

# Texas Department of Housing and Community Affairs



**Thursday, November 7, 2024**

**10:00 AM**

**Texas Capitol,  
1100 Congress Avenue  
Capitol Extension Room E1.012  
Austin, TX 78701**

## **Governing Board**

*Leo Vasquez III, Chair  
Kenny Marchant, Vice-Chair  
Ajay Thomas, Member  
Anna Maria Farias, Member  
Holland Harper, Member  
Cindy Conroy, Member*

**CALL TO ORDER**

**ROLL CALL**

**CERTIFICATION OF QUORUM**

**Pledge of Allegiance - I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.**

**Texas Allegiance - Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.**

**CONSENT AGENDA**

Items on the Consent Agenda may be removed at the request of any Board member and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion or approval at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Tex. Gov't Code, Texas Open Meetings Act. Action may be taken on any item on this agenda, regardless of how designated.

**EXECUTIVE**

- 1. Presentation, discussion, and possible action on the Board meeting minutes summary for October 10, 2024 Beau Eccles

**ASSET MANAGEMENT**

- 2. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Eden Court (HTC #23428) Rosario Banuelos
- 3. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Waterview Apartments (HTC #21414) Rosario Banuelos
- 4. Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Centerpoint Commons (HTC #24400) Rosario Banuelos

**RULES**

- 5. Presentation, discussion, and possible action on an order adopting new 10 TAC Chapter 1, Subchapter A General Policies and Procedures, §1.9, Household Recipient Privacy Policy for Federal Funds or Assistance; and directing its publication in the Texas Register Brooke Boston

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| 6. | Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 12, concerning the Multifamily Housing Revenue Bond Rules, and an order adopting new 10 TAC Chapter 12 concerning the Multifamily Housing Revenue Bond Rules, and directing the publication in the Texas Register | Teresa Morales |
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**CONSENT AGENDA REPORT ITEMS**

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| 7.  | Report on the Department's 4th Quarter Investment Report relating to funds held under Bond Trust Indentures   | Scott Fletcher |
| 8.  | Report regarding a Request for Proposal issued by the Texas Department of Housing and Community Affairs (TDHCA) for Master Servicer and selection thereof | Scott Fletcher |
| 9.  | Report on TDHCA One-Time or Temporary Allocations - Pandemic Response and Other Initiatives   | Brooke Boston  |
| 10. | Report on the Department's 4th Quarter Investment Report in accordance with the Public Funds Investment Act   | Joe Guevara    |
| 11. | Media Analysis and Outreach Report, September 2024  | Michael Lyttle |

**ACTION ITEMS**

Executive Session: the Chair may call an Executive Session at this point in the agenda in accordance with the below-cited provisions

**EXECUTIVE**

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| 12. | Executive Director's Report | Bobby Wilkinson |
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**MULTIFAMILY BOND**

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| 13. | Presentation, discussion, and possible action regarding the issuance of a Determination Notice for 4% Housing Tax Credits for Creek Bend Apartments in San Antonio (#24478)  | Teresa Morales |
| 14. | 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 Oak Hill Lofts (#24495).                                | Teresa Morales |
| 15. | Presentation, discussion, and possible action regarding the Issuance of Multifamily Housing Revenue Bonds (Walnut Springs) Series 2024A-1 and Series 2024A-2 Resolution No. 25-008, an award of Direct Loan funds, and a Determination Notice of Housing Tax Credits | Teresa Morales |

**ASSET MANAGEMENT**

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- 16.** Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application, changes to the ownership structure, and a waiver of 10 TAC §11.9(b)(2)(A) for Avanti Legacy del Sol (HTC #23015) Rosalio Banuelos

**LEGAL**

- 17.** Presentation, discussion, and possible action on recommendation to adopt an Agreed Final Order assessing an administrative penalty relating to Rosemont at Meadow Lane (HTC 03433 / CMTS 3421), and a Final Order of debarment for Evan J. Hunden, David B. Ratliff, and Michael Volz Sascha Stremmer

