

**Texas Department of Housing and Community Affairs Governing Board  
Board Meeting Minutes Summary  
November 7, 2024**

On Thursday, the seventh day of November 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 Capitol Extension Hearing Room E1.012, Texas Capitol, 1100 Congress Avenue, Austin, Texas 78701.

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

- Leo Vasquez, III, Chair
- Kenny Marchant, Vice Chair
- Cindy Conroy
- 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 unanimously approved the Consent Agenda (items 1-6) and Consent Agenda Report Items (items 7-11) as presented.

2) Action Item 12 – Executive Director’s Report – was presented by Bobby Wilkinson, TDHCA Executive Director. The Board heard the report and took no further action.

3) Chairman Vasquez exercised his authority as chair to take up agenda items out of the order published and introduced Action Item 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, TDHCA Director of Asset Management, presented the item with additional information from Mr. Wilkinson and Cody Campbell, TDHCA Director of Multifamily Finance. The Board unanimously adopted staff recommendation and approved the amendment request, the change to the ownership structure, and the rule waiver request.

4) Action Item 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 – was presented by Sascha Stremmer, TDHCA Assistant General Counsel, with additional information from Mr. Wilkinson and Mr. Eccles. Following public comment (listed below), the Board unanimously adopted an amended staff recommendation to assess an administrative penalty for noncompliance to Rosemont Meadow Lane apartments

and issue a final order of debarment for a term of two years, with the option for the debarred parties to petition the Board to seek reinstatement after one year upon a showing of satisfactory compliance on all portfolio properties.

- Barry Palmer, Coats Rose law firm representing the parties subject to the debarment, provided comments in opposition to staff recommendation
- Michael Volz, DevCo and one of the parties subject to debarment, provided comments in opposition to staff recommendation
- Kim Spinney, DevCo and representing one of the parties subject to debarment, provided comments in opposition to staff recommendation

5) Action Item 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* – was presented by Abigail Versyp, TDHCA Director of Single Family and Homeless Programs. The Board unanimously adopted staff recommendation to repeal the current rule and approve the new draft rule and to publish it for public comment.

6) Action Item 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* – was presented by Amy Hammond, TDHCA Manager of Compliance Monitoring, with additional information from Mr. Wilkinson. Following public comment (listed below), the Board unanimously adopted staff recommendation to publish the rule amendments for public comment.

- Kirk Presley, Ojala Partners, provided comments in opposition to staff recommendation

7) Action Item 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 – was presented by Josh Goldberger, TDHCA Manager of the Competitive (9%) Housing Tax Credit Program. The Board unanimously adopted staff recommendation to approve the recommended list of Applications for Final Certifications of State Housing Tax Credits, and the 2024 State Housing Tax Credits Waiting list.

8) Action Item 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 – was presented by Mr. Campbell. The Board unanimously adopted staff recommendation to approve the force majeure request.

9) The following items were pulled from the agenda and not heard:

- Action Item 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
- Action Item 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

10) Action Item 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 – was presented by Mr. Campbell with additional information from Mr. Wilkinson. The Board by 5-0 vote in favor, with Chairman Vasquez abstaining, adopted staff recommendation to approve the force majeure request.

- Michael Beard, BETCO Consulting and representing the applicant, provided comments on the item
- Hassan Chamseddin, HKC and Associates and environmental consultant for the property, provided comments on the item
- Lora Myrick, BETCO Consulting and representing the applicant, provided comments on the item

11) Chairman Vasquez returned the Board to consider the normal order of business and Action Item 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), was presented by Teresa Morales, TDHCA Director of Multifamily Bonds. Additional information was provided by Mr. Wilkinson and Mr. Eccles. Following public comment (listed below), the Board by a 4-1 vote (Member Farias voted nay and Member Marchant abstained) approved staff recommendation to issue the determination notice.

- Mason Brand, San Antonio citizen, provided comments in opposition to staff recommendation

12) Chairman Vasquez exercised his authority as chair to take up agenda items out of the order published and announced that the following items were pulled from the agenda and would not be heard:

- 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 Royal Gardens Lufkin
- 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 Estacado Estates

- 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 Parkside on Carrier
- 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 Riverview Manor
- 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 Sweetwater Station
- 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 Trailside Estates

13) 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 Avanti Legacy Del Sol – was presented by Mr. Goldberger. Following public comment (listed below), the Board by a 4-0 vote (Members Harper and Marchant abstained) adopted staff recommendation to approve the force majeure request.

- Henry Flores, Madhouse Development, provided comments on the item
- Alyssa Flores, Madhouse Development, provided comments on the item

14) 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 Avanti Legacy Lyon – was presented by Mr. Goldberger. Following public comment (listed below), the Board by a 5-0 vote (Member Harper abstained) adopted staff recommendation to approve the force majeure request.

- Henry Flores, Madhouse Development, provided comments on the item
- Alyssa Flores, Madhouse Development, provided comments on the item

15) 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 Candlewood Village – was presented by Mr. Goldberger with additional information from Mr. Wilkinson. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Dennis Hoover, Hamilton Valley Management Inc., and the applicant, provided comments on the item

16) 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 Country Villa – was presented by Mr. Goldberger. The Board unanimously adopted staff recommendation to approve the force majeure request.

17) 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 Vista at Thousand Oaks – was presented by Mr. Goldberger. The Board unanimously adopted staff recommendation to approve the force majeure request.

18) Action Item 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 – was presented by Mr. Goldberger. Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the force majeure request.

- Barry Palmer, Coats Rose law firm and representing the applicant, provided comments on the item
- Jordan Finkelman, Housing Trust Group and representing the applicant, provided comments on the item

19) Action Item 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 – was presented by Mr. Campbell with additional information from Mr. Wilkinson.

Following public comment (listed below), the Board unanimously adopted staff recommendation to approve the repeal of the current QAP and approve adoption of the new QAP as presented at the meeting, including the changes noted during the presentation, to be delivered to the Governor no later than November 15, 2024, for his review, revision, and approval, and, thereafter to be published in the *Texas Register* for adoption.

- Karsten Lowe, JPI and representing the Texas Affiliation of Affordable Housing Providers (TAAHP), provided comments on the item
- Rachel Thomas-Phillips, Regions Affordable Housing, provided comments on the item
- Sarah Andre, Structure Development, provided comments on the item
- Robbye Meyer, Arx Advantage and TAAHP, provided comments on the item (Ms. Meyer also provided comments on behalf of Rural Rental Housing of Texas (RRHA of Texas) )
- Justin Meyer, Arx Advantage, provided comments on the item
- Emily Abeln, Brinshire Development, provided comments on the item
- Kathryn Saar, TAAHP, provided comments on the item
- Nathan Kelley, Blazer Residential and TAAHP, provided comments on the item
- Sallie Burchett, Structure Development, provided comments on the item

- Tim Smith, Hope Development Services, provided comments on the item
- Tracey Fine, National Church Residences, provided comments on the item
- Michael Beard, BETCO Consulting, provided comments on the item
- Jonathan Campbell, LCJ Development and RRHA of Texas, provided comments on the item

20) Chairman Vasquez returned the Board to consider the normal order of business and Action Item 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) – was presented by Ms. Morales. The Board unanimously adopted staff recommendation to approve the rule waiver request.

21) Action Item 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 – was presented by Ms. Morales. The Board unanimously adopted staff recommendation to approve the bond issuance, the Direct Loan award, and the determination notice issuance.

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 2:43 p.m. The next meeting is scheduled for Thursday, December 12, 2024.

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Secretary

Approved:

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Chair