

**Texas Department of Housing and Community Affairs Governing Board
Board Meeting Minutes Summary
December 7, 2023**

On Thursday, the seventh day of December 2023, 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 the Williamson Board Room of the TxDOT Greer Building, 125 E. 11th Street, Austin, Texas.

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

- Leo Vasquez, III, Chair
- Kenny Marchant, Vice Chair
- 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 and Consent Agenda Report items as presented.
- 2) Action Item 15 – Executive Director’s Report – was presented by Bobby Wilkinson, TDHCA Executive Director. The Board heard the report and took no further action.
- 3) Action Item 16 – Report on the Meeting of the Internal Audit and Finance Committee – was presented by Ajay Thomas, Chairman of the TDHCA Governing Board’s Audit and Finance Committee. The Board heard the report and took no further action.
- 4) Action Item 17 – Presentation, Discussion and Possible Action on approval of the Fiscal Year 2024 Internal Audit Work Plan – was presented by Mark Scott, TDHCA Director of Internal Audit. The Board unanimously adopted staff recommendation to approve the plan.
- 5) Action Item 18 – Report and Presentation on TDHCA One-Time or Temporary Allocations - Pandemic Response and Other Initiatives – was presented by Brooke Boston, TDHCA Deputy Executive Director, with additional information from Mr. Wilkinson. The Board heard the report, lauded staff’s administration of pandemic relief funds, and took no further action.
- 6) Action Item 19 – Quarterly report relating to staff-issued Determination Notices for 2023 Non-competitive 4% Housing Tax Credit applications – was presented by Teresa Morales, TDHCA Director of Multifamily Bonds. The Board heard the report, asked several questions of Ms. Morales, and took no further action.

7) Action Item 20 – Presentation, discussion, and possible action regarding a material amendment to the Housing Tax Credit Application for Lalita Senior Living (HTC #22227) – was presented by Rosalio Banuelos, TDHCA Director of Asset Management, with additional information from Mr. Wilkinson. The Board adopted staff recommendation (Chair Vasquez abstained) to approve the amendment request.

8) Action Item 21 – Presentation, discussion, and possible action regarding a material amendment to the Housing Tax Credit Application for 380 Villas (HTC #22609) – was presented by Mr. Banuelos. The Board unanimously adopted staff recommendation to approve the amendment request.

9) Action Item 22 – Presentation, discussion, and possible action regarding authorization to release a Notice of Funding Availability for 2024 Community Services Block Grant Discretionary funds for education and employment initiatives for Native American and migrant seasonal farm worker populations – was presented by Gavin Reid, TDHCA Manager of Planning in the Community Affairs division. The Board unanimously adopted staff recommendation to approve release of the NOFA.

10) Action Item 23 – Presentation, discussion, and possible action regarding authorization to reissue a Notice of Funding Availability for the 2024 Reentry Activities Pilot Program funded with Community Services Block Grant Discretionary funds – was presented by Mr. Reid. The Board unanimously adopted staff recommendation to approve release of the NOFA.

11) Action Item 24 – Presentation, discussion, and possible action on a timely filed appeal to the Board under the Texas Department of Housing and Community Affairs' Request for Applications to administer the Bipartisan Infrastructure Law Department of Energy Weatherization Assistance Program – was presented by Mr. Reid. Following public comment (listed below) the Board affirmed staff recommendation to deny the appeal.

- Marisela Hernandez, AYUDA, provided comments in opposition to staff recommendation

12) Action Item 25 – Presentation, discussion, and possible action on the selection of International Center for Appropriate and Sustainable Technology to administer the Bipartisan Infrastructure Law Department of Energy Weatherization Assistance Program in El Paso and Hudspeth counties and authorization to re-release a Request for Applications – was presented by Mr. Reid. The Board unanimously adopted staff recommendation to select the aforementioned entity to administer BILWAP funds in El Paso and Hudspeth counties.

