

ANDOVER VILLAGE
6300 West Loop South, Ste. 670
Bellaire, Texas 77401
(713) 940-9940 – p
(713) 583-8858 – f
Donna@DWRDevelopment.com

September 17, 2025

Mr. Cody Campbell
Director of Multifamily Programs
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, Texas 78701

Re: TDHCA #24084; Andover Village-Placed-in-Service Extension Request

Dear Mr. Campbell,

Andover Village Apartments, LP (the “Applicant”), was awarded 2024 9% Housing Tax Credits in connection with the development of Andover Village. Andover Village will consist of 2 components (i) Andover Village Apartments, a 120-unit affordable rental housing complex for individuals and families, and (ii) a stand-alone Pre-K school amenity feature for the benefit of the residents of Andover Village Apartments. It will be located at 6935 Bellfort Street, Houston, Texas, 77087, in the TIRZ #8-Gulfgate neighborhood.

Since the award, the Applicant has encountered several unforeseen delays impacting advancement of this Project including financing and design plan approval delays, increases in construction costs, funding shortfalls and receipt of an Innocent Owner Certificate (IOC) from the TCEQ. With each delay, the Applicant has actively sought to resolve them in a timely and complete manner. However, the cumulative setbacks have impacted the date of closing, construction completion timeline and our required 10% test and placement of all buildings in service deadlines. The Applicant respectfully requests a 1-year extension of the Placement in Service deadline to December 31, 2027, under 10 TAC §11.6(5), recognizing the following force majeure events:

- **Part 58 ESA Clearance.** At the time of Application in February 2024, the Applicant submitted evidence of its intentions to apply for gap funding from the FHLB in the amount of \$3,000,000. Our application was submitted through Comerica Bank on May 1, 2024. Unfortunately, on October 24, 2024, the Applicant was notified that it did not receive the requested award. Upon learning the news, the Applicant immediately sought alternative sources of required gap funding. Applicant responded to the 2024 HOME Multifamily (NOFA)II: Solicitation No.: N091824 released by the City of Houston on October 14, 2024. We were successfully awarded HOME funds from the City of Houston on November 26, 2024. Upon receipt of the award, the Applicant immediately engaged Phase Engineering to complete a Part-58 environmental clearance, a prerequisite to land acquisition and closing. Both Phase Engineering and the City of Houston worked diligently to complete the process utilizing the timeline imposed by HUD. Unfortunately, HUD’s approval process took far longer than anticipated, impacting our Readiness to Proceed and projected debt and equity closing deadlines. **Attached** please find our clearance timeline recognizing receipt of the AUGF on April 24, 2025, which was 60-days longer than expected.

- **Design Plan Approval.** We submitted our initial design plans to the City of Houston in early January 2025. We have responded to several sets of comments from the City of Houston. The following factors have impacted approval of our design plans:
 - (a) The City of Houston implemented several cost-cutting initiatives to close its 2025 budget gap including a hiring freeze and a voluntary retirement program to eligible employees across all departments. These events have delayed permitting comments from several reviewing departments constraining the issuance of final permits impacting the closing with our debt and equity partners and construction timelines.
 - (b) Exacerbating the permitting delays, the engineer that designed all the structural components of the development had a stroke. In early May 2025, we were notified that the structural engineer was no longer in practice. **Attached** please find a letter from Mucasey & Associates, the Architect of Record. This unfortunate outcome put this project on hold until a new structural engineer could be retained. As stated in the letter, we were unable to respond to plan comments from the City of Houston, contract pricing questions from general contractors bidding the project, and plan and cost review inquiries by our debt and equity providers.

Despite the above-described plan delays, as of the date of this request, all permits are expected by mid-October 2025.

- **TCEQ IOP Program.** The advancement of this Project has been impacted the most by delays associated with the completion of the process for applying to the TCEQ Innocent Owner/Operator Program (IOP) to obtain a release of liability for the groundwater impact identified in the Phase II Environmental Site Assessment (ESA). The process is still underway. Phase Engineering prepared a Phase I ESA for the subject property dated January 9, 2024, followed by a Phase II ESA dated January 31, 2024. The Phase II ESA identified reportable impact to groundwater from an offsite source. Following completion of the Phase I ESA and Phase II ESA, the Applicant contracted with Phase Engineering to complete the process for applying to the TCEQ IOP program to obtain a release of liability for the groundwater impact identified in the Phase II ESA. **Attached** please find (i) the IOP Timeline, and (ii) A Summary of ESA Assessment Outcomes and Recommendations from Phase Engineering. The process is still underway.