**RULES**

- 18.** Presentation, discussion, and possible action on order proposing the repeal of 10 TAC Chapter 23, Single Family HOME Program, and orders proposing new 10 TAC Chapter 23, Single Family HOME Program Rules, and directing their publication for public comment in the Texas Register Abigail Versyp
- 19.** Presentation, discussion, and possible action on an order adopting amendments to 10 Texas Administrative Code Chapter 10, Uniform Multifamily Rules, Subchapter I, Public Facility Corporation Compliance Monitoring §10.1103 Reporting Requirements and directing it will be published for adoption in the Texas Register Amy Hammond

**MULTIFAMILY FINANCE**

- 20.** Presentation, discussion, and possible action regarding material amendments to previous 9% Competitive Housing Tax Credit Applications to award State Housing Tax Credits and approval of the waiting list for 2024 State Housing Tax Credit Applications. Josh Goldberger
- 21.** 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 3300 Caroline Cody Campbell
- 22.** 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 Beaumont Pioneer Crossing Cody Campbell
- 23.** 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 Brownwood Pioneer Crossing Cody Campbell
- 24.** 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 Burkburnett Royal Gardens Cody Campbell

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| 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 Royal Gardens Lufkin   | Cody Campbell   |
| 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 Estacado Estates       | Cody Campbell   |
| 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 Parkside on Carrier    | Cody Campbell   |
| 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 Riverview Manor        | Cody Campbell   |
| 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 Sweetwater Station     | Cody Campbell   |
| 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 Trailside Estates      | Cody Campbell   |
| 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 Avanti Legacy Del Sol  | Josh Goldberger |
| 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 Avanti Legacy Lyon     | Josh Goldberger |
| 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 Candlewood Village     | Josh Goldberger |
| 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 Country Villa          | Josh Goldberger |
| 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 Vista at Thousand Oaks | Josh Goldberger |
| 36. | 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 Rushmore           | Josh Goldberger |
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37. Presentation, discussion, and possible action on the adoption of the repeal of 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, adoption of new 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and directing their publication for adoption in the Texas Register following the statutory opportunity for gubernatorial acceptance, revision, or rejection.

Cody Campbell

**PUBLIC COMMENT ON MATTERS OTHER THAN ITEMS FOR WHICH THERE WERE POSTED AGENDA ITEMS**

The Board may go into Executive Session Pursuant to Tex. Gov't Code §551.074 for the purposes of discussing personnel matters including to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Pursuant to Tex. Gov't Code §551.071(1) to seek the advice of its attorney about pending or contemplated litigation or a settlement offer;

Pursuant to Tex. Gov't Code §551.071(2) for the purpose of seeking the advice of its attorney about a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Tex. Gov't Code Chapter 551; including seeking legal advice in connection with a posted agenda item;

Pursuant to Tex. Gov't Code §551.072 to deliberate the possible purchase, sale, exchange, or lease of real estate because it would have a material detrimental effect on the Department's ability to negotiate with a third person; and/or

Pursuant to Tex. Gov't Code §2306.039(c) the Department's internal auditor, fraud prevention coordinator or ethics advisor may meet in an executive session of the Board to discuss issues related to fraud, waste or abuse.

**OPEN SESSION**

If there is an Executive Session, the Board will reconvene in Open Session. Except as specifically authorized by applicable law, the Board may not take any actions in Executive Session.

**ADJOURN**

To access this agenda and details on each agenda item in the board book, please visit our website at [www.tdhca.texas.gov](http://www.tdhca.texas.gov) or contact Michael Lyttle, 512-475-4542, TDHCA, 221 East 11th Street, Austin, Texas 78701, and request the information. If you would like to follow actions taken by the Governing Board during this meeting, please follow TDHCA account (@tdhca) on X (Twitter).

Individuals who require auxiliary aids, services or sign language interpreters for this meeting should contact Nancy Dennis, at 512-475-3959 or Relay Texas at 1-800-735-2989, at least five days before the meeting so that appropriate arrangements can be made. Non-English speaking individuals who require interpreters for this meeting should contact Danielle Leath, 512-475-4606, at least five days before the meeting so that appropriate arrangements can be made.

Personas que hablan español y requieren un intérprete, favor de llamar a Danielle Leath, al siguiente número 512-475-4606 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

There is not a remote online or telephone option for public participation in this meeting, so those wishing to make public comment during the meeting must appear in person. This meeting will, however, be streamed online for public viewing.