13) Action Item 26 – Presentation, discussion, and possible action on the draft 2024 State of Texas Low Income Housing Plan and Annual Report; proposed repeal of 10 TAC Chapter 1, Subchapter A, General Policies and Procedures, §1.23 concerning State of Texas Low Income Housing Plan and Annual Report; proposed new 10 TAC Chapter 1, Subchapter A, General Policies and Procedures, §1.23 concerning State of Texas Low Income Housing Plan and Annual

Report; and directing their publication for public comment in the *Texas Register* – was presented by Elizabeth Yevich, TDHCA Director of the Housing Resource Center, with additional information from Mr. Eccles. The Board unanimously adopted staff recommendation to repeal the existing rule and publish the draft rule for public comment.

14) Action Item 27 – Presentation, discussion, and possible action on recommendation to debar multiple parties for conduct relating to The Jones (HTC 93063 / CMTS 1137), and the adoption of an Agreed Final Order assessing an administrative penalty – was presented by Ysella Kaseman, TDHCA Enforcement Committee Secretary. Additional information was provided by Mr. Wilkinson and Megan Sylvester, TDHCA Deputy General Counsel. Following public comment (listed below), the Board unanimously adopted the referenced three orders as amended at the meeting.

- Seth Bame, Indio Properties, provided comments in opposition to staff recommendation
- William Mitchell Voss, WindMass Capital, provided comments on the item

15) Action Item 28 – Presentation, discussion, and possible action on the adoption of the 2024 Multifamily Programs Application Procedures Manual – was presented by Josh Goldberger, TDHCA Manager of the Competitive Housing Tax Credit program, with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve the new manual.

16) Action Item 29 – Presentation, discussion, and possible action on multiple requests for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Applications previously awarded 9% housing tax credits – was presented by Mr. Goldberger. Additional information was provided by Mr. Wilkinson and Naomi Cantu, TDHCA Director of the HOME-ARP Program. Following public comment (listed below), the Board unanimously adopted staff recommendation and approved the requests.

- Melissa Fisher, RISE Residential, provided comments in support of staff recommendation
- Bill Fisher, Sonoma Housing Advisors, provided comments in support of staff recommendation

17) Action Item 30 – Presentation, discussion, and possible action regarding a Material Amendment of the Housing Tax Credit Application of HTC #23013 The Laurel at Blackhawk – was presented by Cody Campbell, TDHCA Director of Multifamily Finance. The Board unanimously adopted staff recommendation to approve the amendment request.

18) Action Item 31 – Presentation, discussion, and possible action on amendment to the loan terms and waivers of 10 TAC Chapter 13 for Rio Manor (22204) – was presented by Mr. Campbell with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve the loan amendment and rule waiver requests.

19) Action Item 32 – Presentation, discussion, and possible action regarding approval of an Invitation to Apply for Neighborhood Stabilization Program funding – was presented by Mr. Campbell. The Board unanimously adopted staff recommendation to approve the funding invitation.

20) Action Item 33 – Presentation, discussion, and possible action on an amendment to the 2023 One Year Action Plan regarding distribution and allocation priorities for the Department’s multifamily Housing Trust Fund and HOME funds – was presented by Connor Jones, TDHCA Manager of the Multifamily Direct Loan Program. The Board unanimously approved staff recommendation to amend the plan as identified in the item.

21) Action Item 34 – Presentation, discussion, and possible action regarding an award of Multifamily Direct Loan funds to Providence on Park (23509) – was presented by Mr. Jones with additional information from Mr. Wilkinson. The Board unanimously adopted staff recommendation to approve providing the MFDL loan.

22) During the general public comment section of the meeting, the following person made comment:

- Tanya Lavelle, Disability Rights Texas, provided comments on the housing tax credit program and the housing tax credit program enforcement rules promulgated by the Department

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 12:45 p.m. The next meeting is set for Tuesday, January 9, 2024.

Secretary

Approved:

Chair