As set forth in the Timeline, the TCEQ indicated a due date of November 14, 2025, to receive the IOC affidavit package. Once received, the selected General Contractor will need time to rebid and update its construction pricing, a process that could take 45-60 days to complete.

Affiliates of the Applicant have a successful record in the LIHTC program. The above-described force majeure events were not caused by any act or omission of the Applicant, or any affiliate of the Applicant. To the contrary, once identified the Applicant worked aggressively to mitigate all delays, several of which have taken significant time and unfortunately have impacted our tax credit program deadlines. **Please note** the Applicant recognized delays by other applicants with the TCEQ process, and as shown in the **attached** IOP Timeline, elected to submit the IOP Application and associated fee on April 5, 2024, **3 months before** the Andover project was awarded the 9% housing tax credits.

All permits are expected by mid-October 2025, and all soft funding and environmental clearances are in place. The Applicant and its debt and equity providers are committed to the completion of this project. **Attached** please find a detailed timeline recognizing a revised estimated construction completion date of

July 8, 2027, past the current PIS deadline of June 30, 2026. Approval of the PIS extension will enable the project to proceed with its financial closing and complete construction in the manner described in the timeline.

Andover Village is very much supported by the City of Houston as recognized in the award of limited HOME funds, and as set forth in the **attached** letter of support from Council Member Joaquin Martinez, District I, whose district includes this development.

We respectfully request approval of this Force Majeure request, and that this matter be considered at the October 9, 2025, TDHCA Board meeting.

If additional information is required, please contact me at (713) 560-0068.

Sincerely,



Donna Rickenbacker,
Representative of Andover Village

Attachments:

I-AUGF Clearance Timeline

II-Architect Letter

III-IOP Timeline

IV-Summary of ESA Assessment Outcomes and Recommendations

V-Construction Completion Timeline

VI-Letter of Support – District I

ATTACHMENT I**Timeline for Part 58 Clearance Activity from Phase****Engineering****Andover Village**

Received Part 58 Proposal (Standard completion time is 45-60 calendar days) Estimated draft due by early Feb.	Dec. 6, 2024
Section 106 submission prepared and submitted to COH for review and approval. COH initiated tribal consultations in Dec 2024 which are now completed.	Jan. 15, 2025
Draft ERR completed and submitted to COH	February 12 th
COH provided comments to the ERR	February 13 th
Phase responded to comments/revisions which was delayed by a few days due to the HEROS system being down. However, COH wanted to wait until the updated Phase I ESA was completed before reassigning HEROS for their additional review.	February 19 th
Updated Phase I ESA Completed, HEROS assigned back to COH	February 28 th
COH – provided comment that HEROS deleted all the EA Factors, and they wanted them to be reuploaded. HEROS system was down, so we sent over a PDF version of the report the same day.	March 3 rd
HEROS updated and submitted to COH. COH had additional comments which were addressed the same day.	March 4 th
COH Accepted the Final ERR	March 5 th
COH – Published FONSI	March 7 th
COH – Submitted RROF to HUD	March 25 th
COH – AUGF Received	April 24, 2025



July 11, 2025

Mr. Cody Campbell
Director of Multifamily Finance
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, Texas 78701

Re: Andover Village Apartments (TDHCA #24084) & New Faith Senior Village (TDHCA #24076),
Houston, Texas

Dear Mr. Campbell,

Mucasey and Associates is the architectural firm hired to design the above-described projects. We engaged and currently direct the completion of all work by the Structural and MEP engineers. In late February 2025, the structural engineer that I have worked with for many years on several affordable housing developments in Texas had a stroke. In his absence, his son developed a team of engineers that collaborated and produced plan sets that were adequate for permitting and budget pricing. We felt confident that we would meet our timeline and achieve final permits by the end of April 2025. In early May 2025, I was notified that the structural engineering firm of record was going out of business. This unfortunate outcome put both projects on hold. We were unable to respond to plan comments from the City of Houston, contract pricing questions from the general contractors bidding both projects, and plan and cost review inquiries by the equity providers.

We subsequently engaged a new structural engineering firm and did our best to issue revised structural plan sheets in late May/early June 2025.

We are doing our best with a difficult situation of losing a trusted structural engineer, and dear friend. We believe that we can achieve the following timeline in connection with plan approval.

New Faith:

Final Permit Issue Set – Mid August 2025 **

Andover:

Final Permit Issue Set – Late September 2025/Early October 2025**

** These dates assume plan review and COH comments that are in line with these estimated completion dates.

I would appreciate your accommodation of our client for these two deals. We are excited about their designs and their potentials in the affordable housing market in Houston, and regret the situation that has caused the delays for both projects.

