA) for Mission Road
Apartments

Dear Mr. Wilkinson,

I am writing to provide clarification for the Phase I Environmental Site Assessment (ESA) conducted for the Mission Road Apartments project (Application #24243).

Initially, we prepared the Phase I ESA for the entire 5.56 acres of the site. However, due to an error during the mapping process, we incorrectly reported the acreage as 4.55 acres. This discrepancy occurred because only one parcel of the main tract was included in our mapping software. Despite this reporting error, our comprehensive evaluation did cover the entire 5.56 acres during the site visit, database research, and historical review.

Enclosed, you will find the revised Phase I ESA, accurately showing the proper acreage of 5.56 acres. Our conclusions remain unchanged, and we would like to point out that our market study indicates the correct 5.56 acres, highlighting this as an administrative error.

When there have been similar issues in the past, we have been allowed to make corrections through the administrative deficiency process. Given that the core findings of our environmental assessment are unaffected, we believe this correction should be handled administratively.

Please let us know if there are any questions.

Sincerely,
GIBCO Environmental, LLC

BY: 

Jim Howell, Environmental Professional