Respectfully,

Mark S. Mucasey, A.I.A., NCARB
Mucasey & Associates, Architects, LLC

Mark S. Mucasey, A.I.A.
Principal
Will Cummings, d'd.

4808 Gibson St., Suite 200 Houston, Texas 77007
Tel. (713)521-1233 Fax (713)520-1904
E-mail: office@mucaseyarchitects.com

Paul Titterington, Sr. Associate
David Howland, Sr. Associate
Agnar Nielsen, Arch. Sys. Mgr.



**TDHCA #24084-Andover Village Development
Former Belfort East Shopping Center
6935 Belfort Street, Houston, TX
IOP 1289**

Summary of Activities – through September 2025

April 5, 2024 – submittal of IOP Application and fee, supporting documents, and prior reports (Phase I and II ESAs)

May 21, 2024 – TCEQ correspondence with identification of IOP ID number and TCEQ Project Manager

June 6, 2024 – First round of Notification Letters mailed out

July 10, 2024 – TCEQ correspondence following review of Phase I and II ESA reports with request for additional information (including map of potential onsite sources, summary of onsite operational history, collection of additional soil and groundwater samples, and preparation of a groundwater gradient map) to rule out potential onsite sources of impact

August 16, 2024 – Second round of Notification Letters mailed out

August 22, 2024 – Additional soil and groundwater assessment in areas of historical onsite operations that may have contributed to environmental impact

September 20, 2024 – Confirmation assessment (re-drilling at SB-5) to evaluation soil conditions based on suspected cross-contamination during August assessment

October 11, 2024 – Response to TCEQ comments submitted (with requested information and summary report for additional assessment submitted)

October 28, 2024 – Third round of Notification Letters mailed out

November 8, 2024 – Submittal of Notification Package to TCEQ



December 18, 2024 – TCEQ correspondence approving the October 2024 response to comments and requesting additional information in association with the Notification Package

December 19, 2024 – voicemail left for TCEQ regarding December 18 letter

January 10, 2025 – Updated Notification Package submitted to TCEQ as Response to Comments for the December 2024 letter (response included USPS proof of delivery / tracking information for two properties in question)

February 28, 2025 – TCEQ correspondence requesting certified letter mailing receipts for first two attempts at one property and questioning delivery for another property based on lack of signature (despite confirmation of delivery from tracking information)

March 3, 2025 – voicemail left for TCEQ regarding February 28 letter

March 6, 2025 – email to TCEQ to provide certified mail receipts and discussion of delivery at property without signature on returned green card

March 10 or 11, 2025 – voicemail left for TCEQ

March 20, 2025 – voicemail left for TCEQ; additional letter sent to meet mailing attempt requirements

March 27, 2025 – Receipt of signed green card, Updated Notification Package submitted to TCEQ with proof of delivery for properties in question and all signed green cards

June 4, 2025 – Phase inquired about the status of the review (due date was May 18). TCEQ indicated that affidavit package was undergoing review at TCEQ

July 8, 2025 – Affidavit package still under review at TCEQ

August 25, 2025 – Response to TCEQ request to verify current ownership.

September 10, 2025 – Phase inquired about status of review. TCEQ indicated that anticipated due date for affidavit package delivery from TCEQ was November 14, 2025.



October 29, 2024

Andover Village Apartments, LP
c/o DWR Development Group, LLC
6300 West Loop South, Suite 670
Bellaire, TX 77401

Re: Summary of Cumulative Environmental Assessment outcomes and recommendations;
6901 Bellfort Street, Houston, TX 77087

To Whom it May Concern:

Phase Engineering, LLC has conducted environmental assessments at the above-referenced property on behalf of DWR Development Group, LLC to meet due diligence requirements under CERCLA as part of the property transaction for future development of the site as the Andover Village Apartments, an affordable housing development. The assessments to date have included a Phase I ESA prepared with reliance to the Texas Department of Housing and Community Affairs dated January 8, 2024, a Phase II ESA dated January 31, 2024, a Vapor Encroachment Screening dated February 8, 2024, and an Additional Assessment dated October 3, 2024 that was conducted under TCEQ directive as part of Innocent Owner/Operator Program application activities. The assessment outcomes/results and recommendations are summarized below.

- Phase I ESA – The assessment identified RECs in connection with the subject property as follows: indication of likely impact to the subject property from documented and undocumented petroleum product releases and undocumented releases of hazardous substances from gasoline filling/service station operations at south adjoining properties as well as undocumented hazardous substance and/or petroleum product releases from long-term dry cleaner operations at a south adjoining property. The Phase I ESA recommended conducting a Phase II ESA with a Vapor Encroachment Screening assessment to investigate potential environmental impact at the subject property.
- Phase II ESA – The assessment identified that reportable impact to groundwater from chlorinated solvents is present in the southeast corner of the subject property nearest the offsite dry cleaning facility. There was no impact to soil from hazardous substances or petroleum products in any sample location under the Phase II ESA and there were no petroleum product constituents detected in any groundwater sample. The specific contaminants detected (chlorinated solvents) and location of impact suggest the elevated concentrations are associated with a release from the offsite dry cleaning facility. The identified groundwater impact is located in a future retention area based on the current site plan for redevelopment. The Phase II ESA recommended reporting of the impact to the TCEQ and compliance with directives to obtain regulatory agency closure. The assessment suggested the property may be eligible for a release



of liability for the reportable condition under the TCEQ Innocent Owner/Operator Program (IOP) since no onsite source was identified in the area of groundwater impact.

- Vapor Encroachment Screening – The VES assessment evaluated the potential for future vapor intrusion in areas of potential future inhalation exposure near the offsite source areas (dry cleaner and filling stations). The results indicated there were no chlorinated solvent constituents detected in the soil vapor (including in the area of reportable groundwater impact) and there were low levels of petroleum product constituents (less than action levels for vapor intrusion) detected that are likely related to ambient conditions based on the absence of petroleum products in subsurface media under the Phase II ESA. The outcome of the assessment was that there is low potential for vapor intrusion at the subject property, including in the vicinity of future residential units as well as the future Pre-K facility.
- IOP – Following completion of the Phase I and II due diligence assessment activities and reporting, DWR Development Group, LLC contracted Phase Engineering to complete the process for applying to the TCEQ IOP program to obtain a release of liability for the groundwater impact identified under the Phase II ESA. The process, which includes submittal of the Phase I and II ESA reports along with the IOP application for documentation of site history/evaluation of source areas and confirmation of impact to the site, is currently underway. TCEQ requested additional soil and groundwater assessment at the subject property in potential source areas at the subject property following review of the Phase I ESA.
- Additional Assessment under IOP – The Additional Assessment involved advancement of five soil borings and installation of two temporary monitoring wells in selected areas. Four of the soil borings and the two temporary monitoring wells were located in the areas of the former onsite tenants of the historical retail center which included a copy center, laundromat, and photography processing retailer. The fifth soil boring was advanced in an area located between the area of documented groundwater impact and the potential onsite source areas. The results of the assessment indicated there is no soil impact in the locations of former onsite tenants that included the copy center, laundromat, and photo processor. Groundwater impact was identified in the location of the former copy center (but not the laundromat or photo processor); the groundwater concentrations are significantly less than those detected along the south property boundary and at which there is low potential for vapor intrusion. Soil impact was initially identified in the soil boring located between the areas exhibiting impact along the south property boundary and that proximate to the former copy center, however based on issues with the data quality qualifiers in the laboratory report and the absence of an onsite source in that location, laboratory contamination was suspected. The soil boring was re-drilled and sampled; no impact was identified. The cumulative groundwater elevation data collected were used to estimate the groundwater gradient; the gradient is estimated to be to the northeast. Based on the estimated groundwater gradient, the absence of soil impact, the locations of groundwater impact, and the magnitude of groundwater impact depending on location, Phase Engineering provided the following opinion in the submittal to TCEQ: *“It is the opinion of Phase Engineering,*



LLC that the identified impact to groundwater at the subject property is not the result of an onsite release. It is likely that any onsite releases would have resulted in impact to soil at current (August) sample locations SB-1, SB-2, SB-3, and SB-4. The absence of soil impact in the potential onsite source areas (laundromat, copy center, and photo processing store), the absence of soil impact in any location along the south property boundary where the highest groundwater concentrations were detected in January 2024, and the estimated groundwater gradient suggest the groundwater impact is the result of an offsite source, likely the long-term dry cleaner located at the south adjoining property."

The cumulative soil and groundwater sample locations along with the former copy center, laundromat, and photo processor tenant space locations and an overlay of the current proposed site redevelopment plan are presented on the attached map. The locations of groundwater impact are in a proposed retention area (Phase 2 SB-4) and a proposed parking area (IOP SB-2).

Thank you for using the environmental professional services of Phase Engineering, LLC. If you should have any questions, please contact us at (832) 485-2230.

Ross Doctoroff, Texas P.G. #2767
Vice President

Karly E. Cherry, MSPH
Remediation Projects Director





Copyright © 2022 Phase Engineering, LLC

Sources: Esri, HERE, Garmin, (c) OpenStreetMap contributors

IOP Soil Boring Location (08/22/2024)

IOP Soil Boring / Temporary Monitoring Well Location (08/22/2024)

P2 Soil Boring / Temporary Monitoring Well Location (01/23/2024)

Subject Property

Former 6975 Bellfort St - FotoMat

Former 6973 Bellfort St - Laundry / Coin-Operated Wash

Former 6969 Bellfort St - Kwik Copy Center

Figure 1
Cumulative Sample Locations
January, August, & September 2024

ATTACHMENT V

Andover Village HTX Prelim Schedule - 25.09.15

ID	Task Mode	Task Name	Duration	Start	Finish	J	A	S	O	N	D	J	F	M	A	M	J	A	S	O	N	D	J	F	M	A	M	J	A
1		Andover Village	550 days	Mon 1/5/26	Thu 7/8/27																								
2		Work Tracking	550 days	Mon 1/5/26	Thu 7/8/27																								
3		Notice of Commencement	1 day	Mon 1/5/26	Mon 1/5/26																								
4		Pre-Con Meeting	1 day	Tue 1/6/26	Tue 1/6/26																								
5		Mobilize	5 days	Tue 1/6/26	Sat 1/10/26																								
6		Site Work	433 days	Sun 1/11/26	Fri 3/19/27																								
24		Foundations	110 days	Sun 5/17/26	Thu 9/3/26																								
25		Amenity Center	40 days	Sun 5/17/26	Thu 6/25/26																								
36		Building 1	34 days	Fri 6/5/26	Wed 7/8/26																								
46		Building 2	34 days	Thu 6/18/26	Tue 7/21/26																								
56		Building 3	34 days	Wed 7/1/26	Mon 8/3/26																								
66		Building 4	34 days	Tue 7/14/26	Sun 8/16/26																								
76		Pre-K Building	39 days	Mon 7/27/26	Thu 9/3/26																								
86		Buildings	365 days	Thu 7/9/26	Thu 7/8/27																								
137		Building 1	249 days	Thu 7/9/26	Sun 3/14/27																								
87		Amenity Center	238 days	Mon 7/13/26	Sun 3/7/27																								
198		Building 2	259 days	Wed 7/22/26	Tue 4/6/27																								
259		Building 3	260 days	Thu 8/20/26	Thu 5/6/27																								
320		Building 4	263 days	Thu 9/17/26	Sun 6/6/27																								
381		Pre-K Building	276 days	Tue 10/6/26	Thu 7/8/27																								

Critical

Critical Split

Critical Progress

Task

Split

Task Progress

Manual Task

Start-only

Finish-only

Duration-only

Baseline

Baseline Split

Baseline Milestone

Milestone

Summary Progress

Summary

Manual Summary

Project Summary

External Tasks

External Milestone

Inactive Task

Inactive Milestone

Inactive Summary

Deadline



CITY OF HOUSTON

Office of Council Member Joaquin Martinez, District I

September 12, 2025

Board of Directors
Texas Department of Housing and Community Affairs (TDHCA)
P.O. Box 13941
Austin, TX 78711-3941

RE: TDHCA #24084-Andover Village Apartments; Support for Placed in Service Extension Request

Dear Members of the Board,

As the Houston City Council Member representing District I, I am writing in support of Andover Village Apartments, LP's (Applicant) request for an extension of its Placed-in-Service deadline in connection with the development of Andover Village that was awarded 2024 9% housing tax credits by TDHCA. Andover Village will be located at 6935 Belfort Street, Houston, Texas, 77087 in District I. This development will play a critical role in District I. It will not only provide high quality affordable rental housing but a Pre-K school that will be offered free of charge to the residents of Andover Village Apartments.

I understand that several complex and unforeseen challenges have delayed the closing and start of construction, all of which the Applicant enumerated in its extension request.

Andover Village aligns with the City of Houston's housing priorities and was selected to receive HOME funds by Houston City Council. Its successful completion will serve much needed affordable housing for individuals and families, along with education for our youngest learners. Given these circumstances, I respectfully urge the Governing Board of TDHCA to approve this extension request.

Thank you for your consideration of this request. I appreciate your continued commitment to increasing access to affordable housing across Texas.

A handwritten signature in black ink, appearing to read "Joaquin Martinez".

Joaquin Martinez
Houston Council Member
District I